Published Agenda

Tuesday, April 2, 2024 **5:00 PM**	**City Council** **Tuesday Meeting Agenda**	**Council Chambers** **200 Forrest Street**

Call to Order

Call to Prayer and Pledge of Allegiance

Presentation Agenda

POLICY AGENDA

1.	**2024-1137**	Approve the minutes for the March 18 & 19, 2024 meetings of the City Council.
2.	**2024-1101**	Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.
3.	**2024-17**	Take from the table; Adopt an Ordinance request to rezone properties made by Creed Group Communities, LLC, agent for RSCO Corporation, owner, and Donald Pulliam, owner. The request is to rezone property located between North 28th Avenue and Northwood Drive (US 49) from B-5 to R-3 in Ward 2, Forrest County. The Planning Commission recommended approval on December 20th, 2023.
4.	**2024-1141**	Adopt a Resolution declaring a bulk fuel storage tank surplus and authorize disposal of said equipment; authorize removal of equipment from city inventory.
5.	**2024-1133**	Approve Lighting Agreement with Mississippi Power Company for additional lighting for a monthly increase in pricing for the following locations per attached documents; and authorize the Mayor to execute the same.
6.	**2024-1139**	Approve Change Order No. 3 with Hemphill Construction Co. for the Water Plant #1 Rehab Phase II to increase the total cost of the project by $111,618.97 for a total project cost of $1,740,602.20 and increase the number of days for completion of the contract and authorize the Mayor to execute in duplicate.
7.	**2024-1140**	Approve Change Order No. 4 with Phoenix Construction, LLC for the Jaycee Park Improvements project to account for the unused allowance for electrical service, thereby decreasing the contract amount by $15,000.00 for a new contract total of $730,661.20 and authorize the Mayor to execute the change order in duplicate.
8.	**2024-1136**	Approve Supplemental Agreement No. 4 with Walters Construction Company, Inc. for the U.S. Highway 49, Adeline Street, Camp Street, Mamie Street Project (State Aid Project No. DECD-0018(35)BO) to modify a portion of pavement structure and material on the project at a deductive cost of $103,993.82; Authorize the Mayor to execute in multiples.
9.	**2024-1095**	Approve Professional Services Agreement with Allen Engineering & Science, Inc. for environmental services associated with the development of public Wi-Fi services and authorize the Mayor to execute the same.
10.	**2024-1147**	Approve Maintenance Agreement between the City of Hattiesburg and Kone Elevator Company for maintenance of elevators at the Public Safety Complex and authorize the Mayor to execute the same.
11.	**2024-1143**	Approve Maintenance Agreement with Ecolane USA, Inc. for a three-year period for the existing paratransit scheduling software for Hub City Transit at an annual rate of $10,164.00 and authorize the Mayor to execute the agreement.
12.	**2024-1145**	Approve Release of Lien in relation to a Code Enforcement clean up assessment and authorize the Mayor to execute the same.

ROUTINE AGENDA

1.	**2024-1148**	Acknowledge receipt of the two-quote docket.
2.	**2024-1146**	Acknowledge bids received on March 21, 2024, by the Department of Urban Development for up to four (4) small to midsize sports utility vehicles and reject all bids due to bids going over the budget; authorize re-advertisement of same.
3.	**2024-1135**	Authorize submission of a grant application to the Toyota Buckle Up for Life Grant in the amount of $20,000. No match is required.

4. **2024-1138** Approve plans and specifications for the Gordon's Creek Drainage Improvement Project Phase 1 (NR244423XXXXC005) and authorize advertisement for bids contingent upon Natural Resources Conservation Service approval to advertise.

5. **2024-1144** Approve the sale of grave spaces, per attached deeds and receipts.

6. **2024-1132** Approve claims docket for the period ending March 31, 2024.

In Memoriam:

- Mrs. Betty King
- Mrs. Laura Williams
- Mr. Clyde McDonald, Jr.
- Mr. Gussie Martin
- Mr. Joseph "Joe" Judson King
- Mr. Camille Clemons
- Mrs. Bernice Rice
- Ms. Jayna Lumzy
- Victims of the Francis Scott Key Bridge Collapse

Meeting Adjourn

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Call to Order

BE IT REMEMBERED that the **regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, April 2, 2024**, in Council Chambers at City Hall; same being from a recessed meeting held on April 1, 2024.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2 (via teleconference); Carter Carroll, Ward 3; Dave Ware, Ward 4 (via teleconference); 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; Deputy Clerk of Council, Lisa Luu Jolly; City staff members; media; and the public.

Council President George Called the meeting to order.

Call to Prayer and Pledge of Allegiance

The prayer was given by Pastor Phillip McSwain of Starlight Missionary Baptist Church.

The Pledge of Allegiance was led by Kermas Eaton.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2024-1137** Approve the minutes for the March 18 & 19, 2024 meetings of the City Council.

Attachments: 03-18-2024 APH, AR, XS Mins.
03-19-2024 Mins.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve the minutes for the March 18 & 19, 2024 meetings of the City Council.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

2. **2024-1101** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: 04 02 2024 Adopt Resolution to Condemn Memo
1. 3002 Raphael Dr - Condemnation Resolution page
2. 101 Mohawk St - Condemnation Resolution page
3. 718 Northhill Dr - Condemnation Resolution page
4. 820 Edwards St - Condemnation Resolution page
5. 906 Short Columbia St - Condemnation Resolution page
6. 108 Ruby Ave - Condemnation Resolution page
108 Ruby Ave – Dismissal

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt Resolutions (#2024-18-22) condemning the following properties as unclean and a menace to the health and safety of the community.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

3. **2024-17** Take from the table; Adopt an Ordinance request to rezone properties made by Creed Group Communities, LLC, agent for RSCO Corporation, owner, and Donald Pulliam, owner. The request is to rezone property located between North 28th Avenue and Northwood Drive (US 49) from B-5 to R-3 in Ward 2, Forrest County. The Planning Commission recommended approval on December 20th, 2023.

Attachments: Staff Summary N 28th Ave rezone R-3
Image Sheet - N 28th Ave Northwood Sr Rezone
IVY ROW PHASE 2 - Public Hearing Application _ OCT 30 2023
Ordinance - Ivy Row Phase II_US 49
MINUTES DECEMBER SCM
Ivy Row Residential Traffic Study as requested from City Council

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Take from the table; an Ordinance request to rezone property located between North 28th Avenue and Northwood Drive (US 49) from B-5 to R-3.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Table Ordinance request to rezone property located between North 28th Avenue and Northwood Drive (US 49) from B-5 to R-3 until the next Council meeting (April 2, 2024) waiting for a response from MDOT regarding the requested traffic study.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

4. **2024-1141** Adopt a Resolution declaring a bulk fuel storage tank surplus and authorize disposal of said equipment; authorize removal of equipment from city inventory.

Attachments: Surplus equipment_Fuel Tank_2024.04.02

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2024-23) declaring a bulk fuel storage tank surplus and authorize disposal of said equipment; authorize removal of equipment from city inventory.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

5. **2024-1133** Approve Lighting Agreement with Mississippi Power Company for additional lighting for a monthly increase in pricing for the following locations per attached documents; and authorize the Mayor to execute the same.

Attachments: MS Power - 112 2nd Ave.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Lighting Agreement with Mississippi Power Company for additional lighting for a monthly increase in pricing for the following locations per attached documents; and authorize the Mayor to execute the same.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

6. **2024-1139** Approve Change Order No. 3 with Hemphill Construction Co. for the Water Plant #1 Rehab Phase II to increase the total cost of the project by $111,618.97 for a total project cost of $1,740,602.20 and increase the number of days for completion of the contract and authorize the Mayor to execute in duplicate.

Attachments: 1273-W015.2_Change Order No 3 - wet well_2024-03-18

A MOTION was made by Council Member Carroll and seconded by Council MemberBrown to Approve Change Order No. 3 with Hemphill Construction Co. for the Water Plant #1 Rehab Phase II to increase the total cost of the project by $111,618.97 for a total project cost of $1,740,602.20 and increase the number of days for completion of the contract and authorize the Mayor to execute in duplicate.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

7. **2024-1140** Approve Change Order No. 4 with Phoenix Construction, LLC for the Jaycee Park Improvements project to account for the unused allowance for electrical service, thereby decreasing the contract amount by $15,000.00 for a new contract total of $730,661.20 and authorize the Mayor to execute the change order in duplicate.

Attachments: 3922 Change Order #4 for Owner Signature

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Change Order No. 4 with Phoenix Construction, LLC for the Jaycee Park Improvements project to account for the unused allowance for electrical service, thereby decreasing the contract amount by $15,000.00 for a new contract total of $730,661.20 and authorize the Mayor to execute the change order in duplicate.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

8. **2024-1136** Approve Supplemental Agreement No. 4 with Walters Construction Company, Inc. for the U.S. Highway 49, Adeline Street, Camp Street, Mamie Street Project (State Aid Project No. DECD-0018(35)BO) to modify a portion of pavement structure and material on the project at a deductive cost of $103,993.82; Authorize the Mayor to execute in multiples.

Attachments: Supplemental Agreement No.4 - Hwy 49-Forrest General

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Supplemental Agreement No. 4 with Walters Construction Company, Inc. for the U.S. Highway 49, Adeline Street, Camp Street, Mamie Street Project (State Aid Project No. DECD-0018(35)BO) to modify a portion of pavement structure and material on the project at a deductive cost of $103,993.82; Authorize the Mayor to execute in multiples.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

9. **2024-1095** Approve Professional Services Agreement with Allen Engineering & Science, Inc. for environmental services associated with the development of public Wi-Fi services and authorize the Mayor to execute the same.

Attachments: AllenES Parks & Rec WiFi Due Diligence Proposal 120123

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Professional Services Agreement with Allen Engineering & Science, Inc. for environmental services associated with the development of public Wi-Fi services and authorize the Mayor to execute the same.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

10. **2024-1147** Approve Maintenance Agreement between the City of Hattiesburg and Kone Elevator Company for maintenance of elevators at the Public Safety Complex and authorize the Mayor to execute the same.

Attachments: Kone agreement

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Maintenance Agreement between the City of Hattiesburg and Kone Elevator Company for maintenance of elevators at the Public Safety Complex and authorize the Mayor to execute the same.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

11. **2024-1143** Approve Maintenance Agreement with Ecolane USA, Inc. for a three-year period for the existing paratransit scheduling software for Hub City Transit at an annual rate of $10,164.00 and authorize the Mayor to execute the agreement.

Attachments: Ecolane Maintenance Renewal 3-19-24

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Maintenance Agreement with Ecolane USA, Inc. for a three-year period for the existing paratransit scheduling software for Hub City Transit at an annual rate of $10,164.00 and authorize the Mayor to execute the agreement.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

12. **2024-1145** Approve Release of Lien in relation to a Code Enforcement clean up assessment and authorize the Mayor to execute the same.

Attachments: 702 Greely St.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Release of Lien in relation to a Code Enforcement clean up assessment and authorize the Mayor to execute the same.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to approve the Routine Agenda.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware (via teleconference) and Brown

Nays: 0

1. **2024-1148** Acknowledge receipt of the two-quote docket.

Attachments: Two quote docket for April 2, 2024 Agenda

2. **2024-1146** Acknowledge bids received on March 21, 2024, by the Department of Urban Development for up to four (4) small to midsize sports utility vehicles and reject all bids due to bids going over the budget; authorize re-advertisement of same.

Attachments: NTB- 4 small to midsize SUV's for Urban Development
Bid Tabulation- City of Hattiesburg- 4 Mid Size SUVs
Bid Package- Hattiesburg- 4 Mid Size SUVs- May 2024

3. **2024-1135** Authorize submission of a grant application to the Toyota Buckle Up for Life Grant in the amount of $20,000. No match is required.

Attachments: BFL Application

4. **2024-1138** Approve plans and specifications for the Gordon's Creek Drainage Improvement Project Phase 1 (NR244423XXXXC005) and authorize advertisement for bids contingent upon Natural Resources Conservation Service approval to advertise.

Attachments: GordonsCreek_Specifications
GordonsCreek_Plans

5. **2024-1144** Approve the sale of grave spaces, per attached deeds and receipts.

Attachments: Receipts 3-26-24
Deeds-3-26-24

6. **2024-1132** Approve claims docket for the period ending March 31, 2024.

Attachments: DOCKET 24.03.31A
DOCKET 24.03.31
20240327170103
20240327170053

In Memoriam:

A MOTION was made by Council President George to Adjourn the meeting in memory of:

- Mrs. Betty King
- Mrs. Laura Williams
- Mr. Clyde McDonald, Jr.
- Mr. Gussie Martin
- Mr. Joseph "Joe" Judson King
- Mr. Camille Clemons
- Mrs. Bernice Rice
- Ms. Jayna Lumzy
- Victims of the Francis Scott Key Bridge Collapse

Meeting Adjourn

Council President George declared the **meeting adjourned at 5:11 p.m., this 2nd day of April, 2024**, by unanimous consent, until the 15th day of April, 2024.

ATTEST: Konda S. Kennedy
Clerk of Council

APPROVE: Jeffrey George
Council President

ATTEST AND CERTIFY:
City Clerk

APPROVE:
Mayor

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