

Published Agenda



Tuesday, December 5, 2023
5:00 PM

City Council
Tuesday Meeting Agenda

Council Chambers
200 Forrest Street

Call to Order

Call to Prayer and Pledge of Allegiance

Presentation Agenda

POLICY AGENDA

1. 2023-880 Approve the minutes for the November 20 & 21, 2023 meetings of the City Council.
2. 2023-898 Adopt an Ordinance amending Ordinance 3223 in advance of New Year's Eve, December 31, 2023, to extend the hours of operation for public and private commercial establishments to allow consumption of alcoholic beverages in the City of Hattiesburg.
3. 2023-866 Adopt a Resolution requesting the Mississippi Department of Transportation (MDOT) to initiate Edwards Street Improvement Project - James St. to Tuscan Avenue and authorize the Mayor to execute the attached request letter.
4. 2023-883 Approve Agreement with Shows, Dearman and Waits, Inc. to provide engineering services related to the Burkett's Creek East Sewer Project and authorize the Mayor to execute in duplicate.
5. 2023-863 Approve Agreement for Professional Services with Neel-Schaffer, Inc. to provide engineering services related to the Sims Road Boat Ramp project for a fixed fee of \$94,140.00 and Authorize the Mayor to execute in duplicate.
6. 2023-879 Approve Standard Lease Agreement with Mississippi Power to install 28 new LED fixtures at the Midtown Green Park at a monthly cost of \$3,546.00 and authorize the Mayor to execute in duplicate.
7. 2023-875 Approve Lighting Agreement with Mississippi Power Company for additional lighting for a monthly increase in pricing for the following locations per attached documents and authorize the Mayor to execute the same.
8. 2023-862 Acknowledge Statement of Qualifications received for Engineering Consulting Services for the Hattiesburg Bobby L. Chain Municipal Airport; Accept submittal from Neel-Schaffer, Inc. and Authorize the Mayor to execute contract documents upon preparation.
9. 2023-884 Approve Rental Agreement between the City of Hattiesburg and R J Young Company for one (1) copier to be located in the Hattiesburg Planning Department in the amount not to exceed \$345.41 per month for 60 months and authorize the Mayor to execute the same.
10. 2023-886 Approve Agreement with Landry Lewis Germany Architects, P.A., to provide architectural services related to restroom and exterior improvements at Tatum Park and authorize the Mayor to execute the same.
11. 2023-864 Approve Advertising Sponsorship for the 2023 Mississippi/Alabama All-Star Football Game as outlined in the attached letter, in accordance with Mississippi 17-3-1, in an amount not to exceed \$25,000.00 and authorize issuance of manual check for the same.
12. 2023-888 Approve Agreement with Hattiesburg Youth Soccer Association to operate and promote soccer programs for Hattiesburg residents and authorize the Mayor to execute the same.
13. 2023-889 Approve Agreement with Hattiesburg Little League to operate and promote Little League Baseball for Hattiesburg area residents and authorize the Mayor to execute the same.
14. 2023-894 Approve Agreement with Hattiesburg Arts Council to provide Art and Cultural programs for children and cultural opportunities for adults, seniors and persons with disabilities for Hattiesburg residents and authorize the Mayor to execute the same.
15. 2023-897 Approve the State holiday schedule as the City's holidays for the fiscal year 2023-2024 in accordance with MS Code 3-3-7, per attached list.
16. 2023-867 Accept grant award from the Mississippi Emergency Management Agency 2020 Hazard Mitigation Grant Program in the amount of \$155,911.00 (\$116,933.26 federal match and \$38,977.75 local match), Approve Agreement and authorize the Mayor to execute the same.
17. 2023-896 Ratify and confirm the Mayor's appointment of Amy Sproles Smith to the Hattiesburg Historic Conservation Commission to fill the unexpired term of Terri Bell, for a term beginning December 5, 2023, and ending November 16, 2024.

ROUTINE AGENDA

1. 2023-881 Acknowledge receipt of a request filed by Douglas Miller to appeal a decision by the Hattiesburg Planning Commission. The appeal is regarding the decision of the Director of Urban Development for a use designation for an entity as a "Group Care Facility." The Planning Commission recommended upholding the director's decision on November 15th, 2023. Set a public hearing before the City Council on January 2, 2023, at 4:00 p.m. and authorize publication of public notice for the hearing.
2. Removed

- 3. 2023-895 Acknowledge receipt of Release of Fuel Facility located at Bobby L. Chain Municipal Airport to the City of Hattiesburg from Rebel Aviation, LLC, and Hattiesburg Hanger Association, Inc., as per attached documents.
- 4. 2023-878 Acknowledge receipt of the two quote docket for the period of October 25, 2023 through November 27, 2023.
- 5. 2023-887 Acknowledge receipt of the FY 2022-2023 Expenditure Report from Hattiesburg Youth Soccer Association.
- 6. 2023-890 Acknowledge receipt of the FY 2023 Hattiesburg Little League Expenditure Report.
- 7. 2023-892 Acknowledge receipt of the 2023 Expenditure Report for the Hattiesburg Dixie Boys Baseball.
- 8. 2023-893 Acknowledge receipt of the FY 2023 Expenditure Report from the Hattiesburg Arts Council.
- 9. 2023-865 Approve the sale of grave spaces per attached, Memo's, Receipts, and Deeds.
- 10. 2023-885 Approve claims docket for the period ending November 30, 2023.

In Memoriam:

- Mrs. Vickie Sue Tankersley Hanna
- Dr. Tommy King
- Mrs. Deborah List Schell
- Mr. Danny Jones
- Mr. Lowell E. Webb
- Mr. Louis Dempsey Lee, Sr.
- Ms. Genevieve Feyen
- Ms. JoAnn Hill
- Ms. Krista Guice Boyte
- Mr. Karey Keys
- Ms. Delores Nicholson

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, December 5, 2023, in Council Chambers at City Hall; same being from a recessed meeting held on December 4, 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 Pastor Jeremy Morgan of Hardy Street Baptist Church.

The Pledge of Allegiance was led by Kermas Eaton.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

THE MATTER OF THE AGENDA ORDER came before the Council.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2023-880** Approve the minutes for the November 20 & 21, 2023 meetings of the City Council.

Attachments: [11-20-2023 AR Mins.](#)
[11-21-2023 Mins.](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve the minutes for the November 20 & 21, 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. **2023-898** Adopt an Ordinance amending Ordinance 3223 in advance of New Year's Eve, December 31, 2023, to extend the hours of operation for public and private commercial establishments to allow consumption of alcoholic beverages in the City of Hattiesburg.

Attachments: [ORDINANCE Extending Hours on NYE](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt an Ordinance (#3336) amending Ordinance 3223 in advance of New Year's Eve, December 31, 2023, to extend the hours of operation for public and private commercial establishments to allow consumption of alcoholic beverages in the City of 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

3. **2023-866** Adopt a Resolution requesting the Mississippi Department of Transportation (MDOT) to initiate Edwards Street Improvement Project - James St. to Tuscan Avenue and authorize the Mayor to execute the attached request letter.

Attachments: [Edwards Street Project Initiation Res](#)
[Starita Initiation Ltr](#)

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Adopt a Resolution (#2023-168) requesting the Mississippi Department of Transportation (MDOT) to initiate Edwards Street Improvement Project - James St. to Tuscan Avenue and authorize the Mayor to execute the attached request letter.

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. **2023-883** Approve Agreement with Shows, Dearman and Waits, Inc. to provide engineering services related to the Burkett's Creek East Sewer Project and authorize the Mayor to execute in duplicate.

Attachments: [1235-210 - Agreement between Owner and SDW partial ex 2023.11.27](#)

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Approve Agreement with Shows, Dearman and Waits, Inc. to provide engineering services related to the Burkett's Creek East Sewer Project and authorize the Mayor to execute 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

5. **2023-863** Approve Agreement for Professional Services with Neel-Schaffer, Inc. to provide engineering services related to the Sims Road Boat Ramp project for a fixed fee of \$94,140.00 and Authorize the Mayor to execute in duplicate.

Attachments: Sims Rd Boat Ramp - Letter Agreement

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Agreement for Professional Services with Neel-Schaffer, Inc. to provide engineering services related to the Sims Road Boat Ramp project for a fixed fee of \$94,140.00 and Authorize the Mayor to execute 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

6. **2023-879** Approve Standard Lease Agreement with Mississippi Power to install 28 new LED fixtures at the Midtown Green Park at a monthly cost of \$3,546.00 and authorize the Mayor to execute in duplicate.

Attachments: MIDTOWN GREEN PARK LIGHTING AGREEMENT

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Standard Lease Agreement with Mississippi Power to install 28 new LED fixtures at the Midtown Green Park at a monthly cost of \$3,546.00 and authorize the Mayor to execute 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

7. **2023-875** Approve Lighting Agreement with Mississippi Power Company for additional lighting for a monthly increase in pricing for the following locations per attached documents and authorize the Mayor to execute the same.

Attachments: MS Power - Bonhomie

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Lighting Agreement with Mississippi Power Company for additional lighting for a monthly increase in pricing for the following locations per attached documents 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

8. **2023-862** Acknowledge Statement of Qualifications received for Engineering Consulting Services for the Hattiesburg Bobby L. Chain Municipal Airport; Accept submittal from Neel-Schaffer, Inc. and Authorize the Mayor to execute contract documents upon preparation.

Attachments: Neel-Schaffer - HBG SOQ
Richard C. Lambert Consultants SOQ

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Acknowledge Statement of Qualifications received for Engineering Consulting Services for the Hattiesburg Bobby L. Chain Municipal Airport; Accept submittal from Neel-Schaffer, Inc. and Authorize the Mayor to execute contract documents upon preparation.

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. **2023-884** Approve Rental Agreement between the City of Hattiesburg and R J Young Company for one (1) copier to be located in the Hattiesburg Planning Department in the amount not to exceed \$345.41 per month for 60 months and authorize the Mayor to execute the same.

Attachments: RJ YOUNG COPY MACHINE LEASE AGREEMENT

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Rental Agreement between the City of Hattiesburg and R J Young Company for one (1) copier to be located in the Hattiesburg Planning Department in the amount not to exceed \$345.41 per month for 60 months 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

10. **2023-886** Approve Agreement with Landry Lewis Germany Architects, P.A., to provide architectural services related to restroom and exterior improvements at Tatum Park and authorize the Mayor to execute the same.

Attachments: 4030 Owner Architect Agreement for Signature

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Agreement with Landry Lewis Germany Architects, P.A., to provide architectural services related to restroom and exterior improvements at Tatum Park 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

11. **2023-864** Approve Advertising Sponsorship for the 2023 Mississippi/Alabama All-Star Football Game as outlined in the attached letter, in accordance with Mississippi 17-3-1, in an amount not to exceed \$25,000.00 and authorize issuance of manual check for the same.

Attachments: MS Association of Coaches Sponsorship

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve Advertising Sponsorship for the 2023 Mississippi/Alabama All-Star Football Game as outlined in the attached letter, in accordance with Mississippi 17-3-1, in an amount not to exceed \$25,000.00 and authorize issuance of 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. **2023-888** Approve Agreement with Hattiesburg Youth Soccer Association to operate and promote soccer programs for Hattiesburg residents and authorize the Mayor to execute the same.

Attachments: HYSA Agreement

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Agreement with Hattiesburg Youth Soccer Association to operate and promote soccer programs for Hattiesburg residents 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. **2023-889** Approve Agreement with Hattiesburg Little League to operate and promote Little League Baseball for Hattiesburg area residents and authorize the Mayor to execute the same.

Attachments: Final 2024 Little League Agreement

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Agreement with Hattiesburg Little League to operate and promote Little League Baseball for Hattiesburg area residents 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. **2023-894** Approve Agreement with Hattiesburg Arts Council to provide Art and Cultural programs for children and cultural opportunities for adults, seniors and persons with disabilities for Hattiesburg residents and authorize the Mayor to execute the same.

Attachments: Hattiesburg Civic Arts Council Contract

A MOTION was made by Council Member Delgado and seconded by Council Member Carroll to Approve Agreement with Hattiesburg Arts Council to provide Art and Cultural programs for children and cultural opportunities for adults, seniors and persons with disabilities for Hattiesburg residents 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

15. **2023-897** Approve the State holiday schedule as the City's holidays for the fiscal year 2023-2024 in accordance with MS Code 3-3-7, per attached list.

Attachments: 2023-2024 Holiday Schedule

A MOTION was made by Council Member Delgado and seconded by Council Member Carroll to Approve the State holiday schedule as the City's holidays for the fiscal year 2023-2024 in accordance with Ms Code 3-3-7, per attached list.

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

16. **2023-867** Accept grant award from the Mississippi Emergency Management Agency 2020 Hazard Mitigation Grant Program in the amount of \$155,911.00 (\$116,933.26 federal match and \$38,977.75 local match), Approve Agreement and authorize the Mayor to execute the same.

Attachments: City of Hattiesburg Funding Agreement 4429-0036
DR-4429-0036 City of Hattiesburg - 2020 Acquisition Project Approval 10.11.2023

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to Accept grant award from the Mississippi Emergency Management Agency 2020 Hazard Mitigation Grant Program in the amount of \$155,911.00 (\$116,933.26 federal match and \$38,977.75 local match), Approve Agreement 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

17.

2023-896

Ratify and confirm the Mayor's appointment of Amy Sproles Smith to the Hattiesburg Historic Conservation Commission to fill the unexpired term of Terri Bell, for a term beginning December 5, 2023, and ending November 16, 2024.

Attachments: [Amy Smith](#)
[Data Sheet- Sproles HCC](#)

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Ratify and confirm the Mayor's appointment of Amy Sproles Smith to the Hattiesburg Historic Conservation Commission to fill the unexpired term of Terri Bell, for a term beginning December 5, 2023, and ending November 16, 2024.

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 Vice President Ware 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.

2023-881

Acknowledge receipt of a request filed by Douglas Miller to appeal a decision by the Hattiesburg Planning Commission. The appeal is regarding the decision of the Director of Urban Development for a use designation for an entity as a "Group Care Facility." The Planning Commission recommended upholding the director's decision on November 15th, 2023. Set a public hearing before the City Council on January 2, 2023, at 4:00 p.m. and authorize publication of public notice for the hearing.

Attachments: [Appeal of PC Decision to City Council](#)
[Appeal Letter use determination 1st appeal](#)

2.

- Removed -

3.

2023-895

Acknowledge receipt of Release of Fuel Facility located at Bobby L. Chain Municipal Airport to the City of Hattiesburg from Rebel Aviation, LLC, and Hattiesburg Hanger Association, Inc., as per attached documents.

Attachments: [Bobby Chain Airport -Release of Fuel Facility 12.5.23](#)

4.

2023-878

Acknowledge receipt of the two quote docket for the period of October 25, 2023 through November 27, 2023.

Attachments: [December 5, 2023 Council Agenda](#)

5.

2023-887

Acknowledge receipt of the FY 2022-2023 Expenditure Report from Hattiesburg Youth Soccer Association.

Attachments: HYSA EXPENSES 2023
6.

2023-890

Acknowledge receipt of the FY 2023 Hattiesburg Little League Expenditure Report.

Attachments: Hburg Lil League Exp Report 2023
7.

2023-892

Acknowledge receipt of the 2023 Expenditure Report for the Hattiesburg Dixie Boys Baseball.

Attachments: Dixie Boys ER
8.

2023-893

Acknowledge receipt of the FY 2023 Expenditure Report from the Hattiesburg Arts Council.

Attachments: Arts Council ER
9.

2023-865

Approve the sale of grave spaces per attached, Memo's, Receipts, and Deeds.

Attachments: Memo's (12-05-2023)
Receipts (12-05-2023)
Deeds (12-05-2023)
10.

2023-885

Approve claims docket for the period ending November 30, 2023.

Attachments: DOCKET 23.11.30 revised
DT 23.11.30

In Memoriam:

A MOTION was made by Council President George to Adjourn the meeting in memory of:

- Mrs. Vickie Sue Tankersley Hanna
- Dr. Tommy King
- Mrs. Deborah List Schell
- Mr. Danny Jones
- Mr. Lowell E. Webb
- Mr. Louis Dempsey Lee, Sr.
- Ms. Genevieve Feyen
- Ms. JoAnn Hill
- Ms. Krista Guice Boyte
- Mr. Karey Keys
- Ms. Delores Nicholson

Meeting Adjourn

Council President George declared the **meeting adjourned at 5:10 p.m., this 5th day of December, 2023**, by unanimous consent, until the 18th day of December, 2023.

ATTEST:

APPROVE:


Clerk of Council, Deputy


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor