

**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 NOVEMBER 7, 2017 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 Rusty Fortenberry, City Attorney.

**PRAYER**

The meeting was opened with prayer by Alderman Steverson.

Alderman McHenry led the Pledge of Allegiance.

**EMPLOYEE RECOGNITION**

**MAYOR’S REMARKS**

**CONSENT AGENDA**

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

- A. [Removed to General Business].
- B. Approval of the claims docket for the period of October 17, 2017 to November 7, 2017, in the amount of \$558,600.68 in paid claims \$381,632.55, in unpaid claims and \$747,083.19, addendum.
- C. Approval of garbage exemptions applications and renewals, as attached hereto and made a part of the Minutes.

- D.** Approval of authorization to travel: Kayla Collins – MMCCA Winter Educational Workshop – December 14 – 15, 2017- Hilton Jackson – (Cost: \$165.00)
- E.** Order to appoint William (Bill) Busby, as Director of Pearl Public Works Department.
- F.** Order to approve and authorize payment to Pafford EMS in the amount of \$ 3,764.25 to fulfill the 2018 EMSOF Grant and to allow the City of Pearl to receive a distribution in the amount of \$15,221.00.
- G.** Order to adopt a Resolution authorizing Mayor Windham to execute documents required in connection with the Emergency Medical Services Operating Fund (EMSOF) Grant application.
- H.** Order to approve Memorandum of Understanding for the Central Mississippi Human Trafficking Task Force and to authorize Police Chief Ronnie Conerly to sign all related documents.
- I.** Order to approve and authorize payment to Taylor Power Systems in the amount of \$6,010.00 for general maintenance of water wells.
- 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 payment to Pickering in the amount of \$5,450.88 for Pearl-Richland Intermodal Connector Project.
- L.** Order to approve the Memorandum of Understanding for the Hwy 80 Traffic Signal Upgrades and to authorize Mayor Windham to sign all related documents.
- M.** Order to set public hearing for December 5 2017, at 6:00 p.m. to consider request by Sied Razinobakht for conditional use to operate a used car lot with future plans to add a mechanic shop at 3575 Highway 80 East.
- N.** Order to set public hearing for December 5, 2017, at 6:00 p.m. to consider request by Trey LLC for a variance to allow Enterprise Rent a Car to build a building and operate on the property located on Legacy Park Dr.
- O.** Order to set public hearing for December 5 2017, at 6:00 p.m. to consider request by Chris Grider to waive the Ordinance Section 5.95 (Metal Buildings) and Sec

tion 407 (Detached Garage/ Shape & Size) in order to building a 1200 Sq. foot garage/shop with steel frame and metal roof at 1450 Cooper Rd.

- P.** Order to set public hearing for December 5 2017, at 6:00 p.m. to consider request by Sandra Jean Logan for a waiver of Section 1000 of the City of Pearl Code of Ordinances that states minimum square footage in Residential Estates is 2000, in order to build a house at 126 Willeaner Dr.
- Q.** Order to set public hearing for December 5 2017, at 6:00 p.m. to consider request by Derek Villanueva to use the property at 120 Wilson Rd. to tow and store im pounded, damaged, abandoned, or illegally parked vehicles.
- R.** Order to approve and authorize the volunteer workers sent by the WIN Job Center to help with clerical work.
- S.** Order to set public hearing for December 5 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.

#### **PUBLIC COMMENT**

**There were no public comments.**

#### **PUBLIC HEARING**

- 1.** Consider request by Andy Kanengiser to waive the city metallic building ordinance and set-backs that will allow him to keep his metal storage shed in the front yard of the property located at 5264 Old Brandon Road.

Mayor Windham called the public hearing to order. Mrs. Kanengiser explained to the Board that she would like to keep her metal storage shed in the place it is currently sitting in her front yard. 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 McHenry and seconded by Alderman Steverson to deny the request Andy Kanengiser to waive the city metallic building ordinance and set-backs that will allow him to keep his metal storage shed in the front yard of the property located at 5264 Old Brandon Road. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Sartor, Alderman McHenry, Alderman Steverson, Alderman Foy, Alderman Thompson and Alderman Luckett.**

2. Consider request by Ronald & Gail Toal to waive City Ordinance Section 603.06 requiring new residential homes built to be a minimum of 1,500 square feet and to allow a home to be constructed that is less than 1,500 square feet at 410 Gatewood Dr.

Mayor Windham called the public hearing to order. Mr. Ronald Toal explained to the Board that he has purchased the vacant lot at 410 Gatewood Dr. and would like to building a new home on the existing slab from the house that previously burned. He explained that it has been examined and approved for use and he would like to build something similar to the house that was previously there and would match closely to the other homes in the neighborhood. 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 McHenry to approve the request by Ronald & Gail Toal to waive City Ordinance Section 603.06 requiring new residential homes built to be a minimum of 1,500 square feet and to allow a home to be constructed that is less than 1,500 square feet at 410 Gatewood Dr. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Sartor, Alderman McHenry, Alderman Steverson, Alderman Foy, Alderman Thompson and Alderman Lockett.**

## GENERAL BUSINESS

1. Order to adopt a Resolution declaring (FD22) 2010 Pierce Pumper, VIN 4P1CVOIE9AA0II428, to be surplus property and authorize the intergovernmental sale of same to the City of Richland, Mississippi.

**Motion was made by Alderman Gill and seconded by Alderman Sartor to adopt a Resolution declaring (FD22) 2010 Pierce Pumper, VIN 4P1CVOIE9AA0II428, to be surplus property and authorize the intergovernmental sale of same to the City of Richland, Mississippi. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Lockett, AldermanThompson, Alderman Foy, Alderman Steverson, AldermanGill, Alderman McHenry and Alderman Sartor.**

2. Consider a Resolution authorizing the Mayor to proceed with a contract amendment for services to be provided by PTS Solutions, Inc. allowing for an upgrade to the Pearl Police Department Case Management and Evidence System.

**Motion was made by Alderman Thompson and seconded by Alderman McHenry to adopt a Resolution authorizing the Mayor to proceed with a contract amendment for services to be provided by PTS Solutions, Inc., allowing for an upgrade to the Pearl Police Department Case Management and Evidence System. The following members**

**of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Lockett, AldermanThompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry and Alderman Sartor.**

3. Consider adopting a Resolution declaring, police canine Robbie, as surplus and to authorize the intergovernmental sale thereof to the City of Richland, MS, in exchange for the reasonable amount of \$6,600.00.

**Motion was made by Alderman Lockett and seconded by Alderman Sartor to adopt a Resolution declaring, police canine Robbie, as surplus and to authorize the intergovernmental sale thereof to the City of Richland, MS, in exchange for the reasonable amount of \$6,600.00. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Lockett, AldermanThompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry and Alderman Sartor.**

4. Approval of application(s)

**Motion was made by Alderman Gill and seconded by Alderman McHenry to approve all applications. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: AldermanThompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry, Alderman Sartor and Alderman Lockett.**

5. Approval of merit increases

**Motion was made by Alderman Thompson and seconded by Alderman Gill to approve the merit increase of Arthur Byrd. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: AldermanThompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry, Alderman Sartor and Alderman Lockett.**

**Motion was made by Alderman Thompson and seconded by Alderman Gill to approve the merit increase of Aletha White. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: AldermanThompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry, Alderman Sartor and Alderman Lockett.**

**Motion was made by Alderman Thompson and seconded by Alderman Gill to approve the merit increase of Myron Jackson. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: AldermanThompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry Alderman Sartor and Alderman Lockett.**

**Motion was made by Alderman McHenry and seconded by Alderman Gill to approve the merit increase of Teressa Wilson. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: AldermanThompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry, Alderman Sartor and Alderman Lockett.**

**Motion was made by Alderman Gill and seconded by Alderman Thompson to approve the merit increase of Robert Killingsworth. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: AldermanThompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry, Alderman Sartor and Alderman Lockett.**

**Motion was made by Alderman Gill and seconded by Alderman McHenry to approve the merit increase of Greg Cupstid. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: AldermanThompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry, Alderman Sartor and Alderman Lockett.**

**Motion was made by Alderman Thompson and seconded by Alderman Gill to approve the merit increase of William (Bill) Busby. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: AldermanThompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry, Alderman Sartor and Alderman Lockett.**

**Motion was made by Alderman Thompson and seconded by Alderman Gill to approve the merit increase of Richard Redfern. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: AldermanThompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry, Alderman Sartor and Alderman Lockett.**

6. Consider entering Executive Session to discuss litigation styled Homewood vs. City Of Pearl.

**Motion was made by Alderman Gill and seconded by Alderman McHenry to consider an executive session to discuss litigation styled Homewood vs. City Of Pearl; 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 to discuss litigation styled Homewood vs. City Of Pearl; 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 the Board of Alderman took the following action on the litigation styled Homewood vs. The City of Pearl:**

**Motion was made by Alderman Foy and seconded by Alderman McHenry to approve the Mutual Release and Settlement Agreement with regard to the Mobile Homes, as written and to authorize Mayor Windham to sign all related documents. 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.**

**Motion was made by Alderman Foy and seconded by Alderman McHenry to approve the Mutual Release and Settlement Agreement with regard to the Apartments, with the exception that Paragraph 5 be removed and that there are no Agreements to rezone and authorize Mayor Windham to sign all related documents. 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.**

7. Approval/corrections of minutes of the Regular Board Meeting and Executive Session October 17, 2017 and minutes of the Special Called Board Meeting and Executive Session October 25, 2017.

**Motion was made by Alderman Gill and seconded by Alderman McHenry to approve the minutes of the Regular Board Meeting and Executive Session October 17, 2017 and minutes of the Special Called Board Meeting and Executive Session October 25, 2017. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Thompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry, Alderman Sartor and Alderman Lockett.**

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

**The foregoing were adopted as, and became, the Resolutions and Orders of the Governing Authorities of the City of Pearl, Mississippi on this the 7th day of November, 2017.**

**WITNESS MY SIGNATURE on this the 17th day of November, 2017.**

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**JAKE WINDHAM, MAYOR**

**ATTEST AND CERTIFY:**

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**CITY CLERK, KELLY SCOUTEN**



**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  
NOVEMBER 7, 2017 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 due to pending litigation.

**Motion was made by Alderman Gill and seconded by Alderman Foy to consider an executive session to discuss litigation styled Homewood vs. City Of Pearl; 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.**

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

**Motion was made by Alderman Foy and seconded by Alderman McHenry to approve the Mutual Release and Settlement Agreement with regard to the Mobile Homes, as written and to authorize Mayor Windham to sign all related documents. 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.**

**Motion was made by Alderman Foy and seconded by Alderman McHenry to approve the Mutual Release and Settlement Agreement with regard to the Apartments, with the exception that Paragraph 5 be removed and that there are no Agreements to rezone and authorize Mayor Windham to sign all related documents. 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.**

**Motion was made by Alderman Steverson and seconded by Alderman McHenry 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 Lockett, 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

**7th day of November, 2017.**

**WITNESS MY SIGNATURE on this the 17th day of November, 2017.**

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**JAKE WINDHAM, MAYOR**

**ATTEST AND CERTIFY:**

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**KELLY SCOUTEN, CITY CLERK**