

Call to Order

BE IT REMEMBERED that the **regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, September 17, 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; Clerk of Council, Ronda S. Cole; 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 Rev. Keith Mitchell of Mt. Olive Baptist Church.

The Pledge of Allegiance was led by Chief Parker.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

Agenda Adjustments

A MOTION was made by Council Member George and seconded by Council Member Brown to Add Policy Item #22 at the request of Administration as follows:

22. **2019-174** Authorize Randy Pope as the City Attorney to execute the Joint Motion for Entry of Agreed Partial Judgment on behalf of the City of Hattiesburg, upon execution of the Partial Agreed Judgment by the Judge of the Special Court of Eminent Domain, authorize the City Attorney to deposit \$87,750.00 into the registry of the court.

Attachments: Agreed partial judgement

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. **2019-172** Approve the minutes for the September 3 and 12, 2019 meetings of the City Council.

Attachments: 9-3-19, Budget FY 19-20 PH
9-12-19 SC Budget FY 19-20

A MOTION was made by Council Member George and seconded by Council Member Brown to Approve the minutes for the September 3 and 12, 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. **2019-157** Take from the table and Approve or Deny a petition filed by Colby Strickland and Kevin Craft, Applicants, and Mitzi Russell, Owner, to request a Conditional Use as “Places of assembly not otherwise listed” as defined by the LDC for a certain property located at 301 Court Street (Parcel 2-029P-10-350.00, PPIN 18634, Ward 4). The Planning Commission recommended to Approve on August 7, 2019.

Attachments: aug 2019 item c hpc
AUGUST HPC Minutes
Fwd_ Crawford House Conditional Use on Today's Agenda

A MOTION was made by Council Vice President Dryden and seconded by Council Member Delgado to Take from the table and Approve a petition filed by Colby Strickland and Kevin Craft, Applicants, and Mitzi Russell, Owner, to request a Conditional Use as “Places of assembly not otherwise listed” as defined by the LDC for a certain property located at 301 Court Street (Parcel 2-029P-10-350.00, PPIN 18634, Ward 4). The Planning Commission recommended to Approve on August 7, 2019.

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. **2019-151** Approve or Deny a petition filed by Michael Bennett, Owner, as required in the Land Development Code, Ord. No. 3209, to request a Conditional Use as a “Restaurant, without drive-thru” as defined by the LDC for a certain property located at 608 W. 7th Street (Parcel 2-029E-04-162.00, PPIN 23919, Ward 2). The Planning Commission recommended to Approve on September 4, 2019.

Attachments: sept item c
Sept HPC Minutes

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to Approve a petition filed by Michael Bennett, Owner, as required in the Land Development Code, Ord. No. 3209, to request a Conditional Use as a “Restaurant, without drive-thru” as defined by the LDC for a certain property located at 608 W. 7th Street (Parcel 2-029E-04-162.00, PPIN 23919, Ward 2). The Planning Commission recommended to Approve on September 4, 2019.

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

4. **2019-158** Adopt a Resolution setting a Public Hearing on Monday, October 21, 2019 at 4 p.m. in the City Council Chambers to determine if certain properties are in such as 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: Council Memo - 9-17-2019 - Set Public Hearing for RCRs
Resolution - 9-17-2019 - Set Public Hearing for RCRs

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to Adopt a Resolution (#2019-264) setting a Public Hearing on Monday, October 21, 2019 at 4 p.m. in the City Council Chambers to determine if certain properties are in such as 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..

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. **2019-159** Adopt a Resolution authorizing Requisition No. 49 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.

Attachments: 2016 Bond Resolution No. 49
Project Resolution Requisition 2016 Bonds No. 49

A MOTION was made by Council Member George and seconded by Council Member Brown to Adopt a Resolution (#2019-265) authorizing Requisition No. 49 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.

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. **2019-160** Adopt a resolution in support of Alternative B as the City's preferred alternative in the environmental assessment for the Martin Luther King Avenue Extension Project (Project # STP-8791-00(002)LPA/106505-701000).

Attachments: 1280_Draft Resolution Supporting Alt B (002)

A MOTION was made by Council Member Brown and seconded by Council Member George to Adopt a resolution (#2019-266) in support of Alternative B as the City's preferred alternative in the environmental assessment for the Martin Luther King Avenue Extension Project (Project # STP-8791-00(002)LPA/106505-701000).

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. **2019-162** Approve a contract through MS Department of Archives and History (MDAH) with JLD Preservation Consulting per the Memorandum of Agreement for FFY 2019 CLG Grant for Historic Recourses Survey to survey the Arledge Subdivision and Katie-John-Dabbs Neighborhood and authorize the Mayor to execute in triplicate.

Attachments: Procurement Memo

Executed MOA original
Proposal_JLD Preservation Consulting LLC
Contract_FY 2019 CLG Grant Survey_Arledge-KatieJohnDabbs

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve a contract through MS Department of Archives and History (MDAH) with JLD Preservation Consulting per the Memorandum of Agreement for FFY 2019 CLG Grant for Historic Recourses Survey to survey the Arledge Subdivision and Katie-John-Dabbs Neighborhood and authorize the Mayor to execute 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

8. **2019-147** Approve a lighting agreement with Mississippi Power Company for additional lighting on Pinehills Drive and Elaine Circle, Brycewood Circle and Melissa Lane for additional monthly increases of \$113.70 and \$212.62 accordingly; authorize Mayor to execute.

Attachments: MS Power-Street Light Authorization-Pinehills Drive and Elaine, Brycewood and Melissa

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve a lighting agreement with Mississippi Power Company for additional lighting on Pinehills Drive and Elaine Circle, Brycewood Circle and Melissa Lane for additional monthly increases of \$113.70 and \$212.62 accordingly; 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

9. **2019-135** Approve a lighting agreement with Mississippi Power Company for additional lighting at The Claiborne for an additional monthly increase of \$26.65 with upfront boring cost of \$1,008.30; authorize Mayor to execute.

Attachments: MS Power-The Claiborne

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve a lighting agreement with Mississippi Power Company for additional lighting at The Claiborne for an additional monthly increase of \$26.65 with upfront boring cost of \$1,008.30; 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

10. **2019-136** Approve a lighting agreement with Mississippi Power Company for additional lighting in the Arcadia Sunset Area between Johnson and Parker Avenues with an additional monthly increase of \$12.47; authorize Mayor to execute.

Attachments: MS Power-Arcadia Sunset Area Between Johnson and Parker Avenues

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve a lighting agreement with Mississippi Power Company for additional lighting in the Arcadia Sunset Area between Johnson and Parker Avenues with an additional monthly increase of \$12.47; 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

11. **2019-155** Approve and Authorize the Mayor to execute in triplicate an amendment document with Tyler Technologies, Inc. for the creation of an electronic plan review function.

Attachments: Tyler - E-Plan Review Quote
 Tyler Technologies - Amendment

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve and Authorize the Mayor to execute in triplicate an amendment document with Tyler Technologies, Inc. for the creation of an electronic plan review function.

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

12. **2019-149** Approve engagement letter from Hicks Law Firm to represent the city in the case of City of Hattiesburg v. Charlie Holt.

Attachments: Pope, Randy 090619

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve engagement letter from Hicks Law Firm to represent the city in the case of City of Hattiesburg v. Charlie Holt.

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. **2019-164** Approve 3 year contract with C-Spire for internet service at 1410 West Pine Street (where the Police Service Center will be moving), \$349.00 (250mbps) per month.

Attachments: City of Hattiesburg PO svc station quote

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve 3 year contract with C-Spire for internet service at 1410 West Pine Street (where the Police Service Center will be moving), \$349.00 (250mbps) per month.

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

Attachments: AC Ordinance with final revisions

A MOTION was made by Council Vice President Dryden and seconded by Council Member Delgado to Take from the table to Adopt an Ordinance regulating the keeping of animals, repealing and replacing Ordinance

Numbers 2090, 1836 and all other Ordinances in conflict herewith.

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. 2019-144** Authorize Mayor to execute a Licensing Configuration contract with Tyler Technologies for Energov's Citizen Self Service Business Management Portal.

Attachments: Tyler-Citizen self-service portal

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Authorize Mayor to execute a Licensing Configuration contract with Tyler Technologies for Energov's Citizen Self Service Business Management Portal.

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. 2019-153** Authorize the submission of a grant application to the Firehouse Subs Public Safety Foundation in the amount of \$34,300.00 to purchase turnout gear for the Hattiesburg Fire Department.

Attachments: Completed Application

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Authorize the submission of a grant application to the Firehouse Subs Public Safety Foundation in the amount of \$34,300.00 to purchase turnout gear for the Hattiesburg Fire Department.

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

- 17. 2019-154** Authorize and approve publication setting a Public Comment Period for the City's 2019 Edward Byrne Memorial Justice Assistance Grant application.

Attachments: Byrne 2019 Public Notice
FY2019 - Byrne JAG - Program Narrative
Byrne 2019 Budget Detail Worksheet

A MOTION was made by Council Member Deborah Delgado and seconded by Council Member Jeffrey George to Authorize and approve publication setting a Public Comment Period for the City's 2019 Edward Byrne Memorial Justice Assistance Grant application.

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

- 18. 2019-156** Authorize the Mayor to execute award number MS-2019-009-00 from the Federal Transit Administration in association with the City's FY 2021 operation of Hub City Transit.

Attachments: View Print Application - MS-2019-009-00 - Ready for Execution - 9-9-2019

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Authorize the Mayor to execute award number MS-2019-009-00 from the Federal Transit Administration in association with the City's FY 2021 operation of Hub City Transit.

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

19. **2019-146** Acknowledge bids received August 9, 2019 for the Camp Street Improvements-25th Avenue to 19th Avenue Project and accept the bid from Wildstone Construction in the amount of \$341,006.50 for the base bid only; Authorize Mayor to execute contracts upon preparation.

Attachments: Camp St Imps Ltr
 Camp Street Certified Bid Tab-Rebid
 Camp St Specs 6-26-19
 Camp Street Imps Plans

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Acknowledge bids received August 9, 2019 for the Camp Street Improvements-25th Avenue to 19th Avenue Project and accept the bid from Wildstone Construction in the amount of \$341,006.50 for the base bid only; Authorize Mayor to execute contracts upon preparation.

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

20. **2019-169** Acknowledge receipt of grant award from the Mississippi Department of Health in the amount of \$10,000.00 for upgrades to Thames Elementary and E.8th Street Basketball Court and approve sub-grant agreement.

Attachments: City of Hattiesburg_Shared Use Sub Grant

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to Acknowledge receipt of grant award from the Mississippi Department of Health in the amount of \$10,000.00 for upgrades to Thames Elementary and E.8th Street Basketball Court and approve sub-grant agreement.

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

21. **2019-171** Rescind Lease Agreement approved on August 20, 2019 between the City of Hattiesburg and Region XII Commission on Mental Health and Retardation (DBA Pine Belt Mental Healthcare Resources) at file number 2019-100; approve and authorize the Mayor to execute revised Lease Agreement between the City of Hattiesburg and Region XII per attached agreement.

Attachments: Lease City of Hattiesburg.PBMHR.092019
 Lease Agreement with Pine Belt Mental Healthcare

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Rescind Lease Agreement approved on August 20, 2019 between the City of Hattiesburg and Region XII Commission on Mental Health and Retardation(DBA Pine Belt Mental Healthcare Resources) at file number

2019-100; approve and authorize the Mayor to execute revised Lease Agreement between the City of Hattiesburg and Region XII per attached agreement.

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

22. **2019-174** Authorize Randy Pope as the City Attorney to execute the Joint Motion for Entry of Agreed Partial Judgment on behalf of the City of Hattiesburg, upon execution of the Partial Agreed Judgment by the Judge of the Special Court of Eminent Domain, authorize the City Attorney to deposit \$87,750.00 into the registry of the court.

Attachments: Agreed partial judgement

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Authorize Randy Pope as the City Attorney to execute the Joint Motion for Entry of Agreed Partial Judgment on behalf of the City of Hattiesburg, upon execution of the Partial Agreed Judgment by the Judge of the Special Court of Eminent Domain, authorize the City Attorney to deposit \$87,750.00 into the registry of the court.

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 Member George and seconded by Council Vice President Dryden 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, Dryden and Brown

Nays: 0

1. **2019-145** Acknowledge monthly budget report for the month ending August 31, 2019.

Attachments: EXP19.0819
 REV19.0819

2. **2019-148** Acknowledge Proof of Publications for the month of August 2019.

Attachments: PROOF OF PUBLICATION HUB CITY SPOKES AUGUST 2019

3. **2019-166** Acknowledge receipt of the Mobile Street Festival 2018 Expenditure Report.

Attachments: 2018 Festival

4. **2019-168** Acknowledge receipt of proposals received on September 5,2019, for implementing a fully functional, city wide, cloud based telecommunications system utilizing Voice Over Internet Protocol (VOIP) and accept the proposal of Cspire as the best proposal received.

Attachments: ECALL VOIP RFP
 Ring Central VOIP RFP
 VOXO VOIP RFP
 VOXO Service Level Agreement - for VOIP RFP
 Cspire

5.

2019-140

Approve the City's purchase of one (1) grave space, located in the North Half (N 1/2) of the Southwest Quarter (SW 1/4), Lot 75, Section 24, Highland Cemetery. Minute Book & Page# - 2018-172, In the amount of \$ 175.00 From Betty McCallister, authorize manual check for the same.
- Attachments:

Buy Back (Betty McCallister (09-17-19)
6.

2019-150

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

Memo's (09-17-19)

Receipts (09-17-19)

Deeds (09-17-19)
7.

2019-165

Approve claims docket for the period ending September 13, 2019.
- Attachments:

DOCKET 9-13-19

In Memoriam:

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

- Rev. Rod Entrekin

Meeting Adjourn

By unanimous consent, Council President Carroll declared the **meeting adjourned at 5:21 p.m., this 17th day of October, 2019.**

ATTEST:


Clerk of Council

APPROVE:


Council President

ATTEST AND CERTIFY:


City Clerk

APPROVE:


Mayor

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