

MINUTES OF THE BOARD MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF BOONEVILLE

FEBRUARY 21, 2023

BE IT REMEMBERED that the 2<sup>nd</sup> meeting of February 2023, of the Mayor and the Board of Aldermen, of the City of Booneville, Mississippi, was held on Tuesday, February 21, 2023, at 5:30 pm, in the Board Room, at City Hall, the time and place for said meeting.

Those in attendance were the following members of the Board: Mayor Chris Lindley, Alderman Jimmy Hicks, Alderman Tara Lauderdale, Alderman Carolyn Miller, Alderman LaVaile Shields, and Alderman Jeff Williams. Also, present were City Attorney Daniel Tucker, City Clerk Sharon Williams, several City employees, and members of the public. The meeting was called to order in open session by Mayor Chris Lindley, and a quorum was declared present.

The invocation was given by Brother Larry Goodine.

The Pledge of Allegiance was led by Mr. Ricky Rowan.

There first came on for consideration the request to add to the consent agenda the issue of overriding the Mayor's Veto which set aside the School Board appointment of Pat Green. Alderman Lauderdale made said motion, seconded by Alderman Williams, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, the request to approve the following items on the consent agenda:

- 1) APPROVE BOARD MINUTES OF FEBRUARY 7, 2023, AND THE SPECIAL CALLED MINUTES OF FEBRUARY 7, 2023 AND FEBRUARY 8, 2023.
- 2) APPROVE TO PAY FMBANK CONSTRUCTION LOAN PAYMENT IN THE AMOUNT OF \$1,203.89 (INTEREST ONLY).
- 3) APPROVE TO PURCHASE DARE LAPTOP IN THE AMOUNT OF \$599.00 TO BE PAID RETROACTIVE.

Alderman Shields made said motion to approve the items on the consent agenda, seconded by Alderman Williams, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, Virgil Simpson requesting to close the Church & Market Streets in front of the Booneville Hardware Building on June 10, 2023, after 5:30 p.m. Alderman Miller made said motion, seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

Next, Milus Copeland came before the board to discuss the board not appointing a black school board member, with its last appointment.

Next, under General Government, City Clerk Sharon Williams requested approval to accept the lowest and best bid for Bid #1A Hot Mix Asphalt from APAC at the rate of \$125.00 per ton. Alderman Williams made said motion, seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

Next, a request was made to accept the low and best bid for Hot Mix Bituminous Pavement in place for 100-ton Bid #2A. Three (3) bids were received. The first bid was from APAC in the amount of \$300.00 per ton. The second bid was from WG Construction in the amount of \$185.00 per ton. The third bid was from Gregory Construction, LLC dba Murphy Paving in the amount of \$229.00 per ton. With that, Alderman Williams made a motion to approve the best and lowest quote from WG Construction of \$185.00 per ton, pending them providing proof of rinsurance. This was seconded by Alderman Lauderdale, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

Next, Bid #3A 3-inch Rock; #4A Certified Washed Rock; #5A #57 Rock; #8A Crusher Run; #9A Rip Rap (100 and 200 lb. Rock); #11A Surge; #12A Clay Gravel; #17A, Fill Dirt; #6A Spot Sealing Per Mile; #7A DBST per ton; #10A Culverts from 8-60 inches, price per foot include all elbows, tees and bands; #13A Gasoline including tank wagon price regular, unleaded and premium; #14A Diesel Fuel; #15A Full Service Oil Changes/Services of City Vehicles and Light Trucks; #16A Full Service Synthetic Oil Changes with 5 Quarts of Oil and amount for each additional quart all received no bids. Therefore, Alderman Shields made a motion to readvertise for all listed, seconded by Alderman Lauderdale, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request to approve Bid #17A Fill Dirt. Ricky Thompson bid \$60.00 per load and was the only bid received. Alderman Miller made said motion to approve the same, seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came of for consideration a request to post for 2 planning board member positions. Alderman Hicks made said motion seconded by Alderman Lauderdale and discussion was had. Following discussion all board members voted Nay, and the motion was defeated 5-0.

There next came on for consideration, a request to table the discussion to a work session of the posting for a Planning Board position until policy is set for future appointments, specifically by ward system. Alderman Shields made said motion, seconded by Alderman Lauderdale, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request to approve assessment of cost and penalties for property cleanup on PPIN #241 (1300 Meadowcreek Drive) and for the amount to be "a lien against the property and enrolled in the office of the Circuit Clerk of Prentiss County, and for the tax collector for the City of Booneville to proceed to sell the land to satisfy the lien as provided by law for the sale of lands for delinquent municipal taxes. Further, to file any documents necessary with the Chancery Clerk of Prentiss County to protect the City of Booneville's interest. The actual cost of cleanup of said property was \$2,200.00 plus a 15% penalty of \$330.00 for a total lien to be collected of \$2,530.00. Alderman Shields made said motion for the resolution, seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request to approve assessment of cost and penalties for property cleanup on PPIN #2831 (713 South Bryant Street) and for the amount to be "a lien against the property and enrolled in the office of the Circuit Clerk of Prentiss County, and for the tax collector for the City of Booneville to proceed to sell the land to satisfy the lien as provided by law for the sale of lands for delinquent municipal taxes. Further, to file any documents necessary with the Chancery Clerk of Prentiss County to protect the City of Booneville's interest. The actual cost of cleanup of said property was \$3,500.00 plus a 15% penalty of \$525.00 for a total lien to be collected of \$4,025.00. Alderman Williams made said

motion for the resolution, seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request to approve filling out the paperwork and signing MOU to receive funds to be disbursed by the State in HB 1353 to purchase equipment for the Fire Department. Alderman Williams made said motion, seconded by Alderman Miller, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request for approval to open a checking account on funds received from HB 1353 which is a requirement to receive the funds. Alderman Hicks made said motion,

seconded by Alderman Lauderdale, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request was made for approval for City Clerk Sharon Williams, Alderman LaVaile Shields, and Mayor Chris Lindley to be able to sign on the account that the money from HB 1353 was placed in. Alderman Williams made said motion, seconded by Alderman Lauderdale, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request to approve the Pitney Bowes contract. Alderman Hicks made said motion, seconded by Alderman Miller, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request to approve a construction draw from Loan #271340 at FMBank made payable to Roberts Builders in the amount of \$383,639.45. Alderman Williams made said motion, seconded by Alderman Lauderdale, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, Lori Tucker with the Tourism Department with a request for approval of the ARPA Funds for Tourism Project to be accepted with budget and site plan. Alderman Williams said motion, seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, Police Chief Michael Ramey with a request for approval to hire Derrick Leatherwood as a full-time Animal Control Officer at a rate of \$14.00 per hour, effective immediately. Alderman Shields made said motion, seconded by Alderman Miller, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, the continuance of the Public Hearing for re-zoning property PPIN #1400 from A-1 Agricultural to C-3 Highway Commercial. The following people spoke: Lynn Ashmore (Against), Clay Evans (For), Christian Rohn (Against), Jim Goo (Against), Tommy Dabb (For), Jane Gillespie (Against), Gary Walker (For), Pam Breedlove (Against), Cathy Davis (Against), Richard Weyland, M.D. (Against), and George Via (Against). Following the Public Hearing, Alderman Lauderdale made a motion to approve re-zoning said property from A-1 Agricultural to C-3 Highway Commercial. This was seconded by Alderman Williams, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, Paul Carpenter with the Water & Sewer Department with a request for approval to get quotes on the Adam's Street Sewer Project. Alderman Shields made said motion, seconded by Alderman Williams, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

Next, Paul Carpenter requested approval to charge per foot cost to run water services after supplying the citizen with up to 25 feet. Alderman Lauderdale made a motion to table this request to a work session, seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, Oscar Joshlin with the Gas Department requested approval to charge a per foot cost to run gas services after supplying the citizen with up to a defined number of feet. Alderman Williams made said motion, seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request to approve the water rate increases of \$14.00 minimum per month for water and \$14.00 minimum per month for sewer for residential customers with 5/8 meter, effective April 1, 2023. Alderman Williams made said motion, seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request to approve the water rate increases of \$14.00 minimum per month for water and \$14.00 minimum per month for sewer for commercial customers with 5/8 meter, effective April 1, 2023. Alderman Shields made said motion, seconded by Alderman Lauderdale, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request to approve \$10.00 per 1000 gallons above the minimum for residential customers, effective April 1, 2023. Alderman Hicks made said motion, seconded by Alderman Lauderdale. The motion was defeated 5-0.

Next, Alderman Lauderdale made a motion to approve the rate of \$7.65 per 1000 gallons above the minimum for residential customers, effective April 1, 2023. Said motion was seconded by Alderman Shields, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request to approve \$7.65 per 1000 gallons above the minimum for commercial customers, effective April 1, 2023. Alderman Shields made said motion, seconded by Alderman Miller, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request for approval to charge a \$5.00 maintenance fee per month for sprinkler meters, effective April 1, 2023. Alderman Williams made said motion, seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, Kenny White with the Street Department requesting approval to pave Church Street from the Highway 4 and Highway 30 intersection to Mac Lindsey Auto. Alderman Hicks made said motion, seconded by Alderman Miller, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

Next, under the Mayor's Report, Mayor Lindley requested approval to accept the donation of the property with PPIN #3116 (107 Marietta Street). Alderman Hicks made said motion, seconded by Alderman Lauderdale, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request was made to approve increasing the rubbish fee. Alderman Shields made a motion to table this discussion to a work session. This was seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request for approval to revoke the prior Horizontal Directional Drilling Ordinance. Alderman Shields made said motion, seconded by Alderman Lauderdale, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

There next came on for consideration, a request to adopt the redrafted Horizontal Directional Drilling Ordinance and for the same to be effective immediately. The ordinance was read in its entirety by the City Clerk. Alderman Williams made said motion, seconded by Alderman Hicks, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

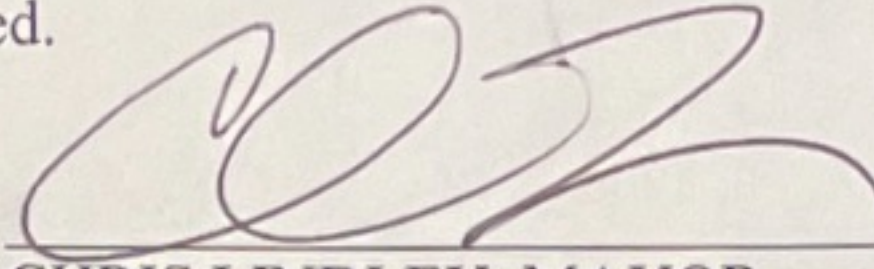
There next came on for consideration, a request for a motion to override the Mayor's veto on the School Board appointment of Pat Green. The Board was provided a copy of the veto and it was read by the Clerk. With that, Alderman Lauderdale made a motion to override the Mayor's veto, seconded by Alderman Hicks, and the following vote was had:

Alderman Hicks—Aye  
Alderman Lauderdale—Aye  
Alderman Miller—Aye  
Alderman Shields—Aye  
Alderman Williams—Nay

With a vote of 4 for overriding his veto and 1 against, the motion carried.

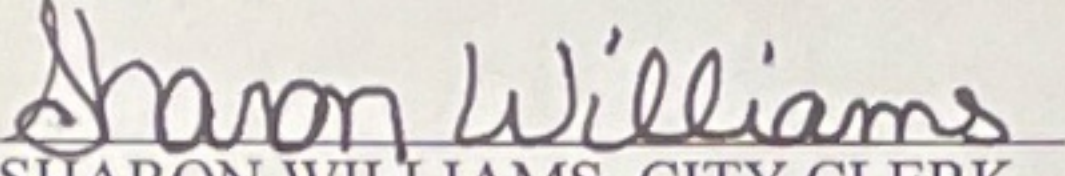
There next came on for consideration, a motion made by Alderman Shields for City Attorney Tucker to contact the Justice Department to see about setting up a minority district for appointing a School Board member as well as how the ward system works with the city limit lines and the school district lines. This was seconded by Alderman Lauderdale, and with the Aldermen present and all voting "Aye", the motion unanimously carried.

With there being no other business before the Board, Alderman Lauderdale made a Motion to adjourn, seconded by Alderman Shields, and with the Aldermen present and all voting "Aye", the motion unanimously carried.



CHRIS LINDLEY, MAYOR

ATTEST:

  
SHARON WILLIAMS, CITY CLERK

ENDUR  
ARCHIVAL  
100% COTTO