



Tuesday, December 3, 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:

- Request to Add Addendum to the claims docket (*Routine Item #9*), at the request of Councilmember Delgado.

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POLICY AGENDA

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|-------------------|--------------------|--|
| <i>p. 208</i> | 1. 2024-761 | Approve the minutes for the November 18 & 19, 2024 meetings of the City Council. |
| <i>p. 208</i> | 2. 2024-577 | Take from the table; Adopt a Resolution granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes to Kohler Co, for a period not to exceed ten (10) years, commencing December 31, 2023, and ending December 31, 2033, with a true value of \$99,925,745.00 or the amount approved by The Mississippi Department of Revenue. |
| <i>p. 208-209</i> | 3. 2024-757 | 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. |
| <i>p. 209</i> | 4. 2024-758 | Adopt a Resolution declaring property identified as Forrest County Parcel PPIN 22691 necessary for public use as part of the FEMA Hazard Mitigation Grant Program (HMGP) Project DR 4429-0036-R, establishing just compensation and authorizing the Mayor to make a fair market value officer to BB Property & Management, LLC., and any and all interest holders in said property, and to acquire rights to the property from all interest holders, and authorize issuance of manual check. |
| <i>p. 209</i> | 5. 2024-683 | Approve Lighting Agreement with Mississippi Power Company for lighting at 127 Melrose Ave for a monthly increase of \$8.65 and authorize Mayor to execute the same. |
| <i>p. 209-210</i> | 6. 2024-714 | Approve a Lease Agreement between the City of Hattiesburg and DEX imaging for the lease of a printer for Parks and Recreation to be located at the Ben McNair Center for \$115.00 a month for a period of 48 months and authorize the Mayor to execute the same. |
| <i>p. 210</i> | 7. 2024-715 | Approve an Agreement between the City of Hattiesburg and Hattiesburg Exchange Club to operate and promote Dixie Youth Baseball for Hattiesburg residents for the amount of \$15,000 and authorize the Mayor to execute and issuance of manual check. |
| <i>p. 210</i> | 8. 2024-716 | Approve an Agreement between the City of Hattiesburg and HubCity Lacrosse to operate and promote for Hattiesburg residents for a period of one year in the amount of \$3,000 and authorize the Mayor to execute and issuance of manual check. |
| <i>p. 210-211</i> | 9. 2024-755 | Approve the 2024-2025 MS Department of Environmental Quality (MDEQ) Solid Waste Assistance Grant Agreement in the amount of \$75,000.00 to fund a Household Hazardous Waste "Right Way to Throw Away Day." The grant requires the city to provide at least \$25,000 in matching funds and authorize the Mayor to execute the same. |

ROUTINE AGENDA

- | | | |
|---------------|--------------------|--|
| <i>p. 211</i> | 1. 2024-753 | Ratify a Joint-Funding Agreement for the corrected period of October 1, 2024, to September 30, 2025 to continue the cooperative program between the U.S. Geological Survey (USGS) and the City of Hattiesburg for the operation and maintenance of the Bouie River Flood Monitoring Site at Glendale Avenue. |
| <i>p. 211</i> | 2. 2024-713 | Acknowledge the 2024 Expenditure Report from Hattiesburg Exchange Club for the operation of Dixie Youth Baseball League. |
| <i>p. 211</i> | 3. 2024-754 | Acknowledge receipt of the two-quote docket. |
| <i>p. 211</i> | 4. 2024-751 | Acknowledge receipt of the monthly budget report for the month ending October 31, 2024. |
| <i>p. 211</i> | 5. 2024-765 | Acknowledge manual checks approved during a period beginning October 1, 2024, and ending October 31, 2024. |
| <i>p. 212</i> | 6. 2024-759 | Approve plans and specifications for the Fountainbleu Apartments and Mississippi Hall Area Sewer Rehabilitation Project and authorize advertisement for bids for the same. |
| <i>p. 212</i> | 7. 2024-756 | Approve and Authorize Publication Notice of No Significant Impact on the Environment and Notice to Public for Request for Release of Funds for Broadband Infrastructure Expansion in various locations within the City of Hattiesburg. |

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8. 2024-752

Approve the sale of grave spaces per attached, Memo's, Receipts and Deeds.
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9. 2024-762

Approve claims docket for the period ending November 30, 2024.

In Memoriam:

- Ms. Ginger Thomas Smith
- Ms. Essie Shelton Burden
- Mrs. Alice Kathleen McNally Cooper

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, December 3, 2024**, in Council Chambers at City Hall; same being from a recessed meeting held on December 2, 2024.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2 (via teleconference); Carter Carroll, Ward 3; Dave Ware, Ward 4; 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 Randy Pope.
The Pledge of Allegiance was led by Kermas Eaton.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.
Mayor Barker welcomed members of the Mayor's Youth Council.
There were no other presentations at this time.

Agenda Adjustments

A MOTION was made by Council Member Carroll and seconded by Council Member to **ADD** Addendum to the claims docket (*Routine Item #9*), at the request of Councilmember Delgado.

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

Yeas: 5 - George, Delgado (*via teleconference*), Carroll, Ware and Brown
Nays: 0

- R9. 2024-767

Request to add Addendum to the claims docket (*Routine Item #9*), at the request of Councilmember Delgado.
- Attachments: FORM.DOCKET.ADDENDUM

THE MATTER OF THE AGENDA ORDER came before the Council.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. 2024-761 Approve the minutes for the November 18 & 19, 2024 meetings of the City Council.

Attachments: [11-18-2024 AR Mins.](#)
 [11-19-2024 Mins.](#)

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to **APPROVE** the minutes for the *November 18 & 19, 2024* meetings of the City Council.

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

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

Nays: 0

2. 2024-577 Take from the table; Adopt a Resolution granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes to Kohler Co, for a period not to exceed ten (10) years, commencing December 31, 2023, and ending December 31, 2033, with a true value of \$99,925,745.00 or the amount approved by The Mississippi Department of Revenue.

Attachments: [Kohler Reso](#)
 [Kohler Position Statement](#)
 [Kohler App](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **TAKE FROM THE TABLE**; a Resolution granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes to *Kohler Co*, for a period not to exceed ten (10) years, commencing December 31, 2023, and ending December 31, 2033, with a true value of \$99,925,745.00 or the amount approved by The Mississippi Department of Revenue.

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

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

Nays: 0

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to **TABLE** (*until January 7, 2025 council meeting to give Administration additional time to gather more information*) Resolution granting and allowing ad valorem tax exemption, except state and school district ad valorem taxes to *Kohler Co*, for a period not to exceed ten (10) years, commencing December 31, 2023, and ending December 31, 2033, with a true value of \$99,925,745.00 or the amount approved by The Mississippi Department of Revenue.

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

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

Nays: 0

3. 2024-757 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 12/03/2024](#)
 [1 - 104 Comanche Drive Adjudication Resolution](#)
 [2 - 6581 Highway 49 Adjudication Resolution](#)
 [3 - 718 Greely Street Adjudication Resolution](#)
 [4 - 710 Lincoln Street Adjudication Resolution](#)
 [5 - 102 Brentwood Place Adjudication Resolution](#)
 [6 - 86 Canal Drive Adjudication Resolution](#)
 [7 - 1225 Wall St Adjudication Resolution](#)
 [8 - 807 Railroad St Adjudication Resolution](#)
 [9 - 906 Edwards St Adjudication Resolution](#)

- [10 - 1209 Vernon St Adjudication Resolution](#)
- [11 - 102 W 7th St Adjudication Resolution](#)
- [12 - 122 Ellis Dr Adjudication Resolution](#)
- [13 - 124 Plantation Place Dr Adjudication Resolution](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **ADOPT** **RESOLUTIONS (#2024-236-248)** 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 (*via teleconference*), Carroll, Ware and Brown
Nays: 0

4.

2024-758

Adopt a Resolution declaring property identified as Forrest County Parcel PPIN 22691 necessary for public use as part of the FEMA Hazard Mitigation Grant Program (HMGP) Project DR 4429-0036-R, establishing just compensation and authorizing the Mayor to make a fair market value officer to BB Property & Management, LLC., and any and all interest holders in said property, and to acquire rights to the property from all interest holders, and authorize issuance of manual check.
- Attachments:

[402 N 21st Avenue - Appraisal Report](#)
[Resolution - BB Properties - PPIN 22691](#)
[SKM_654e24112514520](#)

A MOTION was made by Council Member Carroll and seconded by Council Brown to **ADOPT** a **RESOLUTION (#2024-249)** declaring property identified as Forrest County Parcel PPIN 22691 necessary for public use as part of the FEMA Hazard Mitigation Grant Program (HMGP) Project DR 4429-0036-R, establishing just compensation and authorizing the Mayor to make a fair market value officer to *BB Property & Management, LLC.*, and any and all interest holders in said property, and to acquire rights to the property from all interest holders, and **AUTHORIZE** issuance of manual check.

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

Yeas: 5 - George, Delgado (*via teleconference*), Carroll, Ware and Brown
Nays: 0

5.

2024-683

Approve Lighting Agreement with Mississippi Power Company for lighting at 127 Melrose Ave for a monthly increase of \$8.65, and authorize Mayor to execute the same.
- Attachments:

[Authorization Letter 127 Melrose St](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to **APPROVE** Lighting Agreement with Mississippi Power Company for lighting at *127 Melrose Ave.* for a monthly increase of \$8.65, and **AUTHORIZE** Mayor to execute the same.

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

Yeas: 5 - George, Delgado (*via teleconference*), Carroll, Ware and Brown
Nays: 0

6.

2024-714

Approve a Lease Agreement between the City of Hattiesburg and DEX imaging for the lease of a printer for Parks and Recreation to be located at the Ben McNair Center for \$115.00 a month for a period of 48 months and authorize the Mayor to execute the same.
- Attachments:

[City of Hattiesburg parks and rec- lease agreement](#)
[City of Hattiesburg Parks and rec- sales order](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to APPROVE a Lease Agreement between the City of Hattiesburg and *DEX imaging* for the lease of a printer for Parks and Recreation to be located at the Ben McNair Center for \$115.00 a month for a period of 48 months and AUTHORIZE the Mayor to execute the same.

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

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

Nays: 0

7. **2024-715** Approve an Agreement between the City of Hattiesburg and Hattiesburg Exchange Club to operate and promote Dixie Youth Baseball for Hattiesburg residents for the amount of \$15,000 and authorize the Mayor to execute and issuance of manual check.

Attachments: Dixie Youth Baseball Contract 2025

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to APPROVE an Agreement between the City of Hattiesburg and *Hattiesburg Exchange Club* to operate and promote Dixie Youth Baseball for Hattiesburg residents for the amount of \$15,000 and 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 (*via teleconference*), Carroll, Ware and Brown

Nays: 0

8. **2024-716** Approve an Agreement between the City of Hattiesburg and HubCity Lacrosse to operate and promote for Hattiesburg residents for a period of one year in the amount of \$3,000 and authorize the Mayor to execute and issuance of manual check.

Attachments: HubCity Lacrosse Contract
 Lacrosse Liability Insurance

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to APPROVE an Agreement between the City of Hattiesburg and *HubCity Lacrosse* to operate and promote for Hattiesburg residents for a period of one year in the amount of \$3,000 and 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 (*via teleconference*), Carroll, Ware and Brown

Nays: 0

9. **2024-755** Approve the 2024-2025 MS Department of Environmental Quality (MDEQ) Solid Waste Assistance Grant Agreement in the amount of \$75,000.00 to fund a Household Hazardous Waste “Right Way to Throw Away Day.” The grant requires the city to provide at least \$25,000 in matching funds and authorize the Mayor to execute the same.

Attachments: City of Hattiesburg SWC#623
 Agreement with MDEQ Solid Waste Grant for "Right Way to Throw
 Away Day"

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to APPROVE the 2024-2025 MS Department of Environmental Quality (MDEQ) Solid Waste Assistance Grant Agreement in the amount of \$75,000.00 to fund a Household Hazardous Waste “Right Way to Throw Away Day.” The grant requires the city to provide at least \$25,000 in matching funds and AUTHORIZE the Mayor to execute the same.

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware 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 Nicholas Brown to APPROVE the Routine Agenda, *excluding the Addendum to the docket.*

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

Yeas: 5 - George, Delgado (via teleconference), Carroll, Ware and Brown
Nays: 0

Council Member Delgado RECUSED herself from the *Addendum to the docket.*

A MOTION was made by Council Member Carroll and seconded by Council Nicholas Brown to APPROVE the *Addendum to the claims docket.*

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

Yeas: 4 - George, Carroll, Ware and Brown
Nays: 0
Recused: 1 – Delgado

Following the vote, Council Member Delgado returned.

1.

2024-753

Ratify a Joint-Funding Agreement for the corrected period of October 1, 2024 to September 30, 2025 to continue the cooperative program between the U.S. Geological Survey (USGS) and the City of Hattiesburg for the operation and maintenance of the Bouie River Flood Monitoring Site at Glendale Avenue.

Attachments: Executed Joint-Funding Agreement with USGS - Bouie River Flood Monitoring site at Glendale Avenue
2.

2024-713

Acknowledge the 2024 Expenditure Report from Hattiesburg Exchange Club for the operation of Dixie Youth Baseball League.

Attachments: Dixie Youth Expedenture Report
3.

2024-754

Acknowledge receipt of the two-quote docket.

Attachments: Decenber 3, 2024 Agenda
4.

2024-751

Acknowledge receipt of the monthly budget report for the month ending October 31, 2024.

Attachments: EXP REPORT 103124
REV REPORT 103124
5.

2024-765

Acknowledge manual checks approved during a period beginning October 1, 2024 and ending October 31, 2024.

Attachments: Manual Checks Register
 Manual Checks

6. 2024-759 Approve plans and specifications for the Fountainbleu Apartments and Mississippi Hall Area Sewer Rehabilitation Project and authorize advertisement for bids for the same.

Attachments: 12243 Plans Street Ready Set 2024-11-27
 12243 Specs Street Ready Set 2024-11-27

7. 2024-756 Approve and Authorize Publication Notice of No Significant Impact on the Environment and Notice to Public for Request for Release of Funds for Broadband Infrastructure Expansion in various locations within the City of Hattiesburg.

Attachments: Combined Notice iConnect Broadband Expansion - publish date 12.5.24

8. 2024-752 Approve the sale of grave spaces per attached, Memo's, Receipts and Deeds.

Attachments: Memo's (12-03-2024)
 Receipts (12-03-2024)
 Deeds (12-03-2024)

9. 2024-762 Approve claims docket for the period ending November 30, 2024.

Attachments: DOCKET 24.11.30A
 DT 24.11.30A

Executive Session

A MOTION was made by Council Vice President Ware for the Council to **ENTER CLOSED SESSION TO DETERMINE THE NEED TO ENTER EXECUTIVE SESSION** at 5:10 p.m.

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

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

Nays: 0

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

Council Member Delgado disconnected via teleconference at 5:11 p.m.

A MOTION was made by Council Vice President Ware and seconded by Council President George to **ENTER EXECUTIVE SESSION** to discuss litigation strategy, since to have an open meeting on this would have a detrimental effect on the litigating position of the City, in accordance with Mississippi Code Section 25-41-7 (b) at 5:11 p.m.

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

Yeas: 4 - George, Carroll, Ware and Brown

Nays: 0

Absent: 1 - Delgado

The City Attorney stepped out into the hall and announced that the Council has gone into Executive Session to discuss litigation strategy.

Those present for the Executive Session were Mayor Toby Barker; Council members Jeffrey George, Carter Carroll, Dave Ware and Nicholas Brown; Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Chief Administrative Officer, Ann Jones; Police Chief, Hardy Sims; Fire Chief, Sherrocko Stewart; Director of

Parks and Recreation, Betsy Mercier; Chief Communications Officer, John Arender; Clerk of Council, Ronda Kennedy; Deputy Clerk of Council, Lisa Luu Jolly.

A MOTION was made by Council Member Carroll and seconded by Council Vice President Ware to exit Executive Session and **RE-OPEN** the meeting to the public at 5:30 p.m.

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

- Yeas: 4 - George, Carroll, Ware and Brown
- Nays: 0
- Absent: 1 - Delgado

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

In Memoriam:

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

- *Ms. Ginger Thomas Smith*
- *Ms. Essie Shelton Burden*
- *Mrs. Alice Kathleen McNally Cooper*

Meeting Adjourn

Council President George declared the **meeting adjourned at 5:31 p.m., this 3rd day of December 2024**, by unanimous consent, until the 16th day of December 2024.

ATTEST:

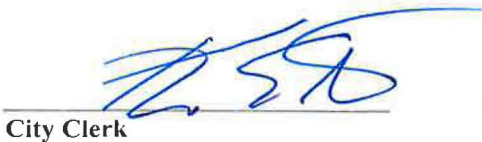
APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor