

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, JULY 15, 2008 - 7:00 P.M.
MUNICIPAL COURTROOM – 305 MONROE STREET**

WELCOME AND CALL TO ORDER Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Greer followed by the pledge of allegiance to the flag led by Alderman Bishop.

ROLL CALL City Clerk, Russell Wall

Present: Jehu Brabham – Alderman-at-Large
 Tony Hisaw – Alderman Ward 1
 Tony Greer – Alderman Ward 2
 Mike Bishop – Alderman Ward 3
 Kathy Peace – Alderwoman Ward 4
 Mike Morgan – Alderman Ward 5
 William Barnett – Alderman Ward 6

APPROVAL OF CONSENT AGENDA ITEMS A-O

MOTION made by Alderman Brabham and **SECONDED** by Alderman Greer to approve the Consent Agenda Items A-O. Item C will serve to advertise favorably the opportunities, possibilities and resources of the City of Clinton. **MOTION CARRIED UNANIMOUSLY**

UNKEMPT PROPERTY LOCATED AT 615 COBBLESTONE COURT

Upon presentation by Tammie Roberson, Compliance Officer, **MOTION** made by Alderwoman Peace and **SECONDED** by Alderman Brabham the board approved a resolution determining the necessity for the cleaning of private property located at 615 Cobblestone Court, under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statutes and ordinances. A public hearing was held but no one representing the property owners was present and there was no public comment. A copy of the resolution is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

UNKEMPT PROPERTY LOCATED AT 1201 CHERRY STONE CIRCLE

Upon presentation by Tammie Roberson, Compliance Officer, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Bishop the board approved a resolution determining the necessity for the cleaning of private property located at 1201 Cherry Stone Circle, under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statutes and ordinances. The Board also approved a request by the property owner to give them until July 18, 2008 to clean the property before the resolution takes affect. A public hearing was held but no one representing the property owners was present and there was no public comment. A copy of the resolution is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

UNKEMPT PROPERTY LOCATED AT 1207 CHERRY STONE CIRCLE

Upon presentation by Tammie Roberson, Compliance Officer, **MOTION** made by Alderman Bishop and **SECONDED** by Alderman Barnett the board approved a resolution determining the necessity for the cleaning of private property located at 1207 Cherry Stone Circle, under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statutes and ordinances. A public hearing was held but no one representing the property owners was present and there was no public comment. A copy of the resolution is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

UNKEMPT PROPERTY LOCATED AT 102 SANDRA COVE

Upon presentation by Tammie Roberson, Compliance Officer, **MOTION** made by Alderwoman Peace and **SECONDED** by Alderman Brabham the board approved a resolution determining the necessity for the cleaning of private property located at 102 Sandra Cove, under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statutes and ordinances. A public hearing was held but no one representing the property owners was present and there was no public comment. A copy of the resolution is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

PRESENTATION OF BIDS FOR THE QUISENBERRY LIBRARY

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Brabham the board approved a motion to take the bids under advisement for further study. **MOTION CARRIED UNANIMOUSLY**

**APPROVAL OF AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CLINTON, MISSISSIPPI ELIMINATING SMOKING OF
TOBACCO IN RESTAURANTS, BARS, MUNICIPAL GOVERNMENT FACILITIES,
SCHOOLS , AND FOR RELATED PURPOSES**

Upon presentation by Ken Dreher, City Attorney, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Greer the board approved the ordinance of the Mayor and Board of Aldermen of the City of Clinton, Mississippi eliminating smoking of tobacco in Restaurants, Bars, Municipal Government Facilities, Schools, and for related purposes. DL Turner presented the board with a report from the U.S. Surgeon General that reported the health issues related to tobacco was not true. Also, Mark Tanksley presented the Board with an alternative ordinance for their consideration. The Board took no action on the alternative ordinance. After the vote Mr. Tanksley protested the action of the Board by stating that the passage of the ordinance was a violation of the citizens' individual rights of freedom. A copy of the ordinance is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

**CERTIFICATE OF ATTENDANCE FOR TAMRA MORGAN ATTENDING THE
MUNICIPAL CLERKS STATEWIDE SEMINAR**

Upon presentation by Russell Wall, City Clerk, **MOTION** made by Alderwoman Peace and **SECONDED** by Alderman Barnett the board accepted the Certificate of Attendance for Tamra Morgan attending the Municipal Clerks Statewide Seminar. **MOTION CARRIED UNANIMOUSLY**

**REQUEST BY TOTAL EXPLORATION, INC. TO PAY OFF DUTY POLICE
OFFICERS TO PROVIDE TRAFFIC ASSISTANCE TO SEISMIC MEASURING
CREWS IN THE CITY THROUGH AUGUST 31, 2008**

Upon presentation by Don Byington, Chief of Police, **MOTION** made by Alderwoman Peace and **SECONDED** by Alderman Bishop the board approved the request by Total Exploration, Inc. to pay off duty Police Officers to provide traffic assistance to seismic measuring crews in the City through August 31, 2008. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 7: 33 P.M.

MOTION made by Alderman Brabham and **SECONDED** by Alderman Barnett to adjourn until the next regular meeting of the Mayor and Board of Aldermen to be held on August 5, 2008 at 7:00 pm. **MOTION CARRIED UNANIMOUSLY**

APPROVED: Rosemary G. Autman
Rosemary G. Autman, Mayor

July 16, 2008
Date

ATTEST: Russell L. Wall
Russell L. Wall, City Clerk

July 16, 2008
Date



CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE:

July 15, 2008

AGENDA ITEM NO.

7

CONSENT AGENDA:

TO:

FOR:

ACCT. NO.:

DISCUSSION/ACTION:

Unkempt Property
615 Cobblestone Court

no one present

INTRODUCED BY: Tammie Roberson

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes

Invoice

Other: _____

Ordinance

Plans, Maps

Resolution

Contract

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY:

Peace

SECONDED BY:

Brabham

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham

✓

Hisaw

✓

Greer

✓

Bishop

✓

Peace

✓

Morgan

✓

Barnett

✓

Mayor Aultman

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unkempt property located at 615 Cobblestone Court, Clinton, Mississippi, and after full consideration of the matter, Alderman PEALE offered the following Resolution: ALDERMAN

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED AT 615 COBBLESTONE COURT, CLINTON MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 615 Cobblestone Court, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

WHEREAS, notice was given to the owner of said property as required Section 21-19-11 of the Miss. Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m., July 15, 2008, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of Community Development Department is directed to take such action as appropriate under Section 21-19-11 of the Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, clean the property by cutting weeds, removing rubbish and dilapidated buildings and other debris.

NOW BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at 615 Cobblestone Court, Clinton, Mississippi, in its present condition, constitutes a menace to the public health and safety of the community.
2. The Director of Community Development is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.

3. The Director of Community Development is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the city of Clinton, Mississippi may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by Alderman Brabham and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Alderman for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted:	<u>AYE</u>
Alderman Hisaw voted:	<u>AYE</u>
Alderman Greer voted:	<u>AYE</u>
Alderman Bishop voted:	<u>AYE</u>
Alderdwoman Peace voted:	<u>AYE</u>
Alderman Morgan voted:	<u>AYE</u>
Alderman Barnett voted:	<u>AYE</u>

Whereupon the Mayor declared the Motion carried and the Resolution approved and adopted.

The foregoing Resolution was approved this the 15th day of July 2008.

CITY OF CLINTON

BY: Rosemary A. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Russell Wall
RUSSELL WALL, City Clerk



CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE:

July 15, 2008

AGENDA ITEM NO.

8

CONSENT AGENDA:

TO:

FOR:

ACCT. NO.:

DISCUSSION/ACTION:

Unkempt Property
1201 Cherry Stone Circle

*authorizing resolution
after July 18, 2008*

no one present

INTRODUCED BY: Roy Edwards

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes

Ordinance

Resolution

Invoice

Plans, Maps

Contract

Other: _____

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY:

Barbra Brabham

SECONDED BY:

Bishop

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham

Hisaw

Greer

Bishop

Peace

Morgan

Barnett

Mayor Aultman

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AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unkempt property located at 1201 Cherry Stone Circle, Clinton, Mississippi, and after full consideration of the matter, Alderman Banbham offered the following Resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED AT 1201CHERRY STONE CIRCLE, CLINTON MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 1201 Cherry Stone Circle, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

WHEREAS, notice was given to the owner of said property as required Section 21-19-11 of the Miss. Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m., July 15, 2008, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of Community Development Department is directed to take such action as appropriate under Section 21-19-11 of the Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, clean the property by cutting weeds, removing rubbish and dilapidated buildings and other debris.

NOW BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at 1201 Cherry Stone Circle, Clinton, Mississippi, in its present condition, constitutes a menace to the public health and safety of the community.
2. The Director of Community Development is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.

3. The Director of Community Development is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the city of Clinton, Mississippi may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by Alderman Bishop and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Alderman for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted:	<u>AYE</u>
Alderman Hisaw voted:	<u>AYE</u>
Alderman Greer voted:	<u>AYE</u>
Alderman Bishop voted:	<u>AYE</u>
Alderwoman Peace voted:	<u>AYE</u>
Alderman Morgan voted:	<u>AYE</u>
Alderman Barnett voted:	<u>AYE</u>

Whereupon the Mayor declared the Motion carried and the Resolution approved and adopted.

The foregoing Resolution was approved this the 15th day of July 2008.

CITY OF CLINTON

BY: Rosemary G. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Russell L. Wall
RUSSELL WALL, City Clerk



CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE:

July 15, 2008

AGENDA ITEM NO.

9

CONSENT AGENDA:

TO:

FOR:

ACCT. NO.:

DISCUSSION/ACTION:

Unkempt Property
1207 Cherry Stone Circle

No one present

INTRODUCED BY: Roy Edwards

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes

Ordinance

Resolution

Invoice

Plans, Maps

Contract

Other: _____

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY:

Bishop

SECONDED BY:

Barnett

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham

✓

Hisaw

✓

Greer

✓

Bishop

✓

Peace

✓

Morgan

✓

Barnett

✓

Mayor Aultman

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unkempt property located at 1207 Cherry Stone Circle, Clinton, Mississippi, and after full consideration of the matter, Alderman Bishop offered the following Resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED AT 1207 CHERRY STONE CIRCLE, CLINTON MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 1207 Cherry Stone Circle, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

WHEREAS, notice was given to the owner of said property as required Section 21-19-11 of the Miss. Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m., July 15, 2008, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of Community Development Department is directed to take such action as appropriate under Section 21-19-11 of the Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, clean the property by cutting weeds, removing rubbish and dilapidated buildings and other debris.

NOW BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at 1207 Cherry Stone Circle, Clinton, Mississippi, in its present condition, constitutes a menace to the public health and safety of the community.
2. The Director of Community Development is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.

3. The Director of Community Development is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the city of Clinton, Mississippi may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by Alderman BARNETT and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Alderman for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted: AYE
Alderman Hisaw voted: AYE
Alderman Greer voted: AYE
Alderman Bishop voted: AYE
Alderswoman Peace voted: AYE
Alderman Morgan voted: AYE
Alderman Barnett voted: AYE

Whereupon the Mayor declared the Motion carried and the Resolution approved and adopted.

The foregoing Resolution was approved this the 15th day of July 2008.

CITY OF CLINTON

BY: Rosemary G. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Russell L. Wall
RUSSELL WALL, City Clerk



CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE:

July 15, 2008

AGENDA ITEM NO.

10

CONSENT AGENDA:

TO:

FOR:

ACCT. NO.:

DISCUSSION/ACTION:

Unkempt Property
102 Sandra Cove

No one present

INTRODUCED BY: Roy Edwards

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes

Ordinance

Resolution

Invoice

Plans, Maps

Contract

Other: _____

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY:

Peace

SECONDED BY:

Brabham

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham

Hisaw

Greer

Bishop

Peace

Morgan

Barnett

Mayor Aultman

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AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unkempt property located at 102 Sandra Cove, Clinton, Mississippi, and after full consideration of the matter, Alderman KEALE offered the following Resolution: ALDERMAN

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED AT 102 SANDRA COVE, CLINTON MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 102 Sandra Cove, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanliness; and

WHEREAS, notice was given to the owner of said property as required Section 21-19-11 of the Miss. Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m., July 15, 2008, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanliness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of Community Development Department is directed to take such action as appropriate under Section 21-19-11 of the Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, clean the property by cutting weeds, removing rubbish and dilapidated buildings and other debris.

NOW BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at 102 Sandra Cove, Clinton, Mississippi, in its present condition, constitutes a menace to the public health and safety of the community.
2. The Director of Community Development is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.

3. The Director of Community Development is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the city of Clinton, Mississippi may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by Alderman Brabham and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Alderman for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted:	<u>AYE</u>
Alderman Hisaw voted:	<u>AYE</u>
Alderman Greer voted:	<u>AYE</u>
Alderman Bishop voted:	<u>AYE</u>
Alderwoman Peace voted:	<u>AYE</u>
Alderman Morgan voted:	<u>AYE</u>
Alderman Barnett voted:	<u>AYE</u>

Whereupon the Mayor declared the Motion carried and the Resolution approved and adopted.

The foregoing Resolution was approved this the 15th day of July 2008.

CITY OF CLINTON

BY: Rosemary G. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Russell Wall
RUSSELL WALL, City Clerk



CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: July 15, 2008

AGENDA ITEM NO. //

CONSENT AGENDA:

TO:

FOR:

ACCOUNT NO:

INTRODUCED BY:

*Motion to take the bids
under advisement*

DISCUSSION/ACTION: Presentation of Bids for the Quisenberry Library.

INTRODUCED BY: Richard Broome, City Engineer

BOARD ACTION:

MOTION MADE BY: Greer

SECONDED BY: Brabham

VOTE CAST:
TAKEN:

"AYE"

"NAY"

ACTION

Brabham

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Hisaw

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Greer

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Bishop

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Peace

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Morgan

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Barnett

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Mayor Aultman

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AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: July 15, 2008

AGENDA ITEM NO. 13
12

CONSENT AGENDA:

TO:

FOR:

ACCOUNT NO:

INTRODUCED BY:

DISCUSSION/ACTION: An Ordinance of the Mayor and Board of Aldermen of the City of Clinton, Mississippi eliminating smoking of tobacco in Restaurants, Bars, Municipal Government Facilities, Schools, and for related purposes.

INTRODUCED BY: Rosemary Aultman, Mayor

Ken Druker, City Attorney

BOARD ACTION:

MOTION MADE BY: Brabham

SECONDED BY: Kren

VOTE CAST:

"AYE"

"NAY"

ACTION

TAKEN:

Brabham

✓

Hisaw

✓

Greer

✓

Bishop

✓

Peace

✓

Morgan

✓

Barnett

✓

Mayor Aultman

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.

**AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF CLINTON, MISSISSIPPI ELIMINATING SMOKING OF TOBACCO
IN RESTAURANTS, BARS, MUNICIPAL GOVERNMENT FACILITIES,
SCHOOLS, AND FOR RELATED PURPOSES**

WHEREAS, scientific studies have found that tobacco smoke is a major contributor to indoor air pollution; and,

WHEREAS, scientific studies, including studies conducted by the Surgeon General of the United State, have concluded that (1) secondhand smoke exposure causes disease and premature death in children and adults who do not smoke; (2) children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory symptoms and slows lung growth in their children; (3) exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; (4) there is no risk-free level of exposure to secondhand smoke; (5) establishing smoke-free workplaces is the only effective way to ensure that secondhand smoke exposure does not occur at the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke; and (6) evidence from peer-reviewed studies shows that smoke-free policies and laws do not have an adverse economic impact on the hospitality industry. (U.S. Department of Health and Human Services. *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.); and,

WHEREAS, the Mayor and Board of Aldermen find and declare that the purposes of this ordinance are to protect the public health and welfare of its citizens by prohibiting smoking in certain public places;

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI as follows, to-wit:

1.

Title

This Ordinance shall be known as the City of Clinton, Mississippi Smoking Ban Ordinance.

2.

Intent

The Mayor and Board of Aldermen find and declare that the purposes of this ordinance are (1) to protect the public health and welfare by prohibiting smoking in certain public places; (2) to guarantee the right of nonsmokers to breathe smoke free air in certain public places; and (3) to recognize that the need to breathe smoke free air shall have priority over the desire to smoke.

3.

Definitions

The following words and phrases, whenever used in this Ordinance, shall be construed as defined in this Section:

- A. "Bar" means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.
- B. "Restaurant" means an eating establishment, including but not limited to outside, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar area within the restaurant and patio or outside dining areas.
- C. "Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted tobacco product in any manner or in any form.
- D. "Sports Arena" means sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sports or other events.

4.

Application to City-Owned Facilities

All enclosed facilities, including buildings and vehicles owned, leased, or operated by the City of Clinton, shall be subject to the provisions of this Article.

5.

Prohibition of Smoking in Enclosed Public Places

Smoking shall be prohibited in the following public places within the City of Clinton and also shall be prohibited within thirty (30) feet of the main public entrance of any of the following:

- A. Bars.
- B. Childcare and adult day care facilities.
- C. Educational facilities, both public and private.
- D. Health care facilities.
- E. Hotels and motels, including at least eighty percent (80%) of rooms that are rented to guests.
- F. Polling places.
- G. Restaurants.
- H. Rooms, chambers, places of meeting or public assembly, including school

buildings, under the control of an agency, board, commission, committee or council of the City or a political subdivision of the State, to the extent the place is subject to the jurisdiction of the City.

I. Sports arenas, both indoors and outdoors.

J. Theaters and other facilities primarily used for exhibiting motion pictures, stage dramas, lectures, musical recitals, or other similar performances.

6.

Declaration of Establishment as Nonsmoking

Notwithstanding any other provision of this Article, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a nonsmoking place.

7.

Posting of Signs

"No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this Article, by the owner, operator, manager, or other person in control of that place. Additionally, the owner, operator, manager or other person in charge of that place shall provide notice to the public that smoking is prohibited within thirty (30) feet of the main public entrance to said facility.

8.

Enforcement

A. This Article shall be enforced by the Chief of Police or an authorized designee.

B. In addition to the remedies provided by the provisions of this Section, the Police Chief or any person aggrieved by the failure of the owner, operator, manager, or other person in control of a public place or a place of employment to comply with the provisions of this Article may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction.

9.

Violations and Penalties

A. A person who smokes in an area where smoking is prohibited by the provisions of this Article shall be guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars (\$500).

B. A person who owns, manages, operates, or otherwise controls a public place or place where smoking is prohibited and who fails to comply with the provisions of this Article shall be guilty of an infraction, punishable by:

1. A fine not exceeding one hundred dollars (\$100) for a first violation.
2. A fine not exceeding two hundred dollars (\$200) for a second violation within one (1) year.
3. A fine not exceeding five hundred dollars (\$500) for each additional violation within one (1) year.

A good faith effort to prevent smoking will be a complete defense to this offense for anyone described in this Paragraph 9B.

- C. In addition to the fines established by this Section, violation of this Article by a person who owns, manages, operates, or otherwise controls a public place or place where smoking is prohibited may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.
- D. Violation of this Article is hereby declared to be a public nuisance, which may be abated by the Police Department by restraining order, preliminary and permanent injunction, or other means provided for by law, and the City may take action to recover the costs of the nuisance abatement.
- E. Each day on which a violation of this Article occurs shall be considered a separate and distinct violation.

10.

Other Applicable Laws

This Article shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

11.

Liberal Construction

This Article shall be liberally construed so as to further its purposes.

12.

Severability

If any provision, clause, sentence, or paragraph of this Article or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Article which can be given effect without the invalid provision or application, and to this end the provisions of this Article are declared to be severable.

13.

Effective Date

This Article shall be effective thirty (30) days from and after the date of its adoption.

ORDAINED, ADOPTED AND APPROVED by the Mayor and Board of Aldermen of the City of Clinton, Hinds County, Mississippi at its regular meeting held on the 15th day of July, 2008.

A MOTION for adoption was made by Alderman BAABHAM and
SECONDED by Alderman GREER and the foregoing Ordinance
having been first reduced to writing, and no request being made by the Mayor or any member
of the Board of Aldermen that the Ordinance be read by the City Clerk, before any vote was
taken, it was submitted to the Board of Aldermen for the passage or rejection on roll call vote
upon the vote being as follows, to-wit:

Alderman BAABHAM AYE

Alderman HIGAW AYE

Alderman GREER AYE

Alderman BISHOP AYE

Alderwoman PEALE AYE

Alderman MORGAN AYE

Alderman BARNETT AYE

Whereupon, the Mayor declared the motion carried and Ordinance adopted.

The foregoing Ordinance is approved this the 15th day of JULY,
2008.

CITY OF CLINTON, MISSISSIPPI

By: Rosemary G. Aultman
ROSEMARY G. AULTMAN, MAYOR

ATTEST:

By: Russell L Wall
RUSSELL WALL, CITY CLERK



I, RUSSELL L. WALL, City Clerk in and for the City of Clinton, Mississippi, do hereby certify that the attached is a true and correct copy of a ordinance passed at the regular meeting of the Mayor and Board of Aldermen of the City of Clinton, Mississippi held on July 15, 2008.

Witness my hand and Official Seal of the City of Clinton, Mississippi.
This 17th day of July 2008.

Signed: _____

Russell L. Wall
Russell L. Wall, City Clerk



CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: July 15, 2008

AGENDA ITEM NO. 14
13

CONSENT AGENDA:

TO:

FOR:

ACCOUNT NO:

INTRODUCED BY:

DISCUSSION/ACTION: Certificate of Attendance for Tamra Morgan attending the Municipal Clerks Statewide Seminar.

INTRODUCED BY: Russell L. Wall, City Clerk

BOARD ACTION:

MOTION MADE BY: Peace

SECONDED BY: Barnett

VOTE CAST:
TAKEN:

"AYE"

"NAY"

ACTION

Brabham

✓

Hisaw

✓

Greer

✓

Bishop

✓

Peace

✓

Morgan

✓

Barnett

✓

Mayor Aultman

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.



Certificate of Attendance

*The Mississippi Municipal Court Clerk Association
awards this certificate to*

Tamra Morgan

*For attending the Summer Convention on
June 23-24, 2008
Gulfport, Mississippi*



Jeanette S. Banks
Jeanette S. Banks, President
Mississippi Municipal Court Clerk Association

June 24, 2008
Date

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: 7/15/08

AGENDA ITEM NO. 15
14

CONSENT AGENDA:

TO:

FOR:

ACCOUNT NO:

DISCUSSION/ACTION: Request by Total Exploration, Inc. to pay off duty police officers to provide traffic assistance to seismic measuring crews in the city through August 31, 2008.

INTRODUCED BY:

Don Byington
Chief of Police

BOARD ACTION:

MOTION MADE BY: Peace

SECONDED BY: Bishop

VOTE CAST:
TAKEN:

"AYE"

"NAY"

ACTION

Brabham

✓

Hisaw

✓

Greer

✓

Bishop

✓

Peace

✓

Morgan

✓

Barnett

✓

Mayor Aultman

✓

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.

Per MS State Law, off duty employment performed by police officers using city owned equipment must be approved by the governing body and become a matter of public record.

Total Exploration, Inc. has made a request of the Clinton Police Department to allow off duty police officers to assist seismic measuring crews that will be working in the city until August 31, 2008. Off duty officers will be compensated by Total Exploration, Inc.

Work hours will be coordinated through the Clinton Police Department command staff and Total Exploration, Inc. representatives. Command staff will ensure that officers are not scheduled to work more hours than allowed by police department policy in a 24 hour period.

The Police Department deems this necessary to secure the safety of the work crews and the general public who may be traveling in the areas where work is being performed. The Police Department also asserts that providing this assistance would put an undue strain on regularly scheduled patrol shifts to handle along with day to day services of the police department, which presents the need for off duty police personnel to provide assistance.

Below is a list of sworn police officers that are eligible for this employment.

IBM #	NAME
102	Chief Don Byington
108	Capt. Mike Warren
120	Lt. G.Y. Craft
121	Warren Sullivan
131	Capt. Mike Gill
147	Lt. George Rush
153	Det. Kimball Gober
161	Det. Van Gunter
171	Lt. Terry Harris
176	Lt. Gene Mashburn
182	Sgt. George Reese
184	Lt. Chris Dill
185	Lt. Glenn Sikes
189	Sgt. Creston Berch
203	Sgt. Steve Menotti
208	Kevin Richards
218	Sgt. Todd Peterson
227	Andrew McGahey
240	Sgt. Ronnie Clark
242	Det. Scott Herrington
252	Derrick McClung
277	James McNamee
281	Josh Frazier
292	Michael Kelly



Total Exploration, Inc.

Billy Ellzy
Permit Agent

2147 Henry Hill Dr, Suite 106
Jackson, Ms 39204

Office (601) 923-9290
Cell (601) 421-6019
Fax (601) 923-9280

308	Darin Lofton
318	Sean Smith
321	Andre Cameron
337	Gary Reach
343	Rickey Townsend
344	Ryan Hall
347	Jason Miller
348	Albert Kimbrell
350	Shane Hamann
357	Clint Bowman
358	Gregory Davis
286	Ted Rogers
326	Tim (Bo) Davidson
362	Tommy Danna
374	Keith Hollingshead
375	Brad Burns
382	Mark Morgan
386	Pietro Bryant
387	Jason Hulitt
396	Alex Duncan
402	Thomas Cronin
403	Rick Goode
404	Dewayne Wilkinson