

**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 SEPTEMBER 05, 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 Lockett  
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 Alderman Gill.

Alderman Thompson led the Pledge of Allegiance.

**EMPLOYEE RECOGNITION**

**MAYOR’S REMARKS**

**CONSENT AGENDA**

**Upon Motion by Alderman Gill seconded by Alderman Foy, 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 August 15, 2017 and Special Called Meeting August 28, 2017.
- B.** Approval of the claims docket for the period of August 15, 2017 to September 5, 2017, in the amount of \$0.00 in paid claims \$144,118.52, in unpaid claims and \$62,142.67, addendum.
- C.** Approval of garbage exemptions applications and renewals:

Carol L. George	5118 Hwy 80 E L52
Gary Glen Richardson	1110 Old Whitfield Rd.
Edna Bourgeois Cunningham	114 Lake Trail Dr.
Crystal Rebecca Larkin	3665 Wilcox Dr.
Dorothy Elaine Jenkins	1684 Ravenwood Ln.
Patricia Colleen Magee	594 Spring Lake Dr.
Lisa Diane Martin	809 B George Kersh Dr.

**D.** Approval of application(s) : None

**E.** Approval of authorization to travel:

Kelly Scouten and Kayla Collins, Certification for Municipal Clerks, Tax Collectors and Deputies, September 20- September 22, 2017, Pearl MS (Cost: \$200.00 each)

Christi Jenkins, Municipal Court Clerks Fall Conference, September 6-8, 2017, Tunica, MS (Cost: None)

**F.** Approval of merit increases:

Brandy Pepper - Police

Jimmy Jones – Fire

Justin Priest – Fire

**G.** Order to approve and authorize payment to Greenbriar DSLP in the amount of \$37,135.00, Layne Christensen Company in the amount of \$73,114.40 and Heflin Engineering in the amount of \$10,000.00 for Water Systems Improvements Project.

**H.** [Removed to General Business].

**I.** Order to approve and authorize the purchase of (4) Pro Hollywood style bases with anchors, (4) Home Plate 3” In-ground all rubber and (4) Step down pitching rubber (off) from Richardson Athletics in the amount of \$1,003.88. (quotes obtained)

**J.** [Removed to General Business].

**K.** Order to approve and authorize the installation of 6” seamless guttering and 4 down spouts by Byram Seamless Gutters in the amount of \$800.00. (quotes obtained)

**L.** [Removed to General Business].

**M.** Order to approve and authorize the purchase of parts to repair PD 90 from Union Auto Parts in the amount of \$813.33. (quotes obtained)

**N.** Order to approve and authorize the purchase of parts to repair PD 10 from Mac Haik in the amount of \$543.75. (quotes obtained)

- O.** Order to approve and authorize the Interlocal Agreement by and between the City of Brandon and the City of Pearl for sanitary sewer systems.
- P.** Order to approve and authorize the Financial Settlement Services Addendum by and between the City of Pearl and GovDeals and to authorize Mayor Windham to sign all related documents.
- Q.** Order to approve and authorize payment to Franklin Environmental Group for Invoice Number 1113 in the amount of \$787.50 for environmental consulting.
- R.** Order to adopt a Resolution authorizing the condemnation of certain lands for the East Metro Corridor Improvement Project. (Gammage, Reed and Barnhardt property)
- S.** Order to adopt a Resolution authorizing the condemnation of certain lands for the East Metro Corridor Improvement Project. (Lemmon Taylor property)
- T.** Order to adopt a Resolution authorizing the condemnation of certain lands for the East Metro Corridor Improvement Project. (Johnny L. Taylor property)
- U.** [Removed to General Business].
- V.** Order to set public hearing for October 3, 2017, at 6:00 p.m. to consider request by Bonnie Moore on the behalf of Tommy Simmons to waive SEC 5.95 of the City Ordinance prohibiting metal carports and to waive the 5 foot setback requirements for the structure.
- W.** Order to approve and authorize Supplemental Agreement No. 2 between the City of Pearl and Pickering Firm, Inc. for the West Rankin Parkway- Phase 1 and to authorize Mayor Windham to sign all related documents.
- X.** Order to adopt a Resolution commemorating Hinds Community College for 100 Years of Community Inspired Service.
- Y.** Order to approve and authorize the Release of the City of Pearl by Mary Quick for the use of the property at 1130 Weems St., Pearl MS 39208.
- Z.** Order to continue the public hearing to consider request by Kevin Kimery for a conditional use to operate a Splash Pad to be located at 306 Babin Wells Rd to September 19, 2017, at 6:00 p.m.
- AA.** Order to continue the public hearing to consider request by Stella Banks-Horne to change First Street to Banks-Horne Street to September 19, 2017, at 6:00 p.m.
- BB.** Order to appoint Christi Jenkins, Municipal Court Administrator, City of Pearl, Mississippi.

CC. Order to set public hearing for October 3, 2017, at 6:00 p.m. to consider request by Mississippi Baptist Bible for a conditional use to allow 3 to 5 seminary students to stay overnight for class at Antioch Baptist Church located at 2528 Old Country Club Rd., Pearl MS 39208.

DD. Order to approve and authorize the Agreement for Services with Southern Telecommunications and the City of Pearl for phone and internet services.

### **PUBLIC COMMENT**

**No one signed to speak.**

### **PUBLIC HEARING**

### **GENERAL BUSINESS**

1. Order to approve and authorize the Standby Generator Industrial Maintenance Service Agreement with Taylor Power Service for routine maintenance on generators in the amount of \$10,654.00.

**Motion was made by Alderman Foy and seconded by Alderman Steverson to approve and authorize the Standby Generator Industrial Maintenance on generators in the amount of \$10,654.00; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman McHenry, Alderman Lockett, Alderman Thompson, Alderman Sartor, Alderman Foy and Alderman Steverson.**

2. Order to approve and authorize the replacement of the 3 ton 14 seer Rheem air handler unit located at Center City Field Concessions by J&C Heating and Cooling in the amount of \$3,200.00. (quotes obtained)

**Motion was made by Alderman Foy and seconded by Alderman Gill to approve and authorize the replacement of the 3 ton 14 seer Rheem air handler unit located at Center City Field Concessions by J&C Heating and Cooling in the amount of \$3,200.00; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman McHenry, Alderman Lockett, Alderman Thompson, Alderman Sartor, Alderman Foy and Alderman Steverson.**

3. Order to approve and authorize payment to Emergency Equipment Professionals for mounting equipment for (3) trucks in the amount of \$5,506.00.

**Motion was made by Alderman Gill and seconded by Alderman McHenry to approve and authorize the payment to Emergency Equipment Professionals for mounting equipment for (3) trucks in the amount of \$5,506.00.;**

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

4. Consider an Order to approve and authorize the appraisal and valuation agreement by and between The City of Pearl and Integra Realty Resources for the appraisal and valuation of 3567 Old Brandon Rd., Pearl MS 39208, in the amount of \$2,250.00 and to authorize Mayor Windham to sign all related documents.

**Motion was made by Alderman Foy and seconded by Alderman Gill to approve and authorize the appraisal and valuation agreement by and between The City of Pearl and Integra Realty Resources for the appraisal and valuation of 3567 Old Brandon Rd., Pearl MS 39208, in the amount of \$2,250.00 and to authorize Mayor Windham to sign all related documents.; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman McHenry, Alderman Luckett, Alderman Thompson, Alderman Sartor, Alderman Foy and Alderman Steverson.**

5. Consider an Order to approve and authorize amendment of Rule XV – Travel Expenses and Vehicle Use of the City of Pearl, Mississippi Personnel Policies and Procedures, April 15, 1997 (revised on April 3, 2007) by deleting paragraphs 3 and 4 of Rule XV and inserting revised paragraph 3 that is attached hereto and incorporated herein by reference.

Mayor Windham ask that the Minutes reflect that this amendment was written to address the vehicle “take home” policy of the city. He further stated that effective immediately any police officer, that does not reside within the city limits, will not be allowed to drive their city issued vehicle home, unless those officers are considered “essential” personnel, which is a SWAT officer or a Criminal Investigations Officer that is on call. Mayor Windham also stated that there are no other city employees that are issued “take home” vehicles that do not live within the city limits.

**Motion was made by Alderman Steverson and seconded by Alderman Luckett to approve and authorize the amendment of Rule XV – Travel Expenses and Vehicle Use of the City of Pearl, Mississippi Personnel Policies and Procedures, April 15, 1997 (revised on April 3, 2007) by deleting paragraphs 3 and 4 of Rule XV and inserting revised paragraph 3.; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman McHenry, Alderman Luckett, Alderman Thompson, Alderman Sartor, Alderman Foy and Alderman Steverson.**

6. Consider an Order to approve and authorize amendment of the City of Pearl, Mississippi, Personnel Policies and Procedures, April 15, 1997 by adopting, Rule XVII – Internet and Computer Policy, that is attached hereto and incorporated herein by reference.

**Motion was made by Alderman Thompson and seconded by Alderman Steverson to approve and authorize amendment of the City of Pearl, Mississippi, Personnel Policies and Procedures, April 15, 1997 by adopting, Rule XVII – Internet and Computer Policy. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman McHenry, Alderman Lockett, Alderman Thompson, Alderman Sartor, Alderman Foy and Alderman Steverson**

7. Consider an Order to approve and adopt an Ordinance of the City of Pearl, Mississippi repealing Ordinance No. 1975-51 that is codified as Article II, Section 25-11, Section 25-12, Section 25-13 and Section 25-14 of the Code of Ordinances of the City of Pearl, Mississippi, as attached hereto and incorporated herein by reference, thereby repealing the establishment of the Youth Court of the City of Pearl, Mississippi.

**Motion was made by Alderman Lockett and seconded by Alderman Foy to adopt an Ordinance of the City of Pearl, Mississippi repealing Ordinance No. 1975-51 that is codified as Article II, Section 25-11, Section 25-12, Section 25-13 and Section 25-14 of the Code of Ordinances of the City of Pearl, Mississippi, thereby repealing the establishment of the Youth Court of the City of Pearl, Mississippi. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Foy, Alderman Steverson, and Alderman Lockett; The following members of the Board of Aldermen voted against the Motion which became the Order of the Board: Alderman McHenry, Alderman Gill, Alderman Thompson, and Alderman Sartor.**

8. Consider an Order to adopt a Resolution authorizing the donation of certain playground equipment to the Pearl Public School District.

**Motion was made by Alderman Sartor and seconded by Alderman Lockett to adopt a Resolution authorizing the donation of certain playground equipment to the Pearl Public School District. 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 Sartor, Alderman Foy and Alderman Steverson; Alderman Gill and Alderman McHenry recused themselves and left the meeting room.**

9. Consider setting public hearing for September 19, 2017, at 6:00 p.m. to consider request by Mike Love to waive the Subdivision Ordinance for the Asbury Subdivision.

**Alderman Lockett recused himself and left the meeting room and is not participating in any action regarding this matter. Prior to discussion regarding this matter at the Board's work session last night, Alderman Lockett excused himself from the**

**meeting and did not participate in any discussion regarding this matter. Alderman Luckett is recusing himself from any action on the matter to avoid a possible conflict of interest resulting from his being involved in a decision regarding the matter. Alderman Luckett has been advised to not discuss this matter with the Mayor, other Board members or any other city officials. The remaining Board members have been advised not to discuss the matter with Alderman Luckett.**

**Motion was made by Alderman McHenry and seconded by Alderman Foy for an Order to set public hearing for September 19, 2017, at 6:00 p.m. to consider request by Mike Love to waive the Subdivision Ordinance for the Asbury Subdivision. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman Sartor, Alderman McHenry, and Alderman Steverson, Alderman Foy and Alderman Thompson. Alderman Luckett did not vote.**

10. Order to set public hearing for October 3, 2017, at 6:00 p.m. to consider request by Charles Walker to rezone 653 Eldorado Road from R-E Residential Estates to C-3 High Intensity Commercial.

**Alderman Luckett recused himself and left the meeting room and is not participating in any action regarding this matter. Prior to discussion regarding this matter at the Board's work session last night, Alderman Luckett excused himself from the meeting and did not participate in any discussion regarding this matter. Alderman Luckett is recusing himself from any action on the matter to avoid a possible conflict of interest resulting from his being involved in a decision regarding the matter. Alderman Luckett has been advised to not discuss this matter with the Mayor, other Board members or any other city officials. The remaining Board members have been advised not to discuss the matter with Alderman Luckett.**

**Motion was made by Alderman Gill and seconded by Alderman McHenry for an Order to set public hearing for October 3, 2017, at 6:00 p.m. to consider request by Charles Walker to rezone 653 Eldorado Road from R-E Residential Estates to C-3 High Intensity Commercial. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman Sartor, Alderman McHenry, and Alderman Steverson, Alderman Foy and Alderman Thompson. Alderman Luckett did not vote.**

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 5th day of September, 2017.**

**WITNESS MY SIGNATURE on this the 19th day of September, 2017.**

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**JAKE WINDHAM, MAYOR**

**ATTEST AND CERTIFY:**

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**CITY CLERK, KELLY SCOUTEN**