

Published Agenda



Tuesday, March 7, 2023 5:00 PM	City Council Tuesday Meeting Agenda	Council Chambers 200 Forrest Street
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- Call to Order
- Call to Prayer and Pledge of Allegiance
- Presentation Agenda
- Agenda Adjustments

- Add Policy Item #11 at the request of the Administration.
11. 2023-176 Adopt a Resolution authorizing the City of Hattiesburg to submit a grant for funding for the 2023 Recreation Trails Program (RTP) and authorize the Mayor to execute any and all documents related to the grant application.

POLICY AGENDA

1. 2023-172 Approve the minutes for the February 21, 2023 meeting of the City Council.
2. 2023-171 Approve or Deny the petition filed by filed by Cadence Bank, Owner, to appeal the Hattiesburg Historic Conservation Commission’s TIE vote of the petition filed by Cadence Bank to demolish the structure at 124 Hardy Street. The HHCC produced a TIE vote on January 11, 2023.
3. 2023-166 Adopt a Resolution declaring surplus certain city-owned property located at 140 W. 5th Street, Parcel 2-029F-4-237.00 and Parcel 2-029F-04-236.00, and authorize sale and execution of Quitclaim Deed to Richard M. Russell in the amount of \$3,600.00 in accordance with 21-17-1; authorized the Mayor and City Clerk to execute any and all necessary documents for the same.
4. 2023-164 Adopt a Resolution requesting the Mississippi Department of Transportation to initiate the Gordon's Creek Pathway at the VFW Project and authorize the Mayor to sign the accompanying request letter.
5. 2023-168 Approve Lighting Agreement with Mississippi Power to provide additional lighting for a monthly cost increase in pricing for the following locations per attached documents; and authorize the Mayor to execute the same.
6. 2023-156 Approve Memorandum of Agreement for the Educational and Community Outreach Program between the City of Hattiesburg and the University of Southern Mississippi, for the period of March 1, 2023 through February 28, 2024. (Agreement number GM000673 Amendment No.19) as authorized by MS Code 39-15-1, to allow municipalities to expend monies for support of the arts and authorize the Mayor to execute the same.
7. 2023-152 Approve Contractor and Owner Agreements 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. 2023-146 Authorize the submission of a grant application to the Asbury Foundation for the Hattiesburg Police Department K-9 Program, for the purchase of one (1) dual-purpose K-9 at \$13,000 and authorize the Mayor to execute in duplicate.
9. 2023-157 Authorize the submission of a grant application to the Department of Public Safety’s Project Safe Neighborhood for the Hattiesburg Police Department, for the purchase of equipment, with a total estimated cost of \$57,605.54 and authorize the Mayor to execute in duplicate.
10. 2023-173 Acknowledge bids received January 12, 2023 for the Arcadia-Sunset Water Improvements Phase II project and accept the bid from Jay Bearden Construction in the amount of \$647,826.50 and authorize the Mayor to execute contracts when prepared.

ROUTINE AGENDA

1. 2023-159 Acknowledge receipt of a request filed by John Eye, to appeal the Hattiesburg Planning Commission's action on the petition filed by John Scanlon, representative, and Safari Timberlands, LLC., to establish the zoning classification for a portion of an unimproved property located at the intersection of Jackson Road and the Longleaf Trace to B-2 Neighborhood Business District and to request a conditional use for “restaurant, without drive-through” in a B-2 Zone contingent upon approval of the request to establish the zoning. The Planning Commission Recommended to Approve on February 15th, 2023. Set a public hearing before City Council on Monday, April 3rd at 4:00 p.m. and authorize publication of Public Notice setting and Appeal Public Hearing.
2. 2023-169 Acknowledge receipt of proof of publications for the months of December 2022 and January 2023.

- 3. 2023-150 Acknowledge receipt of Declaration of Forfeiture and allocation to Hattiesburg Police Department.
- 4. 2023-151 Acknowledge receipt of the two quote docket.
- 5. 2023-158 Acknowledge bids received on January 19, 2023 for one (1) New 2022 or newer bucket truck/rear mounted aerial unit for the Urban Forestry Division, Parks & Recreation Department; reject all bids due to the delivery time exceeding the city's required time, authorize publication of re-advertisement.
- 6. 2023-162 Approve and authorize publication of Notice for Request for Proposals for Public WiFi Services in various locations in the City of Hattiesburg.
- 7. 2023-153 Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}
- 8. 2023-160 Approve specifications and authorize publication of one or more Small Tandem Dump Truck(s) for the Public Works Department.
- 9. 2023-167 Approve specifications and authorize publication of ditch and waterway herbicide spraying for the City of Hattiesburg.
- 10. 2023-161 Approve Plans and Specifications for the Kamper Park Tennis Court Overlay Project and authorize advertisement for bids.
- 11. 2023-155 Approve Plans and Specifications for the Tatum Park Fields 16 & 18 Lighting Improvements Project and authorize advertisement for bids.
- 12. 2023-163 Approve Plans and Specifications for the Tatum Park - Fields 16, 18 and Common Area Project and authorize advertisement for bids.
- 13. 2023-149 Approve the sale of grave spaces, per attached Memo, Receipts, and Deeds.
- 14. 2023-154 Approve claims docket for the period ending February 28, 2023.

In Memoriam:

- Ms. Ember Ahua
- Mr. Bill Allshouse
- Mr. Ivy S. “Pete” Malley
- Mr. Donnie Ray Fairley
- Mr. Marvin Easterling, Jr.
- Mr. Eddie Lewis Watson
- Ms. Sharron Davis
- Ms. Rosie Perry
- Mr. Akera A. Franklin

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, March 7, 2023**, in Council Chambers at City Hall; same being from a recessed meeting held on March 6, 2023.

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. Taurean Easterling of Beautiful Zion Missionary Baptist Church.

The Pledge of Allegiance was led by Kermas Eaton.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

Agenda Adjustments

The Clerk of Council read aloud adjustments to the agenda.

Add Policy Item #11 at the request of the Administration.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Add Policy Item #11 at the request of the Administration.

11. **2023-176** Adopt a Resolution authorizing the City of Hattiesburg to submit a grant for funding for the 2023 Recreation Trails Program (RTP) and authorize the Mayor to execute any and all documents related to the grant application.

Attachments: Resolution-LWCF Recreation Trails Program 3.7.23
 2023 Recreational Trails Program (RTP) Application- Completed

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 MATTER OF THE AGENDA ORDER came before the Council.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2023-172** Approve the minutes for the February 21, 2023 meeting of the City Council.

Attachments: 2-21-2023 Mins.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve the minutes for the February 21, 2023 meeting 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. **2023-171** Approve or Deny the petition filed by filed by Cadence Bank, Owner, to appeal the Hattiesburg Historic Conservation Commission's TIE vote of the petition filed by Cadence Bank to demolish the structure at 124 Hardy Street. The HHCC produced a TIE vote on January 11, 2023.

Attachments: Data sheet_124 Hardy St
 Jan 2023 HHCC minutes
 appeal form

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Approve the petition filed by Cadence Bank to demolish the structure at 124 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

3. **2023-166** Adopt a Resolution declaring surplus certain city-owned property located at 140 W. 5th Street, Parcel 2-029F-4-237.00 and Parcel 2-029F-04-236.00, and authorize sale and execution of Quitclaim Deed to Richard M. Russell in the amount of \$3,600.00 in accordance with 21-17-1; authorized the Mayor and City Clerk to execute any and all necessary documents for the same.

Attachments: SURPLUS RESOLUTION - Parcel 2-029F-04-236.00
QCD from City to Richard M. Russell 2-14-23
PPIN 172270 City Appraisal
PPIN 17270 Russell Appraisal

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2023-49) declaring surplus certain city-owned property located at 140 W. 5th Street, Parcel 2-029F-4-237.00 and Parcel 2-029F-04-236.00, and authorize sale and execution of Quitclaim Deed to Richard M. Russell in the amount of \$3,600.00 in accordance with 21-17-1; authorized the Mayor and City Clerk to execute any and all necessary documents for 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

4. **2023-164** Adopt a Resolution requesting the Mississippi Department of Transportation to initiate the Gordon's Creek Pathway at the VFW Project and authorize the Mayor to sign the accompanying request letter.

Attachments: Initiation Req Ltr
Gordons Creek Project Initiation Res

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to Adopt a Resolution (#2023-50) requesting the Mississippi Department of Transportation to initiate the Gordon's Creek Pathway at the VFW Project and authorize the Mayor to sign the accompanying request letter.

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. **2023-168** Approve Lighting Agreement with Mississippi Power to provide additional lighting for a monthly cost increase in pricing for the following locations per attached documents; and authorize the Mayor to execute the same.

Attachments: MS Power - JC Killingworth
MS Power - 401 S 32nd Ave

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Lighting Agreement with Mississippi Power to provide additional lighting for a monthly cost increase in pricing for the following locations per attached documents; 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. **2023-156** Approve Memorandum of Agreement for the Educational and Community Outreach Program between the City of Hattiesburg and the University of Southern Mississippi, for the period of March 1, 2023 through February 28, 2024. (Agreement number GM000673 Amendment No.19) as authorized by MS Code 39-15-1, to allow municipalities to expend monies for support of the arts and authorize the Mayor to execute the same.

Attachments: Modification agreement_GM000673-Amend19-Revised

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Memorandum of Agreement for the Educational and Community Outreach Program between the City of Hattiesburg and the University of Southern Mississippi, for the period of March 1, 2023 through February 28, 2024. (Agreement number GM000673 Amendment No.19) as authorized by MS Code 39-15-1, to allow municipalities to expend monies for support of the arts 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. **2023-152** Approve Contractor and Owner Agreements 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: [421 N 19th Agrmt_03072023](#)
 [115 Townsend Agrmt_03072023](#)

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Contractor and Owner Agreements 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. **2023-146** Authorize the submission of a grant application to the Asbury Foundation for the Hattiesburg Police Department K-9 Program, for the purchase of one (1) dual-purpose K-9 at \$13,000 and authorize the Mayor to execute in duplicate.

Attachments: [2023 Budget & Narrative](#)
 [2023 Proposal Summary](#)
 [Asbury Cover Sheet - 2023 App](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Authorize the submission of a grant application to the Asbury Foundation for the Hattiesburg Police Department K-9 Program, for the purchase of one (1) dual-purpose K-9 at \$13,000 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

9. **2023-157** Authorize the submission of a grant application to the Department of Public Safety’s Project Safe Neighborhood for the Hattiesburg Police Department, for the purchase of equipment, with a total estimated cost of \$57,605.54 and authorize the Mayor to execute in duplicate.

Attachments: [PSN Proposal Summary](#)
 [PSN23 Budget Narrative](#)
 [2023_PSN_Application_Packet](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Authorize the submission of a grant application to the Department of Public Safety’s Project Safe Neighborhood for the

Hattiesburg Police Department, for the purchase of equipment, with a total estimated cost of \$57,605.54 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

10. **2023-173** Acknowledge bids received January 12, 2023 for the Arcadia-Sunset Water Improvements Phase II project and accept the bid from Jay Bearden Construction in the amount of \$647,826.50 and authorize the Mayor to execute contracts when prepared.

Attachments: Bid Tab & Rec Letter

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Acknowledge bids received January 12, 2023 for the Arcadia-Sunset Water Improvements Phase II project and accept the bid from Jay Bearden Construction in the amount of \$647,826.50 and authorize the Mayor to execute contracts when prepared.

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. **2023-176** Adopt a Resolution authorizing the City of Hattiesburg to submit a grant for funding for the 2023 Recreation Trails Program (RTP) and authorize the Mayor to execute any and all documents related to the grant application.

Attachments: Resolution-LWCF Recreation Trails Program 3.7.23
2023 Recreational Trails Program (RTP) Application- Completed

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2023-51) authorizing the City of Hattiesburg to submit a grant for funding for the 2023 Recreation Trails Program (RTP) and authorize the Mayor to execute any and all documents related to the grant 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

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.

2023-159

Acknowledge receipt of a request filed by John Eye, to appeal the Hattiesburg Planning Commission's action on the petition filed by John Scanlon, representative, and Safari Timberlands, LLC., to establish the zoning classification for a portion of an unimproved property located at the intersection of Jackson Road and the Longleaf Trace to B-2 Neighborhood Business District and to request a conditional use for “restaurant, without drive-through” in a B-2 Zone contingent upon approval of the request to establish the zoning. The Planning Commission Recommended to Approve on February 15th, 2023. Set a public hearing before City Council on Monday, April 3rd at 4:00 p.m. and authorize publication of Public Notice setting and Appeal Public Hearing.

Attachments: [eye_appeal_2023](#)
[appeal_planning_commission_2_17_2023](#)
- 2.

2023-169

Acknowledge receipt of proof of publications for the months of December 2022 and January 2023.

Attachments: [12-2022 POP](#)
[1-2023 POP](#)
- 3.

2023-150

Acknowledge receipt of Declaration of Forfeiture and allocation to Hattiesburg Police Department.

Attachments: [Letter to Council](#)
[Order for Disposition](#)
- 4.

2023-151

Acknowledge receipt of the two-quote docket.

Attachments: [DOCKET](#)
- 5.

2023-158

Acknowledge bids received on January 19, 2023 for one (1) New 2022 or newer bucket truck/rear mounted aerial unit for the Urban Forestry Division, Parks & Recreation Department; reject all bids due to the delivery time exceeding the city's required time, authorize publication of re-advertisement.

Attachments: [NTB-3723 Bucket Truck P&R](#)
[2023 Buc6ketTruck Bid Specs](#)
- 6.

2023-162

Approve and authorize publication of Notice for Request for Proposals for Public WiFi Services in various locations in the City of Hattiesburg.

Attachments: [RFP_WiFi Project_FINAL](#)
- 7.

2023-153

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

Attachments: [Starter Homes of MS_116 Scotland_03072023](#)
[Starter Homes of MS_108 Melwood_03072023](#)
[Starter Homes of MS_1719 Adeline_03072023](#)
[Starter Homes of MS_185 Old Airport Rd_03072023](#)
[Manual Check Memo 03072023](#)
- 8.

2023-160

Approve specifications and authorize publication of one or more Small Tandem Dump Truck(s) for the Public Works Department.

Attachments: [NTB- Small Tandem PW 3723](#)
[Specs small tandem PW 3723](#)
- 9.

2023-167

Approve specifications and authorize publication of ditch and waterway herbicide spraying for the City of Hattiesburg.

Attachments: [Ditch Herbicide Services Spray Specifications](#)
[NOTICE TO BIDDERS-Herbicide Spraying](#)
[Herbicide Spes 3723](#)
- 10.

2023-161

Approve Plans and Specifications for the Kamper Park Tennis Court Overlay Project and authorize advertisement for bids.

Attachments: [Advertisement - Kamper Park Tennis Court Overlay](#)
[Kamper Park Tennis Court Overlay Final Specs](#)
[17508 FINAL PLANS](#)

11.

2023-155

Approve Plans and Specifications for the Tatum Park Fields 16 & 18 Lighting Improvements Project and authorize advertisement for bids.
- Attachments:

Tatum Park Fields 16 & 18 Lighting Plans

Tatum Park Fields 16 & 18 Lighting Specs

Advertisement - Tatum Park Fields 16 & 18 Lighting Specs
12.

2023-163

Approve Plans and Specifications for the Tatum Park - Fields 16, 18 and Common Area Project and authorize advertisement for bids.
- Attachments:

Tatum Park Fields 16, 18, & Common Area Final Specs

17433 STREET READY Plans

Advertisement - Tatum Park Fields 16, 18, & Common Area
13.

2023-149

Approve the sale of grave spaces, per attached Memo, Receipts, and Deeds.
- Attachments:

Memo's (03-07-2023)

Receipts (03-07-2023)

Deeds (03-07-2023)
14.

2023-154

Approve claims docket for the period ending February 28, 2023.
- Attachments:

2.28.23 DT

DOCKET 02.28.23

In Memoriam:

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

- Ms. Ember Ahua
- Mr. Bill Allshouse
- Mr. Ivy S. “Pete” Malley
- Mr. Donnie Ray Fairley
- Mr. Marvin Easterling, Jr.
- Mr. Eddie Lewis Watson
- Ms. Sharron Davis
- Ms. Rosie Perry
- Mr. Akera A. Franklin

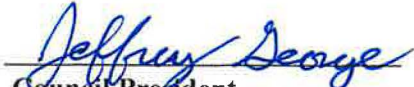
Meeting Adjourn

Council President George declared the **meeting adjourned at 5:10 p.m., this 7th day of March, 2023**, by unanimous consent, until the 20th day of March, 2023.

ATTEST:

APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor