

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PEARL, MISSISSIPPI, HELD IN THE BOARD ROOM AT CITY HALL APRIL 17, 2018 AT 6:00 O'CLOCK P.M.

CALL TO ORDER

The regular meeting of the Mayor and Board of Aldermen was called to order by Mayor Windham at 6:00 p.m.

Alderman McHenry
Alderman Lockett
Alderman Sartor
Alderman Steverson
Alderman Foy
Alderman Thompson
Alderman Gill

Also in attendance was Kelly Scouten, City Clerk and Brendan Sartin, City Attorney.

PRAYER

The meeting was opened with prayer by Alderman Sartor.

Alderman Steverson, led the Pledge of Allegiance.

EMPLOYEE RECOGNITIONS

FIREMAN OF THE MONTH FOR APRIL, LIEUTENANT PRESTON HARRIS.

CONSENT AGENDA

Upon Motion by Alderman Thompson and seconded by Alderman Gill, the following items were approved and adopted as the Orders of the Board by unanimous affirmative vote ("Aye") of all Aldermen present:

- A. Approval/corrections of minutes of the Regular Board Meeting April 3, 2018.
- B. Approval of the claims docket for the period of April 3, 2018 to April 17, 2018, in the amount of \$731,405.08 in paid claims \$562,904.71, in unpaid claims and \$93,081.94, addendum.
- C. Approval of garbage exemptions applications and renewals, as attached hereto and made a part of the Minutes.
- D. [REMOVED TO GENERAL BUSINESS]

- E.** Approval of Authorization to travel:
 Jim Brown- April 26-27, 2018 to Ridgeland, MS CLASS, Background Investigations for Police Applicants/ Registration fee \$365.00
 Archie Bennett, Vincent Burnwell, Alfred Jenkins, Mandy Dearman, Kyle Camardelle, and Brian McGairty- May 16, 2018 to Flowood, MS Crisis Management for Schools / No Cost
 Mark Mooney- June 7, 2018 to Byram, MS Taser CEW Instructor Re-Certification/ Cost of \$225.00
 Jim Brown, John Burt and Eddie Hurt- July 15-20, 2018 to Oxford, MS 14TH Annual Mississippi Command College/ Cost \$1,181.00 each
 Christi Jenkins and Brandy Pepper- May 13-16, 2018 to Biloxi, MS PTS Solutions 2018 User Group Conference / Cost \$541.66 each
 Justin Barnette and Kris Hough- May 21-24, 2018 to Brandon, MS Interviewing and Interrogation training class/ Cost \$575.00 each
- F.** Approval of Merit Increases:
 Kyle Camardelle- Police
 Jesse Haley-Water
 Taylor Hester- Water
 Napoleon Burch-Street
 Niketa Fleming-Water
 Thomas Mayo- Solid Waste
 Angela Winstead- Golf Course
 Angela Jones- Senior Services
 Lakeisha Love- Senior Services
- G.** Order to appoint Angela Jones, as Director of Senior Services.
- H.** Order to appoint Lakeisha Love, as Assistant Director of Senior Services.
- I.** [REMOVED TO GENERAL BUSINESS]
- J.** Order to adopt a Resolution finding that the certain items identified on the attached list, which is incorporated herein by reference, have ceased to be used for public purposes due to having been wrecked and/or the cost of repairing each item exceeding its value, thereby resulting in each item having a zero fair market value, and to approve the disposal and/or sale of each item as required by law.
- K.** Order to approve and authorize the renewal of the current health insurance and dental plan for the period of (1) one year with United Healthcare and Crescent Dental by and through Lowery Insurance and to authorize City Clerk, Kelly Scouten and Mayor Windham to sign all related documents.
- L.** Order to approve and authorize entering into a contract for services by and between, the City of Pearl and CardConnect for credit card processing.

- M.** Order to adopt an Ordinance establishing building permit and other fees for the Department of Community Development and the Water Department.

PUBLIC COMMENT

Randy McDill, 283 Ludlow Rd., Pearl, MS 39208.

PUBLIC HEARING

- 1.** Determine whether or not that certain parcel of real property, owned by 406 Lamar LLC, its successors and assigns, 220 South Pearson, Pearl, Rankin County, Mississippi 39208 (Parcel No. E08I000035 00000; LOT 163.1 X 225 X 174.6 X 191.9 IN SW4 SE4 E PEARSON RD DB 420 PG 157 0071581, DB 777 PG 0464 0091796, DB 2014 PG 12614), is in such a condition or state as to be unsightly and unkept or otherwise a menace to the public health and safety of the community, and therefore, prohibited, pursuant to Chapter 11 of the Code of Ordinances of the City of Pearl, Mississippi and Section 21-19-11 of the Mississippi Code of 1972, as Amended.

Mayor Windham called the public hearing to order and asked if anyone was present to speak in favor of the property. Steve Neuroth, CFO of Shoney's who is the lessee, spoke and acknowledged the unsightly and unkept condition of the property and of the risk the current state of the property poses to the public health and as a hazard. Mr. Neuroth also acknowledged that no action has been taken by Shoney's since their counsel appeared before the Board in 2016. Further, Mr. Neuroth recognized that Shoney's made the same statements to the Board in 2016 stating the intention of the company to remodel the building. Ross Lipman, a member of 406 Lamar, LLC and owner of the real property described herein, was also present and acknowledged receipt of the notice and appreciated the efforts in contacting him regarding the hearing. Mr. Lipman acknowledged and echoed the frustration expressed by the Board and Mayor for the lack of action by Shoney's. Mr. Lipman further stated that the building is "an eyesore and is not enhancing the value of the property" Mayor Windham asked if anyone else desired to speak against the property.

The Community Development Director informed the Mayor and Board that the property was not properly maintained and the building was unsafe, the owner had failed and refused to cut the grass and vegetation on the property and maintain the property in a manner to keep it from being an eye sore, unsightly and unkept or otherwise a menace to the public health and safety of the community. That the property was in the same condition it was in when the property was previously deemed a menace to the public health and public hazard by the Board in 2016. The Community Development Director presented photographs which showed the unsafe building and other unsightly and unkempt conditions. The Fire Chief informed the Mayor and Board that the property was not properly maintained and the building was unsafe, the owner had failed and refused to cut the grass and vegetation on the property and maintain the property in a manner to keep it from being an eye sore, unsightly and unkept or otherwise a menace to the public health and safety of the community. That the property was in the same condition it was in when the property was previously deemed a menace to the public health and public hazard by the Board in 2016. That the present condition of the building was a health hazard due to the property being a haven for mold growth from previous damage. The Chief of Police informed the Mayor and Board that the property was not properly

maintained and the building was unsafe, the owner had failed and refused to cut the grass and vegetation on the property and maintain the property in a manner to keep it from being an eye sore, unsightly and unkept or otherwise a menace to the public health and safety of the community. That the property was in the same condition it was in when the property was previously deemed a menace to the public health and public hazard by the Board in 2016. That the building appeared to be decaying and was in need of repair. That the unkept environment was inviting to transient vagrants taking refuge around the building and posed a potential danger to the health and safety of the citizens of the City. The Public Information Officer for the City informed the Mayor and Board that the property was not properly maintained and the building was unsafe, the owner had failed and refused to cut the grass and vegetation on the property and maintain the property in a manner to keep it from being an eye sore, unsightly and unkept or otherwise a menace to the public health and safety of the community. That the property was in the same condition it was in when the property was previously deemed a menace to the public health and public hazard by the Board in 2016. That the police department has dealt with numerous issues around the property, including but not limited to traffic accidents leaving the property due to tractor trailers using the parking lot for overnight parking and various unauthorized small businesses operating without a license in the parking lot. Mayor Windham asked if anyone else desired to speak on the matter. No one answered. Mayor Windham closed the public hearing and asked for the pleasure of the Board.

Motion was made by Alderman Foy and seconded by Alderman Gill to adopt the following Order:

BE IT ORDERED AND RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PEARL, MISSISSIPPI THAT:

1) The required notice which was mailed and posted in relation to this hearing is hereby received and recorded and the City Clerk is directed to record said copy in the minutes of these proceedings.

2) The parcel of property owned by 406 LAMAR, LLC, and located at 220 South Pearson Road, Pearl, Rankin County, Mississippi 39208 (Tax Parcel No. E08I000035 00000 and PPIN 009788) is hereby adjudicated, in its present condition, to be a menace to the public health and safety of the community for the reason that said property is in an unsafe and unclean condition with grass, weeds and other unsightly vegetation growing thereon and with debris present thereon, and said owner(s) has failed to remedy these hazardous, unsafe, and unsightly conditions thereon.

3) That the Department of Community Development is hereby directed to post a copy of this Order on the property, and if said owner fails to bring said property into compliance within ten (10) days of the date of this Order, then the Department of Public Works with the aid of the various departments of the City, including the Department of Community Development, to perform one or more or all of the following acts on and to said property to clean said lot and remedy the hazardous, unsafe and unsightly conditions thereon: Cutting grass, weeds, unsightly vegetation, cutting dead trees in danger of falling, filling cisterns, removing rubbish, dilapidated fences, outside toilets, demolishing and removing any dilapidated or unsafe or unsanitary buildings, including the residence, and other debris, and draining cesspools and standing water therefrom.

4) That the Director of Community Development is hereby directed to keep a careful and correct accounting of the cost of cleaning and remedying said lot and to report this accounting to the next regular meeting of the Mayor and Board of Aldermen after said property is cleaned and remedied in compliance with this Order.

5) That there should be and hereby is imposed and assessed against the subject property a penalty of One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more, which the City Clerk shall cause to be included in the assessments for municipal ad valorem taxes.

6) This adjudication that the property or parcel of land is in need of cleaning will authorize the will also authorize the municipality to reenter the property or parcel of land up to six (6) times in any twelve-month period with respect to removing dilapidated buildings, dilapidated fences and outside toilets, and up to twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the subject property, without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman McHenry, Alderman Lockett, Alderman Thompson, Alderman Sartor, Alderman Foy and Alderman Steverson.

2. Determine whether or not that that certain parcel of real property, owned by Teri E. Hamilton and located at 553 Oak Park Circle, Pearl, Rankin County, Mississippi 39208 (Parcel No. F09I000010 00620; PPIN No. 074523), is in such a condition or state as to be unsightly and unkept or otherwise a menace to the public health and safety of the community, and therefore, prohibited, pursuant to Chapter 11 of the Code of Ordinances of the City of Pearl, Mississippi and Section 21-19-11 of the Mississippi Code of 1972, as Amended.

Mayor Windhan called the public hearing to order and asked if anyone was present to speak in favor of the property. No one answered. Mayor Windham asked if anyone else desired to speak against the property. The Community Development Director informed the Mayor and Board that the property was not properly maintained and the building was unsafe, the owner had failed and refused to cut the grass and vegetation on the property and maintain the property in a manner to keep it from being an eye sore, unsightly and unkept or otherwise a menace to the public health and safety of the community. The Community Development Director presented photographs which showed the unsafe building and other unsightly and unkempt conditions. The Fire Chief informed the Mayor and Board that the property was not properly maintained and the building was unsafe, the owner had failed and refused to cut the grass and vegetation on the property and maintain the property in a manner to keep it from being an eye sore, unsightly and unkept or otherwise a menace to the public health and safety of the community. That the present condition of the building was a health hazard due to the property being a haven for mold growth from previous damage. The Chief of Police informed the Mayor and Board that the property was not properly maintained and the building was unsafe, the owner had failed and refused to cut the grass and vegetation on the property and maintain the property in a manner to keep it from being an eye sore, unsightly and unkept or otherwise a menace to the public health and safety of the community. That the structure appeared to be decaying and was in need of repair. That the unkept environment was

inviting to children in the neighborhood and posed a danger to them and others. Mayor Windham asked if anyone else desired to speak on the matter. No one answered. Mayor Windham closed the public hearing and asked for the pleasure of the Board.

Motion was made by Alderman Foy and seconded by Alderman Gill to adopt the following

Order:

BE IT ORDERED AND RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PEARL, MISSISSIPPI THAT:

1) The required notice which was mailed and posted in relation to this hearing is hereby received and recorded and the City Clerk is directed to record said copy in the minutes of these proceedings.

2) The parcel of property owned by Teri E. Hamilton, and located at 553 Oak Park Circle, Pearl, Rankin County, Mississippi 39208 (Tax Parcel No. F09I000010 00620 and PPIN No. 074523), is hereby adjudicated, in its present condition, to be a menace to the public health and safety of the community for the reason that said property is in an unsafe and unclean condition with grass, weeds and other unsightly vegetation growing thereon and with debris present thereon, and said owner(s) has failed to remedy these hazardous, unsafe, and unsightly conditions thereon.

3) That the Department of Community Development is hereby directed to post a copy of this Order on the property, and if said owner fails to bring said property into compliance within ten (10) days of the date of this Order, then the Department of Public Works with the aid of the various departments of the City, including the Department of Community Development, to perform one or more or all of the following acts on and to said property to clean said lot and remedy the hazardous, unsafe and unsightly conditions thereon:

Cutting grass, weeds, unsightly vegetation, cutting dead trees in danger of falling, filling cisterns, removing rubbish, dilapidated fences, outside toilets, demolishing and removing any dilapidated or unsafe or unsanitary buildings, including the residence, and other debris, and draining cesspools and standing water therefrom.

4) That the Director of Community Development is hereby directed to keep a careful and correct accounting of the cost of cleaning and remedying said lot and to report this accounting to the next regular meeting of the Mayor and Board of Aldermen after said property is cleaned and remedied in compliance with this Order.

5) That there should be and hereby is imposed and assessed against the subject property a penalty of One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more, which the City Clerk shall cause to be included in the assessments for municipal ad valorem taxes.

6) This adjudication that the property or parcel of land is in need of cleaning will authorize the will also authorize the municipality to reenter the property or parcel of land up to six (6) times in any twelve-month period with respect to removing dilapidated buildings, dilapidated fences and outside toilets, and up to twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the subject property, without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman McHenry, Alderman Lockett, Alderman Thompson, Alderman Sartor, Alderman Foy and Alderman Steverson.

GENERAL BUSINESS

1. Order to approve and authorize the purchase of Nexlog 740 Advanced Emergency 911 Communications Recording System from Quality Recording Solutions in the amount of \$32,525.60. (Quotes obtained) The funds for the police department expenditures listed above shall be withdrawn from the Police Seizure Asset Forfeiture Fund as this expenditure is not a general budgeted item, the expenditure is for law enforcement purposes and the funds are being used to augment the existing law enforcement budget and not to supplant said budget. The impacted budgets should be amended accordingly, if necessary.

Motion was made by Alderman Thompson and seconded by Alderman Steverson approving an order to approve and authorize the purchase of Nexlog 740 Advanced Emergency 911 Communications Recording System from Quality Recording Solutions in the amount of \$32,525.60. (Quotes obtained) The funds for the police department expenditures listed above shall be withdrawn from the Police Seizure Asset Forfeiture Fund as this expenditure is not a general budgeted item, the expenditure is for law enforcement purposes and the funds are being used to augment the existing law enforcement budget and not to supplant said budget. The impacted budgets should be amended accordingly, if necessary. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Foy, Alderman Steverson, Alderman Sartor, and Alderman Thompson, Alderman Lockett, Alderman McHenry and Alderman Gill.

2. Order to approve applications.

Motion was made by Alderman Gill and seconded by Alderman Foy to consider an executive session to discuss job applications for “at will” employees; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Foy, Alderman Lockett, Alderman Thompson, Alderman McHenry, Alderman Sartor and Alderman Steverson.

It was announced that upon a Motion made by Alderman Gill and seconded by Alderman Foy the board entered executive session to discuss job applications for “at will” employees; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Foy, Alderman Lockett, Alderman Thompson, Alderman McHenry, Alderman Sartor and Alderman Steverson.

It was announced that during executive session that the Board adopted an Order approving all job applications for “at will” employees.

There were no emergency consideration of committees, commission and board matters. Having no further business Mayor Windham asked that the meeting be adjourned.

Motion was made by Alderman Gill and seconded by McHenry approving an order to adjourn the meeting. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Foy, Alderman Steverson, Alderman Sartor, and Alderman Thompson, Alderman Lockett, Alderman McHenry and Alderman Gill.

The foregoing were adopted as, and became, the Resolutions and Orders of the Governing Authorities of the City of Pearl, Mississippi on this the 17th day of April, 2018.

WITNESS MY SIGNATURE on this the 1st day of May, 2018.

JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:

CITY CLERK, KELLY SCOUTEN

GARBAGE REDUCTION

24-0226000

SHERRON SANDIFER

4116 BRIGHT ST

SENT 4-3-18

GARBAGE REDUCTION

15-0477001
18-5184001
23-0024002
36-0038003

ROBERT E BAKER JR
FRANK WHITTINGTON
JIMMY OWEN
TINY MAE MCCOY

544 ASBURY LANE DR
1240 SWEETWATER COVE
1014 TWIN PINE LANE
1029 JOHNSON DR

SENT 4-10-18

**MINUTES OF THE EXECUTIVE SESSION HELD DURING REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF PEARL, MISSISSIPPI, HELD IN THE BOARD ROOM AT CITY HALL
APRIL 17, 2018 AT 6:00 O'CLOCK P.M.**

The Mayor and all Aldermen and the City Clerk and City Attorney entered the Alderman's anteroom. The Mayor brought the closed assembly to order and asked for a Motion to consider an Executive Session to discuss job applications for "at will" employees.

Motion was made by Alderman Gill and seconded by Alderman Foy to consider an executive session to discuss personnel matters associated with job applications for "at will" employees; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Foy, Alderman Luckett, Alderman Thompson, Alderman McHenry, Alderman Sartor and Alderman Steverson.

The City Clerk returned to the Boardroom and announced this motion to those assembled.

Confidential Discussion was had regarding personnel matters associated with job applications for "at will" employees.

Motion was made by Alderman Gill and seconded by Alderman McHenry to approve the application of Tammy Barnes (Court Records), Tiffany Bright (Court Records), Orlando Redd (Dispatch), Daniel Prestel (Golf Course), and David Herbert (Community Development). The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Luckett, Alderman McHenry, Alderman Thompson, Alderman Foy, Alderman Steverson and Alderman Sartor.

Motion was made by Alderman Thompson and seconded by Alderman Gill to approve the application of Johnny Barnes for the Police Department. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Luckett, Alderman McHenry, Alderman Thompson, Alderman Foy, and Alderman Steverson; Alderman Sartor voted against the Motion.

Motion was made by Alderman Gill and seconded by Alderman Foy to adjourn the executive session and return to general session. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Foy, Alderman Luckett, Alderman Thompson, Alderman McHenry, Alderman Sartor and Alderman Steverson.

The foregoing were adopted as, and became, the Resolutions and Orders of the Governing Authorities of the City of Pearl, Mississippi during Executive Session on this the 17th day of April, 2018.

WITNESS MY SIGNATURE on this the 1st day of May, 2018.

**_____
JAKE WINDHAM, MAYOR**

ATTEST AND CERTIFY:

**_____
KELLY SCOUTEN, CITY CLERK**