

BE IT REMEMBERED that the regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, April 4, 2017, in Council Chambers at City Hall.

Those present included members of the City Council Kim Bradley, Ward 1; 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; Assistant Police Chief, Frank Misenhelter; Director of Public Works, Larry Barnes; Director of Federal and State Programs, La'Keylah White; 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 Mark Jordan of True Light Missionary Baptist Church.

The Pledge of Allegiance was led by Chief Misenhelter.

THE MATTER OF THE AGENDA ORDER came before the Council.

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to Amend Policy Agenda Item VI.14 to read as follows:

VI.14. 2017-332 VI.14. Authorize the Mayor to execute a building lease agreement between the City of Hattiesburg and Lightsey Crowsen McDonald, LCC in the amount of \$3,000.00 monthly for a period of 12 months for temporary relocation of the Hub City Transit services.

Attachments: MMLP Liability Letter
Building Lease Agreement
Revised - Building Lease Agreement

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to approve the minutes of the March 6, 7, 10, 13, 20, 21 and 22, 2017 City Council meetings.

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

Yeas: 4 - Bradley, Carroll, Dryden and Naylor

Nays: 0

Abstain: 1 - Delgado

The PRESENTATION AGENDA came before the Council.

Mayor DuPree and Council President Carroll presented a proclamation designating April 2 - 8, 2017, as Junior Auxiliary Week in Hattiesburg and thanking local members of the Junior Auxiliary for their volunteer work to benefit young people and the community.

There were no other presentations at this time.

The POLICY AGENDA came before the Council.

VI.1. 2017-334 Removed.

VI.2. 2017-348 Adopt an Ordinance to Amend Section 2-19(A) of the Code of Ordinances, last amended by Ordinance Number 3172, adopted 11-3-15, to amend the provision allowing Council members to participate via teleconference and/or videoconference so as to permit such participation in all public meetings of the Council but not permit it in executive sessions.

Attachments: ORD-Amend Teleconference Ordinance

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Adopt an Ordinance (#3212) to Amend Section 2-19(A) of the Code of Ordinances, last amended by Ordinance Number 3172, adopted 11-3-15, to amend the provision allowing Council members to participate via teleconference and/or videoconference so as to permit such participation in all public meetings of the Council but not permit it in executive sessions.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.3. 2017-313 Take from the Table and remove at the request of the petitioner 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.

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

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Take from the Table and remove at the request of the petitioner 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.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.4. 2017-329** Adopt a Resolution authorizing Requisition No. 66 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. 66

A MOTION was made by Council Member Delgado and seconded by Council Member Naylor to Adopt a Resolution authorizing Requisition No. 66 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: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.5. 2017-330** Adopt a Resolution authorizing Disbursement No. 14 from the Project Fund Escrow Account in connection with a certain Equipment Lease/Purchase Agreement, dated as of February 4, 2016, by and between Banc of America Public Capital Corp. and the City of Hattiesburg.

Attachments: Energy Performance Disbursement 14

A MOTION was made by Council Member Delgado and seconded by Council Member Naylor to Adopt a Resolution authorizing Disbursement No. 14 from the Project Fund Escrow Account in connection with a certain Equipment Lease/Purchase Agreement, dated as of February 4, 2016, by and between Banc of America Public Capital Corp. and the City of Hattiesburg.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.6. 2017-349** Adopt a Resolution committing financial support for the city's pursuit of a \$500,000 Development Infrastructure Program (DIP) grant from the Mississippi Development Authority to assist with infrastructure upgrades and redevelopment efforts.

Attachments: RES-DIP Authorization 4-4-17

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Adopt a Resolution committing financial support for the city's pursuit of a \$500,000 Development Infrastructure Program (DIP) grant from the Mississippi Development Authority to assist with infrastructure upgrades and redevelopment efforts.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.7. 2017-344** Approve and authorize Mayor to execute proposal from Industrial/Organizational Solutions, Inc. (IOS) to improve the rules governing civil service functions and to design and implement a "best practices" system of promotional testing processes for the fire and police department, at a cost of \$41,900, per attached fee schedule.

Attachments: IOS Proposal 4-4-17

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to Approve and authorize Mayor to execute proposal from Industrial/Organizational Solutions, Inc. (I/OS) to improve the rules governing civil service functions and to design and implement a "best practices" system of promotional testing processes for the fire and police department, at a cost of \$41,900, per attached fee schedule.

Council member Bradley amended his motion to stipulate that there be no promotions until I/OS has met with the Civil Service Board and with city employees. Council member Delgado withdrew her second. Council Vice President Dryden seconded Council member Bradley's motion.

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

Yeas: 3 - Bradley, Carroll and Dryden

Nays: 1- Delgado

Abstain: 1 - Naylor

- VI.8. 2017-335** Approve and authorize Mayor to execute, in triplicate, professional engineering services agreement with Shows, Dearman & Waits, Inc. for the 2017 Water System Improvements Project in the amount of \$56,086.00.

Attachments: Agreement

A MOTION was made by Council Vice President Dryden and seconded by Council Member Bradley to Approve and authorize Mayor to execute, in triplicate, professional engineering services agreement with Shows, Dearman & Waits, Inc. for the 2017 Water System Improvements Project in the amount of \$56,086.00.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.9. 2017-346** Approve and Authorize Annual Contract for promotional signage and advertisements between the City of Hattiesburg and William Carey University, per attached agreement.

Attachments: Carey U. Contract - Promotions & Ads

A MOTION was made by Council Member Delgado and seconded by Council Member Bradley to Approve and Authorize Annual Contract for promotional signage and advertisements between the City of Hattiesburg and William Carey University, per attached agreement.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.10. 2017-331** Approve and authorize Mayor to execute a professional services agreement between the City of Hattiesburg and Collins & Null Appraisals, Inc. for the HWY 49/FGH Right of Way Project (DECD-0018(35)BO) in the amount of \$27,600.00.

Attachments: Agreement

A MOTION was made by Council Member Bradley and seconded by Council Member Naylor to Approve and authorize Mayor to execute a professional services agreement between the City of Hattiesburg and Collins & Null Appraisals, Inc. for the HWY 49/FGH Right of Way Project (DECD-0018(35)BO) in the amount of \$27,600.00.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.11. 2017-333** Approve proposal from John B. Stewart, Real Estate Appraiser and Consultant, LLC to provide appraisal review services for the HWY 49/FGH Right of Way Project (DECD-0018(35)BO) in the amount of \$9,750.00.

Attachments: Proposal

A MOTION was made by Council Vice President Dryden and seconded by Council Member Naylor to Approve proposal from John B. Stewart, Real Estate Appraiser and Consultant, LLC to provide appraisal review services for the HWY 49/FGH Right of Way Project (DECD-0018(35)BO) in the amount of \$9,750.00.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.12. 2017-339** Authorize Mayor to execute Final Plat for Amen Corner of Timberton Subdivision and approve recording of the same with the Forrest County Chancery Clerk.

Attachments: Plat

A MOTION was made by Council Member Delgado and seconded by Council Member Naylor to Authorize Mayor to execute Final Plat for Amen Corner of Timberton Subdivision and approve recording of the same with the Forrest County Chancery Clerk.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.13. 2017-342** Authorize Mayor to execute duplicate original agreement between the City of Hattiesburg and Living Independence for Everyone of South Mississippi (LIFE), a non-profit corporation, to provide ADA coordination for the City of Hattiesburg.

Attachments: LIFE AGREEMENT

A MOTION was made by Council Member Delgado and seconded by Council Member Naylor to Authorize Mayor to execute duplicate original agreement between the City of Hattiesburg and Living Independence for Everyone of South Mississippi(LIFE), a non-profit corporation, to provide ADA coordination for the City of Hattiesburg.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.14. 2017-332** Authorize the Mayor to execute a building lease agreement between the City of Hattiesburg and Lightsey Crowsen McDonald, LCC in the amount of \$3,000.00 monthly for a period of 12 months for temporary relocation of the Hub City Transit services.

Attachments: MMLP Liability Letter
Building Lease Agreement
Revised - Building Lease Agreement

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to Authorize the Mayor to execute a building lease agreement between the City of Hattiesburg and Lightsey Crowsen McDonald, LCC in the amount of \$3,000.00 monthly for a period of 12 months for temporary relocation of the Hub City Transit services.

Council member Bradley said his concern yesterday was the shape of the building. He said that Mr. Stetelman has assured him that the power can be turned on to check the air conditioning unit and ; Council member Bradley said a triple net lease is common and he has no problem with it, as long as the building can be checked out, especially with rain due.

Council member Delgado asked if the construction division has assessed the building; the mayor responded in the affirmative and said that no problem was found. Subsequent discussion related to the building and lease terms.

Council President Carroll asked Ms. White for the list of; Ms. White said the list. Council President Carroll asked why it was not available for the meeting, and Ms. White said she received a late-night phone call and was not able to work on it. Council President Carroll asked if really exists; Ms. White responded in the affirmative.

Council President Carroll stated that he has a list of people who used the transit van before the tornado, but who were called and who say they have been told the transit service is not operating. He said people on the list needed appointments for the doctor, dentist, dialysis and mammograms, and were told the transit system did not operate since the tornado; he said that three people on the list were told today that the service will resume Monday. Council President Carroll asked if the service is working or not.

Council member Delgado asked the situation since the storm; Ms. White said that full paratransit service has not been run since the storm. She said fixed routes are operating and that is picking up on an as-needed basis the people who are disabled and in a wheel chair or use a walking apparatus. She said the tornado destroyed all buses, including the paratransit vans; also, she said paratransit is operated from tablets, which also were destroyed by the tornado, so there is not a system to operate a fully functioning paratransit system.

Council President Carroll said the Council was told yesterday that the two drivers sitting in the park were and could have taken people to the doctor or dialysis; he said he has no words for the thought that the city has drivers sitting in Kamper Park and refusing to take people to.

Vincent Nelms, Mass Transit division head, came forward and responded to questions from the Council about the division's operations. Council member Bradley asked about a specific passenger, and described by telephone. Mr. Nelms said some handicapped people ride the fixed routes, and that there were two drivers in the van in the park because it is not properly equipped for handicapped. Mayor DuPree explained the process at greater length, with Mr. Nelms agreeing.

Mr. Nelms stated that his division has always collected data. He said that in 2015 and 2016, mass transit transported 8,000-9,000 people, but that after the tornado, he and the drivers were at the facility, moving debris, and doing outside of their normal responsibilities to do what they could to keep working. He said data has been

kept on tablets since 2012, when the division was audited; Mr. Nelms said the computers were lost. Council member Bradley said the data will still be stored in the clouds; Mr. Nelms agreed.

Council Vice President Dryden said that in the meantime, records can be kept by hand. Mr. Nelms agreed, and said that has been displaced and has done the best it can.

Council member Bradley asked for time and pay records for the division; he said he will be fine to have them delivered next week. The mayor and Mr. Nelms said they would provide those documents.

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

Yeas: 5- Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.15. 2017-347 Authorize submission of Mississippi Emergency Management Agency (MEMA) Hazard Mitigation Grant application.

Attachments: [MEMA- Property Worksheet](#)
[MEMA- Pre-App](#)
[MEMA- Maintenance Agreement](#)
[MEME-Grant Application Certification](#)

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to Authorize submission of Mississippi Emergency Management Agency (MEMA) Hazard Mitigation Grant application.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

THE ROUTINE AGENDA came before the Council.

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

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VII.1. 2017-343 Acknowledge term bids opened on March 9, 2017, for purchase of commodities for Public Works Department operations and accept bids per recommendations per the attached memo.

Attachments: [Memo-Public Works Term Bids Recommendation-3/9/17](#)
[Item #14-Street Marking Signs & Sign Post-3/9/17](#)
[Item 14 Street Markings-Custom Products](#)
[Item #33-Crushed Concrete-3/9/17](#)
[Item #25-Concrete & Brick Transportation Structures-3/9/17](#)
[Item #10-Vehicle Loop Sealant-3/9/17](#)
[Item #2-Repair and Rehabilitation of Streets-3/9/17](#)
[Item 2 - Repair & Rehab Streets-Dunn Roadbuilders](#)
[Item #2A-Paving Alternatives-3/9/17-Awarded](#)
[Item #2A-Paving Alternative-3/9/17-Alternate](#)
[Item #3-Ready Mix Concrete-3/9/17](#)
[Item 3 - Ready Mix-Pine Belt](#)

VII.2. 2017-327 Acknowledge bids received on March 16, 2017, for the 4th Street Roadway Improvements Project-Phase II Project (HPP 7194-00(003) LPA/105845-801000) and accept bid from Bush Construction Company, Inc. in the amount of \$1,248,577.68 as the lowest and best bid, pending MDOT concurrence.

- Attachments: Letter
Bid Tab
MDOT Letter
Checklist to Award
Bush Construction Proposal
AE Boyer Proposal
Warren Paving
Walters Proposal
Precision Proposal

VII.3. 2017-350 Acknowledge term bids received on 03/09/17 for Uniform Rental Service for Hub City Transit Employees and accept bids per attached memo.

- Attachments: Memo-Hub City Transit Term Bids-03/09/17
Item #32-Uniform Rental Term Bids
Item 32 - Uniform Rental-Hub City Transit

VII.4. 2017-328 Approve the sale of Grave Spaces, Per attached memo.

- Attachments: Grave Memo- 4-4-17
Deeds (04-04-17)
Grave Receipts 4-4-17

VII.5. 2017-341 Approve claims docket for the period ending March 31, 2017.

- Attachments: 3-31-17 Docket
3-31-2017- Revised Docket

Council President Carroll called for additional business.

Mayor DuPree provided an update on a water leak that occurred earlier in the day on J.D. Randolph and 7th; he said railroad workers split a 20-inch line and that as a result, a boil water notice was issued and 30 homes are without water. The mayor said he hopes water service is restored today.

Council member Delgado asked how residents were notified; the mayor stated that notifications went out via reverse 911, and that television and radio interviews were conducted also.

The mayor described the process city workers used to find the valves and cut the water off. In response to a question from Council member Naylor, he said he is affirming that the city will be reimbursed for damages. Council member Delgado asked if citizens will be reimbursed; the mayor said Trent Brand from the Risk Management Office was on the scene and will calculate how much water was lost and any other damages.

By unanimous consent, Council President Carroll declared the meeting recessed at 5:39 p.m., this the 4th day of April, A.D., 2017.

Minutes for the March 6, 7, 10, 13, 20, 21 and 22, 2017, Council Meetings.

ATTEST:

APPROVE:


Clerk of Council


President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor