REGULAR COUNCIL MEETING, TUESDAY, NOVEMBER 19, 2013 AT 5:00 P.M.

Meeting called to order by Council President Thomas.

Present: Thomas, Markham, Henson, Houston, Hammon.

Absent: None.

The meeting was opened with prayer by Rev. James Barney, Jr. of Porterville Zion Baptist Church and followed by the Pledge to the Flag.

Motion was made by Councilwoman Houston duly seconded by Councilwoman Henson and unanimously passed by the Council to confirm the agenda for this meeting with an amendment to remove R-3.

Motion was made by Councilman Markham duly seconded by Councilwoman Houston and unanimously passed by the Council to approve the minutes dated November 5, 2013.

Councilman Markham offered and moved the adoption and passage of the following Resolution:

RESO. #5869 RESOLUTION CALLING HEARING TO DETERMINE WHETHER OR NOT CERTAIN PARCELS OF LAND ARE IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY (DECEMBER 17, 2013 @ 5:15 P.M.)

And, Councilwoman Houston seconded the motion, whereupon said Resolution was discussed, passed and adopted by the Council by a vote as follows:

Yea: Thomas, Markham, Henson, Houston, Hammon.
Nay: None.

Councilman Markham offered and moved the adoption and passage of the following Resolution:

RESO. #5870 RESOLUTION APPOINTING DEPUTY COURT CLERKS OF THE MUNICIPAL COURT

And, Councilwoman Houston seconded the motion, whereupon said Resolution was discussed, passed and adopted by the Council by a vote as follows:

Yea: Thomas, Markham, Henson, Houston, Hammon.
Nay: None.
Councilwoman Henson offered and moved the adoption and passage of the following Resolution:

RESO. #5871 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERIDIAN, MISSISSIPPI, GRANTING TAX EXEMPTION FROM AD VALOREM TAXES TO PHI DELTA KAPPA FRATERNITY/MISSISSIPPI ALPHA CHAPTER AS AUTHORIZED BY SECTION 27-31-1(D) OF THE MISSISSIPPI CODE OF 1972, AS AMENDED

And, Councilwoman Houston seconded the motion, whereupon said Resolution was discussed, passed and adopted by the Council by a vote as follows:

Yea: Thomas, Markham, Henson, Houston, Hammon.
Nay: None.

Councilman Markham offered and moved the adoption and passage of the following Order:

ORDER #15552 ORDER GRANTING TO DDC HOTELS, INC., AN EXTENSION OF A CERTAIN BOND EXEMPTION FROM AD VALOREM PROPERTY TAXES, UNDER § 57-10-255(2)-(4) OF THE MISSISSIPPI CODE OF 1972, AS AMENDED

And, Councilwoman Houston seconded the motion, whereupon said Order was discussed, passed and adopted by the Council by a vote as follows:

Yea: Thomas, Markham, Henson, Houston, Hammon.
Nay: None.

Councilwoman Houston offered and moved the adoption and passage of the following Order:

ORDER #15553 ORDER AUTHORIZING EXECUTION AND ACCEPTANCE OF FISCAL YEAR 2012 ODP HOMELAND SECURITY GRANT PROGRAM AWARD FROM THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY AND EXECUTION OF GRANT RECIPIENT AGREEMENT (GRANT NO. S12HS258T)

And, Councilman Markham seconded the motion, whereupon said Order was discussed, passed and adopted by the Council by a vote as follows:

Yea: Thomas, Markham, Henson, Houston, Hammon.
Nay: None.

Councilman Hammon offered and moved the adoption and passage of the following Order:
ORDER #15554 ORDER AUTHORIZING THE EXECUTION OF CONTRACT BETWEEN SPEC. RESCUE INTERNATIONAL AND THE CITY OF MERIDIAN (FEMA CURRICULUM EQUIVALENT STRUCTURAL COLLAPSE TECHNICIAN AND TRAIN-THE-TRAINER)

And, Councilman Markham seconded the motion, whereupon said Order was discussed, passed and adopted by the Council by a vote as follows:

Yea: Thomas, Markham, Henson, Houston, Hammon.
Nay: None.

Councilwoman Houston offered and moved the adoption and passage of the following Order:

ORDER #15555 ORDER AUTHORIZING THE EXECUTION OF CONTRACT BETWEEN THE NATIONAL ASSOCIATION FOR SEARCH AND RESCUE AND THE CITY OF MERIDIAN (SEARCH AND RESCUE COURSE)

And, Councilwoman Henson seconded the motion, whereupon said Order was discussed, passed and adopted by the Council by a vote as follows:

Yea: Thomas, Markham, Henson, Houston, Hammon.
Nay: None.

Councilman Hammon offered and moved the adoption and passage of the following Order:

ORDER #15556 ORDER AUTHORIZING THE EXECUTION OF INTERSECTION UPGRADE AGREEMENT BETWEEN THE CITY OF MERIDIAN AND PILOT FLYING J

And, Councilwoman Houston seconded the motion, whereupon said Order was discussed, passed and adopted by the Council by a vote as follows:

Yea: Thomas, Markham, Henson, Houston, Hammon.
Nay: None.

Councilwoman Houston offered and moved the adoption and passage of the following Order:

ORDER #15557 ORDER SUSPENDING CHIEF ADMINISTRATIVE OFFICER PAY EFFECTIVE NOVEMBER 20, 2013 UNTIL SUCH TIME AS A NEW APPOINTMENT FOR CAO IS CONFIRMED

And, Councilman Markham seconded the motion, whereupon said Order was discussed, passed and adopted by the Council by a vote as follows:
Yea:  Thomas, Markham, Henson, Houston, Hammon.
Nay:  None.

Councilwoman Henson offered and moved the adoption and passage of the following Resolution:

RESO. #5872  RESOLUTION AUTHORIZING THE EXECUTION OF FIRST AMENDED
MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF MERIDIAN;
LAUDERDALE COUNTY, MISSISSIPPI; AND CERTAINTEED, INC.

And, Councilwoman Houston seconded the motion, whereupon said Resolution was discussed, passed and adopted
by the Council by a vote as follows:

Yea:  Thomas, Markham, Henson, Houston, Hammon.
Nay:  None.

Motion was made by Councilwoman Henson duly seconded by Councilman Markham and passed by a
majority vote of the Council to approve the claims docket dated November 14, 2013 in the amount of

The hour of 5:15 p.m. having arrived, the hearing as called for in Resolution No. 5857 regarding the appeal
by James Harwell of the proposed rezoning of property located in the 1800 block of 24th Avenue from District B-1
to District B-2 was opened with motion by Councilwoman Henson duly seconded by Councilwoman Houston and
unanimously passed by the Council.  Those who signed up to speak were as follows:  1) Chris Logan (1404
Highway 82 E, Greenwood, MS) – He stated that he is with Pinebelt, Inc. who is the developer of the proposed
area.  The subject is the rezoning of 1800 24th Avenue.  They feel there is a change of the character of the
neighborhood and a public need.  In asking for the rezoning the reasons have to be because there was a mistake in
the prior rezoning or a change in the characteristic of the neighborhood.  In what they have seen in this area, it is a
primary shift from residential properties to commercial properties.  In that change, they are trying to bring a retail
development into that area.  The Council can see in the hand-out that it shows the surrounding property and it is
85-90% commercial.  The property where the current B-2 zoning ends and the property between it and this
property they are asking about, most of the property between have become commercial property.  They can count
three properties that visibly look like residential property between where the B-2 zone stops and where they are
asking for this lot.  Their primary goal is to get the property zoned so they can put a retail development there.  With
the current zoning it does allow for retail just not in this scope and size that they are asking for.  In the hand-out is
the aesthetics of the landscape and the nature of the proposed building.  They are going to build it to meet and
exceed all the building codes.  Councilman Thomas said they had discussed the façade of the building previously
and that it would not be a blank wall.  Mr. Logan said they have the opportunity to work with the planning
department to get the aesthetics taken care of.  Councilwoman Houston asked him to state verbally that the façade
won’t be like an ordinary building they normally see but will be up to snuff and make it stand out.  Mr. Logan
stated “yes maam”.  Councilman Markham said not only to stand out but to blend in with the surrounding property
and improve the aesthetics of the area.  Mr. Logan stated that in developing this property they will take it from
what it currently is – an empty plot of land with a house and wipe the slate clean.  They will improve the aesthetics
of the land greatly and improve the abandoned alley behind it.; 2) Mike Rozier (1404 Highway 82 E, Greenwood,
MS) – He stated that he is the owner of Pinebelt, Inc. and will be the owner of this property. To further clarify, they are supposed to submit a set of plans to Mr. Jemison’s department. They are to be compatible. They still have to make it suitable for the area and suitable for Dollar General. You can’t make it look like a residence across the street but they can make it look like a Wal-Greens or something like that. In the change of the area, it gives the opportunity of retail for those in the blocks around the area instead of them having to go all the way across town. They have seen this in other neighborhoods where there is a lot of foot traffic. They plan to use as much masonry as allowed and/or split face block. They have built one in Brandon and are in the process of building one in Ridgeland;

3) Tim Allred (1416 10th Avenue) - He said he owns the two vacant properties next to this area and four other properties within the two block area of this proposed site. With these guys first proposed this at the first rezoning hearing, he called them and got with them and saw some renderings. They have assured him that it will not be the regular metal Dollar General building. It is going to have some masonry façade and stone work and they are also going to have substantial landscaping around it. The neighborhood is majority business now. Out of the six properties he owns, five are used for business and one is being used for a residence but they choose to live in a business area. He thinks these are reputable people and working with community development they will do something that is progressive. He thinks the city needs small businesses in these areas that will be of benefit to the area and not a detriment to the area;

4) James Harwell (Poplar Springs Drive) – He started out by explaining the sketch of the adjoining properties that he passed out to the Council. He gave them an article from the “Herald Sun” that concerns alternative developments than what is presently in place. A number of people in this area feel that this is nothing but spot zoning and will place an unreasonable and undesirable competition upon the similar family owned businesses that lie within the area. He said he thinks Councilwoman Henson raised the question about spot zoning when this came up a year and a half ago. He thinks that is a matter of interpretation but thinks this is what the Planning Commission has hung its hat on. Whether or not there is an historic district or not that represents a source of revenue such as grants it is zoned what it is now and it allows for businesses. To say there are only businesses in place here is an erroneous conclusion because the zoning allows for small business. He thinks there is an alternative to bring in more shops and small businesses that could bring in more tax dollars in the long run. He asked that they lay this project to the side. They have waited 18 months to bring this back up and he asked that it be laid aside for 18 more months and see if there are some local people who would like to develop this such as Mr. Allred. He asked the Council to give them another chance to get together and get the job done with another plan. Councilwoman Henson asked how long this lot has been vacant. Mr. Harwell stated he believes that last house on the lot was demolished about 10 years ago. He said a lot of the people who own property around this area signed a petition against it. He is just asking that they not approve the rezoning and give them another 18 months to do something else. Councilman Markham asked him when this was first brought up and turned down did he bring up another use for the property. Mr. Harwell said he did not because he has been busy with other stuff but had he known it would come back up 18 months later he would have planned something. Motion was made by Councilwoman Henson duly seconded by Councilwoman Houston and unanimously passed by the Council to close the hearing. Councilman Hammon stated that clear and convincing evidence was given that both a change of the neighborhood character and a public need exists in relation to the property. Councilwoman Houston also added that it would bring in taxes and jobs. Councilwoman Henson offered and moved the adoption and passage of the following Ordinance:

ORDIN. #4427  ORDINANCE DENYING APPEAL OF JAMES HARWELL AND AMENDING THE CITY’S ZONING ORDINANCE NO. 3966 SO AS TO RECLASSIFY CERTAIN LANDS IN THE CITY OF MERIDIAN FROM B-1 FAMILY RESIDENTIAL BUSINESS TRANSITION DISTRICT TO B-2 NEIGHBORHOOD BUSINESS DISTRICT (PROPERTY LOCATED ON THE EAST SIDE OF THE 1800 BLOCK OF 24TH AVENUE) INCLUDING AMENDING THE OFFICIAL
And, Councilwoman Houston seconded the motion, whereupon said Ordinance was discussed, passed and adopted by the Council by a vote as follows:

Yea:  Thomas, Markham, Henson, Houston, Hammon.
Nay:  None.

Next on the agenda was a presentation from the Meridian Freedom Project. Appearing were: Ann Stevenson (3244 Poplar Springs Drive), Bill Scaggs (3101 32nd Avenue) and Amy Elliott (293 Grant Cypress Drive). They were asking permission to use the city-owned metal building located on the corner of 8th Street and 25th Avenue temporarily for 18 months. They are a 501C3 entity and will follow all guidelines set by the city. Councilman Hammon said there are other entities that want the use of city buildings but this matter needs to be looked at closely by the City Attorney to make that all legal issues are addressed before the Council decides to let any entity use a city building.

President Thomas called on Mayor Bland for his report. Odell Hopkins appeared and stated they have advised Waste Pro that leaf season would begin this week. He asked that citizens not put their leaves in the street which causes problems for traffic. Waste Pro has all the equipment needed to pick up the leaves this year. Mayor Bland presented retirement plaques to the following retired city employees: Robert Tinsley, John C. Ford, Sandra Williams and Roy Hellen. He recognized First grader Ashton Hart who attends Poplar Springs Elementary school and who will be representing the State of Mississippi in Hollywood, California during Thanksgiving week. She will be in Disney Land over seven days competing in Hollywood. She is our Miss Mississippi in her age group. Part of their competition is speaking in front of people. Miss Hart made a speech to those present at the meeting.

President Thomas called for citizen comments. The only person who signed up to speak was Pastor Wade Demers.

President Thomas called for comments from the City Council. Various comments were made.

There being no further business to come before the Council at this time, the meeting was adjourned. Sine die.

Respectfully submitted,

Pam McInnis, Clerk of Council