

BE IT REMEMBERED that a Public Hearing of the Hattiesburg City Council was held at 4:00 p.m. Monday, February 5, 2018, in Council Chambers at City Hall, pursuant to order adopted January 2, 2018, at Minute Book 2018 Page 3, to determine if the following properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community.

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; Assistant to the Mayor, Greg Ladner; City Engineer, Lamar Rutland; Police Chief, Anthony Parker; Interim Public Works Manager, Colton Hill; Director of the Water Department, Alan Howe; Director of Urban Development, Andrew Ellard; Planning Administrator, Ginger Maddox; Code Enforcement Manager, Chris Price; City Attorney, Randy Pope; 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 and explained the procedures.

2018-187 Hold Public Hearing on Monday, February 5, 2018 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 provisions of MS Code 1972, Section 21-19-11.

Attachments: MEMORANDUM to hold Public Hearing 2.05.18
MEMORANDUM - Remove Cases 2 and 18, 02.05.18
 1. 1312 Deason Ave
 2. 1305 Rebecca Ave
 3. 1307 Rebecca Ave
 4. 218 Oak St.
 5. 809.5 Fairly St
 6. 708 River St
 7. 6 Bonnie St
 8. 1213 Edward St
 9. 1310 Putnam Ave
 10. 2917 Laramie Circle
 11. 910 S Tipton St
 12. 219 S 23rd Ave
 13. 211 S 24th Ave
 14. 211.5 S 24th Ave
 15. 304 Mable St
 16. 306 Mable St
 17. 308 Mable St.
 18. 901 Fairley St.
 19. 1108 E. Hardy St

Code Enforcement Manager Chris Price presented the properties to be considered. Mr. Price recommended that the Council adopt resolutions determining the properties are in such a state of uncleanliness so

as to be a menace to the health and safety of the community, providing a specified period of time to remove the violations, and declaring the City's intent to take action to clear the violations and charge the cost plus penalty against the property if the violations are not resolved in the specified period of time.

Kimberly Pittman, 14 Regina Drive, appeared before the Council regarding Case #11, the property at 910 S. Tipton. Mr. Pittman said he had been in the process of securing the property from intruders when [the January 3017] tornado occurred and damage it. He said he is on a fixed income, but that friends in construction will help to stabilize the building and put a roof on it; he said he got a permit about a week ago.

Council President Carroll stated that the Council will proceed with the resolution, but that as long as progresses, the [city should take no action].

Mr. Price stated that he drove by the property and that some exterior bracing has been completed.

Responding to a question from Council Vice President Dryden about Case #14, the property at 211.5 S. 24th Avenue, Mr. Price said that he will contact arborist Andy Parker about a dying oak tree that may be a public safety threat.

Danny Robertson appeared before the Council regarding Case #16, the property at 306 Mable Street. He said he is in the process of having the building torn down; he said there was some damage caused by the January 2017 tornado, but that he should be finished in the next 30-45 days.

Council President Carroll stated that the Council will pass a resolution but that no action will be taken as long as the work progresses.

Mr. Price stated that he has not talked yet with Mr. Walley, the owner of the property at 308 Mable Street, Case #17. However, he said, he and historic planner Russell Archer will work together to try to [preserve] homes with historic significance. Mr. Price said that the property at 308 Mable has no structural integrity, but the properties at 304 and 306 Mable may qualify for historic benefits; he said he would like the Council to pass the resolutions for those properties, but that in the interim Mr. Archer will check to see whether there are benefits for the city or the owner.

Council member Delgado asked whether these properties should have gone before the Hattiesburg Historic Commission; Mr. Price indicated his belief that the properties are located just outside the historic district. Council member Delgado said that she would like to be clear on the process so that it can be applied equally.

Mr. Archer said that unless cases are clear-cut, they must go before the historic commission; he noted that [cases have not been handled consistently] in the past.

Mr. Price stated that one of his initiatives for 2018 is to redraft the Code Enforcement Division's Standard Operating Procedures.

Council President Carroll stated the need for a cautious and conservative approach with properties in the historic neighborhoods.

Council Vice President Dryden said there is a need to educate the public also; she said it is said to see the deterioration of Hattiesburg's historic structures.

Mr. Price recommended resolutions allowing homeowners 15 days to resolve violations, with the

exception of Cases 2 and 18, which had been removed.

Council President Carroll closed the public hearing at 4:15 p.m., this the 5th day of February, A.D., 2018.

2018-225 Unsafe PH Sign-In Sheet, 2-5-18.

Attachments: 2-5-18 Public Hearing, Unsafe Properties Sign-In Sheet

Council President Carroll proceeded with the Agenda Review.

The Clerk of Council read aloud amendments to the agenda as follows:

Re-order the Policy Agenda at the request of the Administration so that Policy Agenda Item number VI. - 19 becomes VI. - 2 and the remainder of the Policy Agenda items are re-numbered accordingly;

Amend Policy Agenda Items VI. - 25 and VI. - 27 at the request of the Administration to read as follows:

VI.-25 2018-202 Ratify and confirm the Mayor's appointment of Melvin Williams (W2) to the Civil Service Commission for a six (6) year term beginning 7-1-2017 and ending 6-30-2023.

Attachments: Resume - Melvin Williams

VI.-27 2018-151 Ratify and confirm the Mayor's appointment of Deborah Wallace (W5), to the Civil Service Commission, for a six (6) year term beginning 7-1-17and ending 6-30-23.

Attachments: Wallace-Data Sheet
Wallace-Resume

And, add Policy Agenda Items VI. - 29 - VI. - 35 at the request of the Administration as follows:

VI.-29 2018-211 Authorize continued suspension of all City of Hattiesburg permitting fees from January 1, 2018 through April 30, 2018 for anyone affected by the 1/21/2017 tornado.

VI.-30 2018-209 Ratify and confirm the Mayor's appointment of Kenneth Waites (Ward 1) to the Planning Commission for a term (Completing Peggy Horton's term March 19, 2013 through May 12, 2018) beginning February 6, 2018 and ending May 12, 2018.

Attachments: Data sheet Waits HPC 2018
Peggy Horton HPC Resignation

VI.-31 2018-210 Ratify and confirm the Mayor's appointment of Kenneth Waites (Ward 1) to the Board of Adjustments for a term (February 6, 2018 through February 5, 2021) beginning February 6, 2018 and ending February 5, 2021.

Attachments: Data sheet Waites BOA 2018

VI.-32 2018-205 Ratify and confirm the Mayor's appointment of Isaiah Easterling (Ward 5) to the Planning Commission for a term (completing Eric Martin's term of May 13, 2016 through May 12, 2021) beginning February 6, 2018 and ending May 12, 2021.

Attachments: Eric Martin - Resignation Letter
Data sheet Easterling HPC 2018

VI.-33 2018-206 Ratify and confirm the Mayor's appointment of Isaiah Easterling (Ward 5) to the Board of Adjustments for a term (February 6, 2018 through February 5, 2019) beginning February 6, 2018 and ending February 5, 2019.

Attachments: Data sheet Easterling BOA 2018

VI.-34 2018-207 Ratify and confirm the Mayor's appointment of James Hughes (Ward 5) to the Planning Commission for a term (completing Joe White's term of May 12, 2014 through May 12, 2019) beginning February 6, 2018 and ending May 12, 2019.

Attachments: Data sheet Hughes HPC 2018

VI.-35 2018-208 Ratify and confirm the Mayor's appointment of James Hughes (Ward 5) to the Board of Adjustments for a term (February 6, 2018 through February 5, 2020) beginning February 6, 2018

and ending February 5, 2020.

Attachments: Data sheet Hughes BOA 2018

Following discussion of agenda items, Council President Carroll closed the Agenda Review.

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

Beverly Shaw, 814 Martin Luther King Avenue, appeared before the Council regarding street lights in her neighborhood. She said there have been many lighting changes in the city this year, but not in her neighborhood, although she spoke last year to the Council about lighting and the difficulties [people have] being able to see where to turn.

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

Council Vice President Dryden closed the Citizens' Forum.

Council member Delgado invited all to attend the 12th annual Soul Food celebration at 6 p.m. Tuesday, Feb. 6, 2018, at the train depot.

2018-226 Citizens' Forum Sign-In Sheet, 2-5-18.

Attachments: 2-5-18 Citizens' Forum Sign-In Sheet

Council President Carroll proceeded with the Work Session, which included an update from Hattiesburg Public School District Superintendent, Dr. Robert Williams; an update from representatives of Shows, Dearman & Waits regarding the Western Beltway Phase II; and a presentation on optimizing electronic payments from representatives of Vendor In.

2018-290 Hattiesburg Public School District Report Card, 2-5-18.

Attachments: HPSD Report Card, 2-5-18

2018-291 Western Beltway Phase II - Roadway Feasibility Study, 2-5-18

Attachments: SDW - Roadway Feasibility Study, 2-5-18

A MOTION was made by Council Vice President Dryden and seconded by Council member Delgado to consider the need to go into Executive Session to discuss potential 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 Vice President Dryden and seconded by Council member Delgado to go into Executive Session to discuss potential 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; Attorneys Amy Quezon and A.J. Elkins of the McHugh Fuller Law Firm; Mr. Eaton; Chief

Financial Officer Ann Jones; Attorney Pope; Municipal Court Judge Wes Curry; Chief Communications Officer, Samantha McCain; and Ms. Bernardo.

No action was taken during Executive Session.

A MOTION was made by Council member Delgado and seconded by Council member George to come out of Executive Session and re-open the meeting to the public at 5:56 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 closed the meeting at 5:57 p.m., this the 5th day of February, A.D., 2018.