

Published Agenda



Tuesday, December 6, 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. 2022-922 Approve the minutes for the November 21 & 22, 2022 meetings of the City Council.
- 2. 2022-902 Adopt a Resolution declaring equipment surplus (per attached list) and authorize the disposal of said equipment; authorize the removal of said equipment from the city inventory of the Hattiesburg Police Department.
- 3. 2022-913 Adopt a Resolution authorizing Requisition No. 89 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.
- 4. 2022-911 Approve a Professional Services Agreement with Shows, Dearman and Waits, Inc. for engineering services related to the Heatherwood Area Infrastructure Improvements Project and authorize the Mayor to execute in duplicate.
- 5. 2022-909 Approve Lighting Agreement with Mississippi Power for changes to lighting on Country Club Road, J.C. Killingsworth Road, Francis Street and Florence Street for a monthly savings of \$14.14 and authorize the Mayor to execute the same.
- 6. 2022-919 Approve Lighting Agreement with Mississippi Power for changes to lighting on Old Highway 42 from Highway 49 to Leaf River for a monthly increase of \$51.15 and authorize the Mayor to execute the same.
- 7. 2022-917 Approve Contractor and Owner Agreement(s) for the Emergency Roof Repair Initiative for an amount not to exceed \$15,000 per project according to the Emergency Roof Repair Initiative Manual and authorize the Mayor to execute in triplicate.
- 8. 2022-918 Approve Amended HOME Grant Agreement between Breakthrough Community Services, Inc. and the City of Hattiesburg for the rehabilitation of a home at 104 Donald Street as an affordable housing unit, utilizing HOME CHDO Set-aside funds in an amount not to exceed \$60,000 and authorize the Mayor to execute in triplicate.
- 9. 2022-910 Acknowledge bids received November 1, 2022 in response to a reverse auction for buses and authorize acceptance of the low bid of \$144,000.00 per bus from Transportation South for seven (7) buses at a total cost of \$1,008,000.00 and authorize the Mayor to execute any documents required for the transaction.

ROUTINE AGENDA

- 1. 2022-920 Ratification of agreement between the City of Hattiesburg and Southern Mississippi Planning and Development (SMPDD) to serve as host agency partner in the Senior Community Service Employment Program.
- 2. 2022-900 Acknowledge the setting of a public comment period by the Hattiesburg-Petal-Forrest-Lamar MPO for the proposed amendments to the FY 2023-2026 Transportation Improvement Plan (TIP).
- 3. 2022-906 Acknowledge Receipt of the Two Quote Docket.
- 4. 2022-907 Acknowledge receipt of term bids for Demolition Services on November 18, 2022 and award bid to MSP Enterprises as the contractor for the term of January 1, 2023 through December 31, 2023.
- 5. 2022-908 Acknowledge receipt of term bids for Lot Clearing/Grass Cutting Services on November 18, 2022 and award bid to MSP Enterprises as the contractor for the term of January 1, 2023 through December 31, 2023.
- 6. 2022-921 Acknowledge receipt of the audit for Pine Belt Regional Solid Waste Management Authority for the fiscal years ending June 30, 2022 and 2021.
- 7. 2022-916 Authorize publication of Notice to Bidders for Municipal Depositories for a (2) two year period beginning January 1 ,2023 through December 31, 2024.
- 8. 2022-915 Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}

- 9. 2022-905 Approve the sale of grave spaces, per attached Memo's, Receipts and Deeds.
- 10. 2022-914 Approve claims docket for the period ending November 30, 2022.

In Memoriam:

- Ms. Mary K. Morgan
- Mr. David Walker
- Mr. Leon Wade Ashmore
- Mr. Jamaal Lateef Murray
- Senator Billy C. Hudson
- Mr. Latrez Jordan
- Mr. John Clayton

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, December 6, 2022**, in Council Chambers at City Hall; same being from a recessed meeting held on December 5, 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 Pastor Quincy Easterling of Beautiful Zion Missionary Baptist Church.

The Pledge of Allegiance was led by City Engineer, Lamar Rutland.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

Mayor Barker announced that the City's Municipal Court had their 8th behavioral court graduation with 13 graduates and a total of 52 graduates since 2018. The Mayor thanked Judge Wes Curry and Khadijah Muhammad for running the program.

The Mayor and members of the City Council thanked Lamar Rutland and Gingery Lowery for their years of service to the City.

There were no other presentations at this time.

THE MATTER OF THE AGENDA ORDER came before the Council.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2022-922** Approve the minutes for the November 21 & 22, 2022 meetings of the City Council.

Attachments: 11-21-2022 AR. Mins
11-22-2022 Mins.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve the minutes for the November 21 & 22, 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. **2022-902** Adopt a Resolution declaring equipment surplus (per attached list) and authorize the disposal of said equipment; authorize the removal of said equipment from the city inventory of the Hattiesburg Police Department.

Attachments: Memo-surplus vehicles

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt a Resolution (#2022-144) declaring equipment surplus (per attached list) and authorize the disposal of said equipment; authorize the removal of said equipment from the city inventory of the Hattiesburg Police 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

3. **2022-913** Adopt a Resolution authorizing Requisition No. 89 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.

Attachments: 2016 Bond Resolution No. 89

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2022-145) authorizing Requisition No. 89 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.

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. **2022-911** Approve a Professional Services Agreement with Shows, Dearman and Waits, Inc. for engineering services related to the Heatherwood Area Infrastructure Improvements Project and authorize the Mayor to execute in duplicate.

Attachments: 12234 - Standard Form Agreement between Owner and Engineer

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve a Professional Services Agreement with Shows, Dearman and Waits, Inc. for engineering services related to the Heatherwood Area Infrastructure Improvements 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

5. **2022-909** Approve Lighting Agreement with Mississippi Power for changes to lighting on Country Club Road, J.C. Killingsworth Road, Francis Street and Florence Street for a monthly savings of \$14.14 and authorize the Mayor to execute the same.

Attachments: MS Power-Country Club Rd, killingsworth etal

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Lighting Agreement with Mississippi Power for changes to lighting on Country Club Road, J.C. Killingsworth Road, Francis Street and Florence Street for a monthly savings of \$14.14 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

6. **2022-919** Approve Lighting Agreement with Mississippi Power for changes to lighting on Old Highway 42 from Highway 49 to Leaf River for a monthly increase of \$51.15 and authorize the Mayor to execute the same.

Attachments: MS Power-Old Hwy 42 from Hwy 49 to Leaf River

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Lighting Agreement with Mississippi Power for changes to lighting on Old Highway 42 from Highway 49 to Leaf River for a monthly increase of \$51.15 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

7. **2022-917** Approve Contractor and Owner Agreement(s) for the Emergency Roof Repair Initiative for an amount not to exceed \$15,000 per project according to the Emergency Roof Repair Initiative Manual and authorize the Mayor to execute in triplicate.

Attachments: Roof Agreement_1301 Bernard St_12062022

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

8. **2022-918** Approve Amended HOME Grant Agreement between Breakthrough Community Services, Inc. and the City of Hattiesburg for the rehabilitation of a home at 104 Donald Street as an affordable housing unit, utilizing HOME CHDO Set-aside funds in an amount not to exceed \$60,000 and authorize the Mayor to execute in triplicate.

Attachments: Amendment Extension_3 - (BCS)_104 Donald

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve Amended HOME Grant Agreement between Breakthrough Community Services, Inc. and the City of Hattiesburg for the rehabilitation of a home at 104 Donald Street as an affordable housing unit, utilizing HOME CHDO Set-aside funds in an amount not to exceed \$60,000 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

9. **2022-910** Acknowledge bids received November 1, 2022 in response to a reverse auction for buses and authorize acceptance of the low bid of \$144,000.00 per bus from Transportation South for seven (7) buses at a total cost of \$1,008,000.00 and authorize the Mayor to execute any documents required for the transaction.

Attachments: Hattiesburg Bus Bid Tabulation
 Bid Documents- City of Hattiesburg Passenger Buses
 Signed Addendum 1- Hattiesburg Transit buses
 Signed Addendum 2- Hattiesburg Buses
 Addendum 3- Hattiesburg Buses
 Addendum 4- Hattiesburg Buses

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Acknowledge bids received November 1, 2022 in response to a reverse auction for buses and authorize acceptance of the low bid of \$144,000.00 per bus from Transportation South for seven (7) buses at a total cost of \$1,008,000.00 and authorize the Mayor to execute any documents required for the transaction.

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 Vice President Ware 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. **2022-920** Ratification of agreement between the City of Hattiesburg and Southern Mississippi Planning and Development (SMPDD) to serve as host agency partner in the Senior Community Service Employment Program.

Attachments: SMPDD-Host agency agreement

2. **2022-900** Acknowledge the setting of a public comment period by the Hattiesburg-Petal-Forrest-Lamar MPO for the proposed amendments to the FY 2023-2026 Transportation Improvement Plan (TIP).

Attachments: PUBLIC NOTICE - TIP Amendment Public Comment Period (002)

3. **2022-906** Acknowledge Receipt of the Two Quote Docket.

 Attachments: 12-06-UAB Docket

4. **2022-907** Acknowledge receipt of term bids for Demolition Services on November 18, 2022 and award bid to MSP Enterprises as the contractor for the term of January 1, 2023 through December 31, 2023.

 Attachments: Receipt of Term Bids for Code Enforcement Demolitions 2023
 MSP Enterprises - 2023 Contractor for Demolitions

5. **2022-908** Acknowledge receipt of term bids for Lot Clearing/Grass Cutting Services on November 18, 2022 and award bid to MSP Enterprises as the contractor for the term of January 1, 2023 through December 31, 2023.

 Attachments: Receipt of Term Bids for Code Enforcement for Lot Clearings 2023
 MSP Enterprises - 2023 Contractor for Lot Clearings

6. **2022-921** Acknowledge receipt of the audit for Pine Belt Regional Solid Waste Management Authority for the fiscal years ending June 30, 2022 and 2021.

 Attachments: PBRSWMA 2022-2021 Audit

7. **2022-916** Authorize publication of Notice to Bidders for Municipal Depositories for a (2) two-year period beginning January 1 ,2023 through December 31, 2024.

 Attachments: depositories 2yr 2324
 Depositories Designation 2324
 Depositories code 2324

8. **2022-915** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}

 Attachments: Manual Check Memo 12062022
 Starter Homes of MS 128 E 7th 12062022
 Starter Homes of MS 300 Lewis Street 12062022
 Starter Homes of MS 17 Collins Dr 12062022
 Starter Homes of MS 607 Cypress Av 12062022

9. **2022-905** Approve the sale of grave spaces, per attached Memo's, Receipts and Deeds.

 Attachments: Memo's (12-06-2022)
 Receipts (12-06-2022)
 Deeds (12-06-2022)

10. **2022-914** Approve claims docket for the period ending November 30, 2022.

 Attachments: DOCKET 22.11.30
 11.30.22 DT

Council Member Delgado read aloud a statement:

"Following the Work Session on Shootings in Hattiesburg, and especially hearing from residents of the different communities that have suffered these events in recent times, we, as a city, are on notice that our communities are dangerous and in need of increased police presence immediately. We are, further, on notice that the North Main Neighborhood Association area (which has had numerous shootings over the past year or so), the East Jerusalem area, the West 4th, West 5th and West 6th Street neighborhoods are in need of increased police presence, not to mention the Dabbs Street community where we lost a child a while back.

This is not an indictment of the City and the Hattiesburg Police Department. It is, instead, a

plea for attention to and protection of at-risk areas of our city.

If citizens of many of these communities tell us that they daily hear gunshots, then we know where the problems are: the problems are in those very communities.

Until we develop a plan to protect our families as a joint effort between neighborhoods and our police department, increased presence is a must.

I would ask that in whatever plan is ultimately adopted, there must be a witness protection feature. We do not get the cooperation of potential witnesses because they do not feel protected in the first place and are hesitant to rely on law enforcement to keep them safe if they cooperate.”

Executive Session

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 5:16 p.m.

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

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

Nays: 0

Council President George 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 potential 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 5:17 p.m.

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

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

Nays: 0

The City Attorney stepped out into the hall and announced that the Council has gone into Executive Session to discuss strategy or negotiations with respect to potential litigation.

Those present for the Executive Session were Mayor Toby Barker; Council members Jeffrey George, Deborah Delgado, Carter Carroll, Dave Ware and Nicholas Brown; Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Chief Administrative Officer, Ann Jones; Interim Chief Financial Officer, Malcolm Berch; City Engineer, Lamar Rutland; Director of Urban Development, Wiley Quinn; Director of the Water Department, Alan Howe; Chief Communications Officer, Samantha McCain; Clerk of Council, Ronda S. Kennedy; Deputy Clerk of Council, Lisa Luu Jolly; and Attorney Keith Turner and Betty Ruth Fox of Watkins & Eager law firm.

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll exit Executive Session and re-open the meeting to the public at 5:27 p.m.

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

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

Nays: 0

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

In Memoriam:

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

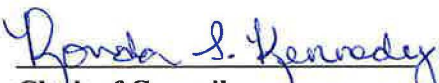
- Ms. Mary K. Morgan
- Mr. David Walker
- Mr. Leon Wade Ashmore
- Mr. Jamaal Lateef Murray
- Senator Billy C. Hudson
- Mr. Latrez Jordan
- Mr. John Clayton

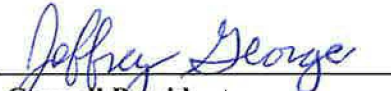
Meeting Adjourn

Council President George declared the **meeting recessed at 5:28 p.m., this 6th day of December, 2022**, by unanimous consent, until the 19th day of December, 2022.

ATTEST:

APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor