

BE IT REMEMBERED that the regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, May 22, 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; Police Chief, Anthony Parker; Assistant Police Chief, Peggy Sealy; Deputy Director of Solid Waste, Wanda Tyler; Deputy Director of Streets, Colton Hill; Director of the Water Department, Alan Howe; Director of Parks and Recreation, Ronnie Perkins; Director of Urban Development, Andrew Ellard; Planning Administrator, Ginger Maddox; Historic Preservation Planner, Russell Archer; Code Enforcement Manager, Chris Price; City Attorney, Randy Pope; Chief Communications Officer, Samantha McCain; Deputy Clerk of Council, Lisa Luu; media; and the public.

Council President Carroll called the meeting to order.

The prayer was given by Pastor John Freeman of Community Christian Church.

The Pledge of Allegiance was led by Chief Parker.

THE MATTER OF THE AGENDA ORDER came before the Council.

A MOTION was made by Council member Delgado and seconded by Council Vice President Dryden to Remove Policy Agenda Item VI.-2 at the request of the Administration.

And, Add Routine Agenda Item VII.-6 at the request of the Administration as follows:

VII.-6 2018-472 Acknowledge bids received on May 10, 2018 for the Comprehensive Sewer/Water Improvements Phase X Quinn Street Area Project and accept the bid from Grady Crawford Construction Co., Inc. of Baton Rouge, LA as per the recommendation of the consulting engineer; Authorize Mayor to execute contracts upon preparation.

Attachments: 1273 S011 Recommend Award Letter
1273 S011 Opinion of Withdrawal of Bid (002)
1273 S011 Bid Tab
1273S011 Plans Street Ready Set 2018 03 27
1273 S011 Specs Street Ready 2018 03 27

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 George to approve the minutes of the April 16 and 17, 2018, City Council meetings.

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

THE PRESENTATION AGENDA came before the Council.

Mayor Barker presented a proclamation declaring May 21 - 25, as Historic Preservation Week in Hattiesburg.

The Mayor also presented another proclamation honoring the High Hattiesburg School Track and Field Team for winning the State Championship.

There were no other presentations at this time.

THE POLICY AGENDA came before the Council.

VI.-1 2018-453 Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: Public Hearing memo 5.21
1. RES-202 South 14th Ave.
2. RES-802 West Pine St.
3. RES-451 West 4th St.

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt Resolutions 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, Dryden and Brown

Nays: 0

VI.-2 Removed.

VI.-3 2018-455 Adopt an Ordinance for the petition filed by Allison Stayer, Owner, to change the zoning classification for a certain property located at 18 Jervis Mims Road (Parcel 2-051H-05-007.00, PPIN 39197, Ward 5) from Section 4.5.3, R-1A (Single-Family Residential) District to Section 4.5.1, A-1 (Agricultural) District. The Planning Commission recommended to Approve on May 2, 2018.

Attachments: 18 Jervis Mims Rd Packet
Ordinance - 18 Jervis Mims rezone
May HPC Minutes DRAFT

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Adopt an Ordinance (#3230) for the petition filed by Allison Stayer, Owner, to change the zoning classification for a certain property located at 18 Jervis Mims Road (Parcel 2-051H-05-007.00, PPIN 39197, Ward 5) from Section 4.5.3, R-1A (Single-Family Residential) District to Section 4.5.1, A-1 (Agricultural) District. The Planning Commission recommended to Approve on May 2, 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

VI.-4 2018-471 APPROVE or DENY to Adopt an Ordinance amending Section 2-54(B) of the Code of Ordinances (the City of Hattiesburg's HAVPAY Ordinance), last amended by Ordinance Number 3154, adopted March 17, 2015, to reflect updated pay scale exhibits for sworn Police Officers and Fire Fighters.

Attachments: HAVPAY Ordinance, 2018
Police Department Pay Scale as Adopted 2018
Fire Department Pay Scale as Adopted 2018

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to APPROVE to Adopt an Ordinance (#3231) amending Section 2-54(B) of the Code of Ordinances (the City of Hattiesburg's HAVPAY Ordinance), last amended by Ordinance Number 3154, adopted March 17, 2015, to reflect updated pay scale exhibits for sworn Police Officers and Fire Fighters.

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.-5 2018-464 Adopt a Resolution setting a Public Hearing before City Council at 4 p.m. on Monday, July 2, 2018 in City Council Chambers 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: P.H. memo 5.21.18
RES-Set PH, Unsafe Properties, 5.22.18

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Adopt a Resolution setting a Public Hearing before City Council at 4 p.m. on Monday, July 2, 2018 in City Council Chambers 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

VI.-6 2018-467 Adopt a Resolution designating the City of Hattiesburg voting delegates for voting in the 2018 Mississippi Municipal League election.

Attachments: RES-Delegates, 2018 MML Election

A MOTION was made by Council Member George and seconded by Council Member Brown to Adopt a Resolution designating the City of Hattiesburg voting delegates for voting in the 2018 Mississippi Municipal League election.

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.-7 2018-466 Adopt a Resolution authorizing Requisition No. 20 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. 20

A MOTION was made by Council Member George and seconded by Council Member Brown to Adopt a Resolution authorizing Requisition No. 20 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

VI.-8 2018-457 Authorize Mayor to execute Agreement in duplicate for Sewer Treatment with Westhaven Subdivision.

Attachments: Sewer Agreement-Westhaven
Aerial for City
Color Aerial for City
Legal Description
ORD#3167, executed ORD-Sewer Rates, 9-14-15

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Authorize Mayor to execute Agreement in duplicate for Sewer Treatment with Westhaven Subdivision.

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.-9 2018-470 Authorize Mayor to execute agreement in duplicate with Michael J. Villarreal for the donation of property required for the 38th Avenue Sidewalk project in return for certain considerations from the city as detailed in the agreement; Authorize City Clerk to record Warranty Deed with Forrest County.

Attachments: Villarreal-513
Villareal Agreement with deeds-signed by owner

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Authorize Mayor to execute agreement in duplicate with Michael J. Villarreal for the donation of property required for the 38th Avenue Sidewalk project in return for certain considerations from the city as detailed in the agreement; Authorize City Clerk to record Warranty Deed with Forrest County.

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.-10 2018-456 Authorize Mayor to execute lighting agreements with Mississippi Power for additional lighting at Campbell Loop for a monthly increase of \$44.64, at Campbell Drive for a monthly increase of \$86.60, and at Broadacres Drive for a monthly increase of \$124.50.

Attachments: MS Power-Broadacres Dr
MS Power-Campbell Dr
MS Power-Campbell Loop 400 Watt

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to

Authorize Mayor to execute lighting agreements with Mississippi Power for additional lighting at Campbell Loop for a monthly increase of \$44.64, at Campbell Drive for a monthly increase of \$86.60, and at Broadacres Drive for a monthly increase of \$124.50.

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.-11 2018-469 Authorize Mayor to execute Memorandum of Understanding between City of Hattiesburg and the University of Southern Mississippi-Institute of Disability Studies to provide summer internships to the City of Hattiesburg.

Attachments: USM IDS Agreement

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Authorize Mayor to execute Memorandum of Understanding between City of Hattiesburg and the University of Southern Mississippi-Institute of Disability Studies to provide summer internships to 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

VI.-12 2018-460 Authorize continued suspension of all City of Hattiesburg permitting fees from May 1, 2018 through July 31, 2018 for anyone affected by the 1/21/2017 tornado.

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Authorize continued suspension of all City of Hattiesburg permitting fees from May 1, 2018 through July 31, 2018 for anyone affected by the 1/21/2017 tornado.

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.-13 2018-459 Approve and authorize the Mayor to execute a Voluntary Compliance Agreement with the U.S. Department of Housing and Urban Development relative to compliance with certain statutes and regulations under the purview of the Fair Housing and Equal Opportunities Programs and Compliance Director.

Attachments: Hattiesburg VCA_05.03.18

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve and authorize the Mayor to execute a Voluntary Compliance Agreement with the U.S. Department of Housing and Urban Development relative to compliance with certain statutes and regulations under the purview of the Fair Housing and Equal Opportunities Programs and Compliance Director.

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.-14 2018-475 Approve or deny manpower adjustments for Water Department, Public Works Department, Fire Department, and Administration Department in accordance with Ordinance 3154.

Attachments: Public Works Alignment 2018

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve manpower adjustments for Water Department, Public Works Department, Fire Department, and Administration Department in accordance with Ordinance 3154.

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

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

Nays: 0

- VI.-15 2018-474** Adopt the May 22, 2018 Amendments to the Budget for the City of Hattiesburg for the fiscal year ending September 30, 2018 and adopt resolution authorizing publication of amendments for funds in excess of 10% of the original appropriation fund balance.

Attachments: May 2018 Budget Amendments

A MOTION was made by Council Member George and seconded by Council Member Brown to Adopt the May 22, 2018 Amendments to the Budget for the City of Hattiesburg for the fiscal year ending September 30, 2018 and adopt resolution authorizing publication of amendments for funds in excess of 10% of the original appropriation fund balance.

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.-16 2018-458** Approve and authorize Mayor to execute a Warranty Deed and Deed of Trust for Gwendolyn Harris, an income eligible HOME program applicant, for the property located at 543 Miller Street according to the Housing Rehabilitation and Housing Programs Manual Section VII (E). {Entitlement}

Attachments: Property Deed and Deed of Trust - G. Harris 05.15.18

A MOTION was made by Council Member Delgado and seconded by Council Member George to Approve and authorize Mayor to execute a Warranty Deed and Deed of Trust for Gwendolyn Harris, an income eligible HOME program applicant, for the property located at 543 Miller Street according to the Housing Rehabilitation and Housing Programs Manual Section VII (E). {Entitlement}

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.-17 2018-451** Declare and approve the purchase of National Night Out Against Crime supplies from NATW in an amount not to exceed \$7,134.00 as a sole source purchase as provided for in Section 31-7-13 (viii) of the Mississippi Code of 1972, based on information in attached letter and memorandums.

Attachments: 2018 NNO Budget-NATW
NATW Letter to Hattiesburg 2018
NATW Memo

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Declare and approve the purchase of National Night Out Against Crime supplies from NATW in an amount not to exceed \$7,134.00 as a sole source purchase as provided for in Section 31-7-13 (viii) of the Mississippi Code of

1972, based on information in attached letter and memorandums.

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

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Vice President Dryden 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

VII.-1 2018-461 Acknowledge receipt of Privilege License Report for the month of April, 2018.

Attachments: Privilege License Report-April 01-31-2018
Memo-Privilege License Report for April 2018

VII.-2 2018-462 Approve plans and specifications for the Infrastructure Rehabilitation - Arledge Street and Katie Avenue Area project (related to the Public Safety Complex project); Authorize advertisement for bids for same.

Attachments: Advertisement for Bids
11258 Plans Street Ready Set Signed 2018-05-14
11258 Specs Review Set (Lamar)

VII.-3 2018-452 Approve the sale of grave spaces, per attached Memos, Receipts and Deeds.

Attachments: Memos (05-22-18)
Receipts (05-22-18)
Deeds (05-22-18)

VII.-4 2018-468 Approve claims docket for the period ending May 18, 2018.

Attachments: DOCKET 18.05-18

VII.-5 2018-476 Acknowledge receipt of request to reschedule filed by Joel Johnson, attorney, for the hearing 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 June 18, 2018 at 4:00 p.m. and authorize publication of Public Notice setting an Appeal Public Hearing.

Attachments: 208 N 38th Ave - Appeal hearing delay request 5-17-18
Appeal - 208 N 38th Ave
Public Notice - 208 N 38th Ave Resch Appeal Hearing

VII.-6 2018-472 Acknowledge bids received on May 10, 2018 for the Comprehensive Sewer/Water Improvements Phase X Quinn Street Area Project and accept the bid from Grady Crawford Construction Co., Inc. of Baton Rouge, LA as per the recommendation of the consulting engineer; Authorize Mayor to execute contracts upon preparation.

Attachments: 1273 S011 Recommend Award Letter
1273 S011 Opinion of Withdrawal of Bid (002)
1273 S011 Bid Tab
1273S011 Plans Street Ready Set 2018 03 27
1273 S011 Specs Street Ready 2018 03 27

Council President Carroll called for additional business.

Council President Carroll encouraged citizens to vote in the Hattiesburg School Bond Renewal Election.

A MOTION was made by Council Vice President Dryden and seconded by Council member Delgado to accept the resignation of Debbie Bernardo as Council Clerk effective June 30, 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

2018-556 Clerk of Council, Debbie Bernardo's Resignation Letter, 4-17-18.

Attachments: DKB - Resignation Letter

By unanimous consent, Council President Carroll declared the meeting adjourned at 5:19 p.m., this the 22nd day of May, A.D., 2018.

Minutes for the April 16 and 17, 2018, Council Meetings.

ATTEST:

APPROVE:

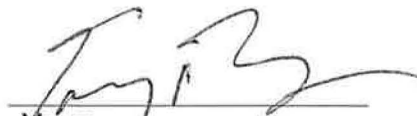

Clerk of Council


President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor