

**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 2, 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 Foy.

Alderman Lockett led the Pledge of Allegiance.

**CONSENT AGENDA**

**Upon Motion by Alderman Foy 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, February 16, 2021 and Special Called Meeting, February 4, 2021.
2. Approval of the claims docket for the period of February 16, 2021 to March 2, 2021, in the amount of \$3,580,725.04, in paid claims \$216,540.07, in unpaid claims and \$561.03, 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:  
Joshua McPherson- PD  
Lionel Jackson- STREET  
Kimberly Richardson- Public Works  
Ryan Patrick- B & G
7. Order to approve and authorize the promotion and transfer of Joshua McPherson from Patrol Officer to Narcotics Investigator.
8. Order to approve and authorize payment to Mississippi Lime in the amount of \$15,696.41 for the purchase of Lime for the Retention Pond Project. (This includes Inv.# 264227 - \$5,094.99. less freight \$577.63, Inv.#264181 -\$5,101.38 less freight \$578.35, and Inv#264653 - \$5,500.04 less freight \$580.54.)
9. Order to approve and authorize payment to Spencer Ready Mix, in the amount of \$6,295.00 for concrete for the emergency repairs to the parking lot and driveway at Central Fire Station.
10. Order to approve and authorize payment to Barnard & Sons Construction, LLC, in the amount of \$170,381.27, for Parks and Recreation Baseball & Softball Fields.
11. Consider an Order to approve and authorize Contract Change Order Number Three (3) between the City of Pearl and Clear River Construction Company, Inc. and to authorize Mayor Windham to sign all related documents.
12. Order to approve the Construction Engineering and Inspection Services Contract by and between, Pearl-Richland Intermodal Connector Commission and Pickering Firm and to authorize Mayor Windham to sign the same.
13. Order to approve and authorize the use of city vehicles and to allow passengers during the conducting of the annual Mayor's Youth Council Career Day on March 31, 2021.
14. Order to approve and authorize payment to Pickering Firm, Inc. in the amount of \$25,269.00 for the Highway 80 Signal Upgrade.
15. Order to approve the Contractor's Estimate #1 and authorize payment to Lewis Electric in the amount of \$48,199.00 for the Highway 80 Signal Upgrade.
16. Order to approve the sale of the real property described as being 2.2 acres +/- located in the City of Madison, MS, Parcel# 071A-12D-002/0000, and further described in the legal description attached hereto and made a part hereof, and to authorize Mayor Windham to sign all related documents.

17. Order to set public hearing for April 6, 2021, at 6:00 p.m. to determine whether or not that certain parcel of real property owned by Robert L. Beacham, and located at 109 Mack Willie Rd, Pearl, Rankin County, Mississippi 39208 (Parcel No. G08J000013 00000; PPIN No. 018769) 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.
18. Order to extend the Ordinance proclaiming existence of an emergency.

### PUBLIC COMMENT

None.

### PUBLIC HEARING

1. Consider request by Jeff Bagley for a variance for the setbacks for each lot in Serenity Lake Subdivision to allow for a front setback of 15ft., a rear setback of 15 ft. and a side setback of 5 ft. and to accept the Preliminary Plat for Serenity Lake Subdivision.

**Jeff Bagley appeared in support of his request. There was no one to speak in opposition of this request. Motion was made by Alderman Luckett and seconded by Alderman Foy to accept the Community Development Director's recommendation to grant the request by Jeff Bagley for a variance for the setbacks for each lot in Serenity Lake Subdivision to allow for a front setback of 15ft., a rear setback of 15 ft. and a side setback of 5 ft. and to accept the Preliminary Plat for Serenity Lake Subdivision. 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 Luckett and Alderman Gill.**

2. Consider 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.

**Mr. Dwayne Green, spoke in favor of the request for a conditional use permit place a mobile home on his property at 5846 Old Brandon Rd., that is currently zoned R-E. Community Development Director recommends that this request should be denied.**

**The Mayor asked for anyone speak in favor of the request and hearing none, the Mayor asked if anyone was present to speak in opposition of the request.**

**Motion was made by Alderman Luckett and seconded by Alderman Sartor to grant the request for a conditional use permit to place a mobile home on his property at 5846 Old Brandon Rd., that is currently zoned R-E. Alderman Sartor, Alderman Luckett, Alderman Thompson and Alderman Foy voted in favor of granting the conditional use. Alderman Gill, Alderman McHenry and Alderman Steverson voted in opposition of granting the conditional use.**

3. Consider request by Powerhouse of Deliverance, Restoration and Encouragement Ministry for a conditional use permit to operate a ministry at 4490C Highway 80.

**Emma Armstrong appeared in support of this request. There was no one to speak in opposition of this request. Motion was made by Alderman Thompson and seconded by Alderman Lockett to accept the Community Development Director's recommendation to grant the request Powerhouse of Deliverance, Restoration and Encouragement Ministry for a conditional use permit to operate a ministry at 4490C Highway 80. 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.**

4. Consider request by Margo Hurst for a variance to allow her to place a metal garage at 802 Leo Paul St.

**Margo Hurst appeared in support of this request. There was no one to speak in opposition of this request. Motion was made by Alderman McHenry and seconded by Alderman Gill to accept the Community Development Director's recommendation to grant the request by Margo Hurst for a variance to allow her to place a metal garage at 802 Leo Paul St. 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.**

5. Consider request by Carmen Allen for a variance to allow a metal building at 211 N. Foxhall Rd.

**Carmen Allen appeared in support of this request. There was no one to speak in opposition of this request. Motion was made by Alderman Sartor and seconded by Alderman Lockett to accept the Community Development Director's recommendation to grant the request by Carmen Allen for a variance to allow a metal building at 211 N. Foxhall Rd. 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.**

6. Determine whether or not that certain parcel of real property owned by Mitchell Sylvester, and located at 404 Old Whitfield Rd., Pearl, Rankin County, Mississippi 39208 (Parcel No. E07P000038 00000; PPIN No. 008452) 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 Thompson and seconded by Alderman Sartor to continue this hearing until August 3, 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 Lockett and Alderman Thompson.**

7. Determine whether or not that certain parcel of real property owned by Edna Simpson, and located at 4342 Autry St., Pearl, Rankin County, Mississippi 39208 (Parcel No. F09C000003 00040; PPIN No. 015638) 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.

Edna Simpson, 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.

Edna Simpson 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 Edna Simpson, and located at 4342 Autry St., Pearl, Rankin County, Mississippi 39208 (Parcel No. F09C000003 00040; PPIN No. 015638) 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 cess-pools 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.

7) That the property owner shall produce to the Community Development Director on or before, April 6, 2021, a signed contract with a licensed contractor and a date on which said contractor will begin work.

**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 McHenry, Alderman Steverson, Alderman Thompson, Alderman Lockett, Alderman Sartor and Alderman Gill.**

8. 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.

**Motion was made by Alderman Lockett and seconded by Alderman Thompson to continue this hearing until March 16, 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 Sartor, Alderman Lockett and Alderman Thompson. Alderman Gill 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.

The recommendation was made by city attorney, Brendan Sartin, that a traffic report and/or traffic study should be conducted by the city traffic engineer, Pickering Firm, Inc.

**Motion was made by Alderman Lockett and seconded by Alderman Thompson to request a traffic report and/or a traffic study by the city engineer, Pickering Firm, Inc., to be completed by the next meeting, March 16, 2021, for consideration by the Board of Aldermen.**

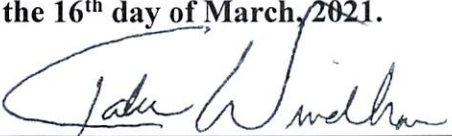
The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Foy, Alderman McHenry, Alderman Steverson, Alderman Sartor, Alderman Luckett, Alderman Thompson and Alderman Gill.

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 Carrie Wood, Gay Marselles, and Jack May.

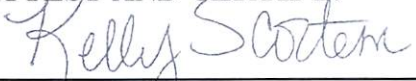
Motion was made by Alderman Steverson and seconded by Alderman McHenry approving an order to adjourn the meeting in memory of Carrie Wood, Gay Marselles, and Jack May. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Steverson, Alderman Thompson, Alderman Sartor, Alderman McHenry, Alderman Foy, Alderman 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 2<sup>nd</sup> day of March, 2021.

WITNESS MY SIGNATURE on this the 16<sup>th</sup> day of March, 2021.

  
\_\_\_\_\_  
JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:

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

