



Monday, March 18, 2024
4:00 PM

City Council
Monday Meeting Agenda

Council Chambers
200 Forrest Street

Call to Order

Appeal Public Hearing

1. 2024-1092
- Hold a public hearing for an appeal filed by James Smith, applicant, and Jasmine Washington, owner, being aggrieved by the decision made by the Hattiesburg Board of Adjustment to deny a variance request for the property located at 87 Everglades. The applicant and owner requested to allow for a reduced side setback of 3.4 feet for a residential structure (PPIN 32905, Lamar County, Ward 1).

Agenda Review

Citizens' Forum

Meeting Recess

Call to Order

BE IT REMEMBERED that the Hattiesburg City Council held a **public hearing at 4:00 p.m. Monday, March 18, 2024**, in Council Chambers at City Hall, for the appeal filed by James Smith, applicant, and Jasmine Washington, owner, being aggrieved by the decision made by the Hattiesburg Board of Adjustment to deny a variance request for the property located at 87 Everglades. The applicant and owner requested to allow for a reduced side setback of 3.4 feet for a residential structure; same being from an adjourned meeting held on March 5, 2024. 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; City staff members; media; and the public. Absent: Deputy Clerk of Council, Lisa Luu Jolly.

Council President George Called the meeting to order.

Appeal Public Hearing

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Attachments: APPEAL FORM
 PROOF OF PUBLICATION
 Staff Summary - 87 Everglades
 Image Sheet - 87 Everglades
 Application
 site plan
 Subdivision plat
 Variance Application
 Warranty Deed
 Exhibit A-1
 MINUTES BOA FEB

Cory Long, Planning Division Manager, provided a history of the case.

James Smith, Contractor of the Property; Jasmine Washington, Owner; and Dr. Veronica Scott, Attorney all spoke on behalf of the appeal.

Council President George asked the public if there were any citizens for or against the petition.

There were no citizens who wished to speak for or against the petition.

By unanimous consent, Council President George **closed the public hearing at 4:21 p.m. and proceeded with the Agenda Review.**

Agenda Review

Council President George proceeded with the Agenda Review.

Regarding Policy Agenda Item #3, Mr. Long stated that the traffic study has not been completed and advised the Council table the request since the decision is based upon the traffic study.

Following discussion of agenda items, Council President George **closed the Agenda Review and proceeded with Citizens' Forum.**

Citizens' Forum

Council Vice President Ware proceeded with the Citizens' Forum.

He stated the procedures and invited members of the public to speak.

The following citizens addressed the Council:

- Jacqueline Wooton, 301 6th Avenue
- Doug Chambers, 1205 Adeline Street
- Sherr Lyons, 1204 Adeline Street

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

Council Vice President Ware closed the Citizen Forum.

Executive Session

A MOTION was made by Council Vice President Ware for the Council to enter closed session to determine the need to enter Executive Session at 4:52 p.m.

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

Council President George asked for the Chambers to be cleared at this time.

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to enter Executive Session to discuss strategy or negotiations with respect potential litigation, since to have an open meeting on this would have a detrimental effect on the litigating position of the City, in accordance with Mississippi Code Section 25-41-7 (b) at 4:53 p.m.

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

The City Attorney stepped out into the hall and announced that the Council had gone into Executive Session to discuss strategy or negotiations with respect to potential litigation.

Those present for the Executive Session were Mayor Toby Barker; Council members Jeffrey George, Deborah Delgado, Carter Carroll, Dave Ware and Nicholas Brown; Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Chief Administrative Officer, Ann Jones; Chief Financial Officer, Malcolm Berch; Director of Transportation and Engineering, Marybeth Bergin; Director of Water and Sewer, Alan Howe; Director of Urban Development, Wiley Quinn; Planning Division Manager, Cory Long; Senior Planner, Nathan Satcher; Clerk of Council, Ronda Kennedy; Attorney Jim Gladden; and Attorney Keith Turner of Watkins & Eager law firm.

Mayor Barker left the chambers at 4:55 p.m. and returned at 5:00 p.m.

Attorney Keith Turner left the chambers at 4:58 p.m.

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll exit Executive Session and re-open the meeting to the public at 5:12 p.m.

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

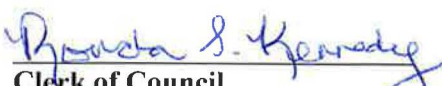
Council President George stated to the public that there was no action taken during Executive Session.

Meeting Recess

Council President George declared the **meeting recessed at 5:13 p.m., this 18th day of March, 2024**, by unanimous consent, until the 19th day of March, 2024.

ATTEST:

APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor