

UNITED STATES OF AMERICA

STATE OF MISSISSIPPI

COUNTY OF LAFAYETTE

CITY OF OXFORD

REGULAR MEETING

August 21, 2007

6:00 p.m.

CALL TO ORDER:

The meeting of the Mayor and Board of Aldermen of the City of Oxford, Mississippi, was called to order by Mayor Howorth at 6:00 p.m. on Tuesday, August 21, 2007, in the courtroom of City Hall when and where the following were present:

Richard Howorth – Mayor  
Pat Patterson – Alderman Ward I  
E.O. Oliver – Alderman Ward II  
Janice Antonow – Alderman Ward III  
Ulysses Howell – Alderman Ward IV  
Preston Taylor – Alderman Ward V  
Jon Fisher – Alderman Ward VI  
Dr. Bill Baker- Alderman At-Large

Mayo Mallette PLLC – Of Counsel  
Lisa Carwyle – City Clerk  
Tim Akers- Director of Planning  
David Bennett – Director of Public Works  
Randy Russell – Supt of Sanitation  
Lynn Robbins – Supt of Electric Dept  
Al Hope – Personnel Director  
Mike Martin– Chief Oxford Police Dept  
Jerry Johnson- Chief of Oxford Fire Dept  
Randy Barber– Building & Code Enforcement  
Hugh Stump – Dir of Oxford Conf Center  
Billy Lamb- Supt of Building & Grounds

AGENDA:

It was moved by Alderman Howell, seconded by Alderman Fisher to adopt the agenda for the meeting. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

MAYOR'S REPORT:

This evening the board will vote on the proposed historic preservation districts. This vote represents the culmination of a lengthy discourse in the community, a struggle, if you will, to come to terms with the practical application of what citizens in Oxford have been requesting for many years, before the comprehensive plan, and before Vision 2020 – that something be done to protect and preserve the character and identity of Oxford.

The “struggle” part of this effort lies in the tension over the boundaries of property rights and governmental control. This board really does not like messing

with other folks' property. It generally views historic preservation, however, as a tool, like zoning or other forms of land use planning, that is our responsibility to consider using in order to uphold or increase the quality of life for the overall community. This board has considered the matter amply, openly, and properly, and I want to thank not just the board and historic preservation commission, but the many citizens who have participated – be they those who agree or disagree – with civility and good will.

Many people attribute Oxford's remarkable recent economic growth in part to the fact that it has its historic square and surrounding older neighborhoods and the historic square which give it "charm," which equates to value. My own view is that, should the board vote to approve the historic districts tonight, it shall do so in the overall best interests of the city of Oxford, and, in so doing, it will be acting in the best interests of property owners as well – though I understand and respect the fact that there are some who do not see it this way.

The board may vote as well to establish a new historic preservation commission, and appoint a number of new commissioners. Again I wish to thank the many citizens who stepped up to participate and serve the city this way.

I recently toured much of the newly annexed areas and new development around town with Randy Russell, mostly in areas in south Oxford. There is an incredible amount of new residential square footage out there, as anyone else who has driven around town lately can see. We also toured the city's rubbish site and recycling operation. I encourage everyone to go out there to see the great partnership we have with NMRC clients any morning between 10 and noon, when this group is hard at work, and I support the proposed extension of their hours on tonight's agenda.

Thanks to Mayor Pro-temp Howell for taking care of everything while I was out last week, and for presenting a proclamation and key to the city to Kimberly Morgan – again we congratulate Oxford's Miss Mississippi.

- MINUTES: It was moved by Alderman Antonow, seconded by Alderman Howell to approve the minutes of the regular board meeting on August 7, 2007 with corrections as stated. All the aldermen voting aye, Mayor Howorth declared the motion carried.
- ACCOUNTS: It was moved by Alderman Baker, seconded by Alderman Patterson to approve all City accounts including the Electric Department. All the aldermen voting aye, Mayor Howorth declared the motion carried.
- ORDINANCE 2007-16: It was moved by Alderman Antonow, seconded by Alderman Baker to adopt Ordinance 2007-16, "AN ORDINANCE DESIGNATING THE COURTHOUSE SQUARE HISTORIC PRESERVATION DISTRICT FOR THE CITY OF OXFORD, MISSISSIPPI" and to also waive the thirty day waiting period. Said ordinance is record in Book 7 of the City of Oxford Code of Ordinances. All the aldermen voting aye, Mayor Howorth declared the motion carried.
- ORDINANCE 2007-17: It was moved by Alderman Fisher, seconded by Alderman Taylor to adopt Ordinance 2007-17, "AN ORDINANCE DESIGNATING THE SOUTH LAMAR HISTORIC PRESERVATION DISTRICT FOR THE CITY OF OXFORD, MISSISSIPPI" and to also waive the thirty day waiting period. Said ordinance is record in Book 7 of the City of Oxford Code of Ordinances. All the aldermen voting aye, Mayor Howorth declared the motion carried.
- ORDINANCE 2007-18: It was moved by Alderman Howell, seconded by Alderman Patterson to adopt Ordinance 2007-18, "AN ORDINANCE AMENDING THE NORTH LAMAR HISTORIC PRESERVATION DISTRICT FOR THE CITY OF OXFORD, MISSISSIPPI" and to also waive the thirty day waiting period as to the effective date of the ordinance. Said ordinance is record in Book 7 of the City of Oxford Code of Ordinances. All the aldermen voting aye, Mayor Howorth declared the motion carried.
- ORDINANCE 2007-19: It was moved by Alderman Patterson, seconded by Alderman Howell to adopt Ordinance 2007-19, "AN ORDINANCE AMENDING THE JEFFERSON MADISON HISTORIC PRESERVATION DISTRICT FOR THE CITY OF OXFORD, MISSISSIPPI" and to also waive the thirty day waiting period as to the effective date of the ordinance. Said ordinance is record in Book 7 of the City of Oxford Code of Ordinances. All the aldermen voting aye, Mayor Howorth declared the motion carried.
- ORDINANCE 2007-20: It was moved by Alderman Fisher, seconded by Alderman Oliver to adopt Ordinance 2007-20, "AN ORDINANCE AMENDING THE CITY OF OXFORD'S LAND DEVELOPMENT CODE REVISING THE ESTABLISHMENT OF HISTORIC PRESERVATION COMMISSIONS IN THE CITY OF OXFORD, MISSISSIPPI" and to waive the thirty day waiting period as to the effective date of the ordinance. Said ordinance is

recorded in Book 7 of the City of Oxford Code of Ordinances. All the aldermen voting aye, Mayor Howorth declared the motion carried.

AGENDA:

It was moved by Alderman Patterson, seconded by Alderman Fisher to move items number 15 – 17 to the next items on the agenda. All the aldermen voting aye, Mayor Howorth declared the motion carried.

COURTHOUSE SQUARE  
HISTORIC PRESERVATION  
COMMISSION:

It was moved by Alderman Baker, seconded by Alderman Fisher to appoint Teresa Flautt, Mike Overstreet, Phil Bailey, Andy Philips, Will Lewis, Watt Bishop, and Jim Pryor to the Courthouse Square Historic Preservation Commission. All the aldermen voting aye, Mayor Howorth declared the motion carried.

RESIGNATION:

It was moved by Alderman Fisher, seconded by Alderman Antonow to accept the resignation of Renee Moore, Teresa Flautt, Mike Overstreet and Phil Bailey from the Oxford Historic Preservation Commission. All the aldermen voting aye, Mayor Howorth declared the motion carried.

OXFORD HISTORIC  
PRESERVATION COMMISSION:

It was moved by Alderman Antonow, seconded by Alderman Fisher to appoint John King, Ellis Fisher, Farrish Percy, Jeff Asti, Camp Best, Harry Owens, Molissia Swaney, Cody Giles and Eva Joyce Price to the Oxford Historic Preservation Commission. All the aldermen voting aye, Mayor Howorth declared the motion carried.

CONSULTANT FOR HISTORIC  
PRESERVATION  
COMMISSION:

It was moved by Alderman Patterson, seconded by Alderman Fisher to employ Tiffany Hatcher/Holcomb Dunbar as consultant for the Historic Preservation Commission. All the aldermen voting aye, Mayor Howorth declared the motion carried.

NMRC CLIENTS WORKING  
AT RECYCLING CENTER:

It was moved by Alderman Howell, seconded by Alderman Fisher to authorize the renewal and increase of client's hours at the Recycling Center up to 2500 hours and \$18,000.00 a year. All the aldermen voting aye, Mayor Howorth declared the motion carried.

KEEP AMERICA BEAUTIFUL  
CANS FOR CASH:

It was moved by Alderman Baker, seconded by Alderman Antonow to authorize Amberlyn Liles to apply for the Keep America Beautiful Cans for Cash program. All the aldermen voting aye, Mayor Howorth declared the motion carried.

HOUSEHOLD HAZARDOUS  
WASTE DAY:

It was moved by Alderman Fisher, seconded by Alderman Baker to authorize Amberlyn Liles to apply for a grant with Mississippi Department of Environmental Quality for Household Hazardous Waste Day to be held in the Spring

of 2008. All the aldermen voting aye, Mayor Howorth declared the motion carried.

REZONING PUBLIC HEARING: This was the public hearing on the proposed rezoning of tracts 1 and 2 from R-B Two Family Residential District to General Business District for property located at 2020 University Avenue. The third reading and vote will be at the next meeting.

CEDAR OAKS: The Mayor reported to the board that the city had received a request from Cedar Oaks to repair the roof. It was moved by Alderman Baker, seconded by Alderman Antonow to establish a group consisting of two members of the Cosmopolitan Club, two from the Board of Alderman and two from the Tourism Council to discuss the future of Cedar Oaks. It was also moved for Billy Lamb to work on getting an estimate for the roof repairs and to request a set of financial statements from the Cosmopolitan Club. All the aldermen voting aye, Mayor Howorth declared the motion carried.

WINDSOR FALLS  
PHASE 1B AND 1C: It was moved by Alderman Oliver, seconded by Alderman Patterson to approve the final plat for Windsor Falls Phase 1B and 1C. All the aldermen voting aye, Mayor Howorth declared the motion carried.

COMMUNITY GREEN: It was moved by Alderman Antonow, seconded by Alderman Howell to approve the preliminary plat for Community Green (LOU Home) located on Molly Barr Road. All the aldermen voting aye, Mayor Howorth declared the motion carried.

LOU HOME: It was moved by Alderman Fisher, seconded by Alderman Baker after acknowledging the prior declaration of the subject property as surplus, and that LOU Home is a non-profit, charitable organization the principle purpose of which is the provision of homes for those that would otherwise require substandard housing, like Habitat for Humanity, the Board authorized the conveyance of the 5.53 acres off Molly Barr (as shown in the attached plat in the prior agenda item), by Special Warranty Deed subject to reservation of all mineral rights and ingress and egress for access to those rights, subject to all easements or restrictions already applicable to the property, subject to an easement for access by the City to its adjoining property, and subject to a reversionary clause that would require LOU Home to return all property upon which houses donated by the University have not been placed, by one year from the date of the execution of the instrument and conveyance. All the aldermen voting aye, Mayor Howorth declared the motion carried.

BURNEY BRANCH OFFICE  
PARK: It was moved by Alderman Howell, seconded by Alderman Fisher to approve the preliminary plat for Burney Branch Office Park with the same conditions set by the Planning Commission. All the aldermen voting aye, Mayor Howorth declared the motion carried.

**BIDS ON TRANSFORMERS:** It was moved by Alderman Fisher, seconded by Alderman Patterson to approve the bids received for the new transformers and to rebid for the rebuilt transformers. All the aldermen voting aye, Mayor Howorth declared the motion carried.

**REPAIRS AND RENOVATIONS:** It was moved by Alderman Fisher, seconded by Alderman Antonow to authorize the expenditures for repairs and renovations to the Oxford Electric Department. All the aldermen voting aye, Mayor Howorth declared the motion carried.

**SURPLUS PROPERTY:** It was moved by Alderman Fisher, seconded by Alderman Antonow to declare a 1985 Buick Park Avenue and a 1995 Toyota Four Runner in the Narcotics Department surplus property and sell on govdeals.com. All the aldermen voting aye, Mayor Howorth declared the motion carried.

**RESOLUTION:** It was moved by Alderman Baker, seconded by Alderman Antonow to adopt the following resolution. All the aldermen voting aye, Mayor Howorth declared the motion carried.

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE  
CITY OF OXFORD, MISSISSIPPI, DECLARING ITS  
INTENTION TO PROVIDE ITS PRO RATA SHARE OF THE  
OXFORD-LAFAYETTE COUNTY VOCATIONAL-TECHNICAL CENTER  
(OXFORD-LAFAYETTE COUNTY SCHOOL OF APPLIED TECHNOLOGY)

WHEREAS, the Board of Trustees of the Oxford Municipal Separate School District unanimously adopted a Resolution and Order requesting the Mayor and Board of Aldermen of the City of Oxford, Mississippi, to levy taxes in the amount of \$240,000.00 to assist in the operation of the Oxford-Lafayette County Vocational Center (Oxford-Lafayette County School of Applied Technology) in order to enable the Oxford Municipal Separate School District to pay its pro-rata share of the operation of the Oxford-Lafayette County Vocational-Technical Center during the 2007-2008 school session; and

WHEREAS, the Oxford Municipal Separate School District, under agreement entered into by and between the Oxford Municipal Separate School District, dated September 28, 1971, is obligated to pay its pro-rata share of the operation of the Oxford-Lafayette County Vocational-Technical Center (Oxford-Lafayette County School of Applied Technology); and,

WHEREAS, as required by law, and particularly Section 37-7-409, Mississippi Code of 1972, Annotated, and amendments thereto, the Mayor and Board of Aldermen are required to make such levy as requested in said Resolution and Order of said Board of Trustees, and to declare its intention to do so by this Resolution, and as hereinafter provided, and in accordance with said Section 37-7-409.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD of Aldermen of the City of Oxford, as follows:

Section 1: Pursuant to the aforesaid Resolution and Order of the Board of Trustees of the Oxford Municipal Separate School District and as required by law, and particularly said Section 37-7-409, the Mayor and Board of Aldermen declare its intention to levy taxes in the amount of \$240,000.00 for the purpose of providing funds to said school district to assist in the operation of the Oxford-Lafayette County Vocational-Technical Center (Oxford-Lafayette County School of Applied Technology) as provided by law and in particular said Section 37-7-409.

Section 2: That this Mayor and Board of Aldermen propose to make said levy at a meeting of said Mayor and Board of Aldermen to be held on September 11, 2007 at 4:00 p.m. If the lessor of 1500 or twenty percent (20%) of the qualified electors of the Oxford Municipal Separate School District shall file a petition against the making of said levy herein provided for within the time specified in Section 3 of this Resolution, and requesting an election on the proposition of levying such additional tax for school purposes, then such levy shall not be made until an election shall be held to determine whether or not 3/5's of qualified electors of said district shall favor the additional levy for school purposes.

Section 3: That this Resolution shall be published once a week for not less than three (3) consecutive weeks in *The Oxford Eagle*, a newspaper published and having a general circulation in Lafayette County and is a qualified newspaper under the provisions of Chapter 427, Laws of Mississippi of 1948, and amendments thereto. The first publication of this Resolution shall be made not less than twenty-one (21) days prior to the date fixed in Section 2, of this Resolution for the making of such additional levy, and the last publication shall be made not more than seven (7) days prior to such date. That if within fifteen (15) days after the final publication of the Resolution, a petition signed by the lessor of 1500 or twenty percent (20%) of the qualified electors of the Oxford Municipal Separate School District requesting an election on the proposition of levying such additional taxes for school purposes is filed with the City Clerk of the City of Oxford, such levy shall not be made until an election shall be held to determine whether or not 3/5's of qualified electors of the Oxford Municipal Separate School District shall favor the additional levy for school purposes. All as provided in said Section 37-7-409, Mississippi Code of 1972, Annotated, and amendments thereto.

Section 4: That the City Clerk shall be and she is hereby directed to obtain from the publisher of the aforesaid newspaper, the customary Proof of Publication of this Resolution, and shall have the same before the Mayor and Board of Aldermen on the date specified in Section 2 of this Resolution.

Alderman \_\_\_Baker\_\_\_\_\_ made the motion which was seconded by Alderman \_\_\_Antonow\_\_\_\_\_ to adopt the foregoing Resolution, which was introduced in writing at the meeting of the Mayor and Board of Aldermen of the City of Oxford, Mississippi, held on August 21, 2007, and was at said meeting, read, considered, and adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a roll call vote, the result was as follows:

|                    |                    |
|--------------------|--------------------|
| Alderman Patterson | voted __ AYE _____ |
| Alderman Oliver    | voted __ AYE _____ |
| Alderman Antonow   | voted __ AYE _____ |
| Alderman Howell    | voted __ AYE _____ |
| Alderman Fisher    | voted __ AYE _____ |
| Alderman Taylor    | voted __ AYE _____ |
| Alderman Baker     | voted __ AYE _____ |

Approved, this the 21st day of August, 2007.

\_\_\_\_\_/s/ Richard Howorth\_\_\_\_\_  
RICHARD HOWORTH

ATTEST:

\_\_\_\_\_/s/ Lisa Carwyle\_\_\_\_\_  
LISA D. CARWYLE, CITY CLERK

GROUND MAN:

It was moved by Alderman Baker, seconded by Alderman Fisher to authorize the employment of Derrick Milliner as a ground man with the electric department. He is transferring from the solid waste department. The salary is \$25,091.33. All the aldermen voting aye, Mayor Howorth declared the motion carried.

PROMOTION:

It was moved by Alderman Antonow, seconded by Alderman Taylor to authorize the promotion in the Solid Waste Department of Frankie Dunn to Flat Bed Driver with a salary of \$22,505.00. All the aldermen voting aye, Mayor Howorth declared the motion carried.

LABORER:

It was moved by Alderman Baker, seconded by Alderman Antonow to authorize the employment of Demari McThume as laborer in the Solid Waste Department with a salary of \$19,288.65. All the aldermen voting aye, Mayor Howorth declared the motion carried.

CASHIER:

It was moved by Alderman Fisher, seconded by Alderman Antonow to authorize the employment of Taseba Crane as cashier in the Electric Department with a salary of \$22,810.30. All the aldermen voting aye, Mayor Howorth declared the motion carried.

RESIGNATION:

It was moved by Alderman Fisher, seconded by Alderman Antonow to accept the resignation of Nancy Davis from the Building Department. All the aldermen voting aye, Mayor Howorth declared the motion carried.

ADVERTISE:

It was moved by Alderman Fisher, seconded by Alderman Baker to authorize the advertisement for a permit clerk in the Building Department. All the aldermen voting aye, Mayor Howorth declared the motion carried.

RE-ADVERTISE:

It was moved by Alderman Fisher, seconded by Alderman Antonow to authorize the re-advertisement for a wastewater technician I. All the aldermen voting aye, Mayor Howorth declared the motion carried.

EXECUTIVE SESSION: It was moved by Alderman Antonow, seconded by Alderman Patterson to consider executive session for a personnel issue. All the aldermen voting aye, Mayor Howorth declared the motion carried.

It was moved by Alderman Antonow, seconded by Alderman Patterson to go into executive session. All the aldermen voting aye, Mayor Howorth declared the motion carried.

REGULAR SESSION: It was moved by Alderman Fisher, seconded by Alderman Taylor to go into regular session. All the aldermen voting aye, Mayor Howorth declared the motion carried.

SOLID WASTE: It was moved by Alderman Oliver, seconded by Alderman Fisher to follow the recommendations of the Human Resource Director and Solid Waste Superintendent concerning disciplinary action on three employees in the Solid Waste Department. All the aldermen voting aye, Mayor Howorth declared the motion carried.

RECESS: It was moved by Alderman Fisher, seconded by Alderman Baker to recess the meeting until 8:00 a.m. on Thursday, August 23, 2007 at the Oxford City Hall. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

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Richard Howorth, Mayor

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Lisa Carwyle, City Clerk