

Call to Order

BE IT REMEMBERED that the Hattiesburg City Council held a **public hearing at 4:00 p.m. Tuesday, February 18, 2020**, in Council Chambers at City Hall, for the appeal 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.

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 (in at 4:08 p.m.). 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 Jolly; City staff members; media; and the public.

Council President Carroll called the meeting to order and explained the procedures.

Appeal Public Hearing

1. **2020-102** Hold public hearing for appeal 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: HHCC Jan 2020 MINUTES_ working copy
 HHCC Report Garner 1817 Adeline
 Garner Appeal form
 Picture Samples of Houses Exterior Brick Painted - Chip Grenn, 2-18-2020
 MDryden's Statement, 2-18-2020

Russell Archer, the City's historic planner, provided an overview history of the property and the reasons why the petition was denied by the Hattiesburg Historic Conservation Commission.

The appellant and the property owner, Mr. Terreal Garner, presented his case. His intentions were to improve the brick structure and color of the paint exterior brick.

Mr. Chip Grenn, a realtor banker, came before the Council to represent on Mr. Garner's behalf. Mr. Grenn also presented picture samples of houses that had repainted the exterior brick (*see attachment above*).

Council President Carroll asked for public comments for or against the painting of the exterior brick.

- Patti Mowery spoke against the painting of the exterior brick.
- Joseph Rawson spoke for the painting of the exterior brick.

There were no other citizens present who wished to speak regarding the Appeal Public Hearing.

Council President Carroll gave Mr. Garner an opportunity to rebut. Mr. Garner clarified that there was one additional house with that same color brick, but it had remained unoccupied for many years.

Council Vice President Dryden made a statement (*see attachment above*) in favor of the paint exterior brick.

By unanimous consent, Council President Carroll closed the appeal public hearing at 4:33 p.m. and proceeded with the Regular Meeting Agenda setting.

Call to Prayer and Pledge of Allegiance

The prayer was given by Elder KJ Bates of Our House Ministry.

The Pledge of Allegiance was led by Police Chief Anthony Parker.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

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:

- Joel Case, 119 North 35th Ave, Apt. B
- Joseph Rawson, 701 Dearborne Road

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

Council Vice President Dryden closed the Citizen Forum.

Agenda Adjustments

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

Remove Policy Item No. 9 at the request of the Administration

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. **2020-76** Approve the minutes for the February 3 & 4, 2020 meetings of the City Council.

Attachments: 2-3-2020 AR, WS Mins.
2-4-2020 Mins.

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve the minutes for the February 3 & 4, 2020 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. **2020-110** Approve or Deny the petition filed by filed by Terreal Garner to paint exterior brick 1817 Adeline St. (PPIN 16402, Ward 4); Hattiesburg Historic Conservation Commission voted to Deny on January 8, 2020.

Attachments: HHCC Jan 2020 MINUTES working copy
 HHCC Report Garner 1817 Adeline

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Approve the petition filed by filed by Terreal Garner to paint exterior brick 1817 Adeline St. (PPIN 16402, Ward 4); Hattiesburg Historic Conservation Commission voted to Deny on January 8, 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

3. **2020-109** Approve or Deny a petition filed by Bob Blevins, Representative, and William Carey University, Owner, to request a twenty (20) feet variance from Section 6, Table 6.1 "Minimum Front Setback" for R-3, for a setback of zero (0) feet along Cherry Street for a proposed building located at 608 Tuscan Avenue (Ward 2). The Board of Adjustment recommended to Approve on February 12, 2020.

Attachments: boa feb 20 item a
 WCU provided elevations (1) to HPC
 WCU provided elevations 2
 WCU provided elevations 3
 FEB BOA Minutes

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Approve a petition filed by Bob Blevins, Representative, and William Carey University, Owner, to request a twenty (20) feet variance from Section 6, Table 6.1 "Minimum Front Setback" for R-3, for a setback of zero (0) feet along Cherry Street for a proposed building located at 608 Tuscan Avenue (Ward 2). The Board of Adjustment recommended to Approve on February 12, 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

4. **2020-101** Adopt an Ordinance for the petition filed by Bob Blevins, Representative, and William Carey University to close and vacate a portion of the alley, which is located north of Tuscan Avenue between Cedar Street and Cherry Street (Ward 2). The Planning Commission recommended to Approve on February 05, 2020.

Attachments: hpc feb 20 item c
 Ordinance - Vacate Alley north of Tuscan Avenue between Cedar Street and
 Cherry Street
 FEB HPC Minutes

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Adopt an Ordinance (#3268) for the petition filed by Bob Blevins, Representative, and William Carey University to close and vacate a portion of the alley, which is located north of Tuscan Avenue between Cedar Street and Cherry Street (Ward 2). The Planning Commission recommended to Approve on February 05, 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

5. **2020-100** Adopt an Ordinance for the petition filed by Bob Blevins, Representative, and William Carey University, Owner, to change the zoning classification for a certain property located along Tuscan Avenue and 1304 Magnolia Avenue (Ward 2) from Section 4.5.3, R-1A (Single-Family Residential) District to Section 4.5.7, R-3 (Multi-Family Residential) District. The Planning Commission recommended to Approve on February 05, 2020.

Attachments: Agenda HPC- FEB
 hpc feb 20 item b
 WCU provided elevations (1) to HPC
 WCU provided elevations 2
 WCU provided elevations 3
 Ordinance - WCU Tuscan Avenue and 1304 Magnolia Avenue

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Adopt an Ordinance (#3269) for the petition filed by Bob Blevins, Representative, and William Carey University, Owner, to change the zoning classification for a certain property located along Tuscan Avenue and 1304 Magnolia Avenue (Ward 2) from Section 4.5.3, R-1A (Single-Family Residential) District to Section 4.5.7, R-3 (Multi-Family Residential) District. The Planning Commission recommended to Approve on February 05, 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

6. **2020-99** Adopt an Ordinance for the petition filed by Adam Caracci, Applicant, and Quality Restaurant Concepts, LLC, Owner, to change the zoning classification for the northern portion of the certain property located at 3703 Hardy Street (Ward 1) from Section 4.5.9, B-2 (Neighborhood Business) District to Section 4.5.10, B-3 (Commercial Business) District. The Planning Commission recommended to Approve on February 05, 2020.
 (this item was voted after item # 10)

Attachments: hpc feb 20 item a
 Canes provided elevations plan to HPC
 Agenda HPC- FEB
 Ordinance - 3703 Hardy Street

A MOTION was made by Council Member George and seconded by Council Member Delgado to Adopt an Ordinance (#3270) for the petition filed by Adam Caracci, Applicant, and Quality Restaurant Concepts, LLC, Owner, to change the zoning classification for the northern portion of the certain property located at 3703 Hardy Street (Ward 1) from Section 4.5.9, B-2 (Neighborhood Business) District to Section 4.5.10, B-3 (Commercial Business) District. The Planning Commission recommended to Approve on February 05, 2020.

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

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

Nays: 0

7. **2020-92** Approve the Mississippi Department of Archives and History (MDAH) Community Heritage Preservation Grant Memorandum of Agreement in the amount of \$102,400.00 to fund renovations at F.B. Woodley Elementary School. The grant requires a local match of \$26,400.00 (20% of total project costs), which will be provided by Hattiesburg Public School District. Authorize reimbursement of Hattiesburg Public School District, pursuant to Mississippi Code Ann. 37-171-1 and authorize the Mayor to execute in duplicate.

Attachments: MDAH CHPG - Woodley Award

Hattiesburg Public School District Shared Use Agreement-2019 Executed

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Approve the Mississippi Department of Archives and History (MDAH) Community Heritage Preservation Grant Memorandum of Agreement in the amount of \$102,400.00 to fund renovations at F.B. Woodley Elementary School. The grant requires a local match of \$26,400.00 (20% of total project costs), which will be provided by Hattiesburg Public School District. Authorize reimbursement of Hattiesburg Public School District, pursuant to Mississippi Code Ann. 37-171-1 and authorize the Mayor to execute in duplicate.

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. **2020-94** Adopt a Resolution setting Public Hearing on Monday, March 16, 2020 at 4:00 p.m. in the City Council Chambers to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community.

Attachments: Adopt Resolution to Set Public Hearing Feb 18 2020
Set Public Hearing March 16 2020

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt a Resolution (#2020-60) setting Public Hearing on Monday, March 16, 2020 at 4:00 p.m. in the City Council Chambers to determine if certain properties are in such a state of uncleanliness so as to be 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

9. **REMOVED.**

10. **2020-129** Adopt a Resolution requesting the Mississippi Legislature to correct a drafting error related to the Hattiesburg Tourism Commission's governing authority in the 2014 and 2017 extensions of the enabling legislation; and to extend the repealer imposed on the Hattiesburg Tourism Commission and the special tax levied therefore, to July 2024.

Attachments: RES Requesting Legislature amend legislation-TourismCommission

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt a Resolution (#2020-61) requesting the Mississippi Legislature to correct a drafting error related to the Hattiesburg Tourism Commission's governing authority in the 2014 and 2017 extensions of the enabling legislation; and to extend the repealer imposed on the Hattiesburg Tourism Commission and the special tax levied therefore, to July 2024.

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. **2020-111** Adopt a Resolution authorizing Requisition No. 59 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: Project Resolution Requisition 2016 Bonds No. 59
2016 Bond Resolution No. 59
Executed Resolution 2020-62 authorizing Requisition No. 59

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt a Resolution (#2020-62) authorizing Requisition No. 59 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

12. **2020-106** Adopt a Resolution to increase the City's contribution to the project fund for State Aid Project No. DECD-0018(34) BO, also known as the North 31st Avenue and Alley project.

Attachments: Resolution to Increase City Contribution
CCR#2
Supplemental Agreement for Soil Cement
CCR#1 Revised3

A MOTION was made by Council Member George and seconded by Council Member Delgado to Adopt a Resolution (#2020-63) to increase the City's contribution to the project fund for State Aid Project No. DECD-0018(34)BO, also known as the North 31st Avenue and Alley 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

13. **2020-78** Approve a Lighting Agreement with Mississippi Power Company for additional lighting at 817 Country Club Road for an additional monthly increase of \$12.47 and authorize the Mayor to execute the same.

Attachments: MS Power Street Light Authorization - 817 Country Club Rd

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Approve a Lighting Agreement with Mississippi Power Company for additional lighting at 817 Country Club Road for an additional monthly increase of \$12.47 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

14. **2020-80** Approve a Lighting Agreement with Mississippi Power Company for additional lighting at 1912 Ridgeway Lane for an additional monthly increase of \$12.40 and authorize the Mayor to execute the same.

Attachments: MS Power Street Light Authorization-1912 Ridgeway Lane

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 at 1912 Ridgeway Lane for an additional monthly increase of \$12.40 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

15. **2020-81** Approve a Lighting Agreement with Mississippi Power Company for additional lighting at S 14th Avenue from Hardy to Adeline Streets for an additional monthly increase of \$62.62 and authorize the Mayor to execute the same.

Attachments: MS Power-S 14th from Hardy to Adeline Street Light Authorization

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 at S 14th Avenue from Hardy to Adeline Streets for an additional monthly increase of \$62.62 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

16. **2020-91** Adopt a Resolution to advertise municipal resources through activities and exhibits of the Hattiesburg Alliance for Public Art as authorized by Section 17-3-1 of the Mississippi Code of 1972 as annotated and amended and authorize manual check for same.

Attachments: Resolution-Hattiesburg Alliance for Public Art-Advertisement

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt a Resolution (#2020-64) to advertise municipal resources through activities and exhibits of the Hattiesburg Alliance for Public Art as authorized by Section 17-3-1 of the Mississippi Code of 1972 as annotated and amended and authorize manual check for 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

17. **2020-87** Approve Engagement Letter with Hicks Law Firm in reference to Civil Action Case No. CI13-0068.
*(voted after
Executive Session
pages 51-52)*

Attachments:Hicks Engagement Letter Civil Case # CI13-0068

18. **2020-84** Approve Professional Services Agreement between City of Hattiesburg and ChemPro Services, LLC., to provide herbicide application services for the City of Hattiesburg and authorize the Mayor to execute the same.

Attachments: ChemPro Services Spray Contract
 ChemPro Services Spray Contract Routes
 ChemPro Services Spray Contract Insurance
 ChemPro Services Spray Contract License & Permits

A MOTION was made by Council Member George and seconded by Council Member Brown to Approve Professional Services Agreement between City of Hattiesburg and ChemPro Services, LLC., to provide herbicide application services for 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

19. **2020-89** Approve or deny changes to wages and salaries in accordance with Ordinance No. 3154.

Attachments: Pay Scale Alignment Parks and Recreation February 2020

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Approve or deny changes to wages and salaries in accordance with Ordinance No. 3154.

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. **2020-104** Authorize submission of the FY2021 Mississippi State Department of Health, Office Against Interpersonal Violence, STOP Violence Against Women Act (VAWA) grant application. The grant budget is for a total of \$49,102.26 (\$36,585.11 Federal/State funds and \$12,517.15 local match).

Attachments: FY2021 VAWA Application - Final
 Financial Capability
 Assurances & Certifications
 Application Submission Signature

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Authorize submission of the FY2021 Mississippi State Department of Health, Office Against Interpersonal Violence, STOP Violence Against Women Act (VAWA) grant application. The grant budget is for a total of \$49,102.26 (\$36,585.11 Federal/State funds and \$12,517.15 local match).

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. **2020-107** Authorize submission of Mississippi Office of Highway Safety Grant Application in the amount of \$83,857 for the FY21 Impaired Driving Program; Authorize Mayor to execute in duplicate.

Attachments: FY21 MOHS Grant Application

A MOTION was made by Council Member Delgado and seconded by Council Member George to Authorize submission of Mississippi Office of Highway Safety Grant Application in the amount of \$83,857 for the FY21 Impaired Driving Program; Authorize Mayor to execute in duplicate.

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. **2020-96** Acknowledge receipt of Closing Documents for the Tuscan Avenue Infrastructure Improvements project, approve final acceptance of project, and authorize payment of final pay application to contractor.

Attachments: 1273-S016_Final_Paperwork
 Bearden Pay App No. 4

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Acknowledge receipt of Closing Documents for the Tuscan Avenue Infrastructure Improvements project, approve

final acceptance of project, and authorize payment of final pay application to contractor.

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

- 23. 2020-95** Acknowledge bids received February 6, 2020 for the Big Yank Demolition Project and accept the bid from Jack Ferrill's Heavy Equipment in the amount of \$162,500.00 as the lowest and best bid received; Authorize Mayor to execute contracts upon preparation.

Attachments: Big Yank Demo - Recommendation Ltr
Big Yank Demo - Reference Ltrs
Big Yank Demo - Certified Bid Tab

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Acknowledge bids received February 6, 2020 for the Big Yank Demolition Project and accept the bid from Jack Ferrill's Heavy Equipment in the amount of \$162,500.00 as the lowest and best bid received; 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

- 24. 2020-114** Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Hattiesburg Farm, LLC, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$47,592.512.00; and adopt final order allowing the same.

Attachments: HBurg Farm, LLC, Final Order
HBurg Farm, LLC, Exempt Certification (1)

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Hattiesburg Farm, LLC, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$47,592.512.00; and adopt (RES#2020-65) final order allowing 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

- 25. 2020-123** Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Kohler Company, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$23,791,896.00; and adopt final order allowing the same.

Attachments: Kohler Company Exemption Certification
Kohler Company Final Order

A MOTION was made by Council Member Brown and seconded by Council Member George to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Kohler Company, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$23,791,896.00; and adopt (RES#2020-66) final order allowing 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

26. **2020-117** Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Georgia Pacific Consumer Operations, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$7,378,819.00; and adopt final order allowing the same.

Attachments: Georgia Pacific Final Orders
 Georgia Pacific Exemption Certification

A MOTION was made by Council Member George and seconded by Council Member Brown to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Georgia Pacific Consumer Operations, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$7,378,819.00; and adopt (RES#2020-67) final order allowing 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

27. **2020-124** Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Resinall Corporation, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$6,939,952.00; and adopt final order allowing the same.

Attachments: Resinall Corporation Final Order
 Resinall Corporation Exemption Certification

A MOTION was made by Council Member George and seconded by Council Member Brown to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Resinall Corporation, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$6,939,952.00; and adopt (RES#2020-68) final order allowing 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

28. **2020-115** Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Mar-Jac Poultry MS, LLC, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$2,629.912.00; and adopt final order allowing the same.

Attachments: MAR JAC POULTRY FINAL ORDER
 MAR JAC POULTRY MS EXEMPT CERTIFICATION

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Mar-Jac Poultry MS, LLC, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$2,629.912.00; and adopt (RES#2020-69) final order allowing 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

***Note: Council Vice President Dryden recused herself and exited the chambers during the**

discussion and vote on the following item:

- 29. 2020-116** Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to The Merchants Co., for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$1,397,487.00; and adopt final order allowing the same

Attachments: MERCHANTS CO EXEMPT CERTIFICATION
MERCHANTS CO FINAL ORDER

A MOTION was made by Council Member George and seconded by Council Member Delgado to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to The Merchants Co., for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$1,397,487.00; and adopt (RES#2020-70) final order allowing the same.

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

Yeas: 4 - George, Delgado, Carroll and Brown

Nays: 0

Recused: 1 - Dryden

Council Vice President Dryden returned to the room following the vote.

- 30. 2020-126** Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Wis-Pak of Hattiesburg, LLC, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$916,681.00; and adopt final order allowing the same.

Attachments: Wis-Pak of Hattiesburg Exemption Certification
Wis-Pak of Hattiesburg Final Order

A MOTION was made by Council Member George and seconded by Council Member Brown to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Wis-Pak of Hattiesburg, LLC, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$916,681.00; and adopt (RES#2020-71) final order allowing 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

- 31. 2020-118** Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Western Container Corporation, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$3,140,205.00; and adopt final order allowing the same.

Attachments: WESTERN CONTAINER EXEMPT CERTIFICATION
WESTERN CONTAINER FINAL ORDER

A MOTION was made by Council Member Delgado and seconded by Council Member George to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Western Container Corporation, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$3,140,205.00; and adopt (RES#2020-72) final order allowing 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

- 32. 2020-125** Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Sofidel America Corporation, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$353,211.00; and adopt final order allowing the same.

Attachments: Sofidel America Corporation Final Order
Sofidel America Corporation Exemption Certification

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Sofidel America Corporation, for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$353,211.00; and adopt (RES#2020-73) final order allowing 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

- 33. 2020-119** Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Zeon Chemicals, L.P., for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$249,823.00; and adopt final order allowing the same.

Attachments: ZEON CHEMICAL FINAL ORDER
ZEON CHEMICAL EXEMPT CERTIFICATION

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Zeon Chemicals, L.P., for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$249,823.00; and adopt (RES#2020-74) final order allowing 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

- 34. 2020-120** Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Green Bay Converting, Inc., for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$239,210.00; and adopt final order allowing the same.

Attachments: Green Bay Converting Inc Final Order
Green Bay Converting Inc Exemption Certification

A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Green Bay Converting, Inc., for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$239,210.00; and adopt (RES#2020-75) final order allowing 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

***Note: Council Vice President Dryden recused herself and exited the chambers during the**

discussion and vote on the following item:

35. 2020-121 Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Mississippi Tank Company., for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$160,211.00; and adopt final order allowing the same.

Attachments: MS Tank Co. Exempt Certification (1)
 MS Tank Co. Exempt Certification (2)

A MOTION was made by Council Member George and seconded by Council Member Delgado to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Mississippi Tank Company., for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$160,211.00; and adopt (RES#2020-76) final order allowing the same.

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

Yeas: 4 - George, Delgado, Carroll and Brown

Nays: 0

Recused: 1 - Dryden

Council Vice President Dryden returned to the room following the vote.

36. 2020-122 Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Hybrid Plastics, Inc., for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$90,000.00; and adopt final order allowing the same.

Attachments: Hybrid Plastics Exemption Certification
 Hybrid Plastics Final Order

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Acknowledge receipt of letter from the Department of Revenue, granting ad valorem tax exemption to Hybrid Plastics, Inc., for a period not to exceed ten (10) years, commencing January 1, 2018, and ending December 31, 2028, with a true total value of \$90,000.00; and adopt (RES#2020-77) final order allowing 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

37. 2020-128 Ratify and confirm the Mayor's appointment of Eddie Holloway to the Hattiesburg Public School Board for an amended term beginning February 13, 2020 and ending August 31, 2024.

Attachments: Eddie Holloway Vita

A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Ratify and confirm the Mayor's appointment of Eddie Holloway to the Hattiesburg Public School Board for an amended term beginning February 13, 2020 and ending August 31, 2024.

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 Brown 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. **2020-86** Acknowledge Proof of Publications for the month of January 2020.

 Attachments: Proof of Publication Hub City Spokes Jan 2020
2. **2020-105** Acknowledge receipt of Privilege Tax License monthly report for January 2020.

 Attachments: PTL Monthly Report-Jan 2020
3. **2020-88** Acknowledge receipt of letter from The Lucky Rabbit and The Burg Shirt Company granting permission to the City of Hattiesburg to use the term "Litterburg" in the City's anti-littering campaign at no cost.

 Attachments: Litter Burg Agreement
4. **2020-97** Acknowledge receipt of a Permanent Utility Easement from Derek R. and Amy B. Arrington for a portion of Forrest County Tax Parcel No. 2-041L-33-001.08 (PPIN 41294) in Timberton Subdivision.

 Attachments: Utility Easement - Arrington
5. **2020-112** Approve Specifications and Authorize Publication of Advertisement for Term Bids for (1) one Vacuum Truck for the City of Hattiesburg Water and Sewer Department.

 Attachments: Vacuum Truck
 Vacuum Truck Specs
6. **2020-103** Approve Plans and Specifications for the Hattiesburg American Building Reroof project and Authorize publication of advertisement for bids.

 Attachments: 3754 - Hattiesburg American Reroof 100% stamped 2-7-2020
 Hburg American Reroof - Adv for Bids
 3454 - Specifications
7. **2020-85** Approve and authorize issuance of manual checks for CDBG Program Claims per attached Memorandum. {Entitlement CDBG}

 Attachments: Bonner_213 S 11th Av
 Manual check request_02182020
8. **2020-83** Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.

 Attachments: Memo's (02-18-2020)
 Receipts (02-18-2020)
 Deeds (02-18-2020)

9. **2020-113** Approve claims docket for the period ending February 14, 2020.

Attachments: DOCKET 2.14.20 (2)

Executive Session

A MOTION was made by Council Member George for the Council to enter closed determination upon the issue of whether or not to declare an Executive Session at 5:10 p.m.

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

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

Nays: 0

Council President Carroll asked for the room to be cleared at this time.

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to enter Executive Session to discuss strategy or negotiations with respect existing and prospective litigation, since to have an open meeting on this would have a detrimental effect on the litigating position of the City.

The City Attorney stepped out into the hall and announced that the Council has gone into Executive Session to discuss strategy or negotiations with respect to existing and prospective litigation.

Those present for the Executive Session were Mayor Toby Barker; Council members Jeffrey George, Carter Carroll and Nicholas Brown; Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Chief Administrative Officer, Ann Jones; Police Chief, Anthony Parker; Officer Ross Kinsey; City Engineer, Lamar Rutland; Director of Urban Development, Andrew Ellard; Director of Public Works, Ronnie Perkins; Director of Parks and Recreation, Chris McGee; Deputy Director of Maintenance, Perry Thomas; Chief Communications Officer, Samantha McCain; Clerk of Council, Ronda Cole; Deputy Clerk of Council, Lisa Luu Jolly.

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to exit Executive Session and re-open the meeting to the public at 5:51 p.m.

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

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

17. **2020-87** Approve Engagement Letter with Hicks Law Firm in reference to Civil Action Case No. C I 13-0068.

Attachments: Hicks Engagement Letter Civil Case # CI13-0068

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Engagement Letter with Hicks Law Firm in reference to Civil Action Case No. C I 13-0068.

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

A MOTION was made by Council Member George and seconded by Council Member Brown to ADD Policy Agenda Item #38, to consider retaining the law firm of Adams & Reese to represent the City in a matter before the Mississippi Department of Archives & History.

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

A MOTION was made by Council Member George and seconded by Council Vice President Dryden for the City of Hattiesburg to retain the law firm of Adams & Reese in Jackson, Mississippi, to represent the City in a matter before the Mississippi Department of Archives and History, as set out in the letter of engagement from Mr. Holmes, and authorize the City Attorney to sign on behalf of the City.

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 Adjourn the meeting in memory of:

- Mr. Forrest Charles Phillips, Jr.
- Mrs. Dorothy Browlee White
- Ms. Weezie Glenn Phillips

Meeting Adjourn

By unanimous consent, Council President Carroll declared the **meeting adjourned at 5:57 p.m., this 18th day of February, 2020.**

ATTEST:

APPROVE:


Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor