

**ADJOURNED MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, NOVEMBER 19, 1991 - 7 P.M.
A. E. WOOD MEMORIAL LIBRARY**

The Mayor and Board of Aldermen of the City of Clinton met in Adjourned Meeting at 7 P.M., at the A. E. Wood Memorial Library, 111 Clinton Boulevard, pursuant to a Recess Order adopted by said Mayor and Board of Aldermen at their Regular Meeting of November 5, 1991, as found on Page 45 of this Minute Book V.

WELCOME AND CALL TO ORDER - Mayor Billy Ray Smith

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The Invocation was led by Mr. Harry Williams, long time Clintonian and member of the City Election Commission, followed by the Pledge of Allegiance to the Flag led by Alderman Ronnie Chappell.

ROLL CALL - City Clerk Nelson Byrd

Present - Willard Ryan - Alderman-at-Large
O. C. George Ferrell - Alderman Ward 1
Edward Valente - Alderman Ward 2
Ronnie Chappell - Alderman Ward 3
Keith Montgomery - Alderman Ward 4
Jean Johnson - Alderman Ward 5
Sharbert Lott - Alderman Ward 6
Mayor Billy Ray Smith - Presiding

City Attorney William E. Spell
City Clerk Nelson Byrd

APPROVAL OF CONSENT AGENDA ITEMS A-X:

- A. \$25.00 to National Rifle Association for membership for firearms certification (Police)
- B. Reimbursement to Mayor Smith for meals, hotel and mileage while attending MMA Board of Directors Meeting in Oxford, MS (Adm)
- C. \$348.52 reimbursement to Jim Powell, Economic Development Director for expenses while attending SIDC Convention in Biloxi, MS for economic developers
- D. \$80.00 registration to MS Coop Extension Service for Brooxye Sessums and Nelson Byrd to attend Clerk Certification Update Meeting in Jackson December 12-13, 1991
- E. \$15.00 each to Rob Watras and Mike Warren for tuition fee at FBI Legal Issues Seminar in Greenville, MS 11-7-91 (Police)
- F. \$75.00 dues to National Fire Protection Association for 1992 (Fire)
- G. Appx. \$4,850.16 low quote to Mid-South Uniform for uniforms for Fire Dept. (Fire)
- H. \$534.68 to Sun-Belt Diesel to repair double brake booster on Mack #2 (Fire)
- I. \$655.20 to Nationwide Ins. for Disability and Medical Coverage for Volunteer/Reserve Firemen for 11-7-91/92 (Fire)
- J. \$2,882.72 to APAC-MS for asphalt for street repairs (PWD)
- K. \$1,480.00 to Capweld for chlorine for water treatment (PWD)
- L. \$682.71 to Central Pipe for water line replacement on Warrenton Road (PWD)
- M. \$1,819.08 to Central pipe for meters and fittings (PWD)
- N. \$555.32 to Custom Products for signs for emergency use by the Police Dept. (PWD)
- O. \$2,504.04 to Gregory-Salisbury and Co. for Lagoon Blower - emergency purchase (PWD)

- P. \$1,185.00 to Harcros Chemicals for water fluoride (PWD)
- Q. \$675.15 to Jackson Ready Mix for Miss-Lite size 7 (PWD)
- R. \$530.84 to Layne Central for 3-phase booster pump (PWD)
- S. \$620.00 to Natchez Electric for repair of sewer pump at Clinton Heights Apts. (PWD)
- T. \$727.31 to Buck Sullivan, Inc., for repairs to C-19 truck (PWD)
- U. \$1,175.00 to Software Options, Inc., for additional computer software needed for bankdrafts on water bills - sole source (Water)
- V. \$736.19 to Clinton Weld. for repairs to Mower Gear Box (P&R)
- W. \$839.58 to Albert Robinson to repair engine and front-end on truck C-15 (P&R)
- X. \$3,800.00 appx. to enroll 22 personnel in State Fire Academy - budgeted expense (Fire)

The Board having found as fact that said advertisement or dues in Consent Agenda Items A and F will serve to advertise favorably the opportunities, possibilities and resources of the City of Clinton, MOTION made by Alderman Lott and SECONDED by Alderman Johnson to approve Consent Agenda Items A-X as listed above. MOTION CARRIED UNANIMOUSLY. Copies of quotes in Consent Agenda Item G may be found in the Office of the City Clerk.

LAKESIDE PARK SUBDIVISION RE-ZONING DENIED

Following a presentation by David Stevens representing Mrs. William Hannah, owner of Lot 1, Block A, Lakeside Park Subdivision, and considerable discussion of the requested rezoning of said lot from R-1 to C-1 for the purpose of locating a K&B Drugstore, which was passed to the Mayor and Board of Aldermen on a 3-3 tie vote to deny said request by the City of Clinton Planning and Zoning Board, and after hearing from area residents opposed to said rezoning who also presented a petition against same (said petition is on file in the Office of the City Clerk) and considering all requirements necessary for a rezoning, MOTION made by Alderman Valente and SECONDED by Alderman Lott to deny said rezoning request at this time. ROLL CALL VOTE: Alderman Ryan - "aye", Alderman Ferrell - "nay", Alderman Valente - "aye", Alderman Chappell - "aye", Alderman Montgomery - "aye", Alderman Johnson - "nay", Alderman Lott - "aye". MOTION CARRIED 5-2 to deny said rezoning.

LEGGETTE'S REQUEST FOR SPECIAL EXCEPTION FOR STABLE AND RIDING ACADEMY POSTPONED UNTIL DECEMBER 3, 1991

Upon the request of James R. Leggette, Sr., to postpone his request for a special exception for a stable and riding academy at 160 Leggette Road, MOTION made by Alderman Valente and SECONDED by Alderman Chappell to delay this item until December 3, 1991. MOTION CARRIED UNANIMOUSLY.

REZONING REQUEST APPROVED FOR 100 W. MADISON STREET AND 201 N. MONROE STREET

MOTION made by Alderman Lott and SECONDED by Alderman Chappell to grant that rezoning request of Mississippi College for properties located at 100 W. Madison Street and 201 N. Monroe Street from R-3 to S-1. MOTION CARRIED 7-0 with Alderman Valente abstaining due to his employment with Mississippi College.

REZONING REQUEST OF SAM LEE FOR PROPERTY ON W. NORTHSIDE DRIVE FROM R-2 TO C-2 DENIED

Mr. Sam Lee stating that he wanted to build a building to work on his personal vehicles only (not for outside commercial work) which would only require a building permit from the permit department and not a rezoning, and hearing from area residents who were opposed to a commercial rezoning in a residential area, MOTION made by Alderman Montgomery and SECONDED by Alderman Chappell to

deny said rezoning request. MOTION CARRIED UNANIMOUSLY.

SPECIAL EXCEPTION REQUEST FOR TRAILER FOR LARRY COOPER ON WELLS ROAD DENIED

Acting upon the request of Mr. Larry Cooper for a special exception to place a trailer for a period not to exceed two years at 226 Wells Road and receiving that petition and letter as found on Page 60-61 of this Minute Book V from area neighbors opposing said trailer, MOTION made by Alderman Valente and SECONDED by Alderman Chappell to deny Mr. Cooper's petition for a special exception. ROLL CALL VOTE: Alderman Lott - "aye", Alderman Johnson - "aye", Alderman Montgomery - "aye", Alderman Chappell - "aye", Alderman Valente - "aye", Alderman Ferrell - "nay", Alderman Ryan - "aye". MOTION CARRIED 6-1.

ABANDONMENT OF EASEMENT ON LOT 43, MCDONALD HEIGHTS, PART 2

MOTION made by Alderman Montgomery and SECONDED by Alderman Johnson to abandon that portion of the utility easement granted to the City of Clinton for Lot 43, McDonald Heights Subdivision, Part 2 in the vicinity of the northern side of said Lot 43 upon which there currently rests this date any portion of the residence, fireplace or other associated contiguous and permanent portion of the structure located on Lot 43, McDonald Heights, Part 2, presently owned by Jackie Dalton. MOTION CARRIED UNANIMOUSLY.

AWARDING OF VOICE LOGGER BIDS FOR POLICE/FIRE DEPARTMENTS POSTPONED UNTIL DECEMBER 3, 1991

Upon request of the police and fire departments the awarding of the voice logger bids was postponed until December 3, 1991, to allow more time to review the bids.

ANNUAL APPROVAL OF POLICE UNMARKED CARS GRANTED

Noting that annual approval is required by the State for "unmarked vehicles" in accordance with Section 25-1-87, MOTION made by Alderman Montgomery and SECONDED by Alderman Valente to approve the five following police vehicles as "unmarked":

1988	Blue	Chev.	Caprice	-	1G1BL516XJR167228
1989	"	"	"		1G1BL5175KR210223
1989	"	"	"		1G1BL5173KR210236
1991	"	"	"		1G1BL5375MR127732
1991	"	"	"		1G1B15370MR124978

MOTION CARRIED UNANIMOUSLY.

SPELL TO WRITE OUT AND MAIL TO JOHNSON AND HAMMACK CONDITIONS OF SPECIAL EXCEPTION FOR NORTHSIDE CAR CARE CENTER

Following presentations by Ms. Iva Hammack of 304-B Avondale Drive in which she presented the petition found on Page 62 of this Minute Book V along with pictures which are on file in the office of the Clerk, and Attorney Roy Perilloux representing Mr. Earnie Johnson, owner of Northside Car Care Clinic, MOTION made by Alderman Valente and SECONDED by Alderman Chappell directing City Attorney Spell to convert into writing the conditions of the Special Exception as previously granted to Northside Car Care Center spelling out the interpretation and previous agreement of this Board concerning said Special Exception as granted under Section 901-J of the City of Clinton Zoning Ordinance with copies of said written interpretation being mailed to Mr. Johnson and Ms. Hammack and then for the ordinance to be enforced according to said interpretation. MOTION CARRIED UNANIMOUSLY.

COLLEGE HILLS RESIDENTS TO BE OFFERED SEWAGE PROPOSAL

MOTION made by Alderman Valente and SECONDED by Alderman

Ferrell to authorize the City Engineer to proceed with the first three steps required for a sewage plan to be offered to the residents of the North College Hills area for their consideration. **MOTION CARRIED UNANIMOUSLY.**

AUTHORIZATION TO PAY KEYES ELECTRIC INC.

MOTION made by Alderman Lott and **SECONDED** by Alderman Johnson to pay \$66,453.30 to Keyes Electric, Inc., for soccer field lighting equipment. **ROLL CALL VOTE:** Alderman Lott - "aye", Alderman Johnson - "aye", Alderman Montgomery - "nay", Alderman Chappell - "aye", Alderman Valente - "aye", Alderman Ferrell - "aye", Alderman Ryan - "aye". **MOTION CARRIED 6-1.**

APPROVAL OF AD PROMOTING CHRISTMAS ACTIVITIES

Upon request of Mayor Smith to place a 1/2 page ad in the Clinton News special Thanksgiving Insert in conjunction with the Chamber of Commerce, denoting the various Christmas activities planned in Clinton with the City and Chamber each paying \$67.44 for said ad and in addition receiving a 1/4 page free ad where Economic Director Jim Powell will advertise and promote the City and economic opportunities in Clinton, **MOTION** made by Alderman Valente and **SECONDED** by Alderman Ryan to approve said ad. **MOTION CARRIED 7-0** with Alderman Chappell abstaining due to his position on the Chamber Board of Directors.

AUTHORIZATION TO PURCHASE LEGISLATIVE FORUM TICKETS FOR CITY PERSONNEL

Upon request of Mayor Smith, **MOTION** made by Alderman Lott and **SECONDED** by Alderman Montgomery authorizing purchase of tickets for City Personnel wishing to attend the Legislative Forum on December 3, 1991, at \$20.00 each. **MOTION CARRIED UNANIMOUSLY.**

POLICE/COURTROOM FACILITY PRESENTATION POSTPONED

Upon request of Mayor Smith, the presentation by Usry Architects on the Police Station/Courtroom Facility was postponed. Mayor Smith stated that he would call a special meeting next week for this purpose. **NO BOARD ACTION** taken.

MONTGOMERY NOMINATED TO CHAMBER OF COMMERCE BOARD OF DIRECTORS

MOTION made by Alderman Johnson and **SECONDED** by Alderman Lott to nominate Keith Montgomery as the Alderman representative to serve on the Clinton Chamber of Commerce Board of Directors effective January 1, 1992. **MOTION CARRIED UNANIMOUSLY.**

ADJOURNMENT - 10:15 P.M.

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

Copy of Agenda may be found on Pages 63-64 of this Minute Book V.

APPROVED:

Billy R. Smith
Billy Ray Smith, Mayor

11-22-91
Date

ATTEST:

Nelson Byrd
Nelson Byrd, City Clerk

11-22-91
Date

6 E 11-19-91

Petition

November 13, 1991

Mr. Willard A. Ryan
106 Eva Lane
Clinton, Ms. 39056

Dear Mr. Ryan,

I represent a group of homeowners on Wells Road who oppose the proposed variance being granted to Mr. Larry Cooper, to allow him to move a trailer onto a 1.3 acre site owned by his parents. Although, our immediate community is sympathetic for Mr. Cooper's concerns; we too are concerned with the detrimental impact on our property values.

There is; I believe, a dangerous precedence to be set in allowing new mobile home sites in a residential area in the City of Clinton.

Mr. Larry Cooper's needs for housing can be met through actions that don't impact his neighbors; either by moving in with his parents, or by setting up his mobile home in a designated park as close as Springridge and McRaven roads.

I suspect the reasons for moving his mobile home have more to do with moving out of the Brownsville-Bolton area than a need for proximity to his parents. It is ironic that Mr. Bell, the immediate faithful neighbor who has kept the 1.3 acres mowed for 15 years, now finds the sale of his home restricted because of a possible mobile home. Mr. Bell feels he will have to rent his home until the proposed trailer is moved, lest he have to endure a less than fair market price for his home.

My personal experience with temporary mobile home permits has been dismal. I had the frustrating experience in the past in attempting to move a trailer off of property I owned and it took legal fees and two years of headaches.

There have been many advantages with incorporation of the City of Clinton, such as improved Fire and Police protection; but, certainly zoning is at the top of my list presently.

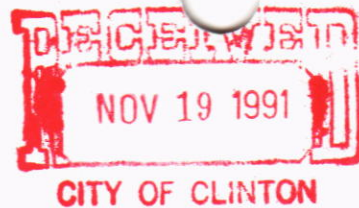
Thank you.

Sincerely yours,

Robert J. Hargis

Robert J. Hargis
RJH/sh

10 11-19-91



We, the undersigned residents of Avondale Drive, Clinton, Mississippi, hereby petition the City of Clinton to enforce the zoning ordinance regarding Car Care Center on Northside Drive owned by Ernie Johnson. This means that we are asking that all work be done inside an enclosed structure, with those vehicles waiting for minor repair to be kept and stored inside an enclosed structure.

We specifically request the removal of any and all vehicles parked on this property not awaiting repairs. We also specifically request that the tow trucks be stored in an enclosed area, provided Mr. Johnson was granted permission to use tow trucks in his operation. If he was not granted permission to use tow trucks, then we request the removal of them. We also request that the tires stacked against the back of the building be removed. In essence, we are requesting that all provisions of this zoning ordinance be enforced regarding Car Care Center.

The noise generated from this operation and the visibility of vehicular repairs, as well as the other things mentioned herein, greatly reduce the attractiveness, desirability and value of our property.

Ava Hammack-304-B	Robert Mite 305B
Thelma Kessler 301-A	Mike Starks 302A
Laye Hellums-300-B	Jennifer Ray 305A
David Haddock 300A	Glenda Meadows-308A
Lommie Marley 302B	Steven D. Frodlik 317B
JM 319B	Kevin McWilliams 319A
Benita Markovich 316B	Brie Marty 303B
T.H. Wessinger 315-A	Keri Cook 307A
Louise Denson 313A	Linda Eckert 301-B
Donna Murphy 311B	
Georgina Lang Stanford 308-B	
Conley 310-B	
Helen S. Froehlich	
312-A Avondale Dr.	
Marlene Danti (309B)	
Katharine Hawley (309-A)	