CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, APRIL 4, 2006 – 7:00 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET

WELCOME AND CALL TO ORDER – Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG
The invocation was led by Alderman Bishop followed by the Pledge of Allegiance to the Flag led by Alderman Morgan.

ROLL CALL – City Clerk, Russell Wall

Present:
Jehu Brabham – Alderman-at-Large
Tony Greer - Alderman Ward 2
Mike Bishop – Alderman Ward 3
Mike Morgan – Alderman Ward 5
William Barnett – Alderman Ward 6

Absent:
Tony Hisaw – Alderman Ward 1
Phil Fisher – Alderman Ward 4

RECOGNITIONS

Mayor recognized the Clinton Lady Arrows Basketball Team for winning the Class 5A State Championship.

APPROVAL OF AGENDA ITEMS A-BB

MOTION made by Alderman Brabham and **SECONDED** by Alderman Greer to approve Consent Agenda Items A-BB. **MOTION CARRIED UNANIMOUSLY**

PRELIMINARY SITE PLAN FOR PARKWAY INTERIOR'S MARKET AT 115 CYNTHIA STREET

Upon presentation by Gary Ward, Community Development Director, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Barnett to approve a preliminary site plan for Parkway Interior's Market at 115 Cynthia Street. The Planning and Zoning Commission recommended approval. A copy of the site plan is on file with the Community Development Department.
MOTION CARRIED UNANIMOUSLY

PRELIMINARY SITE PLAN FOR A & E COUNTERTOPS, INC. AT 300 BATTERY DRIVE

Upon presentation by Gary Ward, Community Development Director, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Brabham to approve a preliminary site plan for A & E Countertops, Inc. at 300 Battery Drive. The Planning and Zoning Commission recommended approval. A copy of the site plan is on file with the Community Development Department. **MOTION CARRIED UNANIMOUSLY**

MOTION TO SET PUBLIC HEARING TO AMEND ZONING ORDINANCE

Upon presentation by Gary Ward, Community Development Director, **MOTION** made by Alderman Morgan and **SECONDED** by Alderman Barnett to approve setting a public hearing to amend the Zoning Ordinance and the said hearing to take place on April 25, 2006 or as soon thereafter as possible. **MOTION CARRIED UNANIMOUSLY**

CERTIFICATE OF ATTENDANCE FOR TAMRA MORGAN ATTENDING THE MUNICIPAL COURT CLERKS STATEWIDE SEMINAR ON MARCH 9-10, 2006

Upon presentation by Russell Wall, City Clerk, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Bishop to approve the certification of attendance for Tamra Morgan for attending the Municipal Court Clerks Statewide Seminar on March 9-10, 2006. **MOTION CARRIED UNANIMOUSLY**

CONTRACT WITH ROAD RUNNER/ TIME WARNER

Upon presentation by Tim Rogers, Director of Public Works, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Bishop to approve entering into a contract with Road Runner/Time Warner for service to all City of Clinton facilities for a 2-year period. The monthly billing will be $1,354.81 and the $6,000.00 installation fee will be waived for the new Public Works sight. A copy of the contract is attached. **MOTION CARRIED UNANIMOUSLY**

Two residents of the annexed area, Bill Burrow and Tom Gunter, made statements to the Mayor and Board of Aldermen and asked questions regarding the cessation of municipal services in the annexed area and tax issues and matters raised in the Mayor's letter of March 31, 2006, to residents of the annexed area.

EXECUTIVE SESSION

MOTION made by Alderman Brabham and **SECONDED** by Alderman Greer to consider entering into executive session for the purpose of discussing litigation. **MOTION CARRIED UNANIMOUSLY**

MOTION made by Alderman Brabham and **SECONDED** by Alderman Greer to enter into executive session for the purpose of discussing litigation. **MOTION CARRIED UNANIMOUSLY**

The Mayor and Board of Aldermen entered executive session at 7:36 p.m. Also present in executive session were City Attorney Ken Dreher and Parks and Recreation Director Ray Holloway. A discussion of personnel matters occurred during executive session. No action was taken during executive session. **MOTION** made Alderman Brabham and **SECONDED** by Alderman Greer to exit executive session. **MOTION CARRIED UNANIMOUSLY.** The Mayor and Board of Aldermen exited executive session at 8:15 p.m.

ADJOURN 8:16 P.M.

MOTION made by Alderman Brabham and **SECONDED** by Alderman Greer to adjourn.
MOTION CARRIED UNANIMOUSLY

APPROVED: Rosemary G. Aultman — April 10, 2006
Rosemary Aultman, Mayor — Date

ATTEST: Russell L. Wall — April 10, 2006
Russell L. Wall, City Clerk — Date

SEAL MISSISSIPPI

BOARD APPROVED

APR 04 2006

CITY OF CLINTON

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: April 4, 2006

AGENDA ITEM NO. 7a

CONSENT AGENDA:

TO:

FOR:

ACCT. NO :

DISCUSSION/ACTION: Preliminary Site Plan
Parkway interior's Market
115 Cynthia Street

INTRODUCED BY: Gary Ward

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other:
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION: Planning and Zoning recommends approval.

BOARD ACTION:

MOTION MADE BY: Brabham

SECONDED BY: Barnett

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	A		
Greer	✓		
Bishop	✓		
Fisher	A		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

BOARD APPROVED

APR 04 2006

CITY OF CLINTON

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: April 4, 2006 AGENDA ITEM NO. 7. b

CONSENT AGENDA: TO:

FOR:

ACCT. NO :

DISCUSSION/ACTION: Preliminary Site Plan
A & E Countertops, Inc.
300 Battery Drive

INTRODUCED BY: Gary Ward TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other:
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION: Planning and Zoning recommends approval.

BOARD ACTION: MOTION MADE BY: Greer

SECONDED BY: Brabham

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	A		
Greer	✓		
Bishop	✓		
Fisher	A		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

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CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: April 4, 2006

AGENDA ITEM NO. 7.C

BOARD APPROVED
APR 04 2006
CITY OF CLINTON

CONSENT AGENDA:

TO:

FOR:

ACCT. NO :

DISCUSSION/ACTION: Motion to Set Public Hearing to Amend the Zoning Ordinance

INTRODUCED BY: Gary Ward

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other:
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY: Morgan

SECONDED BY: Barnett

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	A		
Greer	✓		
Bishop	✓		
Fisher	A		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

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MOTION TO SET PUBLIC HEARING TO AMEND
ZONING ORDINANCE

I move that, pursuant to the Zoning Ordinance of the City of Clinton, a public hearing be set, as required, to amend the Zoning Ordinance as set out below and that said hearing take place on April 25, 2006 or as soon thereafter as possible before the Planning Commission.

AMENDMENT TO ZONING ORDINANCE

AMEND Section 1502 of the Zoning Ordinance by adding:

(i) Mini-warehouses or self-storage warehouses

The foregoing Motion, having been reduced to writing, Alderman Morgan moved that said Motion be adopted. Alderman Barnett seconded. The vote was as follows:

Alderman Brabham voted: yes

Alderman Hisaw voted: absent

Alderman Greer voted: yes

Alderman Bishop voted: yes

Alderman Fisher voted: absent

Alderman Morganvoted: yes

Alderman Barnett voted: yes

Approved on the 4th day of April, 2006.

CITY OF CLINTON, MISISSIPPI

Rosemary L. Aultman

Rosemary Aultman, Mayor

ATTEST:

Russell L Wall

Russell Wall, City Clerk

PLANNING AND ZONING COMMISSION
Clinton, Mississippi
Tuesday, March 28, 2006
7:00 P.M.
Municipal Courtroom
305 Monroe Street

Minutes

Present: Mark Williams, Ottowa Carter, Dr. Ryan Tracy, Kathy Peace, Alice Nettles, Community Development Director – Gary Ward, City Attorney – Ken Dreher, Alderman Tony Hisaw.

Call to Order:

Kathy Peace acted as chairperson and called the meeting to order at 7:00pm. She recognized Boy Scout Troop 88, Christ United Methodist Church. They are working on their communication badge.

Consideration and approval of February 28, 2006 minutes:

Motion was made by Alice Nettles to approve the minutes of the February 28, 2006 meeting. SECOND by Dr.Ryan Tracy. MOTION carried unanimously, none opposed.

New Considerations:

Preliminary site plan for A & E Countertops, Inc to be located at 300 Battery Drive.
Representatives present: Kevin & Julie Myers, Tim Walters

Kevin Myers and Tim Walters are proposing to build two buildings in the industrial park area. They will be approximately 3000 square feet each. The first building will be their business, A&E Countertops, Inc., and the second, to be built at a later date, will be lease space. Zoning is I-1, Light Industrial which allows this type of business.

MOTION was made by Dr. Ryan Tracy to recommend to the Mayor and Board of Aldermen that approval be granted for the preliminary site plan for A & E Countertops, Inc to be located at 300 Battery Drive as submitted. SECOND by Mark Williams. MOTION carried unanimously, none opposed.

Preliminary site plan & building addition for Parkway Interior's Market to be located at 115 Cynthia Street
Representative present: Becky Bowen

Becky Bowen is proposing to add a second floor and exterior renovations to the existing structure, formerly the 4C's building, and enhance the parking lot. The first floor will house retail areas and the second floor will be office space for lease. Eventually, plans are to add a café in the front of the first floor. The building is in a C2 – General Commercial zoning area and this type of business is allowed.

MOTION was made by Ottowa Carter to recommend to the Mayor and Board of Aldermen to grant approval of the preliminary site plan & building addition for Parkway Interior's Market to be located at 115 Cynthia Street contingent upon satisfying the requirements of the Architectural Review Committee. SECOND by Alice Nettles. MOTION carried unanimously, none opposed.

Other Business

There was no other business to be discussed.

Next Meeting

The next meeting will be held on Tuesday, April 25, 2006 beginning at 7:00pm.

Adjournment

MOTION was made by Dr. Ryan Tracy to adjourn the meeting. SECOND by Ottowa Carter. MOTION carried unanimously, none opposed.

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: April 4, 2006 AGENDA ITEM NO. 8.

CONSENT AGENDA: TO:

FOR:

ACCOUNT NO:

INTRODUCED BY:

DISCUSSION/ACTION: Certificate of Attendance for Tamra Morgan Attending the Municipal Court Clerks Statewide Seminar on March 9-10, 2006

INTRODUCED BY: Russell Wall, City Clerk

BOARD ACTION:

MOTION MADE BY: Brabham

SECONDED BY: Bishop

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	A		
Greer	✓		
Bishop	✓		
Fisher	A		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

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MISSISSIPPI JUDICIAL COLLEGE

Certificate of Attendance

The University of Mississippi Law Center
Awards this Certificate to

Tamra Morgan

for having attended the

Municipal Court Clerks Statewide Seminar
Pearl River Resort ~ Choctaw, Mississippi
March 9-10, 2006

conducted by the

Mississippi Judicial College

Linda E. Beasley
Program Manager

Director

BOARD APPROVED

APR 04 2006

CITY OF CLINTON

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: April 4, 2005 AGENDA ITEM NO. 9.

Discussion/Action: Contract for Road Runner/Time Warner

FOR: service to all City of Clinton facilities for a 2 year period
Monthly billing will be $1,354.81 ($6000.00 installation fee
Will be waived for new public works sight)

INTRODUCED BY: Tim Rogers, Director of Public Works and Russell Wall, City Clerk

EXHIBITS FOR REVIEW

Minutes	Invoice	Other :
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY: Greer

SECONDED BY: # Bishop

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	A		
Greer	✓		
Bishop	✓		
Fisher	A		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

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ROAD RUNNER
Business Class

TIME WARNER-ROAD RUNNER COMMERCIAL SERVICES AGREEMENT

Jackson Customer Service 601-366-0183 / Monroe Customer Service 318-397-2200

This Commercial Service Agreement is made by and between Time Warner Cable, Jackson/Monroe division ("TWC") and the customer below("Customer").

Customer: City of Clinton accounts - master contract		**Contact:** Jim Rogers	
Physical Address 527 Springridge Rd		**Billing Address** P.O. Box 156	**ZIP** 39060
City: Clinton	**State** MS	**Zip** 39056	
Telephone # 6019242239	**Fax** 6019248532	**Email**	
Tax ID # 646-000-260			

Company Time Warner Cable		**Account Executive** Ted Thompson	
Address 5375 Executive Place			
City: Jackson	**State** MS	**Zip** 39206	
Telephone # (601)982-1187 ext. 2685	**Fax** (601)321-3898	**Email** ted.thompson@twcable.com	

MONTHLY RECCURING CHARGES

PRODUCT DESCRIPTION	SERVICE BUNDLE	QTY	TOTAL
Business Class Access Package			
Static IP Package			
Web-Host Package w/20 E-mail			
Cable TV Package(basic-standard)			
Additional TV Outlets			
Digital Music			
Smart Drive			
DIAL Access			
Digital Cable			

TOTAL MONTHLY RATE	**$1,354.81**
TERM OF AGREEMENT	**2 YEARS**
INSTALLATION CHARGE	**WAIVED**

Time Warner Road Runner is not responsible for networking your computers, or for the configuration needed on your individual work stations. Computers must be on a network for all work stations to access Road Runner High Speed Internet Access. It is recommended that all customers have a FIREWALL & ANTI VIRUS PROTECTION in place before any Broadband Connection is installed on their computer or network. An outside computer consultant may be needed, and additional costs may be incurred by the customer. **PLEASE INITIAL** JR

ROAD RUNNER™
Business Class

Terms and Conditions

1. Where the Customer desires to terminate service(s) before the completion of term, as stated in the *Term of Agreement* section of Service Agreement, Customer shall be required to pay the Company's termination liability charges which are as follows: Customer agrees to pay contracted monthly recurring charge multiplied by the number of months remaining on term. Customer desiring to terminate service(s) shall provide Company 60 days prior written notice. This contract is specific to the address listed on the Service Agreement. If customer moves to a different physical address during the term of this agreement, a new Service Agreement will be required. Terms and Conditions apply upon execution of agreement and renew upon activation of contracted services.
2. Customer authorizes Company to conduct an investigation of Customer's credit history for the purpose of determining the Customer's creditworthiness for payment of the service(s), options and other charges. Customer agrees to pay all costs of collection, including a reasonable attorney's fee, whether incurred by law suit or otherwise.
3. Customer agrees to pay **$ 0.00** which is a portion of Company's construction costs before commencement of construction.
4. Company, at Customer's written request, will complete construction needed to provide Company's ("Service") to Customer's premises, only after a obtaining a sufficient number of Business Class to warrant the construction/extension of Road Runner facilities to Customer's physical address. Customer understands that should customer terminate agreement during construction or after construction is completed, but prior to activation, customer is liable for the full term of agreement.
5. Customer understands that construction may take 45 days or more and Customer will be contacted once the building is ready for installation. Please note all service contracts will be contingent upon demand warranting construction costs.
6. The addition of new services, upgrades in existing services, during the term of this agreement, will be added to this agreement, and subject to the same terms and conditions of the original service agreement. The addition of, and or upgrade in services may result in an increase in the monthly fee agreed to under the original agreement. By adding or upgrading services, you agree to add the new services and the increase in monthly fees to the original agreement. Customer may not downgrade services during the term of this Service Agreement.
7. "Primary Outlet Connection". Customer warrants and agrees that it will not under any circumstance distribute, resell, provision or provide access on a bulk basis to the Road Runner connection(s), Internet Access, email, Static IP addresses or any other Service(s) or equipment provided to Customer including but not limited to any public or private business or commercial entity other than the subscribing Customer of record. Customer further agrees it specifically shall not: extend, offer or distribute Internet Access to said Service(s) on a gratis or non-gratis basis, bundle with other services for which fees or other consideration is received including Guest Room Rental, Meeting Room Rental, General Rent or Lease Fees of any type or aggregated Service fees, charge fees or other direct or indirect charges collected for Access to Services provided by Company, bundle with other products or services or offer to patrons of customer as value added service, or receive any other form of consideration from such distribution of services provided by Company, directly or indirectly.

Please execute a copy of this Commercial Service Agreement in the space below as evidence of your agreement to the foregoing terms. This Agreement shall be interpreted, construed and enforced in all respects in accordance with the laws of the State of Mississippi except for its conflicts of law principles.

Signature: Tim S. Rogers
Customer: CITY OF CLINTON, MS
Name: (Print) TIM ROGERS
Title: DIRECTOR OF PUBLIC WORKS
Date: 3/22/06

TWC Commercial Sales Manager Approval
By: ____________
Name: ____________
Title: ____________
Date: ____________

BOARD APPROVED

APR 04 2006

CITY OF CLINTON

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: April 4, 2006 AGENDA ITEM NO. 10.

CONSENT AGENDA: TO:.

FOR:

ACCOUNT NO:

INTRODUCED BY:

DISCUSSION/ACTION: Litigation

INTRODUCED BY:

BOARD ACTION: MOTION MADE BY: ______

SECONDED BY: ______

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham			
Hisaw	A		
Greer			
Bishop			
Fisher	A		
Morgan			
Barnett			
Mayor Aultman			

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Consider
Enter Executive session to discuss personnel
Motion Brabham
Second Greer all aye

Enter Executive session
Motion Brabham
Second. Greer

CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, APRIL 18, 2006 – 7:00 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET
AGENDA

motion - Brabham
second - Greer
all aye.

1 Welcome and Call to Order - Mayor Rosemary Aultman
2. Invocation – Alderman Barnett
3. Pledge of Allegiance to the Flag – Alderman Brabham
4. Roll Call – City Clerk Russell Wall
5. Recognition – Clinton High School Attaché Show Choir for Winning the National Championship
6. Approval of Consent Agenda Items A - V
   - A. Minutes of Regular Meeting of the Mayor and Board of Aldermen held on April 4, 2006
   - B. Claims Docket – Manual Claims April 1 thru April 12, 2006, Totaling $1,424,657.94 and Computer Claims 1 – 115 Totaling $616,037.42
   - C. $300.00 to Miss Mississippi Corporation for Full-Page Sponsorship in the Miss Mississippi Program Book (001-040-618)
   - D. $37,500.00 to Johnson, Bailey, Henderson, McNeel, P.A. for Professional Services on the Quisenberry Library Building Design (001-040-601-2)
   - E. $1,743.30 to Hinds County Chancery Clerk for City of Clinton Annexation (001-040-601-2)
   - F. $721.23 to Itron, Inc. for Hardware & Software for Water Meter Handhelds (400-650-571)
   - G. $1,700.00 to Surplus City, USA Indoor Range for Renewal of Range Contract for Police Officers (001-105-698)
   - H. $5,456.00for 4 Sets of Turnouts for 4 New Firemen (State Contract) (001-160-541)
   - I. $1,700.00 to Mid-South Truck & Trailer Repair for Repair-Prep-Paint Truck (001-160-570)
   - J. $125.00 to Natchez Trace Parkway Association for 2005-2006 Membership Dues for the City of Clinton (001-040-681)
   - K. $1,643.38 to J.R. Hunt Enterprises to Repairs to Special Ops Truck (001-160-570)
   - L. $276,070.00 to Hemphill Construction for Construction Services for Arrow Drive Pay Estimate #4 (315-215-755
   - M. $1,600.00 to Mid-South Truck & Trailer Repair for Repair-Prep-Refinish Beverage Trailer (001-160-570)
   - N. $30.00 to Bill Smith for Gas for Crown Victoria. Fuel man was Inoperable (001-160-525)
   - O. $150.00 Registration Fee to ROCIC for G.Y. Craft & Steve Menotti to Attend 2006 Conference; $618.20 to International Tours for Airfare; Plus Travel Advances (various)
   - P. $895.00 to Water Resources Learning Center, Inc. for Registration Fee for Richard Broome to Attend Training Class Plus Expenses (001-040-681)
   - Q. $6,760.00 TO Alford Engineering, Inc. for Engineering Services for Brighton and Traceway Parks Improvement (various)
   - R. $3,252.89 J.R. Hunt Enterprises to Repairs to Engine 1 (001-16-570)
   - S. $690.00 to FirePrograms for Support & Upgrade Service for One Year for the Fire Dept. (001-160-681)
   - T. $25.00 to State Fire Academy for C-Pat Exam for Josh Horner (001-162-682)

U. $600.00 to Personnel Board Training Fun for Basic Supervisory Course for Cornell Graham & Fred Green (001-160-682)

V. $1,803.40 to Don Byington to Attend the FBI National Academy Graduates Training Conference (100-105-682

07. Discussion/Action – Resolution of Intent to Authorize the Borrowing of an Amount not to Exceed $10,500,000.00 with the Mississippi Development Bank for Various Public Works Projects and the Construction of a New Public Library – Demery Grubbs

08. Other Business

09. Motion to Adjourn

Motion - Brabham. 7:40 p.m.
Second - Bishop

GOVERNING BODY

Rosemary Aultman – Mayor
Jehu Brabham Alderman-At-Large
Tony Hisaw - Alderman Ward 1
Tony Greer - Alderman Ward 2
Mike Bishop - Alderman Ward 3
Phil Fisher – Alderman Ward 4 - A
Mike Morgan - Alderman Ward 5
William Barnett - Alderman Ward 6
City Attorney Ken Dreher
City Clerk Russell L. Wall

interoffice
MEMORANDUM

To: Carol

From: Lucy Lucy

Date: April 6, 2006

Re: April 18^{th} Agenda

Under recognitions for the next agenda please add the Clinton High School Attache' Show Choir. The Mayor will recognize them for winning the National Championship.

from the desk of...

Lucy Lupo
Executive Asst. to the Mayor
City of Clinton
Post Office Box 156
Clinton, Mississippi 39060
Telephone: 601-924-5462
Fax: 601-924-0113