

Published Agenda

**Tuesday, May 17, 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****Agenda Adjustments:****Add Policy Agenda Item #13 at the request of the Administration as follows:**

13. 2022-352 Authorize Administration, in partnership with MS Department of Transportation, to apply for grant funding for infrastructure and sidewalk improvements on and along Hwy 11/Veteran's Memorial Drive and Interstate through the Multimodal Project Discretionary grant program.

Add Policy Agenda Item #14 at the request of the Administration as follows:

14. 2022-353 Approve contract with Complete Environmental & Remediation Co. LLC for work related to Right Way To Throw Away – household hazardous waste event scheduled for May 21, 2022 and authorize the Mayor to execute the same.

POLICY AGENDA

1. 2022-341 Approve the minutes for the May 2 & 3, 2022 meetings of the City Council.
2. 2022-339 Adopt an Ordinance for the petition filed by The City of Hattiesburg to amend the Land Development Code Section 5 - Use Regulations and Conditions, Section 10 – Signage, Section 13 - Definitions, and other sections as it relates to regulating Medical Cannabis.
3. 2022-304 Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.
4. 2022-340 Adopt the May 17, 2022 amendments to the budget for the City of Hattiesburg for fiscal year ending September 30, 2022 and adopt Resolution authorizing publication of amendments for funds in excess of 10% of the originally appropriated fund balance.
5. 2022-322 Adopt a Resolution declaring certain vehicles surplus (per attached list) and authorize sale of said vehicles at auction, and removal of said vehicles from the city inventory of the Public Works Department.
6. 2022-346 Adopt a Resolution authorizing application for the U.S. Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance, FY2022 Justice and Mental Health Collaboration Grant Program, for assistance to fund an expansion of services for Hattiesburg Behavioral Health Court.
7. 2022-329 Adopt a Resolution authorizing the Administration to apply for grant funding to replace bridges at McLeod Street over Gordon Creek, and Glendale Avenue over the railroad, through the Mississippi Department of Transportation Emergency Road and Bridge Repair Fund Program.
8. 2022-323 Approve Letter Agreement with Neel-Schaffer, Inc. for design engineering services for the Edwards Street Improvements Project and authorize the Mayor to execute in duplicate.
9. 2022-325 Approve Contract with Landry Lewis Germany Architects, P.A. for architectural services related to the Jaycee Park Improvements Project and authorize the Mayor to execute in duplicate.
10. 2022-324 Approve Lighting Agreement with Mississippi Power Company for additional lighting at 516 Dearborne Street Alley, 517 Dearborne Street and 107 N 23rd Avenue Alley for a monthly increase of \$25.29, and authorize the Mayor to execute the same.
11. 2022-326 Approve Supplemental Agreement No. 1 with R & J Construction Company, Inc. to add line items and days to the contract for the Paving, Marking & Pedestrian Pathway Along Arledge Street, Edwards Street and Katie Avenue project due to site conditions encountered during construction, for a net increase to the contract of \$72,244.90 and authorize the Mayor to execute in triplicate.
12. 2022-328 Acknowledge bids received May 5, 2022 for the North 28th Avenue Bridge Replacement Project and accept the bid from Holliday Construction, LLC in the amount of \$549,511.75 and authorize the Mayor to execute the contracts upon preparation.

ROUTINE AGENDA

1. **2022-319** Acknowledge receipt of the Privilege Tax License monthly report for April 2022.
2. **2022-345** Acknowledge Proof of Publications for Hub City Spokes for the month of April 2022.
3. **2022-343** Acknowledge receipt of the monthly budget report for the month ending April 30, 2022.
4. **2022-344** Acknowledge receipt of the FY 2021 Annual Report and Audit of the Hattiesburg Convention Commission.
5. **2022-338** Approve and authorize issuance of manual check for CDBG Program Claim per the attached.
6. **2022-342** Acknowledge receipt of the FY 2021 Continuing Disclosure Submission.
7. **2022-320** Approve the sale of grave spaces, per attached Memo's, Receipts and Deeds.
8. **2022-321** Approve claims docket for the period ending May 13, 2022.

In Memoriam:

- Mr. Thomas J. Young
- Mrs. Annice Hearn
- Ms. Velma Morris
- Mr. Ira James Peterson
- Mr. Jessie Portis
- Ms. Jeanette Scott

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, May 17, 2022**, in Council Chambers at City Hall; same being from a recessed meeting held on May 16, 2022.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; 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. Absent: Deborah Delgado, Ward 2.

Council President Carroll Called the meeting to order.

Call to Prayer and Pledge of Allegiance

The prayer was given by Dr. Scott Hanberry, Pastor of Hardy Street Baptist Church.

The Pledge of Allegiance was led by Council President Carroll.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

Agenda Adjustments

A MOTION was made by Council Vice President George and seconded by Council Member Brown to Add Policy Items #13 and #14 at the request of the Administration.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

POLICY AGENDA

The POLICY AGENDA came before the Council.

- 1. 2022-341** Approve the minutes for the May 2 & 3, 2022 meetings of the City Council.

Attachments: [5-2-2022 AR, WS Mins.](#)
[5-3-2022 Mins.](#)

A MOTION was made by Council Vice President George and seconded by Council Member Brown to Approve the minutes for the May 2 & 3, 2022 meetings of the City Council.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

- 2. 2022-339** Adopt an Ordinance for the petition filed by The City of Hattiesburg to amend the Land Development Code Section 5 - Use Regulations and Conditions, Section 10 – Signage, Section 13 - Definitions, and other sections as it relates to regulating Medical Cannabis. The Planning Commission recommended to Approve on May 16, 2022.

Attachments: [Memo - LDC Amend 2022 - Medical Cannabis 4-27-22](#)
[Medcial Cannabis LDC Powerpoint - HPC 5-16-22](#)
[Ordinance - Medical Cannabis](#)

A MOTION was made by Council Vice President George and seconded by Council Member Brown to Adopt an Ordinance (#3312) for the petition filed by The City of Hattiesburg to amend the Land Development Code Section 5 - Use Regulations and Conditions, Section 10 – Signage, Section 13 - Definitions, and other sections as it relates to regulating Medical Cannabis.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

- 3. 2022-304** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: [PH 05 17 2022 Adopt Resolution to Condemn Memo](#)
[1. 131 West 8th St - Condemnation Resolution](#)
[2. 500 Ruby Ave - Condemnation Resolution](#)
[3. 509 Buschman St - Condemnation Resolution](#)
[4. 523 Buschman St - Condemnation Resolution](#)
[5. 523 Louise St - Condemnation Resolution](#)
[7. 1420 Gussie Ave - Condemnation Resolution](#)
[8. 3505 Pinnacle Drive - Condemnation Resolution](#)
[9. 0 Service Drive - Condemnation Resolution](#)

A MOTION was made by Council Vice President George and seconded by Council Member Brown to Adopt Resolutions (#2022-30-37) condemning the following properties as unclean and a menace to the health and safety of the community.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

4. **2022-340** Adopt the May 17, 2022 amendments to the budget for the City of Hattiesburg for fiscal year ending September 30, 2022 and adopt Resolution authorizing publication of amendments for funds in excess of 10% of the originally appropriated fund balance.

Attachments: 20220511160221862

A MOTION was made by Council Vice President George and seconded by Council Member Brown to Adopt the May 17, 2022 amendments to the budget for the City of Hattiesburg for fiscal year ending September 30, 2022 and adopt Resolution (#2022-38) 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: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

5. **2022-322** Adopt a Resolution declaring certain vehicles surplus (per attached list) and authorize sale of said vehicles at auction, and removal of said vehicles from the city inventory of the Public Works Department.

Attachments: Resol.surplus equipment
PW- 2022 May Surplus list

A MOTION was made by Council Member Brown and seconded by Council Vice President George to Adopt a Resolution (#2022-39) declaring certain vehicles surplus (per attached list) and authorize sale of said vehicles at auction, and removal of said vehicles from the city inventory of the Public Works Department.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

6. **2022-346** Adopt a Resolution authorizing application for the U.S. Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance, FY2022 Justice and Mental Health Collaboration Grant Program, for assistance to fund an expansion of services for Hattiesburg Behavioral Health Court.

Attachments: Resolution-FY2022 JMHCP

A MOTION was made by Council Vice President George and seconded by Council Member Brown to Adopt a Resolution (#2022-40) authorizing application for the U.S. Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance, FY2022 Justice and Mental Health Collaboration Grant Program,

for assistance to fund an expansion of services for Hattiesburg Behavioral Health Court.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

7. **2022-329** Adopt a Resolution authorizing the Administration to apply for grant funding to replace bridges at McLeod Street over Gordon Creek, and Glendale Avenue over the railroad, through the Mississippi Department of Transportation Emergency Road and Bridge Repair Fund Program.

Attachments: 2022 ERBRF Board Order

A MOTION was made by Council Member Brown and seconded by Council Vice President George to Adopt a Resolution (#2022-41) authorizing the Administration to apply for grant funding to replace bridges at McLeod Street over Gordon Creek, and Glendale Avenue over the railroad, through the Mississippi Department of Transportation Emergency Road and Bridge Repair Fund Program.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

8. **2022-323** Approve Letter Agreement with Neel-Schaffer, Inc. for design engineering services for the Edwards Street Improvements Project and authorize the Mayor to execute in duplicate.

Attachments: 5-6-22 Edwards St Contract

A MOTION was made by Council Vice President George and seconded by Council Member Brown to Approve Letter Agreement with Neel-Schaffer, Inc. for design engineering services for the Edwards Street Improvements Project and authorize the Mayor to execute in duplicate.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

9. **2022-325** Approve Contract with Landry Lewis Germany Architects, P.A. for architectural services related to the Jaycee Park Improvements Project and authorize the Mayor to execute in duplicate.

Attachments: 3922 22-05-06 Owner Architect Agreement for Execution

A MOTION was made by Council Vice President George and seconded by Council Member Brown to Approve Contract with Landry Lewis Germany Architects, P.A. for architectural services related to the Jaycee Park Improvements Project and authorize the Mayor to execute in duplicate.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

10. **2022-324** Approve Lighting Agreement with Mississippi Power Company for additional lighting at 516 Dearborne Street Alley, 517 Dearborne Street and 107 N 23rd Avenue Alley for a monthly increase of \$25.29, and authorize the Mayor to execute the same.

Attachments: MS Power-516 Dearborne St Alley, 517 Dearborne St & 107 N 23rd Ave Alley

A MOTION was made by Council Member Brown and seconded by Council Vice President George to Approve Lighting Agreement with Mississippi Power Company for additional lighting at 516 Dearborne Street Alley, 517 Dearborne Street and 107 N 23rd Avenue Alley for a monthly increase of \$25.29, and authorize the Mayor to execute the same.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

11. **2022-326** Approve Supplemental Agreement No. 1 with R & J Construction Company, Inc. to add line items and days to the contract for the Paving, Marking & Pedestrian Pathway Along Arledge Street, Edwards Street and Katie Avenue project due to site conditions encountered during construction, for a net increase to the contract of \$72,244.90 and authorize the Mayor to execute in triplicate.

Attachments: Supplemental #1

A MOTION was made by Council Member Brown and seconded by Council Vice President George to Approve Supplemental Agreement No. 1 with R & J Construction Company, Inc. to add line items and days to the contract for the Paving, Marking & Pedestrian Pathway Along Arledge Street, Edwards Street and Katie Avenue project due to site conditions encountered during construction, for a net increase to the contract of \$72,244.90 and authorize the Mayor to execute in triplicate.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

12. **2022-328** Acknowledge bids received May 5, 2022 for the North 28th Avenue Bridge Replacement Project and accept the bid from Holliday Construction, LLC in the amount of \$549,511.75 and authorize the Mayor to execute the contracts upon preparation.

Attachments: Recommendation Ltr
 Certified Bid Tab - N 28th Ave Bridge

A MOTION was made by Council Vice President George and seconded by Council Member Brown to Acknowledge bids received May 5, 2022 for the North 28th Avenue Bridge Replacement Project and accept the bid from Holliday Construction, LLC in the amount of \$549,511.75 and authorize the Mayor to execute the contracts upon preparation.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

13. **2022-352** Authorize Administration, in partnership with MS Department of Transportation, to apply for grant funding for infrastructure and sidewalk improvements on and along Hwy 11/Veteran's Memorial Drive and Interstate 59 through the Multimodal Project Discretionary grant program.

A MOTION was made by Council Vice President George and seconded by Council Member Brown to Authorize Administration, in partnership with MS Department of Transportation, to apply for grant funding for infrastructure and sidewalk improvements on and along Hwy 11/Veteran's Memorial Drive and Interstate 59 through the Multimodal Project Discretionary grant program.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

14. **2022-353** Approve contract with Complete Environmental & Remediation Co, LLC for work related to the 2022 Right Way to Throw Away - household hazardous waste event pricing scheduled for May 21, 2022 and authorize the Mayor to execute the same.

Attachments: 2677_001

A MOTION was made by Council Vice President George and seconded by Council Member Brown to Approve contract with Complete Environmental & Remediation Co, LLC for work related to the 2022 Right Way to Throw Away - household hazardous waste event pricing scheduled for May 21, 2022 and authorize the Mayor to execute the same.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

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

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

1. **2022-319** Acknowledge receipt of the Privilege Tax License monthly report for April 2022.

Attachments: Privilege Tax License Mthly April 2022

2. **2022-345** Acknowledge Proof of Publications for Hub City Spokes for the month of April 2022.

Attachments: Proof of Publication HCS Inv99872
 Proof of Publication Hub City Spokes Inv99836

3.

2022-343

Acknowledge receipt of the monthly budget report for the month ending April 30, 2022.

Attachments: [REV22.0422](#)
[EXP22.0422](#)
4.

2022-344

Acknowledge receipt of the FY 2021 Annual Report and Audit of the Hattiesburg Convention Commission.

Attachments: [2021 Hbg Convention Comm Annual Report and Audit](#)
5.

2022-338

Approve and authorize issuance of manual check for CDBG Program Claim per the attached.

Attachments: [Bradley Construction - 303 JCK Payment1](#)
6.

2022-342

Acknowledge receipt of the FY 2021 Continuing Disclosure Submission.

Attachments: [Disc Sub- 1of2](#)
[Con Disc Sub-2of 2](#)
7.

2022-320

Approve the sale of grave spaces, per attached Memo's, Receipts and Deeds.

Attachments: [Memo's \(05-17-2022\)](#)
[Receipts \(05-17-2022\)](#)
[Deeds \(05-17-2022\)](#)
8.

2022-321

Approve claims docket for the period ending May 13, 2022.

Attachments: [20220511141531](#)
[DOCKET 22.05.15](#)

In Memoriam:

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

- Mr. Thomas J. Young
- Mrs. Annice Hearn
- Ms. Velma Morris
- Mr. Ira James Peterson
- Mr. Jessie Portis
- Ms. Jeanette Scott

Meeting Adjourn

Council President Carroll declared the **meeting adjourned at 5:11 p.m., this 17th day of May, 2022**, by unanimous consent, until the 6th day of June, 2022.

ATTEST:

APPROVE:

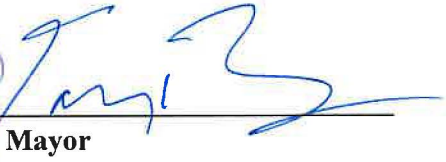

Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor