

Published Agenda



Tuesday, October 3, 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. 2023-719 Approve the minutes for the September 18 & 19, 2023 meetings of the City Council.
2. 2023-708 Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.
3. 2023-627 Take from the table a request to approve or deny a preliminary plat approval for a major subdivision by Dennis Pierce, located on Methodist Boulevard in Lamar County. The proposed name of the subdivision is "Cottages at Turtle Creek: Phase IV", located in Lamar County, Ward 3. The Planning Commission recommended approval with conditions on September 6th, 2023.
4. 2023-693 Approve or Deny a property division request by Gerry Grimshaw and Garry Williams for property located at 509 Ronie Street in an existing subdivision known as The Kamper and Whinnery Survey; in accordance with MS Code 17-1-23 (4). The request meets the Land Development Code and is Zoned R-1A, Single-Family Residential.
5. 2023-660 Approve Lighting Agreement with Mississippi Power Company for additional lighting for a monthly increase in pricing for the following locations per attached documents; and authorize the Mayor to execute the same.
6. 2023-697 Approve Agreement with RJ Young Company to extend the lease period for the existing Canon IR C5550 copier (S/N 2JG03870) in the Engineering department at a monthly rate of \$298.44 for an additional term of 48 months and authorize the Mayor to execute the agreement.
7. 2023-710 Approve Contract between the City of Hattiesburg and Pass Security, LLC to provide security services for various Parks and Recreation Programs and authorize the Mayor to execute the same.
8. 2023-720 Approve Agreement between the City of Hattiesburg and First Due for software services for the Hattiesburg Fire Department and authorize the Mayor to execute the same.
9. 2023-723 Approve Agreement between the City of Hattiesburg and Molly Maid for cleaning services at Highland Cemetery Office and authorize the Mayor to execute the same.
10. 2023-721 Approve Letter of Engagement with Topp McWhorter Harvey PLLC to audit the financial statements of the City of Hattiesburg for the fiscal year ending September 30, 2023; authorize the Council President to execute the same.
11. 2023-724 Adopt a Resolution approving settlement of claim with Pineview Presbyterian Church as a doubtful and disputed claim.
12. 2023-722 Authorize the Mayor and City Clerk to execute certification to the Municipal Compliance Questionnaire for the fiscal year ending September 30, 2023.
13. 2023-692 Authorize submission of a grant application to Mississippi Department of Environmental Quality (MDEQ) for the Solid Waste Assistance Grant in the amount of \$75,000.00 to fund a Household Hazardous Waste "Right Way to Throw Away Day;" and authorize the Mayor to execute the same in duplicate. The grant requires the city to provide \$25,000.00 in matching funds for a total project cost of \$100,000.
14. 2023-727 Adopt a Resolution declaring Forrest County PPIN 021836 necessary for public use and authorizing to condemn and authorizing the City Attorney or assignee to institute any and all proceedings necessary to acquire the same.

ROUTINE AGENDA

1. 2023-695 Acknowledge and Accept the final plat for Hattiesburg Marketplace Subdivision.
2. 2023-659 Acknowledge receipt of a Temporary Easement from Richard L. and Mozella P. Conville for 104 Cherokee Court for the purposes of constructing public improvements.
3. 2023-696 Acknowledge receipt of the 2022-2023 End-of-Year Report for the University of Southern Mississippi Symphony & Opera Community & Educational Outreach Program.
4. 2023-691 Acknowledge receipt of the two quote docket for the period of August 26, 2023 through September 22, 2023.
5. 2023-707 Acknowledge proofs of publication for the month of September, 2023.

- | | | |
|----|-----------------|---|
| 6. | 2023-689 | Acknowledge bids received on September 14th, 2023 for Term Bid Item #2 (Repair and Rehabilitation of City Streets) for the City of Hattiesburg and accept the bid of Warren Paving as the only bid received. |
| 7. | 2023-725 | Approve specifications and authorize publication of advertisement for Timberton Softball Complex, FEMA DR 4295 PW44, upon concurrence with the Federal Emergency Management Agency for the City of Hattiesburg. |
| 8. | 2023-662 | Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME} |
| 9. | 2023-694 | Approve claims docket for the period ending September 30, 2023. |

In Memoriam:

- Mr. Raymond Edward Bryant
- Mrs. Acquanetta Lenoir
- Mrs. Karen Lee Miller
- Ms. Sheila Gwen Ware
- Ms. Sarah Alice White

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, October 3, 2023**, in Council Chambers at City Hall; same being from a recessed meeting held on October 2, 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 (via teleconference). 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 Phillip McSwain of Starlight Missionary Baptist Church.

The Pledge of Allegiance was led by Kermas Eaton.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

Mayor Barker presented a Certificate of Recognition to Hunter White, Deputy Director of Department of Transportation and Engineering and Lt. Robert Smith, Hattiesburg Fire Department for completing the Leadership Pinebelt program.

There were no other presentations at this time.

POLICY AGENDA

The POLICY AGENDA came before the Council.

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| 1. | 2023-719 | Approve the minutes for the September 18 & 19, 2023 meetings of the City Council. |
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Attachments: [9-18-2023 PH, AR Mins.](#)
[9-19-2023 Mins.](#)

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Approve the minutes for the September 18 & 19, 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, Carroll, Ware and Brown (via teleconference)

Nays: 0

2. **2023-708** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: [PH 10 02 2023 Adopt Resolution to Condemn Memo](#)
[1. 1234 Beverly Hills Drive Condemnation Resolution](#)
[2. 1236 Beverly Hills Drive Condemnation Resolution](#)
[3. 122 Ellis Drive Condemnation Resolution](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt Resolutions (#2023-155-157) condemning the following properties as unclean and a menace to the health and safety of the community.

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

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

Nays: 0

3. **2023-627** Approve or deny a request for preliminary plat approval for a major subdivision by Dennis Pierce, located on Methodist Boulevard in Lamar County. The proposed name of the subdivision is "Cottages at Turtle Creek: Phase IV", located in Lamar County, Ward 3. The Planning Commission recommended approval with conditions on September 6th, 2023 - tabled at the September 19th council meeting.

Attachments: [Staff Summary - Cottages of Turtle Creek](#)
[Image Sheet - Cottages of Turtle Creek Subdivision](#)
[Cottages Phase IV Application](#)
[Cottages Phase IV Application Doc 3](#)
[Cottages Phase IV Application Doc 4](#)
[Cottages Phase IV Application Doc 2](#)
[Exhibit A-1 - Letters of opposition from neighborhood](#)
[MINUTES SEPTEMBER](#)

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Take from the Table of a request for preliminary plat approval for a major subdivision by Dennis Pierce, located on Methodist Boulevard in Lamar County.

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

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

Nays: 0

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Remand request for preliminary plat approval for a major subdivision by Dennis Pierce, back to the Planning Commission for road access issue on Hamlett Drive.

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

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

Nays: 0

4. **2023-693** Approve or Deny a property division request by Gerry Grimshaw and Garry Williams for property located at 509 Ronie Street in an existing subdivision known as The Kamper and Whinnery Survey; in accordance with MS Code 17-1-23 (4). The request meets the Land Development Code and is Zoned R-1A, Single-Family Residential.

Attachments: Application
Survey
17-1-23

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Approve a property division request by Gerry Grimshaw and Garry Williams for property located at 509 Ronie Street in an existing subdivision known as The Kamper and Whinnery Survey.

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

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

Nays: 0

5. **2023-660** Approve Lighting Agreement with Mississippi Power Company for additional lighting for a monthly increase in pricing for the following locations per attached documents; and authorize the Mayor to execute the same.

Attachments: MS Power - Frontage Rd & Hwy 49 North-W 7th & East St

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve Lighting Agreement with Mississippi Power Company for additional lighting for a monthly 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 (via teleconference)

Nays: 0

6. **2023-697** Approve Agreement with RJ Young Company to extend the lease period for the existing Canon IR C5550 copier (S/N 2JG03870) in the Engineering department at a monthly rate of \$298.44 for an additional term of 48 months and authorize the Mayor to execute the agreement.

Attachments: RJ Young Agreement for City of Hattiesburg Engineering Dept

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve Agreement with RJ Young Company to extend the lease period for the existing Canon IR C5550 copier (S/N 2JG03870) in the Engineering department at a monthly rate of \$298.44 for an additional term of 48 months and authorize the Mayor to execute the agreement.

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

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

Nays: 0

7. **2023-710** Approve Contract between the City of Hattiesburg and Pass Security, LLC to provide security services for various Parks and Recreation Programs and authorize the Mayor to execute the same.

Attachments: Post Orders City of Hattiesburg
PASS Legal Complete File
FY24 Agreement PassSecurityLLC10.1.23

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve Contract between the City of Hattiesburg and Pass Security, LLC to provide security services for various Parks and

Recreation Programs 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 (via teleconference)

Nays: 0

8. **2023-720** Approve Agreement between the City of Hattiesburg and First Due for software services for the Hattiesburg Fire Department and authorize the Mayor to execute the same.

Attachments: 0533_001

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve Agreement between the City of Hattiesburg and First Due for software services for the Hattiesburg Fire Department 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 (via teleconference)

Nays: 0

9. **2023-723** Approve Agreement between the City of Hattiesburg and Molly Maid for cleaning services at Highland Cemetery Office and authorize the Mayor to execute the same.

Attachments: CONTRACT AND AGREEMENT

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve Agreement between the City of Hattiesburg and Molly Maid for cleaning services at Highland Cemetery Office 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 (via teleconference)

Nays: 0

10. **2023-721** Approve Letter of Engagement with Topp McWhorter Harvey PLLC to audit the financial statements of the City of Hattiesburg for the fiscal year ending September 30, 2023; authorize the Council President to execute the same.

Attachments: Engagement Letter for Signature

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve Letter of Engagement with Topp McWhorter Harvey PLLC to audit the financial statements of the City of Hattiesburg for the fiscal year ending September 30, 2023; authorize the Council President 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 (via teleconference)

Nays: 0

11. **2023-724** Adopt a Resolution approving settlement of claim with Pineview Presbyterian Church as a doubtful and disputed claim.

Attachments: Pineview Presbyterian Church Resolution for City Council 10.3.23
PINEVIEW PRESBYTERIAN CHURCH-RELEASE FROM LIABILITY

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt a Resolution (#2023-158) approving settlement of claim with Pineview Presbyterian Church as a doubtful and disputed

claim.

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

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

Nays: 0

- 12. 2023-722** Authorize the Mayor and City Clerk to execute certification to the Municipal Compliance Questionnaire for the fiscal year ending September 30, 2023.

Attachments: 0534_001
Municipal Compliance Questionnaire - FYE 9/30/2023

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Authorize the Mayor and City Clerk to execute certification to the Municipal Compliance Questionnaire for the fiscal year ending September 30, 2023.

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

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

Nays: 0

- 13. 2023-692** Authorize submission of a grant application to Mississippi Department of Environmental Quality (MDEQ) for the Solid Waste Assistance Grant in the amount of \$75,000.00 to fund a Household Hazardous Waste "Right Way to Throw Away Day;" and authorize the Mayor to execute the same in duplicate. The grant requires the city to provide \$25,000.00 in matching funds for a total project cost of \$100,000.

Attachments: 2023-2024 GRANT_1b
2023-2024 GRANT_2a-Revised
2024 MDEQ SWA Narrative & Budget Final

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Authorize submission of a grant application to Mississippi Department of Environmental Quality (MDEQ) for the Solid Waste Assistance Grant in the amount of \$75,000.00 to fund a Household Hazardous Waste "Right Way to Throw Away Day;" and authorize the Mayor to execute the same in duplicate. The grant requires the city to provide \$25,000.00 in matching funds for a total project cost of \$100,000.

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

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

Nays: 0

- 14. 2023-727** Adopt a Resolution declaring Forrest County PPIN 021836 necessary for public use and authorizing to condemn and authorizing the City Attorney or assignee to institute any and all proceedings necessary to acquire the same.

Attachments: RESOLUTION AND ORDER TO CONDEMN 205 McLeod Street

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt a Resolution (#2023-159) declaring Forrest County PPIN 021836 necessary for public use and authorizing to condemn and authorizing the City Attorney or assignee to institute any and all proceedings necessary to acquire 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 (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 Member Delgado 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 (via teleconference)

Nays: 0

1. **2023-695** Acknowledge and Accept the final plat for Hattiesburg Marketplace Subdivision.

 Attachments: Final plat for Marketplace subdivision
 Performance Bond

2. **2023-659** Acknowledge receipt of a Temporary Easement from Richard L. and Mozella P. Conville for 104 Cherokee Court for the purposes of constructing public improvements.

 Attachments: Richard & Mozella Conville Temporary Easement

3. **2023-696** Acknowledge receipt of the 2022-2023 End-of-Year Report for the University of Southern Mississippi Symphony & Opera Community & Educational Outreach Program.

 Attachments: 2023 CITY GRANT

4. **2023-691** Acknowledge receipt of the two-quote docket for the period of August 26, 2023 through September 22, 2023.

 Attachments: October 3, 2023

5. **2023-707** Acknowledge proofs of publication for the month of September 2023.

 Attachments: 0529_001

6. **2023-689** Acknowledge bids received on September 14th, 2023 for Term Bid Item #2 (Repair and Rehabilitation of City Streets) for the City of Hattiesburg and accept the bid of Warren Paving as the only bid received.

 Attachments: Warren Paving Item #2 Repair and Rehabilitation of Hattiesburg Streets

7. **2023-725** Approve specifications and authorize publication of advertisement for Timberton Softball Complex, FEMA DR 4295 PW44, upon concurrence with the Federal Emergency Management Agency for the City of Hattiesburg.

 Attachments: FINAL PLANS (TIMBERTON)

8. **2023-662** Approve and authorize issuance of manual checks for CDBG/HOME Program Claims per attached Memorandum. {CDBG Entitlement/HOME}

 Attachments: Starter Homes of MS 718 Woodland Ct 10032023
 Starter Homes of MS 106 Townsend St 10032023
 Starter Homes of MS 114 Cypress 10032023
 19 Annie Christie Drive Draw 10032023
 1 Continental Blvd Draw 10032023
 1792 James Street Draw 10032023
 Manual Check Memo 10032023

9. **2023-694** Approve claims docket for the period ending September 30, 2023.

 Attachments: DOCKET 23.09.30
 DT 23.09.30

In Memoriam:

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

- Mr. Raymond Edward Bryant
- Mrs. Acquanetta Lenoir
- Mrs. Karen Lee Miller
- Ms. Sheila Gwen Ware
- Ms. Sarah Alice White

Meeting Adjourn

Council President George declared **the meeting adjourned at 5:14 p.m., this 3rd day of October, 2023**, by unanimous consent, until the 16th day of October, 2023.

ATTEST:

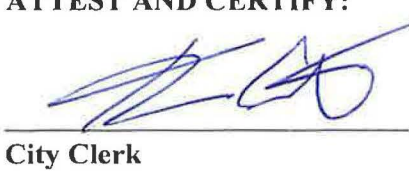
APPROVE:

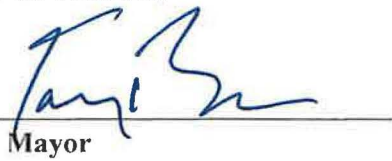

Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor