

Published Agenda



**Tuesday, July 5, 2022
4:00 PM**

**City Council
Tuesday Meeting Agenda**

**Council Chambers
200 Forrest Street**

Public Hearing

1. **2022-461** Hold Public Hearing 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.

Attachments: PH 07 05 2022 Request to Set Public Hearing Memo
Request of Removal of Case No. 2 from the list of Unsafe Properties
Public Hearing 101 Short Railroad St
Request of Removal of Case No. 5 from the list of Unsafe Properties
Public Hearing 118 Ellis Drive
Request of Removal of Case No. 6 from the list of Unsafe Properties
Public Hearing 120 Ellis Drive
1. 100 Short Railroad St Case History FINAL
3. 103 Short Railroad St Case History FINAL
4. 104 & 106 Ellis Drive Case History FINAL
7. 134 Ruby Ave Case History FINAL
8. 209 Unetta Street Case History FINAL
9. 213 Unetta Street Case History FINAL
10. 310 ATT Avenue Case History FINAL
11. 401 Buschman Street Case History FINAL
12. 402 Dumas Avenue Case History FINAL
13. 601 Tipton Street Case History FINAL
14. 4301 Mamie Street Case History FINAL

Call to Order

Call to Prayer and Pledge of Allegiance

Citizens' Forum

Agenda Adjustments – Add Policy Item #13 at the request of the Administration:

1. **2022-477** Adopt a Resolution authorizing the Mayor to apply for funding approval for a Transportation Alternatives grant for the VFW Pathway Along Gordon's Creek Project and authorize the Mayor to execute related documentation.

Presentation Agenda

POLICY AGENDA

1. **2022-472** Approve the minutes for the June 20 & 21, 2022 meetings of the City Council.
2. **2022-460** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.
3. **2022-463** Rescind Resolution #2019-138 adopted on April 16, 2019; Adopt Resolution adjudicating and directing the placement as an assessment of the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties.
4. **2022-457** Adopt a Resolution declaring a 2005 Chevrolet Avalanche (VIN# 3GNEK12Z85G287387) as property forfeited to HPD, authorize the use of said vehicle by department employees, and add the item to the city inventory.
5. **2022-469** Adopt a Resolution authorizing application to the Mississippi State Department of Health FY2023 Violence Against Women Act (VAWA) S.T.O.P. Grant Program, and approve Memorandum of Agreement between the Hattiesburg Municipal Court and the Domestic Abuse Family Shelter, Inc., to establish the obligations of both entities with respect to the provision of services to eligible victims; and authorize the Mayor to execute the same in duplicate.
6. **2022-470** Adopt a Resolution authorizing application to the Mississippi State Department of Health FY2023 Violence Against Women Act (VAWA) S.T.O.P. Grant Program, and approve Memorandum of Agreement between the Hattiesburg Police Department and the Domestic Abuse Family Shelter, Inc., to establish the obligations of both entities with respect to the provision of services to eligible victims; and authorize the Mayor to execute the same in duplicate.
7. **2022-458** Adopt a Resolution recognizing the transfer of a School Bus to the Hattiesburg Police Department.

- 8. 2022-456 Approve Lighting Agreement with Mississippi Power Company for additional lighting at Fire Station #6 at 3802 Montague Boulevard for a monthly increase of \$16.40, and authorize the Mayor to execute the same.
- 9. 2022-471 Approve Lighting Agreement with Mississippi Power to replace certain existing lights on Hillendale Ave with LED lights for a monthly savings of \$21.28 and authorize the Mayor to execute.
- 10. 2022-462 Approve Release of Lien documents filed in relation to Code Enforcement clean-up assessments per attached memo, authorize the Mayor to execute and record the same.
- 11. 2022-466 Approve an updated Subrecipient Agreement with Starter Homes of Mississippi to provide roof repairs in connection with the City's Emergency Roof Repair Initiative Program and authorize the Mayor to execute in triplicate.
- 12. 2022-468 Approve finding that pursuant to Miss. Code Ann. § 17-25-25 (5), the fair market value of that certain property described in the Quitclaim Deed from The City of Hattiesburg, Mississippi, to Midtown Montevista, LLC, is zero; that it is in the City's best interest to dispose of its interest, if any, in and to the subject property; and authorize the Mayor to execute said Quitclaim Deed to Midtown Montevista, LLC.

ROUTINE AGENDA

- 1. 2022-467 Ratification of submitted grant application to the U.S. Department of Justice 2022 Bulletproof Vest Partnership Grant Program in the amount of \$24,800.00 to purchase bulletproof vests for the Hattiesburg Police Department. The grant reimbursement to the city will provide \$12,400.00 (50%) of the cost of the vests.
- 2. 2022-459 Acknowledge Proof of Publication from The Clarion Ledger for the month of May 2022.
- 3. 2022-474 Authorize publication of Notice of Public Hearing regarding the City of Hattiesburg's 2022 Action Plan
- 4. 2022-465 Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}
- 5. 2022-455 Approve the sale of grave spaces per attached Memo's, Receipts, and Deeds.
- 6. 2022-464 Approve claims docket for the period ending June 30, 2022.

WORK SESSION

- 1. 2022-475 Hattiesburg Public School District Progress Report, presented by Dr. Robert Williams (requested by Councilman Nick Brown).
- 2. 2022-476 Discussion on traffic and golf cart safety, presented by Hunter White (requested by Council President Jeffrey George).

In Memoriam:

- Mrs. Willie Lee Lucas
- Mr. Andrae Damond Nelson
- Mrs. Sandra Holley

Meeting Adjourn

Public Hearing

BE IT REMEMBERED that the Hattiesburg City Council held a **Public Hearing on unsafe properties at 4:00 p.m. Tuesday, July 5, 2022**, in Council Chambers at City Hall, pursuant to order adopted June 7, 2022, at Minute Book 2021 Page 463, to determine if the following properties are in such a state of uncleanness so as to be a menace to the health and safety of the community; same being a recessed meeting of the City Council held on June 30, 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; Clerk of Council, Ronda S. Kennedy; Deputy Clerk of Council, Lisa Luu Jolly; City staff members; media; and the public. Absent: Council member Deborah Delgado, Ward 2.

Council President George called the meeting to order and explained the procedures.

1. **2022-461** Hold Public Hearing 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.

Attachments: PH 07 05 2022 Request to Set Public Hearing Memo
Request of Removal of Case No. 2 from the list of Unsafe Properties Public Hearing
101 Short Railroad St
Request of Removal of Case No. 5 from the list of Unsafe Properties Public Hearing
118 Ellis Drive
Request of Removal of Case No. 6 from the list of Unsafe Properties Public Hearing
120 Ellis Drive
1. 100 Short Railroad St Case History FINAL
3. 103 Short Railroad St Case History FINAL
4. 104 & 106 Ellis Drive Case History FINAL
7. 134 Ruby Ave Case History FINAL
8. 209 Unetta Street Case History FINAL
9. 213 Unetta Street Case History FINAL
10. 310 ATT Avenue Case History FINAL
11. 401 Buschman Street Case History FINAL
12. 402 Dumas Avenue Case History FINAL
13. 601 Tipton Street Case History FINAL
14. 4301 Mamie Street Case History FINAL

Code Enforcement Manager, Wiley Quinn, presented the properties to be considered. Mr. Quinn recommended that the Council adopt resolutions determining the properties are in such a state of uncleanness so as to be a menace to the health and safety of the community, providing a specified period of time to remove the violations, and declaring the City's intent to take action to clear violations and charge the cost plus penalty against the property if the violations are not resolved in the specified period of time. He recommended resolutions allowing homeowners 15 days to resolve violations.

Mr. Quinn asked for the following properties to be removed from the unsafe list.

- 101 Short Railroad Street (Case #2)
- 118 Ellis Drive (Case #5)
- 120 Ellis (Case #6)

Council President George called out each unsafe property listed and asked if there were any citizens who wished to speak on behalf of the property called.

- Wayne Barnett of 105 Short Railroad Street spoke on behalf of property 103 Short Railroad Street (Case #3)
- Vicki Reid Lee of 724 Barkley Road and Jim Reid, Jr. of 512 Tipton Street spoke on behalf of property 601 Tipton Street (Case #13)

There were no other citizens present who wished to address the Council regarding properties listed for the public hearing.

By unanimous consent, Council President George **closed the public hearing at 4:14 p.m. and proceeded with the regular Council meeting.**

Call to Order

BE IT REMEMBERED that the **regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, July 5, 2022**, in Council Chambers at City Hall; same being from an adjourned meeting held on June 30, 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; Clerk of Council, Ronda S. Kennedy; Deputy Clerk of Council, Lisa Luu Jolly; City staff members; media; and the public. Absent: Council member Deborah Delgado.

Council President George Called the meeting to order.

Call to Prayer and Pledge of Allegiance

The prayer was given by Reverend Johniel Henry of St. Paul United Methodist Church.

The Pledge of Allegiance was led by Kayden Lester.

Citizens' Forum

Council Vice President Ware proceeded with the Citizens' Forum.

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

- Donald Nester of 908 Corrine Street

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

Council Vice President Ware closed the Citizen Forum.

Agenda Adjustments

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Add Policy Item #13 at the request of the Administration:

13. 2022-477 Adopt a Resolution authorizing the Mayor to apply for funding approval for a Transportation Alternatives grant for the VFW Pathway Along Gordon's Creek Project and authorize the Mayor to execute related documentation.

Attachments: Resolution
 City Letterhead 21 CL
 City Letterhead 21 LC
 HBurg 2022 Draft

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

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

Council Vice President Ware presented a Resolution to the family of Larita Dewberry. Ms. Dewberry was a victim of domestic violence. As a result of her loss, her family formed the Larita House Domestic Abuse Foundation to honor her life and help other victims of domestic violence.

The City Council honored Carter Carroll for his service as Council President for a cumulative amount of 17 years. Current Council President Jeffrey George presented Carter Carroll with a plaque of appreciation.

There were no other presentations at this time.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2022-472** Approve the minutes for the June 20 & 21, 2022 meetings of the City Council.

Attachments: 6-20-2022 AR Mins
6-21-2022 Mins

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve the minutes for the June 20 & 21, 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. **2022-460** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: PH 07 05 2022 Adopt Resolution to Condemn Memo
Case # 1 - 100 Short Railroad Street Condemnation
Case # 3 - 103 Short Railroad Street Condemnation
Case # 4 - 104 & 106 Ellis Drive Condemnation
Case # 7 - 134 Ruby Avenue Condemnation
Case # 8 - 209 Unetta Street Condemnation
Case # 9 - 213 Unetta Street Condemnation
Case # 10 - 310 ATT Avenue Condemnation
Case # 11 - 401 Buschman Street Condemnation
Case # 12 - 402 Dumas Avenue Condemnation
Case # 13 - 601 Tipton Street Condemnation
Case # 14 - 4301 Mamie Street Condemnation

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt Resolution (#2022-50-60) 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

3. **2022-463** Rescind Resolution #2019-138 adopted on April 16, 2019; Adopt Resolution adjudicating and directing the placement as an assessment of the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties.

Attachments: Adjudication Resolution 07 05 2022
506 Duke Avenue Adjudication
506 Duke Resolution 2019-138 for Incorrect Amount

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Rescind Resolution #2019-138 adopted on April 16, 2019; Adopt Resolution (#2022-61) adjudicating and directing the placement as an assessment of the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties.

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. **2022-457** Adopt a Resolution declaring a 2005 Chevrolet Avalanche (VIN# 3GNEK12Z85G287387) as property forfeited to HPD, authorize the use of said vehicle by department employees, and add the item to the city inventory.

Attachments: Request from Chief Sealy
Circuit Court Cause no: CO 20-1005

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-62) declaring a 2005 Chevrolet Avalanche (VIN# 3GNEK12Z85G287387) as property forfeited to HPD, authorize the use of said vehicle by department employees, and add the item to the city inventory.

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. **2022-469** Adopt a Resolution authorizing application to the Mississippi State Department of Health FY2023 Violence Against Women Act (VAWA) S.T.O.P. Grant Program, and approve Memorandum of Agreement between the Hattiesburg Municipal Court and the Domestic Abuse Family Shelter, Inc., to establish the obligations of both entities with respect to the provision of services to eligible victims; and authorize the Mayor to execute the same in duplicate.

Attachments: Resolution-FY2023 VAWA Grant (MC)
DAFS MOU - Municipal Court 2022-2023

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-63) authorizing application to the Mississippi State Department of Health FY2023 Violence Against Women Act (VAWA) S.T.O.P. Grant Program, and approve Memorandum of Agreement between the Hattiesburg Municipal Court and the Domestic Abuse Family Shelter, Inc., to establish the obligations of both entities with respect to the provision of services to eligible victims; and authorize the Mayor to execute the same 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

6. **2022-470** Adopt a Resolution authorizing application to the Mississippi State Department of Health FY2023 Violence Against Women Act (VAWA) S.T.O.P. Grant Program, and approve Memorandum of Agreement between the Hattiesburg Police Department and the Domestic Abuse Family Shelter, Inc., to establish the obligations of both entities with respect to the provision of services to eligible victims; and authorize the Mayor to execute the same in duplicate.

Attachments: Resolution-FY2023 VAWA Grant (PD)
 DAFS MOU - HPD 2022-2023

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to Adopt a Resolution (#2022-64) authorizing application to the Mississippi State Department of Health FY2023 Violence Against Women Act (VAWA) S.T.O.P. Grant Program, and approve Memorandum of Agreement between the Hattiesburg Police Department and the Domestic Abuse Family Shelter, Inc., to establish the obligations of both entities with respect to the provision of services to eligible victims; and authorize the Mayor to execute the same 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

7. **2022-458** Adopt a Resolution recognizing the transfer of a School Bus to the Hattiesburg Police Department.

Attachments: Request from Chief Sealy
 email from Michael Battle

A MOTION was made by Council Member Carroll and seconded by Council Member Ware to Adopt a Resolution (#2022-65) recognizing the transfer of a School Bus to the Hattiesburg Police 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

8. **2022-456** Approve Lighting Agreement with Mississippi Power Company for additional lighting at Fire Station #6 at 3802 Montague Boulevard for a monthly increase of \$16.40, and authorize the Mayor to execute the same.

Attachments: MS Power-Fire Station on Montague Boulevard

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Lighting Agreement with Mississippi Power Company for additional lighting at Fire Station #6 at 3802 Montague Boulevard for a monthly increase of \$16.40, 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

9. **2022-471** Approve Lighting Agreement with Mississippi Power to replace certain existing lights on Hillendale Ave with LED lights for a monthly savings of \$21.28 and authorize the Mayor to execute.

Attachments: MS Power Hilendale Ave Auth

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Lighting Agreement with Mississippi Power to replace certain existing lights on Hillendale Ave with LED lights for a monthly savings of \$21.28 and authorize the Mayor to execute.

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. **2022-462** Approve Release of Lien documents filed in relation to Code Enforcement clean-up assessments per attached memo, authorize the Mayor to execute and record the same.

Attachments: Release of Lien Memo 07 05 2022
506 Duke Ave Release
Recorded Release for 506 Duke Ave

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Release of Lien documents filed in relation to Code Enforcement clean-up assessments per attached memo, authorize the Mayor to execute and record 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. **2022-466** Approve an updated Subrecipient Agreement with Starter Homes of Mississippi to provide roof repairs in connection with the City's Emergency Roof Repair Initiative Program and authorize the Mayor to execute in triplicate.

Attachments: UPDATED Starter Homes MS Subrecipient 07052022

A MOTION was made by Council Member Carroll and seconded by Council Vice President re to Approve an updated Subrecipient Agreement with Starter Homes of Mississippi to provide roof repairs in connection with the City's Emergency Roof Repair Initiative Program 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. **2022-468** Approve finding that pursuant to Miss. Code Ann. § 17-25-25 (5), the fair market value of that certain property described in the Quitclaim Deed from The City of Hattiesburg, Mississippi, to Midtown Montevista, LLC, is zero; that it is in the City's best interest to dispose of its interest, if any, in and to the subject property; and authorize the Mayor to execute said Quitclaim Deed to Midtown Montevista, LLC.

Attachments: QCD to Midtown Montevista from City 6-16-22

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve finding that pursuant to Miss. Code Ann. § 17-25-25 (5), the fair market value of that certain property described in the Quitclaim Deed from The City of Hattiesburg, Mississippi, to Midtown Montevista, LLC, is zero; that it is in the City's best interest to dispose of its interest, if any, in and to the subject property; and authorize the Mayor to execute said Quitclaim Deed to Midtown Montevista, LLC.

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. **2022-477** Adopt a Resolution authorizing the Mayor to apply for funding approval for a Transportation Alternatives grant for the VFW Pathway Along Gordon's Creek Project and authorize the Mayor to execute related documentation.

Attachments: Resolution
 City Letterhead 21 CL
 City Letterhead 21 LC
 HBurg 2022 Draft

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-66) authorizing the Mayor to apply for funding approval for a Transportation Alternatives grant for the VFW Pathway Along Gordon's Creek Project and authorize the Mayor to execute related documentation.

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 Member Carroll 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. **2022-467** Ratification of submitted grant application to the U.S. Department of Justice 2022 Bulletproof Vest Partnership Grant Program in the amount of \$24,800.00 to purchase bulletproof vests for the Hattiesburg Police Department. The grant reimbursement to the city will provide \$12,400.00 (50%) of the cost of the vests.

Attachments: FY22 BVP Submission Confirmation

2. **2022-459** Acknowledge Proof of Publication from The Clarion Ledger for the month of May 2022.

Attachments: Clarion Ledger Inv0004664534

3. **2022-474** Authorize publication of Notice of Public Hearing regarding the City of Hattiesburg's 2022 Action Plan
 Attachments: NOTICE OF PUBLIC HEARING 2022_072022
4. **2022-465** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}

 Attachments: Manual Check Memo 07052022
 Bradley 303 JCK Draw_07052022
 Bradley 515 Draw_007052022
5. **2022-455** Approve the sale of grave spaces per attached Memo's, Receipts, and Deeds.

 Attachments: Memo's (07-05-2022)
 Receipts (07-05-2022)
 Deeds (07-05-2022)
6. **2022-464** Approve claims docket for the period ending June 30, 2022.

 Attachments: DOCKET 22.06.30
 DT 6.30.22

Work Session

Council President George proceeded with the Work Session, which included:

1. **2022-475** Hattiesburg Public School District Progress Report, presented by Dr. Robert Williams (requested by Councilman Nick Brown).

 Attachments: Hattiesburg School District 2021-2022 Highlights
2. **2022-476** Discussion on traffic and golf cart safety, presented by Hunter White (requested by Council President Jeffrey George).

 Attachments: Golf Cart Ordinance presentation
 GCO City Wide

In Memoriam:

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

- Mrs. Willie Lee Lucas
- Mr. Andrae Damond Nelson
- Mrs. Sandra Holley
- Ms. Merlene Breazeale

Meeting Recessed

Council President George declared the **meeting recessed at 5:01 p.m., this 5th day of July, 2022**, by unanimous consent, until the 18th day of July, 2022.

ATTEST:

APPROVE:

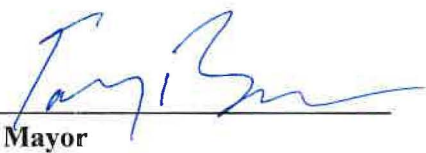

Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor