



Tuesday, August 8, 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

Agenda Adjustments - Add Policy Items #11, #12 and Routine Item #9 at the request of the Administration as follows:

- 11.2023-530
- Adopt a Resolution authorizing submission for the Promoting Resilient Operation for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Program under the U.S. Department of Transportation and authorize the Mayor to execute any and all documents required.
- 12.2023-531
- Approve Grant Agreement between City of Hattiesburg and Federal Railroad Administration for the 2019 Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grant Program and authorize the Mayor to execute Agreement and any other documents related to grant administration.
- R-9.2023-532
- Set a public hearing on the City of Hattiesburg's proposed budget and proposed tax levies for fiscal year 2024 scheduled for Tuesday, August 29, 2023 in Council Chambers at City Hall and authorizing advertisement of notice of public hearing.

POLICY AGENDA

- 1.2023-497
- Approve the minutes for the July 17 & 18, 2023 meetings of the City Council.
- 2.2023-508
- Adopt a Resolution setting Public Hearing on Tuesday, September 5th, 2023 at 4:00 p.m. in the City Council Chambers located at City Hall to determine if certain properties are in such a state of uncleanness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.
- 3.2023-504
- Adopt a Resolution declaring a portion of property identified as Forrest County Parcel PPIN 021836 necessary for public use, establishing just compensation and authorizing the Mayor to make a fair market value offer to ARC-1, LLC; Authorize Mayor to execute any and all documents required to complete the transaction and issuance of a manual check.
- 4.2023-493
- Approve Tolling Agreement between the City of Hattiesburg and the United States Army Corps of Engineers (Corps) regarding a permit from the Corps allowing repairs to damages caused by a flood in December 2018 at a site on St. Annes Drive and authorize the Mayor to execute the same.
- 5.2023-498
- Approve Joint-Funding Agreement for the period of October 1, 2023 to September 30, 2024 to continue the cooperative program between the U.S. Geological Survey (USGS) and the City of Hattiesburg for the operation and maintenance of the Bouie River Flood Monitoring Site at Glendale Avenue with total cost to the City of \$7,810.00 and authorize the Mayor to execute in duplicate.
- 6.2023-503
- Approve Change Order No. 2 with Myers Underground Utilities for the Midtown Green Park Drainage Improvements project to decrease the contract amount by \$1,029.62 for a final contract amount of \$267,356.34; authorize final acceptance and the Mayor to execute the same.
- 7.2023-506
- Approve a Fire Protection Agreement between the City of Hattiesburg and the University Of Southern Mississippi to provide fire protection and related services for a one (1) year term in the amount of \$95,652.00 and authorize the Mayor to execute the same.
- 8.2023-505
- Authorize submission of the 2023 USDOJ Edward Byrne Memorial Justice Assistance Grant in the amount of \$29,739 to be shared by the City of Hattiesburg with disparate jurisdiction Forrest County (\$17, 843.4 Hattiesburg/ \$11, 895.6 Forrest County) and authorize the Mayor to execute the same.
- 9.2023-502
- Acknowledge receipt of grant award from the Mississippi Emergency Management Agency 2019 Hazard Mitigation Grant Program (Project Number 4429-14), in the amount of \$349,473 to fund an acquisition project in the total amount of \$465,364 (\$349, 473 federal/\$116,491 local match) to purchase and demolish three repetitive loss properties and convert the lots into open space.
- 10.2023-509
- Acknowledge receipt of closing documents for the Lincoln Rd Paving Project, authorize final acceptance of the project and authorize payment of the final pay application.

ROUTINE AGENDA

- 1. 2023-491 Acknowledge receipt of the Fiscal Year 2024 Budget for Pine Belt Regional Solid Waste Management Authority.
- 2. 2023-492 Acknowledge receipt of Privilege Tax License report for the month of June 2023.
- 3. 2023-501 Acknowledge receipt of the two quote docket for the period of May 26, 2023 through July 28, 2023.
- 4. 2023-494 Authorize publication of Notice of Public Hearing regarding the City of Hattiesburg’s 2024 Annual Action Plan
- 5. 2023-490 Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}
- 6. 2023-496 Approve the City's purchase of (1) one grave space, located in the North Half (N 1/2) of the Northeast Quarter (NE 1/4), Lot # 50, Section 23, at Highland Cemetery, Minute Book# 1990, Page 3/147-148, in the amount of \$ 175.00, from Charles MacGregor, Jr, Authorize manual check for the same.
- 7. 2023-495 Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.
- 8. 2023-507 Approve claims docket for the period ending July 31, 2023.

Departmental Budget Presentations

- 1. 2023-524 Police Department
- 2. 2023-525 Fire Department
- 3. 2023-526 Parks and Recreation Department
- 4. 2023-527 Administration Department
- 5. 2023-528 Transportation and Engineering Department

In Memoriam:

- Mr. Shane William Burge
- Mr. Jerry B. Owens
- Mr. Vincent Wiley
- Ms. Latarski Fairley
- Mr. William Chambliss
- Ms. Judy Sellers
- Ms. Louise McAdams
- Mrs. Dorothy Jean Lucas
- Mr. Charles Vernon Wilson
- Ms. Diane Cynthia White-Smith
- Mrs. Virginia Anderson Kester

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, August 8, 2023, in Council Chambers at City Hall; same being from a recessed meeting held on August 7, 2023.

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.

Call to Prayer and Pledge of Allegiance

The prayer was given by Officer David Matos.
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

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Add Policy Items #10, #11 and Routine Item #9 at the request of the Administration as follows:

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

Nays: 0

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2023-497** Approve the minutes for the July 17 & 18, 2023 meetings of the City Council.

Attachments: 7-17-2023 AR Mins.
 7-18-2023 Mins.

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Approve the minutes for the July 17 & 18, 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

Nays: 0

2. **2023-508** Adopt a Resolution setting Public Hearing on Tuesday, September 5th, 2023 at 4:00 p.m. in the City Council Chambers located at City Hall to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.

Attachments: PH 09 05 2023 Request to Set Public Hearing Memo
 PH 09 05 2023 Resolution

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Adopt a Resolution (#2023-97) setting Public Hearing on Tuesday, September 5th, 2023 at 4:00 p.m. in the City Council Chambers located at City Hall to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.

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

Nays: 0

3. **2023-504** Adopt a Resolution declaring a portion of property identified as Forrest County Parcel PPIN 021836 necessary for public use, establishing just compensation and authorizing the Mayor to make a fair market value offer to ARC-1, LLC; Authorize Mayor to execute any and all documents required to complete the transaction and issuance of a manual check.

Attachments: Resolution - PPIN 021836
 Establishment of Just Compensation Offer - PPIN 021836

FAIR MARKET VALUE OFFER - PPIN 021836
205 McLeod Street - Appraisal Report (002)
205 McLeod St - Title Opinion

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2023-98) declaring a portion of property identified as Forrest County Parcel PPIN 021836 necessary for public use, establishing just compensation and authorizing the Mayor to make a fair market value offer to ARC-1, LLC; Authorize Mayor to execute any and all documents required to complete the transaction and issuance of a manual check.

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

Nays: 0

4. **2023-493** Approve Tolling Agreement between the City of Hattiesburg and the United States Army Corps of Engineers (Corps) regarding a permit from the Corps allowing repairs to damages caused by a flood in December 2018 at a site on St. Annes Drive and authorize the Mayor to execute the same.

Attachments: Blank TOLLING AGREEMENT

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Tolling Agreement between the City of Hattiesburg and the United States Army Corps of Engineers (Corps) regarding a permit from the Corps allowing repairs to damages caused by a flood in December 2018 at a site on St. Annes Drive 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

Nays: 0

5. **2023-498** Approve Joint-Funding Agreement for the period of October 1, 2023 to September 30, 2024 to continue the cooperative program between the U.S. Geological Survey (USGS) and the City of Hattiesburg for the operation and maintenance of the Bouie River Flood Monitoring Site at Glendale Avenue with total cost to the City of \$7,810.00 and authorize the Mayor to execute in duplicate.

Attachments: 24MLJFAMSDA088 City of Hattiesburg, MS Knight

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Joint-Funding Agreement for the period of October 1, 2023 to September 30, 2024 to continue the cooperative program between the U.S. Geological Survey (USGS) and the City of Hattiesburg for the operation and maintenance of the Bouie River Flood Monitoring Site at Glendale Avenue with total cost to the City of \$7,810.00 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 (via teleconference), Carroll, Ware and Brown

Nays: 0

6. **2023-503** Approve Change Order No. 2 with Myers Underground Utilities for the Midtown Green Park Drainage Improvements project to decrease the contract amount by \$1,029.62 for a final contract amount of \$267,356.34; authorize final acceptance and the Mayor to execute the same.

Attachments: Change Order #2 - Midtown Green Drainage

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Approve Change Order No. 2 with Myers Underground Utilities for the Midtown Green Park Drainage Improvements project to decrease the contract amount by \$1,029.62 for a final contract amount of \$267,356.34; authorize final acceptance and 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
Nays: 0

7.
- 2023-506
- Approve a Fire Protection Agreement between the City of Hattiesburg and the University Of Southern Mississippi to provide fire protection and related services for a one (1) year term in the amount of \$95,652.00 and authorize the Mayor to execute the same.

Attachments: [Fire Protection 2023](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve a Fire Protection Agreement between the City of Hattiesburg and the University Of Southern Mississippi to provide fire protection and related services for a one (1) year term in the amount of \$95,652.00 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
Nays: 0

8.
- 2023-505
- Authorize submission of the 2023 USDOJ Edward Byrne Memorial Justice Assistance Grant in the amount of \$29,739 to be shared by the City of Hattiesburg with disparate jurisdiction Forrest County (\$17, 843.4 Hattiesburg/ \$11, 895.6 Forrest County) and authorize the Mayor to execute the same.

Attachments: [2023 Byrne MOU](#)
[Financial Capability](#)
[2023 Disclosure of Duplication in Cost Items](#)
[fy-23-local-jag-ce-certification](#)

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Authorize submission of the 2023 USDOJ Edward Byrne Memorial Justice Assistance Grant in the amount of \$29,739 to be shared by the City of Hattiesburg with disparate jurisdiction Forrest County (\$17, 843.4 Hattiesburg/ \$11, 895.6 Forrest County) 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
Nays: 0

9.
- 2023-502
- Acknowledge receipt of grant award from the Mississippi Emergency Management Agency 2019 Hazard Mitigation Grant Program (Project Number 4429-14), in the amount of \$349,473 to fund an acquisition project in the total amount of \$465,364 (\$349, 473 federal/\$116,491 local match) to purchase and demolish three repetitive loss properties and convert the lots into open space.

Attachments: [DR-4429-0014 City of Hattiesburg 2019 Acquisition Project Approval 5.23.2023 \(1\)](#)
[4429-0014 City of Hattiesburg Funding Agreement \(1\)](#)

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Acknowledge receipt of grant award from the Mississippi Emergency Management Agency 2019 Hazard Mitigation Grant Program (Project Number 4429-14), in the amount of \$349,473 to fund an acquisition project in the total amount

of \$465,364 (\$349,473 federal/\$116,491 local match) to purchase and demolish three repetitive loss properties and convert the lots into open space.

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

Nays: 0

10. **2023-509** Acknowledge receipt of closing documents for the Lincoln Rd Paving Project, authorize final acceptance of the project and authorize payment of the final pay application.

Attachments: Closing Documents - Lincoln Rd Paving Project

A MOTION was made by Council Member Brown and seconded by Council Vice President Ware to Acknowledge receipt of closing documents for the Lincoln Rd Paving Project, authorize final acceptance of the project and authorize payment of the final pay application.

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

Nays: 0

11. **2023-530** Adopt a Resolution authorizing submission for the Promoting Resilient Operation for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Program under the U.S. Department of Transportation and authorize the Mayor to execute any and all documents required.

Attachments: Resolution-FY2023 PROTECT Program

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Adopt a Resolution (#2023-99) authorizing submission for the Promoting Resilient Operation for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Program under the U.S. Department of Transportation and authorize the Mayor to execute any and all documents required.

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

Nays: 0

12. **2023-531** Approve Grant Agreement between City of Hattiesburg and Federal Railroad Administration for the 2019 Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grant Program and authorize the Mayor to execute Agreement and any other documents related to grant administration.

Attachments: Grant Agreement between COH and Federal Railroad Administration (CRISI)

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Approve Grant Agreement between City of Hattiesburg and Federal Railroad Administration for the 2019 Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grant Program and authorize the Mayor to execute Agreement and any other documents related to grant administration.

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

Nays: 0

ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Amend Routine Item #9, to add the 5:30 p.m. time to the notice of public hearing.

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

Nays: 0

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to approve the Routine Agenda (as amended).

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

Nays: 0

1.

2023-491

Acknowledge receipt of the Fiscal Year 2024 Budget for Pine Belt Regional Solid Waste Management Authority.

Attachments: 0312_001
2.

2023-492

Acknowledge receipt of Privilege Tax License report for the month of June 2023.

Attachments: 0315_001
3.

2023-501

Acknowledge receipt of the two quote docket for the period of May 26, 2023 through July 28, 2023.

Attachments: August 8 Agenda Two Quote
4.

2023-494

Authorize publication of Notice of Public Hearing regarding the City of Hattiesburg’s 2024 Annual Action Plan.

Attachments: NOTICE OF PUBLIC HEARING Input 2024 Action Plan
5.

2023-490

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

Attachments: MS Starter Homes 412 N. 38th Avenue 08082023
Note to File 08082023
Manual Check Memo 08082023
6.

2023-496

Approve the City's purchase of (1) one grave space, located in the North Half (N 1/2) of the Northeast Quarter (NE 1/4), Lot # 50, Section 23, at Highland Cemetery, Minute Book# 1990, Page 3/147-148, in the amount of \$ 175.00, from Charles MacGregor, Jr, Authorize manual check for the same.

Attachments: Buy Back (Charles MacGregor, Jr) 08-08-2023
7.

2023-495

Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.

Attachments: Memo's (08-08-2023)
Receipts (08-08-2023)
Deeds (08-08-2023)
8.

2023-507

Approve claims docket for the period ending July 31, 2023.

Attachments: DT 7.31.23
DOCKET 23.07.31
Addendum to the claims docket

9.

2023-532

Set a public hearing on the City of Hattiesburg's proposed budget and proposed tax levies for fiscal year 2024 scheduled for 5:30 p.m. on Tuesday, August 29, 2023, in Council Chambers at City Hall and authorizing advertisement of notice of public hearing

Attachments: [Notice of Public Hearing on Budget Tax Levy FY2024](#)

Departmental Budget Presentations

Council President George proceeded with the Budget Presentations, which included:

1.

2023-524

Police Department, presented by Police Chief Peggy Sealy.
- Attachments: [Police Department Budget Presentation 2024](#)
2.

2023-525

Fire Department, presented by Assistant Fire Chief Chris Carr.
- Attachments: [Fire Department Budget Presentation 2024](#)
3.

2023-526

Parks and Recreation Department presented by Betsy Mercier, Interim Director.
- Attachments: [Parks & Rec Departmental budget proposal](#)
4.

2023-527

Administration Department presented by Kermas Eaton, City Clerk.
- Attachments: [Administration Department Budget Presentation 2024](#)
5.

2023-528

Transportation and Engineering Department presented by Mary Beth Bergin, Director.
- Attachments: [Transportation & Engineering Department Budget Presentation 2024](#)

In Memoriam:

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

- Mr. Shane William Burge
- Mr. Jerry B. Owens
- Mr. Vincent Wiley
- Ms. Latarski Fairley
- Mr. William Chambliss
- Ms. Judy Sellers
- Ms. Louise McAdams
- Mrs. Dorothy Jean Lucas
- Mr. Charles Vernon Wilson
- Ms. Diane Cynthia White-Smith
- Mrs. Virginia Anderson Kester

Meeting Adjourn

Council President George declared the **meeting adjourned at 6:13 p.m., this 8th day of August, 2023**, by unanimous consent, until the 21st day of August, 2023.

ATTEST:

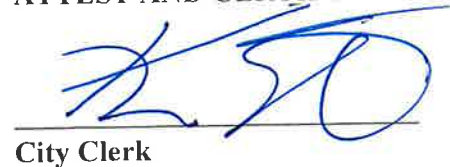
APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor
