

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 FEBRUARY 20, 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 Luckett
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 Foy.

Alderman Thompson, led the Pledge of Allegiance.

EMPLOYEE RECOGNITIONS

FIREFIGHTER OF THE MONTH FOR FEBRUARY CAPTAIN JUSTIN PRIEST

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.** Approval/corrections of minutes of the Regular Board Meeting February 6, 2018.
- B.** Approval of the claims docket for the period of February 6, 2018 to February 20, 2018, in the amount of \$3,175,844.62, in paid claims \$537,708.50, in unpaid claims and \$311,583.78, addendum.
- C.** Approval of garbage exemptions applications and renewals, as attached hereto and made a part of the Minutes.
- D.** Approval of application(s): April Michelle Ryan- Deputy Clerk, Water Department

- E.** Approval of Authorization to travel:
Ruben Miles, Conference on Crimes Against Women-April 16-19, 2018, Dallas, TX
(Cost: \$740.00)
- F.** Approval of Merit Increases:
William Pearson- Street
Lional Jackson- Street
Kelly Scouten- City Clerk
- G.** Order to approve and authorize the City of Pearl to contract with and M&M Contractors for the abatement of any and all dwellings at 1126 Weems St., 101 Industrial Park, 1115 S. Pearson Rd., 1004 S. Pearson Rd., 1012 S. Pearson Rd., 1028 S. Pearson Rd., 1030 S. Pearson Rd., and 1029 S. Pearson Rd., for the Pearl-Richland Intermodal Connector Improvement Project.
- H.** Order to approve and authorize payment to Franklin Environmental Group for Invoice Number 1165 in the amount of \$487.50 for environmental consulting.
- I.** Order to approve and authorize supplementing the City of Pearl Policy Rule III, Item 1 Paragraph 2 that Community Development may operate beginning at 7:30 a.m. and continue until 4:30 p.m. This supplement does not alter, amend or change the normal operating hours of other departments within City Hall as stated in Rule III, Item 1, Paragraph 2.
- J.** Order to approve and authorize the emergency repair to the backup generator at Fire Station 4, by Taylor Power Systems in the amount of \$2,265.00.
- K.** [Removed to General Business]
- L.** Order to approve and authorize payment to Joe McGee Construction in the amount of \$50,018.84 for West Rankin Parkway, Estimate #23.
- M.** Order to approve and authorize the Agreement by and between CGI Communications, Inc. and the City of Pearl for Community Video Program and authorize Mayor Windham to sign all related documents.
- N.** Order to approve and authorize the City of Pearl to enter into a contract with Joe W. Parker, for brokerage services to assist with the sale of the forty (40) acre tract formerly known as the Trails at Pearl, located in the Southwest ¼ of Section 12, Township 5 North, Range 2 East, Pearl, MS, 39208, and owned by the City of Pearl.
- O.** Order to approve and authorize the Contractual Agreement for Legal Services by and between the City of Pearl and Brendan Sartin for legal representation in the lawsuit styled Joe McGee Construction Company, Inc. v. City of Pearl.

PUBLIC COMMENT

No one spoke during public comment.

PUBLIC HEARING

1. Consider request by John Blackwell Builder LLC to waive the Fire Code Section 903 requiring that Skyway Hills Baptist Church install a sprinkler system to the building being renovated at 3790 Highway 80 E.

Mayor Windham called the public hearing to order. Mr. John Blackwell stated that he had been hired by Skyway Hills Baptist Church to remodel the facilities. Mr. Blackwell stated that the church was unable to afford to sprinkle the building and that they would not be able to move forward with the remodel if the waiver wasn't granted. Fire Chief Carl Kibby and Fire Marshall Flaherty spoke to the Mayor and Board and explained that they are not in favor of a waiver. That it would increase the amount of people that could accommodate the building to more than 299 and that code requires it to be sprinkled at 300. Chief Kibby reminded the Mayor and Board that there were two other area churches that had requested the same waiver during the previous administration and it was not granted. Mr. Blackwell ask the Mayor and Board of Aldermen if they would be allowed to just add to handicap accessible restrooms to the front of the building without adding a sprinkler system. Director of Community Development, Donny Sullivan, advised that the ADA code would allow just the restrooms to be permitted without sprinkling the building. Mr. Blackwell asked about speaking to the congregation to get their final approval before making a final decision.

Motion was made by Alderman Foy and seconded by Alderman Sartor to table the request by John Blackwell Builder LLC to waive the Fire Code Section 903 requiring that Skyway Hills Baptist Church install a sprinkler system to the building being renovated at 3790 Highway 80 E. until the next meeting on March 6, 2018. 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 Gill, Alderman McHenry, Alderman Sartor, Alderman Lockett and Alderman Thompson.

2. Consider request by Bobby Kuhn on behalf of MOVE Church, Inc. to build and operate a church on land located on Highway 468, parcel numbers E7L-12 and E7L-13.

Mayor Windham called the public hearing to order. Mr. Bobby Kuhn stated that he is the current pastor of MOVE church and that they had outgrown their rental space and were looking to build their own building in Pearl. Mr. Kuhn stated that the church had put a contract on this piece of property and getting approval to build the church building was an exception to the contract and this is the last step in closing on the property. Mayor Windham asked if anyone else wish to speak in favor of the request. No one spoke. Mayor Windham asked if anyone wished to speak against the request. No one spoke.

The public hearing was closed.

Motion was made by Alderman Luckett and seconded by Alderman Thompson to grant the request by Bobby Kuhn on behalf of MOVE Church, Inc. to build and operate a church on land located on Highway 468, parcel numbers E7L-12 and E7L-13. 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 Gill, Alderman McHenry, Alderman Sartor, Alderman Luckett and Alderman Thompson.

3. 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.

Mayor Windham called the public hearing to order. Mr. Billy Stutts stated that he had purchased the property next door to his office and was planning to build a building there to use as his storage facility for chemicals. Mr. Stutts stated that he would remove the metal storage building as soon as the new building was built. Mr. Stutts agreed that he could submit plans for approval to the Community Development Director, Donny Sullivan within thirty days from this date. He further agreed that he could have his permits issued within sixty days of this date. Mayor Windham asked if anyone else wish to speak in favor of the request. No one spoke Mayor Windham asked if any one wished to speak against the request. No one spoke. The public hearing was closed.

Motion was made by Alderman Steverson and seconded by Alderman Luckett to grant the 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, provided he submits plans for a building to Community Development within thirty days and has permits issued for the same within sixty days. 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 Gill, Alderman Sartor, Alderman Luckett, Alderman McHenry, and Alderman Thompson.

4. Consider request by New Vision Ventures for a variance to allow a 10 foot side setback for the Residence Inn Pearl to be located at 200 Riverwind Dr., Pearl MS 39208.

Mayor Windham called the public hearing to order. Mr. Jack Barot stated that he was requesting the variance for the 10 foot side setback for the new hotel, Residence Inn. Community Development Director, Donny Sullivan, spoke to the Mayor and Board of Aldermen and acknowledged that he had reviewed the plans and gone to the site and that he agreed with the variance that Mr. Barot was requesting. Mayor Windham asked if anyone else wish to speak in favor of the request. No one spoke Mayor Windham asked if any one wished to speak against the request. No one spoke. The public hearing was closed.

Motion was made by Alderman Gill and seconded by Alderman Foy to grant the request by New Vision Ventures for a variance to allow a 10 foot side setback for the Residence Inn Pearl to be located at 200 Riverwind Dr., 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 Foy, Alderman Steverson, Alderman Gill, Alderman Sartor, Alderman Lockett, Alderman McHenry, and Alderman Thompson.

GENERAL BUSINESS

1. Order to approve and authorize the Professional Services Agreement by and between the City of Pearl and Allen Engineering and Science, Inc. and authorize Mayor Windham to sign all related documents.

Motion was made by Alderman Foy and seconded by Alderman Sartor to table the Professional Services Agreement by and between the City of Pearl and Allen Engineering and Science, Inc. 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 Sartor, Alderman Gill, Alderman McHenry 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 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, and Alderman Thompson, Alderman Lockett, 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 February, 2018.

WITNESS MY SIGNATURE on this the 6th day of March, 2018.

JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:

CITY CLERK, KELLY SCOUTEN