

Published Agenda

**Tuesday, August 2, 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 Items #29, #30 & #31 at the request of the Administration.

- | | | |
|-----|----------|---|
| 29. | 2022-566 | Approve Interlocal Agreement between the City of Hattiesburg and the Hattiesburg Public School District for a shared use softball facility. |
| 30. | 2022-567 | Acknowledge bids received July 14, 2022 for the Jaycee Park Field Improvements Project and accept the bid of J. W. Chain Contractors, LLC as the lowest and best bid. Following negotiation pursuant to Section 31-7-13 (d)(iv), authorize the Mayor to execute contract upon preparation with J. W. Chain Contractors, LLC in the amount of \$4,080,927.25, subject to review and approval of the City Attorney and City Engineer. |
| 31. | 2022-565 | Approve amendment to the contract between the City of Hattiesburg and the Hattiesburg Convention Commission for the management, operations and upkeep of the Hattiesburg Zoo as adopted August 18, 2020 at minute book # 2020-593. |

Closed Session to determine the need for executive session

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| 1. | 2022-562 | Relative to Miss. Code Ann. § 25-41-7 (4) (b), requested by Administration. |
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POLICY AGENDA

- | | | |
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| 1. | 2022-547 | Approve the minutes for the July 18 & 19, 2022 meetings of the City Council. |
| 2. | 2022-519 | Adopt a Resolution authorizing the employment of professionals in connection with the sale and issuance by the City of General Obligation Bonds of the City and/or a General Obligation Bond of the City for sale to the Mississippi Development Bank, all in an aggregate principle amount not to exceed \$5,500,000.00; and for related purposes. |
| 3. | 2022-521 | Adopt a Resolution declaring the intention of the Mayor and the City Council of the City of Hattiesburg, Mississippi, to issue General Obligation Bonds of the City and/or a General Obligation Bond of the city for sale to the Mississippi Development Bank, all in an aggregate principal amount not to exceed \$5,500,000 to raise money for the purpose of financing various recreation related projects of the city, as provided herein, and for other authorized purposes under Mississippi Code Ann. Sections 21-33-301 et seq., Senate Bill 2514 of the 2022 regular session of the Mississippi Legislature, and Sections 31-25-1 et seq., as amended and supplemented from time to time, including funding capitalized interest, if applicable, and paying the costs of borrowing, including any costs for bond insurance premium, if applicable; directing the publication of a notice of such intention; and for related purposes. |
| 4. | 2022-526 | Adopt a Resolution setting Public Hearing on Tuesday, September 6th, 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. |
| 5. | 2022-527 | Adopt Resolutions adjudicating and directing the placement as an assessment for the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties. |
| 6. | 2022-528 | Adopt a Resolution determining a tree at the property at 110 Park Avenue is a hazard and threat to the safety of the public and is in such a state of imminent danger as to be a menace to the health and safety of the community. |
| 7. | 2022-541 | Adopt a Resolution to designate authorized representatives to act in an official capacity on behalf of the City of Hattiesburg as relates to the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program. |
| 8. | 2022-543 | Adopt a Resolution declaring surplus a certain parcel of City-owned property at Parcel # 2-029K-09-209.00 and lot 14 of Parcel # 2-02K-09-208 and authorize the execution of a Quit Claim Deed from the City of Hattiesburg to BNO, LLC., in the amount of \$2,450.00 in accordance with 21-17-1. |
| 9. | 2022-542 | Adopt a Resolution declaring surplus a certain parcel of City-owned property at PPIN 21626 and authorize the execution of a Quit Claim Deed from the City of Hattiesburg to Cedric Bourn, in the amount of \$1000.00 in accordance with 21-17-1. |

10. **2022-517** Approve Event Marketing Agreement with IMG College, LLC (Learfield Communications) for marketing partnership with USM Athletics for a three (3) year period beginning July 1, 2022 and ending June 30, 2025, in the annual amounts outlined herein and authorize the Mayor to execute the same.
11. **2022-553** Approve Engagement Letter with Adams and Reese, LLP, in the matter of City of Hattiesburg v. Valley Railroad Company Chancery Court #22-CV-00120-CS and authorize the Mayor to execute the same.
12. **2022-557** Approve an Agreement between the City of Hattiesburg and Tyler Technologies for the PACE premium maintenance and training program and authorize the Mayor to execute the same.
13. **2022-556** Approve a Fire Protection Agreement between the City of Hattiesburg and the University of Southern Mississippi to provide fire protection and related services for a one(1) year term in the amount of \$95,652.00 and authorize the Mayor to execute the same.
14. **2022-522** Approve Memorandum of Understanding between City of Hattiesburg Police Department and the Pine Belt Anti-Human Trafficking Task Force for a period beginning March 1, 2022 through March 1, 2025 as part of the collaborative to prevent human trafficking and authorize Chief of Police to execute the same.
15. **2022-514** Approve a Rental Agreement between the City of Hattiesburg and Toshiba Business Solutions for a copier that will be located in the Hattiesburg Police Department Community Relations Division for the amount of \$167.58 for 60 months and authorize the Mayor to execute the same.
16. **2022-537** Approve Emergency Roof Repair Agreements (CDBG Program) as referenced in the memo attached and authorize the Mayor to execute in triplicate.
17. **2022-518** 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.
18. **2022-523** Approve Agreement between City of Hattiesburg and Martin Luther King Avenue Baptist Church, (110 Martin Luther King Avenue, Hattiesburg, MS 39401), for sound mitigation agreement related to the Hall Avenue Overpass project and authorize the Mayor to execute the same.
19. **2022-540** Approve Lighting Agreement with Mississippi Power Company for additional lighting at 825 N Main Street for a monthly increase of \$29.77, and authorize the Mayor to execute the same.
20. **2022-538** Approve Change Order No. 1 with Walker Construction, LLC for the Elaine Circle Retaining Wall project increasing the contract amount \$5,875.80 for a total contract amount of \$153,995.80; Authorize the mayor to execute in triplicate.
21. **2022-489** Approve renewal No. 3 of 3 possible of Contract with CrowderGulf, LLC for Debris Removal services in the event of a disaster; Authorize Mayor to execute renewal letter in duplicate.
22. **2022-490** Approve renewal No. 3 of 3 possible of Contract with Debris Tech, LLC for Debris Monitoring services in the event of a disaster; Authorize the Mayor to execute renewal letter in duplicate.
23. **2022-548** Acknowledge bids received July 21, 2022 for the Lincoln Road Paving Project and accept the bid from Warren Paving, Inc. in the amount of \$1,539,552.90 for the base bid only; Authorize the mayor to execute contracts when prepared.
24. **2022-536** Acknowledge bids received July 21, 2022 for the Bobby L. Chain Airport Hangar 6 Door Replacement project and accept the bid from Chris Albritton Construction Co., Inc. in the amount of \$117,500.00; Authorize the mayor to execute contracts when prepared.
25. **2022-530** Authorize the Mayor to execute a Funding Agreement with the Department of Finance and Administration of the State of Mississippi and letter requesting a transfer of funds in the amount of \$250,000.00 for the disbursement of said funds to assist the City of Hattiesburg associated with flood control, detention basins or other infrastructure improvements in and around Gordon's Creek, as specified in Section 25 of House Bill 1353 of the 2022 Legislative session.
26. **2022-532** Authorize the Mayor to execute a Funding Grant Agreement with the Department of Finance and Administration of the State of Mississippi and letter requesting transfer of funds in the amount of \$250,000.00 for the disbursement of said funds to assist the City of Hattiesburg in paying costs associated with improvements to Dabbs Street, as specified in Section 25) of House Bill 1353 of the 2022 legislative session.
27. **2022-529** Authorize the Mayor to execute a Funding Grant Agreement with the Department of Finance and Administration of the State of Mississippi and letter requesting the transfer of funds in the amount of \$1,750,000.00 for the disbursement of said funds to assist the City of Hattiesburg in paying costs associated with improvements in infrastructure in the Midtown area of the city, as specified in Section 25 of House Bill 1353 of the 2022 Legislative session.
28. **2022-544** Authorize submission of the 2022 USDOJ Edward Byrne Memorial Justice Assistance Grant in the amount of \$23,492 to be shared by the City of Hattiesburg with disparate jurisdiction Forrest County (\$14,095 Hattiesburg/ \$9,397 Forrest County) and authorize the Mayor to execute the same.
29. **2022-566** Approve Interlocal Agreement between the City of Hattiesburg and the Hattiesburg Public School District for a shared use softball facility.
30. **2022-567** Acknowledge bids received July 14, 2022 for the Jaycee Park Field Improvements Project and accept the bid of J. W. Chain Contractors, LLC as the lowest and best bid. Following negotiation pursuant to Section 31-7-13 (d)(iv), authorize the Mayor to execute contract upon preparation with J. W. Chain

- Contractors, LLC in the amount of \$4,080,927.25, subject to review and approval of the City Attorney and City Engineer.
31. **2022-565** Approve amendment to the contract between the City of Hattiesburg and the Hattiesburg Convention Commission for the management, operations and upkeep of the Hattiesburg Zoo as adopted August 18, 2020 at minute book # 2020-593.

ROUTINE AGENDA

1. **2022-525** Acknowledge receipt of the two quote docket.
2. **2022-520** Acknowledge Proof of Publications for Hub City Spokes for the month of June 2022.
3. **2022-539** Acknowledge no bids were received July 21, 2022 for the FTA Sidewalk Project - Hardy Street & Kamper Park, and Authorize re-advertisement for bids for same.
4. **2022-554** Acknowledge receipt of Notice of Adoption of the Motor Vehicle Assessment Schedule for the City of Hattiesburg for the fiscal year beginning October 1,2022 and ending September 30, 2023; authorize publication of public notice setting a hearing for September 6, 2022 before the council to hear complaints or objections to the adoption of the Motor Vehicle Assessment Schedule.
5. **2022-555** Acknowledge receipt of Phillip McSwain certificates of attendance of the Municipal Court Clerks Statewide Seminar.
6. **2022-545** Authorize and approve publication setting a Public Comment Period for the City’s 2022 Edward Byrne Memorial Justice Assistance Grant application.
7. **2022-524** Approve Specifications and Authorize Publication of Advertisement for Various Term Bid Items
8. **2022-563** Approve and Authorize publication of a Request for Proposals for Construction Engineering and Inspection of the Hall Avenue Overpass-West project (Project No. FBLD-8769-00(001)/108639-801000).
9. **2022-531** Approve the updated Housing Rehabilitation and Housing Repair Grants Program Guidelines incorporating "Reconstruction" as a limited eligible activity.
10. **2022-534** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}
11. **2022-535** Approve and authorize issuance of manual checks for CDBG-CV Program Claims per attached Memorandum. {Entitlement CDBG-CV}
12. **2022-515** Approve the sale of grave spaces per attached, Memo's, Receipts and Deeds.
13. **2022-516** Approve claims docket for the period ending July 31, 2022.

Departmental Budget Presentations

1. **2022-549** Transportation and Engineering Department
2. **2022-558** Parks and Recreation Department

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, August 2, 2022**, in Council Chambers at City Hall; same being from a recessed meeting held on August 1, 2022.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carrell, 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 George Called the meeting to order.

Call to Prayer and Pledge of Allegiance

The prayer was given by Pastor Phillip McSwain of the Greater Mt. Olive Baptist Church.

The Pledge of Allegiance was led by Council President George.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

Agenda Adjustments

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Add Policy Items #29, #30 & #31 at the request of the Administration.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

Closed Session to determine the need for executive session

A MOTION was made by Council Member Delgado for the Council to enter closed session to determine the need to enter Executive Session at 5:03 p.m.

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

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to enter Executive Session to discuss strategy or negotiations with respect existing 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 5:04 p.m.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

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 existing litigation.

Those present for the Executive Session were Mayor Toby Barker; Council members Jeffrey George, Deborah Delgado, Carter Carroll, Dave Ware and Nicholas Brown; Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Chief Administrative Officer, Ann Jones; Assistant Police Chief, Peggy Sealy; Assistant Fire Chief, Danny Wade; Interim CFO, Malcolm Berch; City Engineer, Lamar Rutland; Director of the Water Department, Alan Howe; Director of Public Works, Ronnie Perkins; Director of Parks and Recreation, Chris McGee; Chief Communications Officer, Samantha McCain; Clerk of Council, Ronda Cole; Deputy Clerk of Council, Lisa Luu Jolly; Attorney G. Olgetree and Attorney Alec Taylor of.

Council Member Delgado and Lisa Jolly left the room at 5:12 p.m.

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll exit Executive Session and re-open the meeting to the public at 5:31 p.m.

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

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

Council Member Delgado and Lisa Jolly returned to the room at 5:31 p.m.

Council President George proceeded with the Regular Council meeting.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2022-547** Approve the minutes for the July 18 & 19, 2022 meetings of the City Council.

Attachments: 7-18-2022 AR Mins.
 7-19-2022 Mins

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve the minutes for the July 18 & 19, 2022 meetings of the City Council.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

2. **2022-519** Adopt a Resolution authorizing the employment of professionals in connection with the sale and issuance by the City of General Obligation Bonds of the City and/or a General Obligation Bond of the City for sale to the Mississippi Development Bank, all in an aggregate principle amount not to exceed \$5,500,000.00; and for related purposes.

Attachments: Hattiesburg GO Bonds 2022 - Engagement Resolution (8-2-22 meeting)
 Hattiesburg (MDB) GO Bonds (2022) - Engagement Res (compiled pre-adoption)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-68) authorizing the employment of professionals in connection with the sale and issuance by the City of General Obligation Bonds of the City and/or a General Obligation Bond of the City for sale to the Mississippi Development Bank, all in an aggregate principle amount not to exceed \$5,500,000.00; and for related purposes.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

3. **2022-521** Adopt a Resolution declaring the intention of the Mayor and the City Council of the City of Hattiesburg, Mississippi, to issue General Obligation Bonds of the City and/or a General Obligation Bond of the city for sale to the Mississippi Development Bank, all in an aggregate principal amount not to exceed \$5,500,000 to raise money for the purpose of financing various recreation related projects of the city, as provided herein, and for other authorized purposes under Mississippi Code Ann. Sections 21-33-301 et seq., Senate Bill 2514 of the 2022 regular session of the Mississippi

Legislature, and Sections 31-25-1 et seq., as amended and supplemented from time to time, including funding capitalized interest, if applicable, and paying the costs of borrowing, including any costs for bond insurance premium, if applicable; directing the publication of a notice of such intention; and for related purposes.

Attachments: Hattiesburg GO Bonds 2022 - Intent Resolution (8 02 22 meeting) (003)

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Adopt a Resolution (#2022-69) declaring the intention of the Mayor and the City Council of the City of Hattiesburg, Mississippi, to issue General Obligation Bonds of the City and/or a General Obligation Bond of the city for sale to the Mississippi Development Bank, all in an aggregate principal amount not to exceed \$5,500,000 to raise money for the purpose of financing various recreation related projects of the city, as provided herein, and for other authorized purposes under Mississippi Code Ann. Sections 21-33-301 et seq., Senate Bill 2514 of the 2022 regular session of the Mississippi Legislature, and Sections 31-25-1 et seq., as amended and supplemented from time to time, including funding capitalized interest, if applicable, and paying the costs of borrowing, including any costs for bond insurance premium, if applicable; directing the publication of a notice of such intention; and for related purposes.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

4. **2022-526** Adopt a Resolution setting Public Hearing on Tuesday, September 6th, 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 09 06 2022 Request to Set Public Hearing Memo
PH 09 06 2022 Resolution

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-70) setting Public Hearing on Tuesday, September 6th, 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, Delgado, Carroll, Ware and Brown

Nays: 0

5. **2022-527** Adopt Resolutions adjudicating and directing the placement as an assessment for the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties.

Attachments: Adjudication Resolution 08 02 2022
1. 19 Conner Lane Adj
2. 86 Canal Drive Adj
3. 118 Tuscan Avenue Adj
4. 123 East Florence Street Adj
5. 418 East 8th Street Adj
6. 508 Ruby Avenue Adj
7. 715 McKinley Street Adj
8. 810 Whitney Street Adj
9. 1504 & a Half Main Street Adj
10. 122 West 4th Street Adj
11. 305 North 10th Avenue Adj
12. 237 (241) Short Columbia Street Adj

- 13. 200 St Paul Street Adj
- 14. 68 Central School Road Adj
- 15. 607 Graymont Avenue Adj
- 16. 426 South 12th Avenue Adj
- 17. 1406 Concart Street Adj

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt Resolutions (#2022-71-87) adjudicating and directing the placement as an assessment for 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: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

6. **2022-528** Adopt a Resolution determining a tree at the property at 110 Park Avenue is a hazard and threat to the safety of the public and is in such a state of imminent danger as to be a menace to the health and safety of the community.

Attachments: 110 Park Avenue - Memo from Arborist Andy Parker
110 Park Avenue - Memo for Resolution
08 02 2022 - 110 Park Avenue - Resolution for Imminent Danger

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-88) determining a tree at the property at 110 Park Avenue is a hazard and threat to the safety of the public and is in such a state of imminent danger as to be 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: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

7. **2022-541** Adopt a Resolution to designate authorized representatives to act in an official capacity on behalf of the City of Hattiesburg as relates to the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program.

Attachments: RESOLUTION

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-89) to designate authorized representatives to act in an official capacity on behalf of the City of Hattiesburg as relates to the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

8. **2022-543** Adopt a Resolution declaring surplus a certain parcel of City-owned property at Parcel # 2-029K-09-209.00 and lot 14 of Parcel # 2-02K-09-208 and authorize the execution of a Quit Claim Deed from the City of Hattiesburg to BNO, LLC., in the amount of \$2,450.00 in accordance with 21-17-1.

Attachments: SURPLUS RESOLUTION -110 Lewis St
110 Lewis Street Quit Claim Deed 7.25.22
PPIN 19644 19645 - Revised Appraisal Report -COH
110 Lewis Street Hattiesburg MS 39401 (1) Buyer Appraisal

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-90) declaring surplus a certain parcel of City-owned property at Parcel # 2-029K-09-209.00 and lot 14 of Parcel # 2-02K-09-208 and authorize the execution of a Quit Claim Deed from the City of Hattiesburg to BNO, LLC., in the amount of \$2,450.00 in accordance with 21-17-1.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

9. **2022-542** Adopt a Resolution declaring surplus a certain parcel of City-owned property at PPIN 21626 and authorize the execution of a Quit Claim Deed from the City of Hattiesburg to Cedric Bourn, in the amount of \$1000.00 in accordance with 21-17-1.

Attachments: 120 Cypress Avenue - Appraisal Report
QCD to Cedric Bourn from City, 7-22-22
SURPLUS RESOLUTION - 120 Cypress Ave PPIN 21626

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-91) declaring surplus a certain parcel of City-owned property at PPIN 21626 and authorize the execution of a Quit Claim Deed from the City of Hattiesburg to Cedric Bourn, in the amount of \$1000.00 in accordance with 21-17-1.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

10. **2022-517** Approve Event Marketing Agreement with IMG College, LLC (Learfield Communications) for marketing partnership with USM Athletics for a three (3) year period beginning July 1, 2022 and ending June 30, 2025, in the annual amounts outlined herein and authorize the Mayor to execute the same.

Attachments: USM-IMG Marketing Agreement 2022-2025

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Event Marketing Agreement with IMG College, LLC (Learfield Communications) for marketing partnership with USM Athletics for a three (3) year period beginning July 1, 2022 and ending June 30, 2025, in the annual amounts outlined herein 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, Carroll, Ware and Brown

Nays: 0

11. **2022-553** Approve Engagement Letter with Adams and Reese, LLP, in the matter of City of Hattiesburg v. Valley Railroad Company Chancery Court #22-CV-00120-CS and authorize the Mayor to execute the same.

Attachments: Adams and Reese Engagment Letter-COH V. Valley Railroad Company

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Engagement Letter with Adams and Reese, LLP, in the matter of City of Hattiesburg v. Valley Railroad Company Chancery Court #22-CV-00120-CS 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, Carroll, Ware and Brown

Nays: 0

12. **2022-557** Approve an Agreement between the City of Hattiesburg and Tyler Technologies for the PACE premium maintenance and training program and authorize the Mayor to execute the same.

Attachments: Tyler-Pace

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve an Agreement between the City of Hattiesburg and Tyler Technologies for the PACE premium maintenance and training program 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, Carroll, Ware and Brown

Nays: 0

13. **2022-556** Approve a Fire Protection Agreement between the City of Hattiesburg and the University of Southern Mississippi to provide fire protection and related services for a one(1) year term in the amount of \$95,652.00 and authorize the Mayor to execute the same.

Attachments: USM fire agreement 2022

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve a Fire Protection Agreement between the City of Hattiesburg and the University of Southern Mississippi to provide fire protection and related services for a one(1) year term in the amount of \$95,652.00 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, Carroll, Ware and Brown

Nays: 0

14. **2022-522** Approve Memorandum of Understanding between City of Hattiesburg Police Department and the Pine Belt Anti-Human Trafficking Task Force for a period beginning March 1, 2022 through March 1, 2025 as part of the collaborative to prevent human trafficking and authorize Chief of Police to execute the same.

Attachments: Pine Belt Task Force MOU-Human Trafficking

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Memorandum of Understanding between City of Hattiesburg Police Department and the Pine Belt Anti-Human Trafficking Task Force for a period beginning March 1, 2022 through March 1, 2025 as part of the collaborative to prevent human trafficking and authorize Chief of Police to execute the same.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

15. **2022-514** Approve a Rental Agreement between the City of Hattiesburg and Toshiba Business Solutions for a copier that will be located in the Hattiesburg Police Department Community Relations Division for the amount of \$167.58 for 60 months and authorize the Mayor to execute the same.

Attachments: Rental Agreement
Notice of Acknowledgement

Equipment

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve a Rental Agreement between the City of Hattiesburg and Toshiba Business Solutions for a copier that will be located in the Hattiesburg Police Department Community Relations Division for the amount of \$167.58 for 60 months 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, Carroll, Ware and Brown

Nays: 0

16. **2022-537** Approve Emergency Roof Repair Agreements (CDBG Program) as referenced in the memo attached and authorize the Mayor to execute in triplicate.

Attachments: 1308 Country Club Roof Agreements
 1310 Country Club Roof Agreements
 605 Phoenix Roof Agreements
 1208 Coit - Roof Agreements
 313 Miller Roof Agreements
 104 Lynnox Roof Agreements

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Emergency Roof Repair Agreements (CDBG Program) as referenced in the memo attached and authorize the Mayor to execute in triplicate.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

17. **2022-518** 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: QUITCLAIM DEED - Midtown Montevista - S31ST AND CHEVY CHASE

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: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

18. **2022-523** Approve Agreement between City of Hattiesburg and Martin Luther King Avenue Baptist Church, (110 Martin Luther King Avenue, Hattiesburg, MS 39401), for sound mitigation agreement related to the Hall Avenue Overpass project and authorize the Mayor to execute the same.

Attachments: Martin Luther King Baptist Church Mitigation Settlement Agreement 7.25.22
 2305_001
 2306_001

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Agreement between City of Hattiesburg and Martin Luther King Avenue Baptist Church, (110 Martin Luther King Avenue, Hattiesburg, MS 39401), for sound mitigation agreement related to the Hall Avenue Overpass project 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, Carroll, Ware and Brown
Nays: 0

19. **2022-540** Approve Lighting Agreement with Mississippi Power Company for additional lighting at 825 N Main Street for a monthly increase of \$29.77, and authorize the Mayor to execute the same.
- Attachments: MS Power-825 N Main Street

A MOTION was made by Council Member Brown and seconded by Council Member Delgado to Approve Lighting Agreement with Mississippi Power Company for additional lighting at 825 N Main Street for a monthly increase of \$29.77, 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, Carroll, Ware and Brown
Nays: 0

20. **2022-538** Approve Change Order No. 1 with Walker Construction, LLC for the Elaine Circle Retaining Wall project increasing the contract amount \$5,875.80 for a total contract amount of \$153,995.80; Authorize the mayor to execute in triplicate.
- Attachments: 1235-108_change order #1_2022-07-25

A MOTION was made by Council Member Brown and seconded by Council Member Delgado to Approve Change Order No. 1 with Walker Construction, LLC for the Elaine Circle Retaining Wall project increasing the contract amount \$5,875.80 for a total contract amount of \$153,995.80; Authorize the mayor to execute in triplicate.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown
Nays: 0

21. **2022-489** Approve renewal No. 3 of 3 possible of Contract with CrowderGulf, LLC for Debris Removal services in the event of a disaster; Authorize Mayor to execute renewal letter in duplicate.
- Attachments: Hattiesburg(City), MS Ins Cert
 CrowderGulf Contact Sheet 2022 MS
 Hattiesburg(City) MS Unex Renewal

A MOTION was made by Council Member Brown and seconded by Council Member Delgado to Approve renewal No. 3 of 3 possible of Contract with CrowderGulf, LLC for Debris Removal services in the event of a disaster; Authorize Mayor to execute renewal letter in duplicate.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown
Nays: 0

22. **2022-490** Approve renewal No. 3 of 3 possible of Contract with Debris Tech, LLC for Debris Monitoring services in the event of a disaster; Authorize the Mayor to execute renewal letter in duplicate.

Attachments: Debris Tech Extension Agreement 2022 – signed

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve renewal No. 3 of 3 possible of Contract with Debris Tech, LLC for Debris Monitoring services in the event of a disaster; Authorize the Mayor to execute renewal letter in duplicate.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

23. **2022-548** Acknowledge bids received July 21, 2022 for the Lincoln Road Paving Project and accept the bid from Warren Paving, Inc. in the amount of \$1,539,552.90 for the base bid only; Authorize the mayor to execute contracts when prepared.

Attachments: Lincoln Road Paving - Bid Tab Ltr
Lincoln Road Paving - Certified Bid Tab

A MOTION was made by Council Member Brown and seconded by Council Vice President Ware to Acknowledge bids received July 21, 2022 for the Lincoln Road Paving Project and accept the bid from Warren Paving, Inc. in the amount of \$1,539,552.90 for the base bid only; Authorize the mayor to execute contracts when prepared.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

24. **2022-536** Acknowledge bids received July 21, 2022 for the Bobby L. Chain Airport Hangar 6 Door Replacement project and accept the bid from Chris Albritton Construction Co., Inc. in the amount of \$117,500.00; Authorize the mayor to execute contracts when prepared.

Attachments: Rec Ltr
Certified Bid Tab-Hangar 6

A MOTION was made by Council Member Brown and seconded by Council Member Delgado to Acknowledge bids received July 21, 2022 for the Bobby L. Chain Airport Hangar 6 Door Replacement project and accept the bid from Chris Albritton Construction Co., Inc. in the amount of \$117,500.00; Authorize the mayor to execute contracts when prepared.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

25. **2022-530** Authorize the Mayor to execute a Funding Agreement with the Department of Finance and Administration of the State of Mississippi and letter requesting a transfer of funds in the amount of \$250,000.00 for the disbursement of said funds to assist the City of Hattiesburg associated with flood control, detention basins or other infrastructure improvements in and around Gordon's Creek, as specified in Section 25 of House Bill 1353 of the 2022 Legislative session.

Attachments: HB1353 MOU Gordon's Creek
HB 1353 Gordon's Creek Bond Advisory Contact Form (2)
HB 1353 Gordon's Creek Letter requesting transfer of funds (5.18.2022)
COH Completed W-9
HB1353 Verification Form

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Authorize the Mayor to execute a Funding Agreement with the Department of Finance and Administration of the State of Mississippi and letter requesting a transfer of funds in the amount of \$250,000.00 for the disbursement of said funds to assist the City of Hattiesburg associated with flood control, detention basins or other infrastructure improvements in and around Gordon's Creek, as specified in Section 25 of House Bill 1353 of the 2022 Legislative session.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

26. **2022-532** Authorize the Mayor to execute a Funding Grant Agreement with the Department of Finance and Administration of the State of Mississippi and letter requesting transfer of funds in the amount of \$250,000.00 for the disbursement of said funds to assist the City of Hattiesburg in paying costs associated with improvements to Dabbs Street, as specified in Section 25) of House Bill 1353 of the 2022 legislative session.

Attachments: HB1353 Dabbs Street MOU
 HB 1353 Dabbs Street Bond Advisory Contact Form (2) (1)
 HB 1353 Dabbs Street Letter requesting transfer of funds (5.18.2022)
 COH Completed W-9 (2)
 HB1353 Verification Form

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Authorize the Mayor to execute a Funding Grant Agreement with the Department of Finance and Administration of the State of Mississippi and letter requesting transfer of funds in the amount of \$250,000.00 for the disbursement of said funds to assist the City of Hattiesburg in paying costs associated with improvements to Dabbs Street, as specified in Section 25) of House Bill 1353 of the 2022 legislative session.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

27. **2022-529** Authorize the Mayor to execute a Funding Grant Agreement with the Department of Finance and Administration of the State of Mississippi and letter requesting the transfer of funds in the amount of \$1,750,000.00 for the disbursement of said funds to assist the City of Hattiesburg in paying costs associated with improvements in infrastructure in the Midtown area of the city, as specified in Section 25 of House Bill 1353 of the 2022 Legislative session.

Attachments: HB1353 Midtown MOU
 HB 1353 Midtown Bond Advisory Contact Form
 HB 1353 Letter requesting transfer of funds (5.18.2022)
 COH Completed W-9
 HB1353 Verification Form

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Authorize the Mayor to execute a Funding Grant Agreement with the Department of Finance and Administration of the State of Mississippi and letter requesting the transfer of funds in the amount of \$1,750,000.00 for the disbursement of said funds to assist the City of Hattiesburg in paying costs associated with improvements in infrastructure in the Midtown area of the city, as specified in Section 25 of House Bill 1353 of the 2022 Legislative session.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

28. **2022-544** Authorize submission of the 2022 USDOJ Edward Byrne Memorial Justice Assistance Grant in the amount of \$23,492 to be shared by the City of Hattiesburg with disparate jurisdiction Forrest County (\$14,095 Hattiesburg/ \$9,397 Forrest County) and authorize the Mayor to execute the same.

Attachments: 1 - FY2022 - Byrne JAG - Program Narrative
 2 - Byrne 2022 Budget Worksheet
 3 - Financial Capability 2022
 4 - Byrne 2022 Certifications & Assurances
 5 - 2022 Disclosure of Duplication in Cost Items
 6 - 2022 Byrne MOU

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Authorize submission of the 2022 USDOJ Edward Byrne Memorial Justice Assistance Grant in the amount of \$23,492 to be shared by the City of Hattiesburg with disparate jurisdiction Forrest County (\$14,095 Hattiesburg/ \$9,397 Forrest County) 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, Carroll, Ware and Brown

Nays: 0

29. **2022-566** Approve Interlocal Agreement between the City of Hattiesburg and the Hattiesburg Public School District for a shared use softball facility.

Attachments: Interlocal Agreement with COH and HPSD (softball field) 2022 Modified 072822

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Approve Interlocal Agreement between the City of Hattiesburg and the Hattiesburg Public School District for a shared use softball facility.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

30. **2022-567** Acknowledge bids received July 14, 2022 for the Jaycee Park Field Improvements Project and accept the bid of J. W. Chain Contractors, LLC as the lowest and best bid. Following negotiation pursuant to Section 31-7-13 (d)(iv), authorize the Mayor to execute contract upon preparation with J. W. Chain Contractors, LLC in the amount of \$4,080,927.25, subject to review and approval of the City Attorney and City Engineer.

Attachments: Value Engineered Proposal
 17080_JayceePark-BidLetter
 17080_JayceePark-BidTab

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Acknowledge bids received July 14, 2022 for the Jaycee Park Field Improvements Project and accept the bid of J. W. Chain Contractors, LLC as the lowest and best bid. Following negotiation pursuant to Section 31-7-13 (d)(iv), authorize the Mayor to execute contract upon preparation with J. W. Chain Contractors, LLC in the amount of \$4,080,927.25, subject to review and approval of the City Attorney and City Engineer.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

31. **2022-565** Approve amendment to the contract between the City of Hattiesburg and the Hattiesburg Convention Commission for the management, operations and upkeep of the Hattiesburg Zoo as adopted August 18, 2020 at minute book # 2020-593.
- Attachments: Executed Agreement with Hattiesburg Convention Commission for Hattiesburg Zoo operations and maintenance for fye 2021 (1)
 Amendment to Zoo Agreement 8.2.22

A MOTION was made by Council Vice President Ware and seconded by Council Member Delgado to Approve amendment to the contract between the City of Hattiesburg and the Hattiesburg Convention Commission for the management, operations and upkeep of the Hattiesburg Zoo as adopted August 18, 2020 at minute book # 2020-593.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown
Nays: 0

ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to approve the Routine Agenda.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown
Nays: 0

1. **2022-525** Acknowledge receipt of the two quote docket.
- Attachments: UAB DOCKET INFORMATION
2. **2022-520** Acknowledge Proof of Publications for Hub City Spokes for the month of June 2022.
- Attachments: Proof of Publications Hub City Spokes Inv100146
3. **2022-539** Acknowledge no bids were received July 21, 2022 for the FTA Sidewalk Project - Hardy Street & Kamper Park, and Authorize re-advertisement for bids for same.
- Attachments: Advertisement for Bids-Rebid
 FTA Sidewalk_Hardy St-Kamper Park Final Specs-REBID
 FTA Sidewalk_Hardy St-Kamper Park Final Plans-REBID
4. **2022-554** Acknowledge receipt of Notice of Adoption of the Motor Vehicle Assessment Schedule for the City of Hattiesburg for the fiscal year beginning October 1,2022 and ending September 30, 2023; authorize publication of public notice setting a hearing for September 6, 2022 before the council to hear complaints or objections to the adoption of the MOtor Vehicle Assessment Schedule.
- Attachments: MOTOR VEHICLE.DOC 2020 - Copy (002)
5. **2022-555** Acknowledge receipt of Phillip Mcswain certificates of attendance of the Municipal Court Clerks Statewide Seminar.
- Attachments: Court Adm Spring Cert
 Certificate Municipal Court Clerk's Association Summer Seminar
6. **2022-545** Authorize and approve publication setting a Public Comment Period for the City’s 2022 Edward Byrne Memorial Justice Assistance Grant application.

Attachments: 1 - 2022 Byrne Notice of Public Comment Period
2 - Byrne 2022 Budget Worksheet
3 - FY2022 - Byrne JAG - Program Narrative

7. **2022-524** Approve Specifications and Authorize Publication of Advertisement for Various Term Bid Items
- Attachments: Term Bid Items
8. **2022-563** Approve and Authorize publication of a Request for Proposals for Construction Engineering and Inspection of the Hall Avenue Overpass-West project (Project No. FBLD-8769-00(001)/108639-801000).
- Attachments: Legal Ad 108639 072822 RFP
9. **2022-531** Approve the updated Housing Rehabilitation and Housing Repair Grants Program Guidelines incorporating "Reconstruction" as a limited eligible activity.
- Attachments: COH Rehab Manual_072022
10. **2022-534** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}
- Attachments: Middleton Construction_08022022
Landry invoice_08022022
Manual Check Memo 08022022
Bradley 303 JCK Draw_08022022
Bradley 515 Draw_08022022
11. **2022-535** Approve and authorize issuance of manual checks for CDBG-CV Program Claims per attached Memorandum. {Entitlement CDBG-CV}
- Attachments: Invoice_07072022
Manual CV Check Memo 08082022
12. **2022-515** Approve the sale of grave spaces per attached, Memo's, Receipts and Deeds.
- Attachments: Memo's (08-02-2022)
Receipts (08-02-2022)
Deeds (08-02-2022)
13. **2022-516** Approve claims docket for the period ending July 31, 2022.
- Attachments: 20220727162016
DOCKET 22.31.7

Departmental Budget Presentations

Council President George proceeded with the Budget Presentations, which included:

1. **2022-549** Transportation and Engineering Department
2. **2022-558** Parks and Recreation Department

Executive Session

A MOTION was made by Council Member Delgado for the Council to enter closed session to determine the need to enter Executive Session at 6:19 p.m.

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

A MOTION was made by Council Member Delgado and seconded by Council Member Carroll to enter Executive Session to discuss personnel matters relating to job performance, character, professional competence, or

physical or mental health of a person holding a specific position, in accordance with Mississippi Code Section 25 41 7 (a) at 6:20 p.m.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown
Nays: 0

The City Attorney stepped out into the hall and announced that the Council has gone into Executive Session to discuss personnel matters relating to job performance, character, professional competence, or physical or mental health of a person holding a specific position.

Those present for the Executive Session were Council members Jeffrey George, Deborah Delgado, Carter Carroll, Dave Ware and Nicholas Brown; City Attorney, Randy Pope; Clerk of Council, Ronda S. Kennedy.
A MOTION was made by Council Member Delgado and seconded by Council Vice President Ware exit Executive Session and re-open the meeting to the public at 6:21 p.m.

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

Yeas: 5 - George, Delgado, Carroll, Ware and Brown
Nays: 0

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

Meeting Adjourn

Council President George declared the meeting recessed at 6:23 p.m., this 2nd day of August, 2022, by unanimous consent, until the 15th day of August, 2022.

ATTEST:

APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor