

9

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CLINTON, MISSISSIPPI,
ENDORISING THE ADOPTION OF SENATE BILL NO. _____

BEING AN ACT TO AMEND § 21-29-139, MISSISSIPPI
CODE OF 1972

WHEREAS, the City of Clinton by resolution dated April 17, 1974, evidenced its desire to take advantage of the privileges and benefits provided by House Bill No. 1884 of the 1974 Regular Session and afforded under §§ 21-29-101 through 21-29-151 of the Mississippi Code of 1972, as Amended, and

WHEREAS, since that time the City of Clinton has created and provided for the maintenance of a "DISABILITY AND RELIEF FUND FOR FIREMEN AND POLICEMEN OF THE CITY OF CLINTON", and

WHEREAS, pursuant to § 21-29-139 of the Mississippi Code of 1979, certain benefits are presently permitted for members of the police and fire departments protected under said plan with respect to military service rendered during World War II, and

WHEREAS, the City of Clinton desires to make similar benefits available to those veterans of the Vietnam Conflict era, and

WHEREAS, it is the opinion of the Mayor and Board of Aldermen that Senate Bill _____, a copy of which is attached hereto, would authorize similar benefits within the City of Clinton for those police and fire department personnel who served their country on active duty in the United States armed forces during World War II, the Korean Conflict, Cuban Crisis, Berlin Crisis and Vietnam Conflict.

BE IT, THEREFORE, RESOLVED that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, do endorse and support the adoption of Senate Bill No. _____.

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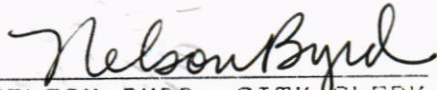
_____.

SO RESOLVED, this the 21st day of JAN

1992.


BILLY RAY SMITH, MAYOR

ATTEST:


NELSON BYRD, CITY CLERK

ADJOURNED MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, JANUARY 21, 1992 - 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 January 7, 1992, as found on Page 80 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 Chris Cumbest, Associate Minister of First United Methodist Church, followed by the Pledge of Allegiance to the Flag led by Alderman Sharbert Lott.

ROLL CALL - City Clerk Nelson Byrd

Present - Willard Ryan - Alderman-at-Large
O. C. George Ferrell - Alderman Ward 1
Edward Valente - Alderman Ward 2
 - 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-O:

- A. \$90.00 to International Assoc. of Fire Chiefs for 1 year membership (Fire)
- B. \$75.00 to M.C. Baseball Program for 1/2 page ad (Adm.)
- C. \$60.00 to Clinton Vo-Tech for Marie McGraw and Brooxye Sessums to attend 10-week computer course on word perfect (Adm.)
- D. Authorization for Alderman Montgomery to attend Congressional City Conference of National League of Cities - registration fee, 4 nights lodging and transportation - appx. \$1,000.00 (Adm.)
- E. \$454.25 each to Hinds Community College for EMT Course and books for Alan Miller, Tracey Normand and Timothy Love (Fire)
- F. \$517.79 to Clinton Welding & Machine Shop to repair field drag (P&R)
- G. \$33,735.86 to Adcamp, Inc., for December Phase 4 1991 Street Improvements (PW)
- H. \$1,490.22 to APAC-MS for asphalt for street repair (PW)
- I. \$880.00 to Capweld for chlorine for water treatment (PW)
- J. \$7,698.20 to Hill City Oil for gasoline for various depts.
- K. \$1,397.00 to Lanier Worldwide for 1 year maintenance agreement on tel-edisett recording and transcribing equip. (Police)
- L. \$901.92 to Roper Supply (low quote) for siren and lights on new community relations vehicle (Police)
- M. \$26,970.24 to Natchez Trace Land Corp. for court ordered payment in eminent domain proceedings (Adm.)
- N. Acceptance of municipal compliance questionnaire for FYE 9-30-91 to be spread on minutes
- O. \$1,298.75 to Software Options, Inc., for programming interface between wordperfect and American Fundware

MOTION made by Alderman Lott and SECONDED by Alderman Johnson to approve Consent Agenda Items A-O with the exception of items B and D as listed above. MOTION CARRIED UNANIMOUSLY.

MOTION was then made by Alderman Johnson and SECONDED by Alderman Ferrell to approve Consent Agenda Item B as listed above. MOTION CARRIED 6-0 with Alderman Valente abstaining due to his employment with Mississippi College.

MOTION was then made by Alderman Valente and SECONDED by Alderman Lott to approve Consent Agenda Item D as listed above. MOTION CARRIED 6-0 with Alderman Montgomery abstaining.

The Board finds as fact that the dues and advertising in Consent Agenda items A and B above bring favorable notice to the opportunities, possibilities and resources of the City. Quotes in Consent Agenda Item L are in the Office of the City Clerk. The Municipal Compliance Questionnaire in Consent Agenda Item N may be found on pages 102-106 of this Minute Book V.

PRICE, EDWARDS, AND PATTERSON PRESENTED AWARDS

Framed awards were read and presented to Fireman of the Year Edwin Price; Policeman of the Year Kenneth Edwards; and a Certificate of Retirement to Parks & Recreation Supervisor Allen Patterson.

DEPOSITORY BIDS ACCEPTED

MOTION made by Alderman Johnson and SECONDED by Alderman Lott to accept the depository bids received on 1-7-92 for the privilege of keeping the City funds for two years and authorization granted for Mayor Smith and City Clerk Byrd to use the highest and best bidders at their discretion as interest rates change. MOTION CARRIED UNANIMOUSLY. Said bids are on file in the Office of the City Clerk.

RESOLUTION ENDORSED SEEKING CREDITABLE MILITARY SERVICE FOR POLICE/FIRE

MOTION made by Alderman Valente and SECONDED by Alderman Montgomery endorsing support of adoption of Senate Bill Resolution found on Pages 107-108 of this Minute Book V seeking to have creditable service for military service and maritime service provided to members of the Disability and Relief Fund for firemen and policemen in the City of Clinton. MOTION CARRIED UNANIMOUSLY.

FINAL PLAT APPROVED FOR LAKE POINT OF CASCADES PHASE 2, PART 6D

MOTION made by Alderman Montgomery and SECONDED by Alderman Johnson to accept the Final Plat for Lake Point of Cascades, Phase 2, Part 6D. MOTION CARRIED UNANIMOUSLY.

CITY ATTORNEY DIRECTED TO OFFER PURCHASE PROPOSAL FOR ELMORE PROPERTY INVOLVED IN ROBINSON CREEK DRAINAGE PROJECT

MOTION made by Alderman Ferrell and SECONDED by Alderman Ryan to direct the City Attorney to enter into eminent domain proceedings against Mattie and Danny Elmore of the State of Indiana with the option to make a buy-out proposal or vice versa. Following considerable discussion of cost involved in eminent domain proceedings, appraisals, etc., and the value of the property in question, prior to a vote being taken, MOTION made by Alderman Ferrell and SECONDED by Alderman Ryan to substitute the following

motion for his original motion: to direct City Attorney Spell to make an offer to purchase from Mattie and Danny Elmore the property in question and whatever agreement is reached will be brought back to this Board for this Board to make the final agreement. MOTION CARRIED UNANIMOUSLY to substitute said motion and Motion-as-Substituted CARRIED UNANIMOUSLY.

SEWER PROPOSAL TO BE PREPARED FOR COTTON ACRES RESIDENTS

MOTION made by Alderman Valente and SECONDED by Alderman Ferrell authorizing Mayor Smith to instruct the Public Works Director and City Engineer to prepare a proposal to be offered to the remaining residents not currently serviced by City sewer in Cotton Acres Subdivision for the provision of sewer services. Petition from Cotton Acres residents requesting said proposal may be found in the Office of the City Clerk. MOTION CARRIED UNANIMOUSLY.

SEWER FEASIBILITY STUDY & PROPOSAL FOR SPRING LAKE ESTATES ORDERED

Upon petition as found in the Office of the City Clerk from Spring Lake Estates residents requesting a sewer feasibility study and proposal for their area (Linda Drive area), MOTION made by Alderman Ferrell and SECONDED by Alderman Valente directing the Public Works Director and City Engineer to do a feasibility study for Spring Lake Estates and bring a proposal back to the next Board Meeting if possible or as soon as possible. MOTION CARRIED UNANIMOUSLY.

SHADY SPRINGS SEWAGE PUMP STATION POSTPONED UNTIL NEXT MEETING

Homewood Manor Enterprises not having completed the necessary documents to dedicate the Shady Springs Sewage Pump Station to the City of Clinton to date, said matter was postponed until the next Board Meeting. NO BOARD ACTION taken.

1992 BOARD APPOINTMENTS

MOTION made by Alderman Valente and SECONDED by Alderman Ryan to re-appoint Mr. Joe Price to serve another term and to appoint Mr. J. B. Howell to serve a term on the Library Board. MOTION CARRIED UNANIMOUSLY.

MOTION made by Alderman Johnson and SECONDED by Alderman Ryan to appoint Mr. Greg Gearhardt to serve a term on the Planning and Zoning Board for Ward 5. MOTION CARRIED UNANIMOUSLY.

OTHER BUSINESS

A. Mayor Smith reminded those present that the Ward 3 alderman election will be held on February 11, 1992, at the National Guard Armory; and that if a run-off is necessary, it will be held the following Tuesday.

B. This Board having clearly stated on several occasions that the zoning ordinance must be enforced as written and intended, Dr. Valente requested the Mayor and Board of Aldermen's interpretation with regard to the operation of Northside Car Care Clinic be spread on the minutes again stating that Mr. Johnson may not store any vehicles (including his own personal vehicles) outside of said building which are not being stored there temporarily for incidental repair and further directing City Attorney Spell to reduce to writing the Board's full intent of the standards for measuring what is and is not acceptable per 901-J of the City of

Clinton Zoning Ordinance for said property as a guideline for the City Building Inspector and Mr. Johnson with this writing to be brought to the next Board Meeting for adoption by this Board. It was noted that City Attorney Spell stated that if the governing authorities declared something to be a violation of the City Zoning Ordinance, the City Building Inspector is obligated to testify to that fact in court and further that the Board, the Building Inspector, or any citizen who signed an affidavit for a violation may go back to court on a daily basis every time the violation occurs or remains.

ADJOURNMENT - 8:30 P.M.

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

Copy of Agenda may be found on Pages 109-110 of this Minute Book V.

APPROVED: Billy R Smith Jan. 28, 92
Billy Ray Smith, Mayor Date

ATTEST: Nelson Byrd Jan. 28, 1992
Nelson Byrd, City Clerk Date

SEAL

N

Municipal Compliance Questionnaire

Information

Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than yes or no, and as a result, more information on this questionnaire may be required and/or separate work papers may be needed.

1. Name and address of Municipality: CITY OF CLINTON

2. List the date and population of the latest official U.S. Census or most recent official census: 1990 21,847

3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).

See Attached List

4. Period of time covered by this questionnaire:

From: 10-1-90 To: 9-30-91

5. Expiration date of current elected officials' term. 6-30-93

N

CITY OF CLINTON

Street Address: 300 Jefferson Street
Clinton, MS 39056

Mailing Address: P. O. Box 156
Clinton, MS 39060

Telephone Numbers
924-5462 - City Hall
924-5252 - Police Dept.
924-6421 - Fire Dept.
924-2239 - Public Works/
Building Insp./Garbage

	<u>MAYOR</u>	<u>ADDRESS</u>	<u>PHONE</u>
<u>WIFE</u> NITTIE KAY	Billy Ray Smith (D) (8-2-27)	1601 E. Northside Drive	924-5186 - Home 924-5462 - City Hall
	<u>ALDERMAN AT LARGE</u>		
Fanelle	Willard A. Ryan (R) (5-3-34)	106 Eva Lane	924-7544 - Home
	<u>ALDERMEN</u>		
Willie mae	O. C. George Ferrell (D) Ward 1 (3-28-51)	208 Lovett Drive	924-0210 - Home
	Edward J. Valente (R) Ward 2 (1-16-49)	113 Oklahoma Drive	922-7372 - Home 925-3424 - M.C. 3300 - Barbara
Sherry	Ronnie Chappell (R) <i>Resigned 1-31-91</i> Ward 3 (1-1-44)	883 Magnolia Road (Home) 1681 E. Northside Dr. (O)	924-1014 - Home 924-7291 - Office
Joan	Keith Montgomery (R) Ward 4 (9-22-51)	<i>1811</i> 1808 Gloucester Place 1104 McDowell Rd. (04)	924-4127 - Home 956-2729 - Office 373-2423
Jane	Jean W. Johnson (R) Ward 5 (8-27-32)	706 Dunton Road 207 E. College	924-5037 - Home 924-5373 - Office
Martha	Sharbert K. Lott (R) Ward 6 (6-22-43)	306 Church Street 450 Landmark Ctr. 175 E. Capitol (05) SCB	924-0335 - Home 961-1882 - Office

Elected June 6, 1989 with term of office running through June 30, 1993.

*Note: (Birthday)

M U N I C I P A L C O M P L I A N C E Q U E S T I O N N A I R E

ANSWER ALL QUESTIONS : Y - YES, N - NO, N/A - NOT APPLICABLE

PART 1 - GENERAL

1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) Y
2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 & 27-19-27) Y
3. Are municipal records open to the public? (Section 25-61-5) Y
4. Are meetings of the board open to the public? (Section 25-41-5) Y
5. Are notices of special or recess meetings posted? (Section 25-41-13) Y
6. Are all required personnel covered by appropriate surety bonds?
 - Appointed officers and those handling money, see statutes governing the form of government. (i.e. Section 21-3-5 for Code Charter) Y
 - Municipal Clerk Section 21-15-38 Y
 - Deputy Clerk Section 21-15-23 Y
 - Chief of Police Section 21-21- 1 Y
 - Deputy Police Section 45- 5- 9 (if hired under this law) Y
7. Are minutes of board meetings prepared to properly reflect the actions of the board? Sections 21-15-17 and 21-15-19 Y
8. Are minutes of the board meetings signed by the mayor or majority of the board within 22 days of the meeting? Section 21-15-33 Y
9. Has the municipality complied with the nepotism law in its employment practices? Section 25-1-53 Y
10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their term of office or employment? Section 25-4-105 Y
11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? Section 21-35-31 Y
12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? Section 21-35-31 or 21-17-19 Y

- N
13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court ordered or emergency expenditures? Section 21-35-17 Y
 14. Has the municipality commissioned municipal depositories? Sections 27-105-353, 363 Y
 15. Have investments of funds been restricted to those instruments authorized by law? Section 21-33-323 Y
 16. Are donations restricted to those specifically authorized by law? Sections 21-19-45 through 21-19-59 and Section 21-17-5 Y
 17. Are fixed assets property tagged and accounted for? Section 7-7-211 - Municipal Audit and Accounting Guide Y
 18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y
 19. Are all travel advances made in accordance with the state auditor's regulations? Section 25-3-41 Y

PART III - PURCHASING AND RECEIVING

1. Are bids solicited for purchases, when required by law (written bids and advertising)? Section 31-7-13 (b) & (c) Y
2. Are all lowest and best bid decisions properly documented? Section 31-7-13 (d) Y
3. Are all one source item and emergency purchases documented on the boards minutes? 31-7-13 (m) & (k) Y
4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? Section 31-7-23 Y

- N
- | | | |
|-----|--|----------|
| 6. | Are local privilege taxes collected from all businesses, except those exempt by law, within the municipality? Section 27-17-5 | <u>Y</u> |
| 7. | Are transient vendor taxes collected from all transient vendors, except those exempt, within the municipality? Section 75-85-1 | <u>Y</u> |
| 8. | Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? Section 83-1-37 | <u>Y</u> |
| 9. | Has the municipality levied or appropriated not less than 1/4 mill for fire protection; or certified to the county that it does not provide its own fire protection? Section 83-1-37 & Section 83-1-39 | <u>Y</u> |
| 10. | Are state imposed court assessments collected; and settled monthly? House Bill 1416, 1990 Regular Session | <u>Y</u> |
| 11. | Are all fines & forfeitures collected when due and settled to the municipal treasury immediately? Section 21-15-21 | <u>Y</u> |
| 12. | Are bids solicited by advertisement or 3 appraisals obtained under special circumstances, when real property is sold? Section 21-17-1 | <u>Y</u> |

Certified Correct:

1-7-92 Billy R Smith
Mayor

1-7-92 Nelson Byrd
City Clerk

D-70