

Published Agenda

**Tuesday, April 19, 2022
5:00 PM**

**City Council
Tuesday Meeting Agenda**

**Council Chambers
200 Forrest Street**

Call to Order**Call to Prayer and Pledge of Allegiance****Presentation Agenda****POLICY AGENDA**

1. **2022-286** Approve the minutes for the April 4 & 5, 2022 meetings of the City Council.
2. **2022-213** Adopt a Resolution setting Public Hearing on Monday, May 16th, 2022 at 4:00 p.m. in the City Council Chambers located at City Hall to determine if certain properties are in such a state of uncleanness 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.
3. **2022-258** Adopt an Ordinance filed by Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative, to change the zoning classification for property located on Bonhomie Road (PPIN 27685, Forrest County, Ward 5) from Section 5.4.10 Community Business District B-3 to Section 5.4.3 Residential District R-1A. The Planning Commission recommended to APPROVE on April 6, 2022.
4. **2022-260** Adopt an Ordinance amending the Midtown Form Based Code, Ord. 3105, so that Section 3.17 C.3.b.v. removes: "Chevy Chase Drive". The Planning Commission recommended to APPROVE on April 6, 2022.
5. **2022-257** Approve or deny a petition filed by Stephens Daniel, Applicant, and Carol Drake, Owner as required in the Flood Damage Prevention Ordinance No. 3294, to request a variance from Article 6, Section E, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or flood-proof the structure, for 100 Hardy St (Ward 4). The Planning Commission recommended to APPROVE on April 6, 2022.
6. **2022-259** Approve or Deny a petition has been filed by Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative, to request a Conditional Use as a "Solar Farm" in R-1A (contingent on zoning change) for a property located on Bonhomie Road (PPIN 27685, Forrest County, Ward 5). The Planning Commission recommended to APPROVE on April 6, 2022 with the condition that the developer observe school zones during construction.
7. **2022-261** Approve or Deny a petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request Sec 4.4 the use of "Parking lot or garage" as a primary use for properties located on Lorraine Street, S. 30th Avenue, and S. 31st Avenue (PPIN'S 20856; 20857; 20849; 20855; 20850; Ward 3). The Planning Commission recommended to APPROVE on April 6, 2022.
8. **2022-262** Approve or Deny a petition filed by Juli Martinez, Owner, to request a variance from section 10, Table 10.6 "Sign Message Area (Max)(sq. ft)" for wall signs in residential districts, "50 square feet", and instead allow a wall sign of 108 square feet for a variance of 68 square feet for the property located at 1503 Country Club Road (Ward 5). The Board of Adjustment recommended to APPROVE on April 6, 2022.
9. **2022-263** Approve or Deny a petition filed by Kevin P. Lewis, Representative, to request a variance from section 7.10.11.1 "Perimeter Landscaping: of 10 feet for the property located at 120 Mayfair Road (Lamar Co., Ward 3). The Board of Adjustment recommended to APPROVE on April 6, 2022.
10. **2022-264** Approve or Deny the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5.2 (F) which states a Build-to Zone on a primary street shall meet 70% minimum overall lot width and instead allow 49.7% lot width for a variance of 20.3% lot width for property located on Chevy Chase Drive (PPIN'S 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840 Ward 3). The Board of Adjustment recommended to APPROVE on April 6, 2022.
11. **2022-265** Approve or Deny the petition filed Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5.2(F) of 30% lot width for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3). The Board of Adjustment recommended to APPROVE on April 6, 2022.

- 12. 2022-266 Approve or Deny the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5.2(H) which states a Build-to Zone on a side street shall meet 35% minimum overall lot width and instead allow 0% lot width on S. 30th Avenue and Lorraine Street for a variance from the requirement for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3). The Board of Adjustment recommended to Approve on April 6, 2022.
- 13. 2022-267 Approve or Deny the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 5, Section 5.1.B. which requires the proposed development to provide 325 parking spaces and instead allow 226 parking spaces for a variance of 99 or 31% reduction for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3). The Board of Adjustment recommended to Approve on April 6, 2022.
- 14. 2022-268 Approve or Deny the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5.3 (A) which states the Building height maximum is 60' and instead allow 65' (average) for a variance of 5' for the average building height maximum for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3). The Board of Adjustment recommended to Approve on April 6, 2022.
- 15. 2022-269 Approve or Deny the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5 4. Transparency (A) of 10% on S. 30th Avenue for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3). The Board of Adjustment recommended to Approve on April 6, 2022.
- 16. 2022-270 Approve Lighting Agreement with Mississippi Power Company for lighting changes on High Hills Drive for a monthly increase of \$91.82, and authorize the Mayor to execute the same.
- 17. 2022-280 Approve subcontracts with Lamey Electric Inc. for the State Aid Project No. DECD-001-018(35)BO identified as Highway 49, Camp, Adeline and Mamie project; Authorize the mayor to execute in multiples.
- 18. 2022-277 Approve initial grant agreement under the Fiscal Year 2020 Build Transportation Program between the United States Department of Transportation, Mississippi Department of Transportation and the City of Hattiesburg which reflects the selection of the First-Tier Subrecipient to receive a BUILD Grant for the Hattiesburg Downtown Railroad Innovation: Construction of Grade Separations and Connection Track at a Major Rail Intersection; authorize the Mayor to execute in duplicate.
- 19. 2022-287 Approve an Agreement between the City of Hattiesburg and Sammy Graham, LLC for maintenance of all city pools and one splash pad and authorize the Mayor to execute the same.
- 20. 2022-253 Acknowledge cancellation of Contractor and Owner Agreement and Grant Award Agreement approved August 17, 2021 for Ora Marshall of 104 Saucier Drive executed, in triplicate, according to the Housing Rehabilitation and Housing Programs Manual Section VII (E).
- 21. 2022-288 Acknowledge contract termination between the City and Community Connections, Inc (QEC) for rehabilitation projects at 303 J.C. Killingsworth and 515 Columbia Street removal from the City of Hattiesburg QEC List.
- 22. 2022-255 Approve and authorize the Mayor to execute in triplicate a Contractor and Owner Agreement and a Housing Repair Grant Award to Helen O'Neal of 303 J C Killingsworth in an amount not to exceed \$33, 530 according to the Housing Rehabilitation and Housing Programs Manual Section VIII (E). {Entitlement}
- 23. 2022-256 Approve and authorize the Mayor to execute in triplicate a Contractor and Owner Agreement and a Housing Repair Grant Award to Lisa Means of 515 Columbia Street for an amount not to exceed \$48,800 according to the Housing Rehabilitation and Housing Programs Manual Section VIII (E). {Entitlement}
- 24. 2022-281 Approve Waiver Valuation and Authorize acquisition of certain property identified as Forrest County PPIN 21852 for the Gordon's Creek Commons project.
- 25. 2022-282 Approve Waiver Valuation and Authorize acquisition of certain property identified as Forrest County PPIN 44390 for the Gordon's Creek Commons project.
- 26. 2022-272 Ratify and confirm the Mayor's appointment of Jessica Cathey (Ward 1) to the Board of Adjustment for a three-year term, beginning May 4, 2022, and ending May 3, 2025.
- 27. 2022-271 Ratify and confirm the Mayor's appointment of Luke McNair (Ward 1) (Replaces Kenneth Waites, Ward 1) to the Planning Commission for a term beginning April 19, 2022, and ending May 12, 2023.

ROUTINE AGENDA

- 1. 2022-250 Acknowledge receipt of the Privilege Tax License monthly report for March 2022.
- 2. 2022-254 Acknowledge Proof of Publications for Hub City Spokes for the month of March 2022.
- 3. 2022-274 Acknowledge submission of the Community Rating System (CRS) annual recertification.

4. **2022-285** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {HOME/Entitlement CDBG}
5. **2022-252** Authorize and approve publication of notice of public comment period from April 28, 2022, to May 31, 2022, and authorize publication of the same on April 28, 2022; May 5, 2022; May 19, 2022; and May 26, 2022, by the Hattiesburg-Petal-Forrest-Lamar MPO for the public comment period for the Transportation Master Plan (TMP).
6. **2022-284** Approve plans and specifications for the Hall Avenue Roundabout Project at Bay Street, Arledge Street and James Street (FBLD-8769-00(001)LPA / 108639-801000), and approve authority to advertise for bids.
7. **2022-251** Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.
8. **2022-273** Approve claims docket for the period ending April 15, 2022.

In Memoriam:

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, April 19, 2022**, in Council Chambers at City Hall; same being from a recessed meeting held on April 18, 2022.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1 (via teleconference); Deborah Delgado, Ward 2; 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. Kennedy; 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 Phillip McSwain.

The Pledge of Allegiance was led by Council President Carroll.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

The Mayor recognized the City's program graduates for achieving their CDL certification with Pearl River Community College Workforce.

The Mayor also presented each following graduate their certificate:

- Denzell Expose – Hattiesburg Fire Department
- Walter Green – Hattiesburg Fire Department
- Tawian Brown – Sanitation Department

There were no other presentations at this time.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2022-286** Approve the minutes for the April 4 & 5, 2022 meetings of the City Council.

Attachments: 4-4-2022 AR, WS Mins.
 4-5-2022 Mins

A MOTION was made by Council Member Brown and seconded by Council Member Ware to Approve the minutes for the April 4 & 5, 2022 meetings of the City Council.

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

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

Nays: 0

2. **2022-213** Adopt a Resolution setting Public Hearing on Monday, May 16th, 2022 at 4:00 p.m. in the City Council Chambers located at City Hall 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: PH 04 19 2022 Request to Set Public Hearing Memo
 PH 04 19 2022 Resolution

A MOTION was made by Council Member Brown and seconded by Council Member Ware to Adopt a Resolution (#2022- 24) setting Public Hearing on Monday, May 16th, 2022 at 4:00 p.m. in the City Council Chambers located at City Hall 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 (via teleconference), Delgado, Carroll, Ware and Brown

Nays: 0

3. **2022-258** Adopt an Ordinance filed by Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative, to change the zoning classification for property located on Bonhomie Road (PPIN 27685, Forrest County, Ward 5) from Section 5.4.10 Community Business District B-3 to Section 5.4.3 Residential District R-1A. The Planning Commission recommended to APPROVE on April 6, 2022.

Attachments: HPC Item B&C
 Ordinance - Solar Farm Rezone

A MOTION was made by Council Member Brown and seconded by Council Member Ware to Adopt an Ordinance (#3310) filed by Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative, to change the zoning classification for property located on Bonhomie Road (PPIN 27685, Forrest County, Ward 5) from Section 5.4.10 Community Business District B-3 to Section 5.4.3 Residential District R-1A.

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

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

Nays: 0

4. **2022-260** Adopt an Ordinance amending the Midtown Form Based Code, Ord. 3105, so that Section 3.17 C.3.b.v. removes: “Chevy Chase Drive”. The Planning Commission recommended to APPROVE on April 6, 2022.

Attachments: HPC Item E
Ordinance - Midtown Form Based Code Amendment - remove Chevy Chase drive as a secondary street

A MOTION was made by Council Member Brown and seconded by Council Member Ware to Adopt an Ordinance (#3311) amending the Midtown Form Based Code, Ord. 3105, so that Section 3.17 C.3.b.v. removes: “Chevy Chase Drive”.

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

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

Nays: 0

5. **2022-257** Approve or deny a petition filed by Stephens Daniel, Applicant, and Carol Drake, Owner as required in the Flood Damage Prevention Ordinance No. 3294, to request a variance from Article 6, Section E, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or flood-proof the structure, for 100 Hardy St (Ward 4). The Planning Commission recommended to APPROVE on April 6, 2022.

Attachments: HPC Item A

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Approve a petition filed by Stephens Daniel, Applicant, and Carol Drake, Owner as required in the Flood Damage Prevention Ordinance No. 3294, to request a variance from Article 6, Section E, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or flood-proof the structure, for 100 Hardy St (Ward 4).

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

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

Nays: 0

6. **2022-259** Approve or Deny a petition has been filed by Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative, to request a Conditional Use as a “Solar Farm” in R-1A (contingent on zoning change) for a property located on Bonhomie Road (PPIN 27685, Forrest County, Ward 5). The Planning Commission recommended to APPROVE on April 6, 2022 with the condition that the developer observe school zones during construction.

Attachments: HPC Item B&C

A MOTION was made by Council Member Brown and seconded by Council Member Ware to Approve a petition has been filed by Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative, to request a Conditional Use as a “Solar Farm” in R-1A (contingent on zoning change) for a property located on Bonhomie Road (PPIN 27685, Forrest County, Ward 5) with the condition that the developer observe school zones during construction.

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

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

Nays: 0

7. **2022-261** Approve or Deny a petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request Sec 4.4 the use of “Parking lot or garage” as a primary use for properties located on Lorraine Street, S. 30th Avenue, and S. 31st Avenue (PPIN'S 20856; 20857; 20849; 20855; 20850; Ward 3). The Planning Commission recommended to APPROVE on April 6, 2022.

Attachments: HPC Item F

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Approve a petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request Sec 4.4 the use of “Parking lot or garage” as a primary use for properties located on Lorraine Street, S. 30th Avenue, and S. 31st Avenue (PPIN'S 20856; 20857; 20849; 20855; 20850; Ward 3).

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

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

Nays: 0

8. **2022-262** Approve or Deny a petition filed by Juli Martinez, Owner, to request a variance from section 10, Table 10.6 “Sign Message Area (Max)(sq. ft)” for wall signs in residential districts, “50 square feet”, and instead allow a wall sign of 108 square feet for a variance of 68 square feet for the property located at 1503 Country Club Road (Ward 5). The Board of Adjustment recommended to APPROVE on April 6, 2022.

Attachments: BOA Item A

A MOTION was made by Council Member Brown and seconded by Council Member Ware to Approve a petition filed by Juli Martinez, Owner, to request a variance from section 10, Table 10.6 “Sign Message Area (Max)(sq. ft)” for wall signs in residential districts, “50 square feet”, and instead allow a wall sign of 108 square feet for a variance of 68 square feet for the property located at 1503 Country Club Road (Ward 5).

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

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

Nays: 0

9. **2022-263** Approve or Deny a petition filed by Kevin P. Lewis, Representative, to request a variance from section 7.10.11.1 “Perimeter Landscaping: of 10 feet for the property located at 120 Mayfair Road (Lamar Co., Ward 3). The Board of Adjustment recommended to APPROVE on April 6, 2022.

Attachments: BOA Item B

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Approve a petition filed by Kevin P. Lewis, Representative, to request a variance from section 7.10.11.1 “Perimeter Landscaping: of 10 feet for the property located at 120 Mayfair Road (Lamar Co., Ward 3).

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

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

Nays: 0

10. **2022-264** Approve or Deny the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5.2 (F) which states a Build-to Zone on a primary street shall meet 70% minimum overall lot width and instead allow 49.7% lot width for a variance of 20.3% lot width for property located on Chevy Chase Drive (PPIN'S 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840 Ward 3). The Board of Adjustment recommended to APPROVE on April 6, 2022.

Attachments: BOA Item C-H Jones Property

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Approve the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5.2 (F) which states a Build-to Zone on a primary street shall meet 70% minimum overall lot width and instead allow 49.7% lot width for a variance of 20.3% lot width for property located on Chevy Chase Drive (PPIN'S 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840 Ward 3).

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

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Nays: 0

- 11. 2022-265** Approve or Deny the petition filed Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5.2(F) of 30% lot width for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3). The Board of Adjustment recommended to APPROVE on April 6, 2022.

Attachments: BOA Item C-H Jones Property

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

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

Nays: 0

- 12. 2022-266** Approve or Deny the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5.2(H) which states a Build-to Zone on a side street shall meet 35% minimum overall lot width and instead allow 0% lot width on S. 30th Avenue and Lorraine Street for a variance from the requirement for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3). The Board of Adjustment recommended to Approve on April 6, 2022.

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

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

Nays: 0

- 13. 2022-267** Approve or Deny the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 5, Section 5.1.B. which requires the proposed development to provide 325 parking spaces and instead allow 226 parking spaces for a variance of 99 or 31% reduction for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3). The Board of Adjustment recommended to Approve on April 6, 2022.

Attachments: BOA Item C-H Jones Property

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Approve the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 5, Section 5.1.B. which requires the proposed development to provide 325 parking spaces and instead allow 226 parking spaces for a variance of 99 or 31% reduction for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3).

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

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

Nays: 0

14. **2022-268** Approve or Deny the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5.3 (A) which states the Building height maximum is 60' and instead allow 65' (average) for a variance of 5' for the average building height maximum for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3). The Board of Adjustment recommended to Approve on April 6, 2022.

Attachments: BOA Item C-H Jones Property

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

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

Nays: 0

15. **2022-269** Approve or Deny the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5 4. Transparency (A) of 10% on S. 30th Avenue for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3). The Board of Adjustment recommended to Approve on April 6, 2022.

Attachments: BOA Item C-H Jones Property

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Approve the petition filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, to request a variance from Article 3, Section 3.5 4. Transparency (A) of 10% on S. 30th Avenue for property located on Chevy Chase Drive (PPIN's 20848; 20847; 20846; 20845; 20844; 20843; 20842; 20841; 20840; Ward 3).

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

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

Nays: 0

16. **2022-270** Approve Lighting Agreement with Mississippi Power Company for lighting changes on High Hills Drive for a monthly increase of \$91.82, and authorize the Mayor to execute the same.

Attachments: MS Power-High Hills Drive

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Approve Lighting Agreement with Mississippi Power Company for lighting changes on High Hills Drive for a monthly increase of \$91.82, 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 (via teleconference), Delgado, Carroll, Ware and Brown

Nays: 0

17. **2022-280** Approve subcontracts with Lamey Electric Inc. for the State Aid Project No. DECD-001-018(35)BO identified as Highway 49, Camp, Adeline and Mamie project; Authorize the mayor to execute in multiples.

Attachments: Lamey Electric Subcontract

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Approve subcontracts with Lamey Electric Inc. for the State Aid Project No. DECD-001-018(35)BO identified as Highway 49, Camp, Adeline and Mamie project; Authorize the mayor to execute in multiples.

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

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

Nays: 0

18. **2022-277** Approve initial grant agreement under the Fiscal Year 2020 Build Transportation Program between the United States Department of Transportation, Mississippi Department of Transportation and the City of Hattiesburg which reflects the selection of the First-Tier Subrecipient to receive a BUILD Grant for the Hattiesburg Downtown Railroad Innovation: Construction of Grade Separations and Connection Track at a Major Rail Intersection; authorize the Mayor to execute in duplicate.

Attachments: B3-FHWA-B20HC012-GrantAgreement

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Approve initial grant agreement under the Fiscal Year 2020 Build Transportation Program between the United States Department of Transportation, Mississippi Department of Transportation and the City of Hattiesburg which reflects the selection of the First-Tier Subrecipient to receive a BUILD Grant for the Hattiesburg Downtown Railroad Innovation: Construction of Grade Separations and Connection Track at a Major Rail Intersection; 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 (via teleconference), Delgado, Carroll, Ware and Brown

Nays: 0

19. **2022-287** Approve an Agreement between the City of Hattiesburg and Sammy Graham, LLC for maintenance of all city pools and one splash pad and authorize the Mayor to execute the same.

Attachments: POOL MAINTENACE.CONTRACT.2022

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Approve an Agreement between the City of Hattiesburg and Sammy Graham, LLC for maintenance of all city pools and one splash pad 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 (via teleconference), Delgado, Carroll, Ware and Brown

Nays: 0

- 20. 2022-253** Acknowledge cancellation of Contractor and Owner Agreement and Grant Award Agreement approved August 17, 2021 for Ora Marshall of 104 Saucier Drive executed, in triplicate, according to the Housing Rehabilitation and Housing Programs Manual Section VII (E).

Attachments: Grant Agreement - O. Marshall (\$25K+) 02.28.20

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Acknowledge cancellation of Contractor and Owner Agreement and Grant Award Agreement approved August 17, 2021 for Ora Marshall of 104 Saucier Drive executed, in triplicate, according to the Housing Rehabilitation and Housing Programs Manual Section VII (E).

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

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

Nays: 0

- 21. 2022-288** Acknowledge contract termination between the City and Community Connections, Inc (QEC) for rehabilitation projects at 303 J.C. Killingsworth and 515 Columbia Street removal from the City of Hattiesburg QEC List.

Attachments: Deadline letter

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Acknowledge contract termination between the City and Community Connections, Inc (QEC) for rehabilitation projects at 303 J.C. Killingsworth and 515 Columbia Street removal from the City of Hattiesburg QEC List..

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

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

Nays: 0

- 22. 2022-255** Approve and authorize the Mayor to execute in triplicate a Contractor and Owner Agreement and a Housing Repair Grant Award to Helen O'Neal of 303 J C Killingsworth in an amount not to exceed \$33, 530 according to the Housing Rehabilitation and Housing Programs Manual Section VIII (E). {Entitlement}

Attachments: JCK -- Grant Agreement - H. O'Neal 4.19.22
303 JCK COHCD Contractor Owner Agreement 04.07.22

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Approve and authorize the Mayor to execute in triplicate a Contractor and Owner Agreement and a Housing Repair Grant Award to Helen O'Neal of 303 J C Killingsworth in an amount not to exceed \$33, 530 according to the Housing Rehabilitation and Housing Programs Manual Section VIII (E). {Entitlement}.

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

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

Nays: 0

- 23. 2022-256** Approve and authorize the Mayor to execute in triplicate a Contractor and Owner Agreement and a Housing Repair Grant Award to Lisa Means of 515 Columbia Street for an amount not to exceed \$48,800 according to the Housing Rehabilitation and Housing Programs Manual Section VIII (E). {Entitlement}

Attachments: Columbia COHCD Contractor Owner Agreement 04.07.22
Columbia -- Grant Agreement - L. Means (\$25K+) 04.19.22

A MOTION was made by Council Member Brown and seconded by Council Member Ware to Approve and authorize the Mayor to execute in triplicate a Contractor and Owner Agreement and a Housing Repair Grant Award to Lisa Means of 515 Columbia Street for an amount not to exceed \$48,800 according to the Housing Rehabilitation and Housing Programs Manual Section VIII (E). {Entitlement}.

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

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

Nays: 0

- 24. 2022-281** Authorize acquisition of certain property identified as Forrest County Tax Parcel No. 2-029J-10-170.00, PPIN 21852, for the Gordon's Creek Commons project; Determine the appraisal value of \$33,575 to be the fair market value and just compensation, and authorize the administration to make offer to the owner in this amount; Authorize the Mayor to execute any and all documents necessary to complete the transaction; Authorize issuance of a manual check in payment upon closing the transaction.

Attachments: Establishment of Just Compensation Offer-Kevin Fant
Combined Appr. Rev. and Appr. - Kevin Fant

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Authorize acquisition of certain property identified as Forrest County Tax Parcel No. 2-029J-10-170.00, PPIN 21852, for the Gordon's Creek Commons project; Determine the appraisal value of \$33,575 to be the fair market value and just compensation, and authorize the administration to make offer to the owner in this amount; Authorize the Mayor to execute any and all documents necessary to complete the transaction; Authorize issuance of a manual check in payment upon closing the transaction..

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

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

Nays: 0

- 25. 2022-282** Approve Waiver Valuation and Authorize acquisition of certain property identified as Forrest County PPIN 44390 for the Gordon's Creek Commons project.

A MOTION was made by Council Member Ware and seconded by Council Member Delgado to Remove Policy Agenda Item #25.

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

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

Nays: 0

- 26. 2022-272** Ratify and confirm the Mayor's appointment of Jessica Cathey (Ward 1) to the Board of Adjustment for a three-year term, beginning May 4, 2022, and ending May 3, 2025.

Attachments: Jessica Cathey Resume
Data sheet Jessica Cathey BOA 2022

A MOTION was made by Council Member Brown and seconded by Council Member Ware to Ratify and confirm the Mayor’s appointment of Jessica Cathey (Ward 1) to the Board of Adjustment for a three-year term, beginning May 4, 2022, and ending May 3, 2025.

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

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

Nays: 0

27. **2022-271** Ratify and confirm the Mayor’s appointment of Luke McNair (Ward 1) (Replaces Kenneth Waites, Ward 1) to the Planning Commission for a term beginning April 19, 2022, and ending May 12, 2023.

Attachments: Resume-Luke-McNair-2022-03-17
 Data sheet McNair HPC 2022

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Ratify and confirm the Mayor’s appointment of Luke McNair (Ward 1) (Replaces Kenneth Waites, Ward 1) to the Planning Commission for a term beginning April 19, 2022, and ending May 12, 2023..

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

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

Nays: 0

28. **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

A MOTION was made by Council Member Ware and seconded by Council Member Brown to 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.

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

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

Nays: 0

ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Member Ware and seconded by Council Member Nicholas Brown to approve the Routine Agenda.

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

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

Nays: 0

1. **2022-250** Acknowledge receipt of the Privilege Tax License monthly report for March, 2022.

Attachments: Privilege Tax License Mthly March 2022

2. **2022-254** Acknowledge Proof of Publications for Hub City Spokes for the month of March, 2022.

2. **2022-254** Acknowledge Proof of Publications for Hub City Spokes for the month of March, 2022.

 Attachments: Proof of Publications Hub City Spokes Inv99635
3. **2022-274** Acknowledge submission of the Community Rating System (CRS) annual recertification.

 Attachments: Hattiesburg MS 2022 Recert full document 3-31-2022
4. **2022-285** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {HOME/Entitlement CDBG}

 Attachments: Manual Check Memo 04192022
 Norris draw_FINAL
5. **2022-252** Authorize and approve publication of notice of public comment period from April 28, 2022, to May 31, 2022, and authorize publication of the same on April 28, 2022; May 5, 2022; May 19, 2022; and May 26, 2022, by the Hattiesburg-Petal-Forrest-Lamar MPO for the public comment period for the Transportation Master Plan (TMP).

 Attachments: PUBLIC NOTICE - TMP Public Comment Period MPO
6. **2022-284** Approve plans and specifications for the Hall Avenue Roundabout Project at Bay Street, Arledge Street and James Street (FBLD-8769-00(001)LPA / 108639-801000), and approve authority to advertise for bids.

 Attachments: 108639-801000 Street Ready Plans
 108639-801000 Street Ready Specs
 Advertise for Bids
7. **2022-251** Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.

 Attachments: Memo's (04-19-2022)
 Receipts (04-19-2022)
 Deeds (04-19-2022)
8. **2022-273** Approve claims docket for the period ending April 15, 2022.

 Attachments: DOCKET 22.04.15
 DT-41922

Meeting Adjourn

Council President Carroll declared the **meeting adjourned at 5:22 p.m., this 19th day of April, 2022**, by unanimous consent, until the 2nd day of May, 2022.

ATTEST:

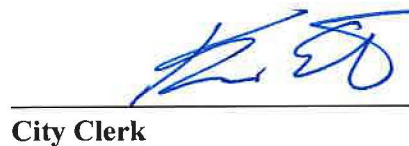
APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor