

City of Hattiesburg, MS

*200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401*



Minutes Report

Tuesday, February 7, 2017

5:00 PM

Council Chambers

City Council

I. Call to Order

BE IT REMEMBERED that the regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, February 7, 2017, in Council Chambers at City Hall.

Those present included Mayor Johnny L. DuPree and members of the City Council Kim Bradley, Ward 1; Deborah Delgado, Ward 2 (Teleconference); Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Henry Naylor, Ward 5. Others in attendance included Director of Administration/City Clerk, Kermas Eaton; Chief Financial Officer, Sharon Waits; Fire Chief, Paul Presley; Police Chief, Anthony Parker; Assistant Police Chief, Frank Misenhelter; Director of Public Works, Larry Barnes; Director of Federal and State Programs, La'Keylah White; Director of Urban Development, Pattie Brantley; Code Enforcement Manager, Mark Jordan; City Attorney, Annie Amos; Clerk of Council, Debbie Bernardo; Deputy Clerk of Council, Lisa Luu; media; and the public.

The MEETING was called to order by Council President Carroll.

II. Call to Prayer and Pledge of Allegiance

The prayer was given by Mark Jordan of True Life Missionary Baptist Church.

The Pledge of Allegiance was led by Chief Parker.

III. Agenda Order

THE MATTER OF THE AGENDA ORDER came before the Council.

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to postpone approval of the minutes to the February 21, 2017, City Council meeting, and to Add Policy Agenda Item VI.15 at the request of the Administration and the Council and Add Policy Agenda Items VI.16 and VI.17 at the request of the Council as follows:

VI.15. 2017-229 Authorize suspension of all City of Hattiesburg permitting fees for 90 days for anyone affected by the 1/21/17 tornado.

VI.16. 2017-230 Approve contract with Debris Tech for debris monitoring assistance for the tornado that occurred January 21, 2017.

1. Debris Tech - Debris Monitoring Contract, 2-7-17
2. Certificate of Liability Insurance, Debris Tech

- VI.17. 2017-231** Approve funding for an eight-week sampling program for the South Lagoon at a cost of \$20,400.

1. Basis for Hattiesburg South Lagoon Sampling Plan
2. Sampling Plan
3. South Lagoon Sample Location 13117

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

IV. PRESENTATION AGENDA

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

V. Approval of Minutes

Removed.

VI. POLICY AGENDA

The POLICY AGENDA came before the Council.

- VI.1. 2017-204** Adopt a resolution requesting the Mississippi Legislature to enact Local and Private Legislation for the City of Hattiesburg to provide for a tax on gross sales of all taxable items except hotels, motels, beverages, packaged liquor, motor vehicles, restaurants, groceries and prescription drugs in the City of Hattiesburg, Mississippi to defray the costs of certain public projects in the City, as described herein; to provide that such tax be collected by the State Tax Commission and paid to the City of Hattiesburg; to authorize the City of Hattiesburg to use the proceeds of such tax for the purposes of funding public projects of the City of Hattiesburg; and for related purposes.

1. 1% Sales Tax Legislation
2. Resolution - 1% Sales Tax

A MOTION was made by Council Member Bradley and seconded by Council Member Naylor to Adopt a resolution requesting the Mississippi Legislature to enact Local and Private Legislation for

the City of Hattiesburg to provide for a tax on gross sales of all taxable items except hotels, motels, beverages, packaged liquor, motor vehicles, restaurants, groceries and prescription drugs in the City of Hattiesburg, Mississippi to defray the costs of certain public projects in the City, as described herein; to provide that such tax be collected by the State Tax Commission and paid to the City of Hattiesburg; to authorize the City of Hattiesburg to use the proceeds of such tax for the purposes of funding public projects of the City of Hattiesburg; and for related purposes.

Council Vice President Dryden read aloud a statement requesting that replacement of water lines be added to section 5 of the resolution.

Council member Bradley stated that he does not accept the request addition to his motion.

A MOTION was made by Council Vice President Dryden to TABLE the resolution.

The Motion failed due to lack of a second.

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to adopt the resolution.

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

Yeas: 4 - Bradley, Delgado, Carroll and Naylor

Nays: 1 - Dryden

Council member Bradley commented that without an unanimous vote, it will be difficult . Council President Carroll agreed. Council member Bradley said without the unanimous vote there will not be a one percent sales tax for the City.

Council President Carroll said he respects Council Vice President Dryden's concerns but that legislators have told him that the only way the one percent sales tax will pass is if it is for streets only.

Subsequent discussion related to the process by which the City repairs streets and replaces water lines.

2017-289 Council Vice President Dryden's Statement, 2-7-17

1. MD - Statement, 2-7-17

VI.2. 2017-200 Adopt Resolutions adjudicating and directing the placement of an assessment for the cleanup cost, not to exceed the value of the

property per State Law, against the following properties.

1. ADJUDICATION MEMO
2. 511 New Orleans St.
3. 225 W. 4th St.
4. 451 W. 4th St.
5. 806 Jordan Ave.
6. 202 N. 23rd Ave.
7. 204 Railroad Ave.
8. 309 Unetta St.
9. 3808 Eagle Dr.
10. 722 Walnut St.

A MOTION was made by Council Member Bradley and seconded by Council Member Naylor to Adopt Resolutions adjudicating and directing the placement of an assessment for the cleanup cost, not to exceed the value of the property per State Law, against the following properties.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.3. 2017-172 Rescind condemnation resolution approved on October 18th, 2016 at MB 2016-280-281 for properties located at 1413 N. Main St., 321 Kimball Ave., 800 E. 7th St., 2507 W. 7th St. and 112 E. 8th St. Rescinding is being requested due to an error in the legal description. Adopt Resolution with corrected legal descriptions condemning properties located at 1413 N. Main St., 321 Kimball Ave., 800 E. 7th St., 2507 W. 7th St. and 112 E. 8th St.

1. RESCIND RESOLUTION MEMO
2. 1413 N. Main St.
3. 321 Kimball Ave.
4. 800 E. 7th St.
5. 2507 W. 7th St.
6. 112 E. 8th St.

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to Rescind condemnation resolution approved on October 18th, 2016 at MB 2016-280-281 for properties located at 1413 N. Main St., 321 Kimball Ave., 800 E. 7th St., 2507 W. 7th St. and 112 E. 8th St. Rescinding is being requested due to an error in the legal description. Adopt Resolution with corrected legal descriptions condemning properties located at 1413 N. Main St., 321 Kimball Ave.,

800 E. 7th St., 2507 W. 7th St. and 112 E. 8th St.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.4. 2017-199 Adopt a Resolution authorizing Disbursement No. 12 from the Project Fund Escrow Account in connection with certain Equipment Lease/Purchase Agreement, dated as of February 4, 2016, by and between Banc of America Public Capital Corp and the City of Hattiesburg.

1. Energy Performance Disbursement 12

A MOTION was made by Council Member Bradley and seconded by Council Member Naylor to Adopt a Resolution authorizing Disbursement No. 12 from the Project Fund Escrow Account in connection with certain Equipment Lease/Purchase Agreement, dated as of February 4, 2016, by and between Banc of America Public Capital Corp and the City of Hattiesburg.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.5. 2017-180 Adopt a Resolution authorizing Requisition No. 1 from the Project Fund Construction Account in connection with certain loan agreement, dated as of August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.

1. 2016 Bond Resolution No. 1

A MOTION was made by Council Member Bradley and seconded by Council Member Naylor to Adopt a Resolution authorizing Requisition No. 1 from the Project Fund Construction Account in connection with certain loan agreement, dated as of August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.6. 2017-198 Adopt a Resolution authorizing Requisition No. 63 from the Project Fund Construction Account in connection with a certain loan agreement, dated as of December 19, 2013, by and between the Mississippi Development Bank and the City of Hattiesburg.

1. 2013 Bond Resolution No. 63

A MOTION was made by Council Member Bradley and seconded by Council Member Naylor to Adopt a Resolution authorizing Requisition No. 63 from the Project Fund Construction Account in connection with a certain loan agreement, dated as of December 19, 2013, by and between the Mississippi Development Bank and the City of Hattiesburg.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.7. 2017-183 Approve Payment Application No. 8 and Final Payment to Griner Drilling Service, Inc. in the amount of \$22,400.00 for construction services for 1500 GPM Water Well at Plant #1 project; approve final acceptance of said project; and Authorize Publication of the Notice of Final Settlement of contract of said project.

1. Closing Documents

2. Notice of Final Settlement

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to Approve Payment Application No. 8 and Final Payment to Griner Drilling Service, Inc. in the amount of \$22,400.00 for construction services for 1500 GPM Water Well at Plant #1 project; approve final acceptance of said project; and Authorize Publication of the Notice of Final Settlement of contract of said project.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.8. 2017-181 Approve and authorize Mayor to execute in triplicate a Contractor and Owner Agreement and a Housing Rehabilitation Grant Award to Ferry

D. Coney of 106 Ruby Avenue in an amount not to exceed \$50,000 according to the Housing Rehabilitation and Housing Programs Manual Section VII (E). {Entitlement}

1. Housing Rehabilitation Grant Award - 106 Ruby Avenue 01.25.17

A MOTION was made by Council Member Bradley and seconded by Council Member Naylor to Approve and authorize Mayor to execute in triplicate a Contractor and Owner Agreement and a Housing Rehabilitation Grant Award to Ferry D. Coney of 106 Ruby Avenue in an amount not to exceed \$50,000 according to the Housing Rehabilitation and Housing Programs Manual Section VII (E). {Entitlement}

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.9. 2017-170 Authorize Mayor to sign in triplicate closing documents for the Katrina Community Development Block Grant # R-103-205-02-KED for the Hub City Lofts project.

1. HCL Grant Closing Documents

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to Authorize Mayor to sign in triplicate closing documents for the Katrina Community Development Block Grant # R-103-205-02-KED for the Hub City Lofts project.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.10. 2017-220 Designate the Convention Commission and Saenger Theatre's hosting of the Krewe of Zeus' Coronation Ceremony Friday night, February 24, 2017, as city-approved events for the purposes described in Ordinance 3148.

1. Letter of Request, R. Taylor

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden

to Designate the Convention Commission and Saenger Theatre's hosting of the Krewe of Zeus' Coronation Ceremony Friday night, February 24, 2017, as city-approved events for the purposes described in Ordinance 3148.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.11. 2017-221 Designate the Historic Hattiesburg Downtown Association's list of events scheduled for 2017 as city-approved events for the purposes described in Ordinance Number 3148 (see attached list).

1. Letter of Request, A. Saffle
2. HHDA 2017 Schedule of Events
3. Revised - HHDA 2017 Schedule of Events

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to Designate the Historic Hattiesburg Downtown Association's list of events scheduled for 2017 as city-approved events for the purposes described in Ordinance Number 3148 (see attached list).

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.12. 2017-216 Declare the push back and removal of debris on various streets in the City of Hattiesburg as an emergency purchase per Mississippi Code 31-7-13(k) and approve payment to L & A Contracting Company in the amount of \$ 11,185.75 (purchase order #167466).

1. L & A Contracting Emergency Purchase

A MOTION was made by Council Vice President Dryden and seconded by Council Member Bradley to Declare the push back and removal of debris on various streets in the City of Hattiesburg as an emergency purchase per Mississippi Code 31-7-13(k) and approve payment to L & A Contracting Company in the amount of \$ 11,185.75 (purchase order #167466).

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.13. 2017-217** Declare the Removal of Fallen Trees in the City of Hattiesburg as an emergency purchase per Mississippi Code 31-7-13(k) and approve payment to Geddie Tree Service in the amount of \$ 13,720.00 (purchase order 167476).

1. Geddie Tree Service Emergency Purchase

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to Declare the Removal of Fallen Trees in the City of Hattiesburg as an emergency purchase per Mississippi Code 31-7-13(k) and approve payment to Geddie Tree Service in the amount of \$ 13,720.00 (purchase order 167476).

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.14. 2017-202** Acknowledge application for participation in Federal Property Donation Program through the Mississippi Office of Surplus Property. (nunc pro tunc)

1. Surplus Program Application

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to Acknowledge application for participation in Federal Property Donation Program through the Mississippi Office of Surplus Property. (nunc pro tunc)

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

- VI.15. 2017-229** Authorize suspension of all City of Hattiesburg permitting fees for 90 days for anyone affected by the 1/21/17 tornado.

A MOTION was made by Council Member Bradley and seconded by Council Vice President Dryden to Authorize suspension of all City of Hattiesburg permitting fees for 90 days for anyone affected by the 1/21/17 tornado.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VI.16. 2017-230 Approve contract with Debris Tech for debris monitoring assistance for the tornado that occurred January 21, 2017.

1. Debris Tech - Debris Monitoring Contract, 2-7-17
2. Certificate of Liability Insurance, Debris Tech

A MOTION was made by Council Vice President Dryden and seconded by Council Member Bradley to Approve contract with Debris Tech for debris monitoring assistance for the tornado that occurred January 21, 2017.

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

Yeas: 4 - Bradley, Carroll, Dryden and Naylor

Nays: 1 - Delgado

VI.17. 2017-231 Approve funding for an eight-week sampling program for the South Lagoon at a cost of \$20,400.

1. Basis for Hattiesburg South Lagoon Sampling Plan
2. Sampling Plan
3. South Lagoon Sample Location 13117

A MOTION was made by Council Member Bradley and seconded by Council Member Delgado to Approve funding for an eight-week sampling program for the South Lagoon at a cost of \$20,400.

Council President Carroll said that he has spoken with Carey Hardin of Clearwater Consultants and that Bonner Analytical will take eleven samples from the Lagoon each week for the next eight weeks; he said this information will help Attorney Keith Turner, and also will help the City aerators and save power, and will help with the collection of solids, which he said the City must do.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

Council President Carroll stated that when this sampling is completed, sampling will occur every two weeks and eventually may take place once a month.

VII. ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Member Bradley and seconded by Council member Council Member Naylor to approve the Routine Agenda.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

VII.1. 2017-214 Acknowledge and accept award USDOJ Edward Byrne Memorial Justice Assistance Grant in the amount of \$19,703.

1. USDOJ Byrne JAG 2016 Award
2. USDOJ Bryne 2016 MOU & Grant Application

VII.2. 2017-215 Acknowledge receipt of bids received January 19, 2017 for Two (2) Year Depositories and accept bids received.

1. Regions
2. Hancock Bank
3. Bancorp
4. Trustmark
5. Great Southern
6. Community Bank
7. The First

- VII.3. 2017-179** Acknowledge bids received January 12, 2017 for the COMSWIP Water Improvements Phase IV - Miscellaneous Connections project and accept bid from C. B. Developers in the amount of \$271,676.78 as the lowest and best bid.

1. Bid Tab
2. Bid-CB Developers
3. Bid-Myers Underground

- VII.4. 2017-197** Approve plans and specifications for the Fourth Street Roadway Improvements Project-Phase II (Project No. HPP 7194-00(003) LPA/105845-801000); Authorize advertisement for bids for same.

1. Specifications
2. Plans
3. Bid Advertisement

- VII.5. 2017-186** Approve Specifications and Authorize Publication of Advertisement for Term Bid Item 4A Event Tee Shirts for the City of Hattiesburg Parks and Recreation Department, Term Bid beginning April 1, 2017.

1. Item 4A Notice to Bidders
2. Item 4A Specifications

- VII.6. 2017-205** Approve Specifications and Authorize Publication of Advertisement for Term Bid #1 Striping of City Streets for the City of Hattiesburg, Term Bid beginning April 1, 2017.

1. Notice to Bidders
2. Item 1 Street Striping Specifications

- VII.7. 2017-206** Approve Specifications and Authorize Publication of Advertisement for Term Bid Item #2 Repair and Rehabilitation of Streets for the City of Hattiesburg and Term Bid Item #2A Paving Alternatives for the City of Hattiesburg, Term Bids beginning April 1, 2017

1. Item 2 Notice to Bidders
2. Item 2 Specifications
3. Item 2A Notice to Bidders
4. Item 2A Specifications

- VII.8. 2017-207** Approve Specifications and Authorize Publication of Advertisement for

Term Bid #3 Ready Mix Concrete for the City of Hattiesburg, Term Bid beginning April 1, 2017

1. Notice to Bidders
2. Item 3 Specifications

VII.9. 2017-208 Approve Specifications and Authorize Publication of Advertisement for Term Bid #10 Vehicle Loop Sealant for the City of Hattiesburg, Term Bid beginning April 1, 2017

1. Notice to Bidders
2. Item 10 Specifications

VII.10. 2017-209 Approve Specifications and Authorize Publication of Advertisement for Term Bid #13 Furnish and Install Various Chain Link and Vinyl Coated Fencing for the City of Hattiesburg, Term Bid beginning April 1, 2017.

1. Item 13 Notice to Bidders
2. Item 13 Specifications

VII.11. 2017-210 Approve Specifications and Authorize Publication of Advertisement for Term Bid # 14 Street Marking Signs and Sign Posts for the City of Hattiesburg, Term Bid beginning April 1, 2017

1. Item 14 Notice to Bidders
2. Item 14 Specifications

VII.12. 2017-203 Approve Specifications and Authorize Publication of Advertisement for Term Bid Item #16 Uniforms for Hattiesburg Police Department and Item #16A Sports Shirts for Hattiesburg Police Department.

1. Notice to Bidders
2. Item 16 Police Uniform Specifications
3. Item 16A Police Dept. Sports Shirts Specifications

VII.13. 2017-211 Approve Specifications and Authorize Publication of Advertisement for Term Bid # 25 Concrete & Brick Structures for the City of Hattiesburg, Term Bid beginning April 1, 2017

1. Item 25 Notice to Bidders
2. Item 25 Specifications

VII.14. 2017-187 Approve Specifications and Authorize Publication of Advertisement for Term Bid Item 32 Uniform Rental Service for Hub City Transit, Term Bid beginning April 1, 2017.

1. Item 32 Notice to Bidders
2. Item 32 Specifications

VII.15. 2017-212 Approve Specifications and Authorize Publication of Advertisement for Term Bid # 33 Crushed Concrete for the City of Hattiesburg, Term Bid beginning April 1, 2017

1. Item 33 Notice to Bidders
2. Item 33 Specifications

VII.16. 2017-213 Approve Specifications and Authorize Publication of Advertisement for Term Bid # 35 Traffic Safety Items for the City of Hattiesburg, Term Bid beginning April 1, 2017

1. Item 35 Notice to Bidders
2. Item 35 Specifications

VII.17. 2017-182 Approve and authorize issuance of manual check for CDBG Program Claim per the attached memorandum. {Entitlement CDBG}

1. Manual Check for Millennium Construction - 414 Dumas Avenue 01.25.17

VII.18. 2017-201 Approve claims docket for the period ending January 31, 2017.

1. Claims Docket 1-31-2017

Additional Business

Council President Carroll called for additional business.

Council member Delgado invited the public to attend a soul food tasting, part of the City's African American History Month celebration, at the train depot immediately following the February 21, 2017, Council meeting; she said it has been rescheduled due to tornado-related issues.

Council President Carroll said that two items, were not completed in time for today's meeting. He asked Ms. Beech if the bid committee will have its recommendation for a debris removal contractor tomorrow; Ms. Beech replied in the affirmative and explained the process for tabulating proposal scores. Council President Carroll asked if she can provide

those documents to the Council; Ms. Beech replied in the affirmative.

Council President Carroll asked Council members if they will be available for a Special Called meeting tomorrow at 11:30 a.m. Council members each replied in the affirmative.

By unanimous consent, Council President Carroll recessed the meeting at 5:20 p.m., this the 7th day of February, AD., 2017.