BE IT REMEMBERED that the regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, April 17, 2018, in Council Chambers at City Hall.

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; City Engineer, Lamar Rutland; Interim Fire Chief, Stephen Mooney; Police Chief, Anthony Parker; Assistant Police Chief, Peggy Sealy; Director of the Water Department, Alan Howe; Director of Parks and Recreation, Ronnie Perkins; Director of Urban Development, Andrew Ellard; Planning Administrator, Ginger Maddox; Code Enforcement Manager, Chris Price; 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 Pastor Ezra Jackson of Ebenezer Missionary Baptist Church.

The Pledge of Allegiance was led by Chief Parker.

THE MATTER OF THE AGENDA ORDER came before the Council.

There were no additions or deletions to the agenda.

THE PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

THE POLICY AGENDA came before the Council.

V.-1 **2018-373** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: Memo, unsafe properties, 4-17-18
1. RES-701 Eufala Ave.
2. RES-213 W. 7th St.
3. RES-Corner of Camp & S. 20th Ave.
4. RES-1305 Rebecca Ave.
5. RES-901 Fairley St.
Email from Myron Evans, Owner, Case # 5. 901 Fairley Street, 4-17-18

A MOTION was made by Council Member George and seconded by Council Member Delgado to Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Council Vice President Dryden asked that the record include that the owner of the Fairley Street property [Myron Evans] has decided to allow the city to move forward.

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 **2018-395** Adopt an Ordinance for the petition filed by Ashley Robinson and Jeff Sims, Owners, to establish the zoning classification for certain properties (see attached memo for property parcels) located in the Mandalay Villas at Greystone subdivision at the intersection of J. Ed Turner Drive and Topanga Trail in Ward 1 to Section 4.5.4, R-1B (Single-Family Residential) District. The Planning Commission recommended to Deny on March 7, 2018.

Attachments: March HPC Minutes
Mandalay Zoning report
ORD - Mandalay Villas
Mandalay Zoning - Applicant Report
Mandalay Zoning - opponent email
Mandalay Zoning - opponent letter
Mandalay Zoning - opponent map
Mandalay Zoning - opponent petition
Memo - Parcels - Mandalay Villas at Greystone
Letter to City Council 4-9-2018
Appeal - Mandalay Villas R-1B Zoning denial

A MOTION was made by Council Member George and seconded by Council Member Delgado to DENY to Adopt an Ordinance for the petition filed by Ashley Robinson and Jeff Sims, Owners, to establish the zoning classification for certain properties (see attached memo for property parcels) located in the Mandalay Villas at Greystone subdivision at the intersection of J. Ed Turner Drive and Topanga Trail in Ward 1 to Section 4.5.4, R-1B (Single-Family Residential) District (The Planning Commission recommended to Deny on March 7, 2018) and instead approve to Adopt an Ordinance to establish the zoning classification for certain properties (see attached memo for property parcels) located in the Mandalay Villas at Greystone subdivision at the intersection of J. Ed Turner Drive and Topanga Trail in Ward 1 to Section 4.5.4, R-1A (Single-Family Residential) District.

Council member George thanked citizens of Ward 1 for getting involved and for being willing to hold constructive conversations; he said these conversations about what [citizens] want to see happen in the city and in [their] neighborhoods are important and should continue. He thanked those who came to the public hearing and to this meeting to express their opinions, and said [the public hearing] is a great example of what quality public discourse looks like, as they represented their thoughts and feelings well, with civility, passion and conviction. Council member George asked that they continue to be engaged to help strengthen Hattiesburg and make it a premier city.

He thanked the developers for investing in the city and Ward 1, said the city has endless potential, and asked that they continue to work toward positive development that takes into consideration the existing nature of the city. Council member George stated that he heard the concerns of residents regarding infrastructure and city services; he said these are valid concerns and that he and the administration commit to address them. He said he understands also the desire of residents to maintain and improve their property values and protect the quality of life they now enjoy, and said that is his priority for Ward 1 and all of the city. Council member George stated his belief that it is in the best interests of the city, in accordance with the Comprehensive Plan, to see this area zoned R1A.

Council Vice President Dryden concurred; she said the construction of the homes appears to be beautiful, yet there needs to be a different kind of transition from five-acre lots.

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

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

Nays: 0

V.-3 **Removed.**

V.-4 **2018-377** Approve or Deny a petition filed by Clint Walker to request a permit for a replacement "Digital Billboard" as provided in Section 10.13.6 and all applicable regulations for a certain property located at 6192 US Hwy 98 (Parcel 052R-10-015.000, PPIN 20599, Ward 3). The Planning Commission recommended to Approve, on April 4, 2018.

Attachments: Walker Media Digital Billboard - report
April HPC Minutes

A MOTION was made by Council Vice President Dryden and seconded by Council Member Delgado to Approve a petition filed by Clint Walker to request a permit for a replacement "Digital Billboard" as provided in Section 10.13.6 and all applicable regulations for a certain property located at 6192 US Hwy 98 (Parcel 052R-10-015.000, PPIN 20599, Ward 3). The Planning Commission recommended to Approve, on April 4, 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

V.-5 **2018-392** Adopt a Resolution setting Public Hearing before City Council at 4 p.m. on Monday, May 21, 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 and providing for notice to owners and authorize publication of the notice hearing.

Attachments: Set public hearing MEMORANDUM 4.17.18
RES-Set Public Hearing, Unsafe Properties, 04-17-18

A MOTION was made by Council Member George and seconded by Council Member Delgado to Adopt a Resolution setting Public Hearing before City Council at 4 p.m. on Monday, May 21, 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 and providing for notice to owners and authorize publication of the notice hearing.

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 **2018-398** Adopt a Resolution approving the form of and authorizing the execution of an Interlocal Cooperation Agreement between the City of Hattiesburg, Mississippi and Forrest County, Mississippi in connection with the Tax Increment Financing Plan (Hardy South Project) as from time to time amended; and for related purposes.

Attachments: Resolution-Hardy South

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Adopt a Resolution approving the form of and authorizing the execution of an Interlocal Cooperation Agreement between the City of Hattiesburg, Mississippi and Forrest County, Mississippi in connection with the Tax Increment Financing Plan (Hardy South Project) as from time to time amended; and for related 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.-7 **2018-363** Adopt a Resolution authorizing Requisition No. 18 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. 18

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt a Resolution authorizing Requisition No. 18 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: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

V.-8 **2018-390** Authorize Mayor to execute lighting agreement with Mississippi Power for additional lighting on the Longleaf Trace for a monthly increase of $81.00.

Attachments: MS Power - Longleaf Trace

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Authorize Mayor to execute lighting agreement with Mississippi Power for additional lighting on the Longleaf Trace for a monthly increase of $81.00.

Council member George expressed appreciation for recent lighting changes and said he hopes [the city] will continue to make light changes along the Longleaf Trace.

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

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

Nays: 0

V.-9 **2018-375** Authorize Mayor to execute lighting agreement with Mississippi Power Company for additional lighting on Dossett Avenue south of Bowling Street for a net increase of $11.77 to the monthly bill.

Attachments: MS Power - Dossett Avenue

A MOTION was made by Council Member Brown and seconded by Council Member George to Authorize Mayor to execute lighting agreement with Mississippi Power Company for additional lighting on Dossett Avenue south of Bowling Street for a net increase of $11.77 to the monthly bill.

Council member Brown expressed appreciation for [the city's] quick action on this additional lighting.

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

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

Nays: 0

V.-10 **2018-399** Authorize Mayor to execute Memorandum of Understanding between City of Hattiesburg and Twin Forks Rising Community Development Corporation for the purpose of comprehensive redevelopment of Ward 2.

Attachments: MOU with Twin Forks Rising CDC

A MOTION was made by Council Member Delgado and seconded by Council Member George to Authorize Mayor to execute Memorandum of Understanding between City of Hattiesburg and Twin Forks Rising Community Development Corporation for the purpose of comprehensive redevelopment of Ward 2.

Council member Delgado expressed appreciation.

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

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

Nays: 0

V.-11 **2018-393** Authorize Mayor to execute Memorandum of Understanding between City of Hattiesburg and the Partnership for a Healthy Mississippi for the purpose of establishing a Farmers' Market Initiative to provide a market manager and related expenses.

Attachments: Farmers' Market MOU

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Authorize Mayor to execute Memorandum of Understanding between City of Hattiesburg and the Partnership for a Healthy Mississippi for the purpose of establishing a Farmers' Market Initiative to provide a market manager and related expenses.

Council Vice President Dryden thanked Mark Klinedinst and others who have worked on the Farmers Market; she said it is a great asset to downtown.

Council member Delgado agreed and said she is glad that support for the market is moving forward.

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 **2018-388** Authorize Mayor to execute lease agreement between the City of Hattiesburg and Daytona Harley-Davidson for the lease of (12) twelve motorcycles for the Hattiesburg Police Department for (1) one year, with the option to renew for (1) one year, commencing on April 1, 2018 and ending March 31,2019.

Attachments: Motorcycle Lease Agreement. 2018-2019

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Authorize Mayor to execute lease agreement between the City of Hattiesburg and Daytona Harley-Davidson for the lease of (12) twelve motorcycles for the Hattiesburg Police Department for (1) one year, with the option to renew for (1) one year, commencing on April 1, 2018 and ending March 31, 2019.

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 **2018-370** Authorize the Mayor to enter into an Interlocal Agreement with the University of Southern Mississippi for the provision of an additional fixed transit route in the vicinity of the Hattiesburg campus, contingent upon approval by the IHL Board of Directors and the Office of the Mississippi Attorney General.

Attachments: Revised Interlocal Agreement_TR_clean_040518

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Authorize the Mayor to enter into an Interlocal Agreement with the University of Southern Mississippi for the provision of an additional fixed transit route in the vicinity of the Hattiesburg campus, contingent upon approval by the IHL Board of Directors and the Office of the Mississippi Attorney General.

Council member George expressed happiness that this item is on the agenda. He said he has been working on it since he was a freshman and that he is looking forward to USM students making increased use of [the city's] mass transit system.

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

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

Nays: 0

V.-14 **2018-372** Authorize Mayor to execute proposal between the City of Hattiesburg and Tyler Technologies for the upgrade of the EnerGov software used by Urban Development to transfer critical data off of local servers and to create citizen portals for online application filing and related features.

Attachments: Memo - EnerGov Upgrade Details - 4-6-2018
Citizen Self Service Portal Quote
Planning Migration Quote

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Authorize Mayor to execute proposal between the City of Hattiesburg and Tyler Technologies for the upgrade of the EnerGov software used by Urban Development to transfer critical data off of local servers and to create citizen portals for online application filing and related features.

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.-15 **2018-382** Approve or deny a manpower adjustment for the Mass Transit Division of Urban Development to create four (4) new driver positions for new Hub City Transit routes, in accordance with Ordinance 3154.

Attachments: Personnel Request - 4 HCT Drivers - 4-2018

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve or deny a manpower adjustment for the Mass Transit Division of Urban Development to create four (4) new driver positions for new Hub City Transit routes, in accordance with Ordinance 3154.

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 **2018-364** Approve Supplemental Agreement No. 1 to the contract with T. L. Wallace Construction, Inc. for the Comprehensive Water Improvement Phase III project to adjust final quantities to actual for a total cost underrun of $258,186.64 on the project; Authorize Mayor to execute same in duplicate; Authorize publication of Notice of Final Settlement for the project; Authorize payment of Pay Estimate No. 16 & Final in the amount of $3,164.17.

Attachments: Cover letter - closing documents
Closing Documents
Supplemental Agreement No. 1 - Water Ph III
Notice of Final Settlement-Water Phase III
Pay Est. No. 16 & Final

A MOTION was made by Council Member George and seconded by Council Member Brown to Approve Supplemental Agreement No. 1 to the contract with T. L. Wallace Construction, Inc. for the Comprehensive Water Improvement Phase III project to adjust final quantities to actual for a total cost underrun of $258,186.64 on the project; Authorize Mayor to execute same in duplicate; Authorize publication of Notice of Final Settlement for the project; Authorize payment of Pay Estimate No. 16 & Final in the amount of $3,164.17.

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.-17 **2018-376** Acknowledge receipt of and accept Appraisal Review Report for a portion of Parcel PPIN 35075 located in Lamar County for the J. Ed Turner Multi-Use Path Corridor project; Approve Establishment of Just Compensation and declare Appraised Value of $23,500 to be Fair Market Value pursuant to MS Code 43-37-3 and other applicable statutes; Authorize offer to owner for Fair Market Value of $23,500; Authorize issuance of manual check in payment upon acceptance of offer.

Attachments: Just Compensation Offer- revised
Establishment of Just Comp Offer- executed
Stan Black - PPIN 35075 - Combined Appr. Rev. and Appr_
FC15-220_ALTA_New_ROW Survey_2017-11-01

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Acknowledge receipt of Establishment of Just Compensation and Appraisal Review Report for a portion of Parcel PPIN 35075 located in Lamar County for the J. Ed Turner Multi-Use Path Corridor project; Authorize offer to owner for established just compensation of $23,500; Authorize issue of manual check upon acceptance of offer.

Council member George thanked the Forrest County Board of Supervisors and Supervisor Chris Bowen in particular for partnering with the City.

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.

A MOTION was made by Council member George 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, Dryden and Brown

Nays: 0

VI.-1 **2018-374** Authorize Mayor to execute agreement between City of Hattiesburg Water and Sewer Department and Anointed Hands Services, LLC for professional janitorial services in the amount of $488.00 per month.

Attachments: Anointed Hands-Water_Department Contract 2018

VI.-2 **2018-384** Acknowledge receipt of the monthly budget report for the month ending March 31, 2018.

Attachments: EXP18.0318
REV18.0318

VI.-3 **2018-389** Acknowledge receipt of the annual actuarial valuation report covering the participation of the City of Hattiesburg in the Mississippi Municipal Retirement Systems for the period ending June 30, 2017.

Attachments: PERS Actuarial Report 2017

VI.-4 **2018-391** Acknowledge receipt of interest rate quotes to provide lease-purchase financing for a Ferrara Custom Pumper Fire Truck for the City of Hattiesburg and accept the quote of Trustmark Bank; authorize Mayor to execute necessary lease-purchase financing documents.

Attachments: Lease Purchase Quotes Fire Truck

VI.-5 **2018-381** Acknowledge receipt of bids received on April 5, 2018 for the Comprehensive Sewer/Water Improvements Phase VIII - Camp Street Area project and accept the bid from C. B. Developers, Inc. in the amount of $3,721,611.76 as the lowest and best bid; Authorize Mayor to execute contracts upon preparation.

Attachments: Certified Bid Tab
1273S010_Plans_Street Ready Set_Signed_2018-02-12
1273-S010_Specs_Review Set_2018_02_12

VI.-6 **2018-380** Acknowledge receipt of bids received on April 5, 2018 for the Infrastructure Improvements along North 40th, North 39th and Mable Street and accept the bid from Myers Underground Utilities in the amount of $797,010.70 as the lowest and best bid; Authorize Mayor to execute contracts upon preparation.

Attachments: Certified Bid Tab
11254_Plans_Street Ready Set_Signed_2018-02-05
11254_Specs_Review Set_98p_2018_02_09

VI.-7 **2018-397** Acknowledge receipt of Permanent Easement for Part of Lot 409 of Westover Fourth Addition Subdivision, Lamar County Tax Parcel No. 051G-01-355.000 for the COMSWIP Sewer Phase V project.

Attachments: Martin Easement.1

VI.-8 **2018-386** Approve Plans and Specifications for the Barkley Road Bridge Replacement Project; Authorize Advertisement for bids for same.

Attachments: Advertisement for Bids
11266 plans_Street Ready Set_Signed_2018-04-06
11266_Specs_Street Ready_2018_04-06

VI.-9 **2018-367** Approve specifications for a minimum of four (4) and maximum of fourteen (14) fully equipped body on chassis transit vehicles for the City of Hattiesburg's Hub City Transit and the City of Gulfport's Coast Transit Authority and authorize publication of notice to bidders for same.

Attachments: Memo - Explanation of Bus Bid Specs - 4-2018
NTB- Mass Transit
revised bus spec with coastal transit attached

VI.-10 **2018-368** Approve the sale of grave spaces, per attached memos, receipts and deeds.

Attachments: Memos (04-17-18)
Receipts (04-17-18)
Deeds (04-17-18)

VI.-11 2018-385 Approve claims docket for the period ending April 13, 2018.

Attachments: DOCKET 18.04-13
ADDENDUM

VI.-12 2018-401 Acknowledge receipt of request filed by Utpal Patel, Owner, to appeal the Planning Commission's recommendation for the petition filed by by Utpal Patel, Owner to change the zoning classification for a certain property located at 208 North 38th Avenue (Parcel 2-028L-07-144.01, PPIN 41562, Ward 1) from Section 4.5.9, B-2 (Neighborhood Business) District to Section 4.5.10, B-3 (Community Business) District; Hattiesburg Planning Commission recommended to Deny on April 4, 2018; Set a public hearing before City Council on May 21, 2018 at 4:00 p.m. and authorize publication of Public Notice setting an Appeal Public Hearing.

Attachments: Appeal - 208 N 38th Ave

VI.-13 2018-383 Acknowledge no bids were received at the bid opening April 5, 2018 for the 28th Avenue Bridge Replacement project; Authorize re-advertisement for bids for same project.

Attachments: 11204 no bid letter
S. 28th Ave Bridge - No bids, Re-advertisement
11204 construction plans signed 2018-02-12-Rebid
11204_Specs_Review Set_2018_04_09-Rebid

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 Council personnel matters, in accordance with Mississippi Code Section 25-41-7 (a).

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 Council personnel matters, in accordance with Mississippi Code Section 25-41-7 (a).

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 Council members George, Delgado, Carroll, Dryden and Brown.

No action was taken during Executive Session.

A MOTION was made by Council member George and seconded by Council member Delgado to come out of Executive Session and re-open the meeting to the public at 5:20 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 5:21 p.m., this the 17th day of April, A.D., 2018.