

Published Agenda



Tuesday, May 7, 2024
5:00 PM

City Council
Tuesday Meeting Agenda

Council Chambers
200 Forrest Street

Call to Order

Call to Prayer and Pledge of Allegiance

Agenda Adjustments

- Add Policy Item #22, Routine Item #11, and amend Routine Item #10 (with removal of invoice payable to Colony Construction), at the request of the Administration as follows:

22.

2024-155

Adopt an Ordinance amending Ordinance No. 2962, adopted August 10, 2007, which prohibits the manufacture, sale, or storage for sale of any alcoholic beverage, light wine or beer within 400’ of a church or school, to align with Mississippi Code of 1972, as annotated and amended.
11.

2024-154

Approve Plans and Specifications for the Midtown Streetscapes Project, Office of State Aid Road Construction Project No. DECD-0018(36)30, and authorize advertisement for bids contingent upon Office of State Aid approval.
10.

2024-156

Request to remove invoice payable to Colony Construction in the amount of \$80,704.28 from Routine Item #10, claims docket.

Presentation Agenda

POLICY AGENDA

1.

2024-148

Approve the minutes for the April 15 & 16, 2024 meetings of the City Council.
2.

2024-101

Take from the Table; Approve a preliminary plat for a Major Subdivision as an extension of The Cottages of Turtle Creek, located on Methodist Boulevard in Lamar County, requested by Dennis Pierce, owner. The extension will be known as “Cottages at Turtle Creek: Phase IV” (Ward 3).
3.

2024-1118

Take from the Table; Approve or Deny a petition filed by Tina Bruce, representative and owner, to request a conditional use request for a "Group Care Facility" for a property located at 1306 Hardy St, (Ward 4) t Planning Commission recommended approval.
4.

2024-135

Adopt Resolutions adjudicating and directing the placement as an assessment for the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties.
5.

2024-118

Adopt a Resolution setting Public Hearing on Monday, June 3rd, 2024 at 4:00 p.m. in the City Council Chambers located at City Hall to determine if certain properties are in such a state of uncleanness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.
6.

2024-137

Adopt a Resolution declaring certain vehicles as surplus; authorize the sale of said vehicles at auction, and the removal of said vehicles from the inventory of the Public Works Department. (per attached memo)
7.

2024-125

Approve Contract with Neel-Schaffer, Inc. for engineering services related to the Highway 49 & William Carey Parkway Intersection Improvements project and authorize the Mayor to execute in duplicate.
8.

2024-123

Approve Contract with Neel-Schaffer, Inc. for engineering services related to the Highway 49 Roadway Lighting Project-Phase II and authorize the Mayor to execute in duplicate.
9.

2024-140

Approve Agreement between City of Hattiesburg and Landry Lewis Germany Architects, P.A., for renovations to 1410 West Pine Street and authorize the Mayor to execute the same.
10.

2024-141

Approve Professional Services Agreement with Neel-Schaffer, Inc. for engineering services related to the Bobby L. Chain Municipal Airport - Hangar Taxiway Project and authorize the Mayor to execute it in duplicate.
11.

2024-134

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.
12.

2024-119

Approve Engagement of Zac Fairley Appraisals and Consulting for appraisal services related to the Four Street Improvements, Phase III LPA Project, as per attached scope.
13.

2024-120

Approve Engagement of John B. Stewart, Real Estate Appraisal & Consultant, LLC for appraisal review services related to the Fourth Street Improvements, Phase III LPA Project, as per attached scope.
14.

2024-139

Acknowledge receipt of closing documents for the Fire Station No 7 Reroof Project; Authorize Advertisement for Final Settlement; Authorize Final Acceptance of the project; and payment of Final Pay Application to the Contractor Associated Contractors.
15.

2024-152

Approve Lease Agreement between City of Hattiesburg and Safe Haven Baby Box and authorize the Mayor to execute the same.
16.

2024-150

Approve a six-month contract with 98 Waste, LLC, for delivery of acceptable waste to its landfill or transfer station, at a fee of \$8 per yard and authorize the Mayor to execute the same.

- 17. 2024-143 Approve Agreement between the City of Hattiesburg and the Hattiesburg Tourism Commission (Hattiesburg Alliance for Public Art) for the purpose of promoting and supporting local economic development through public art in accordance with Section 21-19-44, Mississippi Code of 1972.
- 18. 2024-124 Approve advertising sponsorship for the 2024 Juneteenth Celebration, in accordance with Mississippi 17-3-1, in the amount of \$3500.00 and authorize issuance of manual check for the same.
- 19. 2024-144 Authorize submission of a grant application to the Mississippi Department of Wildlife, Fisheries, and Parks Land and Water Conservation Fund for the development of recreational opportunities in the city of Hattiesburg. The grant requires a 50-50 match.
- 20. 2024-138 Ratify an Interagency Agreement between the City of Hattiesburg and the LAMAR County Child Abuse Multidisciplinary Team and the Forrest County Child Abuse Multidisciplinary Team.
- 21. 2024-153 Letter of Engagement with Karen McCarty for professional services related to the 2023 Consolidated Annual Performance Report (CAPER), the 2024 CDBG and HOME 2024 Annual Action Plan.

ROUTINE AGENDA

- 1. 2024-151 Ratification of previously approved claims docket for the period ending April 12, 2024.
- 2. 2024-1148 Acknowledge receipt of the two-quote docket.
- 3. 2024-121 Acknowledge no proposals were received on April 18, 2024, for the sewer service line replacement for the Clean Start Sewer Program RFQ; authorize re-advertisement of same.
- 4. 2024-147 Rescind award of bid to C-Spire, approved at File #2023-647 and Minute Book 2022-307; Approve the revised Request for Proposals and authorize the re-advertisement for the same.
- 5. 2024-149 Authorize and approve the advertisement for bids for the attached projects upon completion of plans and specifications.
- 6. 2024-126 Approve Specifications and Authorize publication of an advertisement for various term bid items for the City of Hattiesburg Water Department.
- 7. 2024-145 Approve Specifications and Authorize publication of an advertisement for various term bid items for the City of Hattiesburg Public Works Department.
- 8. 2024-146 Approve and authorize publication of Notice of Public Hearing regarding the City of Hattiesburg's 2023 Consolidated Annual Performance and Evaluation Review Report (CAPER) and 2024 Annual Action Plan.
- 9. 2024-136 Approve the sale of grave spaces per attached Memo's, Receipts and Deeds.
- 10. 2024-122 Approve claims docket for the period ending April 30, 2024.

In Memoriam:

- Mrs. Mary Edith Easterling James
- Father Pat O'Shaughnessy
- Mr. Vernon Lee Wooten

Meeting Adjourn

Call to Order

BE IT REMEMBERED that the **regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, May 7, 2024**, in Council Chambers at City Hall; same being from a recessed meeting held on May 6, 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; 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 Malcolm Berch.
The Pledge of Allegiance was led by Kermas Eaton.

Agenda Adjustments

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Add Policy

Items #22 and Routine Item #11 at the request of the Administration as follows:

22. 2024-155 Adopt an Ordinance amending Ordinance No. 2962, adopted August 10, 2007, which prohibits the manufacture, sale, or storage for sale of any alcoholic beverage, light wine or beer within 400' of a church or school, to align with Mississippi Code of 1972, as annotated and amended.
- Attachments: ORD Amending Section 1 of Ordinance 2962 Prohibiting Alcohol within 400'-5.7.24
11. 2024-154 Approve Plans and Specifications for the Midtown Streetscapes Project, Office of State Aid Road Construction Project No. DECD-0018(36)30, and authorize advertisement for bids contingent upon Office of State Aid approval.
- Attachments: Midtown Streetscape - Final Plans
 Midtown Streetscape - Final Specs
 Midtown Streetscape - Advertisement for Bids
10. 2024-156 Request to remove invoice payable to Colony Construction in the amount of \$80,704.28 from Routine Item #10, claims docket.
- Attachments: request to remove invoice - Colony Construction

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

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

The Mayor presented the following members of the Mayor's Youth Council with a Certificate of Recognition.

- Leadership Launch point Sophomores:

- Patrick Graham Arrington
- Avery Barker
- Madeline Carter
- Frances Cruthirds
- Burn Curry
- Wynter Fairley
- Bradley Graham
- Anna Gray
- Sam Jones
- Noah Maksi
- India Miller
- Julia Odom
- Liza Parish
- Louis Schramm
- Dylan Willis
- Malaysia Wilson

- Mayor's Youth Council Juniors:

- Scott Bolster
- Mahaleigh Bradley
- Lillian Brinkley
- Karsyn Brown
- Mary Carter Callaway
- Isaiah Evans
- John Patrick Garriga
- Destiny Harris

- Mary King
- Angel Lindsey
- Nora McCarthy
- John Ramsey McQueen
- Marie Medrano
- Annaleigh Miller
- Alice Pennebaker
- Preston Sackler
- Grace Sanderford
- Layla Smith
- Annie Sumrall
- Maurice Sutton
- Katherine Woodard
- Lizzie Young
- Mayor's Youth Council Seniors:
 - Mohamed Akwieri
 - Aniya Alexander
 - Gabrielle Allen
 - Yessica Bernal Solic
 - Stella Bondurant
 - Ashloun Booth
 - Christyn Clark
 - Jada Coleman
 - Gabrielle Cox
 - Talmadge Davis
 - Claire Hallman
 - Miya Hullum
 - Irene Innocenti
 - Raniya Johnson
 - Claire Jones
 - Alaysia Jordan
 - Beaudalaire Kerr
 - Kate Leatherwood
 - Meredith Maksi
 - Nyasia McCaleb
 - Janee Parker
 - Erian Powell
 - Sophia Reed
 - Marion Reese
 - Reagan Selman
 - Sydney Smith
 - Aubri Sparkman
 - Joel Bradford Vaughn II
 - DJ Walls

The Mayor also announced that Samantha McCain Alexander, the Chief Communications Officer, had accepted a position with the University of Southern Mississippi. He and the Council expressed their gratitude for her years of dedicated service and hard work for the City. This was her last Council meeting.

There were no other presentations at this time.

THE MATTER OF THE AGENDA ORDER came before the Council.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2024-148** Approve the minutes for the April 15 & 16, 2024 meetings of the City Council.
Attachments: 04-15-2024 APH, AR Mins.
04-16-2024 Mins.

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve the minutes for the April 15 & 16, 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, Carroll, Ware and Brown

Nays: 0

2. **2024-101** Take from the Table; Approve a preliminary plat for a Major Subdivision as an extension of The Cottages of Turtle Creek, located on Methodist Boulevard in Lamar County, requested by Dennis Pierce, owner. The extension will be known as "Cottages at Turtle Creek: Phase IV" (Ward 3).

Attachments: Appeal - 3.11.24 - George Pace with Cottages HOA
Staff Summary - Cottages of Turtle Creek
Image Sheet - Cottages of Turtle Creek Subdivision
Preliminary Plat for Cottages at Turtle Creek, Phase IV
Cottages Phase IV Application
Cottages IV parcel info
Cottages Phase IV Application Doc 3
Cottages Phase IV Application Doc 4
Exhibit A-1 - Letters of opposition from neighborhood -
Exhibit A-2 - Letter from homeowner Hurt submitted 3.6.24
Exhibit A-3 - Site plan from traffic study; submitted 3.6.24
Exhibit A-0 - Traffic Study submitted by applicant on 3/6/24
Exhibit A-1 - Portion of letter to P. Brantley submitted by applicant on 3/6/24
Exhibit A - The Cottages at Turtle Creek, Phase IV, submitted 4/15/24
Exhibit A1 - The Cottages at Turtle Creek, Phase IV, submitted 4/15/24
Exhibit A2 - The Cottages at Turtle Creek, Phase IV, submitted 4/15/24
Exhibit B - The Cottages at Turtle Creek, Phase IV, submitted 4/15/24
Exhibit A - Order No.2 - The Cottages IV

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Take from the Table; a preliminary plat for a Major Subdivision as an extension of The Cottages of Turtle Creek, located on Methodist Boulevard requested by Dennis Pierce, owner.

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 Member Carroll stated that the City Attorney presented the Council two proposed orders dealing with this matter.

- Order #1 – Accept the recommendation of the Planning Commission to require that no construction traffic proceed on Hamlet Drive and that a separate construction entrance to the proposed development be made from Weathersby Road.
- Order #2 – Accept the recommendation of the Planning Commission to Approve the Cottages Phase IV with the same conditions as the Planning Commission recommended with the exception that access the Cottages Phase IV shall not be through Hamlet Drive (not just construction traffic) but shall be from Weathersby Road and the proposed plat be modified accordingly.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt the proposed Order#2 (a copy of which is attached hereto and made a part hereof as Exhibit "A") that would accept the recommendation of the Planning Commission to Approve the Cottages Phase IV with the same conditions as the Planning Commission recommended, with the exception that #6 below is substituted for #2 of the Planning Commission's recommendations.

1. The common area(s) parcel's ad valorem tax value shall be assessed to each lot owner on a prorated basis as part of each lot owner's total assessment.
2. The common area(s) of this subdivision shall be owned and maintained by the owner, commercial owner's association, and/or by the property owner(s) of the lots. In the event any lot becomes subdivided into additional lots or individual site plans, said site plans conforming to the City's Land Development Code, each property owner shall own their pro rata share, by area percentage of their lot, of the common areas. Such maintenance shall be performed so as to ensure that the common area operates in accordance with the City's Land Development Code and Property Maintenance Code. Such maintenance shall include, but not be limited to, repair of structures and maintenance of sign tenants and maintenance of the property. The City shall have a right of access to use the drives, parking areas, and yards of this property to make inspections of the common areas to ensure that said maintenance has been properly performed. In the event that the property owner(s) have not properly performed maintenance on the facilities, to the extent that the facility(s) poses a threat to public health, safety, or welfare, the City shall retain the right to perform emergency repairs to the facility. The cost of such repairs shall remain the responsibility of the property owner(s) and may be added as a lien on the next year's tax bill.
3. Street identifications and traffic control signs/markings shall be installed by the developer to City specifications.
4. Unless otherwise specified, all utilities and services (electric, telephone, cable, etc.) shall be installed underground.
5. Bonds, in a form satisfactory to the City Engineer and the City Attorney, will be required as follows:
 - a. Performance bond: Acceptance of the plat before the street and infrastructure are completed will require a bond based on the developer's engineer's estimated cost of unfinished work, verified by the City Engineer, plus 10% until complete. The bond shall be renewed annually and adjusted for inflation.
 - b. Maintenance bond: Upon acceptance of the plat and the completion of streets and infrastructure a bond in the amount of 5% of the total cost of all work must be remitted to the City for the duration of one (1) year.
6. Access to Cottages Phase IV shall not be through Hamlet Drive but shall be from Weathersby Road, and the Proposed Plat shall be modified accordingly. In addition, Mr. Pierce is encouraged to attempt to secure an additional access to the proposed Cottages Phase IV via Methodist Boulevard.

With the exception, that access to the Cottages Phase IV shall not be through Hamlet Drive but shall be from Weathersby Road and that the proposed plat be modified accordingly.

The Motion received the affirmative vote of the Council as follows:

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

Nays: 0

3. **2024-1118** Take from the Table; Approve or Deny a petition filed by Tina Bruce, representative and owner, to request a conditional use request for a "Group Care Facility" for a property located at 1306 Hardy St, (Ward 4) the Planning Commission recommended approval.

Attachments: [Staff Summary](#)
 [Image Sheet](#)
 [Pre-App Notes](#)
 [PH Application_Bruce - STAFF](#)
 [Warranty Deed](#)
 [MINUTES APRIL HPC](#)

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Take from the Table; a petition filed by Tina Bruce, representative and owner, to request a conditional use request for a "Group Care Facility" for a property located at 1306 Hardy St.

The Motion received the affirmative vote of the Council as follows:

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

Nays: 0

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to DENY the request of a conditional use request for a "Group Care Facility" for a property located at 1306 Hardy St.

Discussion: "The Neighborhood Association that abuts the referenced property had called me (Council Vice President Ware) with concerns which were some of the concerns he shared as well. Councilman Ware stated that it was a commercial building, it is not a home. The proposal is for a group care facility, but for the young folks that are going to be living there, this is where they are going to be calling their home. There is nowhere for them to have any recreation outside, there is no lawn. A similar facility is located in Natchez, which is a former orphanage. It has a fenced-in yard, a playground, and areas for the children to get outside and get some fresh air. In this instance, absent from them being supervised, going to and from education opportunity or some kind of group organized event, they will be locked in this building, in this commercial building. I just think it's not a great place for a home and so will ask the Council to join me in denying the petition".

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

Yeas: 3 - George, Carroll and Ware

Nays: 2 – Delgado and Brown

4. **2024-135** Adopt Resolutions adjudicating and directing the placement as an assessment for the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties.

Attachments: [05/07/2024 Adjudication Memo - Updated](#)
 1. [86 Canal Dr - Adjudication Resolution Page](#)
 2. [100 Claiborne - Adjudication Resolution Page](#)
 3. [104 N 22nd Ave - Adjudication Resolution Page](#)
 4. [123 E Florence St - Adjudication Resolution Page](#)
 5. [140 E 7th St - Adjudication Resolution Page](#)

- [6. 200 St Paul St - Adjudication Resolution Page](#)
- [7. 202 Lewis St - Adjudication Resolution Page](#)
- [8. 315 JC Killingsworth Dr - Adjudication Resolution Page](#)
- [9. 535 W 4th St - Adjudication Resolution Page](#)
- [10. 543 W 4th St - Adjudication Resolution Page](#)
- [11. 1406 Concart St - Adjudication Resolution Page](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt Resolutions (#2024-29-39) adjudicating and directing the placement as an assessment for the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties.

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

5. **2024-118** Adopt a Resolution setting Public Hearing on Monday, June 3rd, 2024 at 4:00 p.m. in the City Council Chambers located at City Hall to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.

Attachments: [Request to Set Public Hearing –CE 05 07 2024](#)
[Set Public Hearing Unsafe Properties Resolution 05 07 2024](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2024-40) setting Public Hearing on Monday, June 3rd, 2024 at 4:00 p.m. in the City Council Chambers located at City Hall to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.

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

6. **2024-137** Adopt a Resolution declaring certain vehicles as surplus; authorize the sale of said vehicles at auction, and the removal of said vehicles from the inventory of the Public Works Department. (per attached memo)

Attachments: [Resol.surplus equipment](#)
[2024 auction list public works](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt a Resolution (#2024-41) declaring certain vehicles as surplus; authorize the sale of said vehicles at auction, and the removal of said vehicles from the inventory of the Public Works Department. (per attached memo) .

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

7. **2024-125** Approve Contract with Neel-Schaffer, Inc. for engineering services related to the Highway 49 & William Carey Parkway Intersection Improvements project and authorize the Mayor to execute in duplicate.

Attachments: [William Carey Parkway Improvements-Contract](#)

A MOTION was made by Council Member Brown and seconded by Council Member Delgado to Approve Contract with Neel-Schaffer, Inc. for engineering services related to the Highway 49 & William Carey Parkway Intersection Improvements project 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, Carroll, Ware and Brown

Nays: 0

8. **2024-123** Approve Contract with Neel-Schaffer, Inc. for engineering services related to the Highway 49 Roadway Lighting Project-Phase II and authorize the Mayor to execute in duplicate.

Attachments: Highway 49 Lighting Phase II – Contract

A MOTION was made by Council Member Brown and seconded by Council Member Delgado to Approve Contract with Neel-Schaffer, Inc. for engineering services related to the Highway 49 Roadway Lighting Project-Phase II 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, Carroll, Ware and Brown

Nays: 0

9. **2024-140** Approve Agreement between City of Hattiesburg and Landry Lewis Germany Architects, P.A., for renovations to 1410 West Pine Street and authorize the Mayor to execute the same.

Attachments: 4073 Owner Architect Agreement for signature

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Agreement between City of Hattiesburg and Landry Lewis Germany Architects, P.A., for renovations to 1410 West Pine Street 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, Carroll, Ware and Brown

Nays: 0

10. **2024-141** Approve Professional Services Agreement with Neel-Schaffer, Inc. for engineering services related to the Bobby L. Chain Municipal Airport - Hangar Taxiway Project and authorize the Mayor to execute it in duplicate.

Attachments: 4-24-24 Hangar Taxiway Project

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Professional Services Agreement with Neel-Schaffer, Inc. for engineering services related to the Bobby L. Chain Municipal Airport - Hangar Taxiway Project and authorize the Mayor to execute it in duplicate.

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

11. **2024-134** 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 - Pinnacle Dr, 902 N 34th Ave, Pearl St, 1st Pole off N 38th 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, Carroll, Ware and Brown

Nays: 0

- 12. 2024-119** Approve Engagement of Zac Fairley Appraisals and Consulting for appraisal services related to the Fourth Street Improvements, Phase III LPA Project, as per attached scope.

Attachments: Zac Fairley -Professional Service Agreement – Appraisals

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Engagement of Zac Fairley Appraisals and Consulting for appraisal services related to the Fourth Street Improvements, Phase III LPA Project, as per attached scope.

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

- 13. 2024-120** Approve Engagement of John B. Stewart, Real Estate Appraisal & Consultant, LLC for appraisal review services related to the Fourth Street Improvements, Phase III LPA Project, as per attached scope.

Attachments: John Stewart - Engagement for Review Appraisal Services - Sidewalk Project
John Stewart Appraisal Qualifications

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve Engagement of John B. Stewart, Real Estate Appraisal & Consultant, LLC for appraisal review services related to the Fourth Street Improvements, Phase III LPA Project, as per attached scope.

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

- 14. 2024-139** Acknowledge receipt of closing documents for the Fire Station No 7 Reroof Project; Authorize Advertisement for Final Settlement; Authorize Final Acceptance of the project; and payment of Final Pay Application to the Contractor Associated Contractors.

Attachments: 0 - Contractors Cover Sheet & Index
A - A101 Owner & Contractor Agreement
A - A312 Performance Bond
A - Certificate Of Liability Insurance
A - Change Order #1
A - Contract Bond Guarantee
A - Specifications Index
B - Conditional Waiver and Release
B - G702 Payment Application
C - G707 Consent of Surety
D - G706 Contractors Affidavit of Payment of Depts and Claims
E - G706A Contractors Release of Liens
F - Closing Document
F - Englert Inc Contact information for Finish Warranty 4.15.24
F - G704 Substantial Completion
F - Punch List & Signed Letter
G - General Contractors Certification
H - General Contractors Guarantee
I - As Built Record Drawings & Specifications

[K - Submittals](#)
[L - KYNAR CLEANING](#)
[L - Operations & Maintenance Manual](#)
[M - Manufacturers Written Warranty](#)
[M - McElroy Metal Warranty Canopies Fire Station #7 11.27.23](#)
[M - MM602 Galvalume Warranty 0123](#)
[M - Workmanship Warranty](#)
[3982 - Field Report No1](#)
[3982 - Field Report No2](#)
[3982 - Field Report No3](#)
[3982 - Field Report No4 - Punch-List](#)
[3982 Pay Application #3](#)
[Notice of Final Settlement - Fire Station #7 Re-Roof Advertisement Closeout](#)
[Fire Station No 7 Reroof Project - Associated Contractors](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Acknowledge receipt of closing documents for the Fire Station No 7 Reroof Project; Authorize Advertisement for Final Settlement; Authorize Final Acceptance of the project; and payment of Final Pay Application to the Contractor Associated Contractors.

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

15. **2024-152** Approve Lease Agreement between City of Hattiesburg and Safe Haven Baby Box and authorize the Mayor to execute the same.

Attachments: [Safe Haven Baby Box - Lease Agreement - City of Hattiesburg- 5.7.24 FINAL Lease Agreement with Safe Haven Box](#)

A MOTION was made by Council Member Brown and seconded by Council Member Delgado to Approve Lease Agreement between City of Hattiesburg and Safe Haven Baby Box 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, Carroll, Ware and Brown

Nays: 0

16. **2024-150** Approve a six-month contract with 98 Waste, LLC, for delivery of acceptable waste to its landfill or transfer station, at a fee of \$8 per yard and authorize the Mayor to execute the same.

Attachments: [COH 98 Waste Contract](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve a six-month contract with 98 Waste, LLC, for delivery of acceptable waste to its landfill or transfer station, at a fee of \$8 per yard 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, Carroll, Ware and Brown

Nays: 0

17. **2024-143** Approve Agreement between the City of Hattiesburg and the Hattiesburg Tourism Commission (Hattiesburg Alliance for Public Art) for the purpose of promoting and supporting local economic development through public art in accordance with Section 21-19-44, Mississippi Code of 1972.

Attachments: [Hattiesburg Tourism Alliance for Public Art MOU 2024 Agreement with Hburg Tourism Commission-public art promotion & economic dev.](#)

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Approve Agreement between the City of Hattiesburg and the Hattiesburg Tourism Commission (Hattiesburg Alliance for Public Art) for the purpose of promoting and supporting local economic development through public art in accordance with Section 21-19-44, Mississippi Code of 1972.

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

18. **2024-124** Approve advertising sponsorship for the 2024 Juneteenth Celebration, in accordance with Mississippi 17-3-1, in the amount of \$3500.00 and authorize issuance of manual check for the same.

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve advertising sponsorship for the 2024 Juneteenth Celebration, in accordance with Mississippi 17-3-1, in the amount of \$3500.00 and authorize issuance of manual check for the same.

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

19. **2024-144** Authorize submission of a grant application to the Mississippi Department of Wildlife, Fisheries, and Parks Land and Water Conservation Fund for the development of recreational opportunities in the city of Hattiesburg. The grant requires a 50-50 match.

Attachments: [ms-2024-lwcf-application](#)

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Authorize submission of a grant application to the Mississippi Department of Wildlife, Fisheries, and Parks Land and Water Conservation Fund for the development of recreational opportunities in the city of Hattiesburg. The grant requires a 50-50 match.

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

20. **2024-138** Ratify an Interagency Agreement between the City of Hattiesburg and the LAMAR County Child Abuse Multidisciplinary Team and the Forrest County Child Abuse Multidisciplinary Team.

Attachments: [Interagency Agreement - Forrest County Child Abuse Multidisciplinary Team](#)
 [Interagency Agreement - LAMAR Count Child Abuse Multidisciplinary Team](#)

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Ratify an Interagency Agreement between the City of Hattiesburg and the LAMAR County Child Abuse Multidisciplinary Team and the Forrest County Child Abuse Multidisciplinary Team.

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

21. **2024-153** Letter of Engagement with Karen McCarty for professional services related to the 2023 Consolidated Annual Performance Report (CAPER), the 2024 CDBG and HOME 2024 Annual Action Plan.

Attachments: Hattiesburg CDBG-HOME Proposal

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Letter of Engagement with Karen McCarty for professional services related to the 2023 Consolidated Annual Performance Report (CAPER), the 2024 CDBG and HOME 2024 Annual Action Plan.

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

22. **2024-155** Adopt an Ordinance amending Ordinance No. 2962, adopted August 10, 2007, which prohibits the manufacture, sale, or storage for sale of any alcoholic beverage, light wine or beer within 400' of a church or school, to align with Mississippi Code of 1972, as annotated and amended.

Attachments: ORD Amending Section 1 of Ordinance 2962 Prohibiting Alcohol within 400'-5.7.24

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt an Ordinance amending Ordinance No. 2962, adopted August 10, 2007, which prohibits the manufacture, sale, or storage for sale of any alcoholic beverage, light wine or beer within 400' of a church or school, to align with Mississippi Code of 1972, as annotated and amended.

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

ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

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

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

1. **2024-151** Ratification of previously approved claims docket for the period ending April 12, 2024.

Attachments: DOCKET 24.04.12
DT 24.04.12

2. **2024-1148** Acknowledge receipt of the two-quote docket.

Attachments: May 7, 2024 Council Agenda

3. **2024-121** Acknowledge no proposals were received on April 18, 2024, for the sewer service line replacement for the Clean Start Sewer Program RFQ; authorize re-advertisement of same.

Attachments: RFQ- Sewer Program
SEP Program - Sewer Service Line Replacement - RFQ 2024.03.11

4. **2024-147** Rescind award of bid to C-Spire, approved at File #2023-647 and Minute Book 2022-307; Approve the revised Request for Proposals and authorize the re-advertisement for the same.
Attachments: RFP Notice- Wi-Fi
WiFi LMI Parks 5.1.24
CoH WiFi RFP 06202023
Request For Proposals for public Wi-Fi in city public facilities

5. **2024-149** Authorize and approve the advertisement for bids for the attached projects upon completion of plans and specifications.
Attachments: MCWI Projects

6. **2024-126** Approve Specifications and Authorize publication of an advertisement for various term bid items for the City of Hattiesburg Water Department.
Attachments: 06-Fire Hydrants-2 Way
07-Fire Hydrants-3 Way
08-Stainless Steel Full Circle Repair Clamps
17-Plastic Coup-Connectors
21-Corporation Stop, Union-3 Part Straight Coupling
23-Clamps-Repair
28-Aerators Parts
Notice to Bidder Water
Advertisement for bids - various term bids for Water Department

7. **2024-145** Approve Specifications and Authorize publication of an advertisement for various term bid items for the City of Hattiesburg Public Works Department.
Attachments: Item #8 Furnish Towing Service
Item #11 Vehicle Loop Sealant
Item #12 Furnish & Install Various Chain Link & Vinyl Coated Fencing
Item #20 Ready Mix Concrete
Item #24 Rock For Riprap
Item #33 Crush Concrete
Notice to Bidder Public Services
Advertisement for bids - various term bids for Public Works Department

8. **2024-146** Approve and authorize publication of Notice of Public Hearing regarding the City of Hattiesburg's 2023 Consolidated Annual Performance and Evaluation Review Report (CAPER) and 2024 Annual Action Plan.
Attachments: Combined Notice 2023 CAPER 2024 AAP - publication for 5-9-24
Notice of Public Hearing for Annual CAPER and 2024 Annual Action Plan

9. **2024-136** Approve the sale of grave spaces per attached Memo's, Receipts and Deeds.
Attachments: Memo's (05-07-2024)
Receipts (05-07-2024)
Deeds (05-07-2024)

10. **2024-122** Approve claims docket for the period ending April 30, 2024.
Attachments: DT 24.4.30
DOCKET 24.04.30

11. **2024-154** Approve Plans and Specifications for the Midtown Streetscapes Project, Office of State Aid Road Construction Project No. DECD-0018(36)30, and authorize advertisement for bids contingent upon Office of State Aid approval.
Attachments: Midtown Streetscape - Final Plans
Midtown Streetscape - Final Specs
Midtown Streetscape - Advertisement for Bids

In Memoriam:

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

- Mrs. Mary Edith Easterling James
- Father Pat O'Shaughnessy
- Mr. Vernon Lee Wooten

Meeting Adjourn

Council President George declared the **meeting adjourned at 5:51 p.m., this 7th day of May, 2024**, by unanimous consent, until the 20th day of May, 2024.

ATTEST:

APPROVE:

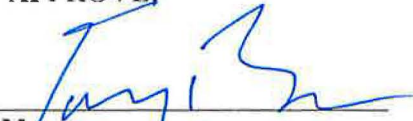

Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor