

**MINUTES OF A REGULAR CITY COUNCIL MEETING  
OF THE CITY OF GREENVILLE, MISSISSIPPI**

**February 2, 2010**

**BE IT REMEMBERED** that the City Council of the City of Greenville, Mississippi met in regular session at City Hall at the hour of 4:00 P.M., Tuesday the 2nd of February, 2010 for the purpose of transacting such business as might properly come before it.

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**There were present the following officers and members of Council:**

**Mayor Heather Hudson**

**Councilmembers:** Kenneth Gines, Ann Hollowell, Carl McGee, Errick Simmons,  
Betty Watkins, and Carolyn Weathers

**Also Present:**

Amelia D. Wicks, City Clerk  
Cassandra McMiller, Legal Secretary  
Andy Alexander, City Attorney  
Gwanda Wilson, Municipal Court Clerk  
Lane Rodgers, Airport Director  
Lee Gordon, Fire Chief  
Teresa Kingdom, Human Resources Director

Lorenzo Anderson, Interim City Engineer  
Milton Davenport, Fleet Manager  
Brad Jones, Public Works Director  
Charles Patterson, Police Chief  
Pam Richards, Water/Utility Manager  
Carlton Williams, Planning/Zoning Director  
Al Scarborough, Info Technology Manager

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**Mayor Hudson introduced Rev. Emmitt Jenkins of Kindling Star Baptist Church, Greenville, MS who gave the invocation followed by the Pledge of Allegiance to the flag.**

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**Mayor Heather Hudson preceded to the City Council Agenda Items and requested any additions or deletions from the agenda.**

**On motion by Councilman Simmons, seconded by Councilwoman Watkins, Council added "Personnel Issues in the Greenville Police Department for Executive Session."**

**On motion by Councilwoman Watkins, seconded by Councilwoman Hollowell, Council added "Request to fill a vacancy in the Fire Department."**

**On motion by Councilman McGee, seconded by Councilwoman Hollowell, Council removed Item #3 "South Delta Planning and Development District, Inc., to present update" from the Agenda.**

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The following Departments presented monthly reports:

Airport  
City Clerk's Office  
Engineering Department  
Fire Department  
Fleet Department  
Information Technology

Human Resources Department  
Mayor's Office  
Municipal Court  
Planning/Zoning  
Police Department  
Water Department

**NO OFFICIAL ACTION TAKEN**

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Parks and Recreation Department and Public Works will present reports at the next scheduled Regular Council meeting.

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On motion by Councilwoman Hollowell, seconded by Councilman Simmons with all members present voting AYE, Council approved minutes, with correction, of a Regular City Council meeting held January 19, 2010.

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**ORDER # 10-044**

**ORDER: REQUIRING ALL CITY EMPLOYEES WITH VEHICLE DRIVING PRIVILEGES TO FOLLOW STATE STATUE AND SIGN A COPY OF THE VEHICLE USAGE POLICY AND MAINTAIN THE COPY IN THE EMPLOYEE'S PERSONNEL FILE.**

Attorney Alexander noted that item #4 on the agenda should be discussed as two separate issues, a) the use of city vehicles taken home by city employees and b) the use of city uniforms and equipment (including weapons) while performing part-time jobs not related to the City.

Atty. Alexander stated that this would be covered by the law prohibiting the Government from making a donation to its employees. The use of city vehicles is limited to usage to and from work, which may include lunch. Council has requested to be provided with a list of each employee having a take home vehicle.

On motion by Councilman Gines, seconded by Councilwoman Hollowell with all members present voting AYE, Council moved that all City employees driving city vehicles will be given the policy regarding the use of city vehicles and a signed copy of their acknowledgment made a part of the employee's personnel files.

**ORDER # 10-045**

**ORDER: INSTRUCTING THE PUBLIC SAFETY AND HUMAN RESOURCE COMMITTEES TO DRAFT A POLICY FOR EMPLOYEE USE OF UNIFORMS AND/OR CITY EQUIPMENT WHILE ENGAGED IN WORK FOR ANOTHER ENTITY.**

Item 4(b) relates to officers wearing city uniforms and utilizing city equipment while performing private duty jobs. A policy will be drafted in accordance with State Statute 17-25-11

requiring employees engaged in such employment to provide written notice to their immediate supervisor. Following, the Police Chief will present the applications to Council and approval will be granted on a case-by-case basis. Uniforms may only be worn within the jurisdiction of the uniform.

As well, it was recommended that area businesses, where officers are employed, sign documentation that indemnifies the City in case of an occurrence and names the City as an additional insured on their insurance policy.

On motion by Councilman Gines, seconded by Councilman Simmons with all members present voting AYE, Council moved to instruct the Public Safety and Human Resource Committees to draft a policy for the use of uniforms and/or city equipment while employees are working other part-time jobs.

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**Resolution # 10-001**

On motion by Councilwoman Hollowell, seconded by Councilwoman Weathers with all members present voting AYE, Council passed a Resolution for year 2010 General Obligation Bonds in the amount of \$2,000,000 for street improvements.

The Mayor and City Council of the City of Greenville, Mississippi (the "City"), took up for consideration the matter of raising funds for the purpose of financing certain capital projects of the City. After a discussion of the subject, Council Member Hollowell offered and moved the adoption of the following resolution:

Resolution #10-001

**RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS, SERIES 2010, OF THE CITY OF GREENVILLE, MISSISSIPPI, OR TO ISSUE A GENERAL OBLIGATION BOND, SERIES 2010, OF THE CITY OF GREENVILLE, MISSISSIPPI FOR PURCHASE BY THE MISSISSIPPI DEVELOPMENT BANK, ALL IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000) TO RAISE MONEY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS AND IMPROVEMENTS WHICH SHALL CONSIST OF CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; REPAIRING, IMPROVING AND EXTENDING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS; AND FOR OTHER AUTHORIZED PURPOSES UNDER MISS. CODE ANN. §31-25-1 ET SEQ., AS AMENDED, AND MISS. CODE ANN. § 21-33-301 ET SEQ., AS AMENDED, INCLUDING PAYING FOR THE COST OF SUCH BORROWING; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.**

**WHEREAS**, the Mayor and City Council of the City of Greenville, Mississippi (the "Governing Body"), acting for and on behalf of the City of Greenville, Mississippi (the "City"), hereby finds, determines, adjudicates and declares as follows:

1. The City is authorized by Sections 21-33-301 et seq., Mississippi Code of 1972, as amended (the "Act") to issue general obligation bonds and is authorized by Sections 31-25-1 et seq., Mississippi Code of 1972, as amended (the "Bank Act") and the Act to issue a general obligation bond to be purchased by the Mississippi Development Bank, both being hereinafter proposed to be issued for the purposes and amounts set forth in paragraph 2 of this preamble.

2. It is necessary and in the public interest to issue General Obligation Bonds, Series 2010 (the "G.O. Bonds") of the City or to issue a General Obligation Bond, Series 2010 (the "G.O. Qualified Obligation") of the City to be purchased by the Mississippi Development Bank, all in the principal amount not to exceed Two Million Dollars (\$2,000,000) to raise money for the purpose of financing certain capital projects and improvements which shall consist of constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; repairing, improving and extending sanitary, storm, drainage or sewerage systems; and for other authorized purposes under Mississippi Code Ann. §31-25-1 et seq., as amended and Sections 21-33-301 et seq., as amended, including paying for the cost of such borrowing (the "Project").

3. The assessed value of all taxable property within the City, according to the last completed assessment for taxation, is Two Hundred Thirteen Million Two Hundred Fifteen Thousand Eight Hundred Ninety Three Dollars (\$213,215,893); the City has outstanding bonded indebtedness subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended, in the amount of Five Million Five Hundred Thirty Thousand Dollars (\$5,530,000), and outstanding bonded and floating indebtedness subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended (which amount includes the sum set forth above subject to the fifteen percent (15%) debt limit), in the amount of Five Million Five Hundred Thirty Thousand Dollars (\$5,530,000); the issuance of the G.O. Bonds hereinafter proposed to be issued pursuant to the Act or the G.O. Qualified Obligation hereinafter proposed to be issued pursuant to the Act and the Bank Act, when added to the outstanding bonded indebtedness of the City, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of taxable property within the City, and will not result indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City.

4. It is necessary for the health and well-being of the citizens of the City and it is necessary, proper and economically feasible that the City issue the G.O. Bonds pursuant to the Act or the G.O. Qualified Obligation to be purchased by the Mississippi Development Bank pursuant to the Act and the Bank Act, both for the purposes herein stated and under the procedures hereinafter set forth as provided by law.

5. The City reasonably expects that it will incur expenditures prior to the issuance of the G.O. Bonds or the G.O. Qualified Obligation to be purchased by the Mississippi Development Bank, which it intends to reimburse with the proceeds of the G.O. Bonds or the G.O. Qualified Obligation, respectively, upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the G.O. Bonds or the G.O. Qualified Obligation in anticipation of the issuance of the G.O. Bonds or the G.O. Qualified Obligation is made pursuant to Department of Treasury regulations Section 1.150-2 (the Reimbursement Regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:**

**SECTION 1.** The Governing Body hereby declares its intention to issue the G.O. Bonds pursuant to the Act or the G.O. Qualified Obligation to be purchased by the Mississippi Development Bank pursuant to the Act and the Bank Act, all in the principal amount not to exceed Two Million Dollars (\$2,000,000) to raise money for the purpose of providing funds for the Project. The G.O. Bonds or the G.O. Qualified Obligation may be issued in one or more series and will be general obligations of the City payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate, or amount upon all taxable property within the geographical limits of the City.

**SECTION 2.** The Governing Body proposes to direct the issuance of the G.O. Bonds or the G.O. Qualified Obligation to be purchased by the Mississippi Development Bank in the amounts, for the purposes and secured as aforesaid at the Governing Body's regular meeting place in the City Hall of the City, at the hour of 4:00 o'clock p.m. on March 2, 2010.

**SECTION 3.** If or on before 4:00 o'clock p.m. on March 2, 2010, ten percent (10%) of the qualified electors of the City or fifteen hundred (1500) whichever is less, shall file a written protest with the City Clerk against the issuance of the G.O. Bonds pursuant to the Act, or the issuance of the G.O. Qualified Obligation pursuant to the Act and Bank Act, then the issuance of the G.O. Bonds or the G.O. Qualified Obligation for such purpose or purposes shall not be authorized unless authorized at an election on the question of the issuance of such G.O. Bonds or G.O. Qualified Obligation to be called and held as provided by law. If no protest be filed on or before 4:00 o'clock p.m. on March 2, 2010, against the issuance of the G.O. Bonds or the G.O. Qualified Obligation, then the G.O. Bonds or the G.O. Qualified Obligation may be issued without an election on the question of the issuance or the authorization thereof at any time within a period of two (2) years after the date specified in Section 2 hereof.

**SECTION 4.** This resolution shall be published one (1) time per week for at least three (3) consecutive weeks in the *Delta Democrat-Times*, a newspaper published in the City and having general circulation therein and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended. The first publication of this resolution shall be made not less than twenty-one (21) days prior to the date fixed herein for the issuance of the G.O. Bonds or the G.O. Qualified Obligation and the last publication shall not be made not more than seven (7) days prior to such date.

**SECTION 5.** The City Clerk shall be and is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and have the same before the Governing Body on the date and hour specified in Section 2 hereof.

**SECTION 6.** The City reasonably expects that it will incur expenditures prior to the issuance of the G.O. Bonds or the G.O. Qualified Obligation to be purchased by the Mississippi Development Bank, which it intends to reimburse with the proceeds of the G.O. Bonds or the G.O. Qualified Obligation, respectively, upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the G.O. Bonds or the G.O. Qualified Obligation in anticipation of the issuance of the G.O. Bonds or the G.O. Qualified Obligation is made pursuant to the Department of Treasury regulations Section 1.150-2 (the Reimbursement Regulations). The Project for which such expenditures are made is the same as

described hereinabove. The maximum principal amount of debt expected to be issued or borrowed for the Project is the amount hereinabove set forth.

**SECTION 7.** If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

Following the reading of the foregoing resolution, Council Member Weathers seconded the motion. The Mayor put the question to a roll call vote, and the result was as follows:

Council Member Kenneth L. Gines	voted: AYE
Council Member Carl McGee	voted: AYE
Council Member Carolyn Weathers	voted: AYE
Council Member Betty Watkins	voted: AYE
Council Member Ann Hollowell	voted: AYE
Council Member Errick D. Simmons	voted: AYE

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted, on this the 2<sup>nd</sup> day of February, 2010.

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**Heather M. Hudson, Mayor**

**ATTEST:**

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**Amelia D. Wicks, City Clerk**

**PUBLISH: February 5, 12, 19 and 26, 2010**

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**ORDER # 10-046**

**ORDER: APPROVING INTERIM CITY ENGINEER'S REQUEST FOR CHANGE ORDER #2 FOR PRODUCER'S RICE/C & G RAILROAD REHABILITATION PROJECT WITH NO CHANGE IN DOLLAR AMOUNT.**

**Motion made by Councilwoman Weathers and seconded by Councilman Gines. All present voted AYE.**

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ORDER # 10-047

ORDER: APPROVING BUDGET AMENDMENT BY FIRE DEPARTMENT FOR PURCHASE OF AIR PURIFIER SYSTEM FROM THE FIRE PROTECTION FUND.

Line Item#	Description	Current Revised Budget	Current Balance	Budget Amendment Requested	Budget After Request
105.000.262	Fire Protection Insurance Refund	202,810.00		24,000.00	226,810.00
105.160.732	Fire Protection Fund Safety Equip			24,000.00	24,000.00
105.000.390	Fire Protection Fund Loans		282,830.00	282,830.00	282,830.00
105.000.262	Fire Protection Insurance Refund	200,000.00		2,810.00	202,810.00
105.160.730	Fire Protection Fund Equipment		285,640.00	285,640.00	285,640.00

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ORDER # 10-048

ORDER: APPROVING TRAVEL/TRAINING REQUEST FOR TERESA KINGDON TO TRAVEL TO JACKSON, MS TO ATTEND THE 15<sup>TH</sup> ANNUAL HUMAN RESOURCES CONFERENCE & EXPO IN THE AMOUNT OF \$ 403.50 FROM APRIL 7 – 9, 2010.

On motion by Councilwoman Hollowell, seconded by Councilman Simmons with all members present voting AYE, City Council approved a travel/training request for the Human Resource Director to travel to Jackson, MS to attend the 15<sup>th</sup> Annual Human Resources Conference & Expo in the amount of \$403.50, April 7-9, 2010.

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ORDER # 10-049

ORDER: APPROVING TRAVEL/TRAINING REQUEST FOR MYRON MANNING TO TRAVEL TO EMMITSBURG, MARYLAND, FEBRUARY 20 - March 6, 2010 TO ATTEND THE INTERVIEW / INTERROGATION TECHNIQUES CLASS AT THE NATIONAL FIRE ACADEMY IN THE AMOUNT OF \$755.00.

On motion by Councilman Simmons , seconded by Councilwoman Hollowell with all members present voting AYE, Council approved a travel/training requests for the Fire Marshall to travel to Emmitsburg, Maryland February 20 – March 6, 2010 to attend the Interview/Interrogation Techniques Class at the National Fire Academy in the amount of \$755.00.

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ORDER # 10-050

ORDER: APPROVING TRAVEL/TRAINING REQUEST FOR AMELIA D. WICKS TO TRAVEL TO JACKSON, MS FEBRUARY 24 -26, 2010 TO ATTEND A CERTIFICATION PROGRAM FOR MUNICIPAL CLERKS IN THE AMOUNT OF \$350.00.

On motion by Councilwoman Weathers, seconded by Councilman Gines with all members present voting AYE, Council approved a travel/training request for the City Clerk to attend a Certification Program for Municipal Clerks in the amount of \$350.00.

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ORDER # 10-051

ORDER: APPROVING PAY REQUESTS #1 AND #2 TO HELLER COMPANY INC. FOR AIRLANE SANITARY SEWER REHABILITATION PROJECT IN THE TOTAL AMOUNT OF \$170,294.63

On motion by Councilman McGee, seconded by Councilman Gines with all members present voting AYE, Council approved the pay requests for Heller Company in the total amount of \$170,294.63.

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Councilwoman Hollowell recused herself.

ORDER # 10-052

ORDER: APPROVING CLAIMS PAYABLE DOCKET AND MANUAL CHECK REPORT IN THE AMOUNT OF \$427,411.99 AFTER ADDITIONS.

On motion by Councilwoman Watkins, seconded by Councilwoman Weathers with all members present voting AYE, Council approved the Claims Payable Docket plus Manual Check Report in the amount of \$ 427,411.99 after additions.

Councilwoman Hollowell re-enters Council chambers.

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ORDER #10-053

ORDER: APPROVING BUDGET AMENDMENT BY EXTERNAL FINANCIAL CONSULTANT FOR AIRPORT MDOT MULTI-MODEL GRANT AWARDED FOR FIRE SUPPRESSION SYSTEM IN PUMP HOUSE 2 AND MOBILE EQUIPMENT.

Line Item#	Description	Current Revised Budget	Current Balance	Budget Amendment Requested	Budget After Request
102.560.720	Airport Capital Improvements	30,000.00		267,475.00	297,475.00
102.560.730	Airport Equipment			18,000.00	18,000.00
102.560.740	Airport Vehicle			20,500.00	20,500.00
102.000.240	Airport MDOT Grant			294,500.00	294,500.00
102.000.341	Airport Rents/Leases	615,400.00	215,877.00	11,475.00	628,875.00

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ORDER #10-054

ORDER: APPROVAL OF TRAVEL/TRAINING FOR AIRPORT DIRECTOR RODGERS TO TRAVEL TO JACKSON, MS TO ATTEND THE 2010 ANNUAL LEGISLATIVE BREAKFAST/MS INTERMODAL COUNCIL FROM FEBRUARY 3<sup>RD</sup> – FEBRUARY 4<sup>TH</sup>, 2010 IN THE AMOUNT OF \$195.50.

On motion by Councilwoman Weathers, seconded by Councilwoman Hollowell with all members present voting AYE, Council approved the travel/training for Airport Director Rodgers.

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ORDER # 10-055

ORDER: APPROVING TRAVEL/TRAINING REQUESTS FOR LORENZO ANDERSON AND SANDRA REED TO TRAVEL TO JACKSON, MS FEBRUARY 3 – 4, 2010 FOR MDOT TRANSIT MEETING IN THE AMOUNT OF \$155.00 EACH.

On motion by Councilwoman Hollowell, seconded by Councilwoman Weathers with all members present voting AYE, Council approved travel/training requests for Interim City Engineer and Grant Writer in the amount of \$ 155.00 each.

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ORDER # 10-056

ORDER: APPROVING TRAVEL/TRAINING REQUEST FOR GWANDA WILSON TO TRAVEL TO TUNICA, MS MARCH 3 -5, 2010 FOR THE SPRING STATEWIDE SEMINAR FOR MISSISSIPI MUNICIPAL COURT CLERKS IN THE AMOUNT OF \$249.00.

On motion by Councilman Gines, seconded by Councilwoman Hollowell with all members present voting AYE, Council approved travel/training request for the Municipal Court Clerk to travel to the Spring Statewide Seminar for Mississippi Court Clerks in the amount of \$ 249.00 each.

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ORDER # 10-057

ORDER: APPROVING THE TRAVEL REQUEST FOR SANDRA REED AND MELVA CARPENTER TO TRAVEL TO TUNICA, MS, FEBRUARY 15 – 16, 2010 FOR DELTA HEALTH COLLABORATIVE LEADERSHIP INSTITUTE IN THE TOTAL AMOUNT OF \$193.00 (100% GRANT FUNDED)

On motion by Councilwoman Watkins, seconded by Councilwoman Hollowell with all members present voting AYE, Council approved a travel request for Grant Writer and Administrative Assistant in the total amount of \$193.00.

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ORDER #10-058

ORDER: APPROVING THE REQUEST TO FILL A VACANCY IN THE CITY CLERK'S OFFICE WITH A TEMPORARY EMPLOYEE.

On motion by Councilman Gines, seconded by Councilman Simmons with all members present voting AYE, Council approved the City Clerk's request to fill a vacancy with a temporary employee.

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ORDER # 10-059

ORDER: APPROVING THE REQUEST TO FILL A VACANCY IN THE FIRE DEPARTMENT.

On motion by Councilwoman Watkins, seconded by Councilwoman Hollowell with all members present voting AYE, Council approved the Fire Chief's request to fill a vacancy in the Fire Department.

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**EXECUTIVE SESSION**

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There being no further business coming before the City Council the meeting was adjourned.

THE CITY COUNCIL OF GREENVILLE, MISSISSIPPI

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HEATHER MCTEER HUDSON, MAYOR

ATTEST:

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AMELIA D. WICKS, CITY CLERK