

ADJOURNED MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, APRIL 17, 1990 - 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 April 3, 1990, as found on Page 652 of this Minute Book T.

WELCOME AND CALL TO ORDER - Mayor Billy Ray Smith

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The Invocation was led by Reverend Stan Wachstetter, Bible Tabernacle Church. Mayor Smith stated that Reverend Wachstetter is the only minister in the State of Mississippi who has the honor of serving on United States President Bush's Advisory Staff, a staff of over 200 persons. Following the Invocation, the Pledge of Allegiance to the Flag was led by Alderman Lott.

ROLL CALL - City Clerk Julia Todd

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 Engineer Terry Anderson - Arrived 7:30 P.M. due to
another meeting

City Clerk Julia M. Todd

APPROVAL OF CONSENT AGENDA ITEMS A-M:

- A. Renewal membership - Sam's Wholesale Club - \$25.00 - Purchasing Manager - City of Clinton
- B. One Day Personnel Management Seminar - Alice Burchfield - \$50.00 plus mileage - Coliseum Ramada - May 2 (employment laws including 1st, 4th, and 14th amendments, Title VII, ADEA, COBRA, Fair Labor Standards)
- C. Authority to advertise for City Hall Computer System
- D. \$607.06 - Central Pipe & Supply, Inc., for two 1 1/2 Badger Water meters with fittings - sole source (Public Works)
- E. \$790.00 - Rebel High Velocity - sewer services - pumping and dumping of 4 loads from the digester - Briars Treatment Plant (\$240.00 is a dumping fee) (Public Works)
- F. Purchase of Books - 20 volume set of Oxford English Dictionary 2nd edition - \$3,935.00 plus freight (Library)
- G. Purchase of MacArthur Foundation set of videocassettes from PBS \$6,000.00 plus freight - sole source (Library)
- H. Software support for Data General equipment from Sumner, Inc., from 1-1-90 through 12-31-91 - Law Enforcement User Group Membership (Police Dept.) - \$3,240.00
- I. Annual Membership - Municipal Court Clerk Assoc. of MS - Marie McGraw and Wanda Sullivan - \$30.00 (Police Department)
- J. Repair ambulance air conditioner - East Ford - replace compressor, clutch, expansion valve and splice links - parts \$434.01 and labor \$284.40 totaling \$718.41 (Fire Dept.)

- K. Captain Bryan Presson - National Fire Academy Course - Chemistry of Hazardous Materials - May 6-18 - meals approx. \$159.60 Service America Corp. and \$353.00 appx. cost of plane fare which will be fully reimbursed (Fire Dept.)
- L. Reimbursement to Firefighter Bill Lewis for \$30.00 paid to MS State Health Dept. for taking National Registry Exam (Fire Dept.)
- M. State Health Dept. Division of Emergency Medical Services - \$40.00 - Eric Stokley - State Driving Course; \$10.00 - State EMT License for Steve Toney and Edgar Dennis; \$45.00 for 9 Fire Dept. personnel State Ambulance Drivers License (\$5.00 each) (Fire Dept.)

MOTION made by Alderman Johnson and SECONDED by Alderman Chappell to approve Consent Agenda Items A-M as listed above. MOTION CARRIED UNANIMOUSLY.

PRELIMINARY PLAT OF GREENWOOD SUBDIVISION PART I POSTPONED UNTIL NEXT BOARD MEETING FOR ADDITIONAL INFORMATION

Engineer Richard Broome, on behalf of owner/developer Bob Owens, presented to the Mayor and Board of Aldermen a preliminary plat of Greenwood Subdivision Part I requesting approval of said plat and permission to move and/or remove approximately 80,000 cubic yards of sand in order to properly grade approximately 8-10 acres of the 20 acre site (as shown on the sketch plat requested by Public Works Director Alderman and City Engineer Anderson) so that the water flow will be channeled away from Vernon Road to alleviate further drainage problems in said area. Although the City of Clinton Planning and Zoning Board recommended approval of said plat, there were some serious questions from some of the Board of Aldermen as to mining and safety. Following an approximate one hour discussion of problems surrounding drainage and the moving and/or removal of sand in conjunction with the development of Greenwood Subdivision Part I, MOTION made by Alderman Ferrell and SECONDED by Alderman Ryan to postpone action until the next Board Meeting for further information. ROLL CALL VOTE: Alderman Ryan - "aye", Alderman Ferrell - "aye", Alderman Valente - "aye", Alderman Chappell - "aye", Alderman Montgomery - "nay", Alderman Johnson - "nay", Alderman Lott - "aye". MOTION CARRIED 5-2. Owner Developer Owens then requested said project be dropped.

Alderman Ferrell left Board Room at 8 P.M. and did not return.

BIDS FOR HYDROSTATIC DRIVE COMPACTOR TO BE RE-ADVERTISED

Noting that bids for the purchase of a 20 hp gas, hydrostatic drive compactor had been properly advertised twice and the City receiving no bids, Public Works Director Alderman was directed to find out why no bids were received and re-advertise. MOTION made by Alderman Montgomery and SECONDED by Alderman Valente for re-advertisement of said bids. Noting that both previous advertisements had been in the Clinton News, Alderman Valente then MOVED to amend the motion to advertise in the Jackson paper on April 26, and May 4 with bids to be opened on May 11, 1990. Amendment to the Motion CARRIED UNANIMOUSLY with Alderman Ferrell not present for voting. MOTION-AS-AMENDED CARRIED UNANIMOUSLY with Alderman Ferrell not present for voting. Proof of Publication that bids were properly advertised may be found on Page 664 of this Minute Book T.

ABANDONED HOUSES ON SPROLES AND WEST LAKEVIEW CONTINUED

It was noted that the house located at 101 Sproles Street has been properly removed; however, the house at 221 West Lakeview has had no improvements made to date. MOTION made by Alderman Montgomery and SECONDED by Alderman Lott that the property at 221 West Lakeview be reviewed by an

expert appointed by the Public Works Director and the Building Inspector to review safety and estimated cost of salvageability by next meeting. MOTION CARRIED UNANIMOUSLY with Alderman Ferrell not present for voting.

AUTO FLEET INSURANCE RENEWED WITH NEW HAMPSHIRE - ANNUAL COST \$39,542

Following presentations by Robert Stone, representing Boyles, Moak, and Stone; and Robert Penn, representing McDonald-Penn Agency, MOTION made by Alderman Montgomery and SECONDED by Alderman Chappell to renew with New Hampshire. Prior to a vote being taken said motion was withdrawn and reworded as follows. MOTION made by Alderman Montgomery and SECONDED by Alderman Chappell to carry all auto fleet liability at \$300,000 with New Hampshire including uninsured motorists for all vehicles and pro rate until October 5 so we can better plan for Budget year. MOTION CARRIED UNANIMOUSLY with Alderman Ferrell not present for voting. Quotes are on file in the Office of the City Clerk.

RESOLUTION ADOPTED AUTHORIZING SRF LOAN FOR WASTEWATER PROJECTS

MOTION made by Alderman Valente and SECONDED by Alderman Lott adopting that Resolution found on Page 665 of this Minute Book T authorizing application for State Revolving Loan Funds and designating Harold Alderman, Director of Public Works, as the project representative for the Lovett/Sumner Hill and Southwest Wastewater Treatment Facility projects. MOTION CARRIED UNANIMOUSLY with Alderman Ferrell not present for voting.

OTHER BUSINESS

CITY TO JOIN NATCHEZ TRACE PARKWAY ASSOCIATION

Following a presentation by Dr. Len Edwards, MOTION made by Alderman Valente and SECONDED by Alderman Ryan instructing the City Clerk to file an application on behalf of the City of Clinton to become a member of the Natchez Trace Parkway Association for 1990. Said membership fee is \$125.00. MOTION CARRIED UNANIMOUSLY with Alderman Ferrell not present for voting.

CITY ATTORNEY DIRECTED TO FILE SUIT AGAINST CLINTON COUNTRY MANOR NURSING HOME FOR UNPAID WATER BILL

Noting that Clinton Country Manor Nursing Home has had an outstanding water bill in the amount of \$2,700.00 for approximately one year, rather than cutting water off for failure to pay MOTION made by Alderman Johnson and SECONDED by Alderman Lott to file suit against Clinton Country Manor Nursing Home for said water bill. MOTION CARRIED UNANIMOUSLY with Alderman Ferrell not present for voting.

EXECUTIVE SESSION - 9:45 P.M.

At the request of City Attorney Spell to go into Executive Session for the purpose of hearing matters of current litigation in the case of Robertson vs. City of Clinton, U. S. District Court; Goff vs. City of Clinton, Hinds County Circuit Court; Box. vs. City of Clinton, Hinds County Circuit Court; City of Clinton vs. Pauline, Hinds County Court and a summary of the prosecution strategy in criminal cases, MOTION made by Alderman Valente and SECONDED by Alderman Lott to go into Executive Session for the purposes of discussing matters enumerated by Counsel. ROLL CALL VOTE: Alderman Ryan - "aye", Alderman Ferrell - not present, Alderman Valente - "aye", Alderman Chappell - "aye", Alderman Montgomery - "nay", Alderman Johnson - "aye", Alderman Lott - "aye". MOTION CARRIED 5-1.

Present for Executive Session were Mayor Billy Ray Smith, City Clerk Julia Todd, City Attorney William E. Spell, Police Chief Don Byington, and

Aldermen Ryan, Valente, Chappell, Montgomery, Johnson, and Lott.

City Attorney Spell apprised the Mayor and Board of the current status of each case, trial dates, etc., and the City's position on each. No Board action was taken during Executive Session. After discussion was completed, Alderman Valente MOVED that the Board go back into OPEN SESSION. SECONDED by Alderman Montgomery. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT - 10:05 P.M.

Alderman Montgomery MOVED to adjourn. SECONDED by Alderman Ryan. MOTION CARRIED UNANIMOUSLY.

Copy of Agenda may be found on Pages 666-667 of this Minute Book T.

APPROVED: Billy R. Smith 5-1-90
Billy Ray Smith, Mayor Date

ATTEST: Julia M. Todd 5-1-90
Julia M. Todd, City Clerk Date

SEAL

PASTE AD HERE

ADVERTISEMENT
FOR BIDS
Sealed bids for the purchase
of a 20 H.P., gas, hydrostatic
drive, compactor will be re-
ceived by the Mayor and
Board of Aldermen, 300 Jef-
ferson Street, Clinton, Missis-
sippi, until 10:00 A.M. local
time on April 13, 1990, and
immediately thereafter will be
opened and publicly read.
The purchasing agency is the
City of Clinton. The detailed
specifications may be ob-
tained in the Office of the
City Clerk, Clinton, Mississip-
pi, 300 North Jefferson
Street, Clinton, Mississippi.
All bids shall reflect delivery
to the vehicle barn, Depart-
ment of Public Works for the
City of Clinton, in Clinton,
Mississippi.
City of Clinton, Mississippi
By: /s/ Julia M. Todd
Julia M. Todd, City Clerk
Approved by:
/s/ Billy R. Smith
Billy Ray Smith, Mayor
March 29, April 5, 1990

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**PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY**

PERSONALLY appeared before me, the undersigned notary
public for Hinds County, Mississippi,

Iris Raeshaun,

an authorized clerk of THE CLINTON NEWS, a weekly
newspaper as defined and prescribed in Sections 13-3-31 and
13-3-32, of Mississippi Code of 1972, as amended, who, being
duly sworn, states that the notice, a true copy of which is
hereto attached, appeared in the issues of said newspaper as
follows:

Date March 29, 1990

Date April 5, 1990

Date _____, 19 ____

Date _____, 19 ____

Date _____, 19 ____

Number of Lines 31

Published 2 Times

Total \$ 17.12

Signed Iris Raeshaun
Authorized Clerk
of The Clinton News

Sworn to and subscribed before me the 5 day of
April 1990.

Marie Mall
Notary Public

My Commission Expires:
My Commission Expires Nov. 9, 1992

(Seal)

RESOLUTION AUTHORIZING APPLICATION
FOR
STATE REVOLVING LOAN FUNDS
AND
DESIGNATING PROJECT REPRESENTATIVE
CLINTON, MISSISSIPPI

WHEREAS the City of Clinton has been mandated to upgrade wastewater treatment facilities for the Southwest basin and the Lovett/Sumner Hill area and WHEREAS the City has previously authorized application for State Revolving Loan Funds and WHEREAS the City has authorized design and submission of plans and specifications for these two facilities; now therefore let it be resolved as follows:

1. Approval is granted authorizing loan application for the State Revolving Loan Fund Program. The application shall secure monies needed to fund construction of the Lovett/Sumner Hill and Southwest Wastewater Treatment Facilities. The application shall be completed in accordance with regulations set forth by the Mississippi Department of Natural Resources, Bureau of Pollution Control.
2. The Director of Public Works, Harold Alderman, shall be designated as the project representative for the Lovett/Sumner Hill and Southwest Wastewater Treatment Facility projects (SRF-C280805-01-0) in Clinton, Mississippi. The appointment is made in accordance with regulations set forth by the Mississippi Department of Natural Resources, Bureau of Pollution Control, State Revolving Fund Loan Program. So resolved and ordered by the Mayor and Board of Aldermen of the City of Clinton, Mississippi on this the 17th day of April 1990.

BY:

Billy R. Smith
Billy Ray Smith, Mayor

ATTEST:

Julia M. Todd 4-17-90
Julia Todd, City Clerk

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AGENDA

1. Welcome and Call to Order - Mayor Billy Ray Smith
2. Invocation - Reverend Stan Wachstetter, Bible Tabernacle Church
3. Pledge of Allegiance to the Flag - Alderman Sharbert Lott
4. Roll Call - City Clerk Julia Todd
5. Approval of Consent Agenda Items A-M:
 - A. Renewal membership - Sam's Wholesale Club - \$25.00 - Purchasing Manager - City of Clinton
 - B. One Day Personnel Management Seminar - Alice Burchfield - \$50.00 plus mileage - Coliseum Ramada - May 2 (employment laws including 1st, 4th, and 14th amendments, Title VII, ADEA, COBRA, Fair Labor Standards)
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6. Bid Recommendation for the purchase of a 20 hp gas, hydrostatic drive compactor. Bids received on 4-13-90 in Mayor Smith's office (Public Works)
7. Consideration of Approval of Preliminary Plat of Greenwood Subdivision Part I (Vernon Road)
8. Continued Discussion/Action - abandoned houses located at 221 West Lakeview and 101 Sproles Street
9. Renewal of automobile fleet insurance for city vehicles - quotes

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submitted by Boyles, Moak & Stone; and McDonald-Penn Agency

10. Discussion/Adoption - Resolution authorizing SRF Loan
11. Other Business
12. Motion to Adjourn

GOVERNING BODY

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 Engineer Terry Anderson
City Clerk Julia M. Todd