

City of Pearl

2420 Old Brandon Road
Pearl, MS 39288-5948
Office: (601) 932-2262



Meeting Minutes - Final

Tuesday, February 20, 2024

6:00 PM

Council Chambers

Mayor and Board of Aldermen

JAKE WINDHAM
Mayor

KELLY SCOUTEN
City Clerk

VACANT - Alderman-at-Large
SAMMY WILLIAMS - Alderman Ward 1
KEITH DENNIS - Alderman Ward 2
JOHNNY STEVERSON - Alderman Ward 3
CASEY FOY - Alderman Ward 4
DWIGHT KNIGHT - Alderman Ward 5
VACANT - Alderman Ward 6

6:00 P.M.

CALL TO ORDER

- Present:** Alderman McHenry
Alderman Williams
Alderman Dennis
Alderman Steverson
Alderman Gill
Mayor Windham
Alderman Knight
- Absent:** Alderman Foy

ROLL CALL

- Present:** Alderman McHenry
Alderman Williams
Alderman Dennis
Alderman Steverson
Alderman Foy
Alderman Gill
Mayor Windham
Alderman Knight

PRAYER

Alderman Knight opened the meeting with prayer.

PLEDGE

Alderman Dennis led the Pledge of Allegiance.

ACKNOWLEDGEMENTS

Police officer of the month Michael Hollingsworth
Employee of the month Steve Johnson, Auto Maintenance

APPROVAL OF CONSENT AGENDA ITEMS:

All items under this heading will be considered to be approved with one motion and one vote. If further discussion is desired on any item, it will automatically be removed from the consent agenda and will be considered as a general business item.

Approval of the Consent Agenda

Upon motion by Alderman Gill and seconded by Alderman Steverson, the following items were approved and adopted as the Orders of the Board by majority affirmative vote ("Aye") of the Alderman present:

- Aye:** Alderman McHenry, Alderman Williams, Alderman Dennis, Alderman Steverson, Alderman Foy, Alderman Gill, and Alderman Knight

1. approve.

2.

approve.

3.

approve.

4.

approve.

5.

approve.

6.

approve.

7. Order to approve and authorize payment to Pickering Firm, Inc. for Engineer’s Invoice Package #2 for \$27,080.24 on the Pearl-Richland Intermodal Connector Phase II. (100% funded)

approve.

8. Approval for payment to Holmes Community College for Spring 2024 Semester Paramedics in the amount of \$8,073.80. Students are Malachi Adams, J.D. Davis, Brandon Pennypacker and Patrick Finnegan

approve.

9. Order to approve and authorize payment of final invoice package #9 from Pickering Firm, Inc. for \$85,312.31 on the Pearl-Richland Street Realignment Project.

approve.

10.

approve.

11.

approve.

12.

approve.

13. Order to approve and authorize a donation in the amount of \$6,600 to the Pearl Community Theatre for the Spring Play “Moana”, to advertise and bring into favorable notice the opportunities, possibilities and resources of the municipality (budgeted item).

approve.

14. Order to set public hearing for March 5, 2024 to determine whether or not a Conditional Use Permit to allow James Harper to operate a Tier-two cultivation and Tier-one micro-processing facility should be granted to the tenant at 481 Childre Road.
approve.
15. Order to set public hearing for March 5, 2024 to determine whether or not a Conditional Use Permit to allow Desmond Moore to operate a tattoo shop should be granted to the tenant at 136 South Pearson Road.
approve.
16. Order to set public hearing for March 5, 2024 to determine whether or not a Conditional Use Permit to allow Jason Corban to operate a medical cannabis dispensary should be granted to the tenants at 3040 Highway 80, Suite C.
approve.
17. Order to approve and authorize payment of Contractor's Invoice Package #1 to Powell Construction Services for \$88,685.18 on the MPO Signal Upgrade Project (80% funded by MDOT)
approve.
18. Request Approval to pay second installment of website rebuild project to MadGenius in the amount of \$4,995.00
approve.
19. Requesting Approval for TimeClock Plus (with Police Dept addition) in the amount of \$6,470.23
approve.
20. Order to approve and authorize payment to Pickering Firm, Inc. for \$9,845.00 for bidding and construction engineering on the Grandview Sewer Rehabilitation Project (ARPA Funds).
approve.
21. Order to adopt resolutions of the Mayor and Board of Aldermen of the City of Pearl, MS authorizing and approving the application to the Jackson Metropolitan Planning Organization (MPO) to request funding (70/30) on five surface transportation projects: 3 pavement management and 2 safety project and to authorize Mayor Windham to execute the same.
approve.
22.
approve.
24. Order to approve and accept Proposal from Van Buren Lawn and Landscape for the Landscaping and Grounds Maintenance Services for Parks and Recreation.
approve.

PUBLIC HEARINGS

1. Public hearing to determine whether or not a Conditional Use Permit to allow Latrine Johnson to operate a beauty salon at 3627 Highway 80 E, Ste D.

Latrine Johnson appeared on behalf of her request. There was no one to speak in opposition. Motion was made by Alderman Gill and seconded by Alderman Knight to accept the recommendation of Community Development Director, Brad Robertson, grant the conditional use permit and allow Latrine Johnson to operate a beauty salon at 3627 Highway 80 E, Ste D. The following members of the Board of Alderman voted in favor of the Motion which became the Order of the Board:

Aye: Alderman McHenry, Alderman Williams, Alderman Dennis, Alderman Steverson, Alderman Foy, Alderman Gill, and Alderman Knight

2. Public hearing to determine whether or not a Conditional Use Permit to allow Baldeep Singh to build and operate a Convenience Store/Restaurant at Parcel#G09B-11-160 (Corner of Old Brandon Road and Metroplex Boulevard.

Baldeep Singh appeared on behalf of his request. There was no to speak in opposition. Motion was made by Alderman Dennis and seconded by Alderman Knight to accept the recommendation of Community Development Director, Brad Robertson and deny a Conditional Use Permit to allow Baldeep Singh to build and operate a Convenience Store/Restaurant at Parcel#G09B-11-160 (Corner of Old Brandon Road and Metroplex Boulevard. This would not have been consistent with the current zoning. The following members of the Board of Alderman voted in favor of the Motion which became the Order of the Board:

Aye: Alderman McHenry, Alderman Williams, Alderman Dennis, Alderman Steverson, Alderman Foy, Alderman Gill, and Alderman Knight

3. Public hearing to determine whether or not a Conditional Use Permit to allow Coleman and Janice Hammons to operate a medical cannabis dispensary should be granted to the owners at 102B Metroplex Boulevard.

Motion was made by Alderman Gill and seconded by Alderman McHenry to continue the public hearing until March 19, 2024, to determine whether or not a Conditional Use Permit to allow Coleman and Janice Hammons to operate a medical cannabis dispensary should be granted to the owners at 102B Metroplex Boulevard. The following members of the Board of Alderman voted in favor of the Motion which became the Order of the Board:

Aye: Alderman McHenry, Alderman Williams, Alderman Dennis, Alderman Steverson, Alderman Gill, and Alderman Knight

Absent: Alderman Foy

PUBLIC HEARINGS 21-19-11

Determine whether or not the owners and those certain parcels of real property which are listed herein, are in such a condition or state as to be unsightly and un-kept 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:

4. Order to set public hearing on February 20, 2024, at 6:00 p.m. to determine whether or not Joe W. Dillard and located at 204 Aqua Way, Pearl, Rankin County, Mississippi 39208; is in such a condition or state as to be unsightly and un-kept 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.

Joe W. Dillard 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. Dwayne Dillard 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 real property owned by Joe W. Dillard, and located at 204 Aqua Way, Pearl, Rankin County, Mississippi 39208 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. 8) That Community Development Director, Brad Robertson, shall provide a list of all unsightly conditions that must be corrected and that the homeowner shall have the property cleaned and in compliance within 30 days of the date of this meeting.

This Motion was made by Alderman Knight and seconded by Alderman Dennis. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman McHenry, Alderman Dennis, Alderman Gill, Alderman Williams, Alderman Knight and Alderman Steverson.

Aye: Alderman McHenry, Alderman Williams, Alderman Dennis, Alderman Steverson, Alderman Gill, and Alderman Knight

Absent: Alderman Foy

5. Ruby Cannon and located at 239 Reynolds Street, Pearl, Rankin County, Mississippi 39208.

Ruby Cannone 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 real property owned by Ruby Cannon, and located at 239 Reynolds St., Pearl, Rankin County, Mississippi 39208 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 McHenry. The following members of the Board of Aldermen voted in favor of the Motion which became the Order of the Board: Alderman McHenry, Alderman Dennis, and Alderman Gill; Alderman Foy and Alderman Steverson voted against the Motion.

Aye: Alderman McHenry, Alderman Williams, Alderman Dennis, Alderman Steverson, Alderman Gill, and Alderman Knight

Absent: Alderman Foy

GENERAL BUSINESS

23.

Motion was made by Alderman Knight and seconded by Alderman Dennis to approve the Independent Contractor Professional Services Agreement between the City of Pearl, Mississippi and Lee Hawkins, and to authorize Mayor Windham to sign the same. The following members of the Board of Alderman voted in favor of the Motion which became the Order of the Board:

Aye: Alderman Williams, Alderman Dennis, Alderman Steverson, Alderman Gill, and Alderman Knight

Nay: Alderman McHenry

Absent: Alderman Foy

1.

Motion was made by Alderman Gill and seconded by Alderman Knight to consider Executive Session to discuss personnel matters in the Police Dept. The following members of the Board of Alderman voted in favor of the Motion which became the Order of the Board:

Aye: Alderman McHenry, Alderman Williams, Alderman Dennis, Alderman Steverson, Alderman Gill, and Alderman Knight

Absent: Alderman Foy

EMERGENCY CONSIDERATION OF COMMITTEES, COMMISSIONS, AND BOARD MATTERS.

ADJOURN IN MEMORY OF MRS. JIMMY LINGLE AND MRS. EARLENE FLEMING

A motion was made by Alderman Knight, seconded by Alderman Gill, to adjourn the meeting in Honor of Mrs. Jimmy Lingle, Mrs. Earlene Fleming and Don Taylor. The motion carried by the following vote:

Aye: Alderman McHenry, Alderman Williams, Alderman Dennis, Alderman Steverson, Alderman Gill, and Alderman Knight

Absent: Alderman Foy