

CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, JANUARY 4, 2000 - 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 Reverend Ken Anderson of the Parkway Baptist Church followed by the Pledge of Allegiance to the Flag led by Alderman Fisher.

ROLL CALL - City Clerk Nelson Byrd

Present: Jehu Brabham - Alderman-At-Large
 Tony Hisaw - Alderman Ward 1
 Rodney DePriest - Alderman Ward 2
 Clint Brantley - Alderman Ward 3
 Phil Fisher - Alderman Ward 4
 Herb Touchton - Alderman Ward 5
 Sharbert Lott - Alderman Ward 6
 Ken Dreher - City Attorney
 Nelson Byrd - City Clerk

APPROVAL OF CONSENT AGENDA ITEMS A-T

MOTION made by Alderman Fisher and **SECONDED** by Alderman Lott to approve Consent Agenda Items A-T with the exception of Item I listed on page 531 of this Minute Book AA. **MOTION CARRIED UNANIMOUSLY**

ADOPTION OF RESOLUTIONS REGARDING UNCLEAN PROPERTIES

MOTION made by Alderman Hisaw and **SECONDED** by Alderman Brabham to adopt that Resolution found on pages 532-534 of this Minute Book AA to clean the private property at 503 Northside Dr. **MOTION CARRIED UNANIMOUSLY**

MOTION made by Alderman Hisaw and **SECONDED** by Alderman Brantley to adopt that Resolution found on pages 535-537 of this Minute Book AA to clean the private property at 277 Dawson St. subject to proper notice having been filed. **MOTION CARRIED UNANIMOUSLY**

MOTION made by Alderman Hisaw and **SECONDED** by Alderman Brantley to adopt that Resolution found on pages 538-540 of this Minute Book AA to clean the private property at 218 Dawson St. subject to proper notice having been filed. **MOTION CARRIED UNANIMOUSLY**

MOTION made by Alderman Hisaw and **SECONDED** by Alderman Brabham to adopt that Resolution found on pages 541-543 of this Minute Book AA to clean the private property at 223 Patton St. **MOTION CARRIED UNANIMOUSLY**

CITY REJECTS COUNTER OFFER ON COST OF GAVIN FREEMAN EASEMENT

Upon recommendation of City Attorney Ken Dreher that a counter-offer by Mr. Gavin Freeman for a sewer easement across his land south of Hwy. 80 was unacceptable, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Fisher to reject the counter-offer and proceed with the trial in the Court of Eminent Domain on January 12, 2000. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 7:23 p.m.

MOTION made by Alderman Brantley and **SECONDED** by Alderman Fisher to adjourn.
MOTION CARRIED UNANIMOUSLY

Copy of Agenda can be found on page 531 of this Minute Book AA.

APPROVED:

Rosemary G. Aultman
Rosemary G. Aultman, Mayor

Date

1-10-2000

ATTEST:

Nelson Byrd
Nelson Byrd, City Clerk

Date

1-10-2000

SEAL:

RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at 503 Northside, Clinton, Mississippi, and after full consideration of the matter, Alderman HISAW 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 503 Northside Dr., 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 503 Northside, 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., January 4, 2000, 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 the Public Works 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 503 Northside, Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.
2. The Director of Public Works 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 Public Works 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 DePriest voted:	<u>AYE</u>
Alderman Brantley voted:	<u>AYE</u>
Alderman Fisher voted:	<u>AYE</u>
Alderman Touchton voted:	<u>AYE</u>
Alderman Lott voted:	<u>AYE</u>

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

The foregoing Resolution was approved this the 4th day of January 2000.

CITY OF CLINTON

BY: Rosemary I. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Nelson Byrd
NELSON BYRD, City Clerk

(S E A L)

RESOLUTION

There came on for public hearing before the Mayor and Board* of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at 277 Dawson, Clinton, Mississippi, and after full consideration of the matter, Alderman HISAW 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 277 Dawson St., 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 277 Dawson, 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., January 4, 2000, 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 the Public Works 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 277 Dawson St., Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.
2. The Director of Public Works 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 Public Works 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 BRANTLEY 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 DePriest voted:	<u>AYE</u>
Alderman Brantley voted:	<u>AYE</u>
Alderman Fisher voted:	<u>AYE</u>
Alderman Touchton voted:	<u>AYE</u>
Alderman Lott voted:	<u>AYE</u>

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

The foregoing Resolution was approved this the 4th day of January 2000.

CITY OF CLINTON

BY: Rosemary
ROSEMARY AULTMAN, Mayor

ATTEST:

Nelson Byrd
NELSON BYRD, City Clerk

(S E A L)

RESOLUTION

There came on for public hearing before the Mayor and Board* of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at 218 Dawson, Clinton, Mississippi, and after full consideration of the matter, Alderman HISAW 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 218 Dawson St., 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 218 Dawson, 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., January 4, 2000, 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 the Public Works 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 218 Dawson, Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.
2. The Director of Public Works 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 Public Works 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 BRANTLEY 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 DePriest voted:	<u>AYE</u>
Alderman Brantley voted:	<u>AYE</u>
Alderman Fisher voted:	<u>AYE</u>
Alderman Touchton voted:	<u>AYE</u>
Alderman Lott voted:	<u>AYE</u>

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

The foregoing Resolution was approved this the 4th day of January 2000.

CITY OF CLINTON

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Nelson Byrd
NELSON BYRD, City Clerk

(SEAL)

RESOLUTION

There came on for public hearing before the Mayor and Board*of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at 223 Patton, Clinton, Mississippi, and after full consideration of the matter, Alderman HISAW 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 223 Patton St., 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 223 Patton, 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., January 4, 2000, 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 the Public Works 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 223 Patton, Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.
2. The Director of Public Works 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 Public Works 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 DePriest voted:	<u>AYE</u>
Alderman Brantley voted:	<u>AYE</u>
Alderman Fisher voted:	<u>AYE</u>
Alderman Touchton voted:	<u>AYE</u>
Alderman Lott voted:	<u>AYE</u>

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

The foregoing Resolution was approved this the 4th day of January 2000.

CITY OF CLINTON

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Nelson Byrd
NELSON BYRD, City Clerk

(SEAL)