

Published Agenda

**Tuesday, October 18, 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****POLICY AGENDA**

1. **2022-778** Approve the minutes for the October 3 & 4, 2022 meetings of the City Council.
2. **2022-769** Adopt an Ordinance for the petition filed by Mike Bonner & Max Bonner to change the zoning classification of property at 2703 Oak Grove Road from Section 4.5.10 B-3 Community Business District to Section 4.5.12 B-5 Regional Business District (Parcel No. 056E-14-023.000, PPIN 15880, Lamar County, Ward 3). The Planning Commission recommended to Approved on October 5, 2022.
3. **2022-770** Approve or Deny a petition filed by John Harmond, Joel Ford, and Jason Landry to request a variance for B-3, "30 feet", and instead allow a setback of nineteen (19) feet for a variance of eleven (11) feet along Hardy Street and for B-3 adjacent to residentially zoned properties of "30 feet", and instead allow a zoning buffer of ten (10) feet for a variance of twenty (20) feet for a proposed new building at 3300 Hardy Street (Ward 3). The Board of Adjustment recommended to Approve on October 5, 2022.
4. **2022-757** Approve Contractor and Owner Agreement(s) and Emergency Roof Repair Initiative Grant Award(s) for an amount not to exceed \$15,000 per project according to the Emergency Roof Repair Initiative Program Manual and authorize the Mayor to execute in triplicate.
5. **2022-768** Authorize the Mayor and City Clerk to execute certification to the Municipal Compliance Questionnaire for the fiscal year ending September 30, 2022.
6. **2022-775** Approve Letter Agreement with Jackson, Tullos & Rogers, PLLC to provide services related to the acquisition of property for the Midtown Roadway Improvements Project and authorize the Mayor to execute in duplicate.
7. **2022-777** Acknowledge receipt of the Bid Package for the approval of Mississippi State Department of Health for the Water Plant # 1 Phase II project and authorize the Mayor to execute associated documents, including a DWSIRLF Loan Amendment Request.
8. **2022-772** Ratify and confirm the Mayor's appointment of Lee Jarrell Davis (replaces Michael Waits) to the Pine Belt Regional Solid Waste Authority for a term beginning October 18, 2022 and ending October 17, 2026.
9. **2022-695** Take from the Table a petition to adopt an Ordinance filed by Dennis Pierce, owner, to change the zoning classification for a property located at 4 Willow Pointe (Parcel 051L-11-038.000, PPIN 20292; Lamar County, Ward 3) from Section 4.5.9 B-2 Neighborhood Business District to Section 5.4.10 B-3 Community Business District. The Planning Commission recommended to Approve on September 7, 2022 (tabled at the September 20, 2022 meeting).

ROUTINE AGENDA

1. **2022-774** Ratification of the submitted grant application to the Georgia Pacific Foundation Grant program to fund the purchase of 2 patrol vehicles and vehicle equipment for an estimated cost of \$110,000.00.
2. **2022-765** Acknowledge receipt of the monthly budget report for the month ending September 30, 2022.
3. **2022-761** Acknowledge Proof of Publication in the Clarion Ledger for the month August 2022.
4. **2022-762** Acknowledge Proof of Publications for Hub City Spokes for the month of August and September 2022.
5. **2022-773** Acknowledge receipt of various recorded deeds for the conveyance of property related to the Gordon Creek Commons project as detailed in the attached list.
6. **2022-771** Acknowledge receipt of various recorded deeds for the conveyance of property and temporary easements related to the Hall Avenue Overpass West project as detailed in the attached list.
7. **2022-779** Acknowledge receipt of report of solid waste revenues and expenditures for fiscal year ending September 30, 2022 and authorize publication of same
8. **2022-763** Acknowledge receipt from Phillip McSwain Certificate of Attendance of the Municipal Court Clerks Statewide Seminar.

- 9. 2022-767 Acknowledge receipt of a grant award from the U.S. Department of Justice, Bureau of Justice Assistance, 2022 Bulletproof Vest Partnership Grant Program to purchase bulletproof vests for the Hattiesburg Police Department. The grant reimbursement to the city will provide \$12,400.00 (50%) of the cost of the vests.
- 10. 2022-776 Approve Plans and Specifications for the Jaycee Park Improvements Project and authorize advertisement for bids.
- 11. 2022-755 Approve Specifications and Authorize Publication of Advertisement for Term Bids for Demolition and related services.
- 12. 2022-756 Approve Specifications and Authorize Publication of Advertisement for Term Bids for Lot Clearing/Grass Cutting and related services.
- 13. 2022-764 Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}
- 14. 2022-760 Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.
- 15. 2022-766 Approve claims docket for the period ending October 14,2022.
- 16. 2022-814 Approve plans and specifications for the Jaycee Park Parking Improvements Project and authorize advertisement for bids for the same.

In Memoriam:

- Mr. Joseph Crosby
- Mr. James Howard Hilton

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 18, 2022**, in Council Chambers at City Hall; same being from a recessed meeting held on October 17, 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 Rev. Mark Jordan of Mt. Olive Baptist Church.

The Pledge of Allegiance was led by Kermas Eaton.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

Rev. Mark Jordan presented a Certificate of Appreciation to the Mayor & to the City of Hattiesburg in appreciation of support of DAV Hattiesburg Chapter #62 and its mission-during the Inaugural Vet Fest 2022 on May 21, 2022 in keeping with fulfilling our promises to American's Veterans.

Mayor Barker presented the Community Development staff a proclamation for Mississippi Lead Prevention Week October 23-29, 2022.

Forrest County Board of Supervisor for District 5, Chris Bowen presented a check of \$75,000.00 to the City of Hattiesburg for recreation

There were no other presentations at this time.

POLICY AGENDA

THE MATTER OF THE AGENDA ORDER came before the Council.

The POLICY AGENDA came before the Council.

1. **2022-778** Approve the minutes for the October 3 & 4, 2022 meetings of the City Council.

Attachments: 10-3-2022 PH Unsafe, AR, WS Mins.
10-4-2022 Mins.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve the minutes for the October 3 & 4, 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. **2022-769** Adopt an Ordinance for the petition filed by Mike Bonner & Max Bonner to change the zoning classification of property at 2703 Oak Grove Road from Section 4.5.10 B-3 Community Business District to Section 4.5.12 B-5 Regional Business District (Parcel No. 056E-14-023.000, PPIN 15880, Lamar County, Ward 3). The Planning Commission recommended to Approved on October 5, 2022.

Attachments: 2703 Oak Grove Road - Staff Summary report
Ordinance - 2703 Oak Grove Road – Rezone

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt an Ordinance (#3319) for the petition filed by Mike Bonner & Max Bonner to change the zoning classification of property at 2703 Oak Grove Road from Section 4.5.10 B-3 Community Business District to Section 4.5.12 B-5 Regional Business District (Parcel No. 056E-14-023.000, PPIN 15880, Lamar County, Ward 3).

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. **2022-770** Approve or Deny a petition filed by John Harmond, Joel Ford, and Jason Landry to request a variance for B-3, “30 feet”, and instead allow a setback of nineteen (19) feet for a variance of eleven (11) feet along Hardy Street and for B-3 adjacent to residentially zoned properties of “30 feet”, and instead allow a zoning buffer of ten (10) feet for a variance of twenty (20) feet for a proposed new building at 3300 Hardy Street (Ward 3). The Board of Adjustment recommended to Approve on October 5, 2022.

Attachments: 3300 Hardy Street - Staff Summary report

A MOTION was made by Council President George and seconded by Council Member Carroll to Approve a petition filed by John Harmond, Joel Ford, and Jason Landry to request a variance for B-3, “30 feet”, and instead allow a setback of nineteen (19) feet for a variance of eleven (11) feet along Hardy Street and for B-3 adjacent to residentially zoned properties of “30 feet”, and instead allow a zoning buffer of ten (10) feet for a variance of twenty (20) feet for a proposed new building at 3300 Hardy Street (Ward 3) with the condition of a 8 foot sidewalk along Hardy Street.

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. **2022-757** Approve Contractor and Owner Agreement(s) and Emergency Roof Repair Initiative Grant Award(s) for an amount not to exceed \$15,000 per project according to the Emergency Roof Repair Initiative Program Manual and authorize the Mayor to execute in triplicate.

Attachments: Grant agreement - 300 Lewis
Grant Agreements - 128 E 7th
Grant Agreements - 112 Scotland

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Contractor and Owner Agreement(s) and Emergency Roof Repair Initiative Grant Award(s) for an amount not to exceed \$15,000 per project according to the Emergency Roof Repair Initiative Program Manual 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

5. **2022-768** Authorize the Mayor and City Clerk to execute certification to the Municipal Compliance Questionnaire for the fiscal year ending September 30, 2022.

Attachments: MCQ

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Authorize the Mayor and City Clerk to execute certification to the Municipal Compliance Questionnaire for the fiscal year ending September 30, 2022.

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. **2022-775** Approve Letter Agreement with Jackson, Tullos & Rogers, PLLC to provide services related to the acquisition of property for the Midtown Roadway Improvements project; Authorize the Mayor to execute in duplicate.

Attachments: Tullos Engagement Ltr

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Letter Agreement with Jackson, Tullos & Rogers, PLLC to provide services related to the acquisition of property for the Midtown Roadway Improvements project; 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

7. **2022-777** Acknowledge receipt of the Bid Package for the approval of Mississippi State Department of Health for the Water Plant # 1 Phase II project and authorize the Mayor to execute associated documents, including a DWSIRLF Loan Amendment Request.

Attachments: Water Plant Phase II - MSDH Bid Package

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Acknowledge receipt of the Bid Package for the approval of Mississippi State Department of Health for the Water Plant # 1 Phase II project and authorize the Mayor to execute associated documents, including a DWSIRLF Loan Amendment Request.

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. **2022-772** Ratify and confirm the Mayor's appointment of Lee Jarrell Davis (replaces Michael Waits) to the Pine Belt Regional Solid Waste Authority for a term beginning October 18, 2022 and ending October 17, 2026.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Ratify and confirm the Mayor's appointment of Lee Jarrell Davis (replaces Michael Waits) to the Pine Belt Regional Solid Waste Authority for a term beginning October 18, 2022 and ending October 17, 2026.

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. **2022-695** Take from the Table a petition to adopt an Ordinance filed by Dennis Pierce, owner, to change the zoning classification for a property located at 4 Willow Pointe (Parcel 051L-11-038.000, PPIN 20292; Lamar County, Ward 3) from Section 4.5.9 B-2 Neighborhood Business District to Section 5.4.10 B-3 Community Business District. The Planning Commission recommended to Approve on September 7, 2022 (tabled at the September 20, 2022 meeting).

Attachments: Ordinance - 4 Willow Pointe - Rezone
Staff report - Item A
Opposition - Ron Hancock Photos
Opposition - Ron Hancock Letter
Minutes HPC September 2022 Draft

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Take from the Table and Adopt an Ordinance for the petition filed by Dennis Pierce, owner, to change the zoning classification for a property located at 4 Willow Pointe (Parcel 051L-11-038.000, PPIN 20292; Lamar County, Ward 3) from Section 4.5.9 B-2 Neighborhood Business District to Section 5.4.10 B-3 Community Business District.

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. **2022-774** Ratification of the submitted grant application to the Georgia Pacific Foundation Grant program to fund the purchase of 2 patrol vehicles and vehicle equipment for an estimated cost of \$110,000.00.

Attachments: Application Submission Notice

2. **2022-765** Acknowledge receipt of the monthly budget report for the month ending September 30, 2022.

Attachments: REV 0922
EXP 0922

3. **2022-761** Acknowledge Proof of Publication in the Clarion Ledger for the month August 2022.

Attachments: Clarion Ledger Inv0004889344

4. **2022-762** Acknowledge Proof of Publications for Hub City Spokes for the month of August and September 2022.

Attachments: Hub City Spokes Inv100504
Hub City Spokes Inv100551
Hub City Spokes Inv100705
Hub City Spokes Inv100718
Hub City Spokes Inv100751

5. **2022-773** Acknowledge receipt of various recorded deeds for the conveyance of property related to the Gordon Creek Commons project as detailed in the attached list.

Attachments: Cover Ltr - Recorded Deeds
Newton PPIN 44390
Fant PPIN 21852
Katmon PPIN 21875

6. **2022-771** Acknowledge receipt of various recorded deeds for the conveyance of property and temporary easements related to the Hall Avenue Overpass West project as detailed in the attached list.

Attachments: Recorded Deeds-Cover Letter
Wilson PPIN 18467
Bullock PPIN 25252
Butler PPIN 19174
Clark Investments PPIN 19173
Dossett PPIN 19280 19281 19282
Dossett PPIN 21714
Dossett PPIN 21715
Evelyn Lindsey PPIN 25261
Grant PPIN 13184
Hand Marketing PPIN 21791
HPSD PPIN 21714
HPSD PPIN 21715
HPSD PPIN 21791
HPSD PPIN 32303 32304
HPSD PPIN 32854 Airspace Easement
HPSD PPIN 32854
HPSD PPIN 55555
MLK Church PPIN 32854
Myers PPIN 23748
Polk & Dawson PPIN 32854
Ralph Lindsey PPIN 25261
Recorded Deeds-Cover Letter
Wilson PPIN 18467
Johnson PPIN 19175
Maloney PPIN 13178
McCullum PPIN 18772
MLK Church PPIN 32303 32304

7. **2022-779** Acknowledge receipt of report of solid waste revenues and expenditures for fiscal year ending September 30, 2022 and authorize publication of same

Attachments: Solid waste report FY 2022

8. **2022-763** Acknowledge receipt from Phillip McSwain Certificate of Attendance of the Municipal Court Clerks Statewide Seminar.

Attachments: 2022 MCC Cert

9. **2022-767** Acknowledge receipt of a grant award from the U.S. Department of Justice, Bureau of Justice Assistance, 2022 Bulletproof Vest Partnership Grant Program to purchase bulletproof vests for the Hattiesburg Police Department. The grant reimbursement to the city will provide \$12,400.00 (50%) of the cost of the vests.

Attachments: 2022 BVP Award

10. **2022-776** Approve Plans and Specifications for the Jaycee Park Improvements Project and authorize advertisement for bids.

Attachments: Advertisement for Bids
 3922 - Jaycee Park Improvments 100 CD
 3922 Combined Specs

11. **2022-755** Approve Specifications and Authorize Publication of Advertisement for Term Bids for Demolition and related services.

Attachments: Notice to Bidders- Demolition 2023
 Bid Form - Demolition 2023
 Term Bid Document - Demolition 2023

12. **2022-756** Approve Specifications and Authorize Publication of Advertisement for Term Bids for Lot Clearing/Grass Cutting and related services.

Attachments: Notice to Bidders- Lot Clearing 2023
 Bid Form - Lot Clearing 2023
 Term Bid Document - Lot Clearing 2023

13. **2022-764** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}

Attachments: MS Starter Homes 313 MILLER STREET 10182022
 MS Starter Homes 1208 COIT STREET 10182022
 MS Starter Homes 311 MILLER STREET 10182022
 Manual Check Memo 10182022

14. **2022-760** Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.

Attachments: Memo's (10-18-2022)
 Receipts (10-18-2022)
 Deeds (10-18-2022)

15. **2022-766** Approve claims docket for the period ending October 14,2022.

Attachments: DOCKET 22.14.10
 DT 22.10.14

16. **2022-814** Approve plans and specifications for the Jaycee Park Parking Improvements Project and authorize advertisement for bids for the same.

Attachments: Jaycee Park Parking Lot - Final Plans
 Jaycee Park Parking Lot - Final Specs
 3 -AdvBid (2)

In Memoriam:

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

- Mr. Joseph Crosby
- Mr. James Howard Hilton
- Ms. Madeline Mae Stickney Bingham

Meeting Adjourn

Council President George declared the **meeting adjourned at 5:17 p.m., this 18th day of October, 2022**, by unanimous consent, until the 6th day of November, 2022.

ATTEST:


Clerk of Council

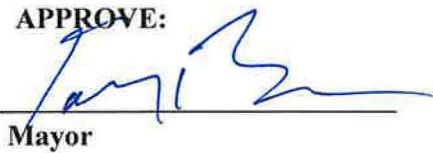
APPROVE:


Council President

ATTEST AND CERTIFY:


City Clerk

APPROVE:


Mayor