



**Monday, February 1, 2021
4:00 PM**

**City Council
Monday Meeting Agenda**

**Jackie Dole Community Center
220 W. Front Street**

Call to Order

Agenda Adjustments

Add Policy Item #19 at the request of the Administration

19. 2021-74 Approve the corrected minutes of the meeting of August 4, 2020.

Add Work Session Item A-1 at the request of the Administration.

- A-1. 2021-75 Refinancing options of City of Hattiesburg's Bonds for potential savings, presented by Lindsey Rea with Raymond James.

Agenda Review

Citizens' Forum

Work Session

1. 2021-70 Municode (Code of Ordinances) Review, presented by City Attorney Randy Pope.
2. 2021-71 Retro reflectivity of stop signs, requested by Council Vice President Mary Dryden.
3. 2021-72 Fire Station #5 on East Hardy Street (living conditions), requested by Councilwoman Deborah Delgado.
4. 2021-73 Timberton Softball Complex (update and plans to rebuild), requested by Councilman Nicholas Brown

Meeting Recess

JG 1. **Council member:** "I move for a closed determination upon the issue of whether or not to declare an executive session." @ 5:25 p.m.

JG MD U 2. **President:** "A motion has been made for a closed determination of whether to enter into executive session or not." (No second required) "All in favor...." @ 5:27 p.m.

3. **President:** "We will ask everyone (except anyone the Council wishes to remain) to clear the room. If the Council does decide to go into executive session, someone will step outside and let you know and why.

4. (After the room is cleared) **Council member:** "I move that we go into executive session to discuss strategy or negotiations with respect to prospective litigation, since to have an open meeting on this would have a detrimental effect on the litigating position of the City."

5. After this motion is **seconded** by **another Council member**, the city attorney steps outside and lets everyone in the hall know that (1) the Council has gone into executive session (2) to discuss strategy or negotiations with respect to prospective litigation.

6. (The Council discusses the prospective litigation)

MD U JG 7. If the Council decides to take action, the Motion may be made as follows: "I move that the Mayor be authorized to execute the proposed Consent Decree as presented by Mr. Milner in connection with the Complaint which is anticipated to be filed by the United States Environmental Protection Agency in connection with alleged violations of the Clean Water Act." After a Second, a roll call vote should be taken. @ 6:25 p.m.

JG MD U 8. (After this is concluded), **Council member:** "I move that we come out of executive session."

9. After a second, vote is taken, and, assuming the Council votes "aye," the Council is then out of executive session. @ 6:26 p.m.

Tuesday, Aug. 4, 2020

* Call to Order: Mayor, Council - DD via teleconf., 5:00PM
Ronda, Lisa, Randy

* Prayer and Pledge - NB, CC

* Agenda Adjustments:

Add Routine #12 - JB, NB to add U

* Policy

- | | |
|---|--|
| #1) JB, NB U | #20) JB, NB U |
| #2) JB, MD U | #21) MD, JB U |
| #3) JB, MD U | #22) MD, JB U |
| #4) MD, JB U | #23) JB, NB U |
| #5) MD, JB U | #24) MD, JB U |
| #6) NB, JB U | * <u>Routine</u> - JB, MD U |
| #7) JB, MD U | |
| #8) JB, MD U | * 5:25pm JB - Closed determination for executive Session |
| #9) JB, MD U | * 5:27pm JB, MD - to go into executive Session |
| #10) MD, JB U | DD DD - disconnected teleconf. @ 5:26pm |
| #11) JB, MD U | Present: Council x DD, Mayor, RC, RP, LJS, |
| #12) JB, NB U | Lamar, Ann, Samantha, |
| #13) JB, MD U | Att. John Milner and Shea McNease |
| #14) JB, MD U | MD, JB U Motion |
| #15) JB, MD U | * 6:26pm MD, JB U to come out of executive Session |
| #16) MD, JB U | Memorial Adjourn - CC * Adjourn @ 6:27pm |
| #17) NB, JB to Table until next Council meeting U | |

Published Agenda



**Tuesday, August 4, 2020
5:00 PM**

**City Council
Tuesday Meeting Agenda**

**Jackie Dole Community Center
220 W. Front Street**

Call to Order

Call to Prayer and Pledge of Allegiance

Presentation Agenda

Agenda Adjustments

Add Routine Item #12

12. 2020-545 Authorize the publication of Request for Proposals for professional services related to disaster and pandemic response cost recovery and related grant and project management services associated with impacts from the ongoing COVID-19 Pandemic.

POLICY AGENDA

1. 2020-508 Approve the minutes for the July 20 and 21, 2020 meetings of the City Council.
2. 2020-491 Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.
3. 2020-520 Adopt a Resolution setting Public Hearing on Tuesday, September 8, 2020 at 4:00 p.m. in the Jackie Dole Sherrill Community Center to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.
4. 2020-529 Adopt a Resolution calling for a Special Election to be held on August 25, 2020 in the City of Hattiesburg for the Approval or Disapproval granting Non-Exclusive Electric Franchise to Mississippi power Company.
5. 2020-511 Adopt a Resolution declaring equipment surplus and authorize the disposal or sale of said equipment; authorize removal of equipment from the City inventory of the Department of Urban Development.
6. 2020-512 Adopt a Resolution declaring certain vehicles as surplus (per attached memo) and authorize sale of said vehicles at auction and remove from the City's inventory of the Department of Urban Development.
7. 2020-525 Adopt a Resolution authorizing Requisition No. 69 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.
8. 2020-505 Approve Supplemental Agreement No. 2 with Suncoast Infrastructure, Inc. for the Cured In Place Pipe Sewer Project In Various Locations Project to add work areas and calendar days to the existing project for a contract increase of \$291,918.20 and authorize the Mayor to execute in triplicate.
9. 2020-515 Approve Payment Application No. 3 and Final Payment to Wildstone Construction Services, LLC. in the amount of \$37,941.04 for construction services for the Hattiesburg Bus Stops project; Approve final acceptance of said project; and Authorize Publication of the Notice of Final Settlement of contract of said project.
10. 2020-524 Approve Agreement with the Natural Resources Conservation Services for an Emergency Watershed Protection (EWP) Project at Creekside Manor for a total cost of \$67,000.00 of which \$50,250.00 is Federally funded and \$16,750.00 is City funded and authorize the Mayor to execute any and all documents required for the project pre-application, application, and other required documents.
11. 2020-504 Approve Joint-Funding Agreement for the period of October 1, 2020 to September 30, 2021 to continue the cooperative program between the U.S. Geological Survey (USGS)

and the City of Hattiesburg for the operation and maintenance of the Bouie River Flood Monitoring Site at Glendale Avenue, and for hydrologic modeling and development of inundation maps for the Leaf River, with total cost to the City of \$6,500.00 and authorize the Mayor to execute in duplicate.

- 12. 2020-510 Approve Cancellation of Deed of Trust from Karen Clark, Grantor, for property at 18 Annie Christie Drive, to City of Hattiesburg, Beneficiary, recorded in the Deed of Trust Book 1700 at Page 0503-0506 in the office of the Chancery Clerk of Forrest County, Mississippi, from a HOME-eligible buyer and authorize the Mayor to execute the same.
- 13. 2020-514 Approve renewal of contract (for one year) with Debristech, LLC for Debris Monitoring services in the event of a disaster and authorize the Mayor to execute in duplicate.
- 14. 2020-540 Approve renewal of Maintenance Agreement between the City of Hattiesburg and Pitney Bowes, Inc for a mail machine located in City Hall and authorize the Mayor to execute the same.
- 15. 2020-527 Approve a Service Agreement between the City of Hattiesburg and Harvard Pest Control for pest treatment at the Water Billing Office, in an amount not to exceed \$900.00 and authorize the Mayor to execute the same.
- 16. 2020-542 Approve Agreement between Mississippi State Fire Academy (MSFA) and the Hattiesburg Fire Department to provide the course for the NFPA 1001-I-II F and authorize the Mayor to execute the same.
- 17. 2020-530 Approve revised City of Hattiesburg Employee Handbook.
- 18. 2020-531 Approve the State Holiday Schedule as the City's holidays for the fiscal year 2020-2021 in accordance with MS Code 3-3-7, per attached list.
- 19. 2020-516 Approve and authorize issuance of manual checks for CDBG Program Claims for 303 JC Killingsworth Drive {Entitlement CDBG}.
- 20. 2020-519 Ratify and confirm the Mayor's appointment of Bernard Green (W3) to the Hattiesburg Board of Adjustment for a three-year term beginning August 8, 2020 and ending August 7, 2023.
- 21. 2020-518 Acknowledge bids received July 23, 2020 for the Hardy Street and Concart Street Drainage and Sidewalk Improvements Project and accept the bid from Gulf South Construction in the amount of \$355,925.80 for the Base Bid and Additive Alternate No. 1; Authorize Mayor to execute contracts upon preparation.
- 22. 2020-517 Acknowledge bids received July 23, 2020 for the Water Improvements Along Lincoln Road Project and accept the bid from C. B. Developers, Inc. in the amount of \$253,448.00; Authorize Mayor to execute contracts upon preparation.
- 23. 2020-507 Acknowledge bids received July 9, 2020 for the C.E. Roy Pathway Project and accept the bid from Gulf South Construction in the amount of \$178,118.73 for the Base Bid and Additive Alternate No. 1; Authorize Mayor to execute contracts upon preparation.
- 24. 2020-523 Acknowledge bids received July 23, 2020 for the Vehicular Wayfinding and Parking Signage Project and accept the bid from RJM McQueen Contracting, Inc. in the amount of \$69,097.74; Authorize Mayor to execute contracts upon preparation.

ROUTINE AGENDA

- 1. 2020-493 Authorize submission of a grant application to the National Endowment for the Arts (NEA) Grants for Arts Projects Program for funding to support the creation and installation of an outdoor sculpture, for a total project cost of \$200,000 (\$50,000 federal share and \$150,000 local share).
- 2. 2020-492 Authorize submission of a grant application to the Mississippi Arts Commission (MAC) Rapid Response Minigrant Program for funding to continue free virtual programming in the Fall of 2020 with a 16-week public art workshop. The total project cost is \$2,000 (\$1,000 state share and \$1,000 local share).
- 3. 2020-494 Acknowledge receipt of a Drainage Release, executed by Terry L. Garner and Warren T. Hankins, for 4127 Lincoln Road.
- 4. 2020-497 Acknowledge Bids received July 23, 2020 in a reverse auction for Supervisory Control and Data Acquisition Units for the City Of Hattiesburg Water Department; Accept the bid from MD Electric in the amount of \$243,312.65.
- 5. 2020-509 Acknowledge receipt of the two-quote docket as provided for in 31-7-13(b) of the Mississippi Code of 1972

- | | | |
|-----|----------|--|
| 6. | 2020-503 | Approve and authorize publication of a Request for Proposals for service related to the provision of Job Access Reverse Commute services for Hub City Transit. |
| 7. | 2020-513 | Approve Plans and Specifications for the Hardy Street Paving Project (21st Avenue to West Pine Street) and authorize advertisement for bids. |
| 8. | 2020-522 | Approve Plans and Specifications for the Roadway Improvements on Highway 49, Camp Street, Adeline Street, and Mamie Street Project, Mississippi Department of Transportation State Aid Road Construction Project No. DECD-0018(35) BO and authorize advertisement for bids contingent upon Office of State Aid and Road Construction approval. |
| 9. | 2020-539 | Approve Specifications and Authorize Publication for one (1) Twenty Yard Rear Loading Refuse Collection Truck for the City of Hattiesburg Public Works Department. |
| 10. | 2020-496 | Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds. |
| 11. | 2020-526 | Approve claims docket for the period ending July 31, 2020. |
| 12. | 2020-545 | Authorize the publication of Request for Proposals for professional services related to disaster and pandemic response cost recovery and related grant and project management services associated with impacts from the ongoing COVID-19 Pandemic. |

In Memoriam:

- Mr. Lance Sanderford
- Representative Gene Saucier
- Senator Bob Dearing
- Mr. Alvin Eaton
- Mr. Ryan Locklear
- Ms. Rebecca Poston
- Ms. Flora Lofton Anderson
- Ms. Catherine Calbert Jones
- Mr. James “Bill” Watts

Meeting Adjourn

Call to Order

BE IT REMEMBERED that the **regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, August 4, 2020**, in the Jackie Dole Community Center Auditorium; same being an adjourned meeting from July 20, 2020.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2 (via teleconference); Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included City Attorney, Randy Pope; Clerk of Council, Ronda S. Cole; Deputy Clerk of Council, Lisa Luu Jolly; City staff members; media; and the public.

Council President Carroll Called the meeting to order.

Call to Prayer and Pledge of Allegiance

The prayer was given by Council Member Brown.

The Pledge of Allegiance was led by Council President Carroll.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

Agenda Adjustments

A MOTION was made by Council Member George and seconded by Council Member Brown to add Routine Agenda Item #12 at the request of the Administration as follows:

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

12. **2020-545** Authorize the publication of Request for Proposals for professional services related to disaster and pandemic response cost recovery and related grant and project management services associated with impacts from the ongoing COVID-19 Pandemic.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2020-508** Approve the minutes for the July 20 and 21, 2020 meetings of the City Council.

Attachments: 7-20-2020 AR, BP, WS Mins.
 7-21-2020 Mins.

A MOTION was made by Council Member Jeffrey George and seconded by Council Member Nicholas Brown to Approve the minutes for the July 20 and 21, 2020 meetings of the City Council.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

2. **2020-491** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: Adopt Resolution to Condemn 8 4 2020 v2 example correction
 1. 3403 Pearl St.
 2. 111 Midway Avenue
 3. 1407 Deason Avenue
 4. 1121 Cherry St Corrected
 5. 607 Graymont Avenue
 6. 807 Railroad Sr.
 7. 100 South St.
 8. 307 4th Avenue
 9. 725 Barkley Rd.
 10. 1103 Johnston St.

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt Resolutions (#2020-209-217) condemning the following properties as unclean and a menace to the health and safety of the community.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

3. **2020-520** Adopt a Resolution setting Public Hearing on Tuesday, September 8, 2020 at 4:00 p.m. in the Jackie Dole Sherrill Community Center to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.

Attachments: Set Public Hearing Unsafe Properties Resolution 9-8-2020
Request to Set Public Hearing-CE 9-8-2020

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt a Resolution (#2020-218) setting Public Hearing on Tuesday, September 8, 2020 at 4:00 p.m. in the Jackie Dole Sherrill Community Center to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

4. **2020-529** Adopt a Resolution calling for a Special Election to be held on August 25, 2020 in the City of Hattiesburg for the Approval or Disapproval granting Non-Exclusive Electric Franchise to Mississippi power Company.

Attachments: Resolution authorizing special election

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt a Resolution (#2020-219) calling for a Special Election to be held on August 25, 2020 in the City of Hattiesburg for the Approval or Disapproval granting Non-Exclusive Electric Franchise to Mississippi power Company.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

5. **2020-511** Adopt a Resolution declaring equipment surplus and authorize the disposal or sale of said equipment; authorize removal of equipment from the City inventory of the Department of Urban Development.

Attachments: Aug 2020 surplus list
SURPLUS RESOLUTION Aug 2020

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt a Resolution (#2020-220) declaring equipment surplus and authorize the disposal or sale of said equipment; authorize removal of equipment from the City inventory of the Department of Urban Development.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

6. **2020-512** Adopt a Resolution declaring certain vehicles as surplus (per attached memo) and authorize sale of said vehicles at auction and remove from the City's inventory of the Department of Urban Development.

Attachments: Vehicle SURPLUS RESOLUTION Aug 2020
Vehicle Surplus Memo - Aug 2020

A MOTION was made by Council Member Brown and seconded by Council Member George to Adopt a Resolution (#2020-221) declaring certain vehicles as surplus (per attached memo) and authorize sale of said vehicles at auction and remove from the City's inventory of the Department of Urban Development.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

7. **2020-525** Adopt a Resolution authorizing Requisition No. 69 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.

Attachments: 2016 Bond Resolution No. 69
Project Resolution Requisition 2016 Bonds No. 69

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt a Resolution (#2020-222) authorizing Requisition No. 69 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

8. **2020-505** Approve Supplemental Agreement No. 2 with Suncoast Infrastructure, Inc. for the Cured In Place Pipe Sewer Project In Various Locations Project to add work areas and calendar days to the existing project for a contract increases of \$291,918.20 and authorize the Mayor to execute in triplicate.

Attachments: 2619_001

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Supplemental Agreement No. 2 with Suncoast Infrastructure, Inc. for the Cured In Place Pipe Sewer Project In Various Locations Project to add work areas and calendar days to the existing project for a contract increase of \$291,918.20 and authorize the Mayor to execute in triplicate.

Following discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

9. **2020-515** Approve Payment Application No. 3 and Final Payment to Wildstone Construction Services, LLC. in the amount of \$37,941.04 for construction services for the Hattiesburg Bus Stops project; Approve final acceptance of said project; and Authorize Publication of the Notice of Final Settlement of contract of said project.

Attachments: Notice of Final Settlement - Hattiesburg Bus Stops project
Final Pay Application and Closeout Documents

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Payment Application No. 3 and Final Payment to Wildstone Construction Services, LLC. in the amount of \$37,941.04 for construction services for the Hattiesburg Bus Stops project; Approve final acceptance of said project; and Authorize Publication of the Notice of Final Settlement of contract of said project.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

- 10. 2020-524** Approve Agreement with the Natural Resources Conservation Services for an Emergency Watershed Protection (EWP) Project at Creekside Manor for a total cost of \$67,000.00 of which \$50,250.00 is Federally funded and \$16,750.00 is City funded and authorize the Mayor to execute any and all documents required for the project pre-application, application, and other required documents.

Attachments: City of Hattiesburg 2020 Agreement (1) Pre-Award Package SF-424 12-31-22 Hattiesburg (003)

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve Agreement with the Natural Resources Conservation Services for an Emergency Watershed Protection (EWP) Project at Creekside Manor for a total cost of \$67,000.00 of which \$50,250.00 is Federally funded and \$16,750.00 is City funded and authorize the Mayor to execute any and all documents required for the project pre-application, application, and other required documents..

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

- 11. 2020-504** Approve Joint-Funding Agreement for the period of October 1, 2020 to September 30, 2021 to continue the cooperative program between the U.S. Geological Survey (USGS) and the City of Hattiesburg for the operation and maintenance of the Bouie River Flood Monitoring Site at Glendale Avenue, and for hydrologic modeling and development of inundation maps for the Leaf River, with total cost to the City of \$6,500.00 and authorize the Mayor to execute in duplicate.

Attachments: 21MLJFAMSDA088_00.City of Hattiesburg

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Joint-Funding Agreement for the period of October 1, 2020 to September 30, 2021 to continue the cooperative program between the U.S. Geological Survey (USGS) and the City of Hattiesburg for the operation and maintenance of the Bouie River Flood Monitoring Site at Glendale Avenue, and for hydrologic modeling and development of inundation maps for the Leaf River, with total cost to the City of \$6,500.00 and authorize the Mayor to execute in duplicate..

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

- 12. 2020-510** Approve Cancellation of Deed of Trust from Karen Clark, Grantor, for property at 18 Annie Christie Drive, to City of Hattiesburg, Beneficiary, recorded in the Deed of Trust Book 1700 at Page 0503-0506 in the office of the Chancery Clerk of Forrest County, Mississippi, from a HOME-eligible buyer and authorize the Mayor to execute the same.

Attachments: Cancellation of Deed of Trust Karen Clark 8.4.2020

A MOTION was made by Council Member George and seconded by Council Member Brown to Approve Cancellation of Deed of Trust from Karen Clark, Grantor, for property at 18 Annie Christie Drive, to City of Hattiesburg, Beneficiary, recorded in the Deed of Trust Book 1700 at Page 0503-0506 in the office of the

Chancery Clerk of Forrest County, Mississippi, from a HOME-eligible buyer and authorize the Mayor to execute the same.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

- 13. 2020-514** Approve renewal of contract (for one year) with Debristech, LLC for Debris Monitoring services in the event of a disaster and authorize the Mayor to execute in duplicate.

Attachments: Debris Monitoring Renewal #1 - Debris Tech

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve renewal of contract (for one year) with Debristech, LLC for Debris Monitoring services in the event of a disaster and authorize the Mayor to execute in duplicate.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 3 - George, Carroll and Dryden

Nays: 2 - Delgado (via teleconference) and Brown

- 14. 2020-540** Approve renewal of Maintenance Agreement between the City of Hattiesburg and Pitney Bowes, Inc. for a mail machine located in City Hall and authorize the Mayor to execute the same.

Attachments: PB Agreement

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve renewal of Maintenance Agreement between the City of Hattiesburg and Pitney Bowes, Inc for a mail machine located in City Hall and authorize the Mayor to execute the same.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

- 15. 2020-527** Approve a Service Agreement between the City of Hattiesburg and Harvard Pest Control for pest treatment at the Water Billing Office, in an amount not to exceed \$900.00 and authorize the Mayor to execute the same.

Attachments: Havard-Water Billing Office Contract

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve a Service Agreement between the City of Hattiesburg and Harvard Pest Control for pest treatment at the Water Billing Office, in an amount not to exceed \$900.00 and authorize the Mayor to execute the same.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

- 16. 2020-542** Approve Agreement between Mississippi State Fire Academy (MSFA) and the Hattiesburg Fire Department to provide the course for the NFPA 1001-I-II F and authorize the Mayor to execute the same.

Attachments: Academy Contract

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve Agreement between Mississippi State Fire Academy (MSFA) and the Hattiesburg Fire Department to provide the course for the NFPA 1001-I-II F and authorize the Mayor to execute the same.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

17. **2020-530** Approve revised City of Hattiesburg Employee Handbook.

Attachments: employee handbook for adoption August 2020

A MOTION was made by Council Member Brown and seconded by Council Member George to TABLE the revised City of Hattiesburg Employee Handbook until next Council meeting, August 18, 2020.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

18. **2020-531** Approve the State Holiday Schedule as the City's holidays for the fiscal year 2020-2021 in accordance with MS Code 3-3-7, per attached list.

Attachments: 2020-2021 holiday schedule

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve the State Holiday Schedule as the City's holidays for the fiscal year 2020-2021 in accordance with MS Code 3-3-7, per attached list.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

19. **2020-516** Approve and authorize issuance of manual checks for CDBG Program Claims for 303 JC Killingsworth Drive {Entitlement CDBG}.

Attachments: Memo 2 8.04.20
 Hollimon_08042020_update

A MOTION was made by Council Member Brown and seconded by Council Member George to Approve and authorize issuance of manual checks for CDBG Program Claims for 303 JC Killingsworth Drive {Entitlement CDBG}.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

20. **2020-519** Ratify and confirm the Mayor's appointment of Bernard Green (W3) to the Hattiesburg Board of Adjustment for a three-year term beginning August 8, 2020 and ending August 7, 2023.

Attachments: Resume - BG as of 7.21.2020
 Data Sheet BOA Bernard Green 2020

A MOTION was made by Council Member George and seconded by Council Member Brown to Ratify and confirm the Mayor's appointment of Bernard Green (W3) to the Hattiesburg Board of Adjustment for a three-

year term beginning August 8, 2020 and ending August 7, 2023.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

- 21. 2020-518** Acknowledge bids received July 23, 2020 for the Hardy Street and Concart Street Drainage and Sidewalk Improvements Project and accept the bid from Gulf South Construction in the amount of \$355,925.80 for the Base Bid and Additive Alternate No. 1; Authorize Mayor to execute contracts upon preparation.

Attachments: 15360 Bid Tab and Recommendation Letter

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Acknowledge bids received July 23, 2020 for the Hardy Street and Concart Street Drainage and Sidewalk Improvements Project and accept the bid from Gulf South Construction in the amount of \$355,925.80 for the Base Bid and Additive Alternate No. 1; Authorize Mayor to execute contracts upon preparation.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

- 22. 2020-517** Acknowledge bids received July 23, 2020 for the Water Improvements Along Lincoln Road Project and accept the bid from C. B. Developers, Inc. in the amount of \$253,448.00; Authorize Mayor to execute contracts upon preparation.

Attachments: 11248W Recommend Ltr & Bid Tab

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Acknowledge bids received July 23, 2020 for the Water Improvements Along Lincoln Road Project and accept the bid from C. B. Developers, Inc. in the amount of \$253,448.00; Authorize Mayor to execute contracts upon preparation.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

- 23. 2020-507** Acknowledge bids received July 9, 2020 for the C.E. Roy Pathway Project and accept the bid from Gulf South Construction in the amount of \$178,118.73 for the Base Bid and Additive Alternate No. 1; Authorize Mayor to execute contracts upon preparation.

Attachments: CE Roy Pathway Cert Bid Tab
CE Roy Pathway Bid Letter

A MOTION was made by Council Member George and seconded by Council Member Brown to Acknowledge bids received July 9, 2020 for the C.E. Roy Pathway Project and accept the bid from Gulf South Construction in the amount of \$178,118.73 for the Base Bid and Additive Alternate No. 1; Authorize Mayor to execute contracts upon preparation.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

24. **2020-523** Acknowledge bids received July 23, 2020 for the Vehicular Wayfinding and Parking Signage Project and accept the bid from RJM McQueen Contracting, Inc. in the amount of \$69,097.74; Authorize Mayor to execute contracts upon preparation.

Attachments: 15561 Bid Tab and Award Letter

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Acknowledge bids received July 23, 2020 for the Vehicular Wayfinding and Parking Signage Project and accept the bid from RJM McQueen Contracting, Inc. in the amount of \$69,097.74; Authorize Mayor to execute contracts upon preparation.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to approve the Routine Agenda.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

1. **2020-493** Authorize submission of a grant application to the National Endowment for the Arts (NEA) Grants for Arts Projects Program for funding to support the creation and installation of an outdoor sculpture, for a total project cost of \$200,000 (\$50,000 federal share and \$150,000 local share).

Attachments: NEA GAP Application (final)

2. **2020-492** Authorize submission of a grant application to the Mississippi Arts Commission (MAC) Rapid Response Minigrant Program for funding to continue free virtual programming in the Fall of 2020 with a 16-week public art workshop. The total project cost is \$2,000 (\$1,000 state share and \$1,000 local share).

Attachments: ApplicationPacket (final)

3. **2020-494** Acknowledge receipt of a Drainage Release, executed by Terry L. Garner and Warren T. Hankins, for 4127 Lincoln Road.

Attachments: 4127 Lincoln Road Drainage Release Garner Dental Clinic

4. **2020-497** Acknowledge Bids received July 23, 2020 in a reverse auction for Supervisory Control and Data Acquisition Units for the City of Hattiesburg Water Department; Accept the bid from MD Electric in the amount of \$243,312.65.

Attachments: MD Electric

5. **2020-509** Acknowledge receipt of the two-quote docket as provided for in 31-7-13(b) of the Mississippi Code of 1972

Attachments: 2968 FINAL
 2969 FINAL
 2971 FINAL
 2974 FINAL
 2975 FINAL

2977 FINAL
20200727085017

6. **2020-503** Approve and authorize publication of a Request for Proposals for service related to the provision of Job Access Reverse Commute services for Hub City Transit.

Attachments: Request for Proposals JARC 2020 7-24-20

7. **2020-513** Approve Plans and Specifications for the Hardy Street Paving Project (21st Avenue to West Pine Street) and authorize advertisement for bids.

Attachments: Hardy St Paving Final Bid Spec 7-23-20
Hardy St Paving Final Plan Set 7-23-20
Advertisement for Bids

8. **2020-522** Approve Plans and Specifications for the Roadway Improvements on Highway 49, Camp Street, Adeline Street, and Mamie Street Project, Mississippi Department of Transportation State Aid Road Construction Project No. DECD-0018(35) BO and authorize advertisement for bids contingent upon Office of State Aid and Road Construction approval.

Attachments: 178-11 Stamped Construction Plans 07-17-2020
178-11 Advertisement for bids
Contract Docs and Specs Sent with Prelim Assembly

9. **2020-539** Approve Specifications and Authorize Publication for one (1) Twenty Yard Rear Loading Refuse collection Truck for the City of Hattiesburg Public Works Department.

Attachments: 20 Yard Rear Loader Body and Chassis Specifications (005)
NOTICE TO BIDDER- 20-yard rear loader

10. **2020-496** Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.

Attachments: Memo's (08-04-2020)
Receipts (08-04-2020)
Deeds (08-04-2020)

11. **2020-526** Approve claims docket for the period ending July 31, 2020.

Attachments: Docket 7.31.20

12. **2020-545** Authorize the publication of Request for Proposals for professional services related to disaster and pandemic response cost recovery and related grant and project management services associated with impacts from the ongoing COVID-19 Pandemic.

Executive Session

A MOTION was made by Council Member George for the Council to enter closed determination upon the issue of whether or not to declare an Executive Session at 5:25 p.m.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado (via teleconference), Carroll, Dryden and Brown

Nays: 0

Council Member Delgado disconnected via teleconference at 5:26 p.m.

Council President Carroll asked for the room to be cleared at this time.

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to enter Executive Session to discuss strategy or negotiations with respect existing and prospective litigation, since to have an open meeting on this would have a detrimental effect on the litigating position of the City.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 4 - George, Carroll, Dryden and Brown

Nays: 0

Absent: 1 - Delgado

The City Attorney stepped out into the hall and announced that the Council has gone into Executive Session to discuss strategy or negotiations with respect to existing and prospective litigation.

Those present for the Executive Session were Mayor Toby Barker; Council members Jeffrey George, Carter Carroll, Mary Dryden and Nicholas Brown; City Attorney, Randy Pope; Chief Administrative Officer, Ann Jones; City Engineer, Lamar Rutland; Chief Communications Officer, Samantha McCain; Clerk of Council, Ronda Cole; Deputy Clerk of Council, Lisa Luu Jolly; Attorney John Milner of Brunini Associates; and Shea McNease of Shows, Dearman & Waits, Inc.

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to authorize the Mayor to execute the proposed Consent Decree as presented by Mr. Milner in connection with the Complaint which is anticipated to be filed by the United States Environmental Protection Agency in connection with alleged violations of the Clean Water Act.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 4 - George, Carroll, Dryden and Brown

Nays: 0

Absent: 1 - Delgado

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to exit Executive Session and re-open the meeting to the public at 6:26 p.m.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 4 - George, Carroll, Dryden and Brown

Nays: 0

Absent: 1 - Delgado

In Memoriam:

A MOTION was made by Council President Carroll to Adjourn the meeting in memory of:

- Mr. Lance Sanderford
- Representative Gene Saucier
- Senator Bob Dearing
- Mr. Alvin Eaton
- Mr. Ryan Locklear
- Ms. Rebecca Poston
- Ms. Flora Lofton Anderson
- Ms. Catherine Calbert Jones

Meeting Adjourn

Council President Carroll declared the **meeting adjourned 6:26 p.m., this 4th day of August, 2020**, by unanimous consent, until the 17th day of August, 2020.

ATTEST:

APPROVE:

Clerk of Council

Council President

ATTEST AND CERTIFY:

APPROVE:

City Clerk

Mayor

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INTENTIONALLY**



Memorandum

To: Mayor Toby Barker and Members of City Council

From:

cc:

Date: Monday, February 1, 2021

Re: Municode (Code of Ordinances) Review, presented by City Attorney Randy Pope.
File Number: 2021-70
Minute Book #

Summary

Review of The Code of Ordinances of the City of Hattiesburg recodification project.

Recommendation Statement

Please place this on the February 1, 2021 City Council meeting for consideration.