

Published Agenda

Monday, July 17, 2023
4:00 PM

City Council
Monday Meeting Agenda

Council Chambers
200 Forrest Street

Call to Order

Agenda Adjustments: Add Policy Item #12, and Remove Policy Items #7, #10 and #11 at the request of the Administration as follows:

12. 2023-465 Acknowledge bids received June 29, 2023, for the COMSWIP Sewer Improvements Phase IX project and accept the bid from Grady Crawford Construction Company in the amount of \$2,324,783.00 as the lowest and best bid, and authorize the Mayor to execute contracts upon preparation.

Agenda Review
Citizens' Forum
Meeting Adjourn

Call to Order

BE IT REMEMBERED that the **Agenda Review meeting of the Hattiesburg City Council was held at 4:00 p.m. Monday, July 17, 2023**, in Council Chambers at City Hall; same being from an adjourned meeting held on July 5, 2023.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1 (in at 4:05 p.m.); Deborah Delgado, Ward 2 (via teleconference at 4:06 p.m.); Carter Carroll, Ward 3; Dave Ware, Ward 4; and Nicholas Brown, Ward 5 (via teleconference). Others in attendance included Deputy Clerk of Council, Lisa Luu Jolly; City staff members; media; and the public. Absent: Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Clerk of Council, Ronda S. Kennedy

Council President George Called the meeting to order.

The Deputy Clerk of Council read aloud adjustments to the agenda.

Agenda Adjustments: Add Policy Item #12, and Remove Policy Items #7, #10 and #11 at the request of the

Administration as follows:

1. 2023-465 Acknowledge bids received June 29, 2023 for the COMSWIP Sewer Improvements Phase IX project and accept the bid from Grady Crawford Construction Company in the amount of \$2,324,783.00 as the lowest and best bid, and authorize the Mayor to execute contracts upon preparation.

Attachments: COMSWIP Sewer Improvements - Phase IX - East 2nd St. Area Bid Tab

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.

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

Council Vice President Ware closed the Citizen Forum.

Meeting Adjourn

Council President George declared the **meeting recessed at 4:16 p.m., this 17th day of July, 2023**, by unanimous consent, until the 18th day of July, 2023.

ATTEST:

APPROVE:

Ronda S. Kennedy
Clerk of Council

Jeffrey George
Council President

ATTEST AND CERTIFY:

APPROVE:

[Signature]
City Clerk

[Signature]
Mayor

Published Agenda

Tuesday, July 18, 2023
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. **2023-472** Approve the minutes for the June 30 and July 5, 2023 meetings of the City Council.
2. **2023-471** Adopt a Resolution declaring certain vehicles as surplus (per the attached list) and authorize the sale of said vehicles at auction and removing the vehicles from the inventory of The Parks and Recreation Department.
3. **2023-460** Approve a preliminary plat for a major subdivision for the Woodhaven Lake Estates Subdivision located off of Richburg Road, requested by Sherry Cox Underwood, owner, Casey Benedict, Representative, and Allen Russell, Representative. Planning Commission recommended approval on July 5th, 2023 (Forrest and Lamar County, Ward 5).
4. **2023-457** Approve a Lighting Agreement with Mississippi Power Company to remove 19 old fiberglass poles and install new 20 ft aluminum with additional lighting on Palmers Circle for a monthly increase of \$81.37 and authorize the Mayor to execute the same.
5. **2023-468** Approve Contract Change Order No. 1 with Sports Contractors Inc. regarding the Tatum Park - Fields #16, #18, and Common Areas Project to make substitutions to materials that have been determined to be necessary for the project, thereby increasing the contract amount by \$50,104.05, and authorize the Mayor to execute in triplicate.
6. **2023-466** Approve Supplemental Agreement No. 2 with Walters Construction Company regarding the Highway 42 Overlay project, which adjusts quantities to actual final amounts and reduces the contract amount to \$1,138,560.17 and authorize the Mayor to execute in triplicate, acknowledge receipt of project closing documents, authorizing final acceptance of the Project and payment of the final pay application to Walters Construction Company.
7. **2023-467** **Removed.**
8. **2023-458** 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.
9. **2023-464** Authorize engagement of T. Michael Reed, P.A., as legal representative in the matter, The Handy Pantry & Lucas Tucker v. The City of Hattiesburg, Cause No. 18CH1:23-CV-000293-S Mississippi.
10. **2023-462** **Removed.**
11. **2023-461** **Removed.**
12. **2023-465** Acknowledge bids received June 29, 2023 for the COMSWIP Sewer Improvements Phase IX project and accept the bid from Grady Crawford Construction Company in the amount of \$2,324,783.00 as the lowest and best bid, and authorize the Mayor to execute contracts upon preparation.

ROUTINE AGENDA

1. **2023-473** Ratify previously agreed upon terms of Agreement between City of Hattiesburg and USA Yeast Company, LLC for a term of eight (8) years beginning June 28, 2023.
2. **2023-459** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}
3. **2023-469** Authorize and approve the publication setting of a Public Comment Period and two (2) publications for the City of Hattiesburg's 2024-2026 Disadvantage Business Enterprise (DBE) Program, in accordance with the U.S. Department of Transportation Goals.

- 4. **2023-474** Authorize and approve the publication setting of a Public Comment Period for the City of Hattiesburg's 2018, 2019, and 2021 Action Plan Amendments.
- 5. **2023-454** Approve the sale of grave spaces, per attached Memo's, Receipts and Deeds.
- 6. **2023-463** Approve claims docket for the period ending July 14, 2023.

In Memoriam:

- Ms. Theresa Ann Dent
- Mr. Andrew Pittman
- Mrs. Jemye Louise Heath
- Mr. Kevin Patrick Barry
- Ms. Doris Edith Sumrall
- Dr. Timothy Leigh Cole

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, July 18, 2023**, in Council Chambers at City Hall; same being from a recessed meeting held on July 17, 2023.

Those present included 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 (via teleconference).

Others in attendance included Deputy Clerk of Council, Lisa Luu Jolly; City staff members; media; and the public.

Absent: Mayor Toby Barker; Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Clerk of Council, Ronda S. Kennedy.

Council President George Called the meeting to order.

Call to Prayer and Pledge of Allegiance

The prayer was given by the Chief Financial Officer, Malcolm Berch.

The Pledge of Allegiance was led by Council Vice President Ware.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

POLICY AGENDA

THE MATTER OF THE AGENDA ORDER came before the Council.

The POLICY AGENDA came before the Council.

- 1. **2023-472** Approve the minutes for the June 30 and July 5, 2023 meetings of the City Council.

Attachments: 6-30-2023 SC Mins.
7-5-2023 XS Mins.

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Approve the minutes for the June 30 and July 5, 2023 meetings of the City Council.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware and Brown (via teleconference)

Nays: 0

2. **2023-471** Adopt a Resolution declaring certain vehicles as surplus (per the attached list) and authorize the sale of said vehicles at auction and removing the vehicles from the inventory of The Parks and Recreation Department.

Attachments: [Resol.surplus equipment](#)
[2023 Surplus](#)

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Adopt a Resolution (#2023-96) declaring certain vehicles as surplus (per the attached list) and authorize the sale of said vehicles at auction and removing the vehicles from the inventory of the Parks and Recreation Department.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware and Brown (via teleconference)

Nays: 0

3. **2023-460** Approve a preliminary plat for a major subdivision for the Woodhaven Lake Estates Subdivision located off of Richburg Road, requested by Sherry Cox Underwood, owner, Casey Benedict, Representative, and Allen Russell, Representative. Planning Commission recommended approval on July 5th, 2023 (Forrest and Lamar County, Ward 5).

Attachments: [Staff Summary - Woodhaven Major Subdivision](#)
[Image Sheet - Woodhaven Major Sub](#)
[Public Hearing Application](#)
[Solid Color Map](#)
[Warranty Deed](#)

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Approve a preliminary plat for a major subdivision for the Woodhaven Lake Estates Subdivision located off of Richburg Road, requested by Sherry Cox Underwood, owner, Casey Benedict, Representative, and Allen Russell, Representative; on the condition that no areas zoned A-1 can be platted until a successful rezoning takes place or the lot sizes meet the zoning district minimum.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware and Brown (via teleconference)

Nays: 0

4. **2023-457** Approve a Lighting Agreement with Mississippi Power Company to remove 19 old fiberglass poles and install new 20 ft aluminum with additional lighting on Palmers Circle for a monthly increase of \$81.3 and authorize the Mayor to execute the same.

Attachments: [MS Power - Palmers Cir](#)

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Approve a Lighting Agreement with Mississippi Power Company to remove 19 old fiberglass poles and install new 20 ft aluminum with additional lighting on Palmers Circle for a monthly increase of \$81.37 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 (via teleconference), Carroll, Ware and Brown (via teleconference)

Nays: 0

5. **2023-468** Approve Contract Change Order No. 1 with Sports Contractors Inc. regarding the Tatum Park - Fields #16, #18, and Common Areas Project to make substitutions to materials that have been determined to be necessary for the project, thereby increasing the contract amount by \$50,104.05, and authorize the Mayor to execute in triplicate.

Attachments: Change Order #1 - Tatum Park Fields & Common Area

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Approve Contract Change Order No. 1 with Sports Contractors Inc. regarding the Tatum Park - Fields #16, #18, and Common Areas Project to make substitutions to materials that have been determined to be necessary for the project, thereby increasing the contract amount by \$50,104.05, 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 (via teleconference), Carroll, Ware and Brown (via teleconference)

Nays: 0

6. **2023-466** Approve Supplemental Agreement No. 2 with Walters Construction Company regarding the Highway 42 Overlay project, which adjusts quantities to actual final amounts and reduces the contract amount to \$1,138,560.17 and authorize the Mayor to execute in triplicate, acknowledge receipt of project closing documents, authorizing final acceptance of the Project and payment of the final pay application to Walters Construction Company.

Attachments: Hwy 42 Overlay - Cover Ltr
Hwy 42 Overlay Supplemental Agreement #2
Hwy 42 Overlay Closing Docs

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Approve Supplemental Agreement No. 2 with Walters Construction Company regarding the Highway 42 Overlay project, which adjusts quantities to actual final amounts and reduces the contract amount to \$1,138,560.17 and authorize the Mayor to execute in triplicate, acknowledge receipt of project closing documents, authorizing final acceptance of the Project and payment of the final pay application to Walters Construction Company.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware and Brown (via teleconference)

Nays: 0

7. **Removed.**

8. **2023-458** 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: 524 E 6th Agrmt_07182023

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware 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 (via teleconference), Carroll, Ware and Brown (via teleconference)

Nays: 0

9. **2023-464** Authorize engagement of T. Michael Reed, P.A., as legal representative in the matter, The Handy Pantry & Lucas Tucker v. The City of Hattiesburg, Cause No. 18CH1:23-CV-000293-S Mississippi.

Attachments: 7.10.23 Letter to City of Hattiesburg

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Authorize engagement of T. Michael Reed, P.A., as legal representative in the matter, The Handy Pantry & Lucas Tucker v. The City of Hattiesburg, Cause No. 18CH1:23-CV-000293-S Mississippi.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware and Brown (via teleconference)

Nays: 0

10. **Removed.**

11. **Removed.**

12. **2023-465** Acknowledge bids received June 29, 2023 for the COMSWIP Sewer Improvements Phase IX project and accept the bid from Grady Crawford Construction Company in the amount of \$2,324,783.00 as the lowest and best bid, and authorize the Mayor to execute contracts upon preparation.

Attachments: COMSWIP Sewer Improvements - Phase IX - East 2nd St. Area Bid Tab

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Acknowledge bids received June 29, 2023 for the COMSWIP Sewer Improvements Phase IX project and accept the bid from Grady Crawford Construction Company in the amount of \$2,324,783.00 as the lowest and best bid, and authorize the Mayor to execute contracts upon preparation.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware and Brown (via teleconference)

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 (via teleconference), Carroll, Ware and Brown (via teleconference)

Nays: 0

1. **2023-473** Ratify previously agreed upon terms of Agreement between City of Hattiesburg and USA Yeast Company, LLC for a term of eight (8) years beginning June 28, 2023.

Attachments: Agreement with USA Yeast Company, LLC

2. **2023-459** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}

Attachments: Starter Homes of MS 312 Willis 07182023
Starter Homes of MS 2004 Adeline 07182023

- 3. **2023-469** Authorize and approve the publication setting of a Public Comment Period and two (2) publications for the City of Hattiesburg's 2024-2026 Disadvantage Business Enterprise (DBE) Program, in accordance with the U.S. Department of Transportation Goals.

Attachments: Notice-Public Comment DBE Goals 2024-2026
DBE Goal Doc July 2023 Final

- 4. **2023-474** Authorize and approve the publication setting of a Public Comment Period for the City of Hattiesburg's 2018, 2019, and 2021 Action Plan Amendments.

Attachments: PUBLIC HEARING NOTICE - 2018 2019 2021 Amendments

- 5. **2023-454** Approve the sale of grave spaces, per attached Memo's, Receipts and Deeds.

Attachments: Memo's (07-18-2023)
Receipts (07-18-2023)
Deeds (07-18-2023)

- 6. **2023-463** Approve claims docket for the period ending July 14, 2023.

Attachments: DOCKET 22.07.14
DT 23.07.14

In Memoriam:

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

- Ms. Theresa Ann Dent
- Mr. Andrew Pittman
- Mrs. Jemye Louise Heath
- Mr. Kevin Patrick Barry
- Ms. Doris Edith Sumrall
- Dr. Timothy Leigh Cole

Meeting Adjourn

Council President George declared the **meeting adjourned at 5:10 p.m., this 18th day of July, 2023**, by unanimous consent, until the 7th day of August, 2023.

ATTEST:


APPROVE:

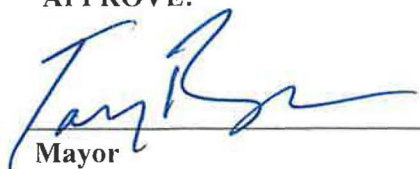

Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor