

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 7, 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 Williams
Alderman Dennis
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 Steverson.

Alderman Thompson led the Pledge of Allegiance.

CONSENT AGENDA

Upon Motion by Alderman Gill and seconded by Alderman Williams, 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, August 17, 2021 and Special Called Meeting, August 26, 2021.
2. Approval of the claims docket for August 17, 2021 to September 7, 2021, in the amount of \$3,833,584.57, in paid claims \$514,665.23 in unpaid claims and \$147,070.15, addendum.
3. Approval of garbage exemption applications and renewals.
4. Approval of application(s)
Sandra Palmer – Reception

5. Approval of authorization to travel:
Joshua McPherson- Camp Shelby, MS (Southern Regional Public Safety Institute) (9/28-9/30/2021)
Brad Phillips- Memphis, TN (EMT skills testing) (9/24-9/25/2021)
Donell Reynolds- Forsyth, GA (Precision Immobilization Class) (9/8-9/10/2021)
Jessica Fant- Ridgeland, MS (Orientation E-telecommunications) (9/20-9/21,2021)
6. Approval of merit increases.
Brandon Dearman- PD
Robert Filbert- PD
Joshua McPherson- PD
Brian Ellis- PD
Tommy Boswell- PD
Matt Fagan- FD
7. Order to approve and authorize the Memorandum of Understanding by and between the Department of Finance and Administration and the City of Pearl to assist the City of Pearl in paying costs associated with Pearl Richland Intermodal Project in the amount of \$2,000,000.00. (Senate Bill 2948)
8. Order to adopt a Resolution authorizing the City Clerk and Mayor Windham to create an additional checking account for the purpose of the Pearl Richland Intermodal Project/SB 2948 Funds and to authorize Mayor Windham, City Clerk, and Alderman McHenry to sign all related documents.
9. Order to adopt a Resolution authorizing the City Clerk and Mayor Windham to create an additional checking account for the purpose of the General Fund Reserve and to authorize Mayor Windham, City Clerk, and Alderman McHenry to sign all related documents.
10. Order to adopt a Resolution authorizing the City Clerk and Mayor Windham to create an additional checking account for the purpose of the Parks and Recreation Commission and to authorize Mayor Windham, City Clerk, and Alderman McHenry to sign all related documents.
11. Order to adopt a Resolution of the City of Pearl of the intent to increase the fees or charges with regard to collection and disposal services for garbage and rubbish, pursuant to section 21-19-2 Miss. Code of 1972 as annotated.
12. Order to approve and authorize payment to Hutton Homes, Inc. in the amount of \$35,807.00, for bathroom repairs to Fire Station #3.
13. Order to approve the Task Force Agreement by and between, Pearl Police Dept. and Dept. of Justice, Drug Enforcement Administration (DEA) and to authorize Mayor Windham to sign all related documents.
14. Order to approve and authorize the purchase of (50) Tazer Cartridges from Axon Enterprise, Inc., in the amount of \$2,077.00. (sole source)

15. Order to adopt a Resolution finding that the (42) Taser X26, as surplus, and to approve and authorize the disposal of said property which may be disposed of as deemed appropriate and in the best interest of the City of Pearl as required by law.
16. Order to approve the Facilities Use Agreement by and between, the City of Pearl and Bridge Builders Leadership Initiative for the use of Parks and Receptions Facilities and to authorize Mayor Windham to sign all related documents.
17. Order to approve the Memorandum of Understanding by and between, the City of Pearl and the Metropolitan YMCAs of Mississippi and to authorize Mayor Windham to sign all related documents.
18. Order to approve and authorize the conducting of a "Trick or Treat Street" event on October 23, 2021, and authorizing the purchase of candy to be distributed during said event and finding that such expenditures advertise and bring favorable notice to the opportunities and resources of the City of Pearl, Mississippi.
19. Order to approve and authorize the conducting of a "Candyland Christmas" event on December 4, 2021, and authorizing the refreshments and crafts, to be distributed during said event and finding that such expenditures advertise and bring favorable notice to the opportunities and resources of the City of Pearl, Mississippi.
20. Order to approve and authorize the maintenance, service and repairs on the golf course back nine irrigation pump by Werth Servicing in the amount of \$14,838.50.
21. Order to approve and authorize the Pearl Parks and Receptions Pearl Youth Basketball League registration dates and fees.
22. Order to approve and authorize payment to Barnard & Sons Construction, LLC, in the amount of \$452,902.37, for the Parks & Recreation Construction Project Softball & Baseball.
23. Order to approve and authorize payment to Clear River Construction Co., Inc., in the amount of \$14,129.11, for the Parks & Recreation Construction Project Phase II: City Park Improvements.
24. Order to approve and authorize entering into an Agreement by and between, the City of Pearl and MSA of MS, LLC, for all concession sales for Pearl Parks and Recreation at Pearl Youth Baseball Complex, Center City Complex, Pearl Youth Softball Complex and Shepherd Field.
25. Order to approve and authorize payment to Wierhouse Living LLC, in the amount of \$12,600.00 for Sign Ordinance and Sign Renderings. (Inv. ARB21-008 \$3,900.00; ARB21-009 \$4,500.00; ARB21-010 \$4,200.00)
26. Order to approve the Agreement by and between the City of Pearl and CMPDD for GIS Service Applications Hosting and to authorize Mayor Windham to sign the same.

27. Order to approve and authorize payment to CDBG in the amount of \$8,000.00, for professional services on CDBG Grant- SE Sanitary Sewer Project.
28. Order to approve entering into an Agreement with the Pickering Firm, Inc., for Construction, Engineering and Inspection Services for the Pearl-Richland Intermodal Connector Commission Bridge Project and to authorize Mayor Windham to sign the same.
29. Order to approve and authorize payment to Pickering Firm, in the amount of \$37,752.91, for the Pearl-Richland Intermodal Connector Commission Bridge Project.
30. Order to approve entering into an Agreement with the Granicus, for the use of their Legistar Software, for the automation of Board Meeting Agenda's, Minutes and File Management, authorize payment in the amount of \$6,600.00 and authorize Mayor Windham to sign the same.
31. Order to approve and authorize payment to Equipment Inc., in the amount of \$5,500.00 for the rental of one (1) Doosan DX255LC-5 US20. (8/12/21 – 9/8/21)
32. Order to approve and authorize payment to Lyle Machinery in the amount of \$8,830.50 for the rental of one (1) D61PXI-24 Crawler DO. (computer controlled grade machine). (8/4/21 – 8/31/21)
33. Order to adopt a Resolution finding that the certain items identified on the attached list, submitted by Auto Maintenance, which is incorporated herein by reference, as surplus, and to approve the disposal and/or sale of each item as required by law.
34. Order to set public hearing for October 5, 2021, at 6:00 p.m. to consider an Amendment to the Official Zoning Map.
35. Order to adopt a Resolution to adjudicate the cost of cutting grass at 751 Clearmont Dr., Pearl, MS 39208.
36. Order to set public hearing for October 5, 2021, at 6:00 p.m. to determine whether or not that certain parcel of real property owned by Jody L. and Ruzie L. Davis Wilcox, and located at 402 Valentour Rd., Pearl, Rankin County, Mississippi 39208 (Parcel No. E08N000012 00010; PPIN No. 061744) 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.
37. Order to approve and authorize the selection of the Pickering Firm, Inc., by the Public Works Infrastructure Selection Committee, for Engineering and Inspection Services for the Pine Park Hazard Mitigation Project.
38. Order to adopt the Amended "Fee Schedule" for the City of Pearl, Mississippi and adopt a Resolution modifying the Utility Rates charged.

39. Order to adopt a Resolution of the City of Pearl Increasing the fees or charges with regard to collection and disposal services for garbage and rubbish, pursuant to Section 21-19-2 Miss. Code of 1972 as annotated.

PUBLIC HEARING

1. Determine whether or not that certain parcel of real property owned by Mary Elizabeth Crossman Trustee of The Mary Elizabeth Crossman Revocable Trust, and located at 643 South Pearson Rd., Pearl, Rankin County, Mississippi 39208 (Parcel No. E08B000004 00000; PPIN No. 008772) 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 the hearing until November 2, 2021. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman McHenry, Alderman Steverson, Alderman Gill, Alderman Dennis, Alderman Foy, Alderman Williams and Alderman Thompson.

2. Determine whether or not that certain parcel of real property owned by Walter Winters, and located at 827 George Kersh Dr., Pearl, Rankin County, Mississippi 39208 (Parcel No. F08A000012 00060; PPIN No. 014230) 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.

Walter Winters, 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.

No one appeared at the hearing on behalf of the property.

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 parcel of real property owned by Walter Winters, and located at 827 George Kersh Dr., Pearl, Rankin County, Mississippi 39208 (Parcel No. F08A000012 00060; PPIN No. 014230) (Parcel No. F08M000007 00011; PPIN No. 014812) 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, unsecure, 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, unsecure, 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 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 McHenry, Alderman Steverson, Alderman Thompson, Alderman Dennis, Alderman Williams, Alderman Foy and Alderman Gill.

GENERAL BUSINESS

1. Consider request by J.T. Crownover to accept the final plat for Residence of Riverwind Phase 4.

Motion was made by Alderman Thompson and seconded by Alderman McHenry to approve the request by J.T. Crownover to accept the final plat for Residence of Riverwind Phase 4. The following members of the Board of Aldermen voted in favor of the Motion: Alderman Williams, Alderman Thompson, Alderman McHenry, Alderman Dennis and Alderman Gill; Alderman Foy and Alderman Steverson voted against the Motion.

2. Consider request of Spinal USA, Inc. to grant Free Port Warehouse License and declare that the above warehouse be exempt from all ad valorem taxation on personal property shipped out of state during the calendar year.

Motion was made by Alderman Gill and seconded by Alderman Steverson to approve the request of Spinal USA, Inc. to grant Free Port Warehouse License and declare that the above warehouse be exempt from all ad valorem taxation on personal property shipped out of state for a period of (4) years or the term of the governing authorities and shall expire on June 30, 2025; The following members of the Board of Aldermen voted in favor of the Motion: Alderman Williams, Alderman Thompson, Alderman McHenry, Alderman Dennis, Alderman Gill, Alderman Foy and Alderman Steverson.

3. Consider an Order to Adopt a Resolution to Adopt the Budget for the City of Pearl, Mississippi for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022.

Motion was made by Alderman Gill and seconded by Alderman Thompson Adopting a Resolution to Adopt the Budget for the City of Pearl, Mississippi for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022; The following members of the Board of Aldermen voted in favor of the Motion: Alderman Williams, Alderman Thompson, Alderman McHenry, Alderman Dennis, Alderman Gill, Alderman Foy and Alderman Steverson.

4. Consider Executive Session to discuss personnel matters in the Police Department.

Motion was made by Alderman Gill and seconded by Alderman Dennis to consider an executive session to discuss personnel matters in the Police 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 Williams, Alderman Thompson, Alderman McHenry, Alderman Dennis, and Alderman Steverson.

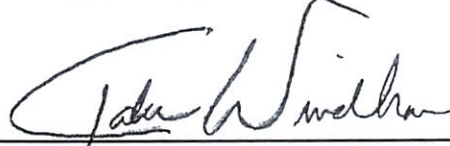
It was announced that upon a Motion made by Alderman Gill and seconded by Alderman Thompson the board entered executive session to discuss personnel matters in the Police Department; The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman Gill, Alderman Foy, Alderman Williams, Alderman McHenry, Alderman Thompson, Alderman Dennis, 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 Angela Wright, Kenny Dennis, Augustine Kelly and Judy Young.

Motion was made by Alderman Steverson and seconded by Alderman McHenry approving an order to adjourn the meeting in memory of Angela Wright, Kenny Dennis, Augustine Kelly and Judy Young; The following members of the Board of Aldermen voted in favor of the Motion: Alderman Gill, Alderman Foy, Alderman Williams, Alderman Thompson, Alderman McHenry, Alderman Dennis and Alderman Steverson.

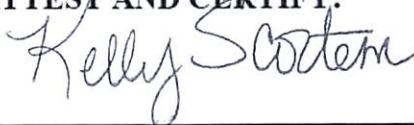
The foregoing were adopted as, and became, the Resolutions and Orders of the Governing Authorities of the City of Pearl, Mississippi on this the 7th day of September, 2021.

WITNESS MY SIGNATURE on this the 21st day of September, 2021.



JAKE WINDHAM, MAYOR

ATTEST AND CERTIFY:



CITY CLERK, KELLY SCOUTEN

