

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

June 21, 2011

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 21st day of June, 2011 for the purpose of transacting such business as might properly come before it.

There were present the following officers and members of Council:

Mayor: Heather McTeer

Council Members: Kenneth L. Gines, Ann Hollowell, Carl McGee, Errick Simmons, Betty Watkins and Carolyn Weathers

Also Present:

Amelia D. Wicks, City Clerk
T. Rochelle Harris, Legal Secretary
Lorenzo Anderson, City Engineer
Freddie Cannon, Police Chief
Milton Davenport, Fleet Manager
Lee Gordon, Fire Chief
Brad Jones, Public Works Director
Teresa Kingdom, Human Resources Director

Steve Osso, External Financial Consultant
Pam Richards, Water/Utility Manager
Lane Rodgers, Airport Director
Al Scarborough, Information Technology Mgr.
Carlton Williams, Planning/Zoning Director
D'Andre Williams, Housing Inspector
Gwanda Wilson, Municipal Court Clerk
Yvette Yeager, Parks and Recreation Director

Absent:

Andy Alexander, City Attorney

Mayor McTeer introduced Rev. Jonas Hayes of First Presbyterian Church of Greenville, MS who offered the invocation followed by the Pledge of Allegiance to the flag.

Mayor McTeer acknowledged the passing of Attorney Earl Solomon who served as a former Municipal Court Judge. Also, a Certificate of Appreciation from the Arkansas National Guard for support during the Great Flood of 2011 was read aloud.

Mayor McTeer proceeded to the City Council Agenda items and requested any additions or deletions to the agenda. The following items were added:

On motion by Councilwoman Hollowell, seconded by Councilman Gines, with all members present voting AYE, Council added "Council to consider adopting a Resolution appointing an Applicant Agent and entering into Agreement with MS Emergency Management Agency (MEMA) relating to the 2011 Flood event, to the agenda".

On motion by Councilman Gines, seconded by Councilwoman Weathers, with all members present voting AYE, Council added, "Discussion of the Pit Bull Ordinance," to the agenda.

On motion by Councilman Gines, seconded by Councilwoman Hollowell with all members present voting AYE, Council added, "Personnel issue in the Fire Department for Executive Session," to the agenda.

The following monthly reports were presented:

External Financial Consultant
Parks and Recreation

On motion by Councilwoman Watkins, seconded by Councilwoman Hollowell with all members present voting AYE, Council approved minutes of a Regular City Council meeting held June 7, 2011.

On motion by Councilwoman Hollowell, seconded by Councilman Gines with all members present voting AYE, Council approved minutes of a Special Session City Council meeting held June 13, 2011.

On motion by Councilman McGee, seconded by Councilwoman Hollowell with all members present voting AYE, Council approved minutes of a Public Safety Committee meeting held June 13, 2011.

ORDER #11-220

ORDER: APPROVING THE ADVANCEMENT OF FIREFIGHTERS FROM ROOKIE TO 3RD CLASS AFTER SUCCESSFUL COMPLETION OF CERTIFICATION AND REMAINING ON PROBATION STATUS FOR ONE YEAR FROM HIRE.

On motion by Councilman Gines, seconded by Councilwoman Weathers with all members present voting AYE, Council approved the advancement of Firefighters.

Councilman Simmons arrives.

ORDER #11-221

ORDER: TABLING AND REMANDING TO THE COMMITTEE AS A WHOLE OF COUNCIL CONSIDERATION OF ALLOWING CITY PAID GYM MEMBERSHIPS FOR FIREFIGHTERS AND POLICE OFFICERS AND ALLOWING EXCERSING DURING SCHEDULED WORK HOURS.

On motion by Councilwoman Watkins, seconded by Councilwoman Weathers with all members present voting AYE, Council remanded the matter to Committee as a whole of Council.

ORDER #11-222

ORDER: TABLING THE VEHICLE RECOVERY ROTATION AGREEMENTS AND REMANDING TO THE PUBLIC SAFETY COMMITTEE.

Motion was entered by Councilwoman Weathers, seconded by Councilman Gines to review Rotation Agreements. Chief Cannon provided copies of Agreements from Jackson and Biloxi. Substitute motion was entered by Councilwoman Weathers, seconded by Councilwoman Hollowell, with all members

present voting AYE, to table and remand item to the Public Safety Committee for review. Substitute motion passed.

On motion by Councilwoman Hollowell, seconded by Councilwoman Weathers with all members present voting AYE, Council approved minutes of an Airport Committee meeting held June 13, 2011.

RESOLUTION # 11-093

SEE DOCUMENT AT END

On motion by Councilwoman Weathers, seconded by Councilwoman Hollowell, with all members present voting AYE, Council adopted a resolution to increase Passenger Facility Charges from \$4.50 to \$7.00.

ORDER # 11-223

ORDER: APPROVING THE REQUEST OF WASHINGTON COUNTY OPPORTUNITIES, INC. (HEADSTART) TO TERMINATE LEASE OF BUILDING 353 EFFECTIVE JULY 7, 2011.

Motion was entered by Councilwoman Hollowell, seconded by Councilwoman Weathers to deny the request of Washington County Opportunities (Headstart) to terminate its Lease early. Substitute motion was entered by Councilman Simmons to grant early release effective July 7, 2011, seconded by Councilman McGee with all members present voting AYE, except Councilwoman Hollowell who voted NAY. Substitute motion passed.

ORDER # 11-224

ORDER: RENEWING LEASE AGREEMENT WITH WASHINGTON WARREN ISSAQUENA SHARKEY COUNTY ACTION AGENCY (WWISCAA) FOR BUILDING 350, EFFECTIVE MARCH 1, 2011 AND TERMINATING FEBRUARY 29, 2016, WITH MONTHLY RENT IN THE AMOUNT OF \$150.00 PLUS THE PRO-RATED COST OF FIRE AND HAZARD INSURANCE AND TENANT PAYS FOR ROOF REPAIRS TO BE INSPECTED BY THE CITY ENGINEER.

On motion by Councilwoman Hollowell, seconded by Councilwoman Weathers with all members present voting AYE, Council renewed the Lease Agreement.

Mr. Charles Buchanan, CPA, provided an Executive Summary of results from the 2009-2010 Audit. The type of report issued will be *unqualified* (clean). No material weaknesses over internal controls of financial statements were present. No material weaknesses were identified in internal controls or significant deficiencies as it relates to federal awards and grants. The only reportable condition is the utility system's lack of an aging report which has been addressed with the software vendor. Mr. Buchanan noted this is a significant improvement by the City over the past five (5) years.

ORDER # 11-225

SEE DOCUMENT AT END

ORDER: APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE MS TRANSPORTATION COMMISSION FOR THE 2011 URBAN YOUTH CORP. (80% GRANT FUNDED).

On motion by Councilwoman Hollowell, seconded by Councilman Gines with all members present voting AYE, Council approved a Memorandum of Understanding with the MS Transportation Commission for the 2011 Urban Youth Corp. Remaining 20% coming from in-kind contributions.

ORDER # 11-226

SEE DOCUMENT AT END

ORDER: APPROVING AMMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE MS TRANSPORTAION COMMISSION AND THE CITY FOR WASHINGTON AVENUE PHASE II IMPROVEMENTS UNDER THE GREENVILLE STREET REVITALIZATION.

On motion by Councilwoman Watkins, seconded by Councilman Simmons with all members present voting AYE, Council approved Amendment No. 1 to the Memorandum of Understanding.

ORDER # 11-227

SEE DOCUMENT AT END

ORDER: APPROVING CONTRACT FOR ADMINISTRATIVE SERVICES TO BE PERFORMED BY SOUTH DELTA PLANNING AND DEVELOPMENT DISTRICT, INC., FOR NO. 9 TRIBUTARIES DISASTER RELIEF. (100% GRANT FUNDED).

On motion by Councilwoman Weathers, seconded by Councilman Simmons with all members present voting AYE, Council approved a Contract for administrative services.

ORDER # 11-228

SEE DOCUMENT AT END

ORDER: APPROVING CONTRACT FOR ENGINEERING SERVICES TO BE PERFORMED BY HOOKER ENGINEERING FOR NO. 9 TRIBUTARIES DISASTER RELIEF. (100% GRANT FUNDED).

On motion by Councilwoman Hollowell, seconded by Councilwoman Weathers with all members present voting AYE, Council approved a Contract for administrative services.

ORDER # 11-229

ORDER: APPOINTING MR. MARK SEARD TO THE NORTH CENTRAL MS RAILROAD AUTHORITY BY ACCLAMATION BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2016.

Motion was entered by Councilman Gines, seconded by Councilman McGee nominating Mr. Mark Seard. Substitute motion was entered by Councilwoman Hollowell nominating Mr. Victor Smith; motion died for lack of a second. Votes on the original motion were all in favor of Mr. Seard, except Councilwoman Hollowell who voted NAY. Original motion passed.

ORDER # 11-230

ORDER: HOLDING IN ABEYANCE UNTIL EXECUTIVE SESSION A REQUEST BY THE PUBLIC WORKS DIRECTOR TO FILL THREE (3) POSITIONS.

On motion by Councilwoman Hollowell, seconded by Councilwoman Weathers with all members present voting AYE, Council held in abeyance until Executive Session, a request to fill three (3) positions in the Public Works Department.

ORDER # 11-231

ORDER: APPROVING TRAVEL/TRAINING FOR TWELVE (12) EMPLOYEES TO ATTEND MICROSOFT 2010 TRAINING FROM JULY 25-26, 2011 AT THE GREENVILLE HIGHER EDUCATION CENTER IN THE AMOUNT OF \$150.00 EACH.

Name	Department	Account #
Cassandra McMiller	Airport	102-560-612
Lisa Cain	City's Clerk Office	001-040-612
Pam Ferguson	City's Clerk Office	001-040-612
Rochelle Harris	City's Clerk Office	001-040-612
Peggy Fioranelli	Fleet Department	500-500-612
Teresa or Tawana	Human Resource	001-080-612
Tenika Taylor	Mayor's Office	001-020-612
Sandra Reed	Mayor's Office	001-020-612
Yvette Yeager	Parks & Recreation	100-300-612
Bridgett Winters	Public Works	001-200-612
Maple Smith	Waste Water	400-680-612
Pamela Richards	Water/Utility	400-650-612

On motion by Councilman Gines, seconded by Councilman Simmons with all members present voting AYE, Council approved a travel/training request.

ORDER # 11-232

ORDER: APPROVING PAYMENT OF PAY REQUEST #3 TO W.L. BURLE ENGINEERS, P.A., IN THE AMOUNT OF \$10,805.73 FOR WORKED PERFORMED ON WASHINGTON AVENUE IMPROVEMENTS PAHSE II.

On motion by Councilman Simmons, seconded by Councilwoman Hollowell with all members present voting AYE, Council approved payment of Pay Request #3.

ORDER # 11-233

ORDER: APPROVING PAYMENT OF PAY REQUEST #4 TO W.L. BURLE ENGINEERS, P.A., IN THE AMOUNT OF \$14,715.46 FOR WORKED PERFORMED ON WASHINGTON AVENUE IMPROVEMENTS PAHSE II.

On motion by Councilwoman Weathers, seconded by Councilwoman Hollowell with all members present voting AYE, Council approved payment of Pay Request #4.

ORDER # 11-234

ORDER: APPROVING PAYMENT OF PAY REQUEST #3 TO RONYAK PAVING IN THE AMOUNT OF \$299,946.88 FOR WORKED PERFORMED ON THE 2010 PAHSE II STREET IMPROVEMENTS BOND ISSUE.

On motion by Councilwoman Hollowell, seconded by Councilman Gines with all members present voting AYE, Council approved payment of Pay Request #3.

ORDER # 11-235

ORDER: APPROVING THE CLAIMS PAYABLE DOCKET IN THE AMOUNT OF \$895,456.45.

On motion by Councilwoman Weathers, seconded by Councilman Simmons with all members present voting AYE, Council approved the Claims Payable Docket.

ORDER # 11-236

ORDER: APPROVING ADVERTISEMENT OF BIDS FOR GREENVILLE DAYCARE CENTER ROOF REPAIRS (BUDGETED ITEM).

On motion by Councilwoman Hollowell, seconded by Councilman Gines with all members present voting AYE, Council approved advertising for bids.

ORDER # 11-237

ORDER: APPROVING ADVERTISEMENT OF BIDS FOR EQUIPMENT UNDER THE HEALTH AND WELLNESS GRANT.

On motion by Councilman Simmons, seconded by Councilwoman Weathers with all members present voting AYE, Council approved advertising for bids.

Council heard an update from Clerk Wicks on the straight line wind Proclamation. Clerk Wicks informed Council that Washington County Emergency Management will not submit the Proclamation to MS Emergency Management (MEMA). The Governor's office requires a threshold of \$3.7 million in damages statewide. Mayor McTeer stated she would file an appeal. Councilwoman Watkins suggested that contact be made with insurance companies.

RESOLUTION

BE IT RESOLVED by the City Council of Greenville, Mississippi, as follows: That upon the recommendation of the Housing Inspector, and of its own motion, The City Council resolved to hold a hearing to determine whether or not the following described parcel of land was in such a state of dilapidation and uncleanness as to constitute a menace to public health and safety of the community. The street address and/or description of said property being described as follows: **401 Nelson Street-W 45' of N 80 ½' of Lot 4, Block 11, 3rd Addition, Lot size: 45' x 80.5', Parcel #10164400000.**

That **Harry Williams Estate** owner(s) of said property was given notice of said hearing as prescribed by Section 21-19-11 of the Mississippi Code of 1972.

That upon evidence duly presented and considered, The City Council of Greenville hereby finds and adjudicates that said parcel of land is in such a condition as to be a menace to the public health and safety of the community; and, therefore, **if said owner does not begin to repair the roof and have the side put on structure and present an update to Properties Committee on the status of said property within 30 days, the City shall have the structure demolished, grass and weeds sprayed, cut and cleaned and all accumulation of trash and debris removed from the property.**

That at its next regular meeting, the City Council of Greenville shall by resolution adjudicate the actual cost of cleaning and cutting said lot plus twenty-five percent (25%) penalty, at which cost shall become an assessment against the same and constitute a lien thereon.

RESOLVED, on this the 17th day of May, 2011.

The City Council of Greenville

Heather McTeer, Mayor

ATTEST:

Amelia D. Wicks, City Clerk

On motion by Councilman Gines, seconded by Councilwoman Hollowell with all members present voting AYE, Council reaffirmed Resolution # 11-053 declaring the above structure is in such a state of dilapidation and uncleanness as to constitute a menace to public health and safety.

ORDER # 11-238

ORDER: APPROVING ADDITIONS TO CLAIMS PAYABLE DOCKET IN THE AMOUNT OF \$1,819.00.

Kmart	400.680.599	32" Samsung TV	\$ 319.00
	(TV used for tour presentations)		
Toten's Tree Service	102.560.635	Removal of 2 trees	<u>\$1,500.00</u>
			\$1,819.00
		Total Claims Payable	<u>\$897,275.45</u>

On motion by Councilwoman Weathers, seconded by Councilwoman Hollowell with all members present voting AYE, Council approved additions to the Claims Payable Docket.

RESOLUTION 11-094

SEE DOCUMENT AT END

Engineer Anderson met with MEMA officials earlier today. Reimbursement for flood damage may be approved at a rate of 75% federal, 12.5% state and 12.5% city. Upon recommendation by Mayor McTeer and on motion by Councilwoman Hollowell, seconded by Councilwoman Weathers, with all members present voting AYE, Council resolved to appoint Clerk Wicks as the Applicant Agent for Flood disaster relief.

ORDER # 11-239

ORDER: REMANDING DISCUSSION OF STRENGTHENING THE VICIOUS DOG ORDINANCE TO THE CHARTER AND ORDINANCE COMMITTEE.

On Motion by Councilman Simmons, seconded by Councilwoman Weathers with all members present voting AYE, Council remanded discussion to the Charter and Ordinance Committee.

EXECUTIVE SESSION

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

THE CITY COUNCIL OF GREENVILLE,
MISSISSIPPI

Heather McTeer, Mayor

ATTEST:

Amelia D. Wicks, City Clerk

**RESOLUTION BY THE CITY OF GREENVILLE, MISSISSIPPI
IN SUPPORT OF INCREASING PASSENGER FACILITY CHARGE (PFC) AT COMMERCIAL AIRPORTS
OPERATED BY PUBLIC AGENCIES**

WHEREAS, the Aviation Safety and Capacity Act of 1990, was enacted into the laws of the United States of America; and

WHEREAS, this Act provides that the local public airport authorities may apply to the Federal Aviation Administration (FAA) for authority to impose a Passenger Facility Charge (PFC) on each paying air passenger in order to finance an “eligible airport-related project,” such as a project for airport development, airport planning, or terminal development; and Airport intends to increase the collection of Passenger Facility Charges from \$4.50 to \$7.00.

WHEREAS, the City of Greenville, is the owner, sponsor and operator of the Greenville Mid-Delta Regional Airport, and pursuant to Article VII, Sec. 2-182, of the Code of Ordinances of the City of Greenville, has authority to adopt rules and regulations for the operation of said Airport; and

WHEREAS, it will be in the public interest to perform the below listed project at Greenville Mid-Delta Airport; and

WHEREAS, City Ordinance Article VII, Sec. 2-184 provides that the Airport Director is authorized to execute a new Passenger Facility Charge Application to increase the City’s Passenger Facility Charge program; and

WHEREAS, Passenger Facility Charges shall be expended for projects approved by resolution of the City Council and approved by the Federal Aviation Administration.

WHEREAS, PFC fees are not taxes, and are not imposed on anyone other than boarding passengers, and are not comingled with tax dollars; and

WHEREAS, due to inflation in the cost of construction, in today’s dollars, Four and 50/100 Dollars (4.50) is approximately Seven Dollars (\$7.00); and

WHEREAS, THE CITY OF Greenville, Mississippi finds that a PFC user fee of Seven and NO/100 dollars (\$7.00) per enplaning passenger is needed by the Greenville Mid-Delta Airport to accomplish additional projects designed to enhance capacity, safety and improvement of the Greenville Mid-Delta Regional Airport; and

WHEREAS, the above and foregoing Resolution, after having been first introduced by Lane Rodgers the Director to the Airport Committee meeting held on June 13, 2011 was received favorably. **Councilwoman Hollowell motioned to recommend to full Council to -Delta Regional Airport; and to adopt a Resolution to increase PFCs from \$4.50 to \$7.00, seconded by Councilwoman Weathers.**

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE, MISSISSIPPI:

SECTION 1

That the City of Greenville, Mississippi, respectfully request all Mississippi representatives and senators in the United States Congress to support and pass a Passenger Facility Charge (PFC) user fee cap of Seven and NO/100 Dollars (\$7.00) per enplaning passenger.

SECTION 2

Passenger Facility Charges collected are hereby authorized to be expended on the projects to accomplish additional projects designed to enhance capacity, safety and improvement of the Greenville Mid-Delta Regional Airport

SECTION 3

That this Resolution shall become effective immediately upon adoption by the Greenville City Council.

ADOPTED on this, the 21st day of June, 2011.

CITY COUNCIL OF THE
CITY OF GREENVILLE, MISSISSIPPI

Heather McTeer, Mayor

ATTEST:

Amelia D. Wicks, City Clerk