

**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 06, 2020 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.

Roll call indicated the following Aldermen present:

Alderman Lockett  
Alderman Sartor  
Alderman Steverson  
Alderman Foy  
Alderman Thompson  
Alderman Gill

Alderman McHenry was absent from the meeting.

Also in attendance was Kelly Scouten, City Clerk and Brendan Sartin, City Attorney.

**PRAYER**

The meeting was opened with prayer by Alderman Lockett.

**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 majority affirmative vote (“Aye”) of the Aldermen present;**

1. Approval/corrections of minutes of the Regular Board Meeting, September 15, 2020 and Special Called Meeting, September 21, 2020.
2. Approval of the claims docket for the period of September 15, 2020 to October 6, 2020, in the amount of \$2,272,014.95, in paid claims \$515,643.31, in unpaid claims and \$627,408383, 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. Approval of Applications:  
Felix Howard (Parks & Rec)

Jill Joseph (PT) (Senior Services)  
Charles Foy (Water)  
Orlando Redd (Police) (pt to ft)

5. Approval of Merit Increases:  
Michael Fivecoat (FIRE)  
Chris Flaherty (FIRE)  
Marshall Cooper (WATER)  
Raymond Houf (WATER)  
Sylvester McDonald (WATER)  
Antonio Washington (WATER)  
Joe Washington (SOLID WASTE)  
Aletha White (WATER)  
Shane Burrell (PUBLIC WORKS)  
Jack Readman (FIRE)  
James McGraw (FIRE)  
Robert Mahaffey (POLICE)  
Leia Cooper (BUDGET)  
Marvin Williams (Decrease)
6. Authorization to Travel: None
7. Order to approve the Memorandum of Understanding between the Department of Finance and Administration and the City of Pearl and to authorize Mayor Windham to sign all related documents.
8. Order to approve and authorize payment to Wierhouse Living, in the amount of \$78,390.00, for Parks and Recreation Construction Project.
9. Order to approve and authorize payment to Barnard & Sons Construction, LLC, in the amount of \$245,955.72, for the Parks & Recreation Construction Project Softball & Baseball.
10. Order to approve and authorize payment to Clear River Construction Co., Inc., in the amount of \$94,647.96, for the Parks & Recreation Construction Project Phase II: City Park Improvements.
11. Order to approve the installation of 3020 foot of 4' black vinyl chain link fence alongside School Drive and Center City Drive by A-1 Kendrick Fence Company, in the amount of \$26,579.84. (quotes obtained)
12. Order to approve and authorize the Pearl Parks and Recreations Pearl Youth Basketball League registration dates and fees.
13. Order to approve and authorize the removal of 13 trees at Twin Pine Dr. easement by Couch Tree Service, in the amount of \$8,500.00. (quotes obtained)

14. Order to approve and authorize payment to Equipment Inc., in the amount of \$5,500.00 for the rental of one (1) Doosan DX255LC.
15. Order to approve and authorize payment to People Ready, in the amount of \$33,557.13, for temporary employee labor.
16. Order to approve and authorize the repair/replacement of engine to PD21, 2010 Dodge Charger by Mac Haik Dodge, in the amount of \$6,113.04. (quotes obtained)
17. Order to approve and authorize the promotion of a Sergeant within the Narcotics Division in the Police Department.
18. Order to approve and authorize William Kelly to place a Flag Retirement Drop Box at Pearl City Hall, at his own expense, as an Eagle Scout Service Project.
19. Order to approve and authorize the Pearl Fire Department to request proposals for eight (8) new Cardiac monitors.
20. Order to approve the military leave of William Russell from October 1, 2020 to March 31, 2021.
21. Order to approve and authorize Contract Change Order Number Four (4) between the City of Pearl and Barnard & Sons Construction, LLC. and to authorize Mayor Windham to sign all related documents.
22. Order to set public hearing for November 3, 2020, at 6:00 p.m. to determine whether or not that certain parcel of real property owned by Alson William Boleware Jr. and located at 3175 Stark Dr., Pearl, Rankin County, Mississippi 39208 (Parcel No. E09D000030 00190; PPIN No. 012057) 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 24 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 3, 2020, at 6:00 p.m. to determine whether or not that certain parcel of real property owned by Rankin Square Commons LLC and located at 3536 Highway 80, Pearl, Rankin County, Mississippi 39208 (Parcel No. F09A000015 00000; PPIN No. 015163) 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 24 of the Code of Ordinances of the City of Pearl, Mississippi and Section 21-19-11 of the Mississippi Code of 1972, as Amended.
24. Order to Ratify General Obligation Refunding Bonds, Series 2020A and General Obligation Taxable Refunding Bonds, Series 2020B, and to Appoint Trustmark National Bank as Escrow Agent for Series2020B Bonds, and to Appoint the Peoples Bank as Paying Agent for both Bond Issues.

## **PUBLIC COMMENT**

None.

## **PUBLIC HEARING**

1. Determine whether or not that certain parcel of real property owned by Martha Phebus and located at 107 Chicot Court, Pearl, Rankin County, Mississippi 39208 (Parcel No. E08Q000002 00430; PPIN No. 011511) 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 24 of the Code of Ordinances of the City of Pearl, Mississippi and Section 21-19-11 of the Mississippi Code of 1972, as Amended.

Martha Phebus was served with notice of the public hearing as required by law.

Community Development Director, Brad Robertson and Code Enforcement Officer, Brian Ellis, informed the Mayor and Board that the property owner had failed to keep 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.

Community Development Director, Brad Robertson recommended that Jay P. Phebus be should be ordered to remove the 51 jet skis and 2 motor homes and bring the property into compliance within 90 days of this date. He further recommended that the property should be inspected every 30 days to determine the progress of Mr. Phebus.

Jay Phebus appeared at the hearing on behalf of Martha Phebus.

**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 owned by Martha Phebus and located at 107 Chicot Court, Pearl, Rankin County, Mississippi 39208 (Parcel No. E08Q000002 00430; PPIN No. 011511)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 cess-pools and standing water therefrom. This shall specifically include, the removal of all outside storage buildings from property, the electric wiring must be in compliance with the City's building code, repair all windows on the structure, and place an access door on the brick skirting near the air conditioning unit.

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.

**Motion was made by Alderman Sartor and seconded by Alderman Luckett. Alderman Sartor's Motion included that Jay P. Phebus shall not not park and or store any jet ski's or motor homes in the front or side yard of this property at at any time. 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 Thompson, Alderman Luckett, Alderman Sartor and Alderman Gill.**

2. Determine whether or not that certain parcel of real property owned by Jay P. Phebus and located at 113 Chicot Court, Pearl, Rankin County, Mississippi 39208 (Parcel No. E08Q000002 00420; PPIN No.011511) 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 24 of the Code of Ordinances of the City of Pearl, Mississippi and Section 21-19-11 of the Mississippi Code of 1972, as Amended.

Jay P. Phebus was served with notice of the public hearing as required by law.

Community Development Director, Brad Robertson and Code Enforcement Officer, Brian Ellis, informed the Mayor and Board that the property owner had failed to keep 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.

Community Development Director, Brad Robertson recommended that Jay P. Phebus be should be ordered to remove the 51 jet skis and 2 motor homes and bring the property into compliance within 90 days of this date. He further recommended that the property should be inspected every 30 days to determine the progress of Mr. Phebus.

Jay Phebus appeared at the hearing.

**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 owned by Jay P. Phebus and located at 113 Chicot Court, Pearl, Rankin County, Mississippi 39208 (Parcel No. E08Q000002 00420; PPIN No.011511) 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 cess-pools and standing water therefrom. This shall specifically include, the removal of all outside storage buildings from property, the electric wiring must be in compliance with the City's building code, repair all windows on the structure, and place an access door on the brick skirting near the air conditioning unit.

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.

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Community Development Director, Brad Robertson and Code Enforcement Officer, Brian Ellis, informed the Mayor and Board that the property owner had failed to keep the property in a man-

ner to keep it from being an eye sore, unsightly and unkept or otherwise a menace to the public health and safety of the community.

**Motion was made by Alderman Sartor and seconded by Alderman Gill. Alderman Sartor's Motion included that Jay P. Phebus shall not park and or store any jet ski's or motor homes in the front or side yard of this property at at any time. 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 Thompson, Alderman Luckett, Alderman Sartor and Alderman Gill.**

### GENERAL BUSINESS

1. Consider an Order to accept the Preliminary Plat for Phase 9 of Patrick Farms Subdivision.

**Motion was made by Alderman Gill and seconded by Alderman Thompson to Adopt an Order accepting the Preliminary Plat for Phase 9 of Patrick Farms Subdivision. 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 Thompson, Alderman Gill, Alderman Luckett and Alderman Sartor.**

There were no emergency consideration of committees, commission and board matters. Having no further business Mayor Windham asked that the meeting be adjourned in Memory of Brenda Jones.

**Motion was made by Alderman Sartor and seconded by Alderman Gill approving an order to adjourn the meeting in Memory of Brenda Jones. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Steverson, Alderman Thompson, Alderman Sartor, Alderman Foy, Alderman Luckett and Alderman Gill.**

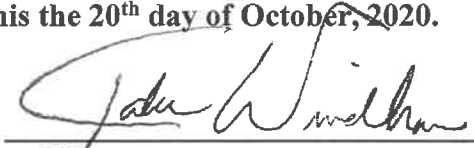
The foregoing were adopted as, and became, the Resolutions and Orders of the Governing Authorities of the City of Pearl, Mississippi on this the 6<sup>th</sup> day of October, 2020.

WITNESS MY SIGNATURE on this the 20<sup>th</sup> day of October, 2020.



ATTEST AND CERTIFY:

  
CITY CLERK, KELLY SCOUTEN

  
JAKE WINDHAM, MAYOR

# GARBAGE REDUCTION

18-5148002  
30-0167002  
37-0344000  
40-0333000  
52-0100009

CAROL COWGILL  
JOHN D MCINTYRE  
MARJORIE CORBAN  
ROBERT HIENSCH  
RUTH STOKES SILAS

940 SWEETWATER CV  
2567 JENNIFER DR  
654 BRUIN AVE  
406 APPLE VALLEY  
200 DAVID ST

SENT 09/24/2020