

Published Agenda



**Monday, April 18, 2022
4:00 PM**

**City Council
Monday Meeting Agenda**

**Council Chambers
200 Forrest Street**

Call to Order
Agenda Adjustments

- 1. 2022-290 Add Policy Item #28 - Acknowledge acceptance of equipment from MDOT (per the attached memo) for the maintenance of I-59 between the Bouie River and U.S. Hwy 98 East.**

Agenda Review
Citizens' Forum
Meeting Recess

Call to Order

BE IT REMEMBERED that the **Agenda Review meeting of the Hattiesburg City Council was held at 4:00 p.m. Monday, April 18, 2022**, in Council Chambers at City Hall; same being from a recessed meeting held on April 5, 2022.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1 (via teleconference); Carter Carroll, Ward 3; Dave Ware, 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. Absent: Council member Deborah Delgado, Ward 2.

Council President Carroll Called the meeting to order.

Agenda Adjustments

The Clerk of Council read aloud the Agenda Adjustments.

Add Policy Item #28 at the request of the Administration as follows:

- 1. 2022-290 Acknowledge acceptance of equipment from MDOT (per the attached memo) for the maintenance of I-59 between the Bouie River and U.S. Hwy 98 East.**

Attachments: Transfer of equipment from MDOT for I-59 maintenance

Agenda Review

Council President Carroll proceeded with the Agenda Review.

Following discussion of agenda items, Council President Carroll closed the Agenda Review.

Citizens' Forum

Council Vice President George proceeded with the Citizens' Forum.

He 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 George closed the Citizen Forum.

Executive Session

A MOTION was made by Council Member Ware for the Council to enter closed session to determine the need to enter Executive Session at 4:31 p.m.

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

Yeas: 4-George (via teleconference), Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

*Note: Council Vice President disconnected the call at this time (4:31 p.m.).

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

A MOTION was made by Council Member Ware and seconded by Council Member Brown to enter Executive Session to discuss strategy or negotiations with respect possible litigation, since to have an open meeting on this would have a detrimental effect on the litigating position of the City, in accordance with Mississippi Code Section 25 41 7 (b) at 4:32 p.m.

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

Yeas: 3 - Carroll, Ware and Brown

Nays: 0

Absent: 2 - George and Delgado

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

Those present for the Executive Session were Mayor Toby Barker; Council Members: Carter Carroll, Dave Ware and Nicholas Brown; Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Chief Administrative Officer Ann Jones; Code Enforcement Division Manager Wiley Quinn; Chief Communications Officer Samantha McCain; Fire Chief Sherrocko Stewart; Director of Public Works Ronnie Perkins; Director of Water & Sewer Alan Howe; Police Chief Peggy Sealy; Director of Parks & Recreation Chris McGee; Interim Chief Financial Officer Malcolm Berch; Planning Division Manager Ginger Lowrey; Planner Nathan Satcher; and Clerk of Council Ronda Cole.

A MOTION was made by Council Member Brown for the City of Hattiesburg to approve a partial settlement in Forrest County Chancery Court Case No. 22-CV-00120-CS on the following terms: that the City (1) accepts the Donative Quitclaim Bill of Sale Without Warranty from the Charles H. Kepner and Susan F. Kepner Trust dated October 21, 1986 ('the Trust'), pertaining to any interest it may have in one Steam Locomotive No.

300, manufactured by Baldwin Locomotive Works in 1925, Construction No. 38,241("the Locomotive"); (2) releases the Trust from any claim for fees, expenses or costs of any kind arising from the Locomotive and its location on property of the City' (3) authorizes the Mayor and City Clerk to execute and deliver the Acceptance by the City of Hattiesburg that is part of the Donative Quitclaim Bill of Sale Without Warranty; and (4) authorizes the payment of \$5,000.00 to the Trust for its time and expense arising from the Donative Bill of Sale.

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

Yeas: 3 - Carroll, Ware and Brown Nays: 0

Absent: 2 - George and Delgado

A MOTION was made by Council Member Ware and seconded by Council Member Brown to exit the Executive Session and re-open the meeting to the public at 4:58 p.m.

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

Yeas: 3 - Carroll, Ware and Brown

Nays: 0

Absent: 2 - George and Delgado

Meeting Recess

Council President Carroll declared the **meeting recessed at 4:58 p.m., this 18th day of April, 2022**, by unanimous consent, until the 19th day of April, 2022.

ATTEST:

APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor