

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 MARCH 16, 2021, 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 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 Alderman Sartor.

Alderman McHenry led the Pledge of Allegiance.

ACKNOWLEDGEMENTS

- **Recognize Investigator Justin Barnett for 10 yrs. with the Police Dept.**
- **Recognize Captain Amanda Thomasson for 20 yrs. with the Police Dept.**
- **Recognize City Employee of the Month Breanna Magee**

CONSENT AGENDA

Upon Motion by Alderman Thompson and seconded by Alderman Gill, 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, March 2, 2021.
2. Approval of the claims docket for the period of March 2, 2021 to March 16, 2021, in the amount of \$1,495,203.73, in paid claims \$800,848.68, in unpaid claims and \$45,601.00, 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: None
5. Authorization to Travel: None
6. Approval of Merit Increases:
7. Order to approve and authorize payment to Spencer Ready Mix, in the amount of \$5,500.00 for concrete for the emergency repairs to the parking lot and driveway at Central Fire Station.
8. Order to approve and authorize payment to Equipment Inc., in the amount of \$5,500.00 for the rental of one (1) Doosan DX255LC. (2/25/21 – 3/24/21)
9. Order to approve and authorize payment to Lyle Machinery in the amount of \$8,830.50 for the rental of one (1) D6PXI-24 Crawler DO (computer controlled grade machine).
10. Order to approve and authorize payment to Utility Service Co., Inc., in the amount of \$8,327.16, for quarterly maintenance to the 1,000,000 Fluted Column at Pete Walker Lane.
11. Order to approve and authorize payment to Clear River Construction, Inc., in the amount of \$127,890.61, for Parks and Recreation Phase II, City Park.
12. Order to approve and authorize payment to Dickerson & Bowen, in the amount of \$68,851.50, for the Old Whitfield Road Overlay Project.
13. Order to approve and authorize payment to Mississippi Main Street Association in the amount of \$10,000.00 for Main Street Association Dues.
14. Order to approve and authorize the police officers identified on the proposed part-time work schedule for April 2021, which is attached hereto and made a part hereof, the use of the official Pearl Police Department uniform and official Pearl Police Department duty weapon and finding that the proposed employment is not likely to bring disrepute to the City of Pearl, or the Pearl Police Department, the officers at issue, or law enforcement generally, and that the use of the official uniform and weapon in the discharge of the officer's private security endeavor promotes the public interest of the City of Pearl.
15. Order to approve and authorize the purchase of video licenses from Callyo in the amount of \$1,680.00 per year for the Narcotics Division. (sole source)

16. Order to accept and receive the donation of (1) 2009 Dodge Charger with VIN#2B3KA43T99H525880, to the City of Pearl Police Dept.at no cost; said items shall be placed on the inventory of the Pearl Police Department.
17. Order to approve the Manage Service Agreement, by and between, Techsource Solutions, Inc. and the City of Pearl, in the amount of \$9,300.00 per month, and to authorize Mayor Windham to sign all related documents.
18. Order to set public hearing for April 20, 2021, at 6:00 p.m. to consider request by Crown Homes, LLC, and J.T. Crownover, for a dimensional variance to allow him to build three (3) 1,500 sq. ft. houses instead 1,800 sq. ft. that the ordinance requires at 907,935 and 936 Prestige Lane.
19. Order to accept the proposal of Enterprise Fleet Management for Public Works and to authorize Mayor Windham to sign all necessary agreements.
20. Order to adopt the Deputy Court Clerk job description, declare a vacancy in Court Records and direct the City Clerk to post and publish vacancy for applications.
21. Order to approve and authorize the purchase and installation of a new transfer switch for generator located at Fire Station No. 4 from Taylor Power in the amount of \$8,405.00. (quotes obtained)
22. Order to continue the public hearing to consider request by Daniel Palmer, on behalf of, Hibbett Sporting Goods, Inc., for a variance to allow a 62 sq. ft. illuminating sign at 5468 Highway 80 E., Pearl MS 39208, to April 6, 2021, at 6:00 p.m.
23. Order to adopt a Resolution accepting the bid of Hemphill Construction Company, Inc. for Pearl Richland Intermodal Connector, Adkins Drive Project, finding that the conforming bid of Hemphill Construction Company, Inc., is the lowest and best bid in the amount of \$2,146,943.50, and that the contract should be and hereby is awarded to Hemphill Construction Company, Inc., and to authorize Mayor Windham to sign all related documents.

PUBLIC COMMENT

None.

PUBLIC HEARING

1. Consider request by Ken and Susan Barrington for a dimensional variance to allow a 1500 sq. ft. house instead of the 1800 sq. ft. required by the City of Pearl Code of Ordinances.

Susan Barrington appeared in support of her request. There was no one to speak in opposition of this request. Motion was made by Alderman Gill and seconded by Alderman Thompson to accept the Community Development Director's recommendation to deny the request by Ken and Susan Barrington for a dimensional variance to allow a 1500 sq. ft. house instead of the 1800 sq. ft. required by the City of Pearl Code of Ordinances. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Steverson, Alderman Thompson, Alderman Sartor, Alderman McHenry, Alderman Foy, Alderman Luckett and Alderman Gill.

2. Consider request by John Johnson for a variance to allow him to build a metal building at 549 Pearl Park Plaza.

John Johnson appeared in support of his request. There was no one to speak in opposition of this request. Motion was made by Alderman Sartor and seconded by Alderman Luckett to approve the variance to allow him to build a metal building at 549 Pearl Park Plaza. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Sartor, Alderman Luckett and Alderman Foy; Alderman Steverson, Alderman McHenry, Alderman Thompson, and Alderman Gill voted against the Motion. The Motion failed.

3. Consider request by Eastflow Church to operate a church at 2717 Highway 80 E., Pearl, MS 39208.

Pastor Darren Givens appeared in support of his request. There was no one to speak in opposition of this request. Motion was made by Alderman Thompson and seconded by Alderman Luckett to accept the Community Development Director's recommendation to approve the request by Eastflow Church to operate a church at 2717 Highway 80 E., 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 Steverson, Alderman Thompson, Alderman Sartor, Alderman McHenry, Alderman Foy, Alderman Luckett and Alderman Gill.

4. Determine whether or not that certain parcel of real property owned by John W. Trotter and located at 358 Reynolds St., Pearl, Rankin County, Mississippi 39208 (Parcel No. E08Q000008 00710; PPIN No. 011671) 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.

John W. Trotter, was served with notice of the public hearing as required by law.

Community Development Director, Brad Robertson 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.

John W. Trotter did not appear 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 John W. Trotter and located at 358 Reynolds St., Pearl, Rankin County, Mississippi 39208 (Parcel No. E08Q000008 00710; PPIN No. 011671) 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 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 dwelling, 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 McHenry and seconded by Alderman Gill. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Foy, Alderman McHenry, Alderman Steverson, Alderman Thompson, Alderman Luckett, Alderman Sartor, and Alderman Gill.

5. Determine whether or not that certain parcel of real property owned by Beverly Ann

Wood Hurst and located at 142 Cooperhurst Rd., Pearl, Rankin County, Mississippi 39208 (Parcel No. E08N000064 00010; PPIN No. 011298) 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.

Motion was made by Alderman Foy and seconded by Alderman Thompson to continue this hearing until May 4, 2021. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Foy, Alderman McHenry, Alderman Steverson, Alderman Gill, Alderman Sartor, Alderman Luckett and Alderman Thompson.

6. Determine whether or not that certain parcel of real property owned by 3420 East Lisa Trust C/O Bravo Realty, and located at 3420 East Lisa Dr., Pearl, Rankin County, Mississippi 39208 (Parcel No. E08L000008 00940; PPIN No. 010907) 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.

The subject property was previously adjudicated on February 2, 2021, by the Board of Alderman 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. In said adjudication, the Board gave the property owner until the date of this meeting to perform certain tasks to which the property owner has failed to complete.

Charles Sudduth was not present. There was no one to speak in opposition. Motion was made by Alderman Gill and seconded by Alderman Thompson to accept the Community Development Director's recommendation to proceed with the demolition of this property. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Steverson, Alderman Thompson, Alderman McHenry, Alderman Foy, Alderman Luckett and Alderman Gill; Alderman Sartor voted against the Motion.

GENERAL BUSINESS

1. Consider request to place a "Stop" sign at the three-way intersection of Henderson Rd. and Woodland Way.

Motion was made by Alderman Luckett and seconded by Alderman Sartor to place a "Stop" sign at the three-way intersection of Henderson Rd. and Woodland Way. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Steverson, Alderman Thompson, Alderman Sartor, Alderman

McHenry, Alderman Foy, Alderman Lockett; Alderman Gill voted against the Motion.

2. Consider Mayoral Veto with regard to request by Dwayne Green for a conditional use permit to place a mobile home on his property at 5846 Old Brandon Rd., that is currently zoned R-E.

No action taken.

3. Consider executive session to discuss personnel matters in Public Works Department.

Motion was made by Alderman Foy and seconded by Alderman Gill to consider an executive session to discuss personnel matters in the Public Works Department; 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.

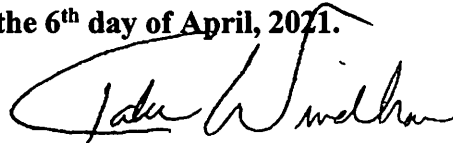
It was announced that upon a Motion made by Alderman Gill and seconded by Alderman Foy the board entered executive session to discuss personnel matters in the Municipal Court; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Foy, Alderman Lockett, Alderman McHenry, Alderman Thompson, Alderman Sartor and Alderman Steverson.

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 Ms. Dian Snell.

Motion was made by Alderman Gill and seconded by Alderman Foy approving an order to adjourn the meeting in memory of Ms. Dian Snell. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Steverson, Alderman Thompson, Alderman Sartor, Alderman McHenry, Alderman Foy, Alderman Lockett 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 16th day of March, 2021.

WITNESS MY SIGNATURE on this the 6th day of April, 2021.



JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:

Kelly Scouten

CITY CLERK, KELLY SCOUTEN

