

**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 JUNE 6, 2017
AT 6:00 O'CLOCK P.M.**

The Mayor and all Alderman and the City Clerk and City Attorney entered the Alderman's meeting room. The Mayor brought the closed assembly to order and asked for a Motion to conduct an Executive Session to consider and discuss a personnel matter and the payment of the City attorney's fees.

Motion was made by Alderman Gill and seconded by Alderman McHenry to conduct an executive session to consider and discuss personnel matters and payment of the City Attorney's Fees. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Ishee, Alderman Jenkins, Alderman McHenry, and Alderman Jones, Alderman Foy and Alderman Sartor.

The City Clerk returned to the Boardroom and announced to those assembled and announced the details of the forgoing motion.

Discussion was had and the following three (3) motions were adopted:

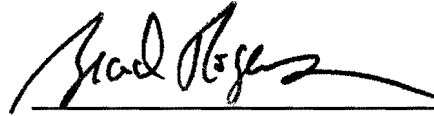
Motion was made by Alderman Foy and seconded by Alderman McHenry to approve applicant for hire. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Ishee, Alderman Jones, Alderman Foy, and Alderman McHenry. Alderman Gill and Alderman Sartor voted against the Motion. The Motion became the order of the Board.

Motion was made by Alderman Gill and seconded by Alderman Ishee to approve the payment of the City Attorney's Fees. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman Ishee, and Alderman Jones and Alderman McHenry and Alderman Sartor and Alderman Foy voted against the Motion. The Motion became the order of the Board.

Motion was made by Alderman Sartor and seconded by Alderman Gill to come out of executive session and return to the 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 Ishee, Alderman McHenry, and Alderman Jones, Alderman Foy and Alderman Sartor.

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 6th day of June 2017.

WITNESS MY SIGNATURE on this the 20th day of June 2017.



BRAD ROGERS, MAYOR

ATTEST:



KELLY SCOUTEN, CITY CLERK



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 JUNE 6 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 Rogers at 6:00 p.m.

Roll call indicated the following Aldermen present:

Alderman Gill
Alderman Ishee
Alderman McHenry
Alderman Sartor
Alderman Jones
Alderman Foy

Alderman Jenkins was absent.

Also in attendance was Kelly Scouten, City Clerk and James Bobo, City Attorney.

PRAYER

The meeting was opened with prayer by Alderman Foy.

CONSENT AGENDA

Upon Motion by Alderman McHenry 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 of minutes of the Regular Board Meeting May 16, 2017, as submitted.
- B. [Removed at Request of Alderman Foy].
- C. Approval of garbage exemptions and renewals:

Rose McCardle	4123 Herrington Blvd.
Richard Doerr	316 N Villae Dr.
Gayle Witt	122 Asbury Square
Bonnie McCullaugh	2183 Old Brandon Rd. L34
Jose F Vega	2407 Gina Dr.

- D. Approval of employment of the following at will employees on terms reflected by Payroll Authorization forms and subject to satisfaction of post offer conditions:

Alderman Sartor requested one application be removed from the Consent Agenda.

David Gutherie- Parks & Rec
Lisa Gleason- Parks & Rec
Christopher Trader- Street
Trey Burton- Street
Damarcus Miller- Street
Bruce Smith- Street
Zion Chase- Street
Marquevious Cooley- Street
Kashaun Davis- Street
Travian Owens- Street
Rodarian Franklin- Street
Jonathan Weeks- Street

- E. Approval of authorizations of employee travel as described in request(s):

There were no travel authorizations.

- F. Approval of pay increase for the following employees on terms reflected by Payroll Authorization forms:

Judy Grimes- Public Works
Freddie Stapleton- Water
Larry Killens- Street
Allen Elliot- Fire
Keith Hall- Fire

- A. Order to approve and authorize payment to Franklin Environmental Group for Invoice Number 1080 in the amount of \$1,125.00 and Invoice Number 1089 in the amount of \$750.00 for environmental consulting.
- B. Order to approve and authorize payment to Layne Christensen Company in the amount of \$63,624.60 and Bunch Electrical in the amount of \$9,500.00 for Water Systems Improvements Project.
- C. Order to approve and authorize payment to Neel-Schaffer in the amount of \$2,943.68, for the US Highway 80 Signal Upgrades.
- D. Order to adopt a Resolution declaring, (5) used Janesville Turnout pants and (5) used Janesville turnout coats as surplus and to approve the disposal of same as required by law.
- E. Order to approve and authorize Parks and Recreation to hold "Water Fun Day" on Saturday, July 1, 2017 from 9:00 a.m. to 12:00 p.m. at Pearl City Park.

- F. Order to approve and authorize Parks and Recreation to hold “Kids Summer Camp” from July 17th – July 21st, 2017 from at Pearl Parks and Rec. Center.
- G. Order to approve and authorize the purchase of a Windsor Floor Buffer and supplies from Elkins in the amount of \$2,546.77. (State Contract)
- H. Order to approve and authorize the Annual Software Maintenance for PTS Solutions in the amount of \$12,560.00.
- I. Order to approve and authorize the purchase of parts to repair PD85 from Union Auto Parts, in the amount of \$806.88. (quotes obtained)
- J. Order to set public hearing for July 18 2017, at 6:00 p.m. to consider request by Billy Stutts for a waiver of City of Pearl Code of Ordinance Section 5-95 to place a metal storage building to be located at 690 Pearl Park Plaza.
- K. Order to amend contract with Barry Zirulnik to include representation of the City in East Metro Corridor Condemnation proceedings and authorize the Mayor to sign contract amendment.

PUBLIC COMMENT

Deonica Davis, 3417 Old Brandon Rd., Pearl, MS 39208 and Shirley Haffender, 215 S. Bierdeman, Pearl, MS 39208, signed the Public Comment roster and spoke.

EMPLOYEE RECOGNITION

Fire Chief Carl Kibby recognized Allen Elliot and Keith Hall and congratulated them on recent promotions.

GENERAL BUSINESS

1. Consider adopting a Resolution declaring that City owned police dog, Wannes, which is 10 years old and has age related health problems, including but not limited to, hip and joint issues; that Wannes is no longer fit for service in law enforcement; that Wannes’ veterinarian bills are reasonably expected to only increase in amount and frequency; that Wannes should be, and hereby is, declared to be surplus property having no value; and further finding that because of Wannes training and temperament and health needs, he cannot be transferred to members of the general public that Jimmie Easterling, a person with training in handling dogs such as Wannes, is fully aware of his circumstances and is willing to take ownership of Wannes. It is in the best interest of the City to transfer surplus police service canine, Wannes to Jimmie Easterling under MCA § 17-25-25(5) and specifically finding that the canine has zero value, that the transaction is not a sale and no purchase is involved, that Jimmie Easterling will not derive or have any personal economic benefit and the transfer will be humane and

immediately save the city the cost involved with having this Canine as soon as possible and subject to Jimmie Easterling signing a release prepared by the City Attorney fully and finally releasing the City from any and all liability or responsibility in relation to Wanness.

Motion was made by Alderman Gill, and seconded by Alderman Jones to adopt the proposed resolution concerning Wanness but to add the condition that Wanness not be used in police work. **The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman McHenry, Alderman Ishee, and Alderman Jones. The following members of the Board of Aldermen voted against the Motion:**

2. Consider adopting a Resolution declaring, police canine Splinter, as surplus and to approve the sale thereof to the Rankin County Sheriff in exchange for the reasonable amount of \$5,000.00.

Motion was made by Alderman McHenry, and seconded by Alderman Jones to adopt the proposed resolution declaring, police canine Splinter, as surplus and to approve the sale thereof to the Rankin County Sheriff in exchange for the reasonable amount of \$5,000.00. **The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman McHenry, Alderman Ishee, and Alderman Jones. The following members of the Board of Aldermen voted against the Motion: Alderman Sartor and Alderman Foy.**

3. Approval of the Claims Docket for the period May 16, 2017 to June 6, 2017, in the amount of \$1,401,432.83 in paid claims, \$390,446.69 in unpaid claims and \$29,798.20, addendum.

Motion was made by Alderman Foy, and seconded by Alderman Sartor to Approve the Claims Docket for the period May 16, 2017 to June 6, 2017, in the amount of \$1,401,432.83 in paid claims, \$390,446.69 in unpaid claims and \$29,798.20, addendum, with the exception of the Attorney's bill. **The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman McHenry, Alderman Ishee, Alderman Jones, Alderman Sartor and Alderman Foy.**

Mayor Rogers recommended that the Board go into executive session to consider the hiring of the applicant excluded from the consent agenda by Alderman Sartor and to consider the Attorney's bill as excluded by Alderman Foy.

Motion was made by Alderman McHenry, and seconded by Alderman Ishee, to have a closed determination of whether to go into executive session to consider the hiring of the applicant excluded from the consent agenda by Alderman Sartor and to consider the Attorney's bill as excluded by Alderman Foy. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman McHenry, Alderman Ishee, Alderman Sartor, Alderman Foy and Alderman Jones.

The Mayor and Board left the meeting room. The City Clerk returned and announced

that by unanimous vote the Board had determined to go into executive session for the reasons stated by the Mayor.

The Mayor and Board returned to the meeting room. The City Clerk announced that the following votes were taken during executive session:

Motion was made by Alderman Foy and seconded by Alderman McHenry to approve applicant for hire. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Ishee, Alderman Jones, Alderman Foy, and Alderman McHenry. Alderman Gill and Alderman Sartor voted against the Motion. The Motion became the order of the Board.

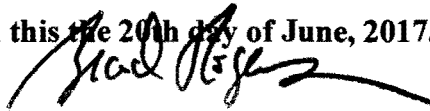
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Motion was made by Alderman Sartor and seconded by Alderman Gill to come out of executive session and return to the general session. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman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

The general meeting was reconvened. Mayor Brad Rogers announced his recusal on the next item, and turned the meeting over to Mayor Pro Tem John McHenry. Mayor Rogers left the meeting room and took no further part in the meeting.

The foregoing were adopted as, and became, the Resolutions and Orders of the Governing Authorities of the City of Pearl, Mississippi on this the 6th day of June, 2017.

WITNESS MY SIGNATURE on this the 20th day of June, 2017.



BRAD ROGERS, MAYOR

ATTEST AND CERTIFY:


CITY CLERK

PUBLIC HEARINGS

1. Consider request by Edd Rogers to waive requirements of the Development Ordinance and to rezone 11 +/- acres located, on East Metro Parkway with 1382.68 feet of Parkway frontage and being part of 27.5 +/- acre parcel having tax identification number G10 000002 00010.

Mayor Pro Tem McHenry declared the public hearing opened and asked if any one wished to speak in favor of the request. James E. (Edd) Rogers spoke. Mr. Rogers submitted a packet of information to the board and the packet which included several maps and the opinion of a realtor that the highest and best use of the subject property was commercial, was received into the record. Mr. Rogers informed that board that the property was presently wooded and had originally been zoned Residential Estates with the City annexed the property many years ago. Mr. Rogers stated that he was the only land owner in Pearl having property within 300 feet of the subject property. Mr. Rogers stated that since the property was last zoned that the neighborhood had materially and substantially changed due to the construction of East Metro Parkway, a major thoroughfare. Mr. Rogers directed the Board's attention to the map created by the Jackson Municipal Airport Authority which reflected that the subject property was very near to the Parkway; that the Authority's property surrounded the subject property on three (3) sides; and the Authority had designated all of its property for commercial use. Given the changes in the neighborhood, the highest and best use of the property and the surrounding proposed commercial use, Mr. Rogers asked the Board to rezone the identified 11 acres (+/-) to Major Thoroughfares Commercial District (C-3) and to waive the requirements of the Development Ordinance concerning the subdivision of properties.

Mayor Pro Tem McHenry asked if anyone else wished to speak in favor of the request. Jamie Oliver, the Director of Community Development stated that all the requirements for rezoning the property had been met and he recommended the requests be granted. No one else spoke. Mayor Pro Tem McHenry asked if anyone else wished to speak against the request.

Alderman Foy stated he had been contacted by many people opposed to the requests. David Luckett spoke and stated that he was not speaking against the requests but wanted to make sure the Mr. Rogers was not receiving special treatment. Mr. Knight spoke and complained about the result of his request of rezoning years ago. He encouraged everyone to "have a heart."

Alderman Sartor asked Mr. Rogers if he was willing to have his matter remanded to the planning board. Mr. Rogers stated he would do whatever was required.

Alderman Jones asked Director Oliver if it would benefit the City to annex the commercial property owned by the Authority. Director Oliver stated that it would.

The City Attorney stated that Mr. Rogers was not extended any special treatment.

That in this case, as in the majority of cases, the Board routinely waived the requirement that a re-zoning matter be submitted to the planning board for its advice. The City Attorney stated that the required legal notice was published in the paper and that since no public road touched the subject property, the Board could, as it had done many times, waive the posting of a sign on the property. Mr. Lockett confirmed that he had seen the legal notice in the newspaper.

Mayor Pro Tem McHenry asked if anyone else wished to speak. No one answered. Mayor Pro Tem McHenry closed the hearing and asked for the pleasure of the Board.

Motion was made by Alderman Ishee, and seconded by Alderman Jones, to find that there has been a substantial and material changes in the neighborhood since the subject property was last zoned, as established by Mr. Rogers, and that the highest and best use of the property is commercial, as established by Mr. Rogers, and that the requirements of the Zoning Ordinance for rezoning and the Development Ordinance have been satisfied or are hereby waived, and that the request should be, and hereby is, granted to zone the subject property, being 11 acres (+/-) (the full description being in possession of the Department of Community Development) to Major Thoroughfares Commercial District (C-3), and that such change should be noted on the official zoning map. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Ishee, and Alderman Jones. The following members of the Board of Aldermen voted against the Motion: Alderman Sartor and Alderman Foy.

MAYOR'S REMARKS

The Mayor Pro Tem had no remarks.


There were no emergency consideration of committees, commission and board matters.

Having no further business Mayor Pro Tem McHenry asked that the meeting be adjourned.

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

The foregoing were adopted as, and became, the Resolutions and Orders of the Governing Authorities of the City of Pearl, Mississippi on this the 6th day of June, 2017.

WITNESS MY SIGNATURE on this the 20th day of June, 2017.


JOHN MCHENRY, MAYOR PRO TEM

ATTEST AND CERTIFY:

Kelly Scothern
CITY CLERK

