

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 DECEMBER 4, 2018 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 Alderman Steverson.

Alderman Thompson, led the Pledge of Allegiance.

RECOGNITIONS

Proclamation – Coach Chris Barnett 2019 Boys Track & Field Coach of the Year for Mississippi

Proclamation – 2018 Pearl High School Girls Cross Country Team

Blake Ball & Marty Grant – 10 years of service Pearl Fire Dept.

Eddie Hurtt – 15 years of service Pearl Police Dept.

Max Gill – 20 years of service Pearl Police Dept.

Amanda Thomasson Police Officer of the Month for December.

Firefighter of the Month Deputy Chief, Ron Hopson, for December.

CONSENT AGENDA

Upon Motion by Alderman McHenry and 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:

1. Approval/corrections of minutes of the Regular Board Meeting November 6, 2018.
2. Approval of the claims docket for the period of November 6, 2018 to December 4, 2018, in the amount of \$2,607,482.98, in paid claims \$3,451,250.34, in unpaid claims and \$432,221.88, 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:

Kathy Bourgeois and Donnie Sullivan: Dec. 11, 2018 to Hattiesburg, MS to MDOT Essential Requirements of the Uniform Act. / No Cost
Stacy Chadic: February 5-8, 2019 to Baltimore, Washington to Keep America Beautiful Conference/ Cost (\$1,553.00)
John Throne: Oct. 14-17, 2018 to Biloxi, MS to MEMS Conference/ Cost 608.00
6. [Removed to General Business]
7. Order to appoint Brendan Sartin as the Prosecutor for the Pearl Police Department, effective January 1, 2019.
8. Order to approve and authorize the purchase of (100) Badger Meters from Central Pipe Supply, Inc. in the amount of \$14,500.00. (sole source)
9. Order to approve and authorize the settlement of the property claim of the City of Pearl, Mississippi against MS Farm Bureau Casualty Insurance Co. and to accept the offer of \$10,294.73 and retain the 2013 Dodge Charger at the recommendation of Auto Maintenance Director, Billy Jordan.
10. Order to adopt a Resolution declaring the real property described as being located at 1224 Lee St. and owned by the City of Pearl as surplus property and it shall be resolved that the real property is no longer needed for municipal or related purposes and is not to be used in the operation of the municipality; that the sale of said property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the municipality; and that the use of such property for the purpose for which it is to be sold, conveyed or leased will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic or industrial welfare thereof. And to authorize Mayor Windham to sign all related documents.

11. Order to approve and authorize payment to Stewarts Screen Printing in the amount of \$1,629.50 for advertisement on Pearl Youth Basketball uniforms to advertise and bring in-to favorable notice the opportunities, possibilities and resources of the municipality.
12. Order to approve and authorize the Agreement for Professional Services by and between, the City of Pearl and Heflin Engineering, Inc. to conduct a water/sewer rate study.
13. Order to approve and authorize the purchase of (1) Kubota Tractor from Deviney Equipment in the amount of \$49,103.16. (state contract)
14. Order to approve and authorize the clearing of saplings and trees growing in the drainage ditch along N. Bierdeman and Priester Dr., by Couch Tree Service, LLC, in the amount of \$30,000.00. (quotes obtained)
15. Order to approve and authorize the Statewide Mutual Aid Compact and to authorize Mayor Windham to sign all related documents.
16. Order to approve and authorize the Annual Software Maintenance Agreement by and between BBI, Inc. and City of Pearl, for software support January 1, 2019 – December 31, 2019, for Administration in the amount of \$2,890.00 and to authorize the Mayor to sign all related documents
17. Order to approve and authorize the military leave for Tyler Monts, of the Pearl Fire Department, beginning January 3, 2019 for a period of 400 days.
18. Order to approve and authorize the advertisement of bids for the City depository bank.
19. Order to approve specifications and request for proposals for a consulting engineering firm to provide engineering services for the Pearl-Richland Intermodal Connector Commission Project.
20. Order to approve and authorize the conducting of the City's Annual Christmas parade and authorizing the purchase of candy to be distributed during the parade and finding that such expenditures advertise and bring favorable notice to the opportunities and resources of the City of Pearl, Mississippi.
21. Order to set public hearing for January 2, 2018, at 6:00 p.m. to consider request by Tedo Woods for a waiver of Section 407.6 accessory structure size.
22. Order to set public hearing for January 2, 2018, at 6:00 p.m. to consider request by Residence Inn for a waiver of Section 1403.1, maximum building height.
23. Order to set public hearing for January 15, 2018, at 6:00 p.m. to consider request by Park Place Baptist Church to rezone the property at 5701 Highway 80 E. from C-1 to S-1 for school expansion.

24. Order to approve and authorize the Lease Contract by and between the City of Pearl and Ellis Truck & Equipment Sales, LLC., for the rental of (1) 2008 Freightliner Grapple Truck with Lightning Loader, in the amount \$800.00 per day which will be paid by Prime Insurance Company.
25. Consider adopting an Ordinance adopting regulations for small cell technology facilities in the City of Pearl, Mississippi.
26. Order to adopt a Resolution determining and adjudicating the need for emergency road and bridge repair and to authorize the application to the Emergency Road & Bridge Repair Fund Program through MDOT for a new traffic signal at the intersection of Old Brandon Road with El Dorado Road/Crosspark Drive and authorizing Mayor Windham to sign all related documents.
27. Order to adopt a Resolution determining and adjudicating the need for emergency road and bridge repair and to authorize the application the Emergency Road & Bridge Repair Fund Program through MDOT for a mill and overlay of Metroplex Boulevard from Highway 80 to Old Brandon Rd. and authorizing Mayor Windham to sign all related documents.

PUBLIC COMMENT

No one signed the public comment list.

PUBLIC HEARING

1. Determine whether or not that certain parcel of real property, 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 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 Thompson and seconded by Alderman Gill to continue this hearing until March 5, 2019, to give Mrs. Atkins the additional time to complete the exterior repairs needed. 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 Sartor, Alderman Thompson, Alderman Luckett, Alderman Gill, and Alderman McHenry.

2. Determine whether or not that certain parcel of real property, owned by owned by Phillip P. Weathersby and Donald W. and located at 112 Chotard Avenue, Pearl, Rankin County, Mississippi 39208 (Parcel No. E08P000004 00090; PPIN No. 011381), 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 Gill and seconded by Alderman McHenry to close this matter at the recommendation of the Community Development Director, Donnie Sullivan. The needed repairs have been made by the owners to the property at 112 Chotard Avenue. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Foy, Alderman Stever-son, Alderman Sartor, Alderman Thompson, Alderman Gill, Alderman Lockett, and Alderman McHenry.

3. Determine whether or not that certain parcel of real property owned by Sidney Manning Estate & Velma Cheeks and located at 3134 A St., Pearl, Rankin County, Mississippi 39208 (Parcel No. F071000006 00020; PPIN No. 013931), 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.

Community Development Director, Donnie Sullivan, informed the Mayor and Board that the property was not properly maintained and the building was unsafe, the owner had failed and refused to cut the grass and vegetation on the property and maintain 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. Mr. Sullivan stated that the property is in the same condition that it was previously when it was before this Board on September 4, 2018. At that time, Velma Cheeks was given 90 days to bring the property into compliance. That has not been done nor does it appear that any attempt has been made. Further, he stated that he believes the cost to renovate and restore the building to a livable condition is greater than fifty percent of the assessed value of the house.

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. The Sidney Manning Estate, Velma Cheeks and other interested parties were served with notice of the public hearing on September 4, 2018, as required by law. At said public hearing the Board continued this matter to December 4, 2018, to give the property owner an opportunity to address the unsightly and unkept property and remedy the property from being a menace to the public health and safety of the community.

- 2) The parcel of property owned by Sidney Manning Estate & Velma Cheeks and located at 3134 A St., Pearl, Rankin County, Mississippi 39208 (Parcel No. F071000006 00020; PPIN No. 013931) 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 Gill and seconded by Alderman Thompson. 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 Sartor, and Alderman Thompson, Alderman Luckett, Alderman McHenry and Alderman Gill.

GENERAL BUSINESS

1. Consider adopting a Resolution for scheduling regular meeting which falls on a legal holiday.

Motion was made by Alderman Thompson and seconded by Alderman Gill to adopt a Resolution for scheduling regular meeting which falls on a legal holiday. 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

McHenry, Alderman Steverson, Alderman Sartor, Alderman Gill, and Alderman Lockett.

2. Consider approval of applications.

Motion was made by Alderman Thompson and seconded by Alderman Lockett to approve the applications with the exception of the application for the School Resource Officer to be hired by the Police Dept. Alderman Thompson cited MS Code 45-6-3(e) that requires trainees to be supervised and are not allowed to carry firearms. 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 McHenry, Alderman Steverson, Alderman Sartor, and Alderman Lockett; Alderman Gill voted against the Motion.

3. Consider approval of Merit Increases.

Motion was made by Alderman Gill and seconded by Alderman McHenry to approve all Merit Increases. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill and Alderman McHenry; Alderman Foy, Alderman Thompson, Alderman Steverson, Alderman Sartor, and Alderman Lockett voted against the Motion.

Motion was made by Alderman Lockett and seconded by Alderman Thompson to approve the merit increases with the exception of the Police Chief and for further discussion of the Police Chief's merit increase during Executive Session. 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; Alderman McHenry voted against the Motion.

4. Consider entering Executive Session to discuss personnel matters in the Public Works Department and the merit increase of the Police Chief.

Motion was made by Alderman Foy and seconded by Alderman Gill to consider an executive session to discuss personnel matters in the Public Works Department and the merit increase of the Police Chief; 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 personnel matters in the Public Works Department and the merit increase of the Police Chief; The following

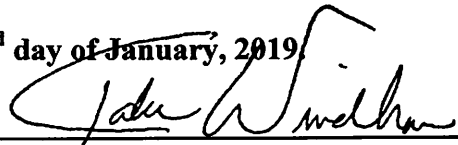
members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Foy, Alderman Luckett, Alderman Thompson, Alderman McHenry, Alderman Sartor and Alderman Steverson.

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 Thompson 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 Sartor, Alderman Thompson, Alderman Luckett, and Alderman McHenry.

The foregoing were adopted as, and became, the Resolutions and Orders of the Governing Authorities of the City of Pearl, Mississippi on this the 4th day of December, 2018.

WITNESS MY SIGNATURE on this the 2nd day of January, 2019.



JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:



CITY CLERK, KELLY SCOUTEN