

Call to Order

BE IT REMEMBERED that **the regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, September 3, 2019**, 2019, in Council Chambers at City Hall.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Deputy Clerk of Council, Lisa Luu; City staff members; media; and the public.

Council President Carroll Called the meeting to order.

Call to Prayer and Pledge of Allegiance

The prayer was given by Phillip McSwain of the Greater Mt. Olive Baptist Church.

The Pledge of Allegiance was led by Alan Howe, Director of the Water Department.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

Agenda Adjustments

THE MATTER OF THE AGENDA ORDER came before the Council.

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Remove Work Session Item #1 at the request of the Administration and Add Addendum to the Claims Docket.

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

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

Nays: 0

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2019-141** Approve the minutes for August 19 & 20, 2019 meetings of the City Council.

Attachments: 8-19-19 AR, FY'19-20 BP Mins.
8-20-19 Mins.

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve the minutes for August 19 & 20, 2019 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, Dryden and Brown

Nays: 0

2. **2019-138** Adopt a Resolution renewing and extending an Interlocal Cooperation Agreement between the City of Hattiesburg and Forrest County for cooperative construction, maintenance, improvements and operation of public park facilities and authorizing the Mayor to execute the same.

Attachments: Resolution Renewing Interlocal Agreement with Forrest County for Park Facilities

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt a Resolution (#2019-259) renewing and extending an Interlocal Cooperation Agreement between the City of Hattiesburg and Forrest County for cooperative construction, maintenance, improvements and operation of public park facilities and authorizing 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, Dryden and Brown

Nays: 0

3. **2019-134** Adopt a Resolution declaring surplus certain equipment and vehicles (per attached list) and authorize the sale of said items to a metal recycling facility, and removal of said equipment and vehicles from the City's inventory of the Water and Sewer Department.

Attachments: Howe-Surplus
 Water and Sewer Surplus 9-3-19

A MOTION was made by Council Vice President Dryden and seconded by Council Member Delgado to Adopt a Resolution (#2019-260) declaring surplus certain equipment and vehicles (per attached list) and authorize the sale of said items to a metal recycling facility, and removal of said equipment and vehicles from the City's inventory of the Water and Sewer Department.

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

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

Nays: 0

4. **2019-131** Adopt a Resolution authorizing Requisition No. 48 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg and authorize the Mayor to execute the same.

Attachments: 2016 Bond Resolution No. 48
 Project Resolution Requisition 2016 Bonds No. 48

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Adopt a Resolution *(#2019-261) authorizing Requisition No. 48 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg 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, Dryden and Brown

Nays: 0

5. **2019-115** Approve Agreement between the City of Hattiesburg and Southern Mississippi Planning and Development District (SMPDD) to serve as a host agency partner in the Senior Community Service Employment Program and authorize the Mayor to execute the same.

Attachments: SMPDD-Senior Community Host Agency Employment-Agreement

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Agreement between the City of Hattiesburg and Southern Mississippi Planning and Development District (SMPDD) to serve as a host agency partner in the Senior Community Service Employment Program 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, Dryden and Brown

Nays: 0

6. **2019-123** Approve Contract by and between the City of Hattiesburg and The Alabama Great Southern Railroad Company for the purchase of a parcel of land consisting of approximately 0.68 acres for the Longleaf Trace African American Museum Project for the sum of \$50,000.00; Authorize Mayor to execute all documents as may be required and approve issuance of manual checks due upon closing.

Attachments: Purchase and Sale Agreement- wbw 8_13_19 clean

A MOTION was made by Council Member George and seconded by Council Member Delgado to Approve Contract by and between the City of Hattiesburg and The Alabama Great Southern Railroad Company for the purchase of a parcel of land consisting of approximately 0.68 acres for the Longleaf Trace African American Museum Project for the sum of \$50,000.00; Authorize Mayor to execute all documents as may be required and approve issuance of manual checks due upon closing.

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

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

Nays: 0

7. **2019-125** Approve a lighting agreement with Mississippi Power Company for additional lighting at 613 East Pine Street at Church and East Pine Street back to Evans Street for an additional monthly increase of \$113.56; authorize Mayor to execute.

Attachments: MS Power-613 E Pine St and E Pine St back to Evans St

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to Approve a lighting agreement with Mississippi Power Company for additional lighting at 613 East Pine Street at Church and East Pine Street back to Evans Street for an additional monthly increase of \$113.56; authorize Mayor to execute.

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

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

Nays: 0

8. **2019-120** Approve Renewal Agreement between the City of Hattiesburg and Kronos, for a period beginning 9/30/2019 and ending 9/29/2020 and authorize the Mayor to execute the same.

Attachments: City of Hattiesburg SID 6110151 SaaS Renewal quote

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve Renewal Agreement between the City of Hattiesburg and Kronos, for a period beginning 9/30/2019 and ending 9/29/2020 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, Dryden and Brown

Nays: 0

9. **2019-142** Approve Letter of Engagement with Montague, Pittman, Varnado & Hall, P.A. to provide special counsel to advise the Civil Service Commission in an appeal.

Attachments: 8-29-19 - ACCEPTANCE LETTER

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Letter of Engagement with Montague, Pittman, Varnado & Hall, P.A. to provide special counsel to advise the Civil Service Commission in an appeal.

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

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

Nays: 0

10. **2019-110** Approve Contractor and Owner Agreement and a Housing Rehabilitation Grant Award to Rita Sykes of 112 Lesley Lane in an amount not to exceed \$50,000 according to the Housing Rehabilitation and Housing Programs Manual Section VII (E). {Entitlement} and authorize the Mayor to execute the same.

Attachments: COHCDD Contractor & R. Sykes 08.20.19
Grant Agreement - R. Sykes (\$25K+) 08.20.19

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve Contractor and Owner Agreement and a Housing Rehabilitation Grant Award to Rita Sykes of 112 Lesley Lane in an amount not to exceed \$50,000 according to the Housing Rehabilitation and Housing Programs Manual Section VII (E). {Entitlement} 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, Dryden and Brown

Nays: 0

11. **2019-137** Adopt an Ordinance regulating the keeping of animals, repealing and replacing Ordinance Numbers 2090, 1836 and all other Ordinances in conflict herewith.

Attachments: RP revisions to Ordinance

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to TABLE to Adopt an Ordinance regulating the keeping of animals, repealing and replacing Ordinance Numbers 2090, 1836 and all other Ordinances in conflict herewith.

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

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

Nays: 0

- 12. 2019-116** Authorize submission of the 2019 USDOJ Edward Byrne Memorial Justice Assistance Grant in the amount of \$20,478 to be shared by the City of Hattiesburg with disparate jurisdiction Forrest County (\$12,287 Hattiesburg/ \$8,191 Forrest County and authorize the Mayor to execute the same.

Attachments: Electronic SF-424
FY2019 - Byrne JAG - Program Narrative
Byrne 2019 Budget Detail Worksheet
2019 Financial Mgmt Questionnaire
Byrne 2019 SF-LLL
2019 Byrne - Certifications & Assurances
2019 Byrne MOU

A MOTION was made by Council Member George and seconded by Council Member Brown to Authorize submission of the 2019 USDOJ Edward Byrne Memorial Justice Assistance Grant in the amount of \$20,478 to be shared by the City of Hattiesburg with disparate jurisdiction Forrest County (\$12,287 Hattiesburg/ \$8,191 Forrest County 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, Dryden and Brown

Nays: 0

- 13. 2019-117** Authorize submission of a grant application to Mississippi Department of Environmental Quality (MDEQ) for the Solid Waste Assistance Grant 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 \$25,000.00 in matching funds.

Attachments: SWA Grant Application Part 1
SWA Application Part 2a
MDEQ SWA Narrative & Budget

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Authorize submission of a grant application to Mississippi Department of Environmental Quality (MDEQ) for the Solid Waste Assistance Grant 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 \$25,000.00 in matching funds.

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

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

Nays: 0

- 14. 2019-127** Acknowledge receipt of grant offer from the Mississippi Transportation Commission for the Bobby L. Chain Municipal Airport Project No. 3-28-0031-026-2019 in the amount of \$41,344.00; authorize Mayor to execute Airport Federal Matching Grant Agreement in triplicate.

Attachments: 2019 MDOT Matching Grant Offer

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Acknowledge receipt of grant offer from the Mississippi Transportation Commission for the Bobby L. Chain Municipal Airport Project No. 3-28-0031-026-2019 in the amount of \$41,344.00; authorize Mayor to execute Airport Federal Matching Grant Agreement in triplicate.

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

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

Nays: 0

- 15. 2019-114** Ratify and confirm the Mayor's appointment of Traci H. Rouse (replaces Bud Kirkpatrick) to the Hattiesburg Convention Commission for a term beginning 9/3/2019 and ending 9/2/2021.

Attachments: Rouse Data Sheet
Rouse Resume

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Ratify and confirm the Mayor's appointment of Traci H. Rouse (replaces Bud Kirkpatrick) to the Hattiesburg Convention Commission for a term beginning 9/3/2019 and ending 9/2/2021.

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

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

Nays: 0

- 16. 2019-130** Set a public hearing for the request filed by Kenneth Moyer to appeal the Planning Commission's recommendation for the petition filed by Kenneth Moyer, Bay Street Developments, LLC Applicant, Sam Levison, Representative, and Marvin Arrington, Owner, to change the zoning classification for a certain property located at 314 Bay Street (Ward 4) from Section 4.5.4, R-1B (Single Family Residential) District to Section 4.5.9, B-2 (Neighborhood Business) District; (Hattiesburg Planning Commission recommended to Deny on August 7, 2019); Set a public hearing before City Council on October 7, 2019 at 4:00 p.m. and authorize publication of Public Notice setting an Appeal Public Hearing.

Attachments: Public Notice - Public Hearing - 314 Bay Street Rezone 2019

A MOTION was made by Council Member Delgado and seconded by Council Member George to Set a public hearing for the request filed by Kenneth Moyer to appeal the Planning Commission's recommendation for the petition filed by Kenneth Moyer, Bay Street Developments, LLC Applicant, Sam Levison, Representative, and Marvin Arrington, Owner, to change the zoning classification for a certain property located at 314 Bay Street (Ward 4) from Section 4.5.4, R-1B (Single Family Residential) District to Section 4.5.9, B-2 (Neighborhood Business) District; (Hattiesburg Planning Commission recommended to Deny on August 7, 2019); Set a public hearing before City Council on October 7, 2019 at 4:00 p.m. and authorize publication of Public Notice setting an Appeal Public Hearing.

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

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

Nays: 0

ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to approve the Routine Agenda.

Rick Taylor, executive director of the Convention Commission, appeared before the Council to provide an overview on Routine Agenda Item #2.

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

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

Nays: 0

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

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

Nays: 0

1. **2019-111** Approve the sale of grave spaces, Per attached Memo's, Receipts, and Deeds.

Attachments: Memo's (09-03-19)
 Receipts (09-03-19)
 Deeds (09-03-19)
2. **2019-139** Acknowledge receipt of and approve the budget of the Hattiesburg Convention Commission for the fiscal year ending 2020.

Attachments: FYE2020 Hattiesburg Convention Commission Budget Proposal (Phase 1)
3. **2019-121** Acknowledge receipt of the monthly budget report for the month ending July 31, 2019.

Attachments: EXP19.0719
 REV19.0719
4. **2019-122** Acknowledge receipt of the FY 2018 Continuing Disclosure Submission.

Attachments: FY 2018 Continuing Disclosure Submissions - City of Hattiesburg, MS
5. **2019-118** Acknowledge receipt of the two quote bid purchase docket report for the period of May 23, 2019 through August 25, 2019 as provided for in Section 31-7-13 (b) of the Mississippi Code of 1972.

Attachments: 2829 FINAL
 2833 FINAL
 2836 FINAL
 2837 FINAL
 2838 FINAL
 2839 FINAL
 2840 FINAL
 2842 FINAL
 2845 FINAL
 2846 FINAL
 2848 FINAL
 2849 FINAL
 2850 FINAL
 2851 FINAL
 2853 FINAL
 2856 FINAL
 2857 FINAL
 2858 FINAL
 2859 FINAL
 2863 FINAL
 2864 FINAL
 2866 FINAL
 2870 FINAL
 2873 FINAL
 Memo for Council
 UAB Docket Report
6. **2019-124** Acknowledge receipt of closing documents for the Sullivan Park Pavilion Project and Authorize final acceptance of project; Authorize issuance of manual check for final payment.

Attachments: Consent of Surety to Final Payment
 Pay Est 5 & Final
 Cover Letter
 Warranties

Release of Liens
Affidavit of Payment of Debts

7. **2019-129** Acknowledge receipt of Notice of Adoption of the Motor Vehicle Assessment Schedule received from the Mississippi Department of Revenue and adopt same for the City of Hattiesburg for the fiscal year beginning October 1, 2019 and ending September 31, 2020; and authorize publication of public notice and order setting a hearing for October 7, 2019 before the council to hear complaints or objections to the adoption of the Motor Vehicle Assessment Schedule.

Attachments: 2019-2020 Uniform Assessment Signed pdf 1
 MOTOR VEHICLE.DOC 2019

8. **2019-113** Acknowledge donation from Pine Belt Mental Healthcare, in the amount of Two Thousand Dollars (\$2,000.00) to the Hattiesburg Police Department to be placed in the Police Academy Training Fund for refreshments only.

Attachments: Donation-PBMH

9. **2019-132** Approve claims docket for the period ending August 31, 2019.

Attachments: DOCKET 8.31.19
 Addendum to the Claims Docket, 9-3-19

Citizens' Forum

Council Vice President Dryden proceeded with the Citizens' Forum.

She stated the procedures and invited members of the public to speak.

The following citizens addressed the Council:

- Ginny Sims, 1901 N. 31st Ave.

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

Council Vice President Dryden closed the Citizen Forum.

1. **2019-173** Citizens' Forum Sign-In Sheet, 9-3-19.

Attachments: 9-3-19 Citizens' Forum Sign-In Sheet

By unanimous consent, Council President Carroll declared the **meeting recessed at 4:53 p.m., this the 3rd day of September, 2019.**

Public Hearing

Council President Carroll called the public hearing on the 2019-2020 proposed budget and tax levies to order at 6:00 p.m.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, 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. Cole; Deputy Clerk of Council, Lisa Luu; City staff members; media; and the public.

1. **2019-89** Public Hearing on the proposed budget and proposed tax levies for fiscal year 2020 for the City of Hattiesburg

Attachments: SEPT 3 PUB.HEARING
 9-3-19 FY'19-20 Budget PH Sign-In Sheet

Mayor Barker provided an overview of the proposed budget.

Followed by the Mayor's overview, Ms. Connie Everett, Interim Chief Financial Officer provided a Power Point presentation on the 2019-2020 budget.

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

Council President Carroll closed the hearing at 5:58 p.m. and re-opened the meeting to the public to take action on Public Hearing Agenda Item #2.

2. 2019-119 Adopt Resolution levying ad valorem taxes on all of the taxable property within the City of Hattiesburg, Mississippi, for the purpose of raising revenue for said City for the fiscal year beginning October 1, 2019, and ending September 30, 2020

Attachments: Resolution tax levy FY 20

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Adopt Resolution (#2019-262) levying ad valorem taxes on all of the taxable property within the City of Hattiesburg, Mississippi, for the purpose of raising revenue for said City for the fiscal year beginning October 1, 2019, and ending September 30, 2020.

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

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

Nays: 0

In Memoriam:

A MOTION was made by Council President Carroll to Recess the meeting in memory of:

- Mr. Van Leonard Luvene
- Mrs. Michelle Johnson

Meeting Adjourn

By unanimous consent, Council President Carroll declared the meeting recessed at 6:00 p.m., this the 3rd day of September, 2019.

ATTEST:

APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor

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