

ADJOURNED MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, AUGUST 18, 1992 - 5 P.M.
MUNICIPAL COURTROOM

The Mayor and Board of Aldermen of the City of Clinton met in Adjourned Meeting at 5 P.M., at the Municipal Courtroom, 200 Jefferson Street, pursuant to a Recess Order adopted by said Mayor and Board of Aldermen at their Regular Meeting of August 4, 1992, as found on Page 511 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 Alderman Keith Montgomery followed by the Pledge of Allegiance to the Flag led by Alderman Jean Johnson.

ROLL CALL - City Clerk Nelson Byrd

Present - Willard Ryan - Alderman-at-Large
George Ferrell - Alderman Ward 1 - Arrived 5:05 p.m.
Edward Valente - Alderman Ward 2
Ben Todd - Alderman Ward 3 - Arrived 6:27 p.m.
Keith Montgomery - Alderman Ward 4
Jean Johnson - Alderman Ward 5
Sharbert Lott - Alderman Ward 6 - Arrived 5:04 p.m.

Mayor Billy Ray Smith - Presiding
City Attorney William E. Spell
City Clerk Nelson Byrd

APPROVAL OF CONSENT AGENDA ITEMS A-T:

- A. \$50.00 for promotion of the City through the School District teachers luncheon on August 18, 1992, for an America 2000 Presentation (Adm.)
- B. Authorization for Police Department to bid for High Band and Low Band for Communication system for new facility (Police)
- C. \$3,000.00 to MS Justice Information Center for Network Computer Services for one year (Police)
- D. \$724.46 to Northpark Outdoor Equipment for repairs to John Deere Mower (Parks & Recreation)
- E. \$2,305.54 to Apac-MS for asphalt for street repairs (PWD)
- F. \$5,084.76 to Bell Fence Mfg. for replacing fences on SCS Projects (PWD)
- G. \$738.25 to Bailey Pavement Marking for Capitol Street striping (PW)
- H. \$2,205.00 to Capweld for chlorine (PWD)
- I. \$1,536.90 to Central Pipe for supplies for manholes and meters (PW)
- J. \$3,700.00 to Delta Const. for repair and replacement of manhole on Highway 80 (PWD)
- K. \$965.00 to Flannigan Elec. for repair of Flygt pump (PWD)
- L. \$7,754.00 to Hill City Oil for gasoline use by all depts.
- M. \$1,050.00 to Jackson Ford Tractor for rental of Ford Tractor with side clipper (PWD)
- N. \$764.25 to Nat. Elec. for repair to sewer pump at Clinton Heights Apts. (PWD)
- O. \$587.26 to Prec. Brakes for repairs to C-21 sewer truck (PWD)
- P. \$645.55 to Buck Sullivan, Inc., for repairs to C-1 vehicle (PW)
- Q. \$250.00 for Brooxye Sessums to attend Leadership Clinton (Adm.)
- R. \$25.00 for Ad in Clinton High School Band Calendar (Adm.)
- S. \$1,498.00 to DDB Const. for site work at Traceway Park (3 invoices) [P&R]
- T. \$165.75 to Clinton News for full page football ad (Adm.)

Mayor Smith requested the addition of Item T as listed above, with said item being acted on separately. MOTION made by Alderman Johnson and SECONDED by Alderman Valente to approve Consent Agenda Items A-S as listed above. MOTION CARRIED UNANIMOUSLY.

Alderman Lott arrived 5:04 p.m.

MOTION then made by Alderman Johnson and SECONDED by Alderman Ryan to approve Consent Agenda Item T as listed above. MOTION CARRIED 5-0 with Alderman Valente abstaining due to his employment with Mississippi College. Consent Agenda Items A, R, & T, will serve to advertise favorably the opportunities, possibilities, and resources of the City of Clinton.

Alderman Ferrell arrived 5:05 p.m.

DRAINAGE IMPROVEMENT AUTHORIZED FOR 300 AND 208 TRAILWOOD

MOTION made by Alderman Valente and SECONDED by Alderman Ryan to approve the recommendations of Public Works Director Alderman for improvement of drainage to 300 and 208 Trailwood Drive, consisting of labor and materials totaling \$11,426.00. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF GARBAGE CONTRACT ADDENDUM WITH MAGNOLIA STATE DISPOSAL

MOTION made by Alderman Valente and SECONDED by Alderman Ryan to adopt that garbage contract addendum with Magnolia State Disposal Service as found on pages 564-565 of this Minute Book V. It was noted that Mr. Drinkwater with Magnolia State Disposal Service stated that Magnolia anticipated no additional increase in October of 1992 other than CPI. MOTION CARRIED UNANIMOUSLY.

Noting that the recycling material is not ready for presentation, said matter was postponed until the September meeting of the Board of Aldermen.

AGENDA ITEMS #8-9 PASSED OVER

Noting that Mr. Garriga and Alderman Todd were not present yet, Agenda Items #8 and 9 were passed over until later in the meeting to allow time for their arrival. NO BOARD ACTION.

SOIL BORINGS AND APPRAISAL AUTHORIZED FOR SEWER EASEMENT ACROSS SCHOOL PROPERTY

MOTION made by Alderman Montgomery and SECONDED by Alderman Johnson to do the appropriate engineering, pre-construction type borings (subject to the School Board giving the City permission) necessary as recommended by the City Engineer to determine if this proposed area for a sewer easement is on prior garbage dump land so that if garbage is struck said borings will immediately cease, and after borings are completed, if they are sufficient to support said site then get an appraisal done on said property and site for sewer facilities that are recommended by the City Engineer and Public Works Director. MOTION CARRIED UNANIMOUSLY.

LOVETT LAGOON INTERIM REPORT RECEIVED FROM WILLIFORD, GEARHART AND KNIGHT, INC.

Engineer Greg Gearhart presented the Board with an interim report regarding the Lovett Lagoon with copies of the final report to be distributed to the Board by the end of the week.

During the presentation of this report, Alderman Johnson was out of the Board Room from 5:57 p.m. until 6:09 p.m.; and Alderman Todd arrived for the meeting at 6:27 p.m.

Following said presentation, the Board received said interim

report and stated that once the final report is received, the final report shall not be released to anyone until such time said final report is accepted by the entire Board. Copies of both the interim and final reports are on file in the Office of the City Clerk. NO BOARD ACTION.

WICKSTEAD ROAD SEWER TO BE RE-STUDIED

Upon request by Mr. David Garriga for sewer service to his home at 101 Wickstead Road due to an emergency nature, MOTION made by Alderman Montgomery and SECONDED by Alderman Valente to update the old Wickstead Road Sewer Proposal to provide sewer service to the first house on Wickstead Road with installation sufficient to ultimately be extended to the entire Wickstead Road area. MOTION CARRIED UNANIMOUSLY. Said study to be brought back to the next Board Meeting.

AGENDA ITEM #9 CONCERNING INSURANCE MATTERS POSTPONED UNTIL NEXT MEETING

Upon request, agenda item #9, insurance requirements for contractors and subcontractors for the City of Clinton was postponed for presentation and action until the next Board Meeting.

OTHER BUSINESS

A. MOTION made by Alderman Montgomery and SECONDED by Alderman Valente to approve the necessary change order to re-do the curb and gutter for Edgewood Place not to exceed the amount budgeted. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT - 8:18 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 566 of this Minute Book V.

APPROVED:	<u>Billy R Smith</u> Billy Ray Smith, Mayor	<u>8-25-92</u> Date
ATTEST:	<u>Nelson Byrd</u> Nelson Byrd, City Clerk	<u>8-25-92</u> Date

SEAL

ADDENDUM TO
MAGNOLIA STATE DISPOSAL SERVICE, INC.
CITY OF CLINTON, MISSISSIPPI
SOLID WASTE COLLECTION CONTRACT

THIS ADDENDUM is made and entered into by and between MAGNOLIA STATE DISPOSAL SERVICE, INC., hereinafter called "MAGNOLIA", and the CITY OF CLINTON, MISSISSIPPI, a municipal corporation, hereinafter called "CLINTON", to the Solid Waste Collection Contract between MAGNOLIA and CLINTON.

MODIFICATION

The following modification is made to the Solid Waste Collection Contract which will be applied retroactively to the date of the original Contract. A new paragraph number 6 shall be added on page 10 under the subheading Compensation for Services to the Solid Waste Collection Contract which will read as follows:

6. MAGNOLIA may increase the contract prices at any time for additional rate and price adjustments on the basis of increased costs from revised laws, ordinances or regulations, increased landfill disposal costs, changes in location of disposal sites, and revised environmental regulations, which are beyond the control of MAGNOLIA. The increase shall include only the actual cost of such change. CLINTON may request verification of such cost changes. Any such

increase shall not exceed 10% of the contract price in any fiscal year unless CLINTON has funds legally available to cover such increase. If, in good faith, such funds are not legally available to pay such increase, MAGNOLIA or CLINTON shall have the right to negotiate an increase or terminate its obligations under the Contract.

IN WITNESS WHEREOF, the parties have affixed their signatures on this Addendum on this, the 18th day of August, 1992.

MAGNOLIA STATE DISPOSAL SERVICE, INC.

BY:

Charles F. Byrd
Charles F. Byrd, President

CITY OF CLINTON, MISSISSIPPI

BY:

Billy R. Smith
Billy Ray Smith, Mayor

ATTEST:

Nelson Byrd
Nelson Byrd, City Clerk

APPROVED:

Not Needed
William E. Spell, City Attorney