

Call to Order

BE IT REMEMBERED that the **regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, February 4, 2020**, 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 Officer Ross Kinsey from Macedonia Baptist Church.

The Pledge of Allegiance was led by Police Chief Parker.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

Agenda Order

THE MATTER OF THE AGENDA ORDER came before the Council.

Agenda Adjustments

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to:

Add Policy Item #21 at the request of the Administration

1. **2020-82** Approve Supplemental Agreement with Precision Construction, LLC for State Aid Project No. DECD-0018(34)BO, also know as the 31st Avenue and Alley Improvements Project, to add stabilization in the form of soil cement to the project for an increase in cost of \$17,765.00; Authorize Mayor to execute four originals.

Attachments: Supplemental Agreement for Soil Cement

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. **2020-41** Approve the minutes for the January 21, 2020 meeting of the City Council.

Attachments: 1-21-2020 Mins.

A MOTION was made by Council Member George and seconded by Council Member Brown to Approve the minutes for the January 21, 2020 meeting of the City Council.

Council Member Delgado made an amended MOTION to add Joseph Rawson's presented documents to the minutes, and the MOTION was seconded by Council Member George.

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

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

Nays: 0

2. **2020-42** Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: Adopt Resolution to Condemn 2.3.2020

1. 113 Saratoga Circle

2. 212 Timothy Lane

3. 509 Buschman Street

4. 518 Southern Ave

5. 700 Greely Street

6. 702 Greely Street

7. 704 Greely Street

8. 706 Greely Street

9. 708 Greely Street

10. 710 Greely Street

A MOTION was made by Council Vice President Dryden and seconded by Council Nicholas Brown to Adopt Resolutions (#2020-47-56) condemning the following properties as unclean and a menace to the health and safety of the community.

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. **2020-43** Adopt February 4, 2020 Amendments to the budget for the City of Hattiesburg for fiscal year ending September 30, 2020 and Adopt Resolution authorizing publication of amendments for funds in excess of 10% of the originally appropriated fund balance.

Attachments: February 2020 Budget Amendments

A MOTION was made by Council Member Delgado and seconded by Council Member George to Adopt February 4, 2020 Amendments to the budget for the City of Hattiesburg for fiscal year ending September 30, 2020 and Adopt Resolution (#2020-57) authorizing publication of amendments for funds in excess of 10% of the originally appropriated fund balance.

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. **2020-44** Adopt a Resolution authorizing Requisition No. 58 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. 58
 Project Resolution Requisition 2016 Bonds No. 58

A MOTION was made by Council Member Brown and seconded by Council Member George to Adopt a Resolution (#2020-58) authorizing Requisition No. 58 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

5. **2020-45** Adopt a Resolution declaring equipment surplus and authorize the disposal or sale of said equipment; authorize removal of equipment from the City inventory of the Department of Urban Development.

Attachments: SURPLUS RESOLUTION Feb 2020
 Feb 2020 surplus list

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Adopt a Resolution (#2020-59) declaring equipment surplus and authorize the disposal or sale of said equipment; authorize removal of equipment from the City inventory of the Department of Urban Development.

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. **2020-46** Approve Agreement between City of Hattiesburg and Tyler Technologies, Inc., to provide municipal financial, utility and court software as a service to the City of Hattiesburg as per contract and authorize the Mayor to execute the same.

Attachments: Tyler Technology- SaaS Agreement Execution Copy-January 2020

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve Agreement between City of Hattiesburg and Tyler Technologies, Inc., to provide municipal financial, utility and court software as a service to the City of Hattiesburg as per contract 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

7. **2020-47** Approve Agreement between City of Hattiesburg and Hattiesburg Downtown Association for the purpose of continued participation in the MS Main Street Program and engaging the services of HHDA in the operation and implementation of Main Street program for Downtown Hattiesburg and authorize the Mayor to execute the same.

Attachments: HHDA MOU 2020

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve Agreement between City of Hattiesburg and Hattiesburg Downtown Association for the purpose of continued participation in the MS Main Street Program and engaging the services of HHDA in the operation and implementation of Main Street program for Downtown 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

8. **2020-48** Approve Agreement with Butler Snow LLP to serve as Dissemination Agent for annual continuing disclosure requirements for fiscal year 2019 per Securities and Exchange Commission (SEC) rules and authorize the Mayor to execute the same.

Attachments: FY 2019 Continuing Disclosure Engagement Letter - City of Hattiesburg, MS

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Agreement with Butler Snow LLP to serve as Dissemination Agent for annual continuing disclosure requirements for fiscal year 2019 per Securities and Exchange Commission (SEC) rules 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. **2020-50** Approve Engagement Letter with Jackson, Tullos & Rogers, PLLC for legal services related to the acquisition of right of way property for the Hardy Street Improvements Project.

Attachments: Tullos Engagement Letter

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve Engagement Letter with Jackson, Tullos & Rogers, PLLC for legal services related to the acquisition of right of way property for the Hardy Street Improvements Project.

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. **2020-77** Approve Memorandum of Agreement for the Educational and Community Outreach Program between the City of Hattiesburg and the University of Southern Mississippi, for the period beginning March 1, 2020 and ending February 28, 2021 (Agreement GM000673 Amendment No.16) as authorized by MS Code 39-15-1, to allow municipalities to expend monies for support of the arts and authorize the Mayor to execute the same.

Attachments: GM000673#16

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Memorandum of Agreement for the Educational and Community Outreach Program between the City of Hattiesburg and the University of Southern Mississippi, for the period beginning March 1, 2020 and ending February 28, 2021 (Agreement GM000673 Amendment No.16) as authorized by MS Code 39-15-1, to allow municipalities to expend monies for support of the arts 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. **2020-51** Approve Memorandum of Understanding between the City of Hattiesburg and The Mississippi Office of Homeland Security /Task Force; allowing the city to participate in the Mississippi Task Force as outlined in MS Code 33-15-15 and authorize the Mayor to execute the same.

Attachments: MOU-HFD-MS Homeland

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve Memorandum of Understanding between the City of Hattiesburg and The Mississippi Office of Homeland Security /Task Force; allowing the city to participate in the Mississippi Task Force as outlined in MS Code 33-15-15 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

12. **2020-52** Approve Rental Agreement between the City of Hattiesburg and RICOH for a copier located in the Fire Department Administration/Prevention office, for a period of 48 months, at a cost of \$192.00 per month, and authorize the Mayor to execute the same.

Attachments: City of Hattiesburg-Fire Department State Rental Agreement-1-27-2020
Executed Rental Agreement with RICOH for copier in Fire Dept Administration

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Rental Agreement between the City of Hattiesburg and RICOH for a copier located in the Fire Department Administration/Prevention office, for a period of 48 months, at a cost of \$192.00 per month, 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. **2020-53** Approve an amendment to the Annual Action Plan for CDBG and HOME programs, reprogramming funds as allocated in the 2018 plan.

Attachments: Final 2018 AP Amendment with participation record

A MOTION was made by Council Member Brown and seconded by Council Member George to Approve an amendment to the Annual Action Plan for CDBG and HOME programs, reprogramming funds as allocated in the 2018 plan.

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. **2020-54** Approve an Amended Policy and Procedure document for the administration of the Down Payment Assistance Program funded by HOME through the U.S. Department of Housing & Urban Development.

Attachments: Downpayment Assistance Program Guidelines - 2020 version - 1-16-2020 – combined

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve an Amended Policy and Procedure document for the administration of the Down Payment Assistance Program funded by HOME through the U.S. Department of Housing & Urban Development.

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. **2020-55** Approve a Contractor and Owner Agreement and a Housing Rehabilitation Grant Award to Helen O’Neal of 303 J.C. Killingsworth Drive in an amount not to exceed \$60,000.00 according to the Housing Rehabilitation and Housing Programs Manual Section VII (E) and authorize the Mayor to execute in triplicate.

Attachments: COHCDD Contractor & H. O’Neal 01.24.20
 Grant Agreement - H. O’Neal (\$25K+) 01.24.20

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Approve a Contractor and Owner Agreement and a Housing Rehabilitation Grant Award to Helen O’Neal of 303 J.C. Killingsworth Drive in an amount not to exceed \$60,000.00 according to the Housing Rehabilitation and Housing Programs Manual Section VII (E) 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

16. **2020-56** Acknowledge bids received January 23, 2020 for the Fire Station No. 9 construction project and accept the bid from Hanco Corporation in the amount of \$2,345,900.00 for the base bid and \$44,000.00 for the add alternate bid as the lowest and best bid; and authorize the Mayor to execute contract documents upon preparation.

Attachments: 3707 LowBidderOpinion
 3707 Certified Tabulation of Bids

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Acknowledge bids received January 23, 2020 for the Fire Station No. 9 construction project and accept the bid from Hanco Corporation in the amount of \$2,345,900.00 for the base bid and \$44,000.00 for the add alternate bid as the lowest and best bid; and authorize the Mayor to execute contract documents 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

17. **2020-57** Approve Cancellation of Deed of Trust from Ethan Decoux, Grantor, for property at 422 South 23rd Avenue, to City of Hattiesburg, Beneficiary, recorded in the Deed of Trust Book 1714 at Page 0419 in the office of the Chancery Clerk of Forrest County, Mississippi, from a HOME-eligible buyer and authorize the Mayor to execute the same.

Attachments: Cancellation of Deed of Trust Ethan Decoux

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve Cancellation of Deed of Trust from Ethan Decoux, Grantor, for property at 422 South 23rd Avenue, to City of Hattiesburg, Beneficiary, recorded in the Deed of Trust Book 1714 at Page 0419 in the office of the Chancery Clerk of Forrest County, Mississippi, from a HOME-eligible buyer 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

18. - Removed -

19. 2020-59 Ratify and confirm the Mayor’s reappointment of James Hughes (W5) to the Board of Adjustment for a term beginning February 6, 2020 and ending February 5, 2023.

Attachments: Data sheet Hughes BOA 2020

A MOTION was made by Council Member Brown and seconded by Council Member George to Ratify and confirm the Mayor’s reappointment of James Hughes (W5) to the Board of Adjustment for a term beginning February 6, 2020 and ending February 5, 2023.

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. 2020-60 Ratify agreement approved at MB 2019-209 by and between the City of Hattiesburg and The Alabama Great Southern Railroad Company for the purchase of a parcel of land for the Longleaf Trace African American Museum Project for the purchase price of \$50,000.00; Acknowledge attempts to negotiate the agreement down to the appraised value of \$37,200.00 failed; Determine the fair market value to be \$50,000.00 which covers additional costs of eminent domain proceedings, and approve the administrative settlement of \$50,000.00 as commensurate with the fair market value of the property and as reasonable, prudent and in the best interest of the public; Authorize issuance of a manual check in payment of same.

Attachments: Executed contract with The Alabama Great Southern Railroad Company for-
purchase of land parcel
East 4th Street Appraisal

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Ratify agreement approved at MB 2019-209 by and between the City of Hattiesburg and The Alabama Great Southern Railroad Company for the purchase of a parcel of land for the Longleaf Trace African American Museum Project for the purchase price of \$50,000.00; Acknowledge attempts to negotiate the agreement down to the appraised value of \$37,200.00 failed; Determine the fair market value to be \$50,000.00 which covers additional costs of eminent domain proceedings, and approve the administrative settlement of \$50,000.00 as commensurate with the fair market value of the property and as reasonable, prudent and in the best interest of the public; Authorize issuance of a manual check in payment of 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

21. 2020-82 Approve Supplemental Agreement with Precision Construction, LLC for State Aid Project No. DECD-0018(34)BO, also know as the 31st Avenue and Alley Improvements Project, to add stabilization in the form of soil cement to the project for an increase in cost of \$17,765.00; Authorize Mayor to execute four originals.

Attachments: Supplemental Agreement for Soil Cement

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Supplemental Agreement with Precision Construction, LLC for State Aid Project No. DECD-0018(34)BO, also know as the 31st Avenue and Alley Improvements Project, to add stabilization in the form of soil cement to the project for an increase in cost of \$17,765.00; Authorize Mayor to execute four originals.

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 Council Member George 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. **2020-61** Reschedule a public hearing before the City Council for February 18, 2020 at 4:00 p.m. in the City Council Chambers of City Hall, previously scheduled for February 17, 2020, to hear a request filed by Terreal Garner to appeal the Hattiesburg Historic Conservation Commission's Denial of the petition filed by Terreal Garner to paint exterior brick at 1817 Adeline St. The HHCC Denied on January 8, 2020.

 Attachments: Public Notice - Public Hearing - 1817 Adeline - Date Corrected
2. **2020-62** Acknowledge receipt of the Single Audit of the Hattiesburg Public School District for the year ended June 30, 2019, from Holt & Associates, PLLC, Certified Public Accountants.

 Attachments: HPSD-Audit 2019 Pt 1
 HPSD Audit Pt 2
3. **2020-63** Acknowledge receipt of the Analysis of Impediments to Fair Housing Choice, completed in coordination with the Mississippi Home Corporation.

 Attachments: 2019 Analysis of Impediments - Final - 1-16-2020
4. **2020-64** Acknowledge receipt of the two-quote docket as provided for in section 31-7-13 (b) of the Mississippi Code of 1972.

 Attachments: 20200127091928
 2926 FINAL
 2928 FINAL
 2930 FINAL
 2931 FINAL
 2932 FINAL
 2935 FINAL
 2936 FINAL
 2937 FINAL
 2938 FINAL
 2939 FINAL
 Memo for Council
5. **2020-65** Acknowledge bids received on January 16, 2020 for a Regenerative Sweeper Truck for the City of Hattiesburg Public Works Department, and reject both bids received from Vacuum Truck Sales and Sansom Equipment Company due to not meeting the city's advertised specifications;

Authorize re-advertisement for same.

Attachments: Vaccum Truck Sales and Service
Sweeper Bid Proposal-Sansom
Sweeper Specs
NTB- Sweeper
Memo-Sweeper

6. **2020-66** Acknowledge receipt of a Warranty Deed from C & C Properties, LLC for a portion of Lamar County tax parcel 055B-15-029.000 (PPIN 11770) in association with the Lamar Boulevard project.

Attachments: C & C Properties Warranty Deed

7. **2020-67** Acknowledge receipt of a Permanent Utility and Access Easement from Benjamin E. and Vicki P. Crim for a portion of Forrest County tax parcels 2-041L-33-001.12 (PPIN 42529) and 2-04I-32-082.01 (PPIN 36336).

Attachments: Utility Easement 125 St Annes Dr-Crim

8. **2020-68** Approve Plans and Specifications for the East Jerusalem Area Water Improvements project and authorize advertisement for bids.

Attachments: 11284 Specs Street Ready 2020-01-22
ADVERTISEMENT FOR BIDS
11284 Plans Street Ready Set Signed 2020-01-22
11284 Requesting Permission to Advertise trans signed 2020-01-23

9. **2020-69** Approve Plans and Specifications for the Drainage at 6200 Hwy 98W Project and authorize advertisement for bids.

Attachments: 11285 Requesting Permission to Advertise REBID trans signed 2020-01-23
11285 Specs Street Ready 2020-01-23 - REBID
11285 Plans Street Ready Set Signed 2019-07-11
ADVERTISEMENT FOR BIDS - 2ND BID

10. **2020-70** Approve and authorize issuance of manual check for CDBG Program Claims per attached Memorandum. {Entitlement CDBG}

Attachments: CDBG Manual Checks 01.24.20

11. **2020-71** Approve the corrected deed for grave space for Myles Dowdy, located at South Half (S 1/2) of the Northwest Quarter (NW 1/4), Section 34, Lot 78, the original deed was approved on the September 17, 2019 Agenda Minute Book 2019 Page 229.

Attachments: Myles Dowdy-Corrected Deed (02-04-2020)

12. **2020-72** Approve the City's purchase of (1) one grave space, located in the South Half (S 1/2) of the Northeast Quarter (NE 1/4), Lot 5, Section 24 at Highland Cemetery, Minute Book 2006-2 Page 350 in the amount of \$ 175.00 from Patricia Bazor authorize manual check for the same.

Attachments: Buy Back (Patricia Bazor (02-04-2020)

13. **2020-73** Approve the City's purchase of (2) grave spaces located in the Southeast Quarter (SE 1/4), Lot 119, Section 22, Highland Cemetery, Minute Book# 47, Page 312, in the amount of \$ 200.00 from Lee M. Jones, Authorize Manual Check for the same.

14. **2020-74** Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.

Attachments: Memo's (02-04-2020)
Receipts (02-04-2020)
Deeds (02-04-2020)

15. **2020-75** Approve claims docket for the period ending January 31, 2020.

Attachments: DOCKET 01.31.20

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 at 6 p.m.

In Memoriam:

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

- Mrs. Donna Roseberry Byrd
- Ms. Annie Mae Jordan

Meeting Adjourn

By unanimous consent, Council President Carroll declared the **meeting adjourned at 5:18 p.m., this 4th day of February, 2020.**

ATTEST:

APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor