

Published Agenda

**Tuesday, September 6, 2022
4:00 PM**

**City Council
Tuesday Meeting Agenda**

**Council Chambers
200 Forrest Street**

Call to Order**Call to Prayer and Pledge of Allegiance****Public Hearing**

1. **2022-627** 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 09 06 2022 Request to Set Public Hearing Memo
 1. 57 Golf Course Road Case History FINAL
 2. 102 Ellis Drive Case History FINAL
 3. 103 Plantation Place Drive Case History FINAL
 4. 105 Plantation Place Drive Case History FINAL
 5. 112 B Ellis Drive Case History FINAL
 6. 114 Ellis Drive Case History FINAL
 7. 118 Ellis Drive Case History FINAL
 8. 120 Ellis Drive Case History FINAL
 9. 6574 Hwy 49 Case History FINAL
 10. Hwy 49 North Case History FINAL
2. **2022-629** Hold Public Hearing to hear public comment on the proposed Motor Vehicle Assessment Schedule for the City of Hattiesburg for the Fiscal year beginning October 1 , 2022 and ending September 30, 2023, pursuant to order adopted on August 2,2022 at file 2022-554.

Citizen's Forum**Presentation Agenda****Agenda Adjustments**

- After public hearing on the proposed budget, Add Adopt a Resolution levying ad valorem taxes on all taxable properties within the City of Hattiesburg for the purpose of raising revenue for said City for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

POLICY AGENDA

1. **2022-640** Approve the minutes for the August 15 & 16, 2022 meetings of the City Council.
2. **2022-637** Adopt a Resolution for final approval of the Motor Vehicle Assessment Schedule for Fiscal year 2022-2023; authorize publication of same.
3. **2022-628** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.
4. **2022-643** Adopt a Resolution setting Public Hearing on Monday, October 3rd, 2022 at 4:00 p.m. in the City Council Chambers located at City Hall to determine if certain properties are in such a state of uncleanness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.
5. **2022-634** Adopt a Resolution finding and determining that the Resolution adopted on August 2, 2022, declaring the intention of the Mayor and the City Council of the City of Hattiesburg to issue general obligation bonds of the City, was duly published as required by law; that no sufficient protest described in said Resolution has been filed by the qualified electors; and for related purposes; and authorize execution of said Resolution.
6. **2022-667** Adopt a Resolution determining (I) the necessity and invoking the authority granted with respect to Tax Increment Financing as set forth in section 21-45-1 *ET SEQ.*, of the Mississippi Code of 1972, as amended; (II) amending the Tax Increment Financing Plan, Midtown Hattiesburg Project, City of Hattiesburg, Mississippi, February 2014, as amended for the Elam Arms Development, February 2016, as amended June 2016, and as amended and restated for the Midtown Montevista Project August 2022; (III) and that a public hearing be conducted on September 19, 2022, at 4:00 pm in the City Council Chambers located at City Hall in connection with the TIF Plan;and for related purposes.
7. **2022-636** Adopt a Resolution de-obligating a portion of funds received from the U.S. Department of Treasury under the American Rescue Act's State and Local Fiscal Recovery Fund, previously

- allocated for the purchase of sanitation trucks, adopted at Minute Book # 2021-358 on February 8, 2022, Resolution # 2202-5.
8. **2022-608** Adopt a Resolution declaring certain vehicles & equipment as surplus(per attached memo) and authorize sale of said vehicles & equipment at auction and remove them from the City's inventory of the Parks and Recreation Department (Community Centers Division).
 9. **2022-657** Adopt the September 6, 2022 Amendments to the Budget for the City of Hattiesburg for the fiscal year ending September 30, 2022 and Adopt Resolution authorizing publication of amendments for funds in excess of 10% of the original appropriation fund balance.
 10. **2022-639** Adopt a Resolution authorizing submittal of application to the Mississippi Arts Commission for the Building Fund for the Arts program, and approve commitment of local matching funds.
 11. **2022-662** Adopt a Resolution authorizing the submittal of applications to the Mississippi Municipal and County Water Infrastructure ("MCWI") Grant Program and designating its authorized representatives to execute the application.
 12. **2022-648** Adopt a Resolution authorizing the submittal of an application to the Bridge Investment Program and designating its authorized representative to execute the application.
 13. **2022-671** Approve Interlocal Agreement with University of Southern Mississippi, City of Hattiesburg and Forrest County for the provision of law enforcement services.
 14. **2022-668** Approve Contract between the City of Hattiesburg and NEVLO, LLC, to provide entertainment, recreational and food services at Gordon's Creek Commons.
 15. **2022-669** Approve Lease Purchase Option between City of Hattiesburg and Marlow, LLC, for parcel # 2-029J-10-159.02, PPIN # 46335 as per attached agreement.
 16. **2022-631** Approve Lighting Agreement with Mississippi Power Company for additional lighting on McInnis Loop (SW Hattiesburg) for a monthly cost savings of \$8.10; authorize the Mayor to execute the same.
 17. **2022-630** Approve Lighting Agreement with Mississippi Power Company for additional lighting from S 25th to S 21st Avenues at a monthly savings of \$27.84. Authorize the Mayor to execute the same.
 18. **2022-638** Approve Lighting Agreement with Mississippi Power Company for additional lighting on Westover Drive for a monthly cost savings of \$17.40; authorize Mayor to execute the same.
 19. **2022-632** Approve Lighting Agreement with Mississippi Power Company for additional lighting on Broad, San Antonio, Xavier, West Cooper and Capitol Streets for a monthly cost savings of \$37.44; authorize Mayor to execute the same.
 20. **2022-651** Approve Lighting Agreement with Mississippi Power Company for additional lighting on Fernway Drive, Ashley Circle and next street to West for a monthly increase of \$75.90; authorize Mayor to execute the same.
 21. **2022-650** Approve Lighting Agreement with Mississippi Power Company for additional lighting on Duane Street, Myrtle Street and Hutchinson Avenue for a monthly savings of \$7.55; authorize Mayor to execute the same.
 22. **2022-645** Approve Lighting Agreement with Mississippi Power Company for additional lighting at 49 Forrest Hills Drive for a monthly cost of \$8.43; authorize Mayor to execute the same.
 23. **2022-653** Approve Agreement with Neel-Schaffer, Inc. for engineering services related to the design phase of the 4th Street Pathway Project (Thornhill Drive to 38th Avenue) and authorize the Mayor to execute in duplicate.
 24. **2022-654** Approve Agreement with Neel-Schaffer, Inc. for engineering services related to the design phase of the 4th Street Pathway Project (38th Avenue to 34th Avenue) and authorize the Mayor to execute in duplicate.
 25. **2022-649** Approve Contract with Shows, Dearman and Waits, Inc. for engineering services related to the Annie Christie Fire Lines Project and authorize the Mayor to execute in duplicate.
 26. **2022-604** Approve the State holiday schedule as the City's holidays for the fiscal year 2022-2023 in accordance with MS Code 3-3-7, per attached list.
 27. **2022-647** Approve Amended Subrecipient Agreement with Breakthrough Community Services to provide Emergency Repairs in connection with the City's CDBG/HOME Housing Rehabilitation/Reconstruction and Repair Grant Program and authorize the Mayor to execute the same
 28. **2022-666** Approval of amended budget for the Hattiesburg Convention Commission for FY2022.
 29. **2022-652** Approve submission of a grant application to Mississippi Department of Environmental Quality (MDEQ) for the Solid Waste Assistance Grant in the amount of \$75,000.00 to fund a Household Hazardous Waste "Right Way to Throw Away Day;" and authorize the Mayor to execute the same in duplicate. The grant requires the city to provide \$25,000.00 in matching funds.
 30. **2022-660** Acknowledge receipt of a grant offer from the Mississippi Department of Transportation Aeronautics Division in the amount of \$8,334.00 for the Bobby L. Chain Airport Taxiway Realignment and Signage Design project (AIP Project No. 3-28-0031-032-2022); Authorize the Mayor to accept the offer and execute the agreement in triplicate.

- 31. 2022-661 Acknowledge bids received July 28, 2022 for the Water Plant #1 Rehabilitation-Phase II project and accept the bid from Hemphill Construction Company, Inc. for the amount of \$1,605,000.00; Authorize the Mayor to execute contracts upon preparation.
- 32. 2022-659 Acknowledge bids received August 25, 2022 for the Midtown Green Park Drainage Improvements project and accept the bid from Myers Underground Utilities in the amount of \$266,127.00; Authorize the Mayor to execute contracts upon preparation.
- 33. 2022-665 Acknowledge receipt of and approve the 2023 budget of the Hattiesburg Convention Commission.
- 34. 2022-655 Acknowledge receipt of a Court Order from the Special Court of Eminent Domain, Forrest County, granting City of Hattiesburg immediate title and possession to a certain property, more fully described in the order, required for the 28th Avenue North Bridge Replacement Project; Authorize issuance of a manual check to the court in payment of compensation and damages.
- 35. 2022-635 Ratify and confirm the Mayor's appointment of James T. Tisdale to the Pinebelt Regional solid Waste Authority to fill the unexpired term of Terrell Tisdale, for a term beginning September 6, 2022 and ending June 30, 2023.
- 36. 2022-670 Ratify and confirm the Mayor's appointment of Kate Howard to the Civil Service Commission to fill the unexpired term of Leigh Ann Underwood, for a term beginning September 6, 2022 and ending January 1, 2023.
- 37. 2022-672 Adopt a Resolution appointing Wiley Quinn as the Director of the Urban Development Department.

ROUTINE AGENDA

- 1. 2022-633 Acknowledge receipt of fiscal year 2021 audit and fiscal year 2023 Budget from AAA Ambulance Service.
- 2. 2022-607 Acknowledge receipt of the 2021 Mobile Street Festival expenditure report.
- 3. 2022-642 Approve revised Housing Rehabilitation and Housing Repair Grants Program Guidelines manual (CDBG) (Dated August 2022) {Entitlement}
- 4. 2022-609 Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}
- 5. 2022-656 Approve plans and specifications for the Hall Avenue West Phase II - Roadway project (FBLD-8769-00(001)LPA/108639-802000) and authorize advertisement for bids contingent upon MDOT approval to advertise.
- 6. 2022-606 Approve specifications and authorize publication of an advertisement for one (1) or more newer buses for Mass Transit.
- 7. 2022-644 Approve and authorize publication of Notice for Request for Qualifications for Qualified Eligible Contractors for the City of Hattiesburg's CDBG/HOME Programs {Entitlement}
- 8. 2022-641 Approve the sale of grave spaces, per attached Memo's, Receipts and deeds.
- 9. 2022-605 Approve claims docket for the period ending August 31, 2022.

Work Session

- 1. 2022-673 FOG (Fat, Oils, Grease) Program, presented by City Engineer, Lamar Rutland and Shae McNeese of Shows, Dearman & Waits, Inc.

5:30 p.m. - Public Hearing on the proposed budget and tax levies for fiscal year ending September 30, 2023

- 1. 2022-674 Adopt A Resolution levying ad valorem taxes on all of the taxable property within the City of Hattiesburg, Mississippi, for the purpose of raising revenue for said city for the fiscal year beginning October 1, 2022, and ending September 30, 2023.

Request for closed session to determine executive session on a litigation matter.

In Memoriam:

- Mr. Dennis “Denny” Behm
- Mr. Steve Seale
- Mrs. Ontanell Molette
- Retired Colonel Joseph D. Young
- Mr. Howard Lee Gilbert, Sr.
- Mrs. Vaughnceil Bourne Woods
- Mr. Vernon “Skip” Matthew
- Dr. Katherine “Katie” Fokakis Patterson
- Retired Assistant Fire Chief Otis Rowell
- Mr. Herbert V. Kohler, Jr.
- Mr. Bobby Ray James

Meeting Adjourn

Call to Order

BE IT REMEMBERED that the **regular meeting of the Hattiesburg City Council was held at 4:00 p.m. Tuesday, September 6, 2022**, in Council Chambers at City Hall; same being from a recessed meeting held on August 16, 2022.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Dave Ware, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Clerk of Council, Ronda S. Kennedy; Deputy Clerk of Council, Lisa Luu Jolly; City staff members; media; and the public.

Council President George Called the meeting to order.

Call to Prayer and Pledge of Allegiance

The prayer was given by Reverend Taurean Easterling.

The Pledge of Allegiance was led by Council President George.

Public Hearing on Unsafe Properties

BE IT REMEMBERED that the Hattiesburg City Council held a **Public Hearing on unsafe properties at 4:04 p.m. Tuesday, September 6, 2022**, in Council Chambers at City Hall, pursuant to order adopted August 2, 2022, at Minute Book 2021 Page 510, 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.

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

1. **2022-627** 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 09 06 2022 Request to Set Public Hearing Memo

1. 57 Golf Course Road Case History FINAL
2. 102 Ellis Drive Case History FINAL
3. 103 Plantation Place Drive Case History FINAL
4. 105 Plantation Place Drive Case History FINAL
5. 112 B Ellis Drive Case History FINAL
6. 114 Ellis Drive Case History FINAL
7. 118 Ellis Drive Case History FINAL
8. 120 Ellis Drive Case History FINAL
9. 6574 Hwy 49 Case History FINAL
10. Hwy 49 North 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.

There were no 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 4:11 and proceeded with the Public Hearing for the Motor Vehicle Assessment Schedule Fiscal Year 2022-2023.

Public Hearing for the Motor Vehicle Assessment Schedule

BE IT REMEMBERED that the Hattiesburg City Council held a **Public Hearing at 4:11 p.m. Tuesday, September 6, 2022**, in Council Chambers at City Hall to hear public comment on the proposed Motor Vehicle Assessment Schedule for the City of Hattiesburg for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023, pursuant to order adopted August 2, 2022 at File # 2022-554.

Council President George called the Public Hearing to order and explained the procedures.

Council President Carroll asked for public comment on the proposed Motor Vehicle Assessment for 2022-2023.

There were no citizens present who wished to comment.

Council President George closed the public hearing at 4:12 p.m. and proceeded with the Citizen's Forum.

Citizen's Forum

Council Vice President Ware proceeded with the Citizens' Forum.

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

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

Council Vice President Ware closed the Citizen Forum.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

Mayor Barker presented a certificate of recognition to the following officers for their efforts in de-escalating a situation. The officers used their crisis intervention team training skills (CIT) to calm the person down before encouraging treatment.

- James Harrison
- Christopher Sumrall
- Eric Lopez

The City Council members also presented Clerk of Council, Ronda S. Kennedy, and Deputy Clerk of Council, Lisa Luu Jolly, their hard-earned Master Municipal Clerk (MMC) plaques awarded by the International Institute of Municipal Clerks (IIMC).

There were no other presentations at this time.

Agenda Adjustments

After public hearing on the proposed budget, Add Adoption of a Resolution levying ad valorem taxes on all taxable properties within the City of Hattiesburg for the purpose of raising revenue for said City for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

1. **2022-674** Adopt A Resolution levying ad valorem taxes on all of the taxable property within the City of Hattiesburg, Mississippi, for the purpose of raising revenue for said city for the fiscal year beginning October 1, 2022, and ending September 30, 2023.

A MOTION was made by Council Delgado and seconded by Council Member Brown to Add Adoption of a Resolution levying ad valorem taxes on all taxable properties within the City of Hattiesburg for the purpose of raising revenue for said City for the fiscal year beginning October 1, 2022 and ending September 30, 2023 after the public hearing on the proposed budget.

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

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2022-640** Approve the minutes for the August 15 & 16, 2022 meetings of the City Council.

Attachments: 8-15-2022 AR, BP, XS Mins.
8-16-2022 BP Mins

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve the minutes for the August 15 & 16, 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. **2022-637** Adopt a Resolution for final approval of the Motor Vehicle Assessment Schedule for Fiscal year 2022-2023; authorize publication of same.

Attachments: Motor Veh Resolution to adopt - Copy
FINAL - UAS 2022-2023

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-94) for final approval of the Motor Vehicle Assessment Schedule for Fiscal year 2022-2023; authorize publication of 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

3. **2022-628** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: PH 09 06 2022 dopt Resolution to Condemn Memo
Case # 1 - 57 Golf Course Road Condemnation

Case # 2 - 102 Ellis Drive Condemnation
Case # 3 - 103 Plantation Place Drive Condemnation
Case # 4 - 105 Plantation Place Drive Condemnation
Case # 5 - 112 B Ellis Drive Condemnation
Case # 6 - 114 Ellis Drive Condemnation
Case # 7 - 118 Ellis Drive Condemnation
Case # 8 - 120 Ellis Drive Condemnation
Case # 9 - 6574 US Hwy 49 N Condemnation
Case # 10 - Hwy 49 N Condemnation

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt Resolutions (#2022-95-104) 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: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

4. **2022-643** Adopt a Resolution setting Public Hearing on Monday, October 3rd, 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 10 03 2022 Request to Set Public Hearing Memo
PH 10 03 2022 Resolution

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-105) setting Public Hearing on Monday, October 3rd, 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. **2022-634** Adopt a Resolution finding and determining that the Resolution adopted on August 2, 2022, declaring the intention of the Mayor and the City Council of the City of Hattiesburg to issue general obligation bonds of the City, was duly published as required by law; that no sufficient protest described in said Resolution has been filed by the qualified electors; and for related purposes; and authorize execution of said Resolution.

Attachments: COH MS General Obligation Bonds (GO) (2022) (232201) -No
Protest and Bond Resolution
Executed Resolution #2022-69 declaring intent to issue GOB Bonds NTE
\$5,5000,000

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt a Resolution (#2022-106) finding and determining that the Resolution adopted on August 2, 2022, declaring the intention of the Mayor and the City Council of the City of Hattiesburg to issue general obligation bonds of the City, was duly published as required by law; that no sufficient protest described in said Resolution has been filed by the qualified electors; and for related purposes; and authorize execution of said Resolution.

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. **2022-667** Adopt a Resolution determining (I) the necessity and invoking the authority granted with respect to Tax Increment Financing as set forth in section 21-45-1 ET SEQ., of the Mississippi Code of 1972, as amended; (II) amending the Tax Increment Financing Plan, Midtown Hattiesburg Project, City of Hattiesburg, Mississippi, February 2014, as amended for the Elam Arms Development, February 2016, as amended June 2016, and as amended and restated for the Midtown Montevista Project August 2022; (III) and that a public hearing be conducted on September 19, 2022, at 4:00 pm in the City Council Chambers located at City Hall in connection with the TIF Plan; and for related purposes.

Attachments: Resolution Setting Public Hearing-Midtown Montevista TIF

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt a Resolution (#2022-107) determining (I) the necessity and invoking the authority granted with respect to Tax Increment Financing as set forth in section 21-45-1 ET SEQ., of the Mississippi Code of 1972, as amended; (II) amending the Tax Increment Financing Plan, Midtown Hattiesburg Project, City of Hattiesburg, Mississippi, February 2014, as amended for the Elam Arms Development, February 2016, as amended June 2016, and as amended and restated for the Midtown Montevista Project August 2022; (III) and that a public hearing be conducted on September 19, 2022, at 4:00 pm in the City Council Chambers located at City Hall in connection with the TIF Plan; 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

7. **2022-636** Adopt a Resolution de-obligating a portion of funds received from the U.S. Department of Treasury under the American Rescue Act's State and Local Fiscal Recovery Fund, previously allocated for the purchase of sanitation trucks, adopted at Minute Book # 2021-358 on February 8, 2022, Resolution # 2202-5.

Attachments: Executed Resolution #2202-5 authorizing purchase of garbage trucks utilizing ARPA funds (1)
Resolution Deallocating Funds for Sanitation Truck Purchase 7.28.22

A MOTION was made by Council Member Delgado and seconded by Council Member Carroll to Adopt a Resolution (#2022-108) de-obligating a portion of funds received from the U.S. Department of Treasury under the American Rescue Act's State and Local Fiscal Recovery Fund, previously allocated for the purchase of sanitation trucks, adopted at Minute Book # 2021-358 on February 8, 2022, Resolution # 2202-5.

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. **2022-608** Adopt a Resolution declaring certain vehicles & equipment as surplus(per attached memo) and authorize sale of said vehicles & equipment at auction and remove them from the City's inventory of the Parks and Recreation Department (Community Centers Division).

Attachments: Resol.surplus equipment
Auction Vehicle-Equipment

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-109) declaring certain vehicles & equipment as surplus(per attached memo) and authorize sale of said vehicles & equipment at auction and remove them from the City's inventory of the Parks and Recreation Department (Community Centers Division).

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. **2022-657** Adopt the September 6, 2022 Amendments to the Budget for the City of Hattiesburg for the fiscal year ending September 30, 2022 and Adopt Resolution authorizing publication of amendments for funds in excess of 10% of the original appropriation fund balance.

Attachments: 20220831101406225
 Resolution approving budget amendments 9-6-2022

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt the September 6, 2022 Amendments to the Budget for the City of Hattiesburg for the fiscal year ending September 30, 2022 and Adopt Resolution (#2022-110) authorizing publication of amendments for funds in excess of 10% of the original appropriation fund balance.

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. **2022-639** Adopt a Resolution authorizing submittal of application to the Mississippi Arts Commission for the Building Fund for the Arts program, and approve commitment of local matching funds.

Attachments: Resolution-MAC BFA 2022

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt a Resolution (#2022-111) authorizing submittal of application to the Mississippi Arts Commission for the Building Fund for the Arts program, and approve commitment of local matching funds.

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. **2022-662** Adopt a Resolution authorizing the submittal of applications to the Mississippi Municipal and County Water Infrastructure ("MCWI") Grant Program and designating its authorized representatives to execute the application.

Attachments: Resolution ARPA Funds for MCWI Projects

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-112) authorizing the submittal of applications to the Mississippi Municipal and County Water Infrastructure ("MCWI") Grant Program and designating its authorized representatives to execute the application..

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. **2022-648** Adopt a Resolution authorizing the submittal of an application to the Bridge Investment Program and designating its authorized representative to execute the application.

Attachments: Bridge Investment Program Resolution

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt a Resolution (#2022-113) authorizing the submittal of an application to the Bridge Investment Program and designating its authorized representative to execute the application..

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. **2022-671** Approve Interlocal Agreement with University of Southern Mississippi, City of Hattiesburg and Forrest County for the provision of law enforcement services.

Attachments: USM interlocal agreement for law enforcement services

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Interlocal Agreement with University of Southern Mississippi, City of Hattiesburg and Forrest County for the provision of law enforcement services.

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. **2022-668** Approve Contract between the City of Hattiesburg and NEVLO, LLC, to provide entertainment, recreational and food services at Gordon's Creek Commons.

Attachments: Gordons Creek Commons Management Agreement 082622

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Approve Contract between the City of Hattiesburg and NEVLO, LLC, to provide entertainment, recreational and food services at Gordon's Creek Commons.

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. **2022-669** Approve Lease Purchase Option between City of Hattiesburg and Marlow, LLC, for parcel # 2-029J-10-159.02, PPIN # 46335 as per attached agreement.

Attachments: GCC PPIN 46335 Lease Option to Purchase Contract.doc Edited 82622

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Approve Lease Purchase Option between City of Hattiesburg and Marlow, LLC, for parcel # 2-029J-10-159.02, PPIN # 46335 as per attached agreement.

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. **2022-631** Approve Lighting Agreement with Mississippi Power Company for additional lighting on McInnis Loop (SW Hattiesburg) for a monthly cost savings of \$8.10; authorize the Mayor to execute the same.

Attachments: Street Light Authorization-McInnis Loop

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Approve Lighting Agreement with Mississippi Power Company for additional lighting on McInnis Loop (SW Hattiesburg) for a monthly cost savings of \$8.10; 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

17. **2022-630** Approve Lighting Agreement with Mississippi Power Company for additional lighting from S 25th to S 21st Avenues at a monthly savings of \$27.84. Authorize the Mayor to execute the same.

Attachments: MS Power-S 25th Avenue to S 21st Avenue

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to Approve Lighting Agreement with Mississippi Power Company for additional lighting from S 25th to S 21st Avenues at a monthly savings of \$27.84. 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

18. **2022-638** Approve Lighting Agreement with Mississippi Power Company for additional lighting on Westover Drive for a monthly cost savings of \$17.40; authorize Mayor to execute the same.

Attachments: MS Power-Westover Drive Authorization

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 on Westover Drive for a monthly cost savings of \$17.40; authorize 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. **2022-632** Approve Lighting Agreement with Mississippi Power Company for additional lighting on Broad, San Antonio, Xavier, West Cooper and Capitol Streets for a monthly cost savings of \$37.44; authorize Mayor to execute the same.

Attachments: MS Power-Broad, San Antonio, Xavier, W Cooper and Capitol Streets Lighting Authorization

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to Approve Lighting Agreement with Mississippi Power Company for additional lighting on Broad, San Antonio, Xavier, West Cooper and Capitol Streets for a monthly cost savings of \$37.44; authorize 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. **2022-651** Approve Lighting Agreement with Mississippi Power Company for additional lighting on Fernway Drive, Ashley Circle and next street to West for a monthly increase of \$75.90; authorize Mayor to execute the same.

Attachments: MS Power-Fernway Drive Authorization

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 on Fernway Drive, Ashley Circle and next street to West for a monthly increase of \$75.90; authorize 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

21. **2022-650** Approve Lighting Agreement with Mississippi Power Company for additional lighting on Duane Street, Myrtle Street and Hutchinson Avenue for a monthly savings of \$7.55; authorize Mayor to execute the same.

Attachments: MS Power-Duane Street, Myrtle Street and Hutchinson Avenue

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to Approve Lighting Agreement with Mississippi Power Company for additional lighting on Duane Street, Myrtle Street and Hutchinson Avenue for a monthly savings of \$7.55; authorize 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

22. **2022-645** Approve Lighting Agreement with Mississippi Power Company for additional lighting at 49 Forrest Hills Drive for a monthly cost of \$8.43; authorize Mayor to execute the same.

Attachments: MS Power-49 Forrest Hills Drive Authorization

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Lighting Agreement with Mississippi Power Company for additional lighting at 49 Forrest Hills Drive for a monthly cost of \$8.43; authorize 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

23. **2022-653** Approve Agreement with Neel-Schaffer, Inc. for engineering services related to the design phase of the 4th Street Pathway Project (Thornhill Drive to 38th Avenue) and authorize the Mayor to execute in duplicate.

Attachments: 5-7-22 4th Street Pathway Letter Agreement

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Agreement with Neel-Schaffer, Inc. for engineering services related to the design phase of the 4th Street Pathway Project (Thornhill Drive to 38th Avenue) and authorize the Mayor to execute in duplicate.

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

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

Nays: 0

24. **2022-654** Approve Agreement with Neel-Schaffer, Inc. for engineering services related to the design phase of the 4th Street Pathway Project (38th Avenue to 34th Avenue) and authorize the Mayor to execute in duplicate.

Attachments: 8-22-22 4th St - 38th to 34th Ave Contract

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Agreement with Neel-Schaffer, Inc. for engineering services related to the design phase of the 4th Street Pathway Project (38th Avenue to 34th Avenue) and authorize the Mayor to execute in duplicate.

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

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

Nays: 0

25. **2022-649** Approve Contract with Shows, Dearman and Waits, Inc. for engineering services related to the Annie Christie Fire Lines Project and authorize the Mayor to execute in duplicate.

Attachments: 12235 Standard Form Agreement between Owner and Engineer

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Contract with Shows, Dearman and Waits, Inc. for engineering services related to the Annie Christie Fire Lines 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: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

26. **2022-604** Approve the State holiday schedule as the City's holidays for the fiscal year 2022-2023 in accordance with MS Code 3-3-7, per attached list.

Attachments: 2022-2023 holiday schedule (1)

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve the State holiday schedule as the City's holidays for the fiscal year 2022-2023 in accordance with MS Code 3-3-7, per attached list.

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. **2022-647** Approve Amended Subrecipient Agreement with Breakthrough Community Services to provide Emergency Repairs in connection with the City's CDBG/HOME Housing Rehabilitation/Reconstruction and Repair Grant Program and authorize the Mayor to execute the same.

Attachments: Amendment Extension 3 - Breakthrough – ER

A MOTION was made by Council Member Delgado and seconded by Council Member Carroll to Approve Amended Subrecipient Agreement with Breakthrough Community Services to provide Emergency Repairs in connection with the City's CDBG/HOME Housing Rehabilitation/Reconstruction and Repair Grant 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

28. **2022-666** Approval of amended budget for the Hattiesburg Convention Commission for FY2022.

Attachments: 2022 HCC Amended Budget

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approval of amended budget for the Hattiesburg Convention Commission for FY2022.

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. 2022-652** Approve submission of a grant application to Mississippi Department of Environmental Quality (MDEQ) for the Solid Waste Assistance Grant in the amount of \$75,000.00 to fund a Household Hazardous Waste "Right Way to Throw Away Day;" and authorize the Mayor to execute the same in duplicate. The grant requires the city to provide \$25,000.00 in matching funds.

Attachments: 2022-2023 GRANT 1b
2022-2023 GRANT 2a-Revised
2022-2023 MDEQ SWA Narrative & Budget

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Approve submission of a grant application to Mississippi Department of Environmental Quality (MDEQ) for the Solid Waste Assistance Grant in the amount of \$75,000.00 to fund a Household Hazardous Waste "Right Way to Throw Away Day;" and authorize the Mayor to execute the same in duplicate. The grant requires the city to provide \$25,000.00 in matching funds.

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. 2022-660** Acknowledge receipt of a grant offer from the Mississippi Department of Transportation Aeronautics Division in the amount of \$8,334.00 for the Bobby L. Chain Airport Taxiway Realignment and Signage Design project (AIP Project No. 3-28-0031-032-2022); Authorize the Mayor to accept the offer and execute the agreement in triplicate.

Attachments: MDOT Grant Agreement

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Acknowledge receipt of a grant offer from the Mississippi Department of Transportation Aeronautics Division in the amount of \$8,334.00 for the Bobby L. Chain Airport Taxiway Realignment and Signage Design project (AIP Project No. 3-28-0031-032-2022); Authorize the Mayor to accept the offer and execute the agreement 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

- 31. 2022-661** Acknowledge bids received July 28, 2022 for the Water Plant #1 Rehabilitation-Phase II project and accept the bid from Hemphill Construction Company, Inc. for the amount of \$1,605,000.00; Authorize the Mayor to execute contracts upon preparation.

Attachments: Certified Bid Tab & Ltr

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Acknowledge bids received July 28, 2022 for the Water Plant #1 Rehabilitation-Phase II project and accept the bid from Hemphill Construction Company, Inc. for the amount of \$1,605,000.00; Authorize the Mayor to execute contracts upon preparation.

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

32. **2022-659** Acknowledge bids received August 25, 2022 for the Midtown Green Park Drainage Improvements project and accept the bid from Myers Underground Utilities in the amount of \$266,127.00; Authorize the Mayor to execute contracts upon preparation.

Attachments: Certified Bid Tabulation (Itemized)- Midtown Green Drainage
Midtown Green bid evaluation & recommendation

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Acknowledge bids received August 25, 2022 for the Midtown Green Park Drainage Improvements project and accept the bid from Myers Underground Utilities in the amount of \$266,127.00; Authorize the Mayor to execute contracts upon preparation.

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

33. **2022-665** Acknowledge receipt of and approve the 2023 budget of the Hattiesburg Convention Commission.

Attachments: 2023 HCC Proposed Budget

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Acknowledge receipt of and approve the 2023 budget of the Hattiesburg Convention Commission.

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

34. **2022-655** Acknowledge receipt of a Court Order from the Special Court of Eminent Domain, Forrest County, granting City of Hattiesburg immediate title and possession to a certain property, more fully described in the order, required for the 28th Avenue North Bridge Replacement Project; Authorize issuance of a manual check to the court in payment of compensation and damages.

Attachments: Order Granting Title and Possession as signed by Judge Russell

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Acknowledge receipt of a Court Order from the Special Court of Eminent Domain, Forrest County, granting City of Hattiesburg immediate title and possession to a certain property, more fully described in the order, required for the 28th Avenue North Bridge Replacement Project; Authorize issuance of a manual check to the court in payment of compensation and damages.

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

35. **2022-635** Ratify and confirm the Mayor's appointment of James T. Tisdale to the Pinebelt Regional solid Waste Authority to fill the unexpired term of Terrell Tisdale, for a term beginning September 6, 2022 and ending June 30, 2023.

Attachments: James T Tisdale resume no ref

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Ratify and confirm the Mayor's appointment of James T. Tisdale to the Pinebelt Regional solid Waste Authority to fill the unexpired term of Terrell Tisdale, for a term beginning September 6, 2022 and ending June 30, 2023.

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

36. **2022-670** Ratify and confirm the Mayor's appointment of Kate Howard to the Civil Service Commission to fill the unexpired term of Leigh Ann Underwood, for a term beginning September 6, 2022 and ending January 1, 2023.

Attachments: MKateHowardResume2021

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Ratify and confirm the Mayor's appointment of Kate Howard to the Civil Service Commission to fill the unexpired term of Leigh Ann Underwood, for a term beginning September 6, 2022 and ending January 1, 2023.

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

37. **2022-672** Adopt a Resolution appointing Wiley Quinn as the Director of the Urban Development Department.

Attachments: COUNCIL RESOLUTION FOR APPOINTMENT

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-114) appointing Wiley Quinn as the Director of the Urban Development Department. .

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 Brown 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. **2022-633** Acknowledge receipt of fiscal year 2021 audit and fiscal year 2023 Budget from AAA Ambulance Service.

Attachments: AAA Ambulance Service Inc. 09.30.21 AFS (12.15.21)
 AAA FY 2023 Budget

2. **2022-607** Acknowledge receipt of the 2021 Mobile Street Festival expenditure report.

Attachments: MSF INCOME AND EXPENSE REPORT

3. **2022-642** Approve revised Housing Rehabilitation and Housing Repair Grants Program Guidelines manual (CDBG) (Dated August 2022) {Entitlement}

 Attachments: COH Rehab Manual_082022
4. **2022-609** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}

 Attachments: Manual Check Memo 09062022
 Bradley Draw_09062022
5. **2022-656** Approve plans and specifications for the Hall Avenue West Phase II - Roadway project (FBLD-8769-00(001)LPA/108639-802000) and authorize advertisement for bids contingent upon MDOT approval to advertise.

 Attachments: Adv. for Bids
 108639-802000 PS&E Specs
 108639-802000 PS&ESubmittal_8-12-22
6. **2022-606** Approve specifications and authorize publication of an advertisement for one (1) or more newer buses for Mass Transit.

 Attachments: Bus Specification.docx 8-1-22
 Advertisement- Mass Transit-NTB
7. **2022-644** Approve and authorize publication of Notice for Request for Qualifications for Qualified Eligible Contractors for the City of Hattiesburg's CDBG/HOME Programs {Entitlement}

 Attachments: QEC Application
 QEC Instructions_092022
 QEC Notice 09_2022
8. **2022-641** Approve the sale of grave spaces, per attached Memo's, Receipts and deeds.

 Attachments: Memo's (09-06-2022)
 Receipts (09-06-2022)
 Deeds (09-06-2022)
9. **2022-605** Approve claims docket for the period ending August 31, 2022.

 Attachments: DOCKET 22.08.31
 DT- 22.08.31

Work Session

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

1. **2022-673** FOG (Fat, Oils, Grease) Program, presented by City Engineer, Lamar Rutland and Shae McNeese of Shows, Dearman & Waits, Inc.

A MOTION was made by Council President George to recess the meeting at 5:03 p.m. until 5:30 p.m.

5:30 p.m. - Public Hearing on the proposed budget and tax levies for fiscal year ending September 30, 2023

Council President George called the public hearing on the 2022-2023 proposed budget and tax levies to order at 5:30 p.m.

Mayor Barker provided an overview of the proposed budget.

Followed by the Mayor's overview, Mr. Malcolm Berch, Interim Chief Financial Officer provided a Power Point presentation on the 2022-2023 budget.

2022-678 Proposed Budget Summary fye 2023

Attachments: fy_2023budget

Council President George called for comments or questions from citizens; there were no citizens present who wished to address the Council.

Council President George closed the hearing at 5:44 p.m. and re-opened the meeting to the public.

Additional Business

Council President George asked for additional business.

Council Member Delgado announced that the annual Mobile Street Festival will be held the weekend of September 30.

1. **2022-674** Adopt a Resolution levying ad valorem taxes on all of the taxable property within the City of Hattiesburg, Mississippi, for the purpose of raising revenue for said city for the fiscal year beginning October 1, 2022, and ending September 30, 2023.

Attachments: Resolution levying ad valorem taxes fye 2023

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Adopt a Resolution (#2022-115) levying ad valorem taxes on all of the taxable property within the City of Hattiesburg, Mississippi, for the purpose of raising revenue for said city for the fiscal year beginning October 1, 2022, and ending September 30, 2023.

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

Memorial Adjournment

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

- Mr. Dennis “Denny” Behm
- Mr. Steve Seale
- Mrs. Ontanell Molette
- Retired Colonel Joseph D. Young
- Mr. Howard Lee Gilbert, Sr.
- Mrs. Vaughnceil Bourne Woods
- Mr. Vernon “Skip” Matthew
- Dr. Katherine “Katie” Fokakis Patterson
- Retired Assistant Fire Chief Otis Rowell
- Mr. Herbert V. Kohler, Jr.
- Mr. Bobby Ray James

Request for closed session to determine executive session on a litigation matter.

A MOTION was made by Council Vice President Ware for the Council to enter closed session to determine the need to enter Executive Session at 5:48 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 5:49 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 existing litigation, since to have an open meeting on this would have a detrimental effect on the litigating of the City.

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 Chief Financial Officer, Malcolm Berch; City Engineer, Lamar Rutland; Director of Urban Development, Wiley Quinn; Director of the Water Department, Alan Howe; Director of Parks and Recreation, Chris McGee; Director of Public Works, Ronnie Perkins; Clerk of Council, Ronda S. Kennedy; Deputy Clerk of Council, Lisa Luu Jolly; and Attorney Keith Turner of Watkins & Eager law firm.

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware exit Executive Session and re open the meeting to the public 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

A MOTION was made by Council Vice President Ware for the Council to enter closed session to determine the need to enter Executive Session at 6:21 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 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 6:22 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 and City Attorney, Randy Pope.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to exit Executive Session and re open the meeting to the public at 6:30 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

Meeting Adjourn

Council President George declared the meeting recessed at 6:31 p.m., this 6th day of September, 2022, by unanimous consent, until the 13th day of September, 2022.

ATTEST:


Clerk of Council

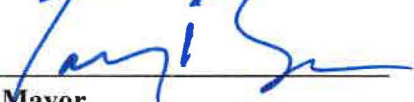
APPROVE:


Council President

ATTEST AND CERTIFY:


City Clerk

APPROVE:


Mayor