

**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 OCTOBER 1, 2019 AT 6:30 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 City Attorney, Brendan Sartin.

City Clerk, Kelly Scouten, led the Pledge of Allegiance.

**ACKNOWLEDGEMENTS**

**Recognize Frank Hutton for 10 years of service with Pearl Municipal Broadcast and IT Dept.**

**CONSENT AGENDA**

**Upon Motion by Alderman Gill 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 September 17, 2019, Special Called Meeting September 16, 2019 and Special Called Meeting September 19, 2019.
2. Approval of the claims docket for the period of September 17, 2019 to October 1, 2019, in the amount of \$2,584,381.35, in paid claims \$1,391,701.28, in unpaid claims and \$120,541.05, 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 & Justin Barnette- October 7-11, 2019 to Jackson, MS Child Advocacy Center of MS for Forensic Interviewing Certification and Court Prep Training/ No Cost  
John Chalk and Steven Frederick- October 13-18, 2019 to Nashville, TN For Criminal Investigative Analysis / Cost \$ 1265.99  
Daniel Allen- October 6-12, 2019 to Anniston, Alabama for Center for Domestic Preparedness / No Cost  
Amanda Thomasson, Brandy Pepper & Tommy Boswell- October 7-10, 2019 to Robinsonville, MS For 2019 MS 911 Training Seminar / Cost \$863.97  
Todd Burkes- October 15-17, 2019 to Biloxi, MS for Officers Training Personnel Conference / Cost \$ 504.37  
Kathy Bourgeois- October 17, 2019 to Biloxi, MS for CDBG Grant Training/ Cost of Lodging Only  
Matt Fagan & Mike Robin- September 29- October 2, 2019 to Biloxi, MS for MEMS Conference/ Cost \$471.89
6. [Removed to General Business]
7. Order to approve and authorize the purchase of Badger Engagement Beacon (\$2,350.00) and for the training (\$3,800.00) of same from Central Pipe Supply Company in the total amount of \$6,150.00.
8. Order to approve the Service Agreement by and between, the City of Pearl and Taylor Power Systems for Generator Maintenance and to authorize Mayor Windham to sign the same.
9. Order to approve and authorize the conducting of a Painting with "Southern Breezes Art" event on December 2, 2019, at 6:30 p.m. and hosted by the Pearl Parks and Recreation.
10. Order to approve the yearly property and equipment insurance renewal with Arthur J. Gallagher Risk Management Services, in the amount of \$111,489.00 and to authorize the City Clerk, Kelly Scouten to sign all related documents.
11. Order to adopt a Resolution proclaiming "Small Business Saturday" on November 30, 2019.
12. Order to adopt a Resolution adopting a Covenant not to Issue Additional Debt Secured by Pledge of Proceeds of Tax Levies authorized by House Bill 1667, Regular Session 2018, Under Certain Credit Conditions.
13. [Removed to General Business]

14. Order to receive and accept the Intergovernmental transfer from the City of Flowood to the Pearl Police Department at no cost, Pursuant to the Mississippi Code Annotated §31-7-13; (1) 2010 Ford Crown Victoria VIN#2FABP7BV1AX118279; said vehicle shall be placed on the inventory of the Pearl Police Department.
15. Order to approve and authorize payment to Pickering Firm in the amount of \$56,162.50 for engineering services for detention pond project.
16. Order to approve and authorize payment to Neel-Schaffer in the amount of \$20,662.62 for Intersection Improvement Project.
17. Order to approve the Construction Engineering & Inspection Services Contract by and between, Pearl-Richland Intermodal Connector Commission and Pickering Firm for the Pearl-Richland Intermodal Connector project and to authorize Mayor Windham to sign all related documents.
18. Order to approve and authorize the City Clerk to advertise for bids for contractor for construction of Pearl Richland Intermodal Connector.
19. Order to approve and authorize the City Clerk to advertise for bids for contractor for construction of West Rankin Parkway Phase 2.
20. Order to approve and authorize payment to AT&T in the amount of \$420,046.64 for the relocation of facilities along S. Pearson Rd. and Industrial Park Rd. due to the Pearl Richland Intermodal Connector.
21. Order to set public hearing for November 5, 2019, at 6:30 p.m. to consider request by Bill Rawls for a Waiver of the Sign Ordinance to allow him to have a ground mounted sign in a C-1 Zone at 2530 Old Brandon Rd., Pearl MS 39208.
22. Order to set public hearing for November 5, 2019, at 6:30 p.m. to determine whether or not that certain parcel of real property owned by Geraldine Freshour, and located at 2282 Upper Dr., Pearl, Rankin County, Mississippi 39208 (Parcel No. E08F000001 00360; No. 008934 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.
23. Order to set public hearing for November 5, 2019, at 6:30 p.m. to consider request by King I, LLC, for a dimensional variance to allow them to build a 1200 sq. ft. house instead of the 1500 sq. ft. that the ordinance requires at 406 Boehle St. and 3445 E. Lisa Dr., Pearl MS 39208.
24. Order to adopt a Resolution to Adjudicate the cost of cleaning of properties and assess the costs against said properties on the list attached and made a part hereof.

25. Order to approve and authorize the asbestos abatement and demolition of any and all dwellings at 3618 Highway 80 East by Faircloth Demolition, Inc., in the amount of \$17,600.00. (quotes obtained)
26. Order to approve and authorize Pearl High School officials and affiliated student support squads to be passengers in city vehicles during the upcoming Pearl High School Home coming Parade.

### PUBLIC COMMENT

There was no public comment.

### PUBLIC HEARING

1. 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.

**Motion was made by Alderman McHenry and seconded by Alderman Gill to deny the 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., as recommended by Community Development Director Brad Robertson; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Thompson, Alderman McHenry, Alderman Sartor, Alderman Lockett, Alderman Steverson and Alderman Gill. Alderman Foy voted against the Motion**

2. Consider request by Darren Givens on behalf of Eastflow church to operate a church at 315 Airport Rd.

**Alderman Gill ask that the Minutes reflect that Mr. Givens agreed to have a church member directing traffic. Alderman Steverson requested that the church meet all current IBC codes including occupancy load, life safety, exit signs, emergency lighting, handicap accessibility and such and that it is approved by both the Community Development Dept. and the Fire Dept.**

**Motion was made by Alderman Lockett and seconded by Alderman Sartor to grant the request by Darren Givens on behalf of Eastflow church to operate a church at 315 Airport Rd.; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Thompson, Alderman McHenry, Alderman Sartor, Alderman Lockett, Alderman Steverson, Alderman Gill and Alderman Foy.**

3. 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.

Community Development Director, Brad Robertson, informed the Mayor and Board that the property was not properly maintained and the building was unsafe and unsecured the owner had failed and refused to cut the grass and vegetation on the property, remove trash and from the yards 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.

Stephen Winfield Scott, Jr., was not present at the meeting.

**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 Stephen Winfield Scott, Jr., and located Parcel #E08B-5, Pearl, Rankin County, Mississippi 39208 (Parcel No. E08B000005 00000; PPIN No. 008773) 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 within ten (10) 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 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.**

4. Consider request by Hope Smith on behalf of Home2Suites for a variance to the Sign Ordinance that will allow a 25' Pylon Style sign at 435 Riverwind Dr.

**Motion was made by Alderman Gill and seconded by Alderman Steverson to grant the request by Hope Smith on behalf of Home2Suites for a variance to the Sign Ordinance that will allow a 25' Pylon Style sign at 435 Riverwind Dr.; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Thompson, Alderman McHenry, Alderman Foy, Alderman Sartor, Alderman Luckett, Alderman Steverson and Alderman Gill.**

## GENERAL BUSINESS

1. Angela T. Herzog, Herzog CPA Company, LLC, Fiscal Year 2018 Audit.

Angela Herzog presented the Fiscal Year 2018 Audit to the Mayor and Board of Aldermen.

**Motion was made by Alderman Thompson and seconded by Alderman Gill to accept the Fiscal Year 2018 Audit as prepared and presented by Angela Herzog. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman Luckett, Alderman Foy, Alderman Steverson, Alderman Sartor, Alderman McHenry and Alderman Thompson.**

2. Consider an Order to approve and authorize the acceptance of Patrick Farms Phase 8 Final Plat.

**Motion was made by Alderman Steverson and seconded by Alderman Sartor to table this request until October 15, 2019, after the city engineer has reviewed and made any recommendations. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman Luckett, Alderman Foy, Alderman Steverson, Alderman Sartor, Alderman McHenry and Alderman Thompson.**

3. Consider an Order to accept and adopt the proposed Public Safety pay plan.

**Motion was made by Alderman Gill and seconded by Alderman McHenry to adopt an Order to accept and adopt the proposed Public Safety pay plan. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman Foy, Alderman Sartor, Alderman McHenry and Alderman Thompson. Alderman Lockett and Alderman Steverson voted against the Motion.**

4. Consider an Order to adopt a Resolution declaring the City of Pearl to be a safe city for preborn children and urging the citizens of Pearl to promote and defend the inalienable right to life and the inherent dignity of all innocent human beings at every stage of development.

**Motion was made by Alderman McHenry and seconded by Alderman Steverson to adopt an Order to adopt a Resolution declaring the City of Pearl to be a safe city for preborn children and urging the citizens of Pearl to promote and defend the inalienable right to life and the inherent dignity of all innocent human beings at every stage of development.; The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman Foy, Alderman McHenry, Alderman Steverson, Alderman Lockett and Alderman Thompson. Alderman Sartor voted against the Motion.**

5. Consider Executive Session to discuss personnel matters in the Police Department, applications for employment and merit increases.

**Motion was made by Alderman Foy and seconded by Alderman Gill to consider an executive session to discuss personnel matters in the Police Department, 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 McHenry; Alderman Sartor and Alderman Steverson.**

**It was announced that upon a Motion made by Alderman Foy and seconded by Alderman Gill the board entered executive session to discuss personnel matters in the Police Department, 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 McHenry, Alderman Thompson, Alderman Sartor and Alderman Steverson.**

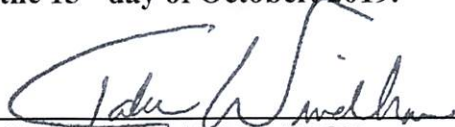
**Alderman Thompson addressed the public before the meeting was adjourned to let it be known that the \$1.00 per hour merit increase for Public Works' employees that was passed on June 18, 2019, but wasn't supported by the Fiscal Year 2019 Budget and now included in Fiscal Year 2020 Budget, will take effect October 5, 2019.**

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 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 1<sup>st</sup> day of October, 2019.

WITNESS MY SIGNATURE on this the 15<sup>th</sup> day of October, 2019.

  
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JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:

  
\_\_\_\_\_  
CITY CLERK, KELLY SCOUTEN

