

**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 AUGUST 20, 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 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 Mayor Windham.

Alderman Gill led the Pledge of Allegiance.

CONSENT AGENDA

Upon Motion by Alderman Foy and seconded by Alderman McHenry, 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 August 6, 2019.
2. Approval of the claims docket for the period of August 6, 2019 to August 20, 2019, in the amount of \$2,398,006.99, in paid claims \$639,458.43, in unpaid claims and \$113,898.04, 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. Approval of application(s):
Cheryl Erwin- Senior Services
Landon Sills-Parks & Rec

Brandon Harris- Police
Orlando Redd- Police

5. Approval of authorization to travel:
Arthur Byrd and Rusty Jones- October 7-11, 2019 to Milwaukee, WI for Badger Meter Training
Joseph Mangino- September 23, 2019 to Brandon, MS for Criminal Interdiction- Beyond the Street Training/ No Cost
Joseph Mangino- August 14, 2019 to Oxford, MS for Human Trafficking Training / No Cost
Stacy Chadic- October 9-11, 2019 to Hattiesburg, MS for Keep MS/AL Beautiful Conf.
Stacy Chadic & Holly Haralson- October 27-31, 2019 to Biloxi, MS for MRPA Annual Conference
6. Approval of merit increases:
Tammy Barnes- Police
Christi Jenkins-Police
Brianna Magee- Police
James Creel- Water
Michael Fivecoat- Fire
Christopher Mitchell- Water
Cheryl Pollard- Water
Fred Winston- Street
Michael Johnson-Water
Christopher Harper- Solid Waste
Heather Vaughn- Police
7. Order to approve and authorize payment to Greenbriar in the amount of \$15,600.00 for the emergency repair of a water leak at Eldorado Rd. on July 19, 2019.
8. Order to approve and authorize payment to Lewis Electric in the amount of \$826,655.36 and \$31,706.10 to Neel Schaffer, for the US Hwy 80 Signal Upgrade.
9. Order to approve the application for Mayoral Health Council Grant with Mississippi Department of Health and to authorize Mayor Windham to sign all related documents.
10. Order to approve and authorize the Agreement by and between, the City of Pearl Police Department and eCrash Report System and to authorize Chief Scott to sign all related documents.
11. Order to approve and authorize the purchase of equipment for complete audio system re placement in the Gold Room from B&H Photo in the amount of 6,332.90. (quotes obtained)

12. Order to approve and authorize the Agreement by and between the City of Pearl and Local Government Services, LLC, for cable television and telecommunications franchise management advisory services.
13. Order to set public hearing for September 17, 2019, at 6:00 p.m. to consider request by Benjamin Berry on behalf of Avid Hotel for a Waiver of Section 1403.1 Maximum Building Height.
14. Order to set public hearing for September 17, 2019, at 6:00 p.m. to consider request by Dennis McKinley for a conditional use permit to build a metal shop with living space that is a R-1 Zoning at 715 Sensing Street.
15. Order to set public hearing for September 17, 2019, at 6:00 p.m. to determine whether or not that certain parcel of real property owned by Glenn Shoto, and located at 907 Johnson St., Pearl, Rankin County, Mississippi 39208 (Parcel No. E07N000069 00000; PPIN No. 008403 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.
16. Order to set public hearing for September 17, 2019, at 6:00 p.m. to consider request by King I, LLC for a dimensional variance to allow a 1200 sq. ft. house instead of the 1500 sq. ft. that the Ordinance requires at 113 Avis Street.
17. Order to set public hearing for September 17, 2019, at 6:00 p.m. to consider request by Charles Williams, Jr. for a Waiver of Section 407.06 of the Zoning Ordinance to allow him to build a 600 sq. ft. storage building at 336 Pemberton Dr.
18. Order to set public hearing for October 1, 2019, at 6:30 p.m. to consider request by Wayne Stafford for a dimensional variance to allow him to build a 1050 sq. ft. house instead of the 1500 sq. ft. that the Ordinance requires, to be located on a 1.3-acre parcel at the intersection of Eldorado Rd. and Eldorado Park Dr.
19. Order to set public hearing for October 1, 2019, at 6:30 p.m. to consider request by Darren Givens on behalf of Eastflow church to operate a church at 315 Airport Rd.
20. Order to set public hearing for October 1, 2019, at 6:30 p.m. to determine whether or not that certain parcel of real property owned by Stephen Winfield Scott, Jr., and located at Parcel #E08B-5, Pearl, Rankin County, Mississippi 39208 (Parcel No. E08B000005 00000; PPIN No. 008773) 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.
21. Order to adopt the Amended and restated Ordinance of the Mayor and Board of Alderman of the City of Pearl, Mississippi regulating the size, location and height of all signs within

the corporate limits of the City and adopting provisions for the purpose and application, nonconforming signs, repeal and severability, violations and penalties, variances, special use permits, interpretations, definitions, permitted signs by zoning district, temporary signs, general provisions, prohibited signs, permit requirements and other provisions of said Ordinance.

22. Order to approve and authorize the amendment to the FY 18-19 Library Budget for an increase in the amount of \$8,800.00 to Repairs/Maintenance (001-350-635) for the emergency repairs to the A/C units.
23. Order to set public hearing for October 1, 2019, at 6:30 p.m. to consider request by JT Crossover to accept and authorize the preliminary plat for the Residence of Riverwind Phase 4.

PUBLIC COMMENT

No one signed the public comment roster.

PUBLIC HEARING

1. Consider request by Rev. Cleve Havard and Oak Grove Missionary Baptist Church for a Waiver of Section 5-95 of the Ordinance to allow the church to build a metal building as a worship hall at 250 Oak Grove Church Rd., Pearl MS 39208.

Rev. Howard appeared before the Mayor and Board of Aldermen and explained that Oak Grove Missionary Baptist Church would like to build a 90 x 80 metallic building to be used as a worship hall. He agreed that he would comply with any recommendations that he may be requested to.

Motion was made by Alderman Foy and seconded by Alderman Gill to approve the request by Rev. Cleve Havard and Oak Grove Missionary Baptist Church for a Waiver of Section 5-95 of the Ordinance to allow the church to build a metal building as a worship hall at 250 Oak Grove Church Rd., Pearl MS 39208, conditional upon a 4 ft. skirt of brick or block being placed on exterior walls that are facing a public street or that can be viewed by the public. 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 Sartor, Alderman Gill, Alderman Thompson, Alderman Luckett, and Alderman McHenry.

2. Consider request by Lloyd Fairley asking for a dimensional variance to build a 1,000-1,100 sq. ft. house instead of the 1,500 sq. ft. located at 210 Oak Park Dr., Pearl, MS 39208.

Lloyd Fairley appeared before the Mayor and Board of Aldermen and explained that he would like to build a house similar in size to those already located on Oak Park Dr. He requested a variance to allow him to build a less than 1,500 sq. ft. home as required by the Ordinance.

Motion was made by Alderman Foy and seconded by Alderman Gill to approve the request by Lloyd Fairley asking for a dimensional variance to build a 1,000-1,100 sq. ft. house instead of the 1,500 sq. ft. located at 210 Oak Park Dr., 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 Sartor, Alderman Gill, Alderman Thompson, Alderman Luckett, and Alderman McHenry.

3. Consider request by Megan Hawkins for a Waiver of Section 407.06 of the Zoning Ordinance to allow her to build a 528 sq. ft. storage building at 3140 Eastland Dr., Pearl MS 39208.

Meagan Hawkins was unable to attend the meeting. The Community Development Director, Brad Robertson, recommended that the Waiver be granted.

Motion was made by Alderman Gill and seconded by Alderman Sartor to approve the request by Megan Hawkins for a Waiver of Section 407.06 of the Zoning Ordinance to allow her to build a 528 sq. ft. storage building at 3140 Eastland Dr., 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 Sartor, Alderman Gill, Alderman Thompson, Alderman Luckett, and Alderman McHenry.

4. Determine whether or not that certain parcel of real property, owned by Howard Jenkins, Ethel Atkins, Herie Jenkins, Jr., Pearl Jenkins, and Ricky Jenkins, Sr. and located at 800 Old Whitfield Rd., Pearl, Rankin County, Mississippi 39208 (Parcel No. F07M000023 00000; PPIN No. 014013), 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.

Howard Jenkins, Ethel Atkins, Herie Jenkins, Jr., Pearl Jenkins, and Ricky Jenkins, Sr. and other interested parties were served with notice of the public hearing as required by law.

Community Development Director, Brad Robertson, informed the Mayor and Board that the property was not properly maintained and the building was unsafe, the owner had failed to make the needed repairs to the property that were previously requested. He stated the owner had failed to keep 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. He also stated that the owners building permit to make the needed repairs had expired on July 23, 2019; and that further the property has not had water service since March 2006.

Ethel Atkins appeared and addressed the Mayor and Board of Alderman concerning the property's condition. She stated that she knows there are issues with the house but that she has made progress and asked for more time to address the issues.

WHEREAS, said hearing was held at the time and place mentioned aforesaid, therefore:

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 owned by Howard Jenkins, Ethel Atkins, Herie Jenkins, Jr., Pearlie Jenkins, and Ricky Jenkins, Sr. and located at 800 Old Whitfield Rd., Pearl, Rankin County, Mississippi 39208 (Parcel No. F07M000023 00000; PPIN No. 014013) 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 by obtaining the necessary permits and by performing significant progress within thirty (30) 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.

This Motion was made by Alderman Thompson and seconded by Alderman McHenry. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Foy, Alderman Steverson, Alderman Thompson, and Alderman McHenry; Alderman Lockett, Alderman Sartor and Alderman Gill voted against the Motion.

5. Determine whether or not that certain parcel of real property, owned Kitty Ruth Lowry and located at 4144 Bright Street, Pearl, Rankin County, Mississippi 39208 (Parcel No. F09C000002 00760; PPIN No. 015626), 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.

Motion was made by Alderman Sartor and seconded by Alderman Steverson to continue this hearing until November 5, 2019. 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 Sartor Alderman Thompson, Alderman McHenry, Alderman Luckett, and Alderman Gill.

GENERAL BUSINESS

1. Consider an Order to approve and authorize the acceptance of the streets, in Whispering Oaks, Residence of Riverwind and Oak Park Subdivision, subject to conditions recommended by the Director of Community Development.

Motion was made by Alderman Foy and seconded by Alderman McHenry to approve and authorize the acceptance of the streets, in Whispering Oaks, Residence of Riverwind and Oak Park Subdivision, subject to conditions recommended by the Director of Community Development. 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 Sartor, Alderman Thompson, Alderman McHenry, Alderman Luckett, and Alderman Gill.

2. Consider an Order to approve and authorize the acceptance of Woodson Bend Phase 3A Final Plat.

Motion was made by Alderman Luckett and seconded by Alderman Thompson to approve and authorize the acceptance of Woodson Bend Phase 3A Final Plat. 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 Sartor, Alderman Thompson, Alderman McHenry, Alderman Luckett, and Alderman Gill.

3. Consider an Order to adopt an Ordinance Amending the Opening Time for Regularly Scheduled Meetings to 6:30 p.m., effective at the meeting scheduled for October 1, 2019, and all Regularly Scheduled Meetings thereafter.

Motion was made by Alderman Thompson and seconded by Alderman Sartor to adopt an Ordinance Amending the Opening Time for Regularly Scheduled Meetings to 6:30 p.m., effective at the meeting scheduled for October 1, 2019, and all Regularly Scheduled Meetings thereafter. 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 Sartor, Alderman Thompson, Alderman McHenry, Alderman Luckett, and Alderman Gill.

4. Consider an Order to approve and authorize the acceptance of the Amended Plat of Pearson Park Plaza.

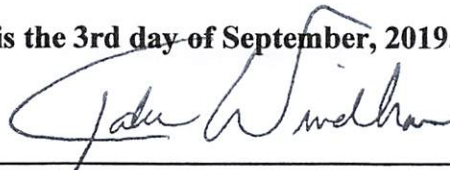
Motion was made by Alderman Foy and seconded by Alderman McHenry to approve and authorize the acceptance of the Amended Plat of Pearson Park Plaza. The following members of the Board of Aldermen voted in favor of the Motion, which became the Orders of the Board: Alderman Foy, Alderman Steverson, Alderman Sartor, Alderman Thompson, Alderman McHenry, Alderman Luckett, and Alderman Gill.

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 Alderman 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 Thompson, Alderman Sartor, Alderman Luckett, 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 20th day of August, 2019

WITNESS MY SIGNATURE on this the 3rd day of September, 2019.



JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:


CITY CLERK, KELLY SCOUTEN

