BE IT REMEMBERED that the regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, April 18, 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 Chief Financial Officer, Sharon Waits; City Engineer, Lamar Rutland; Assistant Police Chief, Frank Misenhelter; Director of Federal and State Programs, La'Keylah White; Director of the Water Department, Chadwick Frierson; Director of Urban Development, Pattie Brantley; Code Enforcement Manager, Mark Jordan; City Attorney, Annie Amos; 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 Assistant Chief Misenhelter.

THE MATTER OF THE AGENDA ORDER came before the Council.

A MOTION was made by Council Member Bradley and seconded by Council Member Naylor to Add Policy Agenda Item V.16 at the request of the Administration as follows:

V.16. **2017-379** Adopt the April 18, 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
Capital Requests
Published Budgets

Add Routine Agenda Item VI.11 at the request of the Administration as follows:

VI.11. **2017-380** Declare the Purchase Order for Dennis Collier Construction, LLC in the amount of $67,718.00 for repairs at the warehouse building at Water Plant #2 an Emergency Purchase per Mississippi Code 31-7-13(k).

Attachments: Emergency Purchase
Dennis Collier Construction Invoice
Purchase Order
Frierson-Memo

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 PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

The POLICY AGENDA came before the Council.

V.1. **2017-372** Adopt a Resolution authorizing Requisition No. 4 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. 4

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to Adopt a Resolution authorizing Requisition No. 4 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 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

V.2. **2017-373** Adopt a Resolution authorizing Requisition No. 67 from the Project Fund Construction Account in connection with a certain loan agreement dated as of October 19, 2013, by and between the Mississippi Development Bank and the City of Hattiesburg.

Attachments: 2013 Bond Resolution No. 67

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to Adopt a Resolution authorizing Requisition No. 67 from the Project Fund Construction Account in connection with a certain loan agreement dated as of October 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

V.3. **2017-350** Adopt a resolution authorizing submission of FY17 OP Special Wave Grant Application to Mississippi Office of Highway Safety in the amount of $5,000.00 for a citation program designed to increase the use of seat belts and/or child restraints; approve and authorize submission of agreement of understanding and compliance for grant award.

Attachments: RES-WAVE Grant
WAVE Agreement of Understanding 2017

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to Adopt a resolution authorizing submission of FY17 OP Special Wave Grant Application to Mississippi Office of Highway Safety in the amount of $5,000.00 for a citation program designed to increase the use of seat belts and/or child restraints; approve and authorize submission of agreement of understanding and compliance for grant award.

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

V.4. **2017-352** Approve amendment Number 013 to agreement number GM000673 between the City of Hattiesburg and the University of Southern Mississippi, changing the cumulative total project amount from $550,000 to $ 500,000.

Attachments: Amendment # 13
Educational Outreach Program

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to

Approve amendment Number 013 to agreement number GM000673 between the City of Hattiesburg and the University of Southern Mississippi, changing the cumulative total project amount from $550,000 to $ 500,000.

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

V.5. **2017-369** Approve Payment Application No. 8 and Final Payment to RJM McQueen Contracting, Inc. in the amount of $76,851.82 for construction services for the Landscape and Pedestrian Improvements-Broadway/Mobile St. project; Approve final acceptance of said project; and Authorize Publication of the Notice of Final Settlement of contract of said project.

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

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to Approve Payment Application No. 8 and Final Payment to RJM McQueen Contracting, Inc. in the amount of $76,851.82 for construction services for the Landscape and Pedestrian Improvements-Broadway/Mobile St. project; Approve final acceptance of said project; and Authorize Publication of the Notice of Final Settlement of contract of said project.

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

V.6. **2017-353** Authorize Mayor and City Council to execute, in duplicate, a proposal with the Mississippi Development Authority Highway Construction Program for the 31st Avenue Improvements Project (DECD-0018(34)BO).

Attachments: Proposal

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to Authorize Mayor and City Council to execute, in duplicate, a proposal with the Mississippi Development Authority Highway Construction Program for the 31st Avenue Improvements Project (DECD-0018(34)BO).

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

V.7. **2017-368** Authorize Mayor to execute Final Plat for Shadow Ridge Subdivision-Phase II and approve recording of the same with the Forrest County Chancery Clerk's Office.

Attachments: Plat

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to Authorize Mayor to execute Final Plat for Shadow Ridge Subdivision-Phase II and approve recording of the same with the Forrest County Chancery Clerk's Office.

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

V.8. **2017-370** Authorize Mayor to execute a Telecommunications Management Service Engagement Agreement between the City of Hattiesburg and Local Government Services, LLC.

Attachments: Agreement- LGS

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to Authorize Mayor to execute a Telecommunications Management Service Engagement Agreement between the City of Hattiesburg and Local Government Services, LLC.

Council member Delgado asked for additional information; nobody was available to answer the question, so she withdrew it.

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

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

Nays: 0

V.9. **2017-371** Authorize Mayor to execute Memorandum of Understanding between the City of Hattiesburg and U.S. Marine Corps Forces, to conduct training in the City of Hattiesburg, as set forth in attached agreement.

Attachments: MOU-MARSOC

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to Authorize Mayor to execute Memorandum of Understanding between the City of Hattiesburg and U.S. Marine Corps Forces, to conduct training in the City of Hattiesburg, as set forth in 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

V.10. **2017-366** Accept donation and acknowledge receipt of deed donating parcel from H.T.R. Development, LLC for a parcel of land in Forrest County as described in Parcel "A" Exhibit (attached) for the Gordon's Creek-Depot District Project; Authorize City Clerk to record deed at the Forrest County Chancery Clerk's Office.

Attachments: Deed
Exhibit

A MOTION was made by Council Vice President Dryden and seconded by Council Member Bradley to Accept donation and acknowledge receipt of deed donating parcel from H.T.R. Development, LLC for a parcel of land in Forrest County as described in Parcel "A" Exhibit (attached) for the Gordon's Creek-Depot District Project; Authorize City Clerk to record deed at the Forrest County Chancery Clerk's Office.

Council Vice President Dryden commented that she hopes the property will be maintained adequately.

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

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

Nays: 0

V.11. **2017-367** Accept donation and acknowledge receipt of deed donating parcel from H.T.R. Development, LLC for a parcel of land in Forrest County as described in Parcel "B" Exhibit (attached) for the Gordon's Creek-Depot District Project; Authorize City Clerk to record deed with Forrest County Chancery Clerk's Office.

Attachments: Deed
Exhibit

A MOTION was made by Council Vice President Dryden and seconded by Council Member Bradley to Accept donation and acknowledge receipt of deed donating parcel from H.T.R. Development, LLC for a parcel of land in Forrest County as described in Parcel "B" Exhibit (attached) for the Gordon's Creek-Depot District Project; Authorize City Clerk to record deed with Forrest County Chancery Clerk's Office.

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

V.12. **2017-359** Ratify and confirm the Mayor's appointments of the following to the Board of Adjustments as follows:

1. Peggy Horton (W1) for a term beginning April 18, 2017 and ending April 17, 2019 (4/18/2017-4/17/2019)
2. Judy Corts (W1) for a term beginning April 18, 2017 and ending April 17, 2018. (4/18/2017-4/17/2018)
3. Mark Miller (W3) for a term beginning April 18, 2017 and ending April 17, 2019 (4/18/2017-4/17/2019)
4. Dick Conville (W3) for a term beginning April 18, 2017 and ending April 17, 2018 (4/18/2017-4/17/2018)
5. Amy Hinton (W4) for a term beginning April 18, 2017 and ending April 17, 2020. (4/18/2017-4/17/2020)

Attachments: Horton-Memo & Data Sheet
Hinton-Memo & Data Sheet
Miller- Memo& Data Sheet
Corts-Memo & Data Sheet
Convill-Memo & Data Sheet
Correspondence (Email) from Attorney Jim Gladden Regarding ORD#3041, 4-18-17

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to Ratify and confirm the Mayor's appointments of the following to the Board of Adjustments as follows:

1. Peggy Horton (W1) for a term beginning April 18, 2017 and ending April 17, 2019 (4/18/2017-4/17/2019)
2. Judy Corts (W1) for a term beginning April 18, 2017 and ending April 17, 2018. (4/18/2017- 4/17/2018)
3. Mark Miller (W3) for a term beginning April 18, 2017 and ending April 17, 2019 (4/18/2017-4/17/2019)
4. Dick Conville W3) for a term beginning April 18, 2017 and ending April 17, 2018 (4/18/2017-4/17/2018)
5. Amy Hinton (W4) for a term beginning April 18, 2017 and ending April 17, 2020. (4/18/2017-4/17/2020).

Council member Delgado stated that she will not vote for this item; she said applicants to the Planning Commission often need a variance and that she believes this will in the future. Council member Delgado said others can serve on the Board of Adjustments.

Council President Carroll said it has been his experience that applicants have had between the Planning Commission and the Board of Adjustments because the right hand did not know what the left was doing; he said he thinks it is a good idea to have the same people handling this.

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

Yeas: 4 - Bradley, Carroll, Dryden and Naylor

Nays: 1 - Delgado

V.13. **2017-376** 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 Bradley 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: 5- Kim Bradley, Deborah Delgado, Carter Carroll, Mary Dryden, Henry Naylor

Nays: 0

V.14. **2017-363** Approve and Authorize Mayor to execute a license agreement with SPG Holdings, LLC which grants permission to enter and cross certain portions of property located at 1 W.L. Runnels Industrial Drive, Hattiesburg, MS, for the Bobby L. Chain Municipal Airport Obstruction Removal Project.

Attachments: License Agreement
revised - License Agreement

A MOTION was made by Council Member Bradley and seconded by Council Member Naylor to Approve and Authorize Mayor to execute a license agreement with SPG Holdings, LLC which grants permission to enter and cross certain portions of property located at 1 W.L. Runnels Industrial Drive, Hattiesburg, MS, for the Bobby L. Chain Municipal Airport Obstruction Removal Project.

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

V.15. **2017-378** Authorize City of Hattiesburg Water Billing Office to allow victims of the 1-21-17 tornado who previously had City water service to reactivate their water billing accounts without increasing deposit fees.

A MOTION was made by Council Member Delgado and seconded by Council Member Naylor to Authorize City of Hattiesburg Water Billing Office to allow victims of the 1-21-17 tornado who previously had City water service to reactivate their water billing accounts without increasing deposit fees.

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

V.16. **2017-379** Adopt the April 18, 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
Capital Requests
Published Budgets
Memo 04.18.17

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

Adopt the April 18, 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.

Council member Bradley stated that $60,000 has been added to cover the cost of rifles for the new police vehicles; he said gun mounts, but not the actual rifles, had been included in the figures yesterday.

Ms. Waits apologized to the Council and said she gave bad information, that the $50,000 for Rental Assistance was part of the budget amendment; she said she has included reversing that money move on the current budget amendment.

Council member Bradley asked Ms. Waits about payment of the vendor for the fire department Tahoe. Ms. Waits said she had been under the impression that the vendor had been paid, but if not, she can cancel the fire department purchase order and issue a new one from the police department, then roll that into the lease purchase financing with the other police department vehicles.

Council member Delgado commented on a proposed 50 cent hourly wage increase that was removed from the budget amendments; Council President Carroll said that the proposal can come back, but that more details are needed. Subsequent discussion related to the overall cost of the proposed increase, employees' need for the proposed increase, and previous expenditures of taxpayer funds.

Council Vice President Dryden stated that the Council asked Code Enforcement to wait until April, but now needs to address the request that was submitted several months ago. She also said that she cringes every time there is a budget amendment and the city spends more money, because the City does not have a 2015 audit; she said there is not an audit because departments are not able to generate the information to complete the audit, and that, because of this situation, it is hard to know if the expenditures are accurate.

Council member Naylor said that there other divisions that are just as concerned, also make important contributions, and also need raises.

Subsequent discussion related to Ms. Waits' providing specifics on the proposed wage increases that were removed from the budget amendments; Council President Carroll asked Ms. Waits to make contact with the on the budget committee and she indicated that she would do so.

Following 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 Routine Agenda Items VI.1 - VI.9 and VI.11.

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.1. 2017-357 Approve plans and specifications for the Bobby L. Chain Municipal Airport Taxiway Extension Project (AIP No. 3-28-0031-0024-2017); Authorize advertisement for bids for same.

Attachments: Plans
Specifications
Bid Advertisement

VI.2. 2017-351 Acknowledge receipt of monthly budget report for the month ending March 31, 2017

Attachments: Revenue 3-31-2017
Expenditure 3-31-2017

VI.3. 2017-374 Acknowledge receipt of the FY2016 Annual Report and Audit for the Hattiesburg Tourism Commission.

Attachments: Tourism-Memo
Tourism-Report

VI.4. 2017-375 Acknowledge receipt of the FY 2016 Annual Report and Audit Report for the Hattiesburg Convention Commission.

Attachments: Convention Comm Memo
Convention Comm Report

VI.5. 2017-354 Acknowledge receipt of Temporary Construction Easement-A from H.T.R. Development, LLC for the Gordon's Creek - Depot District Buschman Street to River Avenue Project.

Attachments: Easement

VI.6. 2017-355 Acknowledge bids received on March 23, 2017, for the Infrastructure Improvements Along South 31st Avenue, South 30th Avenue, Chevy Chase Drive and Hardy Street Project, and accept bid from Precision Construction, LLC in the amount of $924,944.00 as the lowest and best bid.

Attachments: Letter
Bid Tab
Precision Bid
CB Developers Bid

VI.7. 2017-358 Acknowledge bids received on March 23, 2017, for the Lake Forgetful Road Project, and accept bid from C. B. Developers, Inc. in the amount of $799,482.93 as the lowest and best bid.

Attachments: Letter
Bid Tab
CB Developers Bid
Precision Bid
R & J Construction Bid
Walters Construction Bid

VI.8. 2017-362 Acknowledge receipt of term bids opened on February 9, 2017, for Mat Rental for Various Departments and accept Cintas bid as recommended per attached memo.

Attachments: Memo-Mat Rental-Various Dept
Term Bid-Mat Rental-3/17-Cintas
Mat Rental-Term Bid-Coastal
Item #34-G&K

VI.9. 2017-345 Acknowledge bids received on March 16, 2017-Uniforms for various depts term bid item for a term beginning April 1, 2017 and accept term bids as per recommendation per attached memo.

Attachments: Memo-Term Bid-Uniform for Various Depts-3/17
Items 31-Term Bid for Various Depts. 3/9/17
Item 31 Term Bid-Uniform-G&K

VI.11. 2017-380 Declare the Purchase Order for Dennis Collier Construction, LLC in the amount of $67,718.00 for repairs at the warehouse building at Water Plant #2 an Emergency Purchase per Mississippi Code 31-7-13(k).

Attachments: Emergency Purchase
Dennis Collier Construction Invoice
Purchase Order
Frierson-Memo

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to Approve Routine Agenda Item VI.10, the claims docket.

Council member Bradley commented on the amount of money being spent for travel; he said close to $8,000 is being spent. Council Vice President Dryden said that the timing may be what bothers him; he agreed.

Council Vice President Dryden thanked Ms. White for the information she sent regarding her travel to the American Planning Association meeting. Council Vice President Dryden said the Council is trying to make prudent decisions about taxpayer money.

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

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

Nays: 0

VI.10. 2017-356 Approve claims docket for the period ending April 14, 2017.

Attachments: Docket ending 4-14-17

Council President Carroll called for additional business.

There was no additional business.

By unanimous consent, Council President Carroll declared the meeting adjourned at 5:30 p.m., this 18th day of April, A.D., 2017.

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