



Call to Order
Call to Prayer and Pledge of Allegiance
Presentation Agenda

POLICY AGENDA

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|-----|----------|--|
| 1. | 2023-794 | Approve the minutes for the October 16, 17 & 26, 2023 meetings of the City Council. |
| 2. | 2023-742 | Approve or Deny a petition filed by Ming Ming Lin, representative, Martin Tovrea, architect, and Beverly Land, LLC., owner, for a rezoning request from B-3 (Community Business) to a Planned Mixed-Used Development (PMU-PD) as an extension of the existing development known as the "Village at the Beverly", which is located on Old Airport Road in Forrest County, Ward 5. The Planned Mixed-Use Development will be known as "Village at the Beverly III" (PPIN 29647). Planning Commission recommended to approve with conditions on October 11th, 2023. |
| 3. | 2023-797 | Adopt a Resolution declaring certain vehicles as surplus and removal of said vehicles from the inventory of the Public Works Department (per attached memo) and authorizing sale of said vehicles at auction. |
| 4. | 2023-796 | Adopt a Resolution declaring certain vehicles as surplus and removal of said vehicles from the inventory of the Parks and Recreation Department (per attached memo) and authorizing sale of said vehicles at auction. |
| 5. | 2023-789 | Approve a Professional Maintenance Contract between the City of Hattiesburg and American Tank Maintenance to provide services at Water Plant #1 Clearwell Tank in accordance with 31-7-13 (xxiii). |
| 6. | 2023-808 | Approve Agreement with Mississippi Power to convert certain existing overhead facilities to underground facilities in the Midtown area for a cost of \$64,801.95 and authorize the Mayor to execute the same. |
| 7. | 2023-806 | Approve Contract Change Order No. 1 with Webster Electric Company, LLC for the Highway 49 Lighting project to adjust proposed quantities to actual quantities and a contract increase of \$5,121.35; Authorize the Mayor to execute the Change Order in duplicate. |
| 8. | 2023-807 | Approve Contract Change Order No. 5 with J. W. Chain Contractors for the Jaycee Park Parking Improvements project in the amount of \$10,686.86 and authorize payment of final pay application in the amount of \$235,534.08; Authorize Mayor to execute change order and authorize issuance of a manual check in payment of final pay application. |
| 9. | 2023-792 | Approve an Agreement between the City of Hattiesburg and the United States Department of Justice, Drug Enforcement Administration (DEA), to provide funding for administrative assistance to the Hattiesburg DEA Taskforce and authorize the Mayor to execute any and all necessary documents for the same. |
| 10. | 2023-801 | Approve Memorandum of Agreement between City of Hattiesburg and AIDS Services Coalition (ASC) to provide case management and supportive services for the homeless in Hattiesburg. |
| 11. | 2023-795 | Approve an Agreement between the City of Hattiesburg and Hattiesburg Optimist Club to operate and promote Hattiesburg Dixie Boys Baseball for Hattiesburg area residents and authorize the Mayor to execute in duplicate and issue manual check for the same. |
| 12. | 2023-804 | Approve Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School Athletic Booster Club for advertisement sponsorship as outlined in the attached agreement, in accordance with Mississippi 17-3-1, in the amount of 10,000.00 and authorize the Mayor to execute the same. |
| 13. | 2023-805 | Approve Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School District for advertisement sponsorship as outlined in the attached agreement, in accordance with Mississippi 17-3-1, in the amount of 15,000.00, and authorize the Mayor to execute the same. |
| 14. | 2023-793 | Rescind executed Emergency Roof Repair Initiative Contractor and Homeowner Agreement; approved September 19, 2023, File ID 2022-648, MB 2022-305. |
| 15. | 2023-786 | Acknowledge receipt of a grant offer from the Mississippi Department of Transportation Aeronautics Division in the amount of \$133,626.00 for the Hattiesburg Bobby L. Chain Airport Taxiway Realignment project (AIP Project No. 3-28-0031-033-2023); Authorize the Mayor to accept the offer and execute the agreement in duplicate. |

ROUTINE AGENDA

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|----|-----------------|--|
| 1. | 2023-788 | Acknowledge receipt of the two quote docket for the period of September 23, 2023 through October 25, 2023. |
| 2. | 2023-790 | Acknowledge receipt of a grant award from the Mississippi State Department of Health FY2024 Violence Against Women Act (VAWA) S.T.O.P. Grant Program, in the amount of \$46,010, to provide victim advocacy services. |
| 3. | 2023-791 | Acknowledge receipt of a grant award from the Mississippi State Department of Health FY2024 State Victims Services Grant Program, in the amount of \$49,846, to provide victim advocacy services. |
| 4. | 2023-798 | Reject all proposals received on October 27, 2023, for the Broadway Drive and West Pine Street Master Plan and authorize re-advertisement of the same. |
| 5. | 2023-803 | Approve Specifications and Authorize Publication of Advertisement for Term Bids for Lot Clearing/Grass Cutting and related services. |
| 6. | 2023-802 | Approve Specifications and Authorize Publication of Advertisement for Term Bids for Demolition and related services. |
| 7. | 2023-800 | Approve the City's purchase of (5) five grave spaces located in Section 17, Lot# 18, Northeast Quarter (NE 1/4), Southwest Quarter (SW 1/4), West Half (W 1/2) of the Southeast Quarter (SE 1/4), at Highland Cemetery, Minute Book# 2003, Page 3/219-220, in the amount of \$ 875.00, from William Guy Hartness, Authorize manual check for the same. |
| 8. | 2023-799 | Approve the sale of grave spaces per attached, Memo's, Receipts, and Deeds. |
| 9. | 2023-785 | Approve claims docket for the period ending October 31, 2023. |

In Memoriam:

- Mrs. Gerry Waites
- Ms. Wilma Page
- Mr. Jack Bush
- Mrs. Faye Stevenson-Coulter
- Mr. Harry McArthur, Jr.
- Mr. Toby Jenkins
- Mr. Willie Winder

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, November 7, 2023**, in Council Chambers at City Hall; same being from a recessed meeting held on November 6, 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. 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 Captain Charles Johnson.

The Pledge of Allegiance was led by Kermas Eaton.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

The Mayor recognized the Planning Division for their recent award at the annual conference for the Mississippi Chapter of the American Planning Association. The Outstanding Large Project (Over 15K) Award was

presented to the City of Hattiesburg on behalf of the work and adoption of the Longleaf Village in the Avenues Master Plan. The plan was recognized for the City's innovation, engagement and promotion of planning projects. The Mayor and members of the City Council congratulated the City's Planning Division (past and present members) - Cory Long, Ginger Lowrey and Nathan Satcher - for their hard work on the project.

There were no other presentations at this time.

THE MATTER OF THE AGENDA ORDER came before the Council.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2023-794** Approve the minutes for the October 16, 17 & 26, 2023 meetings of the City Council.

Attachments: [10-16-2023 AR Mins.](#)
[10-17-2023 XS Mins.](#)
[10-26-2023 SC Mins.](#)

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Approve the minutes for the October 16, 17 & 26, 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

Nays: 0

2. **2023-742** Approve or Deny a petition filed by Ming Ming Lin, representative, Martin Tovrea, architect, and Beverly Land, LLC., owner, for a rezoning request from B-3 (Community Business) to a Planned Mixed-Used Development (PMU-PD) as an extension of the existing development known as the "Village at the Beverly", which is located on Old Airport Road in Forrest County, Ward 5. The Planned Mixed-Use Development will be known as "Village at the Beverly III" (PPIN 29647). Planning Commission recommended to approve with conditions on October 11th, 2023.

Attachments: [Staff Summary - Village at the Beverly 3](#)
[Image Sheet - Village at the Beverly phase 3](#)
[Exhibit B-1 - Modified site plan with dumpster location](#)
[Exhibit B-2 - Lowrey letter](#)
[Bev3 Planning Commission exhibits1024 1](#)
[Bev3 Planning Commission exhibits1024 2](#)
[Bev3 Planning Commission exhibits1024 3](#)
[Bev3 Public Hearing PMU Coverletter_R1](#)
[Bev3 Vicinity Map](#)
[Public Hearing Application PMU Beverly](#)
[PMU Memo - AE](#)
[MINUTES](#)
[EXHIBIT A-1: Site plan approved by Planning Commission](#)
[Ordinance -PMU THE BEVERLY](#)

A MOTION was made by Council Member Brown and seconded by Council Member Delgado to Approve a petition filed by Ming Ming Lin, representative, Martin Tovrea, architect, and Beverly Land, LLC., owner, for a rezoning request from B-3 to a Planned Mixed-Used Development (PMU-PD) as an extension of the existing development known as the "Village at the Beverly", which is located on Old Airport Road in Forrest County; with the following approved conditions:

1. MIXED-USE REQUIREMENT:

- a. The commercial or mixed-use component of the PMU must be completed concurrently with the

residential component.

- b. The final Certificate of Occupancy for Phase III shall not be issued until the commercial structures, as shown on the site plan, are completed.

2. ALLOWABLE USES:

- a. The commercial structures shall be limited to the following uses, which are allowed by right and do not require additional approval of the City Council:
 - i. Civic/Cultural/Community Center
 - ii. Fitness Centers
 - iii. Gallery, Museum, and Library
 - iv. Medical or dental office
 - v. Other Professional Office
 - vi. Personal and Professional Services (excluding tattoo parlors)
 - vii. Places of Assembly not otherwise listed in the table of uses
 - viii. Restaurant, without a drive-through
 - ix. Retail with a floor area of less than 10,000 square feet.

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

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

Nays: 0

- 3. **2023-797** Adopt a Resolution declaring certain vehicles as surplus and removal of said vehicles from the inventory of the Public Works Department (per attached memo) and authorizing sale of said vehicles at auction.

Attachments: 2023 Surplus (002)
Resol.surplus equipment

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt a Resolution (#2023-164) declaring certain vehicles as surplus and removal of said vehicles from the inventory of the Public Works Department (per attached memo) and authorizing sale of said vehicles at auction.

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

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

Nays: 0

- 4. **2023-796** Adopt a Resolution declaring certain vehicles as surplus and removal of said vehicles from the inventory of the Parks and Recreation Department (per attached memo) and authorizing sale of said vehicles at auction.

Attachments: Resol.surplus equipment
2023 Surplus

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2023-165) declaring certain vehicles as surplus and removal of said vehicles from the inventory of the Parks and Recreation Department (per attached memo) and authorizing sale of said vehicles at auction.

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

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

Nays: 0

5. **2023-789** Approve a Professional Maintenance Contract between the City of Hattiesburg and American Tank Maintenance to provide services at Water Plant #1 Clearwell Tank in accordance with 31-7-13 (xxiii).

Attachments: Hattiesburg, MS - 5MG Clearwell - WTP #1 Washout Proposal 10-25-23

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve a Professional Maintenance Contract between the City of Hattiesburg and American Tank Maintenance to provide services at Water Plant #1 Clearwell Tank in accordance with 31-7-13 (xxiii).

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

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

Nays: 0

6. **2023-808** Approve Agreement with Mississippi Power to convert certain existing overhead facilities to underground facilities in the Midtown area for a cost of \$64,801.95 and authorize the Mayor to execute the same.

Attachments: Final City Letter
Underground Midtown Proposal MSPCo

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve Agreement with Mississippi Power to convert certain existing overhead facilities to underground facilities in the Midtown area for a cost of \$64,801.95 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

Nays: 0

7. **2023-806** Approve Contract Change Order No. 1 with Webster Electric Company, LLC for the Highway 49 Lighting project to adjust proposed quantities to actual quantities and a contract increase of \$5,121.35; Authorize the Mayor to execute the Change Order in duplicate.

Attachments: Hwy 49 Lighting Proj - Change Order #1

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Contract Change Order No. 1 with Webster Electric Company, LLC for the Highway 49 Lighting project to adjust proposed quantities to actual quantities and a contract increase of \$5,121.35; Authorize the Mayor to execute the Change Order in duplicate.

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

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

Nays: 0

8. **2023-807** Approve Contract Change Order No. 5 with J. W. Chain Contractors for the Jaycee Park Parking Improvements project in the amount of \$10,686.86 and authorize payment of final pay application in the amount of \$235,534.08; Authorize Mayor to execute change order and authorize issuance of a manual check in payment of final pay application.

Attachments: Jaycee Park Parking Lot Finals

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Approve Contract Change Order No. 5 with J. W. Chain Contractors for the Jaycee Park Parking Improvements project in the amount of \$10,686.86 and authorize payment of final pay application in the amount of \$235,534.08; Authorize Mayor to execute change order and authorize issuance of a manual check in payment of final pay application.

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

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

Nays: 0

9. **2023-792** Approve an Agreement between the City of Hattiesburg and the United States Department of Justice, Drug Enforcement Administration (DEA), to provide funding for administrative assistance to the Hattiesburg DEA Taskforce and authorize the Mayor to execute any and all necessary documents for the same.

Attachments: DEA Program Funded State and Local Secretary Agreement COH

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve an Agreement between the City of Hattiesburg and the United States Department of Justice, Drug Enforcement Administration (DEA), to provide funding for administrative assistance to the Hattiesburg DEA Taskforce and authorize the Mayor to execute any and all necessary documents for 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

Nays: 0

10. **2023-801** Approve Memorandum of Agreement between City of Hattiesburg and AIDS Services Coalition (ASC) to provide case management and supportive services for the homeless in Hattiesburg.

Attachments: ASC MOA 2023
 Memorandum of Agreement between COH & AIDS Services Coalition (ASC)

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve Memorandum of Agreement between City of Hattiesburg and AIDS Services Coalition (ASC) to provide case management and supportive services for the homeless in Hattiesburg.

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

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

Nays: 0

11. **2023-795** Approve an Agreement between the City of Hattiesburg and Hattiesburg Optimist Club to operate and promote Hattiesburg Dixie Boys Baseball for Hattiesburg area residents and authorize the Mayor to execute in duplicate and issue manual check for the same.

Attachments: DixieBoys - Optimist Club Agreement

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve an Agreement between the City of Hattiesburg and Hattiesburg Optimist Club to operate and promote Hattiesburg Dixie Boys Baseball for Hattiesburg area residents and authorize the Mayor to execute in duplicate and issue manual check for 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

Nays: 0

12. **2023-804** Approve Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School Athletic Booster Club for advertisement sponsorship as outlined in the attached agreement, in accordance with Mississippi 17-3-1, in the amount of 10,000.00 and authorize the Mayor to execute the same.

Attachments: AD CONTRACT AGREEMENT BETWEEN HBURG HIGH BOOSTER CLUB

A MOTION was made by Council Member Delgado and seconded by Council Member Carroll to Approve Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School Athletic Booster Club for advertisement sponsorship as outlined in the attached agreement, in accordance with Mississippi 17-3-1, in the amount of 10,000.00 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

Nays: 0

13. **2023-805** Approve Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School District for advertisement sponsorship as outlined in the attached agreement, in accordance with Mississippi 17-3-1, in the amount of 15,000.00, and authorize the Mayor to execute the same.

Attachments: CONTRACTUAL AGREEMENT BETWEEN CITY AND HPSD

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Approve Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School District for advertisement sponsorship as outlined in the attached agreement, in accordance with Mississippi 17-3-1, in the amount of 15,000.00, 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

Nays: 0

14. **2023-793** Rescind executed Emergency Roof Repair Initiative Contractor and Homeowner Agreement; approved September 19, 2023, File ID 2022-648, MB 2022-305.

Attachments: Executed Hibbler 1201 Cedar St

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Rescind executed Emergency Roof Repair Initiative Contractor and Homeowner Agreement; approved September 19, 2023, File ID 2022-648, MB 2022-305.

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

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

Nays: 0

15. **2023-786** Acknowledge receipt of a grant offer from the Mississippi Department of Transportation Aeronautics Division in the amount of \$133,626.00 for the Hattiesburg Bobby L. Chain Airport Taxiway Realignment project (AIP Project No. 3-28-0031-033-2023); Authorize the Mayor to accept the offer and execute the agreement in duplicate.

Attachments: Hattiesburg 033-2023 MDOT HBG grant agreement

A MOTION was made by None and seconded by None to Acknowledge receipt of a grant offer from the Mississippi Department of Transportation Aeronautics Division in the amount of \$133,626.00 for the Hattiesburg Bobby L. Chain Airport Taxiway Realignment project (AIP Project No. 3-28-0031-033-2023); Authorize the Mayor to accept the offer and execute the agreement in duplicate.

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

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

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

Nays: 0

1. **2023-788** Acknowledge receipt of the two quote docket for the period of September 23, 2023 through October 25, 2023.

 Attachments: November 7, 2023 Council Meeting

2. **2023-790** Acknowledge receipt of a grant award from the Mississippi State Department of Health FY2024 Violence Against Women Act (VAWA) S.T.O.P. Grant Program, in the amount of \$46,010, to provide victim advocacy services.

 Attachments: City of Hattiesburg Police Department STOP 2024 Award Letter.docx

3. **2023-791** Acknowledge receipt of a grant award from the Mississippi State Department of Health FY2024 State Victims Services Grant Program, in the amount of \$49,846, to provide victim advocacy services.

4. **2023-798** Reject all proposals received on October 27, 2023, for the Broadway Drive and West Pine Street Master Plan and authorize re-advertisement of the same.

 Attachments: RFP BROADWAY DRIVE 09.2023 v2

5. **2023-803** Approve Specifications and Authorize Publication of Advertisement for Term Bids for Lot Clearing/Grass Cutting and related services.

 Attachments: Bid Form - Lot Clearing 2024
 Notice to Bidders- Lot Clearing 2024
 Term Bid Document - Lot Clearing 2024

6. **2023-802** Approve Specifications and Authorize Publication of Advertisement for Term Bids for Demolition and related services.

 Attachments: Bid Form - Demolition 2024
 Notice to Bidders- Demolition 2024
 Term Bid Document - Demolition 2024

7. **2023-800** Approve the City's purchase of (5) five grave spaces located in Section 17, Lot# 18, Northeast Quarter (NE 1/4), Southwest Quarter (SW 1/4), West Half (W 1/2) of the Southeast Quarter (SE 1/4), at Highland Cemetery, Minute Book# 2003, Page 3/219-220, in the amount of \$ 875.00, from William Guy Hartness, Authorize manual check for the same.

 Attachments: Buy Back (William Guy Hartness) 11-07-2023

