

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 OCTOBER 17, 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 Luckett
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 Mayor Windham.

Commander Malcolm Loper led the Pledge of Allegiance.

EMPLOYEE RECOGNITION

The Mayor and Board of Aldermen recognized Stacey Underwood as Firefighter of the month for the Month of October.

MAYOR'S REMARKS

CONSENT AGENDA

Upon Motion by Alderman Thompson seconded by Alderman Steverson, 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 and Executive Session October 3, 2017.
- B. Approval of the claims docket for the period of October 3, 2017 to October 17, 2017. , in the amount of \$0.00 in paid claims \$300,659.86, in unpaid claims and \$661,899.38, 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, Mississippi Municipal Training, Brandon Public Library, November 2, 2017. (Cost: none)
- E. Approval of merit increases:
CHRISTOPHER BURLESON- WATER
MIKE PHILLIPS- WATER
DAVID WALKER- SOLID WASTE
- F. Order to approve and authorize Herzog CPA Company, PLLC, to conduct the annual audit for year ending September 30, 2017, and to authorize the mayor to sign all related documents.
- G. Order to approve and authorize payment of \$5,000.00 to Vigilant Solutions for yearly tag reader renewal fee.
- H. Order to approve and authorize the purchase of various parts from Mac Haik in the amount of \$1,004.89 for repairs to PD 35. (quotes obtained)
- I. Order to approve and authorize payment to Adcamp, Inc., in the amount of \$8,171.04 for asphalt. (Asphalt is on a yearly commodity bid)
- J. Order to approve and authorize payment to Emergency Equipment Professionals in the amount of \$2,473.86 for removing and replacing transmission cooler and adding transmission fluid and antifreeze for Unit 21.
- K. Order to approve and authorize military training leave for Tyler Monts for the following dates: Oct. 14-15, Oct. 18-30, and Oct. 31-Nov. 22, 2017.
- L. Order to approve and authorize payment to Hinds Community College in the amount of \$7,899.65 for Fall Semester tuition for EMT training.
- M. Order to adopt a Resolution declaring a (PD48) 2010 Dodge Charger, VIN 2BAA4CTOAH147710, to be surplus property and authorize the intergovernmental transfer of same to Hinds Community College for use by the Pearl Campus Police Department Chief.
- N. Order to approve Contractual Agreement with Rusty Fortenberry for representation of the City of Pearl in the lawsuit styled Joe McGee Construction Company, Inc. v. City of Pearl, Mississippi and to attach said Contractual Agreement to the Minutes thereby incorporating the terms of the Agreement into the Minutes of this meeting of the Mayor and Board of Aldermen.

- O. Order to set public hearing for November 7 2017, at 6:00 p.m. to 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.
- P. Order to set public hearing for November 7, 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

Diann Jenkins Grant, 102 Kennon Place, addressed the Mayor and Board of Aldermen about her water bill.

Jarvis Ward, 815 Boston Rd, wanted to thank the Mayor and Board publicly for holding the meeting with his community and the Pearl Police Department.

PUBLIC HEARING

1. Consider request by the Exchange Church Inc., for conditional use to occupy and use the building at 3510 Highway 80 East for Church Services and Activities.

Mayor Windham called the public hearing to order. Bryant May spoke on behalf of Exchange Church Inc., He explained to the Board that the church had outgrown their current location and were requesting the conditional use to church services and other activities to be held at 3510 Highway 80 East. 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 Sartor and seconded by Alderman Luckett to grant the request by the Exchange Church Inc., for a conditional use to occupy and use the building at 3510 Highway 80 East for Church services and activities. 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 Nikki Patchin to waive Section 4-8 of the City of Pearl Animal Ordinance.

Mayor Windham called the public hearing to order. Nikki Patchin was not present for the hearing. Attorney Rusty Fortenberry, explained to the Mayor and Board of Alderman that the Pearl Municipal Court had issued an Order on October 12, 2017, that Ms. Patchin must remove the Pitbulls from her home and is not allowed to own anymore in the City of Pearl. Therefore Mr. Fortenberry, suggested this request be denied. 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 Gill and seconded by Alderman Sartor to deny the request by Nikki Patchin to waive Section 4-8 of the City of Pearl Animal Ordinance. 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. 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 Foy and seconded by Alderman Gill to table 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, Alderman Thompson, Alderman Foy, Alderman Steverson, Alderman Gill, Alderman McHenry and Alderman Sartor.

2. Consider entering Executive Session to discuss:
 - A) Litigation styled Homewood vs. City Of Pearl and Joe McGee Construction Company v. City of Pearl, as well as, discuss the potential litigation involving Home2Suites.

Motion was made by Alderman McHenry and seconded by Alderman Foy to consider an executive session to discuss litigation styled Homewood vs. City Of Pearl and Joe McGee Construction Company v. City of Pearl, as well as, discuss the potential litigation involving Home2Suites; 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 and Joe McGee Construction Company v. City of Pearl, as well as, discuss the potential litigation involving Home2Suites; 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 no action on the litigation styled Homewood vs. The City of Pearl and Joe McGee Construction Company v. City of Pearl, or the potential litigation involving Home2Suites.

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 Gill approving an order to adjourn the meeting. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman Luckett, 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 17rd day of October, 2017.

WITNESS MY SIGNATURE on this the 7th day of November, 2017.

JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:

CITY CLERK, KELLY SCOUTEN

GARBAGE REDUCTION

21-0137005
26-0260010
28-0601004
30-0026002
30-0038000
35-0268000
35-0461002
36-0033000
37-0339000
40-0507000

DOROTHY J HEAD
PEGGY PERMENTER EVANS
RUBY FLORA CRUTCHFIELD
LINFORD RAY HOLSTON
BETTY DIANE KINNEBREW
ROBERT MCDIFFETT
EARNEST HILTON MCCUBBINS
EVELYN KNIGHT
DOROTHY DUNAWAY
PETE MAPP

3219 EASTLAND DR
220 AQUA WAY
658 RANDALL CIR
2240 NAPOLEON AVE
2276 NAPOLEON AVE
141 INDUSTRIAL PARK DR
1272 RICHLAND AVE
118 TULLOS ST
668 BRUIN AVE
504 COUNTRY PLACE COVE

SENT 10-11-17

GARBAGE REDUCTION RENEWALS

17-0167002	LASHAUNDA BARBER	1896 OLD WHITFIELD RD
28-0119010	BRENDA MALONE	222 PINE PARK DR
28-0124000	MARTHA VICKERS	217 PINE PARK DR
28-0174000	VERNELL HENDERSON	2463 OLD COUNTRY CLUB RD
28-0284000	EDWARD HERRINGTON	330 LIONAL RD
28-0403000	PEGGY OWENS	2730 OLD COUNTRY CLUB RD
28-0430000	JOHN T LONG JR	361 BARROW ST
28-0485000	WILLIAM A STEWART	2886 TEASLEY DR
29-0179000	KENNETH L BAILEY	260 GATEWOOD DR
29-0250000	AUBREY M CHILDRÉ	127 LOYD ST
29-0350000	JAMES WADE	310 GREER DR
29-0387000	PHILIP S LOCASCIO	2014 LOYD ST
29-0388000	JERRY QUICK	164 GREER DR
30-0018000	NITA GARRETT	2215 NAPOLEAN AVE
30-0039000	JOHN PEARL SMITH	511 LULING ST
30-0106000	WILLIAM H RATCLIFFE	518 TERRI LANE
30-0301000	EDNA B COX	2547 NAPOLEON AVE
30-0213000	JAMES W PHILLIPS	2550 GINA DR
31-0014000	SHIRLEY D NORRIS	2497 NAPOLEON AVE
31-0046000	JOHN S EMBRY	442 TINA LANE
31-0082001	EDWARD B MIZE	2374 NAPOLEON AVE
31-0144002	CHARLES EDWARD WORD SR	422 LULING ST
31-0155000	JAMES E FRANKLIN	2323 UPPER DR
31-0215000	ARTHURINE BURNHAM	427 ARABI ST
35-0009000	ANN THORNTON	2067 MURRAY DR
35-0049000	WALTER N STRONG	735 S PEARSON RD
36-0051000	ANNETTE BROWN	909 JENKINS ST
35-0119000	LOLA M BOYKIN	1904 DEBORAH ST
35-0139000	EARNEST L MILLER	1904 CAROLYN LANE
36-0006000	EARNESTINE TERRELL	957 BIBB PLACE
36-0029000	ESTELLE MOSLEY	921 JOHNSON DR
36-0031000	WILLEAN MACK	111 TULLOS ST
36-0035000	BILLY J FORTUNE	124 TULLOS ST
36-0067000	CORINE RUFFIN	959 JENKINS ST
37-0211000	BARBARA FURLOW	3242 LISA DR
37-0273000	PAT LYLE NEWMAN	508 PEMBERTON DR
37-0324000	WINFRED A DAVIS	448 PEMBERTON DR
37-0410000	LINDA W MILLER	451 BRUIN AVE
38-0043003	JERRY FERGUSON	122 COOPERHURST RD
38-0283000	W C TADLOCK	409 BLACK OAK CIR
38-0321000	MARION B HEARD	611 BLACK OAK CIR
38-0367000	JERRY AINSWORTH	230 PATTON DR
38-0449000	CLYDE PORTER	3320 DAWN DR
40-0040000	J R BROWN	4 SPRING LAKE POINT
40-0127000	JOHNNIE H DEATON	580 SPRING LAKE DR
40-0192000	NELL D SCOGGIN	18 SPRING LAKE CIR
40-0239000	DORIS M EVERITT	507 SPRING LAKE DR
40-0254002	JAMES D WILLIAMS	639 APRIL SOUND

SENT 10-11-17

GARBAGE REDUCTION RENEWALS

20-0052006	NELLIE J CLANTON	775 N BIERDEMAN RD L 18
20-0069003	RUTH ANN SMITH	775 N BIERDEMAN RD
26-0383000	GARY BLACKMON	803 LEO PAUL ST
26-0680000	OSCAR F ARNEY	337 S FOXHALL RD
29-0324000	CHARLIE THOMPSON	217 WOMACK ST
30-0063000	VAN R KERSH	515 CADDO ST
30-0134000	IRMA J DAVID	2441 NAPOLEAN AVE
32-0025000	POLLY HOGGATT	537 MARY ANN DR
35-0113000	DOROTHY GILMER HOLYFIELD	827 SENSING ST
36-0018700	GERTRUDE JOHNSON	218 OLD WHITFIELD RD
36-0113000	JERRY BIBB	448 OLD WHITFIELD RD
36-0154000	JOHN M SANDERS	520 OLD WHITFIELD RD
38-0459000	KENNETH L DANIELS	3326 BEAUMONT DR
38-0463002	LAURA FRANKENE OWENS	517 CINDY LN
40-0175001	HAROLD W PERRETT	22 SPRING LAKE CIR
40-0227001	MARIE WILKINS	531 SPRING LAKE DR
43-0005000	BURT L PEYTON	2728 BURMA DR
46-0119003	WANDA H BROWN	3103 CARSON DR

SENT 10-12-17

GARBAGE REDUCTION RENEWALS

26-0320000	WILLIAM M HAMILTON	336 FERN SPRING DR
27-0127000	CAROLYN JACKSON	216 CUNNINGHAM DR
28-0057005	RICHARD JAMES COX	104 OAK PARK DR
28-0191000	HOWARD TUTEN	418 BOEHLE ST
28-0300000	JANE MCDAVITT	435 SARAH ST
28-0467000	VIRGINIA A ROSS	2815 TEASLEY DR
28-0607001	ALVIN DEMINE MOSS	664 RANDALL CIR
30-0016000	JOHN W COLVIN	2205 NAPOLEON AVE
30-0019000	LOIS TAYLOR	2218 NAPOLEON AVE
30-0068000	BONNIE HARPER	2320 HARAHAAN RD
30-0079000	SAM LITTLE	2363 HARAHAAN RD
30-0249000	DOUGLAS GRONER	2413 GINA DR
30-0312000	CHARLES STEWART	2507 NAPOLEON AVE
31-0038000	SHELVIE BUFFINGTON	222 NELSON CIR
31-0243000	RICHARD DONALD	2118 UPPER DR
32-0207000	JAMES A STATHAM JR	243 MARY ANN DR
35-0179000	BILLIE JEAN MESSIER	249 GRANDMONT ST
37-0125000	CHESTER R BEENE	3424 DAWN DR
38-0160000	CHARLES H BOBO	214 PENNER ST
38-0165000	PAUL D CROUT	238 PENNER ST
40-0006000	BERNICE S SMITH	204 PEPPER TREE LN
40-0046000	JOHN NIKOLIC	7 SPING LAKE POINT
40-0191000	DALLAS T GRANTHAM	17 SPRING LAKE CIR
40-0244001	JOAN B BLANKS	504 SPRING LAKE DR
44-0010001	EDWARD H COLLUM	107 GREENFIELD LN

SENT 10-12-17

**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
OCTOBER 17, 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 and Joe McGee Construction Company v. City of Pearl, as well as, discuss the potential litigation involving Home2Suites; 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 the status of Homewood v. City of Pearl litigation. The Board took no action.

Confidential Discussion was had regarding pending litigation styled Joe McGee Construction Company v. City of Pearl. The Board took no action.

Confidential Discussion was had regarding the potential litigation involving Home2Suites. The Board took no action.

Motion was made by Alderman Gill and seconded by Alderman Thompson 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 October, 2017.

WITNESS MY SIGNATURE on this the 7th day of November, 2017.

JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:

KELLY SCOUTEN, CITY CLERK