

Published Agenda

**Tuesday, October 4, 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**

Delete Policy Item #8 and add to Routine Item #8, Addendum to the Claims Docket, Invoice payable to Hattiesburg Public Schools, at the request of the Administration.

POLICY AGENDA

1. **2022-746** Approve the minutes for the September 19 & 20, 2022 meetings of the City Council.
2. **2022-734** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.
3. **2022-735** Adopt a Resolution setting Public Hearing on Monday, November 7th, 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.
4. **2022-750** Adopt a Resolution directing the sale and award of General Obligation Bonds, Series 2022, of the City of Hattiesburg, Mississippi, to accept the proposal of Regions Bank (interest rate of 3.75%) to be dated the date of delivery thereof, in the principal amount of Five Million Five Hundred Thousand Dollars (\$5,500,000.00) and for related purposes.
5. **2022-751** Adopt a Resolution accepting and approving the Development and Reimbursement Agreement between the City of Hattiesburg and Midtown Montevista, LLC, for the Tax Increment Financing Plan, Midtown Montevista Project.
6. **2022-752** Adopt a Resolution declaring a moratorium on certain development in the study area known as Longleaf Village in the Avenues, described herein, for a period of 120 days to provide for the completion of the master plan study.
7. **2022-748** Approve Change Order #1 with R & J Construction, Inc. for the Hall Avenue East project to add additional items and time to the contract for a net increase of \$325,299.00; Authorize the Mayor to execute.
8. **2022-749** Approve Engagement of Phelps Dunbar, LLP to provide advice and counsel to the City on personnel issues and authorize the Mayor to execute the same.
9. **2022-738** Approve MOU with Mississippi State University Extension-Center for Continuing Education (MSU CCE) and the City of Hattiesburg to provide workforce training for the LeadSafe Hattiesburg (Lead Hazard Reduction) Program funded by HUD's Department of Lead Hazard Control/Healthy Homes and authorize the Mayor to execute the same in triplicate.
10. **2022-742** Approve and authorize Mayor to execute Cancellation of Deed of Trust from Selena Lewis, Grantor, for property at 437 Mable Street, to City of Hattiesburg, Beneficiary, recorded in the Deed of Trust Book 1927 at Page 0096-0098 in the office of the Chancery Clerk of Forrest County, Mississippi, from a HOME-eligible buyer. {Entitlement}
11. **2022-743** Authorize the acceptance of the FY22 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award from the US Department of Justice in the amount of \$23,492.
12. **2022-744** Acknowledge receipt of a grant award from the Federal Emergency Management Agency (FEMA), FY 2021 Assistance to Firefighters Grant Program to purchase equipment for an estimated cost of \$61,461.52. The grant reimbursement to the city will provide \$55,874.11 of the equipment cost.

ROUTINE AGENDA

1. **2022-732** Acknowledge receipt of the Privilege Tax License monthly report for August 2022.
2. **2022-741** Acknowledge Receipt of the Two Quote Docket
3. **2022-736** Authorize publication of Notice of Public Hearing to present the draft 2022 Annual Action Plan
4. **2022-739** Approve publication of Request for Proposal for consultant services for the creation of the City of Hattiesburg's 2023-2027 Consolidated Plan, to include the 2023 Annual Action Plan for submission to HUD.

5. **2022-747** Approve plans and specifications for the Arcadia-Sunset Water System Improvements project and authorize advertisement for bidders.
6. **2022-737** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}
7. **2022-740** Approve the sale of grave spaces per attached Memo's, Receipts, and Deeds.
8. **2022-745** Approve claims docket for the period ending September 30, 2022.

In Memoriam:

- Mrs. Louise Bland

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, October 4, 2022**, in Council Chambers at City Hall; same being from a recessed meeting held on October 3, 2022.

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

Absent: Councilmember Carter Carroll.

Council President George Called the meeting to order.

Call to Prayer and Pledge of Allegiance

The prayer was given by Phillip McSwain.

The Pledge of Allegiance was led by Mayor Toby Barker and his daughter, Audra.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

THE MATTER OF THE AGENDA ORDER came before the Council.

Agenda Adjustments

A MOTION was made by Council Member Ware and seconded by Council Member Brown to Delete Policy Item #8 and add to Routine Item #8, Addendum to the Claims Docket, Invoice payable to Hattiesburg Public Schools, at the request of the Administration.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2022-746** Approve the minutes for the September 19 & 20, 2022 meetings of the City Council.

Attachments: 09-19-2022 PH, AR, XS Mins
09-20-2022 Mins

A MOTION was made by Council Member Brown and seconded by Council Vice President Dave Ware to Approve the minutes for the September 19 & 20, 2022 meetings of the City Council.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

2. **2022-734** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: PH 10 04 2022 Adopt Resolution to Condemn Memo
1. 79 Dixie Pine Road Condemnation
2. 117 Montague Street Condemnation
3. 135 East 7th Street Condemnation
4. 205 Columbia Street Condemnation
5. 207 Martin Luther King Avenue Condemnation
6. 213 West 7th Street Condemnation
7. 215 West 7th Street Condemnation
8. 217 West 7th Street Condemnation
9. 518 Southern Avenue Condemnation
10. 1116 Ida Avenue Condemnation

A MOTION was made by Council Member Brown and seconded by Council Vice President Ware to Adopt Resolutions (#2022-122-131) condemning the following properties as unclean and a menace to the health and safety of the community.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

3. **2022-735** Adopt a Resolution setting Public Hearing on Monday, November 7, 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 04 2022 Request to Set Public Hearing Memo
PH 10 04 2022 Resolution

A MOTION was made by Council Member Brown and seconded by Council Vice President Ware to Adopt a Resolution (#2022-132) setting Public Hearing on Monday, November 7, 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: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

4. **2022-750** Adopt a Resolution directing the sale and award of General Obligation Bonds, Series 2022, of the City of Hattiesburg, Mississippi, to accept the proposal of Regions Bank (interest rate of 3.75%), to be dated the date of delivery thereof, in the principal amount of Five Million Five Hundred Thousand Dollars (\$5,500,000.00) and for related purposes.

Attachments: Sales Resolution-General Obligation Bonds (GO) (232201) - (10_4_2022)
COH General Obligation Bonds (GO) (232201) - Notice of Bond Sale for Paper

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to suspend Robert's Rules of Order for explanation.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to Adopt a Resolution (#2022-133) directing the sale and award of General Obligation Bonds, Series 2022, of the City of Hattiesburg, Mississippi, to accept the proposal of Regions Bank (interest rate of 3.75%), to be dated the date of delivery thereof, in the principal amount of Five Million Five Hundred Thousand Dollars (\$5,500,000.00) and for related purposes.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

5. **2022-751** Adopt a Resolution accepting and approving the Development and Reimbursement Agreement between the City of Hattiesburg and Midtown Montevista, LLC, for the Tax Increment Financing Plan, Midtown Montevista Project.

Attachments: Midtown Montevista TIF - Resolution approving Development Agreement
Midtown Montevista TIF - Development and Reimbursement Agreement
Hattiesburg - Midtown Montevista TIF - Exhibit B - Highway Grant Work

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to Adopt a Resolution (#2022-134) accepting and approving the Development and Reimbursement Agreement between the City of Hattiesburg and Midtown Montevista, LLC, for the Tax Increment Financing Plan, Midtown Montevista Project.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

6. **2022-752** Adopt a Resolution declaring a moratorium on certain development in the study area known as Longleaf Village in the Avenues, described herein, for a period of 120 days to provide for the completion of the master plan study.

Attachments: Moratorium Resolution
Moratorium Resolution Exhibit A
Moratorium Resolution Exhibit B

A MOTION was made by Council Member Brown and seconded by Council Vice President Ware to Adopt a Resolution (#2022-135) declaring a moratorium on certain development in the study area known as Longleaf Village in the Avenues, described herein, for a period of 120 days to provide for the completion of the master plan study.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

7. **2022-748** Approve Change Order #1 with R & J Construction, Inc. for the Hall Avenue East project to add additional items and time to the contract for a net increase of \$325,299.00; Authorize the Mayor to execute.

Attachments: 9-26-22 Hall East - Change Order #1

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to Approve Change Order #1 with R & J Construction, Inc. for the Hall Avenue East project to add additional items and time to the contract for a net increase of \$325,299.00; Authorize the Mayor to execute.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

8. **Deleted**

9. **2022-738** Approve MOU with Mississippi State University Extension-Center for Continuing Education (MSU CCE) and the City of Hattiesburg to provide workforce training for the LeadSafe Hattiesburg (Lead Hazard Reduction) Program funded by HUD's Department of Lead Hazard Control/Healthy Homes and authorize the Mayor to execute the same in triplicate.

Attachments: 027717C 9-22 City of Hattiesburg Urban Development MOU

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to Approve MOU with Mississippi State University Extension-Center for Continuing Education (MSU CCE) and the City of Hattiesburg to provide workforce training for the LeadSafe Hattiesburg (Lead Hazard Reduction) Program funded by HUD's Department of Lead Hazard Control/Healthy Homes and authorize the Mayor to execute the same in triplicate.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

10. **2022-742** Approve and authorize Mayor to execute Cancellation of Deed of Trust from Selena Lewis, Grantor, for property at 437 Mable Street, to City of Hattiesburg, Beneficiary, recorded in the Deed of Trust Book 1927at Page 0096-0098 in the office of the Chancery Clerk of Forrest County, Mississippi,

from a HOME-eligible buyer. {Entitlement}

Attachments: Release of Deed of Trust 437 Mable Street - Selena Lewis

A MOTION was made by Council Member Brown and seconded by Council Vice President Ware to Approve and authorize Mayor to execute Cancellation of Deed of Trust from Selena Lewis, Grantor, for property at 437 Mable Street, to City of Hattiesburg, Beneficiary, recorded in the Deed of Trust Book 1927at Page 0096-0098 in the office of the Chancery Clerk of Forrest County, Mississippi, from a HOME-eligible buyer. {Entitlement}.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

11. **2022-743** Authorize the acceptance of the FY22 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award from the US Department of Justice in the amount of \$23,492.

Attachments: 15PBJA-22-GG-02633-JAGX Award Email Notice
2022 Award Package

A MOTION was made by Council Member Brown and seconded by Council Vice President Ware to Authorize the acceptance of the FY22 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award from the US Department of Justice in the amount of \$23,492.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

12. **2022-744** Acknowledge receipt of a grant award from the Federal Emergency Management Agency (FEMA), FY 2021 Assistance to Firefighters Grant Program to purchase equipment for an estimated cost of \$61,461.52. The grant reimbursement to the city will provide \$55,874.11 of the equipment cost.

Attachments: Award Notice
FY21 AFG Welcome Letter
Award Notification (Application Number EMW-2021-FG-04328)

A MOTION was made by Council Member Brown and seconded by Council Vice President Ware to Acknowledge receipt of a grant award from the Federal Emergency Management Agency (FEMA), FY 2021 Assistance to Firefighters Grant Program to purchase equipment for an estimated cost of \$61,461.52. The grant reimbursement to the city will provide \$55,874.11 of the equipment cost.

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

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

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

Yeas: 4 - George, Delgado, Ware and Brown

Nays: 0

Absent: 1 - Carroll

1. **2022-732** Acknowledge receipt of the Privilege Tax License monthly report for August 2022.

 Attachments: Privilege Tax License Monthly Report August 2022
2. **2022-741** Acknowledge Receipt of the Two Quote Docket

 Attachments: Two Quote Docket
3. **2022-736** Authorize publication of Notice of Public Hearing to present the draft 2022 Annual Action Plan

 Attachments: 2022 Action Plan Draft 11012022, Notice of Public Hearing
 2022 Action Plan Draft 10042022
4. **2022-739** Approve publication of Request for Proposal for consultant services for the creation of the City of Hattiesburg's 2023-2027 Consolidated Plan, to include the 2023 Annual Action Plan for submission to HUD.

 Attachments: CoH CON Plan RFP 2023 - 10042022
5. **2022-747** Approve plans and specifications for the Arcadia-Sunset Water System Improvements project and authorize advertisement for bidders.

 Attachments: Advertisement for Bidders
 12229_Plans_Street Ready Set 2022-09-22
 12229_Plans_Street Ready Set 2022-09-22
6. **2022-737** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}

 Attachments: Manual Check Memo 10042022
7. **2022-740** Approve the sale of grave spaces per attached Memo's, Receipts, and Deeds.

 Attachments: Memo's (10-04-2022)
 Receipts (10-04-2022)
 Deeds (10-04-2022)
8. **2022-745** Approve claims docket for the period ending September 30, 2022.

 Attachments: DOCKET 093013
 9.30.22 DT
 Addendum to the Claims Docket - Hattiesburg Public Schools

In Memoriam:

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

- Mrs. Louise Bland

Meeting Adjourn

Council President George declared the meeting adjourned at 5:12 p.m., this 4th day of October, 2022, by unanimous consent, until the 17th day of October, 2022.

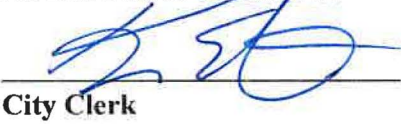
ATTEST:


Clerk of Council

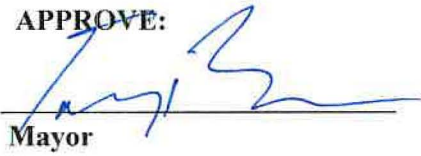
APPROVE:


Council President

ATTEST AND CERTIFY:


City Clerk

APPROVE:


Mayor