



**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF
ALDERMEN
TUESDAY APRIL 4, 2017 – 7:00 P. M.
MUNICIPAL COURTROOM – 305 MONROE STREET**

WELCOME AND CALL TO ORDER Mayor Phil Fisher

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Cashion followed by the pledge of allegiance to the flag led by Alderman Brabham.

ROLL CALL City Clerk, Russell Wall

Present: Jehu Brabham – Alderman-at-Large
 David Ellis – Alderman Ward 1
 Jim Martin – Alderman Ward 2
 William O Barnett – Alderman Ward 3
 Greg Cronin – Alderman Ward 4
 Jan Cossitt – Alderwoman Ward 5
 Mike Cashion – Alderman Ward 6

Alderman Cronin entered the meeting after the roll call at 7:15 pm.

APPROVAL OF CONSENT AGENDA ITEMS A – M

MOTION made by Alderman Cashion and **SECONDED** by Alderman Barnett to approve the Consent Agenda Items A-M. **MOTION CARRIED UNANIMOUSLY**

DEPARTMENT HEAD REPORT

Ford Hayman, Police Chief, updated the board on the recent Citizens Police Academy that was held from March 27, 2017 through April 1, 2017. He explained the various topics that were taught and that there were fifteen (15) participants. Overall, the chief stated that this first academy was a success and that he already had many citizens asking when the next session would be.



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BOARD OF ALDERMEN DISCUSSION AND REPORTS

DRAINAGE ISSUE 120 COWLES CREEK IN BRUENBURG

Alderwoman Cossitt stated that the letter she wrote the Attorney General's office concerning this issue had several inaccurate statements. She further stated that the statements made to the Attorney General of the findings were unsupported by any City documents. She apologized for the inaccurate statements and that she took full responsibility for any misunderstanding involving this matter. Furthermore, she stated that she was not going to offer a motion on this matter and asked that no action be taken.

Since there was no motion on the table and several Aldermen wanted to make statements concerning the issue the Mayor asked for a motion to suspend the rules and allow discussion of this matter.

Upon a **MOTION** by Alderman Brabham and **SECONDED** by Alderman Cashion the board approved the suspension of the rules to allow a discussion on this matter. **MOTION CARRIED UNANIMOUSLY**

The Mayor then recognized Chelsea Brannon, City Attorney to make comments on this matter. The City Attorney stated that drainage issues were taken seriously by the City. However, it is not true that the city will never will work on private property concerning drainage issues. The State Statutes have certain procedures and findings that must be made by the board before any work can be performed on private property. Therefore, there was no information or documentation found to support the repair by the City of the drainage issue located at 120 Cowles Creek in Bruenberg.

The Mayor then asked for any comments from the members of the Board of Aldermen.

Alderman Brabham stated that there are provisions in the state statutes that have to be followed in making determinations as to whether a City can enter private property to perform work. He felt that the citizens had been receiving misinformation concerning the ability of the City to perform work on private property concerning drainage issues. It was his hope that some way could be found to give the citizens more reliable information concerning the City's liabilities on performing work on drainage issues. Finally, Alderman Brabham stated that in the future he would not vote for the City to perform work on private property unless the issue met the legal requirements of the state statutes and was ethically right.



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Alderman Cashion stated he supported Alderman Brabham's views concerning this issue and wanted to thank Alderwoman Cossitt for her position statement concerning the drainage problem at 120 Cowles Creek in Bruenberg. Alderman Cashion felt that misconceptions as to the City's liability concerning drainage issues was the problem. He wanted the citizens to know that the City is sensitive to the needs of drainage control, however the law precludes the City from taking action. He further stated that he hoped that the City would establish a procedure for handling these issues.

Alderman Cronin stated that drainage issues have been one of the biggest issues during his time on the board. He wanted to make sure that the law concerning work on private property was applied correctly. He also stated he appreciated the City Attorney in guiding the board to reach the proper decisions regarding this issue.

Due to Alderwoman Cossitt's request the drainage issue at 120 Cowles Creek in Bruenberg was not acted on due to no motion made to vote on the matter.

MAYOR'S DISCUSSION AND REPORTS

CERTIFICATE OF APPROPRIATENESS – 309 JEFFERSON STREET – BILL HETRICK – WARD 5

Upon presentation by Roy Edwards, Director of Community Development **MOTION** made by Alderman Martin and **SECONDED** by Alderman Brabham the board approved the request from Bill Hetrick for a Certificate of Appropriateness for the façade renovation to the building located at 309 Jefferson Street in the City of Clinton, Mississippi. The Planning and Zoning Committee, the Historical Preservation Committee and the Architectural Review Committee recommended approval. **MOTION CARRIED UNANIMOUSLY**

SIGN SITE PLAN REVIEW – 1023 HAMPSTEAD BOULEVARD – MR. CARWASH – WARD 6

Upon presentation by Roy Edwards, Director of Community Development, **MOTION** made by Alderman Cashion and **SECONDED** by Alderman Barnett the board approved the sign site plan review requested by Mr. Carwash for a sign to be located at 1023 Hampstead Boulevard in the City of Clinton, Mississippi. The Planning and Zoning Committee recommended approval. **MOTION CARRIED UNANIMOUSLY**



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**SUBDIVISION VARIANCE – SOUTHERN OAKS PHASE 10 – GEORGE CHATHAM –
WARD 3**

This item was removed from the agenda and no action was taken.

APPROVE A RESOLUTION OF SUPPORT FOR THE NATIONAL PARK SYSTEM

Upon presentation by Phil Fisher, Mayor, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Martin the board adopted the resolution of support for the National Park System. **MOTION CARRIED UNANIMOUSLY**

**AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF
CLINTON, MISSISSIPPI AND THE HINDS COUNTY ELECTION COMMISSION TO
PROVIDE PROFESSIONAL SERVICES FOR THE 2017 PRIMARY MUNICIPAL
ELECTION TO BE HELD MAY 2, 2017 AND THE GENERAL MUNICIPAL
ELECTION TO BE HELD JUNE 6, 2017**

Upon presentation by Russell Wall, City Clerk, **MOTION** made by Alderman Ellis and **SECONDED** by Alderman Barnett the board authorized the Mayor to execute a contract between the City of Clinton, Mississippi and the Hinds County Election Commission to provide professional services for the 2017 Primary Municipal Election to be held May 2, 2017 and the General Municipal Election to be held June 6, 2017. **MOTION CARRIED UNANIMOUSLY**

**APPROVE A RESOLUTION TO APPROVE ONE ADDITIONAL PAYMENT (13TH
CHECK) TO RETIREES OF THE CITY OF CLINTON FIRE AND POLICE
DISABILITY RELIEF FUND FOR 2017**

Upon presentation by Russell Wall, City Clerk, **MOTION** made by Alderman Barnett and **SECONDED** by Alderman Brabham the board approved a resolution to approve one additional payment (13th check) to retirees of the City of Clinton Fire and Police Disability Relief Fund for 2017. **MOTION CARRIED UNANIMOUSLY**



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AUTHORIZE THE MAYOR TO INITIATE AND REQUEST PROJECT ACTIVATION TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION (MDOT) FOR IMPROVEMENTS, INCLUDING MILLING AND REPAIR, TO CLINTON PARKWAY FROM HIGHWAY 80 TO NORTHSIDE DRIVE, AND FURTHERMORE AUTHORIZE THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING (MOU), AS PREPARED BY MDOT, REGARDING THIS PROJECT

Upon presentation by Bill Owen, Consulting Engineer, **MOTION** made by Alderman Ellis and **SECONDED** by Alderman Brabham the board authorized the Mayor to initiate and request project activation to the Mississippi Department of Transportation (MDOT) for improvements, including milling and repair, to Clinton Parkway from Highway 80 to Northside Drive, and furthermore authorized the Mayor to execute the Memorandum of Understanding (MOU), as prepared by MDOT, regarding this project. **MOTION CARRIED UNANIMOUSLY**

AUTHORIZE THE MAYOR TO INITIATE AND REQUEST PROJECT ACTIVATION TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION (MDOT) FOR IMPROVEMENTS, INCLUDING ROADWAY IMPROVEMENTS AND BRIDGE REPLACEMENT, TO PINEHAVEN ROAD BRIDGE LOCATED NORTH OF WILLIAMSON ROAD, AND FURTHERMORE AUTHORIZE THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING (MOU), AS PREPARED BY MDOT, REGARDING THIS PROJECT

Upon presentation by Bill Owen, Consulting Engineer, **MOTION** made by Alderwoman Cossitt and **SECONDED** by Alderman Brabham the board authorized the Mayor to initiate and request project activation to the Mississippi Department of Transportation (MDOT) for improvements, including roadway improvements and bridge replacement, to Pinehaven Road bridge located north of Williamson Road, and furthermore authorized the Mayor to execute the Memorandum of Understanding (MOU), as prepared by MDOT, regarding this project. **MOTION CARRIED UNANIMOUSLY**



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AUTHORIZE THE MAYOR TO INITIATE AND REQUEST PROJECT ACTIVATION TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION (MDOT) FOR IMPROVEMENTS, INCLUDING MILLING AND REPAIR, TO MAGNOLIA ROAD FROM OLD VICKSBURG ROAD TO NORTHSIDE DRIVE, AND FURTHERMORE AUTHORIZE THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING (MOU), AS PREPARED BY MDOT, REGARDING THIS PROJECT

Upon presentation by Bill Owen, Consulting Engineer, **MOTION** made by Alderman Cashion and **SECONDED** by Alderman Barnett the board authorized the Mayor to initiate and request project activation to the Mississippi Department of Transportation (MDOT) for improvements, including milling and repair, to Magnolia Road from Old Vicksburg Road to Northside Drive, and furthermore authorized the Mayor to execute the Memorandum of Understanding (MOU), as prepared by MDOT, regarding this project. **MOTION CARRIED UNANIMOUSLY**

AUTHORIZE THE ADVERTISEMENT FOR BIDS FOR THE CONSTRUCTION OF THE TOWN SPRING PARK

Upon presentation by Chelsea Brannon, City Attorney, **MOTION** made by Alderman Cashion and **SECONDED** by Alderman Brabham the board authorized the advertisement for bids for the construction of the Town Spring Park. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 7:47 PM

MOTION made by Alderman Brabham and **SECONDED** by Alderman Ellis to adjourn until the next regular meeting of the Mayor and Board of Aldermen of the City of Clinton, Mississippi to be held April 18, 2017 at 7:00 pm. **MOTION CARRIED UNANIMOUSLY**



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APPROVED: *Philip R. Fisher*
Philip R. Fisher, Mayor

4/5/17
Date

ATTEST: *Russell L. Wall*
Russell L. Wall, City Clerk

4-5-17
Date

