

**REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
CITY OF YAZOO CITY, MISSISSIPPI  
August 8, 2016  
2:00 P.M.**

BE IT REMEMBERED that a Regular meeting of the Board of Mayor and Aldermen of the City of Yazoo City, Mississippi was convened in the Board Room at the Yazoo City Police Department on August 8, 2016, being the 2<sup>nd</sup> Monday of said month when and where the following were had and done to wit:

Present: Diane Delaware, Mayor; Ronald E. Johnson, Ward 1; Dr. Jack D. Varner, Ward 2; Aubrey N. Brent, Jr., Ward 4; Mario D. Edwards, Interim City Clerk, and O'Reilly Evans, PLLC, Sarah O'Reilly-Evans, Attorney at Law.

Absent: Gregory Robertson, Mayor Pro-Tem/Ward 3

Mayor Delaware called the regular called meeting to order having been duly noticed and posted. Interim City Clerk Mario Edwards gave invocation.

**APPROVAL TO AMEND AND ADOPT AGENDA**

There came on for consideration the matter of adopting an agenda for this meeting with amendments as follows: Mayor Delaware requested to amend the agenda by adding to Unfinished Business, item (d) Order to authorize Fire Department pay scale for chain of command; item (e) Order to accept the Bylaws of Keep Yazoo City Beautiful; and item (f) Introduction of Information Technology quotes received and accept the lowest and best quote; Attorney Sarah O'Reilly-Evans requested to amend the agenda by adding to New Business, item (j) Ordinance introduction: Ordinance Of The City Of Yazoo City, Mississippi Amending The Code Of Ordinances Of The City Of Yazoo City, Mississippi To Reduce The Penalty Adjudicated For Cleaning Property Deemed A Menace To Public Health And Safety; Alderman Johnson requested to amend the agenda by adding to New Business, item (k) Order to authorize the Board of Mayor and Aldermen to attend Mississippi Recreation and Park Association 2016 Annual Conference; Fire Chief Terry Harbor requested to amend the agenda by adding to item (6a) also add Sedric Hudson for approval. Alderman Varner moved to adopt the agenda with requested amendments; Alderman Johnson seconded.

Yeas: Delaware, Johnson, Varner, Brent  
Nays: None  
Absent: Robertson

**AGENDA  
BOARD OF MAYOR AND ALDERMEN  
CITY OF YAZOO CITY, MISSISSIPPI  
Monday, August 8, 2016  
2:00 p.m.**

**1. Call to Order and Invocation**

- a. Pastor Ken Lynch, Parkview Church of God

**2. Adopt Agenda (p. 2)**

### 3. Approval of Minutes

- a. July 25, 2016, Regular Meeting (p. 5)

### 4. Hearing of Complaints and Appeals (Public Comments)

- a. Chasity Carter (p. 21)
- b. Vanessa Knox and Joann Little (p. 23)

### 5. Message of the Mayor / Aldermen / Report of Officers

- a. Public Works Director
- b. Building Inspector / Code Enforcer
- c. Municipal Court Clerk (p. 25)
- d. Cemetery Sexton (p. 27)
- e. Fire Chief (p. 28)
- f. Chief of Police (p. 31)
- g. Safety Manager (p. 47)
- h. City Clerk (p. 48)

### 6. Approval of Docket

- a. Order to approve Michael Langston, Jr., Robert Simmons, Troy Goston, to attend New Fire Chief I: Administrative Issues on August 9-10, 2016, at Mississippi State Fire Academy to include per diem for food (p. 53)
- b. Claims (p. 63)
- c. Payroll (p. 82)

### 7. Report of Standing Committees

- a. Wayne Morrison update on current projects

### 8. Unfinished Business:

- a. Order to authorize the City of Yazoo City to enter into a lease purchase agreement with Bank of Yazoo City for one new hydraulic knuckle boom brush and limb loader from Tri-State Truck Center
- b. Order designating Davis Street in Honor of Magnolia Tatum (p. 84)
- c. Board nominations to the Yazoo City Municipal School Board

### 9. New Business:

- a. Acknowledge the receipt of proposals for Bridge Insurance including dental and vision plan
- b. Order authorizing acceptance of \$2,217.87 from Travelers Insurance Company for collision damage to 2006 E-One Fire Ladder Truck (p. 87)
- c. Order to approve the advertising proposal for 2016-2017 for WBYP-FM "Power 107" (p. 88)
- d. Order authorizing Meko Hill to attend 2016 Fall MS Municipal Clerk Training on September 21-23, 2016, in Pearl, MS, to include registration, lodging, travel and per diem for food (p. 91)
- e. Order authorizing Mario Edwards to attend 2016 Fall MS Municipal Clerk Training on October 19-21, 2016, in Hattiesburg, MS, to include registration, lodging, travel and per diem for food (p. 99)
- f. Order authorizing Sheila Scott to attend 2016 Fall MS Municipal Clerk Training on October 26-28, 2016, in Oxford, MS, to include registration, lodging, travel and per diem for food (p. 105)
- g. Order authorizing Mario Edwards to attend 2016 Master Municipal Clerk Training Session on September 26-28, 2016, in Raymond, MS, to include registration, lodging, travel and per diem for food (p. 113)

- h. Order authorizing Diane Delaware to attend Governor's 2016 Export Summit and Excellence in Exporting Awards on August 26, 2016, in Jackson, MS, to include registration **(p. 122)**
- i. Order authorizing the City of Yazoo City to purchase an ad from DBR Publishing Co. to advertise the opportunities and resources of the City **(p. 123)**

### **EXECUTIVE SESSION**

- Mayor's Office
- Public Works

There came on for consideration: the matter of approving the minutes of the July 25, 2016, Regular Meeting.

Alderman Brent moved to approve the minutes of the July 25, 2016, Regular Meeting; Alderman Varner seconded.

Yeas: Delaware, Johnson, Varner, Brent  
 Nays: None  
 Absent: Robertson

### **Hearing of Complaints and Appeals (Public Comments)**

#### **Message of the Mayor / Aldermen / Report of Officers**

Mayor Delaware stated that she gave the greeting at the City Schools' convocation and looks forward to working with the new Superintendent and School Board. She informed the citizens of a picnic given to recent graduates. Lastly, she adamantly stated that the City of Yazoo City will not accept harassment or discrimination against women.

Alderman Brent stated that citizens in his ward have started a neighborhood clean-up. He would like the City to provide certificates to citizens that participate in the clean-up.

Alderman Johnson advised school will be starting soon and we all should be mindful of students walking to school by slowing down.

Russell Carter, Building Inspector/Code Enforcer, submitted his monthly report. A copy will be on file in the City Clerk's Office.

Mary Love Johnson, Municipal Court Clerk, submitted her monthly report. A copy will be on file in the City Clerk's Office.

Prentice Young, Cemetery Sexton, submitted his monthly report. A copy will be on file in the City Clerk's Office.

Terry Harbor, Fire Chief, submitted his monthly report. A copy will be on file in the City Clerk's Office.

Jeff Curtis, Chief of Police, submitted his monthly report. A copy will be on file in the City Clerk's Office.

Danny Miller, Safety Administrator, submitted his monthly report. A copy will be on file in the City Clerk's Office.

Mario Edwards, Interim City Clerk, submitted his monthly report. A copy will be on file in the City Clerk's Office.

**Approval of Docket:**

Mayor Delaware moved to amend the agenda and authorize the purchase of t-shirts to advertise opportunities and resources of the City in the amount of \$450.00 to be provided during the Fire Academy for Kids; Alderman Brent seconded.

Yeas: Delaware, Johnson, Varner, Brent  
Nays: None  
Absent: Robertson

There came on for consideration: Order authorizing Michael Langston, Jr., Robert Simmons, Troy Goston, and Sedric Hudson to attend New Fire Chief I: Administrative Issues on August 9-10, 2016, at Mississippi State Fire Academy to include per diem for food.

Mayor Delaware moved to authorize; Alderman Brent seconded.

Yeas: Delaware, Johnson, Varner, Brent  
Nays: None  
Absent: Robertson

There came on for consideration: Order Approving General Funds Claims Numbered 1 to 91; Municipal Court Funds Claims Numbered 92 to 95; Solid Waste Funds Claims Numbered 96 to 115; and Payroll Clearing Funds Claims Numbered 116 to 120; on Municipal "Docket of Claims" In The Amount of \$185,938.10 and hereby approved for immediate payment thereof. (Making Appropriation for the Payment Thereof).

**IT IS FURTHER ORDERED** that there is appropriated from various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

<b><u>FROM:</u></b>	<b><u>TO ACCOUNTS PAYABLE CLEARING:</u></b>
GENERAL FUNDS	\$109,320.83
MUNICIPAL COURT FUNDS	\$7,739.75
SOLID WASTE FUNDS	\$68,750.52
PAYROLL CLEARING FUNDS	\$127.00

Alderman Varner moved to approve the Docket of Claims; Alderman Brent seconded.

Yeas: Delaware, Johnson, Varner, Brent  
Nays: None  
Absent: Robertson

**There came on for consideration:**

Order Approving Gross Payroll Deduction Claims, Inclusive Therein, and Making Appropriation For the Payment Thereof.

IT IS HEREBY ORDERED that claims, inclusive therein on the Municipal "Docket of Claims", in the aggregate amount of \$205,933.91 plus payroll deduction are appropriated from various funds to the Payroll Fund for immediate payment thereof.

IT IS FINALLY ORDERED that the following expenditures from accounts payable fund be made in order to pay amount transferred from the payroll fund for payment of the payroll deductions claims authorized herein for payment.

<b><u>FROM:</u></b>	<b><u>TO: PAYROLL CLEARING:</u></b>
GENERAL FUNDS	\$182,028.03
SOLID WASTE	\$23,905.88

Alderman Brent moved to approve; Alderman Varner seconded.

Yeas: Delaware, Johnson, Varner, Brent  
Nays: None  
Absent: Robertson

#### **Report of Standing Committees:**

Wayne Morrison, City Engineer, presented bids received for the Waste Tire Grant from Southern Tire Recycling and Mississippi Tire Recycling LLC. Bids were open and received as follows:

- Southern Tire Recycling option #1 \$3.00 per car/passenger tire, \$8.50 per truck tire, \$75.00 per tractor tire, \$125.00 per loader/skidder tire and option #2 \$2,000.00 per trailer load of tires
- Mississippi Tire Recycling LLC option #1 \$150.00 per ton plus \$350.00 freight and option #2 passenger, light truck, and regular truck by the ton, extra wide tire \$25.00 each, small rear tractor tire and medium rear tractor tire \$50.00 each, large rear tractor tire \$75.00 each, and extra-large rear tractor loader \$100.00.

Alderman Varner moved to authorize Mayor Delaware and Wayne Morrison to review the quotes and bring back a recommendation to the Board for approval; Alderman Brent seconded.

Yeas: Delaware, Johnson, Varner, Brent  
Nays: None  
Absent: Robertson

Mayor Delaware moved to keep Willie Morris Parkway closed until grass is properly groomed and the project complete; Alderman Varner seconded.

Yeas: Delaware, Johnson, Varner, Brent  
Nays: None  
Absent: Robertson

#### **Unfinished Business:**

There came on for consideration: Order authorizing the City to seek lease purchase rate quotes for the financing of one new hydraulic knuckleboom brush and limb loader from Tri-State Truck Center.

Alderman Varner moved to authorize; Alderman Brent seconded.

Yeas: Delaware, Johnson, Varner, Brent

Nays: None  
Absent: Robertson

There came on for Public Hearing:

**ORDER OF THE CITY OF YAZOO CITY, MISSISSIPPI DESIGNATING  
DAVIS STREET IN HONOR OF MAGNOLIA TATUM**

**WHEREAS** the City of Yazoo City, Mississippi, received a petition requesting that Davis Street in the City of Yazoo City, Mississippi be changed to Magnolia Tatum Lane; and

**WHEREAS** Magnolia Tatum, honorary designee was a community activist that worked tirelessly for the advancement of humanity and the improvement of the quality of life for the citizens of Yazoo City; and

**WHEREAS** due to her many contributions the Board of Mayor and Aldermen requested that the petition proceed as an Honorary Street Designation; and

**WHEREAS**, after due notification as required by ordinance, the Board of Mayor and Aldermen conducted a public hearing on August 8, 2016, to consider said matter.

**IT IS, THEREFORE, HEREBY ORDERED** by the Board of Mayor and Aldermen of the City of Yazoo City, Mississippi, that Davis Street is hereby designated in honor of Magnolia Tatum.

**IT IS FURTHER ORDERED** to reflect the honorary street designation that the Public Works Department is to take further appropriate action as required including installation of honorary street name signs.

Mayor Delaware requested that anyone present to speak to the Order be allowed to speak. There being no public comment, Mayor Delaware moved to approve the order; Alderman Brent seconded.

Yeas: Delaware, Johnson, Varner, Brent  
Nays: None  
Absent: Robertson

There came on for consideration: Board nominations to the Yazoo City Municipal School Board.

Mayor Delaware nominated John Scott and Pattie Taylor-Wright to fill the vacant positions due to resignation of John Wallace and Willie Neal Thomas.  
Alderman Johnson nominated Jackie Stokes and Zelda Baker to fill the vacant positions to due resignation of John Wallace and Willie Neal Thomas.

There came on for consideration: Order authorizing a pay scale for the Fire Department chain of command as follows: New Firefighter \$8.50, 6 month step pay \$9.22, Certified Firefighter \$9.83, Lieutenant \$10.05, Captain \$10.41, Battalion Chief \$11.02

Alderman Robertson entered the meeting.

After discussion, Mayor Delaware moved to approve the Fire Department pay scale established for chain of command; Alderman Varner seconded.

Yeas: Delaware, Johnson, Varner, Brent  
Nays: Robertson

There came on for consideration:

**RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN RATIFYING THE BY-LAWS OF KEEP YAZOO CITY BEAUTIFUL (KYCB)**

**WHEREAS** on June 13, 2016, the Board of Mayor and Aldermen appointed the initial committee members to Keep Yazoo City Beautiful (KYCB) having been established by the Board of Mayor and Aldermen on October 26, 2015; and

**WHEREAS** KYCB has presented to the Board of Mayor and Aldermen the following proposed by-laws:

**By-Laws  
of  
KEEP YAZOO CITY BEAUTIFUL**

**ARTICLE I**

**NAME**

**SECTION 1.** The name of this body shall be "Keep Yazoo City Beautiful" (KYCB), hereinafter referred to as the "KYCB".

**ARTICLE II**

**PURPOSE (MISSION)**

**SECTION 1.** The overall mission of "Keep Yazoo City Beautiful" is "To Inspire and Educate Yazoo City to Care for Pride of Place" in the City of Yazoo City, Mississippi. Keep Yazoo City Beautiful will focus on Litter Prevention, Beautification, Community Improvement and Waste Prevention in the City of Yazoo City. Partnerships will be developed through education, participation in programs and activities to improve the physical environment and quality of life of Yazoo City.

**ARTICLE III**

**AUTHORITY COMPOSITION**

**A. Selection**

**SECTION 1.** Keep Yazoo City Beautiful shall be composed of five (5) citizens of Yazoo City to be appointed by the Board of Mayor and Aldermen.

**B. Terms of Office**

**SECTION 2.** The term of office for each member shall be for five (5) years; however, the initial terms shall be one (1) member for a term of five (5) years; one (1) member for a term of four (4) years; one (1) member for a term of three (3) years; one (1) member for a term of two (2) years; and one (1) member for a term of one (1) year. The members appointed may be re-appointed without limitation(s).

**C. CONFLICT OF INTREST**

**SECTION 3.** No board member of KYCB may be an immediate relative or an owner of any organization or business contracting to perform work funded by the City of Yazoo City.

**ARTICLE IV**

**REMOVAL OF MEMBERS**

**A. Grounds**

**SECTION 1.** The KYCB may recommend board members removal by the Board of Mayor and Aldermen under the following circumstances:

- a. The member no longer resides in the City of Yazoo City, Mississippi.
- b. The member is absent from three (3) consecutive meetings without reasonable excuse.
- c. Such other conditions that the KYCB, by two-thirds (2/3) majority of its members, consider appropriate

**ARTICLE V**

**VACANCIES**

**SECTION 1.** A vacancy shall occur on the KYCB when:

- a. A Member notifies KYCB of his/her resignation;
- b. A Member dies; or
- c. A member is notified of his/her removal by action of the Board of Mayor and Aldermen.

**SECTION 2.** The vacant seat shall be filled in the same manner that the original representative was selected/appointed.

**SECTION 3.** Vacancies shall be filled for the unexpired term of the original member.

**ACTICLE VI**

**QUORUMS AND VOTING**

**SECTION 1.** The quorum for meetings of the KYCB shall be three (3) members.

**SECTION 2.** The quorum for meetings of other committees shall be a majority of its members on the committee.

**SECTION 3.** All issues shall be decided by a simple majority of those members present and voting, except where a special vote is otherwise indicated herein. No official action can be taken by

KYCB or any Committee in the absence of a quorum at the time action is taken. If at any time during a meeting the quorum is lost, the KYCB/Committee can take no further official action.

## ARTICLE VII

### A. SCHEDULES

**SECTION 1.** KYCB shall meet monthly at a time and place so designated for the convenience of its members. The July meeting shall be designated as the annual meeting, at which time the recommended budget for the next fiscal year will be submitted.

**SECTION 2.** When circumstances prevent one (1) or more regular meetings, KYCB shall meet at least 2 (two) weeks before the next scheduled meeting.

**SECTION 3.** The President or any three (3) or more members, may call a meeting of the KYCB at any time he/she considers that there is a good and sufficient reason, providing due notice is given as hereinafter provided. The business conducted at a meeting shall be limited to the purpose for which the meeting was called, except that, by a majority vote, additional matters may be brought before the KYCB.

### B. NOTICE OF MEETINGS

**SECTION 1.** At least five (5) days written notice (which may be by email) shall be given to each member prior to a regular or special meeting of the KYCB setting forth the date, time, and place and specifying the agenda. In the event that the President determines that the subject of a special or called meeting is of such an urgent nature as to preclude the five (5) days written notice, notice may be given by the quickest means available and the five (5) day notice waived. Notice of all meetings shall be posted as required by state law.

### C. OPEN MEETINGS

**SECTION 1.** All meeting shall be open to the public unless authorized and conducted in an executive session pursuant to state law. Meetings shall be posted as required by state law.

## ARTICLE VIII

### MINUTES

**SECTION 1.** Written minutes shall be kept of all KYCB meetings.

**SECTION 2.** Minutes of regular, called, or special meetings shall be signed by the Secretary; Minutes of Committee meetings shall be signed by the Committee Chairman.

**SECTION 3.** The minutes must contain an accurate account of KYCB proceedings, although verbatim minutes are not required. The minutes shall contain a record on all motions by recording the number of ayes, nays, and abstentions.

**SECTION 4.** The minutes of all KYCB meetings shall be made available for public review pursuant to law.

**SECTION 5. Committees.** KYCB, at its discretion, may constitute and appoint committees to assist in the affairs of KYCB with the responsibilities and powers appropriate to the nature of the appointment and as provided by KYCB in the resolution authorizing the appointment of such committee or in subsequent resolutions and directives. Committee members shall be appointed by the President, subject to the approval of KYCB. Each committee, as constituted and appointed by KYCB, shall serve at the pleasure of KYCB. In addition to such obligation and functions as may be expressly provided for KYCB, and each Committee so constituted and appointed by KYCB shall, from time to time, report to and advise KYCB of KYCB's affairs within its particular area of responsibility and interest. The members of committees of KYCB may consist of persons who are not members of KYCB and persons who are members of KYCB.

## ARTICLE IX

### OFFICERS

**SECTION 1.** The officers of KYCB shall be a President, Vice-President and Secretary of KYCB.

**SECTION 2.** The officers of KYCB shall be elected annually in regular meeting by KYCB at a regular meeting, such election not to be conducted until after new members, if any, have been seated. Each officer shall hold office until his/her successor shall have been duly elected and qualified.

**SECTION 3.** Any officer elected or appointed by KYCB may be removed by KYCB for cause, providing **that at least a majority of the members vote affirmatively for removal.**

**SECTION 4.** The President shall preside at all meetings of KYCB and shall have general supervision of the affairs of KYCB. He/she shall make reports to KYCB and perform all such duties as are incident to his/her office or are properly required by him/her by KYCB.

**SECTION 5.** The Vice-President shall exercise the functions of the President during the absences or disability of the President. He/she shall have such powers and discharge such duties as may be assigned to him/her by the President.

**SECTION 6.** The Secretary shall issue notices of all meetings, keep minutes of all meetings, and shall make such reports and perform such duties as are incident to his/her office or are assigned to him/her by the President.



**ARTICLE X**  
**COMPENSATION**

**SECTION 1.** Regular compensation to any member for his/her service on the KYCB is prohibited.

**SECTION 2.** Allowances and reimbursements may be made to Board members for expenses incurred as a result of official business on behalf of the KYCB only with pre-approval by the Board of Mayor and Aldermen.

**SECTION 3.** Reimbursements for travel expenses to attend meetings of KYCB and/or its Committee is not allowed, unless such meeting is held away from the regular meeting place outside the City of Yazoo City, and such meeting is necessary for the well-being of KYCB. All travel shall be pre-approved by the Board of Mayor and Aldermen.

**ARTICLE XI**  
**ACCOUNTABILITY**

**SECTION 1.** KYCB shall maintain its records, both financial and narrative, so as to meet all appropriate state laws. The President shall report to the Mayor. KYCB shall make quarterly written reports to the Mayor and Aldermen of Yazoo City and, at least annually, the President shall make reports directly to the Board of Mayor and Aldermen of Yazoo City.

**ARTICLE XII**  
**EMPLOYMENT OF PERSONNEL CONTRACTS**

**SECTION 1.** KYCB shall make recommendations to the Board of Mayor and Aldermen regarding employment/contracting with such professional and support personnel as may be necessary to carry out the responsibility of the day-to-day operation of KYCB.

**ARTICLE XIII**  
**AMENDMENTS**

**SECTION 1.** These By-Laws may be amended by a majority vote of the members of Keep Yazoo City Beautiful (KYCB) at any regular or special meeting provided that written notice, setting forth in detail the amendments proposed, shall be mailed or hand-delivered to the City Clerk and delivered to each member ten (10) days in advance of the meeting.

**SECTION 2.** Amendments to these By-Laws are subject to approval of the Board of Mayor and Aldermen of the City of Yazoo City.

**IT IS THEREFORE HEREBY RESOLVED** that the by-laws as presented are hereby ratified and approved by the Board of Mayor and Aldermen of the City of Yazoo City, Mississippi on this the 8th day August, 2016

Alderman Varner moved to approve; Mayor Delaware seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent

Nays: None

There came on for consideration: Introduction of Information Technology quotes received by the Mayor and accept the lowest and best quote.

Mayor Delaware moved to table the item; Alderman Brent seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent

Nays: None

**New Business:**

There came on for consideration: Acknowledge the receipt of proposals for Group Insurance. Interim City Clerk Mario Edwards opened bids and announced bids from AFLAC for supplemental hospital indemnity insurance for \$47.25 per month paid by employee, Kemper

Benefits for \$103.26 per month, Colonial Life for \$94.21 per month, and All-State for \$102.75 per month.

Alderman Varner moved to acknowledge receipt of the bids and they be received by the Clerk and brought to the Board for review and consideration; Alderman Johnson seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
Nays: None

There came on for consideration: Order authorizing acceptance of \$2,217.87 from Travelers Insurance Company for collision damage to 2006 E-One Fire Ladder Truck, VIN # 4EN6AAA8X61002097.

Alderman Brent moved to accept; Alderman Johnson seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
Nays: None

There came on for consideration: Order authorizing the City to advertise opportunities and resources of the City by purchasing ads for 2016-2017 for WBYP-FM "Power 107" in the amount of \$500.00 for Power Buck's Promotion in October 2016, \$500.00 for Power Buck's Promotion in November 2016, \$500.00 for Power Buck's Promotion in December 2016, \$350.00 for Yazoo County Livestock Show in January 2017, \$250.00 for Salute to Catfish Industry in March 2017, and \$250.00 for Salute to Catfish Industry in April 2017.

Alderman Varner moved to approve; Alderman Johnson seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
Nays: None

There came on for consideration: Order authorizing Meko Hill to attend 2016 Fall MS Municipal Clerk Training on September 21-23, 2016, in Pearl, MS, to include registration, lodging, travel and per diem for food.

Mayor Delaware moved to approve; Alderman Robertson seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
Nays: None

There came on for consideration: Order authorizing Mario Edwards to attend 2016 Fall MS Municipal Clerk Training on October 19-21, 2016, in Hattiesburg, MS, to include registration, lodging, travel and per diem for food.

Alderman Brent moved to approve; Alderman Robertson seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
Nays: None

There came on for consideration: Order authorizing Sheila Scott to attend 2016 Fall MS Municipal Clerk Training on October 26-28, 2016, in Oxford, MS, to include registration, lodging, travel and per diem for food.

Alderman Robertson moved to approve; Alderman Brent seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
Nays: None

There came on for consideration: Order authorizing Mario Edwards to attend 2016 Master Municipal Clerk Training Session on September 26-28, 2016, in Raymond, MS, to include registration, lodging, travel and per diem for food.

Mayor Delaware moved to approve; Alderman Brent seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
Nays: None

There came on for consideration: Order authorizing Diane Delaware to attend Governor's 2016 Export Summit and Excellence in Exporting Awards on August 26, 2016, in Jackson, MS, to include registration.

Alderman Varner moved to approve; Alderman Johnson seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
Nays: None

There came on for consideration: Order authorizing the City of Yazoo City to purchase an ad from DBR Publishing Co. to advertise the opportunities and resources of the City. Mayor Delaware requested the City to table the item.

There came on for introduction:

**ORDINANCE OF THE CITY OF YAZOO CITY, MISSISSIPPI AMENDING THE CODE  
OF ORDINANCES OF THE CITY OF YAZOO CITY, MISSISSIPPI TO REDUCE THE  
PENALTY ADJUDICATED FOR CLEANING PROPERTY DEEMED A MENACE TO  
PUBLIC HEALTH AND SAFETY**

**WHEREAS**, the governing authorities for Yazoo City adopted an ordinance establishing the procedure for cleaning and removal of conditions upon property deemed to create health and safety hazards to the public; and

**WHEREAS**, the ordinance passed by the City of Yazoo City and as subsequently amended was based on the provisions of Section 21-19-11 of the Mississippi Code of 1972, as amended; and

**WHEREAS**, the Board of Mayor and Aldermen have determined that it would be in the best interest of the City of Yazoo City to amend the current ordinance to reduce the penalty adjudicated being the greater of \$1,500.00 or 50 percent of the actual cost of cleaning the property deemed to be a menace to public health and safety.

**NOW THEREFORE BE IT ORDAINED** by the Board of Mayor and Aldermen of the City of Yazoo City, in council convened that Section 13-49.2 of the Code of Ordinances, City of Yazoo City, Mississippi is hereby amended as follows:

Section 1. Sec. 13-49.2. - Adjudication and collection of costs.

- (a) After land or parcels are cleaned using municipal or contracted labor and resources, the actual cost of cleaning the property shall be adjudicated and spread upon the minutes by resolution of the board of mayor and aldermen together with a penalty not exceeding the greater of \$1,000.00 or 50 percent of the actual cost of cleaning the property.
- (b) The costs and penalties adjudicated in subsection (a) of this section may be collected as follows:
  - (1) The board of mayor and alderman may declare by resolution at the time the costs and penalties are adjudicated and spread upon the minutes that the debt is civil and authorize the institution of a lawsuit on an open account against the owner in a court of competent jurisdiction for the cost and penalty, plus court costs, reasonable attorney's fees and interest at the legal rate from the date that the property was cleaned; or
  - (2) If the costs and penalties are not declared to be a civil debt at the time of adjudication and spreading upon the municipal minutes, then the same shall become a lien against the property and shall be included with municipal ad valorem tax bills and collected by the Yazoo County Tax Collector or person or entity responsible for collecting taxes for the City of Yazoo

Mississippi. All statutes regulating the collection of taxes shall apply to the enforcement and collection of the costs and penalties assessed and levied for cleaning the property.

- a. All assessments shall become delinquent at the time that municipal ad valorem taxes become delinquent, and the delinquencies shall be collected in the same manner and at the same time that delinquent ad valorem taxes are collected and shall bear the same penalties as those provided for delinquent taxes.
- b. If property is sold for the nonpayment of the assessments, then it shall be sold in the same manner as property is sold for the nonpayment of delinquent ad valorem taxes.
- c. If property is sold for the nonpayment of delinquent ad valorem taxes, then the costs of cleaning property and penalties assessed pursuant to this section shall be added to the delinquent tax and collected at the same time and in the same manner.
- d. The city clerk shall provide to the tax collector within 30 days a certified copy of the resolutions approved by the board of mayor and aldermen adjudicating costs and penalties in those instances where a civil debt is not declared.

Section 2. This Ordinance shall be in full force and effect thirty (30) days after passage.

There came on for consideration: Order authorizing the Board of Mayor and Aldermen to attend Mississippi Recreation and Park Association 2016 Annual Conference on September 18-21, 2016, in Biloxi, MS, to include registration, lodging, travel, and per diem for food.

Alderman Robertson moved to authorize; Alderman Johnson seconded.

Yeas: Delaware, Johnson, Robertson, Brent  
 Nays: None  
 Abstain: Varner

Alderman Robertson moved to go into executive session to determine the need to be in executive session for personnel matters in the Mayor's Office, personnel matters in the Public Works Department, and personnel matters in the Police Department; Alderman Johnson seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
 Nays: None

After discussion, Mayor Delaware moved to go into executive session for personnel matters in the Mayor's Office, personnel matters in the Public Works Department, and personnel matters in the Police Department; Alderman Varner seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
 Nays: None

### **Executive Session:**

After discussion, Alderman Varner moved to have a Special Call Meeting on Monday, August 15, 2016, at 9:00 a.m. at the Yazoo City Police Department and notification be provided to Officer Tilmon Clifton to attend; Mayor Delaware seconded.

YEA: Delaware  
 YEA: Varner  
 YEA: Brent  
 YEA: Johnson  
 ABSTAIN: Robertson

With no other business, Mayor Delaware moved to return to regular session; Alderman Brent seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
Nays: None

An announcement was made to the public of the above actions.

Alderman Varner moved to adjourn; Alderman Johnson seconded.

Yeas: Delaware, Johnson, Varner, Robertson, Brent  
Nays: None

ATTEST:

APROVED:

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City Clerk

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Mayor