

Published Agenda



**Monday, December 19, 2022
4:00 PM**

**City Council
Monday Meeting Agenda**

**Council Chambers
200 Forrest Street**

Call to Order

Agenda Adjustments - Add Policy Item #19 at the request of the Administration as follows:

- 19. **2022-957** Acknowledge Bids received November 17, 2022, for the Hall Avenue West Phase II-Roadway Project and accept the bid from R & J Construction, Inc., in the amount of \$24,292,480.68; Authorize the Mayor to execute contracts and any other necessary documents as related to the project upon concurrence from Mississippi Department of Transportation.

**Agenda Review
Citizens' Forum
Meeting Recess**

Call to Order

BE IT REMEMBERED that the **Agenda Review meeting of the Hattiesburg City Council was held at 4:00 p.m. Monday, December 19, 2022**, in Council Chambers at City Hall; same being from a recessed meeting held on December 6, 2022.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2 (via teleconference); 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.

The Clerk of Council read aloud the agenda adjustments.

Agenda Adjustments - Add Policy Item #19 at the request of the Administration as follows:

- 19. **2022-957** Acknowledge Bids received November 17, 2022, for the Hall Avenue West Phase II-Roadway Project and accept the bid from R & J Construction, Inc., in the amount of \$24,292,480.68; Authorize the Mayor to execute contracts and any other necessary documents as related to the project upon concurrence from Mississippi Department of Transportation.

Attachments: Hall West Overpass 108639-802000 Cert Bid Tab
 Hall West Overpass R & J Const. Sealed Bid
 Hall West Overpass Bid Tab Engineer Ltr (1)

Agenda Review

Council President George proceeded with the Agenda Review.

Following discussion of agenda items, Council President George closed the Agenda Review.

Citizens' Forum

Council Vice President Ware proceeded with the Citizens' Forum.

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

The following citizens addressed the Council:

- Andrea Saffle, Executive Director of Downtown Hattiesburg Association
- Harry Goff
- Joel Ingram
- Myron Evans, VFW 5397 Commander
- Ron Hancock
- Murph Little, 140 E. Front Street
- David Shemper, 522 Main Street
- Abby Thaxton, 217 Mobile Street, Owner of Lucky Rabbit
- Jerry Bute, 125 E. Pine, Owner of Go Young Fashions
- Annette Cole
- Charles Clark, 610 Ronie Street
- Raylawni Branch, 853 N. Main Street

Council Vice President Ware asked the Clerk of Council to read aloud the following emails:

- Tina Thames
- Brian and Kelly Wagner
- Vicki Taylor
- Rick Taylor
- Nelson Haskin Jr.

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

Council Vice President Ware closed the Citizen Forum.

1. 2023-958 Citizen Forum Letters

Attachments: [12-19-2022 citizen forum - Nelson Haskin](#)
[12-19-2022 citizen forum - Rick Taylor](#)
[12-19-2022 citizen forum - Brian & Kelly Wagner](#)
[12-19-2022 citizen forum - Tina Thames](#)
[12-19-2022 citizen forum - Andrea Saffle](#)
[12-19-2022 citizen forum - Vicki Taylor](#)

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 5:18 p.m.

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

Council Member Delgado disconnected via teleconference at 5:21 p.m.

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 5:21 p.m.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

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, 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; Assistant Police Chief, Hardy Sims; Major Tony Fontaine; Fire Chief, Sherrocko Stewart; Interim City Engineer, Hunter White; Director of Urban Development, Wiley Quinn; Director of Parks and Recreation, Chris McGee; Director of Public Works, Ronnie Perkins; Chief Communications Officer, Samantha McCain; Clerk of Council, Ronda S. Kennedy; Deputy Clerk of Council, Lisa Luu Jolly.

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 5:42 p.m.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

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

Council Vice President Ware made a statement that the City's intent was not to shut down the VFW Post 5397, but to put stipulations in place to protect the community. Council Vice President Ware also stated that any events held at the VFW should have proper security and no one should invite individuals or organizations that promote gun violence to the City.

1. **2022-959** Adopt a Resolution to authorize and direct the City Attorney to bring an action in the Forrest County Chancery Court or other appropriate venue to immediately and permanently abate the public nuisance operating as VFW Post 5397.

Attachments: Resolution #2022-146 VFW

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Adopt a Resolution (#2022-146) to authorize and direct the City Attorney to bring an action in the Forrest County Chancery Court or other appropriate venue to immediately and permanently abate the public nuisance operating as VFW Post 5397.

Following discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

Meeting Recess

Council President George declared the meeting recessed at 5:45 p.m., this 19th day of December, 2022, by unanimous consent, until the 20th day of December, 2022.

ATTEST:

APPROVE:



Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor