

**RECESSED MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
TUESDAY, OCTOBER 17, 1995 - 7 P.M.  
MUNICIPAL COURTROOM - 305 MONROE STREET**

The Mayor and Board of Aldermen of the City of Clinton met in Recessed Meeting at 7:00 P.M., at the Municipal Courtroom, 305 Monroe Street, pursuant to a Recess Order adopted by said Mayor and Board of Aldermen at their Regular Meeting of October 3, 1995, as found on Page 159 of this Minute Book X.

**WELCOME AND CALL TO ORDER** - Mayor Rosemary Aultman

**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

The Invocation was led by Alderman Touchton followed by the Pledge of Allegiance to the Flag led by Alderman Lott.

**ROLL CALL** - City Clerk - Nelson Byrd

Present - Jehu Brabham - Alderman-at-Large  
O.C. George Ferrell - Alderman Ward 1  
Rodney DePriest - Alderman Ward 2  
Ben Todd - Alderman Ward 3  
Herb Touchton - Alderman Ward 5  
Sharbert Lott - Alderman Ward 6  
Mayor Rosemary Aultman - Presiding

City Attorney - Ken Dreher  
City Clerk - Nelson Byrd

Absent - Phil Fisher - Alderman Ward 4

**LIONS CLUB PRESENTS CITY WITH PRINT OF CITY LANDMARKS**

Mr. Norman Gough noted the many accomplishments of the Lions Club International. All monies taken in on projects are turned back into the community. He then presented the City the 165th print (Honoring the City's 165th Birthday) of a 300 print collection of Clinton Landmarks purchased for resale by the Lions Club. The Mayor noted appreciation for the Lions Club thinking of the City of Clinton. The print will be displayed in City Hall.

**INTRODUCTION OF MAYOR'S YOUTH COUNCIL**

Mayor Aultman introduced the 1995-1996 Mayor's Youth Council stating that these outstanding and talented Clinton High School students will be learning about City government and history, citizen participation in local government, and participating in volunteer activities in the community.

**APPROVAL OF CONSENT AGENDA ITEMS A-T**

After noting correction in consent agenda item "F" to read (low quote) instead of (state contract price), **MOTION** made by Alderman Todd and **SECONDED** By Alderman Lott to approve Consent Agenda Items A-T as listed on page 202 of this Minute Book X, noting that Consent Agenda Item B, will serve to advertise favorably the opportunities, possibilities, and resources of the City of Clinton. Quotes listed in items F,G,H and L are on file in the Office of the City Clerk. **MOTION CARRIED UNANIMOUSLY.**

**DRAINAGE CORRECTION FOR WILDWOOD PROJECT**

**MOTION** made by Alderman Todd and **SECONDED** by Alderman Lott after conducting a visual inspection and subsequent investigation of the drainage ditch problem between Wildwood and Tanglewood Streets on which no recorded easement can be found, the Mayor and Board of Aldermen, upon consultation and professional advice from the City Engineer have determined that blockage in the ditch, created by debris is causing a detrimental impact upon the adjacent city streets. Based upon the analysis of the City Engineer, and supportive opinion of the Mayor and Board of Aldermen, that unless this blockage is corrected, the situation will continue to escalate causing additional damage to the street, and adversely affecting public health and safety.

It is therefore recommended that the City of Clinton proceed in a timely and orderly manner to acquire the proper rights of entry and release of damages from the property owners so that the necessary work can be implemented to correct this drainage problem. **MOTION CARRIED UNANIMOUSLY.**

Alderman Todd excused himself from the meeting at 7:21 p.m.

**PUBLIC HEARING - UNKEPT LOT - 126 FAIRMONT STREET**

After noting that no one was present to address the issue and upon recommendation by City Engineer Richard Broome that a public hazard exists at 126 Fairmont Street due to bulldozed debris left in a drainage ditch causing flooding of the street and nearby storm drainage, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Touchton to approve the resolution found on pages 204-206 of this Minute Book X authorizing the cleaning of said property. **ROLL CALL VOTE CARRIED UNANIMOUSLY.**

**ADJOURNMENT - 7:26 P.M.**

There being no further business to discuss, **MOTION** made by Alderman DePriest and **SECONDED** by Alderman Touchton to adjourn. **MOTION CARRIED UNANIMOUSLY.**

Copy of Agenda may be found on Pages 202-203 of this Minute Book X.

APPROVED:

Rosemary Aultman  
Rosemary Aultman, Mayor

October 24, 1995  
Date

ATTEST:

Nelson Byrd  
Nelson Byrd, City Clerk

October 24, 1995  
Date

SEAL

7

**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 126 FAIRMONT ST, Clinton, Mississippi, and after full consideration of the matter, Alderman BRABHAM 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 126 FAIRMONT ST., CLINTON, MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY §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 126 FAIRMONT ST., 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 give to the owner of said property as required by §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., OCT. 17, 1995, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

**WHEREAS**, said public hearing was conducted; 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 §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 126 FAIRMONT ST.  
\_\_\_\_\_, Clinton, Mississippi, in its present condition constitutes a menace 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 §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 §21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances.

Alderman TOUCHTON seconded the motion to adopt the foregoing

and the roll call vote was as follows:

|                               |                      |
|-------------------------------|----------------------|
| Alderman Jehu W. Brabham      | voted: <u>Aye</u>    |
| Alderman O. C. George Ferrell | voted: <u>Aye</u>    |
| Alderman Rodney W. DePriest   | voted: <u>Aye</u>    |
| Alderman Ben L. Todd          | voted: <u>Absent</u> |
| Alderman Phil Fisher          | voted: <u>Absent</u> |
| Alderman Herb Touchton        | voted: <u>Aye</u>    |
| Alderman Sharbert K. Lott     | voted: <u>Aye</u>    |

The motion having received the affirmative vote of the majority of all of the members of the Board present, the Mayor declared the motion carried and the Resolution adopted on this the 17<sup>th</sup> day of OCTOBER, 1995.

THE MAYOR AND ALDERMEN OF THE  
CITY OF CLINTON, MISSISSIPPI

By: Rosemary Aultman  
MAYOR ROSEMARY AULTMAN

By: \_\_\_\_\_  
ALDERMAN JEHU W. BRABHAM

By: \_\_\_\_\_  
ALDERMAN O. C. GEORGE FERRELL

By: \_\_\_\_\_  
ALDERMAN RODNEY W. DePRIEST

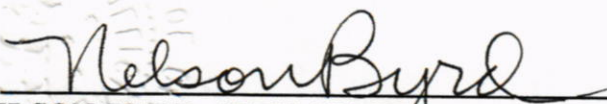
By: \_\_\_\_\_  
ALDERMAN BEN L. TODD

By: \_\_\_\_\_  
ALDERMAN PHIL FISHER

By: \_\_\_\_\_  
ALDERMAN HERB TOUCHTON

By: \_\_\_\_\_  
ALDERMAN SHARBERT K. LOTT

ATTEST:

  
\_\_\_\_\_  
NELSON BYRD, CITY CLERK

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