BE IT REMEMBERED that the regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, March 21, 2017, in Council Chambers at City Hall.

Those present included Mayor Johnny L. DuPree and members of the City Council Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Henry Naylor, Ward 5. Others in attendance included Director of Administration/City Clerk, Kermas Eaton; Chief Financial Officer, Sharon Waits; City Engineer, Lamar Rutland; Fire Chief, Paul Presley; Police Chief, Anthony Parker; Assistant Police Chief, Frank Misenhelter; Director of Public Works, Larry Barnes; Director of the Water Department, Chadwick Frierson; Director of Parks and Recreation, Clemon Terrell; Director of Urban Development, Pattie Brantley; Planning Administrator, Ginger Maddox; Code Enforcement Manager, Mark Jordan; City Attorney, Annie Amos; Assistant to the Mayor, Valerie Arnold; Clerk of Council, Debbie Bernardo; Deputy Clerk of Council, Lisa Luu; media; and the public.

The MEETING was called to order by Council President Carroll.

The prayer was given by Rev. Susan Bear of Episcopal Church of the Ascension.

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 Naylor and seconded by Council Vice President Dryden to Amend Policy Agenda Item VI.6 to read as follows:

VI.6. **2017-300** Declare and approve a sole source purchase covering rental election equipment and related services for the upcoming municipal election(s), as provided for in MS Code Section 31-7-13(m)(viii), based on information in the attached memorandum; authorize City Clerk to execute, in duplicate, rental agreement with Election Systems and Software, Inc.

Attachments: ES&S Agreement
Sole Source memo

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

Yeas: 4 - Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Approve the Minutes of the February 2, 6, 7, 8, 15 and 21, 2017, City Council meetings.

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

Yeas: 3 - Carroll, Dryden and Naylor

Nays: 0- None

Abstain: 1 - Delgado

Absent: 1 - Bradley

The POLICY AGENDA came before the Council.

VI.1. **2017-313** Adopt an Ordinance for the petition filed by Roger McDowell, Owner, to change the zoning classification for a portion of certain property located at 306 Hood Road (Parcel 2-042G-25-050.00, PPIN 6503, Ward 5) from Article 4, Section 64, I-1 (Light Industrial) District to Article 4, Section 53, R-1 B (Single Family Residential) District. The Planning Commission recommended to APPROVE on March 1, 2017.

Attachments: March PC Minutes (draft)
Image Sheet - 306 Hood Road - Zoning Change
Staff Summary -306 Hood Road
Ordinance - 304 Hood Rd

A MOTION was made by Council Member Naylor and seconded by Council Vice President Dryden to TABLE to Adopt an Ordinance for the petition filed by Roger McDowell, Owner, to change the zoning classification for a portion of certain property located at 306 Hood Road (Parcel 2-042G-25-050.00, PPIN 6503, Ward 5) from Article 4, Section 64, I-1 (Light Industrial) District to Article 4, Section 53, R-1 B (Single Family Residential) District. The Planning Commission recommended to APPROVE on March 1, 2017.

Council President Carroll asked for a motion to table this item per recommendation of the Director of Urban Development.

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

Yeas: 4 - Delgado, Carroll, Dryden and Naylor

Nays: 0- None

Absent: 1- Bradley

VI.2. **2017-315** APPROVE or DENY a petition filed by Dustin Gatlin, The Walker Associates, representative, on behalf of Doug Jones, COO, Forrest General Hospital, Owner, to request a variance from Article 5, Section 95.09.2 (A)(a) which states only one (1) free standing sign per lot allowed and instead allow two (2) free-standing signs per lot for a variance of one (1) free standing sign for certain property located at 304 S. 40th Ave. (Parcel 2-028M-07-089.00, PPIN 26461, Ward 3). The Planning Commission recommended to APPROVE on March 1, 2017.

Attachments: March PC Minutes (draft)
Image Sheet - 304 S 40th Ave - Variance
Staff Summary - 304 S 40th Ave Asbury Hospice
304 S 40th Ave - Applicant Sheet
304 S 40th Ave - Additional sheets

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to APPROVE a petition filed by Dustin Gatlin, The Walker Associates, representative, on behalf of Doug Jones, COO, Forrest General Hospital, Owner, to request a variance from Article 5, Section 95.09.2 (A)(a) which states only one (1) free standing sign per lot allowed and instead allow two (2) free-standing signs per lot for a variance of one (1) free standing sign for certain property located at 304 S. 40th Ave. (Parcel 2-028M-07-089.00, PPIN

26461, Ward 3). The Planning Commission recommended to APPROVE on March 1, 2017.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.3. 2017-316 APPROVE or DENY a petition filed by Chris Landry, Architect, on behalf of Nick Crechale, Owner, to request a variance from Article 5, Section 89.08 which states that the maximum width of a curb cut shall be forty (40) feet, and instead allow a width of fifty six (56) feet, for a variance of sixteen (16) feet. The property is located at 5004 Lincoln Road (Parcel 056M-23-010.001, PPIN 29842, Parcel 2-028M-07-089.00, PPIN 12744, and a portion of PARCEL 056M-23-009.000, PPIN 935, Ward 3) and is zoned B-3 (Community Business) District. The Planning Commission recommended to APPROVE on March 1, 2017.

Attachments: March PC Minutes (draft)
Image Sheet - 5004 Lincoln- Variance
Staff Summary -5004 Lincoln Road
5004 Lincoln - Applicant Sheet
5004 Lincoln - CRECHALE RETAIL SITE PLAN

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to APPROVE a petition filed by Chris Landry, Architect, on behalf of Nick Crechale, Owner, to request a variance from Article 5, Section 89.08 which states that the maximum width of a curb cut shall be forty (40) feet, and instead allow a width of fifty six (56) feet, for a variance of sixteen (16) feet. The property is located at 5004 Lincoln Road (Parcel 056M-23-010.001, PPIN 29842, Parcel 2-028M-07-089.00, PPIN 12744, and a portion of PARCEL 056M-23-009.000, PPIN 935, Ward 3) and is zoned B-3 (Community Business) District. The Planning Commission recommended to APPROVE on March 1, 2017.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.4. 2017-279 Adopt the March 21, 2017 Amendments to the budget for the City of Hattiesburg for the fiscal year ending September 30, 2017 and adopt resolution authorizing publication of amendments for funds in excess of 10% of the original appropriation fund balance.

Attachments: Resolution
Worksheet
Published Budgets

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Adopt the March 21, 2017 Amendments to the budget for the City of Hattiesburg for the fiscal year ending September 30, 2017 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: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.5. 2017-310 Adopt a Resolution authorizing Requisition No. 3 from the Project Fund Construction Account in connection with certain loan agreement, dated as of August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.

Attachments: 2016 Bond Resolution No. 3

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Adopt a Resolution authorizing Requisition No. 3 from the Project Fund Construction Account in connection with certain loan agreement, dated as of 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: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.6. 2017-300 Declare and approve a sole source purchase covering rental election equipment and related services for the upcoming municipal election(s), as provided for in MS Code Section 31-7-13(m) (viii), based on information in the attached memorandum; authorize City Clerk to execute, in duplicate, rental agreement with Election Systems and Software, Inc.

Attachments: ES&S Agreement
Sole Source memo

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Declare and approve a sole source purchase covering rental election equipment and related services for the upcoming municipal election(s), as provided for in MS Code Section 31-7-13(m) (viii), based on information in the attached memorandum; authorize City Clerk to execute, in duplicate, rental agreement with Election Systems and Software, Inc.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.7. 2017-304 Approve Payment Application No. 8 and Final Payment to DNA Underground, LLC in the amount of $13,968.28 for construction services for the 2015 Water System Improvements project; Approve final acceptance of said project; and Authorize publication of Final Settlement of said project.

Attachments: Notice of Final Settlement
Closing Documents
Final Pay Application No. 8

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Approve Payment Application No. 8 and Final Payment to DNA Underground, LLC in the amount of $13,968.28 for construction services for the 2015 Water System Improvements project; Approve final acceptance of said project; and Authorize publication of Final Settlement of said project.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.8. 2017-319 Approve or deny to reinstate budgeted funding for Senior Planner position, per request in attached memorandum.

Attachments: Memo - Senior Planner Position

A MOTION was made by Council Vice President Dryden and seconded by Council Member Delgado to Approve to reinstate budgeted funding for Senior Planner position, per request in attached memorandum.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0- None

Absent: 1 - Bradley

VI.9. 2017-322 Approve or deny to reinstate funding for Deputy Clerk of Council Position, per request in attached memorandum.

Attachments: MEMO - Request Re-funding Deputy Clerk of Council Position

A MOTION was made by Council Vice President Dryden and seconded by Council President Carroll to Approve to reinstate funding for Deputy Clerk of Council Position, per request in attached memorandum.

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

Yeas: 3 - Carroll, Dryden and Naylor

Nays: 1 - Delgado

Absent: 1 - Bradley

VI.10. 2017-309 Approve and Authorize Mayor to execute, in quadruplicate, contract between the City of Hattiesburg and C.B. Developers, Inc. for construction services for the COMSWIP Water Improvements Phase IV-Miscellaneous Connections Project in the amount of $271,676.78.

Attachments: Contract

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Approve and Authorize Mayor to execute, in quadruplicate, contract between the City of Hattiesburg and C.B. Developers, Inc. for construction services for the COMSWIP Water Improvements Phase IV-Miscellaneous Connections Project in the amount of $271,676.78.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.11. 2017-318 Approve and authorize Mayor to execute professional services agreement with Taffy Pippin Consulting, LLC to develop and submit a Disadvantaged Business Enterprise Plan Update for the Bobby L. Chain Municipal Airport in the amount of $3,200.00.

Attachments: Agreement
MDOT DBE Email

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Approve and authorize Mayor to execute professional services agreement with Taffy Pippin Consulting, LLC to develop and submit a Disadvantaged Business Enterprise Plan Update for the Bobby L. Chain Municipal Airport in the amount of $3,200.00.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.12. 2017-317 Authorize Mayor to execute agreement between City of Hattiesburg and Complete Environmental & Remediation Co., LLC, to provide collection and disposal services for the 2017 Household Hazardous Waste Event, to be held April 22, 2017, in conjunction with Forrest County, Lamar County, City of Petal, and the University of Southern Mississippi.

Attachments: HHHW Complete Environmental STANDARD FORM OF-AGREEMENT HHW 2017

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Authorize Mayor to execute agreement between City of Hattiesburg and Complete Environmental & Remediation Co., LLC, to provide collection and disposal services for the 2017 Household Hazardous Waste Event, to be held April 22, 2017, in conjunction with Forrest County, Lamar County, City of Petal, and the University of Southern Mississippi.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.13. 2017-297 Authorize Mayor to enter into a lease agreement between the City of Hattiesburg and Rossmeyer Daytona Motorcycles Inc., for the lease of (12) twelve motorcycles for the Hattiesburg Police Department for (1) one year, commencing on April 1, 2017 and ending on March 31, 2018.

Attachments: Lease Agreement- Harley

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Authorize Mayor to enter into a lease agreement between the City of Hattiesburg and Rossmeyer Daytona Motorcycles Inc., for the lease of (12) twelve motorcycles for the Hattiesburg Police Department for (1) one year, commencing on April 1, 2017 and ending on March 31, 2018.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.14. 2017-305 Authorize Mayor to execute a HOME Program Downpayment Assistance Award in the amount of $6,159.00 to Kendra Pope and authorize issuance of a manual check for the same, per attached memorandum. {Entitlement}

Attachments: Downpayment Assistance Award

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Authorize Mayor to execute a HOME Program Downpayment Assistance Award in the amount of $6,159.00 to Kendra Pope and authorize issuance of a manual check for the same, per attached memorandum. {Entitlement}.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.15. 2017-299 Ratify and confirm the Mayor's re-appointments to the Cable Advisory Board for a term as follows:

1. Leonard Wyatt (OCL) 3/3/2017-3/2/2021
2. Sean Farrell (W4) 3/3/2017- 3/2/2021

Attachments: Farrell- Data Sheet
Wyatt- Data Sheet

A MOTION was made by Council Vice President Mary Dryden and seconded by Council Member Henry Naylor to Ratify and confirm the Mayor's re-appointments to the Cable Advisory Board for a term as follows:

1. Leonard Wyatt (OCL) 3/3/2017-3/2/2021

2. Sean Farrell (W4) 3/3/2017- 3/2/2021

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.16. 2017-312 Adopt a Resolution authorizing Requisition No. 65 from the Project Fund Construction Account in connection with a certain loan agreement, dated as of December 19, 2013, by and between the Mississippi Development Bank and the City of Hattiesburg.

Attachments: 2013 Bond Resolution No. 65

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Adopt a Resolution authorizing Requisition No. 65 from the Project Fund Construction Account in connection with a certain loan agreement, dated as of December 19, 2013, 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: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

VI.17. 2017-325 Extend state of emergency for an additional 30 days to allow for the ongoing cleanup resulting from the tornado that occurred on January 21, 2017.

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Extend state of emergency for an additional 30 days to allow for the ongoing cleanup resulting from the tornado that occurred on January 21, 2017.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 - Bradley

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to approve the Routine Agenda.

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

Yeas: 4- Delgado, Carroll, Dryden and Naylor

Nays: 0

Absent: 1 – Bradley

VII.1. 2017-301 Authorize submission of grant application to Mississippi Department of Transportation for the FY 2017-2018 Transit Multi-Modal Fund in the amount of $23,000 to fund partially the purchase of a bus for Hub City Transit to replace the bus destroyed by the tornado that hit Hattiesburg January 21, 2017; the other funds used to purchase the bus will be from the Federal Transit Administration's allocation, 5307 Urbanized Area Formula used for Operating and Preventive Maintenance of Hub City Transit in the amount of $92,000.

Attachments: Multimodal Application Profile
Vehicle Purchase Request Form
Application for Public Transit Funds
Project Justification

VII.2. 2017-314 Authorize Mayor to execute a rental agreement between the City of Hattiesburg and RJ Young in the amount of $187.22 monthly for a period of 48 months for equipment, software, and services for a Canon IR C5535i Digital Color Copier/Printer/Scanner for the Department of Federal and State Programs Community Development Block Grant (CDBG) Division. {Entitlement}

Attachments: RJ Young Copier Rental Agreement - CDBG

VII.3. 2017-311 Authorize Mayor to execute a rental agreement between the City of Hattiesburg and RJ Young in the amount of $128.00 monthly for a period of 60 months for equipment, software, and services for a HP T930 PS Color Plotter for the Department of Federal and State Programs Metropolitan Planning Organization (MPO).

1. RJ Young Rental Agreement - MPO/GIS

VII.4. 2017-293 Acknowledge receipt of copy of the audit of the Financial Statements of The Library of Hattiesburg, Petal and Forrest County for the fiscal year ended September 30, 2016.

Attachments: FY 2016 Audit of The Library

VII.5. 2017-307 Acknowledge bids received February 23, 2017 for the Pathway Improvements From Train Depot to Chain Park project (Project No. STP 8771-00(002) LPA/106943-701000) and accept bid from Precision Construction, LLC in the amount of $529,780.00 as the lowest and best bid, pending MDOT concurrence.

Attachments: Letter
Bid Tab
MDOT Letter
Checklist to Award
Barnett Bid
Precision Bid
Twin L Bid
Fairley Constr. Bid
RJM McQueen Bid

VII.6. 2017-320 Acknowledge receipt of bids opened on March 9, 2017 for Uniforms and Sport Shirts for the Hattiesburg Police Department and Accepts the bid per recommendation in the attached memorandum.

Attachments: Memo for Term Bids
Item 16-Midsouth Solutions
Item 16A-Galls, LLC
Item 16 -Galls
Item 16-Midsouth

VII.7. 2017-306 Approve plans and specifications for the Comprehensive Water Improvements Phase II-Palmers Crossing and Irene Chapel project; Authorize advertisements for bids for same.

Attachments: Plans
Specifications
Bid Advertisement

VII.8. 2017-308 Approve the sale of grave spaces, per attached memo.

Attachments: Memo 3-21-17 Grave Sales
Grave Receipts3-21-17
Grave Deeds

VII.9. 2017-296 Approve and authorize issuance of manual check for CDBG Program Claims per attached memorandum. {Entitlement CDBG}

Attachments: Memorandum for CDBG Payment Breakthrough Community Services.

VII.10. 2017-298 Approve claims docket for the period ending March 17, 2017.

Attachments: Claims Docket 3-17-17

VII.11. 2017-324 Acknowledge bids received on February 2, 2017, for the Gordon's Creek-Depot District Buschman Street to River Avenue project and accept bid from Floore Industrial Contractors in the amount of $287,905.50 as the lowest and best bid.

Attachments: Letter
Bid Tab
Floore Industrial Bid
Precision Bid
Twin L Bid
Instructions to Bidders

Council President Carroll called for additional business.

There was no additional business.

By unanimous consent, Council President Carroll declared the meeting adjourned at 5:13 p.m., this the 21st day of March, A.D., 2017.

Minutes for the February 2, 6, 7, 8, 15 and 21, 2017, Council Meetings.

ATTEST:

Clerk of Council

APPROVE:

President

ATTEST AND CERTIFY:

City Clerk

APPROVE:

Mayor