

Published Agenda

**Tuesday, February 16, 2021
4:00 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

Citizens' Forum

Agenda Adjustments

- **Add Policy Items #16 and #17, Add Addendum to the claims docket (Routine Item #15) and request for a closed session to determine the need for executive session at the conclusion of the regular agenda, at the request of the Administration as follows:**

- | | | |
|-----|----------|--|
| 16. | 2021-113 | Acknowledge declaration of State of Emergency due to winter storm that occurred on February 14, 2021. |
| 17. | 2021-114 | Adopt a Resolution requesting the Legislature of the State of Mississippi to enact a Local and Private Bill enabling the City of Hattiesburg to waive liens under certain conditions that are related to past action by the city to address code violations. |
| | 2021-117 | Addendum to the claims docket, payable to Emergency Equipment Professionals, in the amount of \$459,900.00 for the purchase of a fire truck. |
| | 2021-115 | Request for a closed session to determine the need for executive session at the conclusion of the meeting |

POLICY AGENDA

- | | | |
|----|----------|---|
| 1. | 2021-96 | Approve the minutes for the February 1 and 2, 2021 meetings of the City Council. |
| 2. | 2021-112 | Adopt an Ordinance amending Ordinance 3089, Section 2-A, Section 3-C, and Section 5-C adopted on July 17, 2012, designating the polling places to be changed for the precincts known as The Highland Precinct, East 6th Street USO Club Precinct and The Kamper Park Precinct. |
| 3. | 2021-99 | Adopt an Ordinance for the petition filed by Ronald Blackwell, Engineer, and Bennet V. York, Owner, to change the zoning classification for a portion of a property located at 156 Cross Creek Parkway (Parcel 051M-11-011.000, PPIN 7622, Ward 3) from Section 4.5.12, B-5 (Regional Business) District to Section 4.5.7, R-3 (Multi-Family Residential) District. The Planning Commission recommended to Approve on February 3, 2021. |
| 4. | 2021-100 | Approve or Deny a petition filed by Adam Caracci, Representative, and Robert Daigrepoint, Jr., Owner, to request a variance from Section 10, Table 10.6-2 "Additional Criteria" for Wall Signs, "For B-3- 3 per structure/unit" and instead allow for six (6) wall signs, for a variance of three (3) signs for proposed signage to be located at 3703 Hardy Street (Parcel 2-028L-07-162.00, PPIN 23222, Ward 1). The Board of Adjustment recommended to Deny on February 3, 2021. |
| 5. | 2021-109 | Adopt a Resolution authorizing and directing the issuance of taxable combined Water and Sewer system revenue refunding bonds, series 2021 of the City of Hattiesburg, Mississippi (The "City") (The "Bonds"); and for related purposes. |
| 6. | 2021-92 | 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. |
| 7. | 2021-102 | Adopt a Resolution authorizing Requisition No. 79 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. **2021-91** Approve Professional Services Agreement between the City of Hattiesburg and Shows, Dearman and Waits, Inc. for engineering services related to the Hall Avenue Sewer Improvements Project for a total contract amount of \$130,080.00 and authorize the Mayor to execute in duplicate.
9. **2021-103** Approve Professional Services Agreement with Neel-Schaffer, Inc. for engineering services related to the FTA Bus Stop and Sidewalk Grant Project in an amount not to exceed \$620,000.00 and authorize the Mayor to execute in duplicate.
10. **2021-83** Approve Interlocal Agreement with the University of Southern Mississippi for the continued provision of a fixed transit route in the vicinity of the Hattiesburg campus, contingent upon approval by the IHL Board of Directors and the Office of the Mississippi Attorney General and authorize the Mayor to execute the same.
11. **2021-85** Approve Memorandum of Understanding with Mississippi State Fire Academy (MSFA) and the Hattiesburg Fire Department to administer the NFPA 1072 F Course and authorize the Mayor's designee to execute the same.
12. **2021-104** Approve Relocation Assistance Budget in the amount of \$97,850.00 related to the Hall Avenue Overpass East Project, per the attached memo.
13. **2021-94** Acknowledge receipt of an Order from the Special Court of Eminent Domain of Forrest County, Mississippi related to Civil Action No. 20-1047 granting the City of Hattiesburg the Right of Immediate Title and Possession of a portion of Tax Parcel No. 2-037D-14-150.00 (PPIN 022075) as further described in Exhibit "A" of the attached order and authorize the issuance of a manual check in the amount of \$615.00, the amount previously found to be the fair market value, to the court clerk in payment thereof.
14. **2021-106** Authorize acquisition of property located at 307 Willis Avenue described as Forrest County Parcel No. 2-038B-15-277.00 (PPIN 13868); acknowledge appraisal report upon which a Fair Market Offer of \$9,000.00 was based; Authorize Mayor to execute any and all documents required to complete the transaction to include the payment of back taxes in the amount of approximately \$1,600.00; authorize issuance of manual checks for the same to be paid according to the attached proceeds agreement.
15. **2021-95** Authorize submission of an application to the Mississippi Emergency Management Agency (MEMA) 2020 Hazard Mitigation Grant Program to fund an acquisition project in the amount of \$157,464 (\$118,098 federal/\$39,366 local match) to purchase and demolish one repetitive loss property and convert the lot into open space.
16. **2021-113** Acknowledge declaration of State of Emergency due to winter storm that occurred on February 14, 2021.
17. **2021-114** Adopt a Resolution requesting the Legislature of the State of Mississippi to enact a Local and Private Bill enabling the City of Hattiesburg to waive liens under certain conditions that are related to past action by the city to address code violations.

ROUTINE AGENDA

1. **2021-81** Ratification of Release of Lien documents filed in relation to Code Enforcement clean-up assessments.
2. **2021-108** Ratify access authorization with the U.S. Environmental Protection Agency to collect background samples from certain City of Hattiesburg properties for comparative purposes related to potential cleanup opportunities at the Hercules site.
3. **2021-80** Acknowledge receipt of Privilege Tax License Monthly Report for January, 2021.
4. **2021-89** Acknowledge Proof of Publications for the month of January, 2021.
5. **2021-93** Acknowledge receipt of a fully executed warranty deed for a portion of Tax Parcel No. 2-037D-14-128.00 (PPIN 022074) for the Hall Avenue Improvements Project East.
6. **2021-105** Acknowledge submission of the Community Rating System (CRS) annual recertification.
7. **2021-97** Acknowledge no bids were received on January 21, 2021 for the Campbell Loop Bridge Repair project.
8. **2021-110** Acknowledge bids received January 14, 2021 in a reverse auction for one (1) Small Tandem Dump Truck for the City of Hattiesburg Public Works Department and accept the bid of Truckworx in the amount of \$92,000.00 as the best and only bid received.
9. **2021-111** Acknowledge bids received on January 4, 2021 in a reverse auction for one (1) 20 Cubic Yard Rear Loading Refuse Collection Truck for the City of Hattiesburg Public Works Department and accept the bid of Burroughs Companies in the amount of \$174,999.00.
10. **2021-86** Approve the donation of a Belgian Malinois canine valued at \$14,000.00 to the Hattiesburg Police Department from Vom Southern Journey Kennels.

11. **2021-87** Approve and authorize issuance of manual checks for CDBG-CV Program Claims per attached Memorandum {Entitlement CDBG-CV}.
12. **2021-88** Approve and authorize issuance of manual checks for CDBG Program Claims per attached Memorandum {Entitlement CDBG}.
13. **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}.
14. **2021-90** Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.
15. **2021-107** Approve claims docket for the period ending February 12, 2021.

In Memoriam:

- Mr. Harry Homer Bell, Jr.
- Ms. Deloris Wilborn
- Mr. Romey Watt
- Miss Fiona Beveridge
- Mr. Henry Linton
- Dr. Edgar H. "Buddy" Bedenbaugh
- Mr. Charles Bernard "Dit" Blount
- Mr. Jack Ramsey
- Ms. Darlene Wheeler
- Honorable J.C. Bell
- Mr. Larry Jenkins
- Mr. Arlen Earl Essary

Executive Session

Agenda Adjustment:

- **Add Policy Item #18, Adopt a Resolution declaring Nostalgia Lounge as a public nuisance and requesting the District Attorney for the Twelfth Judicial District to permanently abate the public nuisance.**

Meeting Adjourn

Call to Order

BE IT REMEMBERED that **the regular meeting of the Hattiesburg City Council was held at 4:00 p.m. Tuesday, February 16, 2021**, in the Jackie Dole Community Center Auditorium; same being an adjourned meeting from February 2, 2021.

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 (left at 4:59 p.m.). 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 Mayor Barker.

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.

The following citizens addressed the Council:

- Andrea Saffle, 409 Walnut Street
- Shawn Harris, 4 Belle Wood Drive

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

Council Vice President Dryden closed the Citizen Forum.

Agenda Adjustments

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to add at the request of the as follows:

Add Policy Items #16 and #17 at the request of the Administration as follows:

16. **2021-113** Acknowledge declaration of State of Emergency due to winter storm that occurred on February 14, 2021.
- Attachments: DoE Hattiesburg 021521
17. **2021-114** Adopt a Resolution requesting the Legislature of the State of Mississippi to enact a Local and Private Bill enabling the City of Hattiesburg to waive liens under certain conditions that are related to past action by the city to address code violations.
- Attachments: Resolution – Supporting Local & Private for Lien Amnesty – 2-2021

Add to Routine Agenda Item #15 as follows:

15. **2021-117** Addendum to the claims docket
- Attachments: Addendum to the claims docket 2-16-2021

Add a closed session to determine the need for Executive Session at the conclusion of the meeting.

- 2021-115** Request for a closed session to determine the need for executive session at the conclusion of the meeting.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2021-96** Approve the minutes for the February 1 and 2, 2021 meetings of the City Council.
- Attachments: 2-1-2021 AR, WS Mins
 2-2-2021 Mins.

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve the minutes for the February 1 and 2, 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 (via teleconference), Carroll, Dryden and Brown

Nays: 0

2. **2021-112** Adopt an Ordinance amending Ordinance 3089, Section 2-A, Section 3-C, and Section 5-C adopted on July 17, 2012, designating the polling places to be changed for the precincts known as The Highland Precinct, East 6th Street USO Club Precinct and The Kamper Park Precinct.

Attachments: ORDINANCE NO. Precinct changes – Copy

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to TABLE Ordinance amending Ordinance 3089, Section 2-A, Section 3-C, and Section 5-C adopted on July 17, 2012, designating the polling places to be changed for the precincts known as The Highland Precinct, East 6th Street USO Club Precinct and The Kamper Park Precinct.

Following discussion, the Motion failed, receiving the negative vote of the Council as follows:

Yeas: 2 - Delgado (via teleconference) and Brown

Nays: 3 - George, Carroll and Dryden

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt an Ordinance (#3288) amending Ordinance 3089, Section 2-A, Section 3-C, and Section 5-C adopted on July 17, 2012, designating the polling places to be changed for the precincts known as The Highland Precinct, East 6th Street USO Club Precinct and The Kamper Park Precinct.

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

Yeas: 3 - George, Carroll and Dryden

Nays: 1 - Delgado (via teleconference)

Abstain: 1 - Brown

3. **2021-99** Adopt an Ordinance for the petition filed by Ronald Blackwell, Engineer, and Bennet V. York, Owner, to change the zoning classification for a portion of a property located at 156 Cross Creek Parkway (Parcel 051M-11-011.000, PPIN 7622, Ward 3) from Section 4.5.12, B-5 (Regional Business) District to Section 4.5.7, R-3 (Multi-Family Residential) District. The Planning Commission recommended to Approve on February 3, 2021.

Attachments: Ordinance - 156 Cross Creek Parkway
hpc item a feb 2021
FEB HPC MINUTES

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt an Ordinance (#3289) for the petition filed by Ronald Blackwell, Engineer, and Bennet V. York, Owner, to change the zoning classification for a portion of a property located at 156 Cross Creek Parkway (Parcel 051M-11-011.000, PPIN 7622, Ward 3) from Section 4.5.12, B-5 (Regional Business) District to Section 4.5.7, R-3 (Multi-Family Residential) District. The Planning Commission recommended to Approve on February 3, 2021.

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

4. **2021-100** Approve or Deny a petition filed by Adam Caracci, Representative, and Robert Daigrepont, Jr., Owner, to request a variance from Section 10, Table 10.6-2 "Additional Criteria" for Wall Signs, "For B-3- 3 per structure/unit" and instead allow for six (6) wall signs, for a variance of three (3) signs for proposed signage to be located at 3703 Hardy Street (Parcel 2-028L-07-162.00, PPIN 23222, Ward 1). The Board of Adjustment recommended to Deny on February 3, 2021.

Attachments: FEB BOA Minutes
boa item a feb 2021
C521 Raising Cane's Variance Presentation

A MOTION was made by Council Member George and seconded by Council Member Brown to Approve a petition filed by Adam Caracci, Representative, and Robert Daigrepoint, Jr., Owner, to request a variance from Section 10, Table 10.6-2 "Additional Criteria" for Wall Signs, "For B-3- 3 per structure/unit" and instead allow for six (6) wall signs, for a variance of three (3) signs for proposed signage to be located at 3703 Hardy Street (Parcel 2-028L-07-162.00, PPIN 23222, Ward 1).

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

5. **2021-109** Adopt a Resolution authorizing and directing the issuance of taxable combined Water and Sewer system revenue refunding bonds, series 2021 of the City of Hattiesburg, Mississippi (The "City") (The "Bonds"); and for related purposes.

Attachments: Hattiesburg, MS - Taxable Combined Water & Sewer (W&S) Refunding Bonds 2021 (Placement, Taxable) - Sales Parameter Bond Resolution Redemption Noti
EXHIBIT B - (Hattiesburg Combined W&S Refunding 2021) - Private Placement Agreement
EXHIBIT C (Hattiesburg, MS Commitment Letters) - Bond Insurance and Surty Commitment Letters
EXHIBIT G (Hattiesburg Combined W&S Refunding 2021) - (219716) - Form of Escrow Deposit Trust Agreement (2)
EXHIBIT H (Hattiesburg, MS Term Sheet) - Term Sheet

A MOTION was made by Council Member Brown and seconded by Council Member George to Adopt a Resolution (#2021-10) authorizing and directing the issuance of taxable combined Water and Sewer system revenue refunding bonds, series 2021 of the City of Hattiesburg, Mississippi (The "City") (The "Bonds"); and for related purposes.

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. **2021-92** 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: Feb 2021 Surplus List
SURPLUS RESOLUTION Feb 2021

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt a Resolution (#2021-11) 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

7. **2021-102** Adopt a Resolution authorizing Requisition No. 79 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. 79
Project Resolution Requisition 2016 Bonds No. 79

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Adopt a Resolution (#2021-12) authorizing Requisition No. 79 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. **2021-91** Approve Professional Services Agreement between the City of Hattiesburg and Shows, Dearman and Waits, Inc. for engineering services related to the Hall Avenue Sewer Improvements Project for a total contract amount of \$130,080.00 and authorize the Mayor to execute in duplicate.

Attachments: 12213_Lump Sum Owner Engineer Agreement

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve Professional Services Agreement between the City of Hattiesburg and Shows, Dearman and Waits, Inc. for engineering services related to the Hall Avenue Sewer Improvements Project for a total contract amount of \$130,080.00 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

9. **2021-103** Approve Professional Services Agreement with Neel-Schaffer, Inc. for engineering services related to the FTA Bus Stop and Sidewalk Grant Project in an amount not to exceed \$620,000.00 and authorize the Mayor to execute in duplicate.

Attachments: Hattiesburg FTA Bus Stop Sidewalk Grant Engineering Contract Package

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Approve Professional Services Agreement with Neel-Schaffer, Inc. for engineering services related to the FTA Bus Stop and Sidewalk Grant Project in an amount not to exceed \$620,000.00 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

10. **2021-83** Approve Interlocal Agreement with the University of Southern Mississippi for the continued provision of a fixed transit route in the vicinity of the Hattiesburg campus, contingent upon approval by the IHL Board of Directors and the Office of the Mississippi Attorney General and authorize the Mayor to execute the same.

Attachments: Interlocal Agreement - USM and HCT - 2021 - Draft 3

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Interlocal Agreement with the University of Southern Mississippi for the continued provision of a fixed transit route in the vicinity of the Hattiesburg campus, contingent upon approval by the IHL Board of Directors

and the Office of the Mississippi Attorney General 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

- 11. 2021-85** Approve Memorandum of Understanding with Mississippi State Fire Academy (MSFA) and the Hattiesburg Fire Department to administer the NFPA 1072 F Course and authorize the Mayor's designee to execute the same.

Attachments: 20200731093158

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve Memorandum of Understanding with Mississippi State Fire Academy (MSFA) and the Hattiesburg Fire Department to administer the NFPA 1072 F Course 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 (via teleconference), Carroll, Dryden and Brown

Nays: 0

- 12. 2021-104** Approve Relocation Assistance Budget in the amount of \$97,850.00 related to the Hall Avenue Overpass East Project, per the attached memo.

Attachments: Relocation Assistance budget letter from Mark Dye

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve Relocation Assistance Budget in the amount of \$97,850.00 related to the Hall Avenue Overpass East Project, per the attached memo.

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. 2021-94** Acknowledge receipt of an Order from the Special Court of Eminent Domain of Forrest County, Mississippi related to Civil Action No. 20-1047 granting the City of Hattiesburg the Right of Immediate Title and Possession of a portion of Tax Parcel No. 2-037D-14-150.00 (PPIN 022075) as further described in Exhibit "A" of the attached order and authorize the issuance of a manual check in the amount of \$615.00, the amount previously found to be the fair market value, to the court clerk in payment thereof.

Attachments: Court Order-McKorkle-PPIN 022075
Josie Williams McKorkle - 700 Greely St – 022075

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Acknowledge receipt of an Order from the Special Court of Eminent Domain of Forrest County, Mississippi related to Civil Action No. 20-1047 granting the City of Hattiesburg the Right of Immediate Title and Possession of a portion of Tax Parcel No. 2-037D-14-150.00 (PPIN 022075) as further described in Exhibit "A" of the attached order and authorize the issuance of a manual check in the amount of \$615.00, the amount previously found to be the fair market value, to the court clerk in payment thereof.

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

14. **2021-106** Authorize acquisition of property located at 307 Willis Avenue described as Forrest County Parcel No. 2-038B-15-277.00 (PPIN 13868); acknowledge appraisal report upon which a Fair Market Offer of \$9,000.00 was based; Authorize Mayor to execute any and all documents required to complete the transaction to include the payment of back taxes in the amount of approximately \$1,600.00; authorize issuance of manual checks for the same to be paid according to the attached proceeds agreement.

Attachments: 307 Willis Avenue Appraisal Report
 307 Willis Avenue Executed Deed from Terry Stewart
 307 Willis Avenue Instructions on how to cut checks - signed by both parties
 307 Willis Avenue Title Opinion
 307 Willis Avenue Wesley Williams Deed as executed

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Authorize acquisition of property located at 307 Willis Avenue described as Forrest County Parcel No. 2-038B-15-277.00 (PPIN 13868); acknowledge appraisal report upon which a Fair Market Offer of \$9,000.00 was based; Authorize Mayor to execute any and all documents required to complete the transaction to include the payment of back taxes in the amount of approximately \$1,600.00; authorize issuance of manual checks for the same to be paid according to the attached proceeds agreement.

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. **2021-95** Authorize submission of an application to the Mississippi Emergency Management Agency (MEMA) 2020 Hazard Mitigation Grant Program to fund an acquisition project in the amount of \$157,464 (\$118,098 federal/\$39,366 local match) to purchase and demolish one repetitive loss property and convert the lot into open space.

Attachments: Pre-Application #1 my.msema.org

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Authorize submission of an application to the Mississippi Emergency Management Agency (MEMA) 2020 Hazard Mitigation Grant Program to fund an acquisition project in the amount of \$157,464 (\$118,098 federal/\$39,366 local match) to purchase and demolish one repetitive loss property and convert the lot into open space.

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. **2021-113** Acknowledge declaration of State of Emergency due to winter storm that occurred on February 14, 2021.

Attachments: DoE Hattiesburg 021521

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Acknowledge declaration of State of Emergency due to winter storm that occurred on February 14, 2021.

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. **2021-114** Adopt a Resolution requesting the Legislature of the State of Mississippi to enact a Local and Private Bill enabling the City of Hattiesburg to waive liens under certain conditions that are related to past action by the city to address code violations.

Attachments: Resolution - Supporting Local & Private for Lien Amnesty - 2-2021

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt a Resolution (#2021-13) requesting the Legislature of the State of Mississippi to enact a Local and Private Bill enabling the City of Hattiesburg to waive liens under certain conditions that are related to past action by the city to address code violations.

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 Mary 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. **2021-81** Ratification of Release of Lien documents filed in relation to Code Enforcement clean-up assessments.

Attachments: Ratification of Release of Liens 3 2 2021

1. 3606 Peach Street
2. 3606 Peach Street (2)
3. 3607 Peach Street
4. 3607 Peach Street (2)
5. 520 North Street
6. 119 W. 8th Street
7. 407 North Street
8. 826 Main Street
9. 304 Mable Street
10. 306 Mable Street
11. 319 S. 16th Street
12. 1307 Rebecca Avenue
13. 719 Lincoln Street
14. 700 Walnut Street
15. 700 Walnut Street (2)
16. 1009 Franklin Street
17. 702 S. 22nd Avenue
18. 702 S. 22nd Avenue (2)
19. 702 S. 22nd Avenue (3)
20. 3407 Tiltree Road
21. 3407 Tiltree Road (2)

2. **2021-108** Ratify access authorization with the U.S. Environmental Protection Agency to collect background samples from certain City of Hattiesburg properties for comparative purposes related to potential cleanup opportunities at the Hercules site.

Attachments: EPA Access Authorization Form
EPA Email

3. **2021-80** Acknowledge receipt of Privilege Tax License Monthly Report for January 2021.

Attachments: Privilege Tax License mthly report Jan 2021

4. **2021-89** Acknowledge Proof of Publications for the month of January 2021.

 Attachments: Proof of Publications Hub City Spokes Inv97268

5. **2021-93** Acknowledge receipt of a fully executed warranty deed for a portion of Tax Parcel No. 2-037D-14-128.00 (PPIN 022074) for the Hall Avenue Improvements Project East.

 Attachments: Warranty Deed - Michael Bethley-signed

6. **2021-105** Acknowledge submission of the Community Rating System (CRS) annual recertification.

 Attachments: Hattiesburg MS 2021 Recert signed

7. **2021-97** Acknowledge no bids were received on January 21, 2021 for the Campbell Loop Bridge Repair project.

 Attachments: 12211 No Bids Received trans signed 2021-02-01

8. **2021-110** Acknowledge bids received January 14, 2021 in a reverse auction for one (1) Small Tandem Dump Truck for the City of Hattiesburg Public Works Department and accept the bid of Truckworx in the amount of \$92,000.00 as the best and only bid received.

 Attachments: Dump Truck

9. **2021-111** Acknowledge bids received on January 4, 2021 in a reverse auction for one (1) 20 Cubic Yard Rear Loading Refuse collection Truck for the City of Hattiesburg Public Works Department and accept the bid of Burroughs Companies in the amount of \$174,999.00.

 Attachments: Rear Loader (2)

10. **2021-86** Approve the donation of a Belgian Malinois canine valued at \$14,000.00 to the Hattiesburg Police Department from Vom Southern Journey Kennels.

 Attachments: Vom Southern Journey Kennels Canine Donation

11. **2021-87** Approve and authorize issuance of manual checks for CDBG-CV Program Claims per attached Memorandum. {Entitlement CDBG-CV}

 Attachments: 00000 SEPTEMBER 2020 REIMBURSEMENT REQUEST
 Manual Check Memo 02162021

12. **2021-88** Approve and authorize issuance of manual checks for CDBG Program Claims per attached Memorandum. {Entitlement CDBG}

 Attachments: Manual Check Memo 02162021

13. **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 Publication to Bidders_03042021

14. **2021-90** Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.

 Attachments: Memo's (02-16-2021)
 Receipts (02-16-2021)
 Deeds (02-16-2021)

15. **2021-107** Approve claims docket for the period ending February 12, 2021.

 Attachments: Docket 02.12.21
 2.12.21 Docket Totals
 Addendum to the claims docket 2-16-2021

Executive Session

A MOTION was made by Council Vice President Dryden for the Council to enter closed determination upon the issue of whether or not to declare an Executive Session at 4:57 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 President Carroll asked for the room to be cleared at this time.

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to enter Executive Session at 4:58 p.m. 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.

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

Yeas: 3 - George, Delgado, Carroll and Dryden

Nays: 2 - Delgado (via teleconference) and Brown

*Council member Delgado terminated the call at 4:58 p.m.

*Council Member Brown left the room at 4:59 p.m.

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 prospective litigation.

Those present for the Executive Session were Mayor Toby Barker; Council members Jeffrey George, Carter Carroll and Mary Dryden; Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Chief Administrative Officer, Ann Jones; Interim Police Chief, Peggy Sealy; Officer Ross Kinsey; Director of Engineering, Lamar Rutland; Director of Urban Development, Andrew Ellard; Director of Public Works, Ronnie Perkins; Director of Fire Training/Hazmat, Chris Carr; Director Chief Communications Officer, Samantha McCain; Clerk of Council, Ronda Cole; and Deputy Clerk of Council, Lisa Luu Jolly.

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 5:05 p.m.

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

Yeas: 3 - George, Carroll and Dryden

Absent: 2 - Delgado and Brown

*Council Member Delgado reconnected via teleconference at 5:05 p.m.

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

The Council Clerk read aloud the resolution.

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Add the Resolution to declare Nostalgia Lounge a public nuisance and to request the District Attorney to permenately abate the nuisance (Policy Item #18) to the agenda.

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

Yeas: 3 - George, Carroll and Dryden

Nay: 1 - Delgado

Absent: 1 - Brown

18. **2021-118** Adopt a Resolution declaring Nostalgia Lounge as a public nuisance and requesting the District Attorney for the Twelfth Judicial District to permanently abate the public nuisance.

Attachments: PUBLIC NUISANCE RESOLUTION-NOSTALGIA

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt a Resolution (#2021-14) declaring Nostalgia Lounge as a public nuisance and requesting the District Attorney for the Twelfth Judicial District to permanently abate the public nuisance.

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

Yeas: 3 - George, Carroll and Dryden

Nay: 1 - Delgado

Absent: 1 - Brown

In Memoriam:

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

- Mr. Harry Homer Bell, Jr.
- Ms. Deloris Wilborn
- Mr. Romey Watt
- Miss Fiona Beveridge
- Mr. Henry Linton
- Dr. Edgar H. "Buddy" Bedenbaugh
- Mr. Charles Bernard "Dit" Blount
- Mr. Jack Ramsey
- Ms. Darlene Wheeler
- Honorable J.C. Bell
- Mr. Larry Jenkins
- Mr. Arlen Earl Essary

Meeting Adjourn

Council President Carroll declared the **meeting adjourned at 5:15 p.m., this 16th day of February, 2021**, by unanimous consent, until the 2nd day of March, 2021.

ATTEST:

APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor

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