

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, MAY 3, 2005 – 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 Brabham followed by the Pledge of Allegiance to the Flag led by Alderman Hisaw.

ROLL CALL – City Clerk, Wayne Derrick

Present: Jehu Brabham - Alderman-At-Large
 Tony Hisaw - Alderman Ward 1
 Tony Greer – Alderman Ward 2
 Clint Brantley - Alderman Ward 3
 Phil Fisher – Alderman Ward 4
 Herb Touchton – Alderman Ward 5
 Sharbert Lott - Alderman Ward 6
 Ken Dreher – City Attorney

APPROVAL OF AGENDA ITEMS A-FF

MOTION made by Alderman Brabham and **SECONDED** by Alderman Lott to approve Consent Agenda Items A-FF, except Item EE which was removed. **MOTION CARRIED UNANIMOUSLY**

PRELIMINARY SITE PLAN TO BE LOCATED AT 309 MORRISON ROAD

Upon presentation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Lott to approve a preliminary site plan for Dr. David Wheat Medical Office to be located at 309 Morrison Road. A copy of the site plan is on file with the Zoning Administrator. Alderman Greer left the meeting at 7:04 p.m. and returned to the meeting at 7:07 p.m. and did not vote on this item. **MOTION CARRIED UNANIMOUSLY**

**CONDITIONAL USE FOR EXCAVATION OF DIRT ON NORTH FRONTAGE ROAD –
CLINTON INDUSTRIAL PARK - FOR J.M. WHITE EXCAVATING**

Upon presentation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Greer to approve a Resolution for the conditional use for excavation of dirt on North Frontage Road – Clinton Industrial Park – for J.M. White Excavating. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

**CONDITIONAL USE FOR TELECOMMUNICATIONS TOWER ON MT. SALUS ROAD
(OLD CITY LAGOON) FOR SBA NETWORK SERVICES**

Upon presentation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Lott and **SECONDED** by Alderman Brantley to approve a Resolution for the conditional use for a telecommunications tower on Mt. Salus Road (old City Lagoon) for SBA Network Services. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

**PRELIMINARY SITE PLAN FOR A HOME DEPOT TO BE LOCATED AT
SPRINGRIDGE ROAD/INTERSTATE 20**

Upon presentation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Touchton to approve a preliminary site plan for Home Depot to be located at Springridge Road/Interstate 20. A copy of the site plan is on file with the Zoning Administrator. **MOTION CARRIED UNANIMOUSLY**

**PRELIMINARY SITE PLAN FOR AN ADDITION TO PROVIDENCE PRESBYTERIAN
CHURCH LOCATED ON CLINTON/RAYMOND ROAD**

Upon presentation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Hisaw to approve an addition to the Providence Presbyterian Church located on Clinton/Raymond Road. A copy of the site plan is on file with the Zoning Administrator. **MOTION CARRIED UNANIMOUSLY**

**ACQUISITION OF SIX (6) MOBILE POLICE RADIOS AND ELEVEN (11) HANDHELD
RADIOS**

Upon presentation by Don Byington, Police Chief, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Lott to approve the acquisition of six (6) mobile police radios and eleven (11) handheld radios with a cost of \$49,000.00 which will be paid by Hinds County. **MOTION CARRIED UNANIMOUSLY**

AWARD OF CONSTRUCTION BIDS FOR MEGA PLASTICS RAIL SPUR – 2003 CDBG PROJECT

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Brabham to award the construction bid for the Mega Plastics Rail Spur – 2003 CDBG Project – to Marta Track Constructors, Inc. as having the lowest and best bid in the amount of \$243,109.00. **MOTION CARRIED UNANIMOUSLY**

INTERLOCAL AGREEMENT FOR DIGITAL ORTHOPHOTOGRAPHY (AERIAL PHOTOGRAPHY)

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Fisher to authorize Mayor Aultman to enter into an interlocal agreement between the City of Clinton and Hinds County for digital orthophotography (aerial photography). **MOTION CARRIED UNANIMOUSLY**

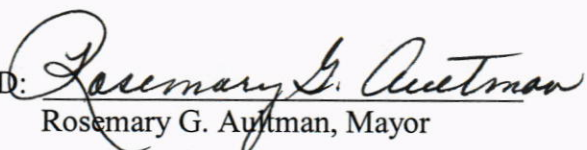
JULY 4TH, 2005 FIREWORKS CONTRACT

Upon presentation by Ray Holloway, Parks and Recreation Director, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Hisaw to authorize Mayor Aultman to enter into a contract with P yroFire Displays for the July 4th, 2005 Annual Fireworks Celebration in the amount of \$7,000.00, with a 50% down payment of \$3,500.00 to be paid upon contract approval. A copy of the contract is attached. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 7:40 P.M.

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

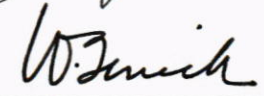
APPROVED:


Rosemary G. Aultman, Mayor

Date

May 13, 2005

ATTEST:


Wayne Derrick, City Clerk

Date

05/13/2005

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

MAY 03 2005

BOARD MEETING DATE: May 3, 2005

AGENDA ITEM NO. 7.2

CITY OF CLINTON

CONSENT AGENDA:

TO:

FOR:

ACCT. NO:

DISCUSSION/ACTION: Preliminary Site Plan – 309 Morrison Road
Dr. David Wheat Medical Office

INTRODUCED BY: Gary Ward

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes
Ordinance
Resolution

Invoice
Plans, Maps
Contract

Other:

*alderman Green left
meeting at 7:04pm.
Did not vote on
this item
Returned at 7:07pm*

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY:

Hisaw

SECONDED BY:

Latt

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham
Hisaw
Greer
Brantley
Fisher
Touchton
Lott

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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

CITY OF CLINTON AGENDA ITEM FACT SHEET MAY 03 2005

BOARD MEETING DATE: May 3, 2005

AGENDA ITEM NO. 7.6

CITY OF CLINTON

CONSENT AGENDA:

TO:

FOR:

ACCT. NO:

DISCUSSION/ACTION: Conditional Use – Excavation of Dirt
North Frontage Road – Clinton Industrial Park
J. M. White Excavating

INTRODUCED BY: Gary Ward

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes
Ordinance
Resolution

Invoice
Plans, Maps
Contract

Other: _____

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY: Hisaw

SECONDED BY: Greer

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham
Hisaw
Greer
Brantley
Fisher
Touchton
Lott

Mayor Aultman

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

**RESOLUTION APPROVING A CONDITIONAL USE TO
J. M. WHITE EXCAVATING FOR THE PROPERTY LOCATED IN CLINTON INDUSTRIAL
PARK ON NORTH FRONTAGE ROAD, CLINTON, MISSISSIPPI**

**MAY 08 2005
CITY OF CLINTON**

WHEREAS, J. M. White Excavating, did file a request for a conditional use for the property located on North Frontage Road in Clinton Industrial Park for excavation and selling of dirt; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Clinton were accomplished and a public hearing was held on April 26, 2005, as required; and,

WHEREAS, the Planning and Zoning Commission upon conclusion of the public hearing on April 26, 2005, adopted a motion to approve the request of J. M. White Excavating for a conditional use of the property for excavation and selling of dirt and that the motion be forwarded to the next meeting of the Mayor and Board of Aldermen for their consideration.

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinances; and

WHEREAS, the Mayor and Board of Aldermen are fully familiar with the request and the area involved in the request; and

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the request of J. M. White Excavating for the property on N. Frontage Road to excavate and sell dirt and hereby granted and such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.
2. The recommendation of the Planning and Zoning Commission is advisory in nature.
3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the conditional use.
4. The requested designation meets the definitions of a Conditional Use of the Zoning Ordinance.
5. The Conditional-Use will promote the general welfare of the City of Clinton and will not adversely affect adjacent property. Future projects within the designation area will remain subject to the Zoning Ordinance and approval of site plans or other matter will allow the City to continue to monitor the area.
6. The Mayor and Board of Aldermen find that Section 1502 (a) of the Zoning Ordinances has been complied with and that the requirements of Section 2405.01 of the Zoning Ordinances are satisfied based upon the presentation of the applicants and the site plan presented to the Planning Commission and to the Mayor and Board of Aldermen.

7. The granting of this conditional-use does not relieve the requested from compliance with any applicable law, court order, covenants or contracts.

The foregoing Resolution, having been reduced to writing, Alderman Hisaw moved that said Resolution be adopted. Alderman Greer seconded. The vote was as follows:

Alderman Brabham voted: yes

Alderman Hisaw voted: yes

Alderman Greer voted: yes

Alderman Brantley voted: yes

Alderman Fisher voted: yes

Alderman Touchton voted: yes

Alderman Lott voted: yes

Whereupon the Mayor declared the Motion carried and the ordinance approved and adopted.

The foregoing ordinance was approved this the 3rd day of May 2005.

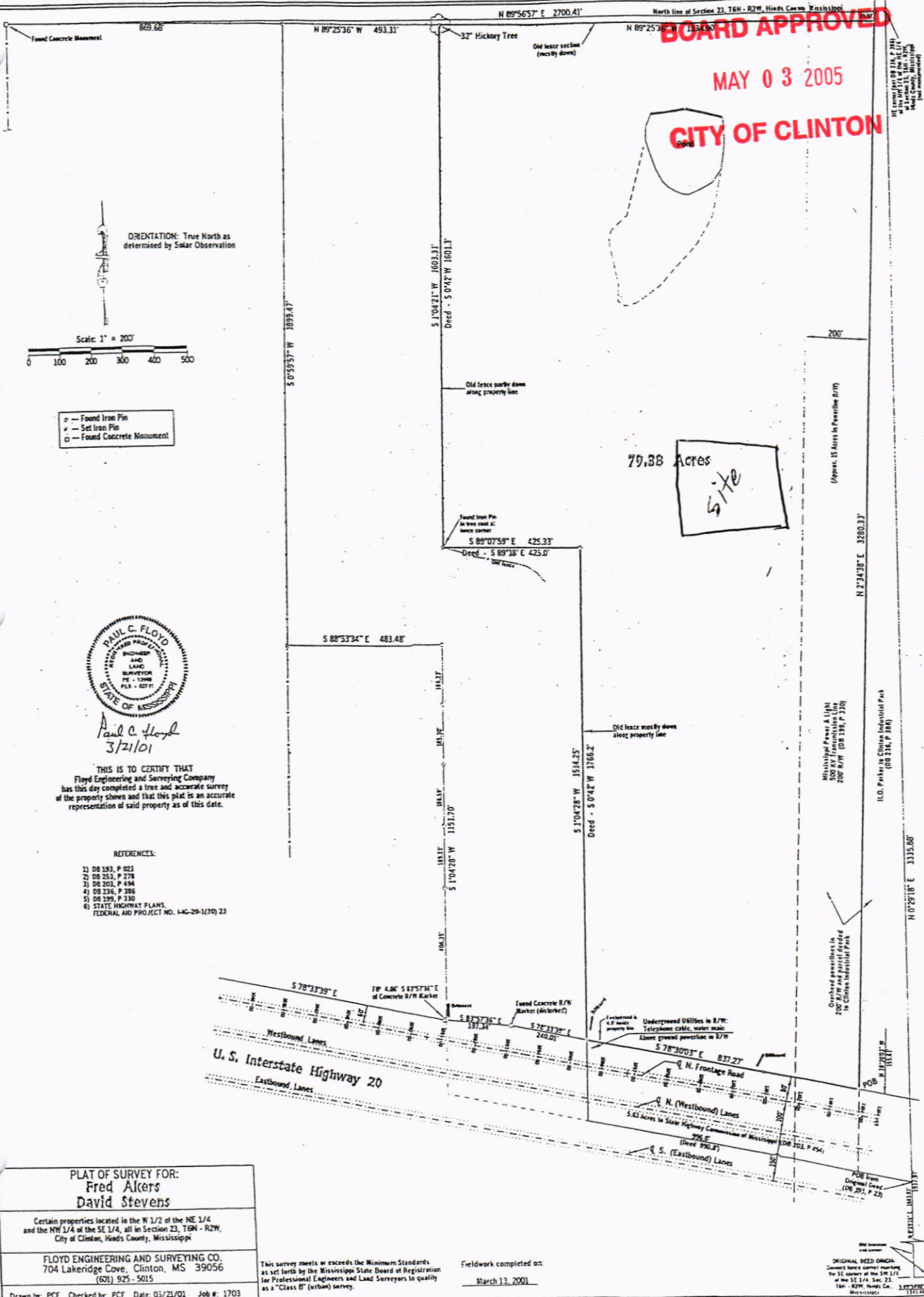
CITY OF CLINTON

BY: Rosemary L. Aultman
Rosemary Aultman, Mayor

ATTEST: W. Derrick

Wayne Derrick, City Clerk

(SEAL)



Drawn by: PCF Checked by: PCF Date: 05/21/01 Job #: 1703

REQUEST FOR CONDITIONAL USE
APPLICATION

BOARD APPROVED

MAY 03 2005

Subject Property Address Hwy. 80 Frontage Rd. (adjoining Parkway on West side)
Owner Stevens / AKers
Address P.O. Box 1182
Clinton, MS 39060
Phone # 601-316-0679
Current Zoning District _____

Requirements of Applicant:

1. Letter stating reason for requested conditional use.
2. Copy of the written legal description.
3. Site plan of property.
4. \$250.00 fee required for processing.

Requirements for Granting Conditional Uses: (Section 2405.01 – Zoning Ordinance)

A conditional use shall not be granted unless satisfactory provisions and arrangements have been met concerning all the following:

- (a). Ingress and egress to property and proposed structures.
- (b). Off-street parking and loading areas.
- (c). Refuse and service areas.
- (d). Utilities, with reference locations, availability and compatibility.
- (e). Screening and buffering with reference to type, dimensions and character.
- (f). Required yards and other open space.
- (g). General compatibility with adjacent properties and other property in the district.
- (h). Any other provisions deemed applicable by the Mayor/Board of Aldermen.

Applicant shall be present at the Planning and Zoning Commission meeting and Mayor/Board of Aldermen meeting. Documents shall be submitted thirty (30) days prior to the Planning and Zoning Commission meeting.

Applicant is responsible for complying with all applicable requirements of the Zoning Ordinance.

By signing this application, it is understood and agreed that permission is given to the Zoning Administrator to have a sign erected on subject property, giving notice to the public that said property is being considered for a conditional use.

Signature Owner Contractor

3-28-05
Date

J.M. White Excavating
135 Longwood Drive
Clinton, MS 39056
601-924-8724

Planning and Zoning Commission:

The reason for this requested conditional use is to provide our customers in the Clinton area with a reasonable price for this material. We have already acquired the necessary permits through the Department of Environmental Quality to operate this mining operation. Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike White", with a stylized flourish at the end.

Mike White
J.M. White Excavating



STATE OF MISSISSIPPI
GOVERNOR HALEY BARBOUR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

May 12, 2004

CERTIFIED MAIL 7000 1670 0013 2657 0559

Mr. J. M. White
J M White
135 Longwood Drive
Clinton, Mississippi 39056

Dear Mr. White:

Re: J M White, Frontage Road Mine
Hinds County
General Mining Stormwater Coverage. No.
MSR321321

Enclosed is a Certificate of Coverage granting you coverage under the Mining Storm Water General NPDES permit, copy enclosed. Your Storm Water Pollution Prevention Plan (SWPPP) appears to meet permit requirements and will be further reviewed during our compliance inspection. The last page of the permit is an inspection form that should be copied and used for the semiannual inspection.

This permit coverage is issued in accordance with the provisions of the Mississippi Air and Water Pollution Control Law (Sections 49-17-1, et seq., Mississippi code of 1972), and the regulations and standards adopted and promulgated thereunder and under the authority granted to the Mississippi Environmental Quality Permit Board pursuant to Section 402(b) of the Federal Water Pollution Control Act. Any appeal of this action must be made within the 30-day period provided for in Section 49-17-29(4)(b) Mississippi code of 1972.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Morris".

Jim Morris, Chief
General Permits Branch

Enclosures

18790 GNP20040001



*State of Mississippi
Department of Environmental Quality
Office of Pollution Control*

Certificate of Permit Coverage

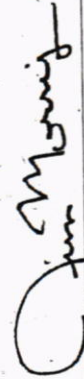
under Mississippi's Mining Storm Water General NPDES Permit

Be it known

**J M White, Frontage Road Mine
Clinton, Mississippi**

having submitted an acceptable Mining Notice of Intent, is hereby granted this Certificate of Permit Coverage in order to discharge storm water associated with the mining of

**J M White, Frontage Road Mine
Receiving Stream: Bakers Creek
Hinds County**


Chief, General Permits Branch

Coverage No: MSR321321
Date of Coverage: May 13, 2004
Date Coverage Expires: November 9, 1997

18790 GNP20040001

CITY OF CLINTON

Runoff Control Plan

Projects that disturb 1 acre or more

Project Description: J.M. White Mining Operation

Date: 4-21-05

Party responsible for developing, implementing, and maintaining RCP:

Name: Mike White

Company: J.M. White Excavating

Address: 135 Longwood Drive, CLINTON, MS 39056

Telephone: 924-8724

Mobile: 316-0679

1. Pre-construction site description: See plans

2. Describe existing and borrow soils: " "

3. Plan to manage construction waste: N/A

4. Plan to dispose of surplus concrete: N/A

5. On attached map indicate project location with "X" and property outline.

6. Attach plan sheet that shows the following:

- property border
- existing and proposed structures, including drainage structures
- existing and proposed contours
- adjacent property owners and structures
- adjacent right-of-way and easements
- floodplains with flood elevations
- temporary and permanent BMPs (best management practices)

7. Attach specifications for all temporary and permanent BMPs included in plan. BMPs approved by the City of Clinton with descriptions, specifications, and maintenance plans are located at the website <http://abe.msstate.edu/csd/p-dm/chapter4.html> . Include supporting calculations where appropriate.

J.M. WHITE EXCAVATING
135 Longwood Drive
Clinton, MS 39056

STORM WATER POLLUTION PREVENTION PLAN

SITE INFORMATION: Construction dirt mining operation. This mine is generally 5 to 20 foot deep. Mainly cutting out hills. This pit will not be dug below ditch, It will remain at grade level. Fuel, oil, and misc. supplies will be kept portable and not onsite.

EROSION AND SEDIMENT CONTROLS: A two to three foot hump will slow runoff around affected area, this will have vegetation on it. Silt fences will be used to prevent sediment runoff.

Mining sequence: We first strip topsoil and stockpile it. We will reclaim this pit as we go using stockpiled topsoil.

Maintenance plan: Check all erosion and sediment controls after each significant rainfall but not less than once per week. Maintain all vegetated areas to provide proper ground cover. Reseed and fertilize as needed.

Please call me at 316-0679 if you have and questions or comments.

Sincerely,

Mike White
Owner/Operator

Construction sequence:

1. Obtain plan approval and other permits.
2. Install sediment basins as the first construction activity.
3. Install gravel construction entrance.
4. Rough grade site, construct waterways, stock topsoil, and install sediment fences.
5. All sediment and erosion control practices will be inspected weekly and after rainfall events. Repairs will be made when needed.
6. When site is stabilized, remove all temporary measures and install permanent vegetation on the disturbed areas and install detention structures.

Narrative

Project Description:

The purpose of the project is to mine dirt for our residential and commercial customers in the Clinton area. The site is 4 acres and is located off of the frontage road.

Site Description: before

The site has rolling hills with a good stand of pine and oak. Trees are 15 feet high. There is no significant erosion under present conditions. The site is well off the public road.

Site Description: after

The site will be planted in grass and set out in trees.

Adjacent Property:

Land use in the vicinity is industrial. The land to the east is industrial. The land to north, south, and west are undeveloped and heavily wooded. Baker's creek is the receiving stream.

Planned Erosion, Sediment, and Storm water Control Practices:

1. Sediment Basin#1

A levee is constructed around area to allow run-off to a general area. The area around the basin is planted in grasses and clover. A sediment fence is constructed around run-off area to prevent sediment run-off. Approximately 300 feet below this area is a pond of 3 to 4 acre's. This pond will hold any additional run-off.

2. Entrance: A gravel entrance will be installed to prevent dirt from entering road. The entrance is graded that will allow run-off to run away from road.
3. Diversion: Temporary diversions will be constructed above the 3 to 1 slopes to prevent runoff from eroding banks. A Temporary diversion will be constructed through the middle of the area to slow runoff.
4. Land Grading: A minimum 15-foot buffer zone will be maintained around entire area. This will reduce dust, help control sediment, and prevent erosion.
5. Silt Fence: A silt fence will be constructed for the area releasing the runoff.
6. Dust Control: Dust control is not expected to be a problem due to the small area. The perimeter is surrounded by brushy trees.

7. Temporary seeding: Temporary seeding will be used according to the vegetative plan whenever disturbed areas are to be unworked areas for more than a month.
8. Permanent seeding: All disturbed areas will be seeded once final grade is obtained.

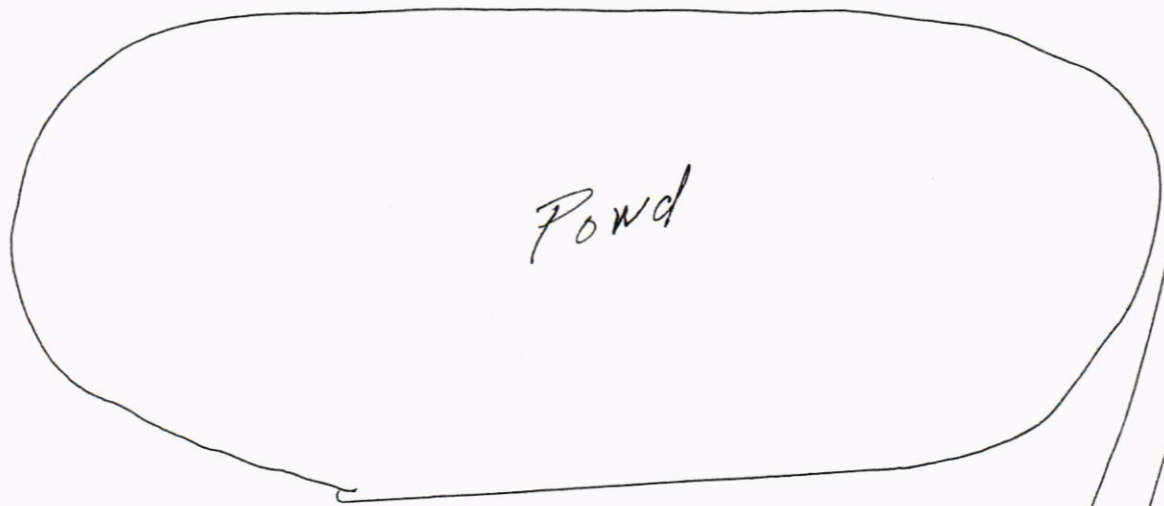
Maintenance Plan

Short Term:

1. All erosion and sediment control practices will be checked for stability and operation following every runoff- producing rainfall but in no case less than weekly. Any repairs will be made immediately.
2. Sediment fence will be replaced as needed.
3. All seeded areas will be fertilized as needed to establish a dense vegetative cover.

Long Term:

1. Vegetated areas will be maintained in adequate condition to provide proper ground cover, thereby reducing erosion potential.
2. Areas where vegetation is lost will be fertilized, seeded, and maintained as necessary to restore proper ground cover.
3. Structural measures will be examined at least annually and maintenance performed as needed.



Pond

Trees and
Thick Brush

High
Vegetation + Trees

Grade
Sloping
up hill from
this point

Burn

FILT
FENCE

Grassed
Area

POWER LINES

ROAD

Note: Slope on
back!

BOARD APPROVED

MAY 03 2005

CITY OF CLINTON AGENDA ITEM FACT SHEET

CITY OF CLINTON

BOARD MEETING DATE: May 3, 2005

AGENDA ITEM NO. 7.C

CONSENT AGENDA:

TO:

FOR:

ACCT. NO:

DISCUSSION/ACTION: Conditional Use – Telecommunications Tower
Mt. Salus Road (old City lagoon site)
SBA Network Services

INTRODUCED BY: Gary Ward

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes
Ordinance
Resolution

Invoice
Plans, Maps
Contract

Other: _____

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY: Lott

SECONDED BY: Brantley

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham
Hisaw
Greer
Brantley
Fisher
Touchton
Lott

Mayor Aultman

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

**RESOLUTION APPROVING A CONDITIONAL USE TO
SBA NETWORK SERVICES FOR A TELECOMMUNICATIONS TOWER LOCATED ON MT.
SALUS DRIVE, CLINTON, MISSISSIPPI**

MAY 08 2005

CITY OF CLINTON

WHEREAS, SBA Network Services, did file a request for a conditional use for the property located on Mt. Salus Drive at the City of Clinton old lagoon site for a telecommunications tower; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Clinton were accomplished and a public hearing was held on April 26, 2005, as required; and,

WHEREAS, the Planning and Zoning Commission upon conclusion of the public hearing on April 26, 2005, adopted a motion to approve the request of SBA Network Services for a conditional use of the property for a telecommunications tower that the motion be forwarded to the next meeting of the Mayor and Board of Aldermen for their consideration.

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinances; and

WHEREAS, the Mayor and Board of Aldermen are fully familiar with the request and the area involved in the request; and

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the request of SBA Network Services for the property on Mt. Salus Road for a telecommunications tower and hereby granted and such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.
2. The recommendation of the Planning and Zoning Commission is advisory in nature.
3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the conditional use.
4. The requested designation meets the definitions of a Conditional Use of the Zoning Ordinance.
5. The Conditional-Use will promote the general welfare of the City of Clinton and will not adversely affect adjacent property. Future projects within the designation area will remain subject to the Zoning Ordinance and approval of site plans or other matter will allow the City to continue to monitor the area.
6. The Mayor and Board of Aldermen find that Section 1502 (a) of the Zoning Ordinances has been complied with and that the requirements of Section 2405.01 of the Zoning Ordinances are satisfied based upon the presentation of the applicants and the site plan presented to the Planning Commission and to the Mayor and Board of Aldermen.

7. The granting of this conditional-use does not relieve the requested from compliance with any applicable law, court order, covenants or contracts.

The foregoing Resolution, having been reduced to writing, Alderman Lott moved that said Resolution be adopted. Alderman Brantley seconded. The vote was as follows:

Alderman Brabham voted: yes

Alderman Hisaw voted: yes

Alderman Greer voted: yes

Alderman Brantley voted: yes

Alderman Fisher voted: yes

Alderman Touchton voted: yes

Alderman Lott voted: yes

Whereupon the Mayor declared the Motion carried and the ordinance approved and adopted.

The foregoing ordinance was approved this the 3rd day of May 2005.

CITY OF CLINTON

BY Rosemary S. Aultman
Rosemary Aultman, Mayor

ATTEST

Wayne Derrick
Wayne Derrick, City Clerk

(SEAL)



PROJECT NO:12005139.000000

DRAWN BY: MDW

CHECKED BY:	BOB
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REVISIONS	0	03/23/04	ZOMING
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5

URS Corporation Southern

Campbell Caustonway
Tampa, FL 33607-1462

No. E-00000113

END TO END

:

5

SITE NAME:

MORRISON
HEIGHTS

SITE ADDRESS:

MOUNT SALUS ROAD
CLINTON, MS

NAME

MS

100

100

SHEET TITLE

OVERALL

SITE PLAN

SHEET NUMBER

C-2

1111

10

2

20

21

E

D

[illegible]

BOARD APPROVED
MAY 03 2005
CITY OF CLINTON


$$\frac{1}{C-2}$$

OVERALL SITE PLAN
SCALE: 1"=50' (BASED ON 11"X17")

LEGEND	EXISTING CHAIN LINK FENCE	PROPOSED CHAIN LINK FENCE	PROPERTY LINE	LEASE AREA	EXISTING OVERHEAD POWER AND OR TELEPHONE	PROPOSED OVERHEAD POWER AND OR TELEPHONE	EXISTING STORMY SEWER LINE	EXISTING SALT DRAIN LINE	UNDERGROUND UTILITY LINES	UTILITY EASEMENT & ACCESS EASEMENT	LIMITS OF CONSTRUCTION
	X — X	X — X	—	————	——	——	S —	S —	T —	E —	————

THIS SURVEY IS
REPRODUCED WITHOUT THE
NECESSITY OF A
RECORD THAT ARE
SHOWN HEREON.

LEGAL DESCRIPTIONS

PARENT TRACT (MB.118, PG.304):
A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHWEST
QUARTER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 1 WEST DESCRIBED AS
FOLLOWING: BEGINNING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION
SECTION 33, T1N, R1W, HINDS COUNTY, MISSISSIPPI, AND MEASURE NORTH
07°05'21" AND ALONG A FENCE LINE ON THE EAST LINE OF THE TONY
FOOD PROPERTY AND ALONG A FENCE LINE ON THE EAST LINE OF THE TONY
FOOD PROPERTY AND FROM THIS PLACE OF BEGINNING RUN THENCE NORTH
07°05'21" AND ALONG A FENCE LINE ON THE EAST LINE OF THE TONY
FOOD PROPERTY TO THE NORTHEAST CORNER OF THE TONY FOOD
PROPERTY; RUN THENCE NORTH 87°45'52" WEST AND ALONG A FENCE LINE
A DISTANCE OF 1303.1 FEET TO THE EAST LINE OF A PUBLIC ROAD; RUN
THENCE SOUTH 01°49'23" WEST AND ALONG THE EAST LINE OF A FORESHAD
A DISTANCE OF 135.8 FEET; RUN THENCE SOUTH 79°45' WEST FOR A
DISTANCE OF 879.7 FEET; RUN THENCE SOUTH 79°45' EAST FOR A DISTANCE
OF 77.7 FEET; RUN THENCE NORTH 87°45' WEST FOR A DISTANCE OF 115.0
FEET; RUN THENCE NORTH 42°30' EAST FOR A DISTANCE OF 250.0 FEET; RUN THENCE
NORTH 27°16' EAST FOR A DISTANCE OF 250.0 FEET; RUN THENCE
NORTH 27°30' EAST FOR A DISTANCE OF 648.8 FEET TO THE PLACE OF
BEGINNING AND CONTAINING AN AREA OF 16.41 ACRES.

SURVEYORS STATEMENT:

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND
DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE
CURRENT REQUIREMENTS OF THE PRACTICE OF LAND
SURVEYING IN THE STATE OF MISSISSIPPI TO THE BEST OF MY
KNOWLEDGE, INFORMATION, AND BELIEF.

DATE
03/14/05
Ralph E. Coorley, PLS
MISSISSIPPI REG. NO. PLS-02836



CINGULAR WIRELESS
SITE #J181
MORRISON HEIGHTS

SITUATED IN THE SOUTHWEST QUARTER OF THE NW 1/4 OF
SECTION 33, TOWNSHIP 6 NORTH, RANGE 1 WEST
HINDS COUNTY, MISSISSIPPI

DATE
03/14/05

ZONING EXHIBIT

FOR
CINGULAR WIRELESS
BIRMINGHAM, ALABAMA 35244

LANDMARK SURVEYING, INC.
25 COMMERCE
HUNTSVILLE, ALABAMA 35894
PHONE: (256) 491-5768
FAX: (256) 491-5768
EMAIL: landmarksurvey@bellsouth.net

JOB NO. 25003
FIELD BOOK: 25003
FIELD CREW: MW/AD
FIELD DATE: 02/25/05
CAD DATE: 03/07/05
DRAWN BY: BWS

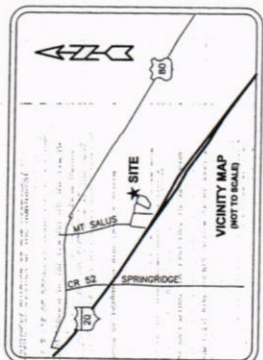
FLOOD INFORMATION
COMMA-PANEL: 28071 0000C
EFF. DATE: AUGUST 17, 1981
ZONE: "A"
BFE: 296'

LEGEND

MARKED DISTANCE
MEASURED DISTANCE
CONCRETE B/W MONUMENT
FENCE LINE
POWER POLE
IRON PIN FOUND
POINT OF COMMENCEMENT
GROUND ACCESS
TWO
SPOT ELEVATION

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON MISSISSIPPI
STATE PLANE GRID, WEST ZONE, NAD 83.
2. GEODETIC COORDINATES SHOWN HEREON ARE BASED ON
NAD 83 DATUM. MONUMENTS WERE LOCATED FROM GPS OBSERVATIONS
USING TWO MONUMENT MARKS.
3. ELEVATIONS SHOWN HEREON ARE BASED ON NAVD83
AND WERE DETERMINED FROM GPS OBSERVATIONS USING
THE MONUMENT LISTED ABOVE.
4. LEGAL DESCRIPTIONS HEREON WERE TAKEN VERBATIM
FROM WARRANTY DEED DB.1186, PG.304, DATED
11/27/1959. (PROVIDED BY CLIENT)



PRELIMINARY

CITY OF CLINTON
DB.1186 PG.304
2882-166-650
16.41 ACRES
ZONE C2

ZONE C2

FENCE LINE

SOUTHEAST
SEWER
LAGOON

PROPOSED
FENCE LINE
4819.6 50.1 FT.
0.11 ACRES

ZONE R1

PROPOSED
MONUMENT
NAD 83
LAT. 32°19'21.48" N
LONG. 87°45'52.16" W
ELEVATION 284'



REQUEST FOR CONDITIONAL USE
APPLICATION

Subject Property Address MT. SALUS RD. (OLD LAGOON PROPERTY)
Owner City of Clinton
Address P.O. Box- 156
Clinton, MS 39060
Phone # (601) 924-5462, attn: Richard Broome, P.E.
Current Zoning District C-2

Requirements of Applicant:

1. Letter stating reason for requested conditional use.
2. Copy of the written legal description.
3. Site plan of property.
4. \$250.00 fee required for processing.

Requirements for Granting Conditional Uses: (Section 2405.01 - Zoning Ordinance)

A conditional use shall not be granted unless satisfactory provisions and arrangements have been met concerning all the following:

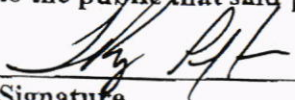
- (a). Ingress and egress to property and proposed structures.
- (b). Off-street parking and loading areas.
- (c). Refuse and service areas.
- (d). Utilities, with reference locations, availability and compatibility.
- (e). Screening and buffering with reference to type, dimensions and character.
- (f). Required yards and other open space.
- (g). General compatibility with adjacent properties and other property in the district.
- (h). Any other provisions deemed applicable by the Mayor/Board of Aldermen.

Applicant shall be present at the Planning and Zoning Commission meeting and Mayor/Board of Aldermen meeting. Documents shall be submitted thirty (30) days prior to the Planning and Zoning Commission meeting.

Applicant is responsible for complying with all applicable requirements of the Zoning Ordinance.

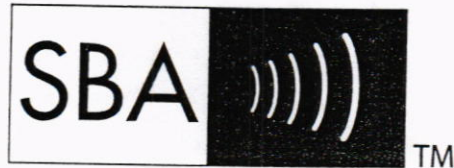
By signing this application, it is understood and agreed that permission is given to the Zoning Administrator to have a sign erected on subject property, giving notice to the public that said property is being considered for a conditional use.

Signature


Troy Peter
Project Director
SBA Network Services

Date

3.24.05



March 24, 2005

Mr. Gary Ward
Zoning Administrator for City of Clinton, MS
202 W. Leake St.
Clinton, MS 39060

**Re: Request For Conditional Use
150' Telecommunication Tower on
City Lagoon Property at Mt. Salus Rd.**

Dear Gary,

Please find hereafter, RF Statement/Summary of need from Cingular RF Design Engineer, Mr. Rob Hataway, copy of the written legal description located on the preliminary parcel / survey from Landmark Surveying, Inc., site plan of property to include exhibit AN-1 & C-2 and the 'check' made payable to the City of Clinton in the amount of \$250.00 for processing of said application.

Additionally enclosed is copy of Cingular Wireless's FCC Radio Station Authorization, as well as, the Cingular RF Test Memorandum giving specifics on this referenced site.

In discussion of the proposed with Mr. Richard Broome, P.E. for the City of Clinton, it was agreed that Cingular would not have to produce fully engineered Construction Design Drawings at the time of submittal, due to the projected cost associated with design of the site. Once the Planning Commission, the Mayor and Board of Alderman have given conditional approval, then Cingular will submit said CD's for City's review and final approval. Please contact Mr. Broome if there is any question concerning the initial submittal requirements.

If there is any question concerning this request please contact me at (205) 313-2415.

Thank you for you help and consideration in this matter.

Respectfully,

Johnny Self
Team Leader,
SBA Network Services, Inc.



March 22, 2005

Re: Morrison Heights Proposed Cell Site

To Whom It May Concern:

The Morrison Heights cell site that has been proposed by Cingular Wireless is intended to improve coverage in the City of Clinton along the section of U.S. 80 near the new Wal-Mart, as well as improve coverage on the parallel section of I-20 approaching Springridge Road. This area has experienced significant commercial development in the last several years, and our goal is to be able to provide reliable in-building coverage within the Wal-Mart and within the various shopping centers that have been developed in the vicinity. In addition, this site is planned to cover the soon-to-be-developed area along what will be the frontage road of I-20 north of the interstate.

Currently, Cingular Wireless has four sites surrounding the area in question, but all four sites are located over 1 1/2 miles away from the proposed site location, and none provide a consistent best server capable of providing reliable in-building service.

In searching for this proposed location, Cingular Wireless attempted to identify existing towers or other structures that could meet our specific need, but none were found that were viable structures for collocation. The closest structure that Cingular Wireless was not already collocated on was the City of Clinton water tank near the Methodist Church, but this location was too far west to meet our needs and was already occupied by another carrier.

I feel that the proposed location on the abandoned lagoon property owned by the City of Clinton is the best possible location for this cell site. It should be centrally located once the I-20 frontage road is developed, and once completed, it will be a site other carriers can also collocate on, thus reducing the need for further towers in the city.

If there are any further questions about this proposed cell site location, please call me at 601-978-7817.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Hataway', with a large, stylized flourish extending to the right.

Rob Hataway
RF Design Engineer

**Federal Communications Commission
Wireless Telecommunications Bureau**

Radio Station Authorization (Reference Copy)

This is not an official FCC license. It is a record of public information contained in the FCC's licensing database on the date that this reference copy was generated. In cases where FCC rules require the presentation, posting, or display of an FCC license, this document may not be used in place of an official FCC license.

Licensee: BellSouth Personal Communications, LLC

ATTN Kellye Abernathy
BellSouth Personal Communications, LLC
17330 Preston Road, Suite 100A
Dallas, TX 75252

FCC Registration Number (FRN): 0004205977	
Call Sign: KNKA403	File Number:
Radio Service: CL - Cellular	
Market Number CMA106	Channel Block B
Sub-Market Designator 0	
SID 0160	

Market Name
Jackson, MS

Grant Date 09/23/1988	Effective Date 12/06/2002	Expiration Date 10/01/2005	Five Yr Build-Out Date 10/18/1999	Print Date 08/08/2003
---------------------------------	-------------------------------------	--------------------------------------	---	---------------------------------

Site Information

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
1	32-08-43.5 N	090-17-28.3 W			
Address			City	County	State
.5 MI. OF INTERST. 55; 4 MI N OF TERRY IN TOWNSHIP 4-N RANGE W, SECT. 34			TERRY	HINDS	MS
			Construction Deadline		

Antenna: 1 Azimuth (degrees from true north)	0°	45°	90°	135°	180°	225°	270°	315°
Antenna Height AAT (meters)	133.8	159.4	149.4	151.8	148.4	130.1	137.8	126.5
Transmitting ERP (watts)	99.000	99.000	99.000	99.000	99.000	99.000	99.000	99.000
Antenna: 2 Azimuth (degrees from true north)	0°	45°	90°	135°	180°	225°	270°	315°
Antenna Height AAT (meters)	133.8	159.4	149.4	151.8	148.4	130.1	137.8	126.5
Transmitting ERP (watts)	99.000	99.000	99.000	99.000	99.000	99.000	99.000	99.000

Location	Latitude	Longitude	Ground Elevation	Structure Hgt to Tip	Antenna Structure
----------	----------	-----------	------------------	----------------------	-------------------



Property of Cingular Wireless

RF Test Memorandum

Approved Candidate: C

Site Name: Morrison Heights
Site ID: J181
Cell Location ID: 106G1181
Market: Jackson, Mississippi MSA

RF Data

City, State	Clinton, MS	County	Hinds
Preliminary Lat/Long	32° 19' 21.46" 90° 18' 32.92"	Ground Build /Collocation	Ground Build
Prelim. GE(ft)	+/- 298'	# Sectors	3
Approved C/L(ft)	150'	Azimuth	60°/180°/300°

Candidate Information:

Preliminary Site Address: 225 Mt. Salus Rd., Clinton, MS 39060

Owner Name: City of Clinton, Mississippi, a Municipal corporation
Owner Address: P.O. Box 156, Clinton, MS 39060
Owner Phone: 601-924-5462

Contact Name: Mr. Richard L. Broome, P.E.
Contact Address: (same as above)
Contact Phone: (same as above)

This RF Test Memorandum authorizes the Real Estate/Construction teams to begin preliminary work on the approved candidate as described above. Once RF receives an approved survey letter, a final SDP will be issued.

Approved by

RF Engineer: Rob Hataway
Date: 3/18/2005

1111

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

MAY 03 2005

BOARD MEETING DATE: May 3, 2005

AGENDA ITEM NO. 7.d

CITY OF CLINTON

CONSENT AGENDA:

TO:

FOR:

ACCT. NO:

DISCUSSION/ACTION: Preliminary Site Plan – Springridge Road/Interstate 20
Home Depot

INTRODUCED BY: Gary Ward

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes
Ordinance
Resolution

Invoice
Plans, Maps
Contract

Other: _____

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY: Brabham

SECONDED BY: Hisaw Touchton

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham
Hisaw
Greer
Brantley
Fisher
Touchton
Lott

Mayor Aultman

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

BOARD APPROVE

CITY OF CLINTON AGENDA ITEM FACT SHEET

MAY 03 2005

BOARD MEETING DATE: May 3, 2005

AGENDA ITEM NO. 7. e.

CITY OF CLINTON

CONSENT AGENDA:

TO:

FOR:

ACCT. NO:

DISCUSSION/ACTION: Preliminary Site Plan – Clinton/Raymond Road
Providence Presbyterian Church Addition

INTRODUCED BY: Gary Ward

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes
Ordinance
Resolution

Invoice
Plans, Maps
Contract

Other:

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY:

SECONDED BY:

Greer
Hisaw

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham
Hisaw
Greer
Brantley
Fisher
Touchton
Lott

Mayor Aultman

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

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD APPROVED

MAY 03 2005

CITY OF CLINTON

BOARD MEETING DATE: May 3, 2005

AGENDA ITEM NO. 8

CONSENT AGENDA: _____ TO: _____

FOR: _____

ACCT. NO. _____

DISCUSSION/ACTION: To acquire six (6) mobile police radios and eleven (11) handheld police radios. Total cost of radios, \$49,000.00, will be paid by Hinds County E911.

INTRODUCED BY: Don Byington

TELEPHONE: 924-5252

EXHIBITS FOR REVIEW:

Minutes	_____	Invoice	_____	Other	_____
Ordinance	_____	Plans, Maps	_____		_____
Resolution	_____	Contract	_____		_____

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY: Touchton

SECONDED BY: Lott

VOTE CAST:

"AYE" "NAY"

ACTION TAKEN: _____

Brabham	<u>/</u>	_____	_____
Hisaw	<u>/</u>	_____	_____
Greer	<u>/</u>	_____	_____
Brantley	<u>/</u>	_____	_____
Fisher	<u>/</u>	_____	_____
Touchton	<u>/</u>	_____	_____
Lott	<u>/</u>	_____	_____
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.



STATE OF MISSISSIPPI
OFFICE OF THE STATE AUDITOR
PHIL BRYANT
AUDITOR

BOARD APPROVED

MAY 03 2005

CITY OF CLINTON

May 22, 2002

Larry J. Fisher, Chairman
Hinds County 911 Emergency Management Council
P.O. Box 686
Jackson, MS 39205-0686

Dear Mr. Fisher:

In your letter dated May 14, 2002, you asked questions regarding the appropriate procedures for purchasing, bidding and expending funds from the 911 account. You mentioned that the expenditures would be made on behalf of the municipalities within the county after approval by the Emergency Management Council and the Hinds County Board of Supervisors. It is my understanding that the funds are maintained in the Hinds County Treasury centralized accounting system in an approved county depository. Your questions center around the issue of purchasing procedures and bidding responsibilities for equipment purchased for the municipalities from the 911 funds.

While the emergency 911 council is not ordinarily required to obtain the board of supervisor's approval for emergency 911 system expenditures, in this case, where the funds are held in the county centralized accounting system, the board of supervisors would have to approve the expenditures. It is my understanding that if equipment is purchased through the county, the county board of supervisors would be responsible for following the appropriate purchasing procedures, bid laws and inventory regulations. Emergency 911 system equipment should be maintained on the county inventory, regardless of the location where the equipment is assigned. Please note that the emergency 911 council only has authority over the "emergency 911 system" expenditures and equipment; the board of supervisors has authority over the expenditure of "excess emergency 911 funds."

Section 19-5-313, which governs the use of excess funds generated by the emergency telephone service charge, allows the board of supervisors to authorize the excess funds to be expended by the county and the municipalities to pay for various purposes related to the identification of roads, streets and buildings; development of county or district communications and paging systems used primarily for alerting and dispatching public safety entities; and for other communications needs to facilitate emergency response. After the board of supervisors approves the use of excess funds by the municipality for authorized purposes, the board of supervisors may distribute the excess funds to the municipality for expenditure. Such distribution could be made by the board of supervisors in advance of expenditure by the municipality or as a reimbursement after expenditure by the municipality. Equipment or other assets purchased by a municipality

with excess emergency 911 funds should be maintained on the municipality's inventory. Please note however, that Section 19-5-313 gives the board of supervisors sole authority over the appropriation and expenditure of emergency 911 funds that are in excess of the amount needed to fund the emergency 911 service. Of course, if the equipment is purchased by the municipality, the municipality would be responsible for following the appropriate purchasing procedures, bid laws and vendor payment laws. It would not be appropriate or legal for the county to pay an invoice for a purchase initiated and approved by a municipality. Generally, one public entity cannot serve as purchasing or paying agent for another public entity.

This letter provides the audit position of the Office of the State Auditor and is subject to change pursuant to official opinions from the Attorney General or court rulings. To obtain protection from civil liability, you should consider consulting the Office of the Attorney General. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,



Rhuel P. Dickinson, Jr., CPA
Director, Division of Technical Assistance

BOARD APPROVED

MAY 03 2005

CITY OF CLINTON

HINDS COUNTY 911 EMERGENCY MANAGEMENT COUNCIL

BOARD APPROVED**MINUTES OF THE MEETING
MARCH 23, 2005****MAY 03 2005****CITY OF CLINTON**

This is a brief excerpt of business conducted. Chairman Fisher will have a transcript of audio tapes for full minutes.

Meeting begun at 2:05 p.m.

1. Interim Clinton Fire Chief Barry Burnside presented request for 2 mobile radios and 6 portable radios.

Approved up to \$27,200.00 for Clinton FD
Motion by Chief Barry Burnside.
Second by Chief Robert Moore.
Discussion and vote - 16 for

2. Captain Michael Warren, Clinton Police Department presented request for (Jeff Gibson)

Wireless Access (\$9292.00)
Two monitors (\$758.00)
Two Ergotron Rack Mounts (\$870.00)
Three dispatcher chairs (\$1497.00)
Video adapters (\$1057.50)
Six mobile radios (\$21,000.00)
Eight portable radios (\$28,000.00)

Total \$63,146.50

Motion by Chief Robert Moore
Second by Chief Raymond McNulty
Discussion and vote - 16 for

3. Chief Myles, Utica Police Chief requested four hand held radios for a total cost of \$14,000.00.

Motion by Assistant EMA Director Ricky Moore
Second by Chief Raymond McNulty
Vote - 16 for

4. Chief Robert Moore request to buy fifty Jaguar handheld radios.

Chief introduced Mr. Craig Moore, Project Manager M/A Com and Mr. Vic Wardlaw with M/A Com. Pointed out Network First was a gift to the City.

M/A Com presented system program, explaining how Network First operated and used basic power point type program.

Chief Moore pointed out Network First would allow them to maintain and use existing equipment. The Network First System would be a gift to the City of Jackson and the people of Hinds County.

Discussion led to comments regarding previous business approved without question. Captain John Wilson pointed out that the City had never been turned down.

Chief Moore than called for the question stating he recommend that \$8,000,000.00 be approved, seconded by Chief McNulty.

Chief Moore would not allow any information to be handed out reference to law funds, operations cost.

Chief Moore started demands for the question.

Chief McNulty objected to my information to council.

Chief Moore pushed for vote.

Mr. Ray Bryant, representing Hinds County District One, made a motion to remove the Jaguar radios from Chief Moore's motion.

Second by Captain John Wilson.

Discussion brought objections from both Chief Moore and Chief McNulty. Chief McNulty stated that their motion was a "Package Deal".

Chief Moore questioned the substitute motion and asked if it followed Roberts Rules of Order.

The Council vote:

9 to remove the Jaguar radios

6 to not remove from original motion.

Chief Moore called for the question on his motion and council members asked what his motion was.

The motion was that the Board of Supervisors release funds up to \$8,000,000.00 to the City of Jackson.

Vote by council:

6 in favor of motion

10 against motion

Chief Moore started to leave but was asked to stay due to business.

Mr. Ray Bryant then made a motion to allow the City of Jackson to purchase fifty (50) Jaguar radios for their summer recruit class, that is scheduled to begin this spring.

Motion seconded by Mr. Ricky Moore

Vote - unanimous for funds up to \$130,000.00

Mr. Ricky Moore then made a motion for the E911 Council to go on record in support of the City of Jackson for a communications system but with no specifications the Council needed something to look at and perhaps it would be better to bid.

Strong opposition from Chief Moore and Chief McNulty.

Mr. Moore withdrew his motion.

Chairman Fisher asked for motion to adjourn and second. Meeting ended.


Larry J. Fisher, Chairman
Hinds County 911 Council

COUNCIL MEMBERS

<u>NAME</u>	<u>REPRESENTING</u>
1. Larry J. Fisher	Hinds County Fire Services
2. Michael J. Warren	Clinton P.D.
3. Raymond J. McNulty	Jackson Fire
4. Robert Moore	Jackson P.D.
5. Donald W. Loper	MHP
6. J. Barry Burnside	Clinton Fire
7. Don R. Lackey	Learned VFD
8. Scott Denley	Utica VFD
9. Sutter Cooper	Terry P.D.
10. Chief Timothy Myles	Utica P.D.
11. Thomas Wasson	District 4
12. John Wilson	Hinds S.O.
13. Laura Vickers	Hinds County Board of Supervisors
14. Ricky Moore	Hinds County EMA
15. Ray Bryant	District 1
16. Michael Wilson	Raymond VFD

GUESTS

<u>NAME</u>	<u>REPRESENTING</u>
1. Vic Wardlaw	M/A Com
2. Craig Moore	M/A Com
3. Alan Moore	M/A Com
4. Jerry Jones	Jackson P.D.
5. Jeff Gibson	Clinton P.D.
6. Bert Case	WLBT
7. Jim Duncan	WLBT
8. Robert Graham	Jackson P.D.
9. Robert Bailey	Miss. NENA
10. Bill Smith	Clinton Fire
11. Samuel Cooper ?	????
12. Willie Gray	Jackson F.D.
13. Claude Smith	Jackson P.D.
14. Bill Roberts	Motorola
15. Gwendolyn Nicks	Jackson P.D.
16. Todd Johnson	Motorola
17. T. Daryl Smith	Jackson P.D.
18. George Cricenti	Jackson P.D.
19. Linda Woolley	Jackson P.D.
20. Don Byington	Clinton P.D.
21. Steve Miller	City of Jackson - Legal
22. Cindy Wilson	Raymond VFD
23. Otha Burton	City of Jackson

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

MAY 03 2005

Board Meeting Date: May 3, 2005

Agenda Item No. 9

CITY OF CLINTON

Consent Agenda: For:	To: Account No.
-------------------------	------------------------

Discussion/Action: Recommendation for award of construction bids for Mega Plastics Rail Spur – 2003 CDBG Project	
Introduced by: Richard L. Broome, City Engineer Telephone No. 924-5462	

Exhibits for Review:

Minutes: _____
Ordinance: _____
Resolution: _____

Invoice: _____
Plans, Maps: _____
Contract: _____

Other: Bid

*Lowest + Best
Bid*

Recommendation:

Board Action:

Motion made by: *Touchton*
Seconded by: *Brabham*

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	☒	☐	
Hisaw	☐	☐	
Greer	☐	☐	
Brantley	☐	☐	
Fisher	☐	☐	
Touchton	☐	☐	
Lott	☐	☐	
Mayor Aultman	☐	☐	

Agenda items must be turned in to the City Clerk with all attachments no later than 12 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.



BOARD APPROVED

MAY 03 2005

CITY OF CLINTON

April 12, 2005

Richard Broome, P.E., City Engineer
City of Clinton
P.O. Box 156
Clinton, MS 39060-0156

RE: City of Clinton, Mississippi
Rail Spur - Megaplastics
Project No. CDBG No. 1120-03-147-ED-01

Dear Richard:

Bids were received on the above referenced project on April 12, 2005. One bid was received at that time from Marta Track Constructors, Inc., Prairieville, Louisiana in the amount of \$243,109.00. In that regard we are attaching herewith a certified bid tabulation and do hereby recommend an award in the amount of \$243,109.00 to Marta Track Constructors, Inc. as the lowest and best bid. This award is subject to contractor clearance from the Mississippi Development Authority and also subject to execution of the Lease Maintenance Agreement between the City of Clinton and Megaplastics.

Should you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. McKee, Jr.", is written over a horizontal line.

John E. McKee, Jr., P.E.

BOARD APPROVED

MAY 03 2005

CITY OF CLINTON

BID TABULATION FOR BIDS RECEIVED

On April 12, 2005

City of Clinton, Mississippi

Megaplastics Rail Spur Extension

Marta Track Constructors, Inc

36543 Mission St.

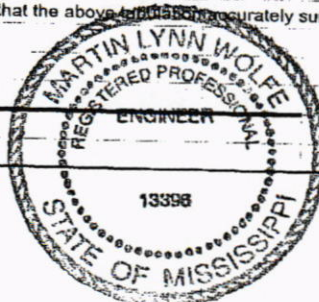
Prairieville, LA 70769

Pay Item No.	Description	Unit Item	Qty.	Unit Cost Bid	Price Bid
Rail / Roadway Items					
S-200-A	mobilization	LS	1	8,500.00	8,500.00
S-201-A	clearing and grubbing	LS	1	3,500.00	3,500.00
S-203-E	excess excavation (FM)	LS	1566	6.50	10,179.00
S-232	geotextile fabric stabilization (type VII) (EOS 70+)	SY	2883	2.00	5,766.00
S-603-A	16" steel casing (0.219" wall)(bored and jacked)	LS	240	198.00	47,520.00
S-603-M-A	18" corr. Metal pipe, 12 ga., 2 1/2" corr.	CY	27	45.00	1,215.00
S-605-O	4" perforated plastic sewer pipe for underdrains (SDR 26)	SY	130	4.50	585.00
901-S-612-A	4 ft. high chain link fence	CY	553	8.00	4,424.00
RR-1	track assembly - 115 lb. Rail (relay)	TF	660	90.00	59,400.00
RR-2	ballasting	TF	660	92.00	60,720.00
RR-3	turnout assembly - frog - 115 lb. Rail	EA	1	36,950.00	36,950.00
RR-4	derail assembly	TF	1	1,350.00	1,350.00
S-1	project sign	EA	1	1,200.00	1,200.00
Erosion Control Items					
S-212-A	agricultural limestone	TONS	1	900.00	900.00
S-212-B	commercial fertilizer (13-13-13)	TONS	1	750.00	750.00
S-214	seeding	ACRE	0.5	300.00	150.00 *
Total Bid				243,109.00	

* Denotes mathematical error in original bid

I hereby certify that I have reviewed, checked and tabulated the bids received on April 12, 2005, for The Rail Spur Extension - Megaplastics and that the above tabulation accurately summarizes the proposals received.

Martin Lynn Wolfe, P.E.



4/12/05

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

MAY 03 2005

Board Meeting Date: May 3, 2005

Agenda Item No. 10

CITY OF CLINTON

Consent Agenda:

To:

For:

Account No.

Discussion/Action: Interlocal Agreement for Digital Orthophotography (aerial photography)

Introduced by: Richard L. Broome, City Engineer Telephone No. 924-5462

Exhibits for Review:

Minutes: _____

Invoice: _____

Other: Bid

Ordinance: _____

Plans, Maps: _____

Resolution: _____

Contract: _____

Recommendation:

Board Action:

Motion made by: Brantley

Seconded by: Fisher

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

Agenda items must be turned in to the City Clerk with all attachments no later than 12 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

CHARLES BARBOUR
District 1

DOUGLAS "DOUG" ANDERSON
District 2
Vice President

PEGGY HOBSON CALHOUN
District 3



BOARD APPROVED

MAY 03 2005

CITY OF CLINTON

RONNIE CHAPPELL
District 4

GEORGE S. SMITH
District 5
President

ANTHONY C. BRISTER
County Administrator

April 7, 2005

Honorable Rosemary Aultman
Mayor, City of Clinton
P. O. Box 156
Clinton, MS 39060

*Dis/Act
GIS Info*

Re: Interlocal Agreement – Digital Orthophotography

Dear Mayor Aultman:

Pursuant to your request for a copy of Hinds County's Digital Orthophotography, the Hinds County Board of Supervisors, on Monday, April 4, 2005, voted to enter into an Interlocal Agreement with the City of Clinton for the sharing of Digital Orthophotography. Enclosed please find the proposed Interlocal Agreement.

Please have your legal counsel review the document. If it meets with the City of Clinton's approval, please execute the document and return to me for execution by the Board President. I can be contacted at (601) 968-6797 or via e-mail at AWWilliams@co.hinds.ms.us if there are any questions.

Sincerely,

Azande W. Williams
Azande W. Williams
Board Attorney

Enclosure

Cc: Hinds County Board of Supervisors
Anthony Brister, County Administrator
Mike Barnes, Tax Assessor

DIGITAL ORTHOPHOTOGRAPHY
INTERLOCAL COOPERATION AGREEMENT
between the
CITY OF CLINTON, MISSISSIPPI
and
HINDS COUNTY, MISSISSIPPI

BOARD APPROVED

MAY 03 2005

CITY OF CLINTON

This Agreement is entered into on the date shown at the end of this instrument by and between the City of Clinton, Mississippi, a municipal corporation, hereinafter referred to as "City", and Hinds County, Mississippi, a political subdivision, hereinafter referred to as "County", pursuant to Section 17-13-1 *et seq.*, Mississippi Code of 1972, as amended, being the "Interlocal Cooperation Act of 1974."

WITNESSETH:

In consideration of the mutual benefits and advantage each to the other, the parties hereto agree as follows:

1. Hinds County agrees to provide the City of Clinton with the high resolution digital orthophotography obtained by the County in 2004.
2. The City of Clinton agrees to provide Hinds County with all of the City's updated and future updated shape files and coverages as requested by Hinds County, including but not limited to building footprints, street center lines, zoning coverage, utilities and land uses--all with attached databases.
3. The City will provide necessary external hard drive access of at least 140gb in order for the County to transfer the data.

NO MARKETING COVENANT

Each party agrees that it will not market or sell or otherwise distribute or transfer to a third party any information or data received from the other party to this Agreement

FILING FOR APPROVAL

(A) The City and County understand that as a condition precedent to this Agreement being enforceable; this Agreement shall be submitted to the Attorney General of the State of Mississippi for his approval, and this Agreement shall not be enforceable unless approved by the said Attorney General; or sixty (60) days has passed since its submission to him and he has failed to disapprove same, in which event the said Agreement shall be considered approved and enforceable.

(B) On approval by the Attorney General, or the passing of sixty (60) days after submission without his disapproval, copies of this Agreement shall be filed with the Chancery Clerk of Hinds County and the City Clerk of the City of Clinton, the Secretary of State of the State of Mississippi, and the State Department of Audit.

APPROVED AND EXECUTED BY THE RESPECTIVE PARTIES on the dates indicated herein below, pursuant to resolutions adopted by the governing authorities.

CITY OF CLINTON, MISSISSIPPI

BY:

Rosemary G. Aultman
ROSEMARY AULTMAN, MAYOR

ATTEST:

Carol Warden, Deputy Clerk
WAYNE DERRICK, CITY CLERK

HINDS COUNTY, MISSISSIPPI

BY:

George S. Smith
GEORGE S. SMITH, PRESIDENT
Hinds County Board of Supervisors

ATTEST:

Eddie Jean Carr
EDDIE JEAN CARR, CHANCERY CLERK