

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 17, 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 Kayla Collins, Deputy City Clerk and Brendan Sartin, City Attorney.

PRAYER

The meeting was opened with prayer by Alderman McHenry.

City Attorney, Brendan Sartin led the Pledge of Allegiance.

ACKNOWLEDGEMENTS

Fireman of the Month Blake Ball

Recognize Michael Fivecoat for 35 years of service in the Pearl Fire Dept.

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:

1. Approval/corrections of minutes of the Regular Board Meeting August 20, 2019.
2. [Removed to General Business]
3. Approval of garbage exemptions applications and renewals, as attached hereto and made a part of the Minutes.

4. Approval of application(s):
Justin Raines- Water
Riley Reed- Fire
Adam Rawls- Fire
Jeffery Davis- Fire
5. The Mayor removed all travel from this Agenda and ask that it be held for the October 1, 2019, Agenda.
6. Approval of merit increases:None
7. Order to approve and authorize budget amendment for the City of Pearl, Mississippi, for the fiscal year beginning October 1, 2018 and ending September 30, 2019, budget equals actual.
8. Order to approve the Municipal Compliance Questionnaire for the City of Pearl, Mississippi, for the fiscal year beginning October 1, 2018 and ending September 30, 2019, and to authorize Mayor Windham and City Clerk to sign the same.
9. Order to set public hearing for October 15, 2019, at 6:30 p.m. to consider request by BC Development to rezone parcels F09C-240 through F09C-360 and F09C-12, located on Skylane Dr., Pearl, MS 39208, from R-1 to R-3.
10. Order to adopt a Resolution to Adjudicate the cost of cleaning of properties and assess the costs against said property 3450 Lanell Lane, Pearl MS 39208.

PUBLIC COMMENT

Edward Wright, 250 Oak Grove Church Rd., Pearl MS 39208.

PUBLIC HEARING

1. Consider request by Benjamin Berry on behalf of Avid Hotel for a Waiver of Section 1403.1 Maximum Building Height.

Alderman Foy stated for the Minutes that Chief Thornton (FD) didn't have any objections to this Waiver.

Motion was made by Alderman McHenry and seconded by Alderman Sartor to grant the request by Benjamin Berry on behalf of Avid Hotel for a Waiver of Section 1403.1 Maximum Building Height, 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 Foy, Alderman Sartor, Alderman Luckett, Alderman Steverson and Alderman Gill.

2. 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.

Motion was made by Alderman Foy and seconded by Alderman Sartor to grant the 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 Pearl, MS 39208, with the exception the this building will not be rented, neither the living quarters or storage area; 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 Lockett and Alderman Gill. Alderman Steverson voted against the Motion.

3. 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.

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 inoperable vehicles 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.

Glenn Shoto 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 Glenn Shoto, and located at 907 Johnson St., Pearl, Rankin County, Mississippi 39208 (Parcel No. E07N000069 00000; PPIN No. 008403) 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 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.**

4. 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.

Motion was made by Alderman Gill and seconded by Alderman Luckett to grant the 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.; 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.

5. 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.

Motion was made by Alderman Gill and seconded by Alderman Thompson to grant the 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.; 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.

6. Determine whether or not that certain parcel of real property owned by Jaegec Renovations, LLC, and located at 803 Harvey St., Pearl, Rankin County, Mississippi 39208 (Parcel No. F08A-20-340; PPIN No. 014433), 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. That the owner had failed to have the property in compliance by September 3, 2019. Further, that he had failed to 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.

Jaegec Renovations, LLC 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 Jaegec Renovations, LLC, and located at 803 Harvey St., Pearl, Rankin County, Mississippi 39208 (Parcel No. F08A-20-340; PPIN No. 014433) 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 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 approving the claims docket for the period of September 3, 2019 to September 17, 2019, in the amount of \$2,669,701.88, in paid claims \$973,528.55, in unpaid claims and \$51,470.74, addendum.

Motion was made by Alderman McHenry and seconded by Alderman Gill to approve the claims docket for the period of September 3, 2019 to September 17, 2019, in the amount of \$2,669,701.88, in paid claims \$973,528.55, in unpaid claims and \$51,470.74, addendum. The following members of the Board of Aldermen voted in favor of the Motion: Alderman McHenry and Alderman Gill. Alderman Foy, Alderman Steverson, Alderman Sartor, Alderman Thompson, and Alderman Luckett voted against the Motion. The Motion did not pass.

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 Thompson approving an order to adjourn the meeting in Honor of Scott Robinson. 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 17th day of September, 2019.

WITNESS MY SIGNATURE on this the 1st day of October, 2019.



JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:

Kelly Scouten

CITY CLERK, KELLY SCOUTEN

