

Published Agenda



Tuesday, July 16, 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

- Agenda Adjustments - Delete Policy Item #3 and Add Policy Item #14 at the request of the Administration as follows:

- 14. 2024-303 Acknowledge receipt of closeout documents for the Lamar Boulevard Reconstruction Project, approve payment of final pay application and final acceptance of the project.

POLICY AGENDA

- 1. 2024-292 Approve the minutes for the July 1 & 2, 2024 meetings of the City Council.
- 2. 2024-250 Adopt an Ordinance to amend the comprehensive zoning district map for properties located at approximately 2100 McInnis Loop from B-5 (Regional Business) to I-1(Light Industrial) as requested by Shelby Murray, engineer, and Forrest Dungan, engineer, and David Lawson, owner (PPIN 38592 and 47444, Ward 5, Forrest County). Planning Commission recommended approval on July 3rd, 2024.
- 3. 2024-247 - Deleted -
- 4. 2024-249 Approve a request to alter a platted subdivision known as "D.D. McInnis 3rd Survey or Addition" to subdivide the property located at 305 J C Killingsworth Drive into three lots Zoned R-1C, as requested by ALS Properties, owner (PPIN 21408, Ward 5, Forrest County). The Planning Commission recommended approval on July 3rd, 2024.
- 5. 2024-258 Approve a variance request from the minimum required frontage of 150 ft for a pole sign for a B-5 zoned property to instead allow for a 93 ft frontage on a property located at 6054 Hwy 98 Hardy Street, as requested by Joel Ford, applicant (PPIN 30851, Ward 3, Lamar County). The Board of Adjustment recommended approval on July 3rd, 2024.
- 6. 2024-280 Adopt a Resolution determining waiver valuations and just compensation for certain real properties with low fair market values to be acquired in connection with the Innswood Drainage Phase 1 project; Authorize Mayor to execute any and all documents required to complete the transactions and issuance of manual checks.
- 7. 2024-287 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.
- 8. 2024-288 Approve the release of lien documents filed in relation to a code enforcement clean-up assessment per attached memo; authorize the Mayor to execute and record the same.
- 9. 2024-297 Approve Agreement between City of Hattiesburg and Neel Schaffer Engineering to provide professional engineering services related to planning of turn lanes for Bonhomie Road and WSF Tatum, an access road from WSF Tatum Blvd to Tatum Park and infrastructure planning for Tatum Park and authorize the Mayor to execute.
- 10. 2024-298 Approve Agreement between City of Hattiesburg and Neel Schaffer Engineering for professional services related to the development of a Master Plan for N. Main Street and authorize the Mayor to execute.
- 11. 2024-289 Approve a Lighting Agreement with Mississippi Power Company for lighting on Gunnison Dr. for a monthly cost of \$69.30, and authorize the Mayor to execute the same.
- 12. 2024-290 Approve the upgrade of the street lighting agreement on May Avenue with Mississippi Power detailed in the attached document for a monthly increase of \$8.65 and authorize the Mayor to execute the same.
- 13. 2024-291 Approve and authorize the issuance of manual check for LeadSafe (CDBG) Program Claim per the attached memorandum.

ROUTINE AGENDA

- 1. 2024-283 Acknowledge receipt of the FYE 2023 Annual Report and Audit of the Hattiesburg Convention Commission.
- 2. 2024-293 Acknowledge receipt of the Fiscal Year 2025 budget for Pine Belt Regional Solid Waste Authority.
- 3. 2024-296 Acknowledge receipt of the monthly budget report for the month ending June 30, 2024.
- 4. 2024-292 Approve and authorize publication of Notice of Public Hearing regarding Substantial Amendments to the 2021 One Year Action Plan and 2022 One Year Action Plan
- 5. 2024-286 Approve the sale of grave spaces, per attached Memo's, Receipts and Deeds.

6. 2024-295 Approve claims docket for the period ending July 12, 2024.

In Memoriam:

- Dr. Louise Davis
- Mr. Bennie “B.J.” Sellers
- Ms. Reba “Ontee” Sumrall Welborn
- Mayor David Taylor, II
- Mr. Sherwin Winston Easterling

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, July 16, 2024**, in Council Chambers at City Hall; same being from a recessed meeting held on July 15, 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.

Call to Prayer and Pledge of Allegiance

The prayer was given by Randy Pope.
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.

Agenda Adjustments

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Delete Policy Agenda Item #3 and Add Policy Agenda Item #14 at the request of the administration or council as follows:

14. 2024-303 Acknowledge receipt of closeout documents for the Lamar Boulevard Reconstruction Project, approve payment of final pay application and final acceptance of the project.

Attachments: Lamar Blvd closeout documents

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 MATTER OF THE AGENDA ORDER came before the Council.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2024-292** Approve the minutes for the July 1 & 2, 2024 meetings of the City Council.

Attachments: 07-01-2024 AR Mins.
 07-02-2024 Mins.

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve the minutes for the July 1 & 2, 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. **2024-250** Adopt an Ordinance to amend the comprehensive zoning district map for properties located at approximately 2100 McInnis Loop from B-5 (Regional Business) to I-1(Light Industrial) as requested by Shelby Murray, engineer, and Forrest Dungan, engineer, and David Lawson, owner (PPIN 38592 and 47444, Ward 5, Forrest County). Planning Commission recommended approval on July 3rd, 2024.

Attachments: D1 - Staff Summary - 2100 McInnis Loop
 D4 Image Sheet - 2100 McInnis Loop
 PH Application
 Tatum Letter of Support
 Exhibits submitted by applicant
 Deed 1 Bk1395 Pg389
 Deed2 Bk1402 Pg503
 Ordinance - Lil Butcher Shoppe - 2100 McInnis Loop

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Adopt an Ordinance (#3356) to amend the comprehensive zoning district map for properties located at approximately 2100 McInnis Loop from B-5 to I-1.

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

3. **2024-247** - Deleted -

4. **2024-249** Approve a request to alter a platted subdivision known as "D.D. McInnis 3rd Survey or Addition" to subdivide the property located at 305 J C Killingsworth Drive into three lots Zoned R-1C, as requested by ALS Properties, owner (PPIN 21408, Ward 5, Forrest County). The Planning Commission recommended approval on July 3rd, 2024.

Attachments: C1 - Staff Summary - 305 J.C. Killingsworth Drive
 C3 Image Sheet - 305 J C Killingsworth Drive
 PH Application

A MOTION was made by Council Member Brown and seconded by Council Member Delgado to Approve a request to alter a platted subdivision known as "D.D. McInnis 3rd Survey or Addition" to subdivide the property located at 305 J C Killingsworth Drive into three lots Zoned R-1C.

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. **2024-258** Approve a variance request from the minimum required frontage of 150 ft for a pole sign for a B-5 zoned property to instead allow for a 93 ft frontage on a property located at 6054 Hwy 98 Hardy Street, as requested by Joel Ford, applicant (PPIN 30851, Ward 3, Lamar County). The Board of Adjustment recommended approval on July 3rd, 2024.

Attachments: [A1 - Staff Summary - Big Chicken](#)
[A1 - Image Sheet - Big Chicken](#)
[PH Application with variance application](#)
[Warranty Deed](#)
[BIG CHICK POLE SIGN - site plan](#)

Council Member Carroll asked to suspend Robert's Rule of Order to allow the City's Planning Division Manager, Cory Long, to explain the need to table the variance request.

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Table a variance request from the minimum required frontage of 150 ft for a pole sign for a B-5 zoned property to instead allow for a 93 ft frontage on a property located at 6054 Hwy 98 Hardy Street, until the next Council meeting (August 6, 2024).

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. **2024-280** Adopt a Resolution determining waiver valuations and just compensation for certain real properties with low fair market values to be acquired in connection with the Innswood Drainage Phase 1 project; Authorize Mayor to execute any and all documents required to complete the transactions and issuance of manual checks.

Attachments: [Innswood Drainage Ph 1 Waiver Valuation Resolution](#)
[Innswood Drainage Ph 1 Waiver Valuations Exb A](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt a Resolution (#2024-81) determining waiver valuations and just compensation for certain real properties with low fair market values to be acquired in connection with the Innswood Drainage Phase 1 project; Authorize Mayor to execute any and all documents required to complete the transactions and issuance of manual checks.

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. **2024-287** 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: [07/16/2024 Adjudication Memo](#)
[1. 103 Short Railroad St Adjudication Resolution Page](#)
[0 Hwy 49 N - Dismissal](#)
[2. 0 US Hwy 49 Adjudication Resolution Page](#)
[3. 518 Southern Ave Adjudication Resolution Page](#)
[4. 101 Bellmont Dr Adjudication Resolution Page](#)
[5. 112 Kensington Dr Adjudication Resolution Page](#)
[6. 1414 7th St Adjudication Resolution Page](#)
[7. 0 7th St - PPIN 43392 Adjudication Resolution Page](#)
[8. 0 7th St - PPIN 43393 Adjudication Resolution Page](#)
[9. 0 7th St - PPIN 14410 Adjudication Resolution Page](#)
[10. 104 Comanche Dr Adjudication Resolution Page](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt Resolutions (#2024-82-90) 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

8. **2024-288** Approve the release of lien documents filed in relation to a code enforcement clean-up assessment per attached memo; authorize the Mayor to execute and record the same.

Attachments: Release of Lien Memo 07/16/2024
 434 Mable St - Release of Lien Resolution Page

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve the release of lien documents filed in relation to a code enforcement clean-up assessment per attached memo; authorize the Mayor to execute and record 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

9. **2024-297** Approve Agreement between City of Hattiesburg and Neel Schaffer Engineering to provide professional engineering services related to planning of turn lanes for Bonhomie Road and WSF Tatum, an access road from WSF Tatum Blvd to Tatum Park and infrastructure planning for Tatum Park and authorize the Mayor to execute.

Attachments: Task Order #146 - Bonhomie Rd. & Tatum Park Access Rd.

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve Agreement between City of Hattiesburg and Neel Schaffer Engineering to provide professional engineering services related to planning of turn lanes for Bonhomie Road and WSF Tatum, an access road from WSF Tatum Blvd to Tatum Park and infrastructure planning for Tatum Park and authorize the Mayor to execute.

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. **2024-298** Approve Agreement between City of Hattiesburg and Neel Schaffer Engineering for professional services related to the development of a Master Plan for N. Main Street and authorize the Mayor to execute.

Attachments: Task Order #143 - N. Main Street

A MOTION was made by Council Member Delgado and seconded by Council Member Carroll to Approve Agreement between City of Hattiesburg and Neel Schaffer Engineering for professional services related to the development of a Master Plan for N. Main Street and authorize the Mayor to execute.

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.

2024-289

Approve a Lighting Agreement with Mississippi Power Company for lighting on Gunnison Dr. for a monthly cost of \$69.30 and authorize the Mayor to execute the same.

Attachments: [Authorization Letter Gunnison Dr](#)

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve a Lighting Agreement with Mississippi Power Company for lighting on Gunnison Dr. for a monthly cost of \$69.30 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.

2024-290

Approve the upgrade of the street lighting agreement on May Avenue with Mississippi Power detailed in the attached document for a monthly increase of \$8.65 and authorize the Mayor to execute the same.

Attachments: [Authorization Letter 114 May St](#)

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve the upgrade of the street lighting agreement on May Avenue with Mississippi Power detailed in the attached document for a monthly increase of \$8.65 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

13.

2024-291

Approve and authorize the issuance of manual check for LeadSafe (CDBG) Program Claim per the attached memorandum.

Attachments: [Invoice South12thAve June2024](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve and authorize the issuance of manual check for LeadSafe (CDBG) Program Claim per the attached memorandum.

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.

2024-303

Acknowledge receipt of closeout documents for the Lamar Boulevard Reconstruction Project, approve payment of final pay application and final acceptance of the project.

Attachments: [Lamar Blvd closeout documents](#)

A MOTION was made by Council Vice President Ware and seconded by Council Member Delgado to Acknowledge receipt of closeout documents for the Lamar Boulevard Reconstruction Project, approve payment of final pay application and final acceptance of the project.

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 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, Carroll, Ware and Brown

Nays: 0

1. **2024-283** Acknowledge receipt of the FYE 2023 Annual Report and Audit of the Hattiesburg Convention Commission.

 Attachments: 2023 HCC Annual Report

2. **2024-293** Acknowledge receipt of the Fiscal Year 2025 budget for Pine Belt Regional Solid Waste Authority.

 Attachments: 2025 Budget PBRWA

3. **2024-296** Acknowledge receipt of the monthly budget report for the month ending June 30, 2024.

 Attachments: REV 0624
 EXP 0624

4. **2024-292** Approve and authorize publication of Notice of Public Hearing regarding Substantial Amendments to the 2021 One Year Action Plan and 2022 One Year Action Plan

 Attachments: Action Plan Substantial Amendment for PY21-PY22

5. **2024-286** Approve the sale of grave spaces, per attached Memo's, Receipts and Deeds.

 Attachments: Memo's (07-16-2024)
 Receipts (07-16-2024)
 Deeds (07-16-2024)

6. **2024-295** Approve claims docket for the period ending July 12, 2024.

 Attachments: DOCKET 24.07.12
 DT 24.07.12

In Memoriam:

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

- Dr. Louise Davis
- Mr. Bennie “B.J.” Sellers
- Ms. Reba “Ontee” Sumrall Welborn
- Mayor David Taylor, II
- Mr. Sherwin Winston Easterling
- Mr. Tommy Dale Dorsey, Sr.
- Ms. Inez Greer Dent

Meeting Adjourn

Council President George declared the **meeting adjourned at 5:11 p.m., this 16th day of July, 2024**, by unanimous consent, until the 5th day of August, 2024.

ATTEST:

APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor