

Published Agenda

**Tuesday, January 19, 2021
4:00 PM**

**City Council
Tuesday Meeting Agenda**

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

Public Hearing

1. **2021-16** Hold public hearing for appeal filed by Tracy Parker, Owner, to appeal the Planning Commission's recommendation for the petition filed by Tracy Parker, Owner, to change the zoning classification for a certain property located at 512 North Washington Avenue (PPIN 12551, Ward 5) from Section 4.5.5, R-1C (Single Family Residential) District to Section 4.5.2, A-2 (Agricultural Residential) District). Hattiesburg Planning Commission recommended to Deny on December 2, 2020.

Call to Prayer and Pledge of Allegiance**Presentation Agenda****Citizens' Forum****POLICY AGENDA**

1. **2021-32** Approve the minutes for the January 4, & 5, 2021 meetings of the City Council.
2. **2021-17** Adopt an Ordinance for the petition by Tracy Parker, Owner, to change the zoning classification for a certain property located at 512 North Washington Avenue (Parcel 2-042E-26-212.00, PPIN 12551, Ward 5) from Section 4.5.5, R-1C (Single Family Residential) District to Section 4.5.2, A-2 (Agricultural Residential) District. The Planning Commission recommended to Deny on December 2, 2020.
3. **2021-18** Adopt an Ordinance for the petition filed by Marian and Jas Howard, Owners to change the zoning classification for a certain property located at 806 W 7th Street (Parcel 2-029E-04-078.00, PPIN 23500, Ward 2) from Section 4.5.5, R-1C (Single-Family Residential) District to Section 4.5.9, B-2 (Neighborhood Business) District. The Planning Commission recommended to Approve on January 6, 2021.
4. **2021-1** Adopt an Ordinance establishing and regulating mobile food vending units within the City of Hattiesburg.
5. **2021-19** Approve or Deny a petition filed by Christian Joseph Gibbons, Owner, and Rion Snowden, Architect to request a variance from Section 6, Table 6.1 "Minimum Side Setback" for R-1A, "10 feet", and instead allow a side setback of zero (0) feet for a variance of ten (10) feet along Hillendale Drive for a proposed building addition located at 2931 Laramie Circle (Parcel 2-039F-18-163.00, PPIN 24767; Ward 3). The Board of Adjustment recommended to Approve on January 6, 2021.
6. **2021-20** Approve or Deny a petition filed by Greg Brou, Representative, and Cliff Hensarling, Contractor to request a variance from Section 10, Table 10.6-2 "Sign Message Area" for Wall Signs, "For B-5-maximum of 15% of the single wall, 350 square feet max" and instead allow for a maximum message area square footage of seven hundred fifty-six (756) square feet, for a variance of four hundred six (406) square feet for proposed signage located 103 Medical Park (Parcel 2-040B-29-001.01, PPIN 42635, Ward 5). The Board of Adjustment recommended to Approve on January 6, 2021.
7. **2021-25** Adopt the January 19, 2021 amendments to the budget for the City of Hattiesburg for fiscal year ending September 30, 2021 and adopt Resolution authorizing publication of amendments for funds in excess of 10% of the originally appropriated fund balance.
8. **2021-29** Adopt a Resolution authorizing Requisition No. 77 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.
9. **2021-40** Adopt a Resolution granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes to Kohler for a period not to exceed ten (10) years, commencing on December 31, 2019 and ending on December 31, 2029, with a true value of \$39,524,317.81 or the amount approved by The Mississippi Department of Revenue.
10. **2021-39** Adopt a Resolution granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes to Sofidel America Corp. for a period not to exceed ten (10) years, commencing on December 31, 2015 and ending December 31, 2025.

11. 2021-8 Approve Lighting Agreement with Mississippi Power Company for additional lighting in area around S 38th Avenue and Mandalay Drive for a monthly increase of \$66.64, and authorize Mayor to execute the same.
12. 2021-9 Approve Lighting Agreement with Mississippi Power Company for additional lighting at Kamper Park parking lot for a monthly increase of \$19.33, and authorize Mayor to execute the same.
13. 2021-11 Approve Lighting Agreement with Mississippi Power Company for additional lighting at 1906 Edwards Street for a monthly increase of \$10.61, and authorize Mayor to execute the same.
14. 2021-33 Approve an Interlocal Agreement between the City of Hattiesburg and Dixie Community Utility Association, Inc. for certain utility services and authorize the Mayor to execute the same, contingent upon Attorney General's Approval.
15. 2021-34 Approve an Interlocal Agreement between the City of Hattiesburg and Arnold Line Water Association for certain utility services and authorize the Mayor to execute the same contingent upon Attorney General's Approval.
16. 2021-36 Approve Agreement between Mississippi State Fire Academy (MSFA) and the Hattiesburg Fire Department for the administration of the National CPAT test, allowance of Fire Department staff to attend and authorize the Mayor's designee to execute the same.
17. 2021-12 Approve Addendum to Service Agreement with MCCi for scanning, converting, indexing and hosting of Minute Books and authorize the Mayor to execute the same.
18. 2021-7 Authorize settlement of doubtful and disputed claim growing out of the City's acquisition of property along West 4th Street in Forrest County Civil Action No. CO19-207 in the amount of \$25,000.00 as per the Release of Liability attached. Authorize issuance of manual check for the same.
19. 2021-22 Authorize acquisition of a portion of a parcel of property identified as Forrest County Parcel No. 2-037D-14-128-00 (PPIN 022074) for the Hall Avenue Overpass Project for the price of \$800.00. The Council previously determined the just compensation for the property to be \$620.00, but reasonable efforts to negotiate an agreement have failed, and the Council finds that an administrative settlement in the amount of \$800.00 is reasonable, prudent and in the best interests of the public; Authorize Mayor to execute any and all documents required to complete the transaction; Authorize issuance of a manual check in payment upon closing of transaction.
20. 2021-24 Acknowledge receipt of proposals for the creation of a Transit Master Plan; approve a Professional Services Agreement with Neel-Schaffer, Inc. and authorize the Mayor to execute the same in triplicate (proposals on file with the Office of the City Clerk).
21. 2021-42 Ratify and confirm the Mayor's appointment of Thomas W. Griffin, Jr (W3) to the Municipal Election Commission to fill the unexpired term of Steve Willis, for a term beginning January 19, 2021 and ending June 30, 2021.
22. 2021-43 Ratify and confirm the Mayor's appointment of Michael Marks (W5) to the Municipal Election Commission to fill the unexpired term of Kimberly-Joy Miri , for a term beginning January 19, 2021 and ending June 30, 2021.
23. 2021-31 Extend state of emergency for an additional 30 days resulting from the pandemic event (COVID-19) that occurred on or about March 13, 2020.

ROUTINE AGENDA

1. 2021-2 Acknowledge receipt of Privilege Tax License Monthly Report for December 2020.
2. 2021-26 Acknowledge Proof of Publications for the month of December 2020.
3. 2021-27 Acknowledge receipt of three quitclaim deeds in relation to the acquisition of a portion of Forrest County Tax Parcel No. 2-037D-14-084.00 (PPIN 022032) for the Hall Avenue Overpass East project; Authorize issuance of manual check in payment.
4. 2021-23 Acknowledge receipt of the PERS Annual Valuation for Mississippi Municipal Systems as of June 30, 2020
5. 2021-21 Acknowledge receipt of the 2020 Floodplain Management Plan (FMP) and Program for Public Information (PPI) Annual Evaluation Reports as required for the NFIP Community Rating System.
6. 2021-28 Acknowledge receipt of executed deed in relation to acquisition of Forrest County Tax Parcel No. 2-037D-14-126.00 (PPIN 022052) for the Hall Avenue Overpass East project.
7. 2021-35 Acknowledge bids received January 7, 2021 for the Ditch and Waterways Herbicide spraying for the City of Hattiesburg and accept the bid of Hardy Vegetation Management.
8. 2021-6 Acknowledge receipt of bid received on January 7, 2021, for Legal Advertising for the City of Hattiesburg and accept the bid of Hub City Spokes as the best and only bid received.
9. 2021-10 Approve and authorize issuance of manual checks for CDBG Program Claims per attached Memorandum. {Entitlement CDBG}

- 10. 2021-4 Approve and authorize publication of Notice for Request for Qualifications for Qualified Eligible Contractors for the City of Hattiesburg's CDBG/HOME Programs {Entitlement}
- 11. 2021-13 Approve Specifications and Authorize Publication of Advertisement for Term Bid Item #3 - Ready Mix Concrete for the City of Hattiesburg
- 12. 2021-14 Approve Specifications and Authorize Publication of Advertisement for Term Bid Item #25 - Concrete & Brick Transportation Structures for the City of Hattiesburg
- 13. 2021-15 Approve Specifications and Authorize Publication of Advertisement for Term Bid Item #33 - Crushed Concrete for the City of Hattiesburg
- 14. 2021-5 Approve the sale of grave spaces, per attached memo's, Receipts, and Deeds.
- 15. 2021-38 Approve claims docket for the period ending January 15, 2021.

In Memoriam:

- Mr. Theodore Bilbo Bailey, Jr.
- Mrs. Doris Knight Bowen
- Mrs. Andrea Kent Chavis
- Mrs. Niwana Hughes Graves
- Mrs. Sabrina Allen
- Mr. Brady Jones
- Mr. Tommy Hall, Jr.
- Mrs. Kizzy Smith
- Ms. Simona Cox
- Mr. Cleveland Madison
- Mr. David Wayne McCoy
- Mr. Earnest Perkins

Meeting Adjourn

Public Hearing

BE IT REMEMBERED that the Hattiesburg City Council held a public hearing at 4:00 p.m. Tuesday, January 19, 2021, in the Jackie Dole Community Center Auditorium, same being a recessed meeting of the City Council held on January 5, 2021. The Council met for the purpose of the appeal filed by by Tracy Parker, Owner, to change the zoning classification for a certain property located at 512 North Washington Avenue (PPIN 12551, Ward 5) from Section 4.5.5, R-1C (Single Family Residential) District to Section 4.5.2, A-2 (Agricultural Residential) District). Hattiesburg Planning Commission recommended to Deny on December 2, 2020.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Director of Administration/City Clerk, Kermas Eaton; 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 and explained the procedures.

- 1. 2021-16 Hold public hearing for appeal filed by Tracy Parker, Owner, to appeal the Planning Commission's recommendation for the petition filed by Tracy Parker, Owner, to change the zoning classification for a certain property located at 512 North Washington Avenue (PPIN 12551, Ward 5) from Section 4.5.5, R-1C (Single Family Residential) District to Section 4.5.2, A-2 (Agricultural Residential) District). Hattiesburg Planning Commission recommended to Deny on December 2, 2020.

Attachment: 512 N Washington_Parker_Filed Appeal Form

Ginger Lowery, Planning Division Manager, provided a presentation overview on the petition for 512 North Washington Avenue (see attached presentation).

Attachment: 512 N Washington APH PP

Council President Carroll called upon the appellant, Tracy Parker to present her case. Ms. Parker addressed the Council regarding her request to place a mobile home on the property. She was advised by Planning that that the property was not properly zoned. The Council asked if she has looked at other options.

Council President Carroll asked the public if there were any citizens to speak for or against the petition.

There were no citizens who wished to speak for or against the petition.

By unanimous consent, Council President Carroll **closed the public hearing at 4:20 p.m. and proceeded with the regular Council meeting.**

Call to Order

BE IT REMEMBERED that the **regular meeting of the Hattiesburg City Council was held at 4:21 p.m. Tuesday, January 19, 2021**, in the Jackie Dole Community Center Auditorium.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Clerk of Council, Ronda S. Cole; Deputy Clerk of Council, Lisa Luu; 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 Kermas Eaton, City Clerk.

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.

Citizens' Forum

Council Vice President Dryden proceeded with the Citizens' Forum.

She stated the procedures and invited members of the public to speak.

There were no citizens present who wished to address the Council.

Council Vice President Dryden closed the Citizen Forum.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2021-32** Approve the minutes for the January 4, & 5, 2021 meetings of the City Council.

Attachments: 1-4-2021 AR, WS Mins.
1-5-2021 Mins.

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve the minutes for the January 4, & 5, 2021 meetings of the City Council.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

2. **2021-17** Adopt an Ordinance for the petition by Tracy Parker, Owner, to change the zoning classification for a certain property located at 512 North Washington Avenue (Parcel 2-042E-26-212.00, PPIN 12551, Ward 5) from Section 4.5.5, R-1C (Single Family Residential) District to Section 4.5.2, A-2 (Agricultural Residential) District. The Planning Commission recommended to Deny on December 2, 2020.

Attachments: DEC HPC MINUTES
hpc item D dec 2020
512 N Washington Parker Filed Appeal Form
Ordinance - 512 North Washinton Ave

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to TABLE an Ordinance for the petition by Tracy Parker, Owner, to change the zoning classification for a certain property located at 512 North Washington Avenue (Parcel 2-042E-26-212.00, PPIN 12551, Ward 5) from Section 4.5.5, R-1C (Single Family Residential) District to Section 4.5.2, A-2 (Agricultural Residential) District.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

3. **2021-18** Adopt an Ordinance for the petition filed by Marian and Jas Howard, Owners to change the zoning classification for a certain property located at 806 W 7th Street (Parcel 2-029E-04-078.00, PPIN 23500, Ward 2) from Section 4.5.5, R-1C (Single-Family Residential) District to Section 4.5.9, B-2 (Neighborhood Business) District. The Planning Commission recommended to Approve on January 6, 2021.

Attachments: HPC JAN 2021 ITEM A
JAN HPC MINUTES
Ordinance - 806 W 7th St

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Adopt an Ordinance (#3285) for the petition filed by Marian and Jas Howard, Owners to change the zoning classification for a certain property located at 806 W 7th Street (Parcel 2-029E-04-078.00, PPIN 23500, Ward 2) from Section 4.5.5, R-1C (Single-Family Residential) District to Section 4.5.9, B-2 (Neighborhood Business) District.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

4. **2021-1** Adopt an Ordinance establishing and regulating mobile food vending units within the City of Hattiesburg.

Attachments: Food truck ordinance Hburg 12-30-2020

A MOTION was made by Council Member Brown and seconded by Council Member Delgado to Adopt an Ordinance (#3286) establishing and regulating mobile food vending units within the City of Hattiesburg. .

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

5. **2021-19** Approve or Deny a petition filed by Christian Joseph Gibbons, Owner, and Rion Snowden, Architect to request a variance from Section 6, Table 6.1 "Minimum Side Setback" for R-1A, "10 feet", and instead allow a side setback of zero (0) feet for a variance of ten (10) feet along Hillendale Drive for a proposed building addition located at 2931 Laramie Circle (Parcel 2-039F-18-163.00, PPIN 24767; Ward 3). The Board of Adjustment recommended to Approve on January 6, 2021.

Attachments: boa jan 2021 item b
 JAN BOA Minutes

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve a petition filed by Christian Joseph Gibbons, Owner, and Rion Snowden, Architect to request a variance from Section 6, Table 6.1 "Minimum Side Setback" for R-1A, "10 feet", and instead allow a side setback of zero (0) feet for a variance of ten (10) feet along Hillendale Drive for a proposed building addition located at 2931 Laramie Circle (Parcel 2-039F-18-163.00, PPIN 24767; Ward 3).

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

6. **2021-20** Approve or Deny a petition filed by Greg Brou, Representative, and Cliff Hensarling, Contractor to request a variance from Section 10, Table 10.6-2 "Sign Message Area" for Wall Signs, "For B-5- maximum of 15% of the single wall, 350 square feet max" and instead allow for a maximum message area square footage of seven hundred fifty-six (756) square feet, for a variance of four hundred six (406) square feet for proposed signage located 103 Medical Park (Parcel 2-040B-29-001.01, PPIN 42635, Ward 5). The Board of Adjustment recommended to Approve on January 6, 2021.

Attachments: Jan 2021 BOA item A
 JAN BOA Minutes

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve a petition filed by Greg Brou, Representative, and Cliff Hensarling, Contractor to request a variance from Section 10, Table 10.6-2 "Sign Message Area" for Wall Signs, "For B-5- maximum of 15% of the single wall, 350 square feet max" and instead allow for a maximum message area square footage of seven hundred fifty-six (756) square feet, for a variance of four hundred six (406) square feet for proposed signage located 103 Medical Park (Parcel 2-040B-29-001.01, PPIN 42635, Ward 5).

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

7. **2021-25** Adopt the January 19, 2021 amendments to the budget for the City of Hattiesburg for fiscal year ending September 30, 2021 and adopt Resolution authorizing publication of amendments for funds in excess of 10% of the originally appropriated fund balance.

Attachments: January 2021 Budget Amendments

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt the January 19, 2021 amendments to the budget for the City of Hattiesburg for fiscal year ending September 30, 2021 and adopt Resolution (#2021-2) authorizing publication of amendments for funds in excess of 10% of the originally appropriated fund balance.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

8. **2021-29** Adopt a Resolution authorizing Requisition No. 77 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: Project Resolution Requisition 2016 Bonds No. 77
2016 Bond Resolution No. 77

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Adopt a Resolution (#2021-3) authorizing Requisition No. 77 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, Carroll, Dryden and Brown

Nays: 0

9. **2021-40** Adopt a Resolution granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes to Kohler for a period not to exceed ten (10) years, commencing on December 31, 2019 and ending on December 31, 2029, with a true value of \$39,524,317,81 or the amount approved by The Mississippi Department of Revenue.

Attachments: Kohler 1-19-21 Reso
Kohler App 1-19-2021
Kohler (7816) Position Statement

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Adopt a Resolution (#2021-4) granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes to Kohler for a period not to exceed ten (10) years, commencing on December 31, 2019 and ending on December 31, 2029, with a true value of \$39,524,317,81 or the amount approved by The Mississippi Department of Revenue.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

10. **2021-39** Adopt a Resolution granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes to Sofidel America Corp. for a period not to exceed ten (10) years, commencing on December 31, 2015 and ending December 31, 2025.

Attachments: Sofidel 1-19-21
Sofidel (7069) Position Statement Jun 2020

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt a Resolution (#2021-5) granting and allowing ad valorem tax exemption, except state and school district ad

valorem taxes to Sofidel America Corp. for a period not to exceed ten (10) years, commencing on December 31, 2015 and ending December 31, 2025.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

- 11. 2021-8** Approve Lighting Agreement with Mississippi Power Company for additional lighting in area around S 38th Avenue and Mandalay Drive for a monthly increase of \$66.64, and authorize Mayor to execute the same.

Attachments: MS Power-S 38th Ave and Mandalay Drive Authorization

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Lighting Agreement with Mississippi Power Company for additional lighting in area around S 38th Avenue and Mandalay Drive for a monthly increase of \$66.64, and authorize Mayor to execute the same.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

- 12. 2021-9** Approve Lighting Agreement with Mississippi Power Company for additional lighting at Kamper Park parking lot for a monthly increase of \$19.33, and authorize Mayor to execute the same.

Attachments: MS Power-Kamper Park LED Parking Lot Authorization

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve Lighting Agreement with Mississippi Power Company for additional lighting at Kamper Park parking lot for a monthly increase of \$19.33, and authorize Mayor to execute the same.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

- 13. 2021-11** Approve Lighting Agreement with Mississippi Power Company for additional lighting at 1906 Edwards Street for a monthly increase of \$10.61, and authorize Mayor to execute the same.

Attachments: MS Power-1906 Edwards St SL Auth

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Approve Lighting Agreement with Mississippi Power Company for additional lighting at 1906 Edwards Street for a monthly increase of \$10.61, and authorize Mayor to execute the same.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

- 14. 2021-33** Approve an Interlocal Agreement between the City of Hattiesburg and Dixie Community Utility Association, Inc. for certain utility services and authorize the Mayor to execute the same, contingent upon Attorney General's Approval.

Attachments: Dixie Agreement

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve an Interlocal Agreement between the City of Hattiesburg and Dixie Community Utility Association, Inc. for certain utility services and authorize the Mayor to execute the same, contingent upon Attorney General's Approval.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

15. **2021-34** Approve an Interlocal Agreement between the City of Hattiesburg and Arnold Line Water Association for certain utility services and authorize the Mayor to execute the same contingent upon Attorney General's Approval.

Attachments: Arnold Line Agreement

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve an Interlocal Agreement between the City of Hattiesburg and Arnold Line Water Association for certain utility services and authorize the Mayor to execute the same contingent upon Attorney General's Approval.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

16. **2021-36** Approve Agreement between Mississippi State Fire Academy (MSFA) and the Hattiesburg Fire Department for the administration of the National CPAT test, allowance of Fire Department staff to attend and authorize the Mayor's designee to execute the same.

Attachments: Hattiesburg CPAT 2020-Update

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve Agreement between Mississippi State Fire Academy (MSFA) and the Hattiesburg Fire Department for the administration of the National CPAT test, allowance of Fire Department staff to attend and authorize the Mayor's designee to execute the same.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

17. **2021-12** Approve Addendum to Service Agreement with MCCi for scanning, converting, indexing and hosting of Minute Books and authorize the Mayor to execute the same.

Attachments: Hattiesburg, MS - 18575 - ScanningOverages (FINAL)

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Addendum to Service Agreement with MCCi for scanning, converting, indexing and hosting of Minute Books 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, Carroll, Dryden and Brown

Nays: 0

18. 2021-7 Authorize settlement of doubtful and disputed claim growing out of the City's acquisition of property along West 4th Street in Forrest County Civil Action No. CO19-207 in the amount of \$25,000.00 as per the Release of Liability attached. Authorize issuance of manual check for the same.

Attachments: 4th Street Property Executed Quitclaim Deed (002) McInnis
4th Street Property Release from Liability

A MOTION was made by Council Member George and seconded by Council Member Brown to Authorize settlement of doubtful and disputed claim growing out of the City's acquisition of property along West 4th Street in Forrest County Civil Action No. CO19-207 in the amount of \$25,000.00 as per the Release of Liability attached. Authorize issuance of manual check for the same.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

19. 2021-22 Authorize acquisition of a portion of a parcel of property identified as Forrest County Parcel No. 2-037D-14-128-00 (PPIN 022074) for the Hall Avenue Overpass Project for the price of \$800.00. The Council previously determined the just compensation for the property to be \$620.00, but reasonable efforts to negotiate an agreement have failed, and the Council finds that an administrative settlement in the amount of \$800.00 is reasonable, prudent and in the best interests of the public; Authorize Mayor to execute any and all documents required to complete the transaction; Authorize issuance of a manual check in payment upon closing of transaction.

Attachments: Bethley - 1215 Hall Ave - ppin 022074
Title - Michael Bethley
Michael Bethley

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Authorize acquisition of a portion of a parcel of property identified as Forrest County Parcel No. 2-037D-14-128-00 (PPIN 022074) for the Hall Avenue Overpass Project for the price of \$800.00. The Council previously determined the just compensation for the property to be \$620.00, but reasonable efforts to negotiate an agreement have failed, and the Council finds that an administrative settlement in the amount of \$800.00 is reasonable, prudent and in the best interests of the public; Authorize Mayor to execute any and all documents required to complete the transaction; Authorize issuance of a manual check in payment upon closing of transaction.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

20. 2021-24 Acknowledge receipt of proposals for the creation of a Transit Master Plan; approve a Professional Services Agreement with Neel-Schaffer, Inc. and authorize the Mayor to execute the same in triplicate (proposals on file with the Office of the City Clerk).

Attachments: City of Hattiesburg AND NEEL-SCHAFFER AGREEMENT FOR
PROFESSIONAL SERVICES Draft
Exhibit A - Hburg TMP Scope of Services 2020 01 08
Exhibit B - FEDERAL REQUIREMENTS for CONTRACTS-ENGINEER

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Acknowledge receipt of proposals for the creation of a Transit Master Plan; approve a Professional Services Agreement with Neel-Schaffer, Inc. and authorize the Mayor to execute the same in triplicate (proposals on file with the Office of the City Clerk).

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

21. **2021-42** Ratify and confirm the Mayor's appointment of Thomas W. Griffin, Jr (W3) to the Municipal Election Commission to fill the unexpired term of Steve Willis, for a term beginning January 19, 2021 and ending June 30, 2021.

Attachments: Griffin

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Ratify and confirm the Mayor's appointment of Thomas W. Griffin, Jr (W3) to the Municipal Election Commission to fill the unexpired term of Steve Willis, for a term beginning January 19, 2021 and ending June 30, 2021.

Council President Carroll thanked Mr. Griffin for his willingness to serve.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

22. **2021-43** Ratify and confirm the Mayor's appointment of Michael Marks (W5) to the Municipal Election Commission to fill the unexpired term of Kimberly-Joy Miri, for a term beginning January 19, 2021 and ending June 30, 2021.

Attachments: Marks Bio 1-29-20

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Ratify and confirm the Mayor's appointment of Michael Marks (W5) to the Municipal Election Commission to fill the unexpired term of Kimberly-Joy Miri, for a term beginning January 19, 2021 and ending June 30, 2021.

Council President Carroll thanked Mr. Marks for his willingness to serve.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

23. **2021-31** Extend state of emergency for an additional 30 days resulting from the pandemic event (COVID-19) that occurred on or about March 13, 2020.

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Extend state of emergency for an additional 30 days resulting from the pandemic event (COVID-19) that occurred on or about March 13, 2020.

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

Yeas: 5 - George, Delgado, 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, Carroll, Dryden and Brown

Nays: 0

1. **2021-2** Acknowledge receipt of Privilege Tax License Monthly Report for December 2020.

 Attachments: Privilege Tax License mthly report Dec 2020
2. **2021-26** Acknowledge Proof of Publications for the month of December 2020.

 Attachments: 1.Clarion Ledger Inv0003603974
 Hub City Spokes Inv97098
3. **2021-27** Acknowledge receipt of three quitclaim deeds in relation to the acquisition of a portion of Forrest County Tax Parcel No. 2-037D-14-084.00 (PPIN 022032) for the Hall Avenue Overpass East project; Authorize issuance of manual check in payment.

 Attachments: Signed Quitclaim Deed-Ethel Marie Holan Russell Brown
 Signed Quitclaim Deed-Ricky D. Brown
 Signed Quitclaim Deed-Charlene Shatell Holman
4. **2021-23** Acknowledge receipt of the PERS Annual Valuation for Mississippi Municipal Systems as of June 30, 2020

 Attachments: PERS Municipal Systems Annual Report
5. **2021-21** Acknowledge receipt of the 2020 Floodplain Management Plan (FMP) and Program for Public Information (PPI) Annual Evaluation Reports as required for the NFIP Community Rating System.

 Attachments: FMP Annual Evaluation_12_21_2020
 PPI 2020 Annual Evaluation Report- 1_11_2021
6. **2021-28** Acknowledge receipt of executed deed in relation to acquisition of Forrest County Tax Parcel No. 2-037D-14-126.00 (PPIN 022052) for the Hall Avenue Overpass East project.

 Attachments: Warranty Deed - Roosevelt & Beverly Shaw - executed
7. **2021-35** Acknowledge bids received January 7, 2021 for the Ditch and Waterways Herbicide spraying for the City of Hattiesburg and accept the bid of Hardy Vegetation Management.

 Attachments: HVM
 Chempro
 Natru chem
 Perkins- Memo
8. **2021-6** Acknowledge receipt of bid received on January 7, 2021, for Legal Advertising for the City of Hattiesburg and accept the bid of Hub City Spokes as the best and only bid received.

 Attachments: Hub City Spokes- Proposal
9. **2021-10** Approve and authorize issuance of manual checks for CDBG Program Claims per attached Memorandum. {Entitlement CDBG}

 Attachments: 213 S 11th_CCI 01192021
 Manual Check Memo 01192021
 CCI_ 515 Columbia_ 01192021
 CCI_ 303 JC Killingsworth_ 01192021
10. **2021-4** Approve and authorize publication of Notice for Request for Qualifications for Qualified Eligible Contractors for the City of Hattiesburg's CDBG/HOME Programs {Entitlement}

Attachments: QEC Notice to Bidders_01-2021

11. 2021-13 Approve Specifications and Authorize Publication of Advertisement for Term Bid Item #3 – Ready Mix Concrete for the City of Hattiesburg

Attachments: Ready Mix

12. 2021-14 Approve Specifications and Authorize Publication of Advertisement for Term Bid Item #25 – Concrete & Brick Transportation Structures for the City of Hattiesburg

Attachments: Concrete and Brick Structures

13. 2021-15 Approve Specifications and Authorize Publication of Advertisement for Term Bid Item #33 – Crushed Concrete for the City of Hattiesburg

Attachments: Crushed Concrete

14. 2021-5 Approve the sale of grave spaces, per attached memo's, Receipts, and Deeds.

Attachments: Memo's (01-19-2021)
Deeds (01-19-2021)
Receipts (01-19-2021)

15. 2021-38 Approve claims docket for the period ending January 15, 2021.

Attachments: MUNIS 1.15.21 - Docket

In Memoriam:

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

- Mr. Theodore Bilbo Bailey, Jr.
- Mrs. Doris Knight Bowen
- Mrs. Andrea Kent Chavis
- Mrs. Niwanna Hughes Graves
- Mrs. Sabrina Allen
- Mrs. Brady Jones
- Mr. Tommy Hall, Jr.
- Mrs. Kizzy Smith
- Ms. Simona Cox
- Mr. Cleveland Madison
- Mr. David Wayne McCoy
- Mr. Earnest Perkins
- Mr. Micah Griffin
- Mr. Bob Marshall
- Mrs. Earline Maddox

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 4:58 p.m.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

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 at 4:59 p.m. to discuss strategy or negotiations with respect existing litigation involving Precision Construction Company, 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: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

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 existing litigation involving Precision Construction Company.

Those present for the Executive Session were Mayor Toby Barker; Council members Jeffrey George, Deborah Delgado, Carter Carroll, Mary Dryden and Nicholas Brown; Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Chief Administrative Officer, Ann Jones; Attorney Clark Hicks of Hicks Law Firm, PLLC; Attorney Officer Ross Kinsey; Director of Engineering, Lamar Rutland; Director of Urban Development, Andrew Ellard; Director of Public Works, Ronnie Perkins; Director of Parks and Recreation, Chris McGee; Director Chief Communications Officer, Samantha McCain; Clerk of Council, Ronda Cole.

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 5:11 p.m.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

Council President Carroll stated to the public that there was no action taken during Executive Session.

Meeting Adjourn

Council President Carroll declared the **meeting adjourned at 5:12 p.m., this 19th day of January, 2021**, by unanimous consent, until the 2nd day of February, 2021.

ATTEST:

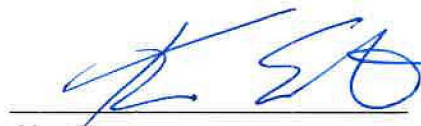
APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor