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

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Chief Administrative Officer, Ann Jones; Director of Administration/City Clerk, Kermas Eaton; 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 Federal and State Programs, La'Keylah White; Director of the Water Department, Chadwick Frierson; Land Code Administrator, Steve Mitchell; 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 Rev. Bruce Case of Parkway Heights United Methodist Church.

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 Vice President Dryden and seconded by Council Member Delgado to Add Policy Agenda Items VI.10 - VI.16 at the request of the Administration as follows:

VI.10. 2017-534 Adopt a Resolution appointing Ann Jones as Chief Administrative Officer for the City of Hattiesburg.

Attachments: Jones- Resolution
Jones - Resume
Mayor_Barker's_Nominations - Bios

VI.11. 2017-535 Adopt a Resolution appointing Kermas Eaton as Director of Administration & City Clerk.

Attachments: Eaton-Resolution
Eaton - Resume

VI.12. 2017-536 Adopt a Resolution appointing Randy Pope as City Attorney for the City of Hattiesburg.

Attachments: Pope- Resolution
Pope - Resume
R. Pope, Bio

VI.13. 2017-537 Approve or deny to create the position of Interim Chief Financial Officer in the Department of Administration at an annual salary of $67,000.00, in accordance with Ordinance Number 3154.

Attachments: Interim Chief Financial Officer – Worksheet

VI.14. 2017-538 Approve or deny to create the position of Communications Officer in the Department of Administration at an annual salary of $65,000.00, in accordance with Ordinance Number 3154.

Attachments: Communications Officer- Worksheet

VI.15. 2017-539 Approve or Deny changes to wages and salaries proposed in accordance with Ordinance Number 3154 section III-H as detailed in the attached worksheets.

Attachments: Dep Municipal Clerk
Administrative Asst., Engineering
Office Manager, Mayor

VI.16. 2017-493 Acknowledge bids received on June 9, 2017, for the Highway 11 Medical Park Access Roadway (DIP Grant) and accept bid from Warren Paving, Inc. in the amount of $498,695.00 as the lowest and best bid.

Attachments: Letter of Recommendation
Bid Tabulation
Notice of Award
Contract with Warren Paving
Bid Opening Report
Bid Advertisement
6-5-17 Addendum

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

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

Nays: 0

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 President Carroll to approve the minutes of the June 5, 6, 12, 19 and 20, 2017, City Council meetings.

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

Yeas: 2 - Carroll and Dryden

Nays: 0

Abstain: 3 – George, Delgado and Brown

The POLICY AGENDA came before the Council.

VI.1. 2017-527 Adopt a resolution designating the City of Hattiesburg voting delegates for voting in the 2017 Mississippi Municipal League election.

Attachments: Resolution-Voting Delegates

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to Adopt a resolution designating the City of Hattiesburg voting delegates for voting in the 2017 Mississippi Municipal League election.

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

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

Nays: 0

VI.2. 2017-526 Adopt a Resolution authorizing Requisition No. 71 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. 71

A MOTION was made by Council Vice President Dryden and seconded by Council Member Delgado to Adopt a Resolution authorizing Requisition No. 71 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.

Mr. Rutland responded to questions from the Council.

Council member Brown asked for additional details on the work; Mr. Rutland responded that these expenditures were approved in $40 million bonds in 2012-2013 to increase water connections throughout the city.

Council President Carroll stated that this work is for COMSWIP, the Combined Sewer and Water Improvements Project; he said COMSWIP started in 2013 and involves the disbursement of $28 million for various projects. He asked Mr. Rutland to arrange a work session in September to update the Council on upcoming COMSWIP work.

Council member Delgado asked if this item mentions the crossing for Highway 59; Mr. Rutland responded in the affirmative and said the city is advertising for construction on this projects of miscellaneous large connections throughout the City.

Vice President Dryden requested information on the locations of the work.

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

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

Nays: 0

VI.3. 2017-517 Adopt a Resolution authorizing Disbursement No. 17 from the Project Fund Escrow Account in connection with certain Equipment Lease/Purchase Agreement, dated as of February 4, 2016, by and between Banc of America Public Capital Corp. and City of Hattiesburg.

Attachments: Energy Performance Disbursement No. 17
Executed RES - Energy Disbursement, No. 17

Mr. Rutland provided an overview of the $7 million agreement with Johnson Controls and said it involves such energy-savings projects as new thermostats, n lighting, timers and air conditioning units for various city buildings; he said it also includes checking for water leaks and improvements at Water Plant One.

Council President Carroll stated that the agreement provides that energy savings will pay costs for the new equipment, or Johnson Controls will reimburse the city for the difference; Mr. Rutland concurred.

Council Vice President Dryden asked how close the city is to completing the contract; Mr. Rutland said the city had 18 months to complete the work, and then a seven-year period in which to receive a return on its investment. He said this is month 17 of the payments. Council Vice President Dryden asked Mr. Rutland to have someone check the air conditioning unit in the Council office; he replied in the affirmative.

Council member George asked for a report on energy savings; Mr. Rutland said regular energy savings reports will begin once all energy-savings equipment is installed.

Council President Carroll asked Mr. Rutland to arrange a work session with Johnson Controls; Mr. Rutland responded in the affirmative.

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

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

Nays: 0

VI.4. **2017-518** Authorize Mayor to execute 2017 Grant Application for Federal Assistance SF-424 from the Federal Aviation Administration in the amount of $1,240,771.00 for the 2017 Bobby L. Chain Airport Taxiway Extension (nun pro tunc).

Attachments: 2017 Grant Application

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Authorize Mayor to execute 2017 Grant Application for Federal Assistance SF-424 from the Federal Aviation Administration in the amount of $1,240,771.00 for the 2017 Bobby L. Chain Airport Taxiway Extension (nun pro tunc).

Mr. Rutland provided an overview of the project; he said that generally the FAA pays 90 percent, MDOT pays five percent and the city pays five percent.

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

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

Nays: 0

VI.5. **2017-521** Authorize and approve publication setting a Public Comment Period for the City's Annual Action Plan for the Community Development Block Grant and HOME Investment Partnership Act Programs {Entitlement}

Attachments: Notice of Public Comment Period for the 2017 Annual Action Plan
2017 Annual Action Plan
HUD Revised Procedures to Govern the Submission and Review of Action Plans for FY 2017 Funding

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to Authorize and approve publication setting a Public Comment Period for the City's Annual Action Plan for the Community Development Block Grant and HOME Investment Partnership Act Programs {Entitlement}.

Council President Carroll said this item is to set a public comment period, but that the new administration will have two more meetings during which changes can be made to the plan.

Council Vice President Dryden asked if it is typical to set aside 20 percent of the budget for administrative costs. Clarence Williams stated that 20 percent is the maximum allowed by law and that it is fully covered by CDBG; he said those funds cover salaries, office supplies, travel and .

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

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

Nays: 0

VI.6. **2017-528** Authorize Mayor to execute agreement with Conduent Government Systems, LLC for technology hosting and support services for the Hattiesburg Fire Department.

Attachments: Conduent Agreement

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to support services for the Hattiesburg Fire Department.

Chief Presley stated that this purchase is for Firebridge software; he said it is less expensive than the previous software, Firehouse

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

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

Nays: 0

VI.7. 2017-519 Approve and authorize the Mayor to execute in triplicate a CHDO Rental Housing Development Agreement with Breakthrough Community Services, Inc.

Attachments: Rental Housing Development Agreement and CHDO Application

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve and authorize the Mayor to execute in triplicate a CHDO Rental Housing Development Agreement with Breakthrough Community Services, Inc.

Council President Carroll stated that this agreement had been delayed because of wording; the Clerk of Council replied that the agreement has been adopted as part of a larger plan, so the re-wording will wait.

Council Vice President Dryden said she would like to hear about pre-counseling; she noted that $10,000 has been allocated for that purpose.

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

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

Nays: 0

VI.8. 2017-529 Lift the temporary freeze placed June 12, 2017, on hiring for all positions and on transfers of personnel at the City of Hattiesburg.

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to Lift the temporary freeze placed June 12, 2017, on hiring for all positions and on transfers of personnel at the City of Hattiesburg.

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

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

Nays: 0

VI.9. 2017-530 Rescind the policy restricting the hiring of participants in the Public Employees Retirement System of Mississippi, adopted October 8, 2015, at Minute Book 2015- page 301.

Attachments: COH Policy, Employment of PERS Retirees

A MOTION was made by Council Member Delgado and seconded by Council President Carroll to Rescind the policy restricting the hiring of participants in the Public Employees Retirement System of Mississippi, adopted October 8, 2015, at Minute Book 2015- page 301.

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

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

Nays: 0

VI.10. 2017-534 Adopt a Resolution appointing Ann Jones as Chief Administrative Officer for the City of Hattiesburg.

Attachments: Jones- Resolution
Jones – Resume

A MOTION was made by Council Member Delgado and seconded by Council President Carroll to Adopt a Resolution appointing Ann Jones as Chief Administrative Officer for the City of Hattiesburg.

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

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

Nays: 0

VI.11. 2017-535 Adopt a Resolution appointing Kermas Eaton as Director of Administration & City Clerk.

Attachments: Eaton-Resolution
Eaton – Resume

A MOTION was made by Council Member Delgado and seconded by Council Member George to Adopt a Resolution appointing Kermas Eaton as Director of Administration & City Clerk.

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

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

Nays: 0

VI.12. 2017-536 Adopt a Resolution appointing Randy Pope as City Attorney for the City of Hattiesburg.

Attachments: Pope- Resolution
Pope - Resume
R. Pope, Bio

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to Adopt a Resolution appointing Randy Pope as City Attorney for the City of Hattiesburg.

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

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

Nays: 0

VI.13. 2017-537 Approve or deny to create the position of Interim Chief Financial Officer in the Department of Administration at an annual salary of $67,000.00, in accordance with Ordinance Number 3154.

Attachments: Interim Chief Financial Officer – Worksheet

A MOTION was made by Council Vice President Dryden and seconded by Council Member Delgado to Approve to create the position of Interim Chief Financial Officer in the Department of Administration at an annual salary of $67,000.00, in accordance with Ordinance Number 3154.

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

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

Nays: 0

VI.14. 2017-538 Approve or deny to create the position of Communications Officer in the Department of Administration at an annual salary of $65,000.00, in accordance with Ordinance Number 3154.

Attachments: Communications Officer- Worksheet

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

Approve to create the position of Communications Officer in the Department of Administration at an annual salary of $65,000.00, in accordance with Ordinance Number 3154.

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

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

Nays: 0

VI.15. 2017-539 Approve or Deny changes to wages and salaries proposed in accordance with Ordinance Number 3154 section III-H as detailed in the attached worksheets.

Attachments: Dep Municipal Clerk
Administrative Asst., Engineering
Office Manager, Mayor

A MOTION was made by Council Vice President Dryden and seconded by Council Member Delgado to Approve changes to wages and salaries proposed in accordance with Ordinance Number 3154 section III-H as detailed in the attached worksheets.

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

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

Nays: 0

VI.16. 2017-493 Acknowledge bids received on June 9, 2017, for the Highway 11 Medical Park Access Roadway (DIP Grant) and accept bid from Warren Paving, Inc. in the amount of $498,695.00 as the lowest and best bid.

Attachments: Letter of Recommendation
Bid Tabulation
Notice of Award
Contract with Warren Paving
Bid Opening Report
Bid Advertisement
6-5-17 Addendum

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Acknowledge bids received on June 9, 2017, for the Highway 11 Medical Park Access Roadway (DIP Grant) and accept bid from Warren Paving, Inc. in the amount of $498,695.00 as the lowest and best bid.

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

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

Nays: 0

THE ROUTINE AGENDA came before the Council.

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

Regarding Routine Agenda Item VII.-1, Council Vice President Dryden said she wants to know that steps are being taken to correct the voter roll and to coordinate accurate records between the city and the county; she said she was assured of that today.

Regarding Routing Agenda Item VII.-III, Council Vice President Dryden said she has been told that COMSWIP contractors state they are installing two-inch water lines but instead are installing one-inch lines and that water pressure in inadequate. She said also that Conti, 11th and other streets in the area need re-paving.

Council President Carroll asked Mr. Rutland to check on Council Vice President Dryden's questions; Mr. Rutland agreed.

Regarding Routine Agenda Item VII.-5, the Claims Docket, Council Vice President Dryden asked about travel expenses on the claims docket for three staff members from city court. She said she has previously brought up the need for a travel policy and asked Janet Beech, former purchasing division manager, to discuss how a travel policy would work.

Council member Delgado said that formation of a travel policy would more appropriately be a decision of the administration; Council Vice President Dryden agreed and said that she is calling it to the administration's attention.

Ms. Beech explained how the city's per diem travel policy works and said that the state has an excellent travel policy that allows per diem.

Mayor Barker stated that he will be glad to work with Vice President Dryden on a travel policy; he also explained the rationale for the questioned travel of city court personnel.

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

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

Nays: 0

VII.1. 2017-524 Acknowledge receipt of certification of the results of the General Election held on June 6, 2017, from the Municipal Election Commissioners.

Attachments: Recapulation Sheet

VII.2. 2017-520 Acknowledge receipt of Declaration of Forfeiture from Lamar County forfeiting $4,792.00 to the Hattiesburg Police Department and $1,198.00 to the 15th District Attorney's Office

Attachments: Declaration of Forfeiture

VII.3. 2017-523 Acknowledge bids received on June 16, 2017, for the Comprehensive Water Improvements Phase V Project and accept bid from C.B. Developers in the amount of $1,143,728.04 as the lowest and best bid.

Attachments: Letter of Recommendation
Bid Tabulation
Affidavit of Publication

VII.4. 2017-516 Approve and authorize issuance of manual check for HOME Program Claim per the attached memorandum. {Entitlement HOME}

Attachments: Manual Check for Hollimon Construction - 401 Milton Barnes Avenue

VII.5. 2017-525 Approve Claims Docket for the period ending June 30, 2017.

Attachments: Docket 6-30-17

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to limit the term for Council President and Vice President to two terms, and to restrict the President or Vice President from serving consecutive terms.

Council member Delgado said that the reason for the motion is that all Council members sit in equal positions and there is a need for shared leadership. She said all Council members lead the city, but this would give all an opportunity to serve in conducting the business of the Council.

There being no discussion, the Motion failed, receiving the negative vote of the Council as follows:

Yeas: 2 - Delgado and Brown

Nays: 3 - George, Carroll and Dryden

Council President Carroll asked for nominations for Council President.

Council Vice President Dryden nominated Council President Carroll.

Council Member Brown nominated Council Member Delgado.

Council Members George, Carroll and Dryden voted in favor of Council President Carroll.

Council Members Delgado and Brown voted in favor of Council Member Delgado.

Council President Carroll was elected Council President.

Council President Carroll asked for nominations for Council Vice President.

Council President Carroll nominated Council Vice President Dryden.

Council Member Delgado nominated Council Member Brown.

Council Members George, Carroll and Dryden voted in favor of Council Vice President Dryden.

Council Members Delgado and Brown voted in favor of Council Member Brown.

Council Vice President Dryden was elected Council Vice President.

Council Member George asked, for clarification, whether the Council can re-elect officers each July;

Council President Carroll responded in the affirmative and said that is the prerogative of the Council.

Council Vice President Dryden proceeded with the Citizens' Forum. She stated the procedures and invited members of the public to speak.

Beverly Shaw, 814 Martin Luther King Avenue, appeared before the Council regarding a recent Comcast service outage and said she hopes a committee is working to provide some competition. Ms. Shaw also said that when firemen go to a dead-end street on private property, someone has to guide the truck back out; she said this is time-consuming. Finally, she noted that veterans often appear in city court and said she hopes they are recognized and taken to the Veterans Administration, rather than to jail.

Joseph Rawson, 701 Dearborne Road, appeared before the Council and said that the Mayor is paid by Ordinance Number 2731, passed in 2001, but that the payment schedule in the ordinance may be in conflict with state statute. He said Ordinance Number 2753 addresses the Mayor's salary, but only for the years 2001-2005; also, he said, Ordinance Number 2753 may have repealed some previous ordinances.

There were no other citizens present who wished to address the Council.

Council Vice President Dryden closed the Citizens' Forum.

2017-562 7-5-17 Citizens' Forum Sign-In Sheet.

Attachments: Citizens' Forum Sign-In Sheet, 7-5-17

Council President Carroll called for additional business.

There was no additional business.

By unanimous consent, Council President Carroll declared the meeting recessed at 4:43 p.m., this the 5th day of July, A.D., 2017.

Minutes for the June 5, 6, 12, 19 and 20, 2017, Council Meetings.

ATTEST: APPROVE:

Clerk of Council President

ATTEST AND CERTIFY: APPROVE:

City Clerk Mayor