

Published Agenda



Tuesday, September 3, 2024
4:00 PM

City Council
Tuesday Meeting Agenda

Council Chambers
200 Forrest Street

Call to Order

Call to Prayer and Pledge of Allegiance

Public Hearing

1.

2024-436

Hold a Public Hearing for an appeal as requested by Douglas Miller, petitioner, requests to appeal section 11.7 the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions of the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a Group facility. The Planning Commission recommended upholding the decision of the Urban Development Director.
2.

2024-419

Hold Public Hearing 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:

Hold Public Hearing Memo - CE 09 03 2024

1. 105 Saucier Dr Case History

2. 309 Magnolia Ave Case History

3. 711 Claiborne Ave Case History

4. 717 New Orleans St Case History

5. 814 Atlanta St Case History

6. 814 Grace Ave Case History

7. 906 Short 7th St Case History

8. 1100 Coit St Case History

9. 1220 Dewey St Case History

10. 303 S 13th Ave Case History

11. 117 E Scooba St Case History

12. 231 May Ave Case History

13. 423 E Scooba St Case History

Dismissal Memo - 231 May Ave
3.

2024-443

Hold Public Hearing to hear public comment on the Motor Vehicle Assessment Schedule for the City of Hattiesburg for the fiscal year beginning October 1, 2024, and ending September 30, 2025.

Presentation Agenda

Citizens' Forum

- Agenda Adjustments – Add Routine Item #10 at the request of the Administration as follows:

10.

2024-448

Acknowledge bids received August 29, 2024 for the Midtown Streetscape Project and reject all bids received; Authorize for re-advertisement of bids.

POLICY AGENDA

1.

2024-422

Approve the minutes for the August 19, 20 & 23, 2024 meetings of the City Council.
2.

2024-437

Approve the Planning Commission recommendation to deny the petition by Douglas Miller, petitioner, to appeal section 11.7 the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions of the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a Group facility. This recommendation is being appealed.
3.

2024-420

Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.
4.

2024-425

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.

2024-444

Adopt a Resolution for final approval of the Motor Vehicle Assessment Schedule for fiscal Year 2024-2025.
6.

2024-426

Adopt a Resolution approving the revised obligation of the City's ARPA funds for the Lincoln Rd Stormwater Retention Facility Phase I project; Authorizing the execution of a construction contract with Walter's Construction for the same; and for related purposes.

- 7. 2024-423 Approve Lighting Agreements with Mississippi Power Company for additional street lighting for a monthly increase of \$50.22 and authorize the Mayor to execute the same.
- 8. 2024-423 Acknowledge bids received June 20th, 2024 for the Lincoln Road Detention Pond and accept the bid from Walters Construction Company, Inc in the amount of \$4,791,444.00; and Authorize the Mayor to execute any and all documents required for the project including, but not limited to, construction contracts.
- 9. 2024-417 Acknowledge receipt of closing documents for the Water Plant 1 Ph II Project; Authorize Advertisement for Final Settlement; Authorize Final Acceptance of the project and payment of Final Pay Application to the Hemphill Construction Co.
- 10. 2024-431 Acknowledge receipt of closing documents for the FTA Sidewalks Hardy St.-Kamper Park project and authorize publication of the Notice of Settlement, payment of the final pay application to the contractor, and final acceptance of the project.
- 11. 2024-375 Take from the table; Approve an Agreement between the City of Hattiesburg and Hattiesburg Exchange Club/ Dixie Youth Inc. to operate and promote Dixie Youth Baseball for Hattiesburg residents; authorize the Mayor to execute and issuance of manual check. (Tabled from the August 20, 2024 Council meeting).
- 12. 2024-447 Approve Letter of Engagement with Topp McWhorter Harvey PLLC to audit the financial statements of the City of Hattiesburg for the fiscal year ending September 30, 2024; authorize the Council President to execute the same.
- 13. 2024-438 Approve an Agreement between the City of Hattiesburg and the United States Department of Justice, Drug Enforcement Administration (DEA),to provide funding for administrative assistance to the Hattiesburg DEA Taskforce and authorize the Mayor to execute any and all necessary documents for the same.
- 14. 2024-440 Approve Renewal Agreement with CivicPlus for agenda management software, for a term beginning October 1, 2024 through September 30, 2025 and authorize the Mayor to execute the same.
- 15. 2024-433 Declare repairs to the Hattiesburg Train Depot in the amount of \$359,330.00 as an emergency purchase due to damages caused by a train in accordance with MS Code 31-7-13 (f).

ROUTINE AGENDA

- 1. 2024-266 Acknowledge receipt of the two-quote docket.
- 2. 2024-439 Acknowledge receipt of and approve the amended 2024 budget of the Hattiesburg Convention Commission.
- 3. 2024-365 Acknowledge receipt of and approve the 2025 budget of the Hattiesburg Convention Commission.
- 4. 2024-432 Acknowledge receipt of FY 2023 Expenditure Report from Hattiesburg Exchange Club for Dixie Youth Baseball.
- 5. 2024-434 Acknowledge receipt of the 2023-2024 End-of-Year Report for the University of Southern Mississippi Symphony & Opera Community & Educational Outreach Program.
- 6. 2024-429 Approve the 2024 Annual Action Plan for the City of Hattiesburg and authorize submission to the U S Department of Housing and Urban Development (HUD).
- 7. 2024-435 Approve Specifications and Authorize publication of an advertisement for various term bid items for the City of Hattiesburg Water Department.
- 8. 2024-418 Approve the sale of grave spaces per attached, Memo's, Receipts and Deeds.
- 9. 2024-430 Approve claims docket for the period ending August 31, 2024.

5:30 p.m: Public Hearing on the proposed budget and proposed tax levies for FYE 2025.

Hold Public Hearing on the proposed budget and proposed tax levies for fiscal year 2025 at 5:30 p.m. in Council Chambers at City Hall.

AGENDA ITEMS

- 1. 2024-442 Adopt Resolution levying ad valorem taxes on all taxable property within the City of Hattiesburg, Mississippi, for the purpose of raising revenue for said City for the fiscal year beginning October 1, 2024, and ending September 30, 2025.

In Memoriam:

- Ms. Robin Barber Banks
- Mrs. Jan Doeblar Lacy

Meeting Adjourn

Call to Order

Public Hearing

BE IT REMEMBERED that the Hattiesburg City Council held a **public hearing at 4:00 p.m. Tuesday, September 3, 2024**, in Council Chambers at City Hall, for an appeal as requested by Douglas Miller, petitioner, requests to appeal section 11.7 the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions of the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a Group facility. The Planning Commission recommended upholding the decision of the Urban Development Director.

Those present included Mayor Toby Barker (in at 4:18 p.m.) 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, **opened the Public Hearing at 4:03 p.m.** and explained the procedures.

1.

2024-436

Hold a Public Hearing for an appeal as requested by Douglas Miller, petitioner, requests to appeal section 11.7 the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions of the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a Group facility. The Planning Commission recommended upholding the decision of the Urban Development Director.

**Note: Due to technicalities, Council President George proceeded with the next Public Hearing.*

Public Hearing – Unsafe Properties

BE IT REMEMBERED that the Hattiesburg City Council held a **Public Hearing on unsafe properties at 4:07 p.m., September 3, 2024**, in Council Chambers at City Hall, pursuant to order adopted August 6, 2024, at Minute Book 2023 Page 66, to determine if the following properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community.

Council President George called the meeting to order and explained the procedures.

2.

2024-419

Hold Public Hearing 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:

Hold Public Hearing Memo - CE 09 03 2024

1. 105 Saucier Dr Case History

2. 309 Magnolia Ave Case History

3. 711 Claiborne Ave Case History

4. 717 New Orleans St Case History

5. 814 Atlanta St Case History

6. 814 Grace Ave Case History

7. 906 Short 7th St Case History

8. 1100 Coit St Case History

9. 1220 Dewey St Case History

10. 303 S 13th Ave Case History

11. 117 E Scooba St Case History

12. 231 May Ave Case History

13. 423 E Scooba St Case History

Dismissal Memo - 231 May Ave

Code Enforcement Manager, Charles Copeland, presented the properties to be considered. Mr. Copeland recommended that the Council adopt resolutions determining the properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, providing a specified period of time to remove the violations, and declaring the City's intent to take action to clear violations and charge the cost plus penalty against the property if the violations are not resolved in the specified period of time. He recommended resolutions allowing homeowners 15 days to resolve violations.

Council President George called out each unsafe property listed and asked if there were any citizens who wished to speak on behalf of the property called.

- Case #1 - 105 Saucier Drive - Takesha Jenkins, property owner's daughter
- Case # 2 - Jewel Pate, property owner
- Case #7 - 906 Short 7th Street - Frank Calloway, property owner
- Case #8 - 1100 Coit Street - Katie McGee
- Case #9 - 1220 Dewey Street - Elaine Harper, caretaker of property owner
- Case #12 - 231 May Avenue - dismissal requested

There were no other citizens present who wished to address the Council regarding properties listed for the public hearing.

Council Vice President Ware requested Case # 2-309 Magnolia Drive be dismissed also due to similar reasons to Case #12 being dismissed.

By unanimous consent, Council President George **closed the public hearing at 4:28 p.m. and proceeded back with Public Hearing for the Appeal.**

Public Hearing – Appeal

Council President George **re-opened the Public Hearing for the Appeal at 4:29 p.m.** and explained the procedures.

1. **2024-436** Hold a Public Hearing for an appeal as requested by Douglas Miller, petitioner, requests to appeal section 11.7 the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions of the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a Group facility. The Planning Commission recommended upholding the decision of the Urban Development Director.

Cory Long, Planning Division Manager, presented an overview history of the case.

After Mr. Long's overview, the Appellant, Attorney Douglas Miller, presented an overview on appeal on behalf of the Property Owner, Kenneth Thronson.

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

- Robert Laggins, spoke on behalf of the appeal.
- Cliff Brown, spoke on behalf of the appeal.
- James Moore, spoke on behalf of the appeal.

- Buddy Morrow, spoke on behalf of the appeal.
- Ed Langton, spoke on behalf of the appeal.
- David Dearman, spoke on behalf of the appeal.

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

Council President George asked the Appellant for rebuttal.

Pastor Ken Thronson presented a closing statement of the appeal.

By unanimous consent, Council President George **closed the public hearing at 5:22 p.m. and proceeded with the Public Hearing for the Motor Vehicle Assessment Fiscal Year 2024-2025.**

Public Hearing – Motor Vehicle Assessment Schedule

3.

2024-443

Hold Public Hearing to hear public comment on the Motor Vehicle Assessment Schedule for the City of Hattiesburg for the fiscal year beginning October 1, 2024, and ending September 30, 2025.
- Attachment:

2024 2025 Uniform Assessment Schedule FINAL 5.6.24

BE IT REMEMBERED that the Hattiesburg City Council held a **Public Hearing at 5:23 p.m. Tuesday, September 3, 2024**, in Council Chambers at City Hall, to hear public comment on the Motor Vehicle Assessment Schedule for the City of Hattiesburg for the fiscal year beginning October 1, 2024, and ending September 30, 2025.

Council President George **opened the Public Hearing** and explained the procedures.

City Clerk, Kermas Eaton, presented an overview of the assessment schedule.

Council President George called for comments or questions from citizens; there were no citizens present who wished to address the Council.

By unanimous consent, Council President George **closed the public hearing at 5:47 p.m. and recessed the meeting until 5:30 p.m. for the Proposed Budget Public Hearing.**

Public Hearing on the Proposed Budget and Proposed Tax Levies for FYE 2025

BE IT REMEMBERED that the Hattiesburg City Council held a **Public Hearing on the Proposed Budget and Proposed Tax Levies for fiscal year 2024-2025 at 5:30 p.m. Tuesday, September 3, 2024**, in Council Chambers at City Hall.

Council President George **called the meeting to order and opened the Public Hearing at 5:30 p.m.**

1.

2024-441

Hold Public Hearing on the proposed budget and proposed tax levies for fiscal year 2025 at 5:30 p.m. in Council Chambers at City Hall.
- Attachments:

Notice of Public Hearing on Budget Tax Levy FY2025

Mayor Barker presented an opening statement of the proposed budget.

Followed by the Mayor's opening statement, Mr. Malcolm Berch, Chief Financial Officer provided a Power Point presentation on the 2024-2025 proposed budget.

Council President George called for comments or questions from citizens; there were no citizens present who wished to address the Council.

Council President George **closed the hearing at 5:47 p.m. and re-opened the meeting to proceed with the regular Council meeting at 5:48 p.m.**

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

Citizen's 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:

- Virginia Smith, 200 Tuscan Ave., Apt. A

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

Council Vice President Ware **closed the Citizen Forum**, and Council President George **proceeded with the Agenda Adjustments.**

Agenda Adjustments

The Clerk of Council read aloud the Agenda Adjustments as follows:

ADD Routine Item #10 at the request of the Administration as follows:

R-10. 2024-448 Acknowledge bids received August 29, 2024 for the Midtown Streetscape Project and reject all bids received; Authorize for re-advertisement of bids.

AND, two deletions off of the Claims Docket (*Routine Item #9*):

- **Purchase Order - #2404727** for the amount of \$149.39
- **Purchase Order - #2404711** for the amount of \$209.95

R-9. 2024-430 Approve claims docket for the period ending August 31, 2024.

Attachment: MEMO – Removal of Payments of Claims, 09-03-2024

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to **ADD Routine Item #10** and to **DELETE two purchase orders on the claims docket (*Routine Item #9*)** at the request of the Administration as follows:

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. 2024-422 Approve the minutes for the August 19, 20 & 23, 2024 meetings of the City Council.

Attachments: [08-19-2024 AR, BP Mins.](#)
 [08-20-2024 Mins.](#)
 [08-23-2024 SC Mins.](#)

A MOTION was made by Council Member Delgado and seconded by Council Member Carroll to **APPROVE** the minutes for the August 19, 20 & 23, 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. 2024-437 Approve the Planning Commission recommendation to deny the petition by Douglas Miller, petitioner, to appeal section 11.7 the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions of the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a Group facility. This recommendation is being appealed.

Attachments: [A1 - Staff Summary - 408 Broadway Drive](#)
 [A2 Image Sheet - 408 Broadway Drive](#)
 [01 Lighthouse Rescue Mission Inc - Pre-app APPLICATION](#)
 [02 Lighthouse Rescue Mission - Pre- App Notes](#)
 [03 Questions from applicant regarding use designation](#)
 [04 Response to applicant on questions](#)
 [05 Appeal Form](#)
 [Exhibit A-2](#)
 [Exhibit A-3](#)
 [Exhibit A-4](#)
 [Exhibit A-1](#)

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to **TABLE** (*until September 17, 2024 Council Meeting*) the Planning Commission recommendation to deny the petition by Douglas Miller, petitioner, to appeal section 11.7 the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions of the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a Group facility. This recommendation is being appealed.

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. 2024-420 Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: [Adopt Resolution to Condemn Memo - CE 09 03 2024](#)
 [1. 105 Saucier Dr - Adopt Condemn Res Page](#)
 [2. 309 Magnolia Ave - Adopt Condemn Res Page](#)
 [3. 711 Claiborne Ave - Adopt Condemn Res Page](#)
 [4. 717 New Orleans St - Adopt Condemn Res Page](#)
 [5. 814 Atlanta St - Adopt Condemn Res Page](#)
 [6. 814 Grace Ave - Adopt Condemn Res Page](#)
 [7. 906 Short 7th St - Adopt Condemn Res Page](#)
 [8. 1100 Coit St - Adopt Condemn Res Page](#)
 [9. 1220 Dewey St - Adopt Condemn Res Page](#)
 [10. 303 S 13th Ave - Adopt Condemn Res Page](#)
 [11. 117 E Scooba St - Adopt Condemn Res Page](#)
 [12. 231 May Ave - Adopt Condemn Res Page](#)
 [13. 423 E Scooba St - Adopt Condemn Res Page](#)
 [Dismissal Memo - 231 May Ave](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **ADOPT RESOLUTIONS (#2024-114-125)** condemning the following properties as unclean and a menace to the health and safety of the community; with the dismissal of the following properties: 309 Magnolia Ave. and 231 May Ave.

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

4.

2024-425

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:

Adjudication Memo - CE 09/03/2024

1. 2504 Arcadia St Adjudication Resolution

2. 100 Warwick Adjudication Resolution

3. 305 JC Killingsworth Dr Adjudication Resolution

4. 515 E 5th St Adjudication Resolution

5. Parcel 2-029H-03-099.00 Adjudication Resolution

6. 815 Fairley St Adjudication Resolution

7. 709 Fairley St Adjudication Resolution

8. 702 Short 9th St Adjudication Resolution

9. 704 Short 9th St Adjudication Resolution

10. 8 Bonnie St Adjudication Resolution

11. 6 Bonnie St Adjudication Resolution

12. (7) Bonnie St Adjudication Resolution

13. 0 Bouie St Adjudication Resolution

14. 1001 Fairley St Adjudication Resolution

A MOTION was made by Council Member Delgado and seconded by Council Vice President Ware to **ADOPT RESOLUTIONS (#2024-126-139)** 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.

2024-444

Adopt a Resolution for final approval of the Motor Vehicle Assessment Schedule for fiscal Year 2024-2025.
- Attachment:

Motor Veh Resolution to adopt

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **ADOPT A RESOLUTION (#2024-140)** for final approval of the Motor Vehicle Assessment Schedule for fiscal Year 2024-2025.

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.

2024-426

Adopt a Resolution approving the revised obligation of the City's ARPA funds for the Lincoln Rd Stormwater Retention Facility Phase 1 project; Authorizing the execution of a construction contract with Walter's Construction for the same; and for related purposes.
- Attachments:

Resolution Approving Lincoln Rd (Phase I) Construction Contract (ARPA)

ARPA Resolution - Lincoln Ph. I - Exhibits

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **ADOPT A RESOLUTION (#2024-141)** approving the revised obligation of the City's ARPA funds for the Lincoln Road Stormwater Retention Facility Phase 1 project; Authorizing the execution of a construction contract with Walter's Construction for the same; and for related purposes.

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.

2024-423

Approve Lighting Agreements with Mississippi Power Company for additional street lighting for a monthly increase of \$50.22 and authorize the Mayor to execute the same.

Attachments:

Authorization Letter E 5th St
Authorization Letter Ferguson Alley

A MOTION was made by Council Member Delgado and seconded by Council Member Carroll to **APPROVE** Lighting Agreements with Mississippi Power Company for additional street lighting for a monthly increase of \$50.22 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

8.

2024-423

Acknowledge bids received June 20th, 2024 for the Lincoln Road Detention Pond and accept the bid from Walters Construction Company, Inc in the amount of \$4,791,444.00; and Authorize the Mayor to execute any and all documents required for the project including, but not limited to, construction contracts.

Attachments:

Recommendation Award (Walter's Construction)
Bid Tab List Lincoln Rd Detention Pond
Bid Looks Good Services for Lincoln Rd Detention Pond
Bid T L Wallace Construction Inc for Lincoln Rd Detention Pond
Bid Walker Construction LLC for Lincoln Detention Pond
Bid Kelley Brothers Contractors Inc for Lincoln Rd Detention Pond
Bid Walter's Construction for Lincoln Rd Detention Pond
Bid Dunn Roadbuilders LLC for Lincoln Rd Detention Pond

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **ACKNOWLEDGE** bids received June 20th, 2024 for the Lincoln Road Detention Pond and **ACCEPT** the bid from Walters Construction Company, Inc in the amount of \$4,791,444.00; and **AUTHORIZE** the Mayor to execute any and all documents required for the project including, but not limited to, construction contracts.

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.

2024-417

Acknowledge receipt of closing documents for the Water Plant 1 Ph II Project; Authorize Advertisement for Final Settlement; Authorize Final Acceptance of the project and payment of Final Pay Application to the Hemphill Construction Co.

Attachment:

1273-W015.2 pay application #8 & Final

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to **ACKNOWLEDGE** receipt of closing documents for the Water Plant 1 Ph II Project; **AUTHORIZE** Advertisement for Final Settlement; Authorize Final Acceptance of the project and payment of Final Pay Application to the Hemphill Construction Co.

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. **2024-431** Acknowledge receipt of closing documents for the FTA Sidewalks Hardy St.-Kamper Park project and authorize publication of the Notice of Settlement, payment of the final pay application to the contractor, and final acceptance of the project.

Attachments: Notice of Final Settlement - FTA Sidewalk Project
Closing Documents - FTA Sidewalks Hardy-Kamper Pk

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to **ACKNOWLEDGE** receipt of closing documents for the FTA Sidewalks Hardy St.-Kamper Park project and **AUTHORIZE** publication of the Notice of Settlement, payment of the final pay application to the contractor, 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

11. **2024-375** Take from the table; Approve an Agreement between the City of Hattiesburg and Hattiesburg Exchange Club/ Dixie Youth Inc. to operate and promote Dixie Youth Baseball for Hattiesburg residents; authorize the Mayor to execute and issuance of manual check. (Tabled from the August 20, 2024 Council meeting).

Attachment: DYB Exchange Club - Revised Agreement24

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **TAKE FROM THE TABLE**; an Agreement between the City of Hattiesburg and Hattiesburg Exchange Club/ Dixie Youth Inc. *(Tabled from the August 20, 2024 Council meeting)*.

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

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to **APPROVE** an Agreement between the City of Hattiesburg and Hattiesburg Exchange Club/ Dixie Youth Inc. to operate and promote Dixie Youth Baseball for Hattiesburg residents; **AUTHORIZE** the Mayor to execute and issuance of manual check.

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.

2024-447

Approve Letter of Engagement with Topp McWhorter Harvey PLLC to audit the financial statements of the City of Hattiesburg for the fiscal year ending September 30, 2024; authorize the Council President to execute the same.

Attachment: City of Hattiesburg Engagement Letter

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **APPROVE** Letter of Engagement with Topp McWhorter Harvey PLLC to audit the financial statements of the City of Hattiesburg for the fiscal year ending September 30, 2024; **AUTHORIZE** the Council President 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.

2024-438

Approve an Agreement between the City of Hattiesburg and the United States Department of Justice, Drug Enforcement Administration (DEA),to provide funding for administrative assistance to the Hattiesburg DEA Taskforce and authorize the Mayor to execute any and all necessary documents for the same.

Attachments: DEA Task Force Agreement Administrative position
OJP Form 4061

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **APPROVE** an Agreement between the City of Hattiesburg and the United States Department of Justice, Drug Enforcement Administration (DEA), to provide funding for administrative assistance to the Hattiesburg DEA Taskforce and **AUTHORIZE** the Mayor to execute any and all necessary documents 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

14.

2024-440

Approve Renewal Agreement with CivicPlus for agenda management software, for a term beginning October 1, 2024 through September 30, 2025 and authorize the Mayor to execute the same.

Attachment: HattiesburgMS renewal for agenda management software

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **APPROVE** Renewal Agreement with CivicPlus for agenda management software, for a term beginning October 1, 2024 through September 30, 2025 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

15.

2024-433

Declare repairs to the Hattiesburg Train Depot in the amount of \$359,330.00 as an emergency purchase due to damages caused by a train in accordance with MS Code 31-7-13 (f).

Attachments: Documents 1of2
Documents 2of2

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to **DECLARE** repairs to the Hattiesburg Train Depot in the amount of \$359,330.00 as an emergency purchase due to damages caused by a train in accordance with MS Code 31-7-13 (f).

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 Vice President Ware and seconded by Council Member Carroll 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.

2024-266

Acknowledge receipt of the two-quote docket.

Attachment: September 3, 2024 Council Agenda
2.

2024-439

Acknowledge receipt of and approve the amended 2024 budget of the Hattiesburg Convention Commission.

Attachment: 2024 HCC Amended Budget
3.

2024-365

Acknowledge receipt of and approve the 2025 budget of the Hattiesburg Convention Commission.

Attachment: 2025 HCC Proposed Budget
4.

2024-432

Acknowledge receipt of FY 2023 Expenditure Report from Hattiesburg Exchange Club for Dixie Youth Baseball.

Attachments: Exp Report 1 of 3
Exp Report 2 of 3
Exp Report 3 of 3
5.

2024-434

Acknowledge receipt of the 2023-2024 End-of-Year Report for the University of Southern Mississippi Symphony & Opera Community & Educational Outreach Program.

Attachment: 2023-2024 Year End Report
6.

2024-429

Approve the 2024 Annual Action Plan for the City of Hattiesburg and authorize submission to the U S Department of Housing and Urban Development (HUD).

Attachments: 2024 Annual Action Plan 8.26.24
2024 AAP SF424 and CERTIFICATIONS 8.12.24
7.

2024-435

Approve Specifications and Authorize publication of an advertisement for various term bid items for the City of Hattiesburg Water Department.

Attachments: Water Department Notice to Bidder
Item # 11 Chlorine Gas
Item #20 Furnish Labor
Item #26 Sanitary Sewer Line

8.

2024-418

Approve the sale of grave spaces per attached, Memo's, Receipts and Deeds.
- Attachments:

Memo's (09-03-2024)
Receipts (09-03-2024)
Deeds (09-03-2024)
9.

2024-430

Approve claims docket for the period ending August 31, 2024.
- Attachments:

DOCKET 24.08.31
DT 24.08.31
MEMO - Removal of Payments of Claims, 09-03-2024
10.

2024-448

Acknowledge bids received August 29, 2024 for the Midtown Streetscape Project and reject all bids received; Authorize for re-advertisement of bids.

AGENDA ITEM

1.

2024-442

Adopt Resolution levying ad valorem taxes on all taxable property within the City of Hattiesburg, Mississippi, for the purpose of raising revenue for said City for the fiscal year beginning October 1, 2024, and ending September 30, 2025.
- Attachments:

Resolution tax levy FY 25

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **ADOPT RESOLUTION (#2024-142)** levying ad valorem taxes on all taxable property within the City of Hattiesburg, Mississippi, for the purpose of raising revenue for said City for the fiscal year beginning October 1, 2024, and ending September 30, 2025.

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

In Memoriam:

- A MOTION was made by Council President George to *Adjourn the meeting in memory of:*
- *Ms. Robin Barber Banks*
 - *Mrs. Jan Doeblner Lacy*
 - *Mr. Curtis Rogers*
 - *Mr. Jimmy Hopkins*
 - *Mr. Keith K'juth*

Meeting Adjourn

Council President George declared the **meeting adjourned at 6:04 p.m., this 3rd day of September, 2024**, by unanimous consent, until the 16th day of September, 2024.

ATTEST:

APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor