

**MINUTES OF THE MEETING OF THE MAYOR AND
BOARD OF ALDERMEN OF THE CITY OF CANTON, MISSISSIPPI
HELD AND CONDUCTED ON THE 4TH DAY OF OCTOBER 2005
AT 2:00 O'CLOCK P.M. IN THE CANTON CITY HALL**

BE IT REMEMBERED that the regular meeting of the Mayor and Board of Aldermen of the City of Canton, Mississippi was duly held and conducted on Tuesday, the 4th day of October 2005 at 2:00 o'clock p.m. at the Canton City Hall. Those members and persons in attendance and present at the time were the following:

Mayor Fred Esco, Jr., Alderwoman At-Large Alice Scott, Alderman Ray Rosamond, Alderman Billy Myers, Alderman Charles Weems, Alderman Louis Smith, Alderman Kenneth W. Jones, City Clerk Valerie and Attorney William Collins

Absent: Alderman Eric Gilkey

Mayor Fred Esco, Jr. declared that a quorum of the Board was present and the meeting duly convened in session and asked Pastor Johnny Barnes to offer the prayer.

I. Agenda

There came on for consideration before the Board the matter of adopting the Agenda. A copy of the Agenda is hereby attached to these Minutes as Exhibit "A." Alderman Weems made the motion to adopt the Agenda. Alderman Myers seconded the motion. The Mayor called for a vote, which was follows:

Alderwoman Scott	<u>"Aye"</u>
Alderman Rosamond	<u>"Aye"</u>
Alderman Myers	<u>"Aye"</u>
Alderman Weems	<u>"Aye"</u>
Alderman Smith	<u>"Nay"</u>
Alderman Jones	<u>"Aye"</u>
Alderman Gilkey	<u>"Absent"</u>

Whereupon, the Mayor declared the motion carried by majority vote.

II. Sine Pine Corporation Ad Valorem Tax Exemption

There came on for consideration before the Board the matter of approving the Final Resolution granting final approval of ad valorem tax exemption pertaining to additions, expansions and/or replacements for a period of ten years to Ken Courtney/Sun Pine Corporation LTD. A copy of the Resolution is attached to these Minutes as Exhibit "B." Alderman Weems made the motion to adopt the Resolution. Alderman Myers seconded the motion. The Mayor called for a vote, which was as follows:

Alderwoman Scott	<u>"Aye"</u>
Alderman Rosamond	<u>"Aye"</u>
Alderman Myers	<u>"Aye"</u>
Alderman Weems	<u>"Aye"</u>
Alderman Smith	<u>"Aye"</u>
Alderman Jones	<u>"Aye"</u>
Alderman Gilkey	<u>"Absent"</u>

Whereupon, the Mayor declared the motion carried by majority vote.

III. Claims Docket

There came on for consideration before the Board the matter of approving the Claims Docket. A copy of which is hereby attached to these Minutes as Exhibit "C." Alderman Myers made the motion to approve all legal claims on

the Docket. Alderman Scott seconded the motion. The Mayor called for a vote, which was follows:

Alderwoman Scott	<u>"Aye"</u>
Alderman Rosamond	<u>"Aye"</u>
Alderman Myers	<u>"Aye"</u>
Alderman Weems	<u>"Aye"</u>
Alderman Smith	<u>"Aye"</u>
Alderman Jones	<u>"Aye"</u>
Alderman Gilkey	<u>"Absent"</u>

Whereupon, the Mayor declared the motion carried by majority vote.

IV. Property Clean Up

There came on for consideration before the Board the matter of property clean up for the following:

Alexus Gordon	93D-19D-197 Cut grass/weeds, remove dil bldg
Mary Witt	92F-24D-371 Cut grass/weeds, remove dil bldg
Katie J Smith	93D-19A-279/01 Cut grass/weeds, remove trash
Aubrey Summerlin	93D-20A-396/01 Cut grass/weeds, remove trash
ABC Construction	92F-24D-196 Cut grass/weeds, remove dil bldg

Alderman Weems made the motion to authorize the clean up of the above named properties and report the cost to the Clerk for collection. Alderman Rosamond seconded the motion. The Mayor called for a vote, which was as follows:

Alderwoman Scott	<u>"Aye"</u>
Alderman Rosamond	<u>"Aye"</u>
Alderman Myers	<u>"Aye"</u>
Alderman Weems	<u>"Aye"</u>
Alderman Smith	<u>"Nay"</u>
Alderman Jones	<u>"Aye"</u>
Alderman Gilkey	<u>"Absent"</u>

Whereupon, the Mayor declared the motion carried by majority vote.

V. Flooring Quotes for Arena

There came on for consideration before the Board the matter of receiving quotes to repair the damaged floors. Alderman Rosamond made the motion to take this under advisement for review. Alderman Scott seconded the motion. The Mayor called for a vote, which was as follows:

Alderwoman Scott	<u>"Aye"</u>
Alderman Rosamond	<u>"Aye"</u>
Alderman Myers	<u>"Aye"</u>
Alderman Weems	<u>"Aye"</u>
Alderman Smith	<u>"Aye"</u>
Alderman Jones	<u>"Aye"</u>
Alderman Gilkey	<u>"Absent"</u>

Whereupon, the Mayor declared the motion carried by majority vote.

VI. Sewer Easement

There came on for consideration before the Board the matter of granting a sewer easement to Canton Municipal Utilities at Watford Parkway. Alderman Weems made the motion to grant the easement. Alderman Jones seconded the motion. The Mayor called for a vote, which was as follows:

Alderwoman Scott	<u>"Aye"</u>
Alderman Rosamond	<u>"Aye"</u>
Alderman Myers	<u>"Aye"</u>
Alderman Weems	<u>"Aye"</u>
Alderman Smith	<u>"Nay"</u>
Alderman Jones	<u>"Aye"</u>
Alderman Gilkey	<u>"Absent"</u>

Whereupon, the Mayor declared the motion carried by majority vote.

VII. Consent Agenda

There came on for consideration before the Board the matter of approving the items on the Consent Agenda. Alderman Scott made the motion to approve the items on the Consent Agenda numbered A-K. Alderman Weems seconded the motion. The Mayor called for a vote, which was as follows:

Alderwoman Scott	<u>"Aye"</u>
Alderman Rosamond	<u>"Aye"</u>
Alderman Myers	<u>"Aye"</u>
Alderman Weems	<u>"Aye"</u>
Alderman Smith	<u>"Aye"</u>
Alderman Jones	<u>"Aye"</u>
Alderman Gilkey	<u>"Absent"</u>

Whereupon, the Mayor declared the motion carried by majority vote.

VIII. Executive Session

There came on for consideration before the Board the matter of declaring an Executive Session. Alderman Jones made the motion to enter the Executive Session for the transaction of business and discussion of personnel matter relating to job performance of individuals at the Public Works, Fire, Parks and Recreation Departments, the Municipal Court Judge, the Municipal Court Prosecutor, Special City Attorney, Attorney for Zoning and Planning Commissions and the City Engineer. The transaction of business and discussion regarding the prospective purchase, sale or leasing of lands. Alderman Smith seconded the motion. The Mayor called for a vote, in which all present voted "Aye."

Whereupon, the Mayor declared the motion carried and adjourned the Regular Session and convened the Executive Session.

A. Resolution

There came on for consideration before the Board the matter of adopting a Resolution concerning the positions of the Fire Chief, Director of Parks and Recreation, the Landfill Operator, Municipal Judge, the City Prosecutor, the City Engineer, the Attorney for the Planning and Zoning Commissions, and additional city counsel. Alderman Weems made the motion to adopt the attached Resolution, which will be Exhibit "D." Alderman Myers seconded the motion. Then Alderman Louis Smith made the motion to re-appoint all the present department heads. Alderman Kenneth Jones

seconded the motion. The Mayor called for a vote for the amended motion, which was as follows:

Alderman Scott	<u>"Nay"</u>
Alderman Rosamond	<u>"Nay"</u>
Alderman Myers	<u>"Nay"</u>
Alderman Weems	<u>"Nay"</u>
Alderman Smith	<u>"Aye"</u>
Alderman Jones	<u>"Aye"</u>
Alderman Gilkey	<u>"Absent"</u>

Whereupon, the Mayor declared the motion failed.

The Mayor called for a vote for the original motion, which was as follows:

Alderman Scott	<u>"Aye"</u>
Alderman Rosamond	<u>"Aye"</u>
Alderman Myers	<u>"Aye"</u>
Alderman Weems	<u>"Aye"</u>
Alderman Smith	<u>"Absent"</u>
Alderman Jones	<u>"Nay"</u>
Alderman Gilkey	<u>"Absent"</u>

Whereupon, the Mayor declared the motion carried by majority vote.

There being no further business to come before the Executive Session of the Mayor and Board of Aldermen, Alderman Jones made the motion to adjourn the Executive Session and reconvene the Regular Session. Alderman Weems seconded the motion. The Mayor called for a vote, in which all present voted "Aye."

Whereupon the Mayor declared the motion carried and adjourned the Executive Session and reconvened the regular session and announced the actions taken in Executive Session.

IX. Flooring for the Arena

There came on for consideration before the Board the matter of the quotes for the repair to the floors at the Arena. Alderman Weems made the motion to reject the quotes and authorize placing a notice to receive bids in the Madison County Herald. Alderman Myers seconded the motion. The Mayor called for a vote, which was as follows:

Alderman Scott	<u>"Aye"</u>
Alderman Rosamond	<u>"Aye"</u>
Alderman Myers	<u>"Aye"</u>
Alderman Weems	<u>"Aye"</u>
Alderman Smith	<u>"Absent"</u>
Alderman Jones	<u>"Absent"</u>
Alderman Gilkey	<u>"Absent"</u>

Whereupon, the Mayor declared the motion carried by majority vote.

X. Alderman Alice Scott

There came on for consideration before the Board the matter of contributing \$300.00 per month to a charitable organization of Alderman Scott's choice due to the fact that she can't receive a full salary because of retirement benefits. Alderman Rosamond made the motion to authorize this action

subject to the attorney review. Alderman Weems seconded the motion. The Mayor called for a vote, which was as follows:

Alderman Scott	<u>"Nay"</u>
Alderman Rosamond	<u>"Aye"</u>
Alderman Myers	<u>"Aye"</u>
Alderman Weems	<u>"Aye"</u>
Alderman Smith	<u>"Absent"</u>
Alderman Jones	<u>"Absent"</u>
Alderman Gilkey	<u>"Absent"</u>

Whereupon, the Mayor declared the motion carried by majority vote.

XI. Meeting Adjourned

There being no further business brought before the Board, Alderman Scott made the motion to adjourn the meeting. Alderman Myers seconded the motion. The Mayor called for a vote, in which all present voted "Aye."

Whereupon, the Mayor declared the motion carried and the meeting was adjourned.

Approved this the 1st day of November, 2005

Mayor Fred Esco, Jr.

Attest:

Valerie Smith, City Clerk

A

- I. Invocation/Call to Order
- II. Adoption of Agenda
- III. Sun Pine Corp. - Danny Spivey
- IV. Approval of Claims Docket and authorize payment - a copy of which is attached hereto as Exhibit "A"
- V. Building and Development - Donald Lawrence
- VI. Flooring Quotes for the Multi Purpose Arena
- VII. Grant a sewer easement to Canton Municipal Utilities for a right of way to Watford Parkway, subject to the legal description
- VIII. Consent Agenda
 - A. Approve Minutes of September 1, 6, 9, 13, 20, 2005 Meetings
 - B. Authorize the issuance of a permit to Hosie Robinson to occupy a mobile home as a residence at 325 Hart Road for a period of six (6) months to allow for the construction of his permanent residence
 - C. Authorize the purchase and installation of seven (7) two-way radios at the Police Department of a total cost of \$4,480.00 from Ozborn Communications
 - D. Authorize Donald Lawrence to attend a Zoning, Subdivision and Land Development Seminar in Jackson, MS on October 19, 2005, as well as the payment of his registration fees in the amount of \$299.00
 - E. Adoption of Resolution to continue the Declaration of Emergency due to Hurricane Katrina, a copy is attached as Exhibit "B"
 - F. Adoption of Resolution support the efforts of Operation Unlock, a copy is attached as Exhibit "C"
 - G. Approve the Promotions of John Wayne Smith, Chris Heard, John Myrick, and Jamie Patrick from Corporal to Sergeant; of Jo L. Wilson and Shan Lang from Patrol Officer to Corporal; and Willie Stewart from Probation Status to Patrol Officer
 - H. Suspend the issuance of citation to the operators of commercial vehicles for parking the same in residentially zoned property for a period of 90 days
 - I. Authorize payment of Engineering Estimate No. 5-E to Williford Gearhart and Knight, Inc. in the amount of \$221.00 for the I-55/SR 22 Interchange Landscaping Project, a copy is attached as Exhibit "D"
 - J. Authorize payment of Engineering Estimate No. 23-E to Williford Gearhart and Knight, Inc. in the amount of \$24,163.00 for the US51/SR43 Connector Road Project, a copy is attached as Exhibit "E"
- IX. Executive Session *to Audit, B*
 - A. Transaction of business and discussion of personnel matters relating to the job performance qualifications of persons holding or to hold specific positions concerning the following:
 1. Transaction of business and discussion regarding the prospective purchase, sale or leasing of lands
 2. Public Works Departments
 3. Fire Departments
 4. Parks and Recreation Department
 5. Municipal Court Judge
 6. Municipal Court Prosecutor
 7. Special City Attorney
 8. Attorney for the Zoning Commission & Planning Commission
 9. City Engineer