

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 2, 2019 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 Lockett
Alderman Sartor
Alderman Steverson
Alderman Foy
Alderman Thompson
Alderman Gill

Alderman McHenry was absent from the meeting.

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

PRAYER

The meeting was opened with prayer by City Attorney, Brendan Sartin.

Mayor Windham, led the Pledge of Allegiance.

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:

1. Approval/corrections of minutes of the Regular Board Meeting March 19, 2019 and the Special Called Board Meeting April 5, 2019.
2. Approval of the claims docket for the period of March 19, 2019 to April 2, 2019, in the amount of \$1,664,766.53, in paid claims \$1,868,213.39, in unpaid claims and \$1,088,928.68, addendum. Upon further information, Alderman Thompson asked that it be stated in these Minutes that he would not have voted for a specific claim on the Addendum. The Mayor and Board of Aldermen further find that the claims being paid are for budgeted items and those items are authorized to be purchased by law.
3. Approval of garbage exemptions applications and renewals, as attached hereto and made a part of the Minutes.
4. [Removed to General Business]

5. Approval of authorization to travel:
John Burt, Brandy Pepper, Christi Jenkins, and Amanda Thomasson – April 8-10, 2019
to Baton Rouge, LA to PTS Solutions User Group Conference / Cost \$536.18 each
6. [Removed to General Business]
7. Order to adopt a Resolution finding that the certain items identified on the attached lists, submitted by Auto Maintenance and Parks and Recreation, which is incorporated herein by reference, as surplus, and to approve the disposal and/or sale of each item as required by law.
8. Order to approve and authorize “Kids Summer Camp” event for children in Pearl to be held at the Pearl Parks & Recreation building July 22, 2019 to July 26, 2019.
9. Order to approve and authorize the use of city vehicles and to allow passengers during the conducting of the annual Mayor’s Youth Council Career Day on April 10, 2019.
10. Order to approve and authorize the purchase of (1) 16 x 16 Ductile Iron MJ Tapping Sleeve from Central Pipe Supply, Inc. in the amount of \$5,588.50. (quotes obtained)
11. Order to approve and authorize the demolition of any and all dwellings located at 447 Old Whitfield Rd., Pearl, MS 39208, by Busby’s Roll Off, in the amount of \$5,300.00. (quotes obtained)
12. [Removed to General Business]
13. [Removed to General Business]
14. Order to adopt a Resolution to amend the City of Pearl fiscal year 2018-2019 budget to include the Parks & Recreation referendum tax, with anticipated revenues of \$1,200,000.00 and anticipated expenditures of \$1,200,000.00.

PUBLIC COMMENT

Mara Polk and Morgan Lee, Pearl Public Library.

PUBLIC HEARING

1. Consider request by Charles Skipper Smith for a dimensional variance of the City of Pearl Code of Ordinances to place a 1200 sq. ft. accessory building at 2001 Longwood Cove.

The Public Hearing was opened with respect to whether or not a dimensional variance should be granted to the owner at 2001 Longwood Cove, Pearl, MS 39208. Mr. Charles Skipper, the owner, spoke in favor of the request. Community Development Director, Brad Robertson, informed the Mayor and Board of Aldermen that the requested accessory structure would fit with the other properties in this area.

Motion was made by Alderman Luckett and seconded by Alderman Gill to approve the request for a dimensional variance at 2001 Longwood Cove, Pearl, MS 39208. The following members of the Board of Aldermen voted in favor of the Motion, which became the Orders of the Board: Alderman Foy, Alderman Steverson, Alderman Thompson, Alderman Luckett, Alderman Gill and Alderman Sartor.

2. Consider request by Brandon Deer on behalf of Magnolia Equipment, LLC for a conditional use permit to operate a golf cart dealership at 315 Airport Rd.

The Public Hearing was opened with respect to whether or not a conditional use should be granted to operate a golf cart dealership at 315 Airport Road, Pearl, MS 39208.

Mr. Brandon Deer, the tenant, spoke in favor of the request of allowing outdoor storage and vehicle sales and repair wherein he stated that he would only operate the business during normal business hours; he would erect a good neighbor privacy fence along the back of the building; he would only repair or sale electric golf carts; would not use loud equipment; and asked to display three to five golf carts in front of the building for advertising. The Mayor asked for anyone else that would like to speak in favor of the request and hearing none, the Mayor asked if anyone was present to speak in opposition of the request. Brandon Deer submitted the Conditional Use Application and additional documents to the Community Development Department which the Board considered said request.

Mr. Ricky Gray, a resident of Country Place subdivision spoke in opposition of the request and specifically addressed the concern of the golf carts being placed outside for advertisement.

Mrs. Cindy Williams, a resident of Country Place subdivision spoke in opposition of the request.

Mr. John Bourgeois, a resident of Country Place subdivision spoke in opposition of the request and specifically his concern for the proposed business not meeting potentially three separate zoning requirements.

Mr. David Beard, a resident of Country Place subdivision spoke in opposition of the request and specifically addressed the concern for safety at the intersection of the business and Country Place Drive due to potential customers of the business pulling trailers.

Mr. Marty Cook, a resident of Country Place subdivision spoke in opposition of the request.

Mr. Curtis Carter, a resident of Country Place subdivision spoke in opposition of the request and specifically addressed the concern for safety at the intersection of the business and Country Place Drive.

Mr. Foster, a resident of Country Place subdivision spoke in opposition of the request and specifically addressed his concern of noise due to his property being adjacent to the subject property.

Aldermen Gavin Gill spoke in opposition of the request and asked for a show of hands of those in attendance at the public hearing that opposed the request. In total fourteen (14) persons represented by a showing of hand that they opposed the request.

The Mayor asked for anyone else that would like to speak in opposition of the request and hearing none, the Public Hearing was closed.

The Mayor addressed the request and explained in general the reasoning for zoning ordinances. He informed the public that the current zoning ordinances were adopted in 2009 and that deviation from the zoning ordinances has the potential to hinder future development. Additionally, he read a letter from David Wade at Central Mississippi Planning and Development District wherein he advised against granting the request. (Said letter is attached hereto and incorporated herein by reference.)

Motion was made by Alderman Gill and seconded by Alderman Steverson to deny the request for a conditional use variance at 315 Airport Road, Pearl, MS 39208 and no further discussion was made on the request. A voice vote was taken but no result was determined by the Mayor. The Mayor instead restated the Motion in the affirmative, asking for a roll call vote for alderman favoring the grant of the conditional use as had been presented, same receiving no objection from the Movant or the Second. The roll call resulted in Alderman Sartor, Alderman Lockett, Alderman Thompson and Alderman Foy voting in favor of granting the conditional use. Alderman Gill and Alderman Steverson voted in opposition of granting the conditional use. The Mayor announced that the Motion carried.

GENERAL BUSINESS

- 1. Order to approve and authorize litigation in the Rankin County Court with regard to the real property located at 2398 Napoleon Ave., Pearl, MS 39208.**

Motion was made by Alderman Gill and seconded by Alderman Steverson to approve and authorize litigation in the Rankin County Court with regard to the real property located at 2398 Napoleon Ave., Pearl, MS 39208. The following members of the Board of Aldermen voted in favor of the Motion, which became the Orders of the Board: Alderman Foy, Alderman Steverson, Alderman Thompson, Alderman Lockett, and Alderman Gill; Alderman Sartor voted against the measure.

- 2. Order to approve and authorize entering into an Agreement by and between, the City of Pearl and Backyard Burger for all concession sales for Pearl Parks and Recreation at Pearl Youth Baseball Complex, Center City Complex, Pearl Youth Softball Complex and Shepherd Field.**

Motion was made by Alderman Thompson and seconded by Alderman Gill to approve and authorize entering into an Agreement by and between, the City of Pearl and Backyard Burger for all concession sales for Pearl Parks and Recreation at Pearl Youth Baseball Complex, Center City Complex, Pearl Youth Softball Complex and Shepherd Field.

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

3. Consider approval of Applications for Employment and Merit Increases.

Motion was made by Alderman Gill and seconded by Alderman Foy to consider an executive session to discuss Applications for Employment and Merit Increases; 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 Sartor and Alderman Steverson.

It was announced that upon a Motion made by Alderman Gill and seconded by Alderman Thompson the board entered executive session to discuss Applications for Employment and Merit Increases; 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 Sartor and Alderman Steverson.

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 Lockett 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 Foy, Alderman Steverson, Alderman Sartor, Alderman Thompson, Alderman Lockett, 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 2nd day of April, 2019

WITNESS MY SIGNATURE on this the 16th day of April, 2019.

JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:

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
APRIL 2, 2019 8 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 applications for employment and merit increases.

It was announced that upon a Motion made by Alderman Gill and seconded by Alderman Thompson the board entered executive session to discuss discuss applications for employment and merit increases; 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 Sartor and Alderman Steverson.

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

Motion was made by Alderman Thompson and seconded by Alderman Sartor to deny the merit increase of Officer Zachary Goins; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Foy, Alderman Thompson, Alderman Sartor, Alderman Lockett and Alderman Steverson. Alderman Gill voted against the Motion. Alderman Gill expresses the need to address the pay scale overall.

Motion was made by Alderman Lockett and seconded by Alderman Steverson to approve all applications for employment with the exception of the applications of Catherine Collins and Meishauna Chatman; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Foy, Alderman Thompson, Alderman Steverson, Alderman Sartor, Alderman Lockett and Alderman Gill.

The applications approved are as follows:

- Raymond Jones- Golf**
- Perry Lowery- Parks & Rec**
- Kyle Torres- Golf**
- John Lawrence- Fire**
- Samuel Rogers- Fire**
- Edward Benton- Police**
- Robert Franklin-Police**
- Duston Jones- Police**

Motion was made by Alderman Lockett and seconded by Alderman Steverson to deny the application for employment of Catherine Collins; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Foy, Alderman Thompson, Alderman Steverson, Alderman Sartor,

Alderman Luckett and Alderman Gill.

Motion was made by Alderman Thompson and seconded by Alderman Gill to approve the application for employment of Meishauna Chatman; The following members of the Board of Aldermen voted in favor of the Motion: Alderman Thompson, Alderman Steverson, and Alderman Gill; Alderman Luckett, Alderman Sartor and Alderman Foy voted against the Motion; Mayor Windham voted in favor of the motion to approve the application for employment. The Motion passed.

Motion was made by Alderman Foy and seconded by Alderman Gill 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 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 2nd day of April, 2019.

WITNESS MY SIGNATURE on this the 16th day of April, 2019.

JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:

KELLY SCOUTEN, CITY CLERK

MINUTES OF THE SPECIAL CALLED MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PEARL, MISSISSIPPI, HELD IN THE BOARD ROOM AT CITY HALL APRIL 5, 2019 AT 5:30 O’CLOCK P.M.

CALL TO ORDER

The special called meeting of the Mayor and Board of Aldermen was called to order by Mayor Windham at 5:30 p.m.

Roll call indicated the following Aldermen present:

Alderman Lockett
Alderman Sartor
Alderman Steverson
Alderman Foy
Alderman Thompson

Alderman McHenry was absent from the meeting.

Also in attendance was Kelly Scouten, City Clerk.

Alderman Gill attended the meeting by telephone.

PRAYER

The meeting was opened with prayer by Alderman Foy.

Alderman Thompson led the Pledge of Allegiance.

GENERAL BUSINESS

1. Consider an order to set public hearing for April 25, 2019, at 6:30 p.m. to consider request by Mason Gray to grant a conditional use for the property located at 322 Airport Rd., Pearl, MS 39208.

Motion was made by Alderman Foy and seconded by Alderman Lockett to set public hearing for April 25, 2019, at 6:30 p.m. to consider request by Mason Gray to grant a conditional use for the property located at 322 Airport Rd., Pearl, MS 39208. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Lockett, Alderman Foy, Alderman Steverson, and Alderman Thompson.

Having no further business Mayor Windham asked that the meeting be adjourned.

Motion was made by Alderman Thompson and seconded by Alderman Steverson 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 Foy and Alderman Steverson, 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 5th day of April, 2019.

WITNESS MY SIGNATURE on this the 16th day of April, 2019.

JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:

CITY CLERK