Hold a Special Called Meeting at 3 p.m. Tuesday, January 16, 2018, to conduct the scheduled January 16, 2018, meeting an hour early due to inclement weather.

BE IT REMEMBERED that the Hattiesburg City Council held a special called meeting at 3:00 p.m. Tuesday, January 16, 2018, holding its scheduled 4:00 p.m. meeting an hour early due to inclement weather (a snow storm).

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Chief Administrative Officer, Ann Jones; Director of Administration/City Clerk, Kermas Eaton; Interim Chief Financial Officer, Connie Everett; Customer Service Representative, Joe Paul; City Engineer, Lamar Rutland; Interim Fire Chief, Stephen Mooney; Police Chief, Anthony Parker; Assistant Police Chief, Peggy Sealy; Manager of Public Works, Colton Hill; Director of Parks and Recreation, Ronnie Perkins; Director of Urban Development, Andrew Ellard; Planning Administrator, Ginger Lowrey; Chief Communications Officer, Samantha McCain; Clerk of Council, Debbie Bernardo; Deputy Clerk of Council, Lisa Luu; media; and the public.

Council President Carroll called the meeting to order.

The prayer was given by Sylvester London of Mount Olive Baptist Church.(?)

The Pledge of Allegiance was led by Chief Mooney.

THE MATTER OF THE AGENDA ORDER came before the Council.

The Clerk of Council read aloud the following amendments:

Add Policy Agenda Items V. -11 - V. -16 at the request of the Administration as follows:

V. -11 2018 -152 Adopt a Resolution appointing Alan R. Howe as Director of Water and Sewer for the City of Hattiesburg at an annual rate of $75,000.00.

Attachments: Alan Howe Resume
RES Appointing A. Howe as director of Water Department

V. -12 2018 -149 Adopt a Resolution closing two bridges inside the city limits of Hattiesburg, the Campbell Scenic Drive Bridge and the Roy Street Bridge, both described in Exhibit "A" attached hereto; said bridges have been closed for a lengthy period of time and have ceased to be used for public purposes.

Attachments: Exhibit A Legal Description for bridges
RES Closing, Campbell Scenic Drive and Roy Street Bridges

V. -13 2018 -156 Take from the Table to Approve or Deny to Adopt a Resolution granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes, to Mar Jac Poultry MS, LLC for a period not to exceed ten (10) years, commencing December 31, 2017 and ending December 31, 2026, with a true total value of $2,913.838.50 or the amount approved by the Mississippi Department of Revenue.

Attachments: MJ Resolution
ADP Mar Jac
Mar Jac County Statement
Mar Jac App

V. -14 **2018 -153** Adopt pay scale alignment for the Hattiesburg Police Department.

Attachments: Pay Scale Alignment

V. -15 **2018 -155** Authorize Mayor to execute agreement between Mar Jac Poultry MS, LLC and the City of Hattiesburg allowing Mar Jac to discharge industrial waste flow into Hattiesburg's wastewater collection system and treatment facility, and to provide for payment of conveyance and treatment charges to the City.

Attachments: 2018 Hattiesburg Water Rate Agreement

V. -16 **2018 -154** Approve or deny manpower adjustments for Parks & Recreation, Administration, Water & Sewer, and Police Department in accordance with Ordinance Number 3154.

Attachments: Pay Scale

And, Add Routine Agenda Item VI. - 7 at the request of the Administration as follows:

VI. - 7 **2018 -148** Acknowledge receipt of bids received on December 21, 2017 for the maintenance of generators at city owned facilities; accept the bid of Power Systems of MS, Inc. as the lowest and best bid received.

Attachments: Memo Colton Hill
POWER SYSTEMS OF MS BID
DOLEAC BID
CHAIN BID

Council President Carroll asked that Routine Agenda Item VI. - 7 not be added at this time.

A MOTION was made by Council member George and seconded by Council Vice President Dryden to add Policy Agenda Items V. - 11 through V. - 16.

Council member Delgado asked, for clarification, what Routine Agenda Item VI. - 7 regards; Council President Carroll responded that it regards generators.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

THE PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

THE POLICY AGENDA came before the Council.

V.-1 **2018-130** Adopt an Ordinance for the petition filed by Anthony Wansley, Contractor, on behalf of Clementine Benton, Owner to change the zoning classification for a portion of the property located at 208 McInnis Spring Road (Parcel 041H-27-003.00, PPIN 6970, Ward 5) from Section 4.5.3, R-1A (Single-Family Residential) District to Section 4.5.7, R-3 (Multi-Family Residential) District. The Planning Commission recommended to Deny on January 3, 2018.

Attachments: January 2018 HPC Minutes
HPC Packet - 208 McInnis Springs Rd
Frankie L. Benton, Sr. Letter
Ordinance - 208 McInnis Springs Rd

A MOTION was made by Council President Carroll and seconded by Council Member George to TABLE to Adopt an Ordinance for the petition filed by Anthony Wansley, Contractor, on behalf of Clementine

Benton, Owner to change the zoning classification for a portion of the property located at 208 McInnis Spring Road (Parcel 041H-27-003.00, PPIN 6970, Ward 5) from Section 4.5.3, R-1A (Single-Family Residential) District to Section 4.5.7, R-3 (Multi-Family Residential) District. The Planning Commission recommended to Deny on January 3, 2018.

Council President asked Ms. Lowrey whether she was able to contact the petitioner about the time change of today's meeting; Ms. Lowrey stated that she left a message but cannot be sure that the petitioner was notified of the time change.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-2 **2018-131** Adopt an Ordinance for the petition filed by Marcus Cooper, Applicant, on behalf of V.L. Dye Jr., Owner, Chip Gren, Agent to change the zoning classification for a property located at 2108 W. 4th St. Hattiesburg, MS (Parcel 028G-05-143.00, PPIN 26138; Parcel 028J-05-002.00, 26161, Ward 4) from Section 4.5.7, R-3 (Multi-Family Residential) District and Section 4.5.8 B-1 (Professional Business) District to Section 4.5.10, B-3 (Community Business) District. The Planning Commission recommended to Approve on January 3, 2018.

Attachments: January 2018 HPC Minutes
HPC Packet - 2108 W 4th St
Marcus Cooper presentation - Rezoning 1-3-18
Ordinance - 2108 W 4th St

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt an Ordinance (#3225) for the petition filed by Marcus Cooper, Applicant, on behalf of V.L. Dye Jr., Owner, Chip Gren, Agent to change the zoning classification for a property located at 2108 W. 4th St. Hattiesburg, MS (Parcel 028G-05-143.00, PPIN 26138; Parcel 028J-05-002.00, 26161, Ward 4) from Section 4.5.7, R-3 (Multi-Family Residential) District and Section 4.5.8 B-1 (Professional Business) District to Section 4.5.10, B-3 (Community Business) District. The Planning Commission recommended to Approve on January 3, 2018.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

Following the vote, Council Vice President Dryden recused herself for the vote on Policy Agenda Item V. -3.

V.-3 **2018-142** Adopt a Resolution authorizing Requisition No. 14 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.

Attachments: 2016 Bond Resolution No. 14

A MOTION was made by Council Member George and seconded by Council Member Brown to Adopt a Resolution authorizing Requisition No. 14 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.

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

Yeas: 3 - George, Carroll and Brown

Nays: 0

Abstain: 1 - Delgado

Recuse: 1 - Dryden

Council Vice President Dryden returned to the room following the vote.

V.-4 **2018-138** Authorize the Mayor to execute in quadruplicate Amendment #5 to 2-6-01 license agreement between the City of Hattiesburg and AT&T, allowing that equipment be added, modified and/or replaced at a cell tower located on water tank at the University of Southern Mississippi.

Attachments: Fifth Amendment License Agreement

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Authorize the Mayor to execute in quadruplicate Amendment #5 to 2-6-01 license agreement between the City of Hattiesburg and AT&T, allowing that equipment be added, modified and/or replaced at a cell tower located on water tank at the University of Southern Mississippi.

Council President Carroll asked if this is one of the agreements discussed in executive session with the consultant from Atlanta; Mayor Barker responded in the affirmative.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-5 **2018-146** Authorize Mayor to execute professional services agreement in duplicate with Shows, Dearman and Waits, Inc. for services related to the replacement of the Bridge at the North Entrance to the South Lagoon

Attachments: SDW Professional Services Agreement

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Authorize Mayor to execute professional services agreement in duplicate with Shows, Dearman and Waits, Inc. for services related to the replacement of the Bridge at the North Entrance to the South Lagoon .

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-6 **2018-144** Authorize Mayor to execute an agreement between the City of Hattiesburg and Municode for online services of publishing and updating Code of Ordinances for the City of Hattiesburg.

Attachments: Municode Agreement

A MOTION was made by Council Member George and seconded by Council Member Brown to Authorize Mayor to execute an agreement between the City of Hattiesburg and Municode for online services of publishing and updating Code of Ordinances for the City of Hattiesburg.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-7 **2018-145** Authorize Mayor to execute duplicate original agreement between City of Hattiesburg Parks and Recreation and Hattiesburg Arts Council to provide art cultural programs for children and cultural opportunities for adults, seniors, and persons with disabilities for Hattiesburg residents from October 1, 2017, through September 30, 2018. (Nunc Pro Tunc)

Attachments: Hattiesburg Civic Arts Council Contract 2018
Contract Attachments
Hattiesburg American Building Exhibit B

A MOTION was made by Council Vice President Dryden and seconded by Council Member Delgado to Authorize Mayor to execute duplicate original agreement between City of Hattiesburg Parks and Recreation and Hattiesburg Arts Council to provide art cultural programs for children and cultural opportunities for adults, seniors, and persons with disabilities for Hattiesburg residents from October 1, 2017, through September 30, 2018. (Nunc Pro Tunc)

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-8 **2018-139** Approve revised survey and waiver valuation amount and declare them as fair market value for property necessary for COMSWIP Sewer Project Phase XII, Site 5, Hester parcel, pursuant to MS Code 43-37-3 and other applicable statutes; Original valuation approved at MB 2017/369-371; Authorize fair market value offer for said parcel.

Attachments: Wesley Hester Survey - Revised
Wesley Hester-Revised

A MOTION was made by Council Member George and seconded by Council Member Brown to Approve revised survey and waiver valuation amount and declare them as fair market value for property necessary for COMSWIP Sewer Project Phase XII, Site 5, Hester parcel, pursuant to MS Code 43-37-3 and other applicable statutes; Original valuation approved at MB 2017/369-371; Authorize fair market value offer for said parcel.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-9 **2018-132** Acknowledge receipt of the financial statements and supplemental information for the Combined Water & Sewer System of the City of Hattiesburg for the fiscal year ending September 30, 2015, from Carr, Riggs & Ingram (On file in the City Clerk's Office).

Attachments: COH Water & Sewer Audit FY 2015

A MOTION was made by Council Member George and seconded by Dryden to Acknowledge receipt of the financial statements and supplemental information for the Combined Water & Sewer System of the City of Hattiesburg for the fiscal year ending September 30, 2015, from Carr, Riggs & Ingram (On file in the City Clerk's Office).

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-10 **2018-147** Acknowledge receipt of letter terminating contract with Carr, Riggs and Ingram for audit financial services for fiscal year 2016.

Attachments: Carr, Riggs, & Ingram Contract Termination Letter, 1-3-18

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Acknowledge receipt of letter terminating contract with Carr, Riggs and Ingram for audit financial services for fiscal year 2016.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-11 **2018-152** Adopt a Resolution appointing Alan R. Howe as Director of Water and Sewer for the City of Hattiesburg at an annual rate of $75,000.00.

Attachments: Alan Howe Resume
RES-appointing A. Howe as director of Water Department

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt a Resolution appointing Alan R. Howe as Director of Water and Sewer for the City of Hattiesburg at an annual rate of $75,000.00.

Council member Delgado stated that she is happy with the candidate but concerned with the requirement that he live in the city limits; Mayor Barker stated that will occur, as Mr. Howe and his wife were looking for houses last weekend.

Council President Carroll expressed enthusiasm for Mr Howe's appointment.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-12 **2018-149** Adopt a Resolution closing two bridges inside the city limits of Hattiesburg, the Campbell Scenic Drive Bridge and the Roy Street Bridge, both described in Exhibit "A" attached hereto; said bridges have been closed for a lengthy period of time and have ceased to be used for public purposes.

Attachments: Exhibit A-Legal Description for bridges
RES-Closing, Campbell Scenic Drive and Roy Street Bridges

A MOTION was made by Council Member George and seconded by Council Member Delgado to Adopt a Resolution closing two bridges inside the city limits of Hattiesburg, described in Exhibit "A" attached hereto, said bridges have been closed for a lengthy period of time and have ceased to be used for public purposes.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-13 **2018-156** Take from the Table to Approve or Deny to Adopt a Resolution granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes, to Mar-Jac Poultry MS, LLC for a period not to exceed ten (10) years, commencing December 31,20178 and ending December 31,2026, with a true total value of $2,913.838.50 or the amount approved by the Mississippi Department of Revenue.

Attachments: MJ-Resolution
ADP-Mar-Jac
Mar-Jac County Statement
Mar-Jac App

A MOTION was made by Council Member Delgado and seconded by Council Member George to Take from the Table to Approve or Deny to Adopt a Resolution granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes, to Mar-Jac Poultry MS, LLC for a period not to exceed ten (10) years, commencing December 31, 2017 and ending December 31, 2026, with a true total value of $2,913.838.50 or the amount approved by the Mississippi Department of Revenue.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-14 **2018-153** Adopt pay scale alignment for the Hattiesburg Police Department.

Attachments: Pay Scale Alignment

A MOTION was made by Council Member Brown and seconded by Council Member George to Adopt pay scale alignment for the Hattiesburg Police Department.

Council Vice President Dryden expressed support for the Hattiesburg Police Department. She said she supports the incentive pay, but feels the $1,000 increase for associate's, bachelor's and master's degrees falls shorts and would like to see it increased when possible.

The Clerk of Council asked whether this pay scale alignment should be added as an exhibit to the HAVpay Ordinance. In response to a question from the Council President, she stated that [pay scale exhibits] generally are attached to the HAVpay ordinance.

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to add the pay scale alignment for the Hattiesburg Police Department as an exhibit to the HAV Pay Ordinance #3154.

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

Yeas: 4 - George, Carroll, Dryden and Brown

Nays: 0

Abstain: 1 – Delgado

A MOTION was made by Council Member Brown and seconded by Council Member George to Adopt pay scale alignment for the Hattiesburg Police Department and add it as an exhibit to the HAVpay ordinance.

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

Yeas: 4 - George, Carroll, Dryden and Brown

Nays: 0

Abstain: 1 - Delgado

Council member Delgado stated that she is in support of the pay scale alignment but does not support adding it to the HAVpay ordinance.

V.-15 **2018-155** Authorize Mayor to execute agreement between Mar-Jac Poultry MS, LLC and the City of Hattiesburg allowing Mar-Jac to discharge industrial waste flow into Hattiesburg's wastewater collection system and treatment facility, and to provide for payment of conveyance and treatment charges to the City.

Attachments: 2018 Hattiesburg Water Rate Agreement

A MOTION was made by Council Vice President Dryden and seconded by Council Member Delgado to Authorize Mayor to execute agreement between Mar-Jac Poultry MS, LLC and the City of Hattiesburg allowing Mar-Jac to discharge industrial waste flow into Hattiesburg's wastewater collection system and treatment facility, and to provide for payment of conveyance and treatment charges to the City.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-16 **2018-154** Approve or deny manpower adjustments for Parks & Recreation, Administration, Water & Sewer, and Police Department in accordance with Ordinance Number 3154.

Attachments: Pay Scale

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve manpower adjustments for Parks & Recreation, Administration, Water & Sewer, and Police Department in accordance with Ordinance Number 3154.

The Mayor provided an overview of the manpower adjustments and said that the changes in internet technology and parks and recreation are budget neutral.

Council member Delgado asked why the salary of the HPD Public Information Officer was cut; the Mayor stated that it is vacant and was the easiest to cut so that raises could be given to two other staff members

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

THE ROUTINE AGENDA came before the Council.

Council Vice President Dryden stated that the City has paid late charges for credit cards repeatedly. She said she spoke with Ms. Everett and that Ms. Everett has said she will look at the situation.

A MOTION was made by Council Vice President Dryden and seconded by Council member Delgado to approve the Routine Agenda.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

VI.-1 **2018-137** Acknowledge receipt of and accept the Local Mosquito Control Grant awarded to the City of Hattiesburg by the Mississippi Department of Health in the amount of $49,688; authorize acceptance and execution of grant.

Attachments: OVERVIEW Mosquito Control grant
SCOPE of work Mosquito Control grant Application submitted
Local Mosquito Control grant

VI.-2 **2018-133** Acknowledge receipt of a permanent utility easement across a portion of Tax Parcel No. 2-040J-32-110.00 from Grady L. Myrick, Jr.; Authorize City Clerk to record with Forrest County.

Attachments: Easement - Myrick

VI.-3 **2018-134** Acknowledge receipt of a permanent utility easement across a portion of Tax Parcel No. 2-040J-32-110.00 and 2-040J-32-111.00 from Linda W. Barrack; Authorize City Clerk to record with Forrest County.

Attachments: Easement - Barrack

VI.-4 **2018-128** Approve the sale of grave spaces, per attached receipts, memos and deeds.

Attachments: Memos (01-16-18)
Receipts (01-16-18)
Deeds1 (01-16-18)
Deeds2 (01-16-18)

VI.-5 **2018-141** Approve and authorize issuance of manual check for CDBG Program Claim per the attached memorandum. {Entitlement CDBG}

Attachments: Breakthrough Request for Payment January 16, 2018.pdf

VI.-6 **2018-135** Approve claims docket for the period ending January 12, 2018.

Attachments: DOCKET 18.1-12

Council Vice President Dryden proceeded with the Citizens' Forum. She stated the procedures and invited members of the public to speak.

Joseph Rawson discussed the Council's change in meeting time and the ordinance by which the Council operates.

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

Council Vice President Dryden closed the Citizens' Forum.

Council President Carroll called for additional business.

Council member George asked to reconsider the Motion for Item V.-14 until he gathers more information, and said he would like to rescind the Motion to add the the item to the HAVpay ordinance and instead adopt the pay scale alignment.

A MOTION was made by Council member George and seconded by Council member Delgado to rescind the Motion for Policy Agenda Item V. - 14.

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

Yeas: 4 - George, Delgado, Carroll and Brown

Nays: 1 - Dryden

A MOTION was made by Council member George and seconded by Council member Delgado to adopt the pay scale alignment for the police department.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

A MOTION was made by Council member Delgado and seconded by Council Vice President Dryden to consider the need to go into Executive Session to discuss pending litigation, in accordance with Mississippi Code Section 25-41-7 (b).

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

A MOTION was made by Council member Delgado and seconded by Council Vice President Dryden to go into Executive Session to discuss pending litigation, in accordance with Mississippi Code Section 25-41-7 (b).

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

Those present for the Executive Session were Mayor Barker; Council members George, Delgado, Carroll, Dryden and Brown; Mr. Eaton; Paige Johnson of Topp, McWhorter, Harvey PLLC; Ms. Jones; Ms. Everett; Mr. Ellard; Ms. McCain; and Ms. Bernardo.

No action was taken during Executive Session.

A MOTION was made by Council member George and seconded by Council Vice President Dryden to come out of Executive Session and re-open the meeting to the public at 4:02 p.m.

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

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

By unanimous consent, Council President Carroll adjourned the meeting at 4:02 p.m., this the 16th day of January, A.D., 2018.