REGULAR COUNCIL MEETING, TUESDAY, MARCH 19, 2019 AT 5:00 P.M.

Meeting called to order by Council President, Tyrone Johnson.

Present: Thomas, T. Johnson, F. Johnson, Houston, Lindemann.

Absent: None.

The meeting was opened with prayer by Tiki Broome, Northcrest Baptist Church and followed by the pledge to the flag.

Motion was made by Councilwoman F. Johnson duly seconded by Councilwoman Houston and passed by a unanimous vote of the Council to confirm the agenda with the following amendments: Add R-5 (Order authorizing agreement to clean-up Public Training Facility.) Amend R-3 (FY’ 2019 budget amendment increase the amount to 60,000 to cover insurance invoices.) Add (Executive Session- economic development.) Voting yea: Thomas, T. Johnson, F. Johnson, Houston, Lindemann. Voting nay: None.

Motion made by Councilwoman Houston duly seconded by Councilwoman F. Johnson and passed by a unanimous vote of the Council to approve the minutes dated March 05, 2019. Voting yea: Thomas, T. Johnson, F. Johnson, Houston, Lindemann. Voting nay: None.

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

ORDER #16715 ORDER AUTHORIZING THE EXECUTION OF SERVICE CONTRACT BETWEEN JOHNSON CONTROLS AND THE CITY OF MERIDIAN (FIRE AND SAFETY EQUIPMENT AT ARTS DISTRICT PARKING GARAGE)

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

Yea: Thomas, F. Johnson, Houston, Lindemann.
Nay: T. Johnson.

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

ORDER #16716 IN THE MATTER OF: ACCEPTING THE BID OF SIMMONS EROSION CONTROL, INC., LAKE, MS, (BID #19-02) FOR HIGHWAY 80 PEDESTRIAN IMPROVEMENTS (MDOT PROJECT NO. STP-7243-00(002) LPA/107384-701000)
And, Councilwoman F. Johnson seconded the motion, whereupon said Order was discussed, passed and adopted by the Council by a vote as follows:

Yea: Thomas, T. Johnson, F. Johnson, Houston, Lindemann.
Nay: None.

The following budget was amended to increase the funds movement of $25,000 to $60,000 to cover additional invoices for insurance invoices.

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

RESO. #6213  RESOLUTION APPROVING AND ADOPTING THE AMENDED BUDGET FOR THE CITY OF MERIDIAN FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019, AND DIRECTING THE CITY CLERK IN REFERENCE THERETO

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

Yea: Thomas, F. Johnson, Houston, Lindemann.
Nay: T. Johnson.

Motion was made by Councilman Thomas duly seconded by Councilwoman F. Johnson to open discussion on the claims docket.

Councilwoman F. Johnson asked Mr. McAlister as in the past and today the claims docket is a hot topic. I’ll ask you as I have in the past, I could go through the claims docket line by line and not necessarily know what is valid or what is invalid. So, I am putting the burden back on you to guarantee me that when I vote yea that all of the claims are above board and we have the authority and the responsibility to include in our budget and our payments. Mr. McAlister said that everything before you has been deemed true and correct. And yes everything before you is valid to vote on.

Councilwoman Houston asked Mr. McAlister if there have been any changes in duties for the people that are receiving extra compensation because of their extra duties. Mr. McAlister said yes there has been one change; there was a reduction in duties as well as a reduction in pay. Councilwoman Houston said the Council was not notified. According to what the Council had asked for from the administration was to be informed so the Council could adjust the pay by the percentages that were outlined. Mr. McAlister called Human Resource Director Chrissie Walker to come up to answer about the issue. Ms. Walker said she thinks the problem is with her, she did not know she was supposed to send it to the Council. But, because of the percentage that was given to each of those duties, we did decrease that employee’s salary by that percentage for the duty that they lost. And that is representative as of the pay period before last. Councilwoman Houston said to please
send that information to Ms. Clark so the Council will have that information as well, thank you.

Councilman Thomas said in the future, if anyone’s salary goes up or down you will notify the Council please. Ms. Walker said okay.

Councilwoman Houston said she has gotten a few phone calls regarding city employees getting overtime pay working at the Planet Playground and since we are getting ready to vote on the claims docket, I want to verify if this is correct, and if so how is that being paid? Mr. McAlister said that is correct. On the site prep side of this project we did utilize city employees and we found some drainage issues with the site itself. The employees that came out there did help the drainage as well as bringing in some stone that had to be brought in; this was the same type issue we had on another city project, Velma Young, when we had a drainage issue comparable to this one, where the entire parking lot had to be removed and relayed. City workers did receive overtime during that to come in and lay the lines for the drainage. So, we had an equivalent happen here.

Councilwoman Houston said she was under the impression that all the folks out there were volunteers, and I think the picture was painted that it was all volunteers. Mr. McAlister said it’s like any project you have at a City of Meridian facility, you have volunteers that built the project, but as far as the site itself it is a city site and there was a major drainage issue and we can’t have volunteers operating City of Meridian equipment that deals with heavy equipment and subject matter expertise, it becomes a question of liability. And due to the weather and the amount of rain flowing in, the timeline was critical to get to it as soon as possible and the employees couldn’t perform these duties during regular work hours. We made a decision to work within our budget to make it happen.

Councilman Lindemann asked about the steeple chase that is being installed at Meridian High’s track; does the city have any workers working on that and are we supplying material for this? Mr. McAlister said we did have workers that put that in. Councilman Lindemann explained that this is a water hurdle on the track. Councilman Lindemann asked the cost for this project; Mr. McAlister said he didn’t have the figures in front of him. Mayor Bland said as you may have read in the papers, that we have worked in partnership with the school district competing against other communities to get USA Track and Field here to do their state and regional competitions at Ray Stadium. So we have worked to make that steeple chase happen so we can make these events in June and July of this year come to fruition. We are working in partnership with USA Track and Field and the Meridian Public School District.

Councilman Thomas said the steeple chase will be available to the Meridian High track team in their program. Councilman Thomas said we did have some city worker that took vacation time and came out and volunteered without pay, some of them are seated in this room.

Mr. McAlister said a question of concrete came up on this project, concrete ran about $13,000 and that was provided by Lauderdale County.

Motion was made by Councilman Thomas duly seconded by Councilwoman F. Johnson and passed by a majority vote of the Council to approve the claims docket dated March 14, 2019 in the amount of $2,956,883.95. Voting yea: Thomas, F. Johnson, Houston. Voting nay: T. Johnson, Lindemann.
The hour of 5:15 p.m. having arrived, the hearing as called for in Resolution No. 6212 regarding the appeal by Richard Miska of the proposed rezoning of property located at 1400 Beech Street from R-1 Single-family Residential District to B-4 Regional Business District.

Motion was made by Councilman Thomas duly seconded by Councilwoman F. Johnson and unanimously passed by the Council to open the public hearing.

Dr. Steven Redd and Laura Carmichael of Community Development came forward to state that Richard Miska had applied for rezoning of 1400 Beech Street, on January 22, 2019, at a public meeting and it was denied by the Planning Commission. Mr. Redd advised Mr. Miska his only option was to appeal before the City Council.

Those signed up to speak were as follows:

1) Richard Miska (1540 Pine Drive North) – He stated that he is the owner of the lot on Beech Street, I am a self-employed small business owner of a company that rents and sells small to medium sized construction equipment to local contractors and residents of the Meridian area. I purchased the lot in September of last year from the owners of the former Myrtle Beech Swim Club. Over five years ago the swim club property began to deteriorate with the pool beginning to crack and the tennis court crumbling apart. Members left the club and the owners began to let the lot go. The swimming pool was now infested and the rest of the property was overgrown with shrubs and trees. For several years they tried to sell the property, but had no luck. No one showed any interest in buying the property due to the costs to fix the lot. It wasn’t an ideal place to build a home due to it being connected to an antique shop and a car lot. The plan now was to quit paying the taxes on it and let the property go to a tax sale. However, with constant complaints from the neighbors to the city about the condition of the property, the code enforcement officer was sent out multiple times to give a warning or fine to get the pool filled in and the property cleaned up. The owners didn’t have the money to do this, so they continued to let it go until they could find another solution. A mutual friend knew I was looking for a place for a store front and office gave me the owner’s contact information. I called the owners and they were in desperate need to sell the property, because they had just been assigned a court date with the city for environmental fines that they did not have the money to pay and no one had still showed any interest in buying it or to get them out from under it. So I went and checked it out, and after looking at it I got a lot of pictures. It was going to be a lot of work but, it was in a great place and has really easy access to Highway 45. Right now the property has been completely demolished and graded off and it’s ready to build on. The driveway is just mere feet from the parking lot of the antique store which is zoned B-4 and less than 200 feet from Highway 45. All that I would like to do is build a small store front and office and shop. And keep at most four to six small pieces of equipment. All the equipment that I have can be pulled with a regular pick-up truck and trailer. The size and amount of equipment that I have is equivalent to The Broadmoor Home and Garden Center, and what they rent out there in Broadmoor. The property already has an existing 10 feet high fence that goes all around it and it also has existing stadium lighting that goes all around the property. I’m a hardworking taxpayer trying to
take a place that was left abandoned and make a place for my business, and in return,
create more tax revenue for the City of Meridian. I have a lot of pictures if y’all would
like to look at them and if you have any questions.

Councilman Thomas asked if it is rezoned will he be able to do what he plans for this
property. Dr. Redd said yes.

The Council asked if there is anyone else wanting to speak regarding this hearing,
and the next two persons signed up.

Councilwoman Houston asked Mr. Miska if he was aware of the zoning when he
purchased the property. He said yes, but he naively thought he could just fill out a
request to rezone and it would be done. Councilwoman Houston asked Mr. Miska, about
how much he has spent to turn the property around thus far and he said about $7,500.

2) Nan Casciaro (1105 Myrtle Drive) – She stated she is directly across the street
from where this property is, we had a swimming pool there and it is now halfway covered
over. We are looking at a lot of red clay which is washing down on the Antique Mall and
the Mississippi Made Candles Shop across the street from the mall, which all join his
property. There are three houses that look directly on this property and if this zoning is
changed what are we going to be looking at. It’s residential, it’s always been residential,
and they knew it was residential when they bought it. There are plenty of places for
bulldozers down on frontage road. There’s a place directly across the street 145 that you
can put sales over there for heavy equipment, why put it in a residential area. If he
changes it there, what can be there next? We don’t need a Dollar General in our
neighborhood. When he was cleaning it up the street was being torn up out there, the
bulldozers that were going in and out were tearing up the street. I didn’t hear what was
said because I don’t hear well, but I’m asking you to turn this zoning down and keep it
residential. That’s all I got to say, thank you.

3) Joseph Herbert (1417 Beech Street) - He said it’s a clay mud bath and every time it
rains it literally floods our parking lot with red clay, the Antique Mall, it’s not my
personal property, but it’s the Antique Mall where I work. I didn’t mind looking at a tennis
court that no one was using, but I think that I would mind looking at caterpillars and
bulldozers and heavy equipment coming in and out. And the young man said they were only
going to come in on Highway 145, well there’s a road on 22nd Avenue that comes down into
this residential area, who’s to say a 18 foot trailer doesn’t come down with a caterpillar
there. The road is barely wide enough for two cars. And when he came to work with a cat
he brought a goose neck with a dually pick-up truck. To me, that’s not a small vehicle
pulling these things in. And who’s to say they won’t be there 8:00, 9:00, 10:00 at night in a
residential area bringing another caterpillar or working on whatever equipment he’s got
there. So, that’s all I’ve got to say, thank you.

Councilwoman Houston said just for clarification, the frontage there on Highway 45
all of that is commercial, where the swimming club was it was still residential? Dr. Redd
said yes, there was no transition between B-4 and the residential. Just by turning the
corner it became residential.

Councilman Thomas asked what the zoning was for the Antique Mall and the Candle
Shop. Dr. Redd said the Mall is B-4 and the Candle Shop is B-1.

Ms. Casciaro asked to add a comment, she said three houses look directly on this lot
and they are all 90 to 100 thousand dollar houses, then we are going to be forced to rezone, to come back to you to rezone our property so that we can turn it to commercial. My candle shop was a real trashy house when I bought it and I came to the City Council ten years ago, it took me about five years to have it rezoned. I cleaned the lot up, I cleaned the whole corner up, I landscaped, I repainted the house, I kept drug dealers from coming in there, because Paul Broadhead was going to sell it to a drug dealer. I bought that property and put the candle shop there just to keep it looking halfway decent. I live next door to it in a brick house and there’s the lake and I live on the next corner and there’s a house up on the hill that will look directly on this commercial piece of property here if it’s allowed. I’m asking you to please turn the zoning down. Thank you.

Mr. Miska asked to add a comment, he said on the red dirt washing into the parking lot, I had just demoed, it was all asphalt and I had just got it all up and we got a really bad rain and some of that red dirt washed through the fence into that antique store parking lot. I went and told the manager of the store and I gave her my word that I would come by with water and scrub brushes and I was going to clean it and I was very sorry about it. A couple of days later after the rain had stopped I went over with buckets of water and brushes because there wasn’t a working water faucet. I started cleaning the lot and the manager came out there and hugged me and told me to stop, she said it was no big deal and with the next little rain we got it would wash away. I said let me finish, but she insisted I stop. So, I stopped and left, and the next few days at the planning commission meeting they had taken pictures of the dirt that I was cleaning to say there was an issue, which was really not an issue, if it was rezoned I would go in and put asphalt and gravel back in and there won’t be any exposed red clay. It’s red clay right now because it’s ready to build on. And just with a little minor trenching there won’t be an issue of water washing over, we just had some really bad rain. The time line in getting that paved over is within two weeks.

Motion was made by Councilman T. Johnson duly seconded by Councilman Thomas and passed by a unanimous vote to approve the rezoning of 1400 Beech Street.

Councilman T. Johnson offered and moved the adoption and passage of the following Ordinance:

ORDI. #4520 ORDINANCE AMENDING THE CITY’S ZONING ORDINANCE NO. 3966 SO AS TO RECLASSIFY CERTAIN LANDS IN THE CITY OF MERIDIAN FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO B-4 REGIONAL BUSINESS DISTRICT INCLUDING AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MERIDIAN

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

Yea: Thomas, T. Johnson, F. Johnson, Houston, Lindemann.
Nay: None.

Motion was made by Councilman T. Johnson duly seconded by Councilman Lindemann and passed by a unanimous vote to close the Public Hearing and resume the Regular Council Meeting.
Motion was made by Councilman Thomas duly seconded by Councilwoman F. Johnson for discussion of agenda item R-5 (Order authorizing agreement to clean-up Public Training Facility.). After discussing if the urgency of this item warranted being added to the agenda. CAO. Richie McAlister said he believes it can be held off until after the Council had a chance to look it over before the next meeting. Motion was made by Councilwoman Houston duly seconded by Councilman Lindemann and passed by a unanimous vote of the Council to Table the item. Voting yea: Thomas, T. Johnson, F. Johnson, Houston, Lindemann. Voting nay: None.

President Johnson called for the Mayor’s Report:

CAO, Richie McAlister said Mayor Bland had to leave his son is playing ball right now, family comes first. On Planet Playground we would like to thank all that helped out, and special thanks to the Riley Foundation, Phil Hardin Foundation, Southern Pipe, Davidson Family, Leland Lamar, Jake Davidson and everyone else that provided funding and services. We would like to thank Mrs. Julia Norman for being the project coordinator and making that complex project come together.

The Allie Cat Run is coming up this Saturday and that’s a great event, and we would like as many people as possible to come out and honor the life and legacy of Allie Carruth, this is a great event for a good cause.

This upcoming work session Mayor Bland would like to give a budget update and have a discussion with Council and Department Heads in regards to where we are and what we are looking at. Look at some of these cuts and how we need to go about navigating them this fiscal year. Right now we are about at 38% for this fiscal year

Another item Mayor bland wants to discuss is Council support for the Meridian Picnic and Juneteenth as well. We should be going out to get additional funding from donors for those events, so we want to discuss them at the work session.

President Johnson called for citizen comments:

   a) None.

President Johnson called for Council comments:

   Various comments were made.

An executive session was requested regarding economic development. Motion was made by Councilwoman Houston duly seconded by Councilwoman F. Johnson and unanimously passed by the Council to close the meeting to determine whether to declare an executive session. Motion was made by Councilwoman Houston duly seconded by Councilwoman F. Johnson and unanimously passed by the Council to declare an executive session in order to discuss economic development. The Council then went into executive session. Motion was made by Councilman Thomas duly seconded by Councilwoman F. Johnson and unanimously passed by the Council to go out of executive session.
There being no further business to come before the Council at this time, the meeting was adjourned. Sine die.

Respectfully submitted,
Jo Ann Clark, Clerk of Council