## CITY OF CLINTON
## REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
## TUESDAY, SEPTEMBER 20, 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 Fisher followed by the Pledge of Allegiance to the Flag led by Alderman Morgan.

**ROLL CALL** – City Clerk, Wayne Derrick

Present:
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
Mike Morgan – Alderman Ward 5
William Barnett – Alderman Ward 6

**PUBLIC HEARING**

A Public Hearing was held to accept comments and questions regarding the request of Reformed Theological Seminary to close a portion of McDonald Drive from approximately 120 feet east of Patio Place to Shaw Road for security purposes. Reformed Theological Seminary operates the townhouses located along McDonald Drive as student housing. A list of those attending the Public Hearing is attached to these minutes. There were no comments or questions. The Mayor declared the Public Hearing closed.

## APPROVAL OF AGENDA ITEMS A-R

**MOTION** made by Alderman Brabham and **SECONDED** by Alderman Bishop to approve Consent Agenda Items A-R. Item C will serve to advertise favorably the opportunities, possibilities and resources of the City of Clinton. **MOTION CARRIED UNANIMOUSLY**

## UNKEMPT PROPERTY LOCATED AT 724 CHERRY PARK BLVD.

A Public Hearing was held with no public comments. The property owner was not present. Upon presentation by Gary Ward, Community Development Director, **MOTION** made by Alderman Bishop and **SECONDED** by Alderman Greer to approve a Resolution determining the necessity for the cleaning of private property located at 724 Cherry Park Blvd., under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972 as amended, and other applicable statues and ordinances. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

## APPOINTMENT OF TAMRA MORGAN AS A DEPUTY COURT CLERK

Upon presentation by Wayne Derrick, City Clerk, **MOTION** was made by Alderman Barnett and **SECONDED** by Alderman Fisher to approve the appointment of Tamra Morgan as a Deputy Court Clerk. **MOTION CARRIED UNANIMOUSLY**

## EMERGENCY PURCHASE OF AN AMERICAN HAWK CRANE RATED TRASH LOADER

Upon presentation by Tim Rogers, Public Works, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brabham to authorize the emergency purchase of an American Hawk Crane rated Trash Loader to clean up the storm damage caused by Hurricane Katrina. **MOTION CARRIED UNANIMOUSLY**

**RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN EQUIPMENT LEASE-PURCHASE A GREEMENT W ITH F IRST C ONTINENTAL LEASING FOR THE PURCHASE OF AN AMERICAN HAWK CRANE RATED TRASH LOADER**

Upon presentation by Wayne Derrick, City Clerk, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brabham to approve a Resolution authoring Mayor Aultman to execute a lease-purchase agreement with First Continental Leasing for the purchase of an American Hawk Crane rated Trash Loader with a lease rate of 4.25% for 6 years with a payments approximately $1,775.45 monthly. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

**APPOINTMENT OF JOE SKEE, JR. AS WARD 4 REPRESENTATIVE ON THE PARKS AND RECREATION ADVISORY BOARD**

Presentation and **MOTION** made by Alderman Fisher and **SECONDED** by Alderman Greer to approve the appointment of Joe Skee, Jr. as Ward 4 Representative on the Parks and Recreation Advisory Board beginning September 20, 2005 thru August 31, 2008. **MOTION CARRIED UNANIMOUSLY**

**ACCEPTANCE OF $500.00 DONATION FROM AKZO NOBEL TO HELP IN THE PURCHASE OF A FIRE PUMP**

Upon presentation by Barry Burnside, Fire Chief, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Fisher to approve the acceptance of a $500.00 donation from Akzo Nobel to help in the purchase of a fire pump. **MOTION CARRIED UNANIMOUSLY**

**BIDS ON ARROW DRIVE PROJECT**

Upon p resentation by Richard Broome, City Engineer, **MOTION** made by Alderman Bishop and **SECONDED** by Alderman Brabham to award the bid on Arrow Drive Project to Hemphill Construction Company as having the lowest and best bid in the amount of $2,486,429.10. **MOTION CARRIED UNANIMOUSLY**

## FINAL PLAT APPROVAL OF OAKHURST SUBDIVISION/OAK MEADOWS PART 2

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Morgan to approve the final plat of Oakhurst Subdivision/Oak Meadows Part 2. A copy of the plat is on file in the Engineering Department. **MOTION CARRIED UNANIMOUSLY**

## PURCHASE OF EQUIPMENT FOR POLICE DEPARTMENT AND APPROVAL OF REFUND AMOUNT TO HINDS COUNTY E-911

Upon presentation by Mayor Aultman, **MOTION** made by Alderman Bishop and **SECONDED** by Alderman Hisaw to approve equipment purchases totaling $62,116.10 from grant funds received from Hinds County E-911 I the amount of $63,146.50. Purchases made from said funds consist of $1,478.00 for chairs for dispatch; $48,743.10 to Motorola for six mobile and twelve portable radios; and $11,895.00 to Innovative Computer Solutions, Inc. for computers and accessories. Copies of invoices are attached. A payment in the amount of $1,030.40 to Hinds County E-911 is required for the unexpended amount. **MOTION CARRIED UNANIMOUSLY**

## DECLARATION OF CONTINUING EMERGENCY

The Mayor and Board of Aldermen declared continuance of a local emergency as a result of damage from Hurricane Katrina. A copy of the declaration is attached.

## EXECUTIVE SESSION

**MOTION** made by Alderman Brabham and **SECONDED** by Alderman Greer that the Mayor and Board of Aldermen consider entering into executive session to discuss personnel matters (employment of new department head and personnel matters related to Court Services) **MOTION CARRIED UNANIMOUSLY**

**MOTION** by Alderman Brabham and **SECONDED** by Alderman Greer that the Mayor and Board of Aldermen enter into executive session to discuss personnel matters (employment of new department head and personnel matters related to Court Services) **MOTION CARRIED UNANIMOUSLY**

The Mayor and Board of Aldermen entered executive session at 7:50 p.m. Also present were City Clerk Wayne Derrick and City Attorney Ken Dreher. City Clerk Wayne Derrick left the executive session at 8:15 p.m. The executive session continued until 8:32 p.m. at which time a **MOTION** was made by Alderman Brabham and **SECONDED** by Alderman Hisaw to exit executive session. **MOTION CARRIED UNANIMOUSLY** The Mayor and Board of Aldermen exited executive session at 8:32 p.m.

**MOTION** made by Alderman Brabham and **SECONDED** by Alderman Hisaw to employ Russell Wall, CPA, as City Clerk to replace Wayne Derrick, the present City Clerk who has announced his retirement. Mr. Wall would begin his employment as City Clerk on or about October 17, 2005, and would be employed at the PM 17-9 salary level. **MOTION CARRIED UNANIMOUSLY**

**ADJOURN 8:35 P.M.**

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

APPROVED: /s/ Rosemary G. Aultman
Rosemary G. Aultman, Mayor

9/22/2005
Date

ATTEST: W. Derrick
Wayne Derrick, City Clerk

9/22/2005
Date

ALDERMEN
Tony Hisaw
Ward One
Tony M. Greer
Ward Two
Mike Bishop
Ward Three
Phil Fisher
Ward Four

# City of Clinton

## Mississippi

**Rosemary Aultman, Mayor**

ALDERMEN
Mike Morgan
Ward Five
William Barnett
Ward Six
Jehu Brabham
Alderman-At-Large
W. Wayne Derrick
City Clerk

TO WHOM IT MAY CONCERN:

The Mayor and Board of Aldermen City of Clinton Hinds County, Mississippi having met on Tuesday, September 20, 2005 do hereby declare continuance of a local emergency as a result of damage from Hurricane Katrina.

Rosemary G. Aultman

Rosemary G. Aultman, Mayor

September 20, 2005

Date

P.O. Box 156 / 300 Jefferson Street / Clinton, Mississippi 39060 / (601) 924-5462

# CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: 9/20/05 AGENDA ITEM NO. 5.

CONSENT AGENDA: TO:

FOR:

ACCT. NO.

DISCUSSION/ACTION: ABANDON/CLOSE A SECTION OF McDONALD DRIVE - PUBLIC HEARING

INTRODUCED BY: KEN DREHER TELEPHONE: (601)924-1966

EXHIBITS FOR REVIEW:

| | | |
|---|---|---|
| Minutes | Invoice | Other: |
| Ordinance | Plans, Maps | |
| Resolution | Contract | |

RECOMMENDATION:

BOARD ACTION: MOTION MADE BY:

SECONDED BY:

| VOTE CAST: | "AYE" | "NAY" | ACTION TAKEN: |
|---|---|---|---|
| Brabham | | | |
| Hisaw | | | |
| Greer | | | |
| Bishop | | | |
| Fisher | | | |
| 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.

# Proof of Publication

# The State of Mississippi

# Hinds County

**PASTE PROOF HERE**

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN TO THOSE PARTIES IN INTEREST THAT THERE WILL BE A PUBLIC HEARING ON SEPTEMBER 20, 2005 AT 7:00 P.M. IN THE MUNICIPAL ROOM OF THE POLICE BUILDING, 305 MONROE STREET, CLINTON, MISSISSIPPI, FOR THE PURPOSE OF **DETERMINING WHETHER OR NOT A SECTION OF McDONALD DRIVE SHALL BE ABANDONED.**

A public hearing will be held on September 20, 2005 at 7:00 pm in reference to the closing/abandonment of a section of McDonald Drive as described as follows: One hundred twenty (120) feet, more or less, east of the intersection of Patio Place and McDonald Drive to Shaw Road in the City of Clinton, Hinds County, Mississippi.

APPROVED:
Mayor Rosemary Aultman

ATTEST:
City Clerk Wayne Derrick

'ember 5, 2005

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

Shirley Mize

an authorized clerk of THE CLARION-LEDGER, a daily newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

**Dates of Publication:**

| | |
|---|---|
| Lines: | 50 |
| Words: | 133 |
| Issues: | 1 |
| Total: | $29.46 |

Monday, September 5, 2005

Signed
Shirley Mize
Authorized Clerk
of The Clarion-Ledger

Marie Mills
Notary Public

SWORN to and subscribed before me on 9/5/2005
Notary Public State of Mississippi At Large.
My Commission Expires: Nov. 8, 2008
Bonded thru Notary Public Underwriters

MARIE MILLS
NOTARY
PUBLIC
(SEAL)
HINDS COUNTY, MS

MY COMMISSION EXPIRES:
November 8, 2008

#5 Public Hearing

Opened 7:02pm

Tim Rogers
Shelbert Lett
Ray Holloway
Thomas Winn
Richard Broome
Gary Ward
Maykelle Cagle
Sydney Bedels
Frank Putizlaski
Barry Burnside

Ken Dreher
John Brabham
Tony Hsieu
Tony Greer
Rosemary Aultman
Mike Bishop
Phil Fisher
Mike Morgan
William Burnett
John McKee

Closed 7:07pm

5. A Public Hearing was held to accept comments and questions regarding the request of Reformed Theological Seminary to close a portion of McDonald Drive from approximately 120 feet east of Patio Place to Shaw Road for security purposes. RTS operates the townhouses located along McDonald Drive ~~are~~ as student housing. A list of those attending the public hearing is attached to these minutes. There were no comments or questions. The Mayor declared the public hearing closed.

# CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: September 20, 2005 AGENDA ITEM NO. 7.

BOARD APPROVED
SEP 20 2005
CITY OF CLINTON

CONSENT AGENDA:

TO:

FOR:

ACCT. NO

DISCUSSION/ACTION: Unkempt Property
724 Cherry Park Blvd.

INTRODUCED BY: Gary Ward GW TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

| | | |
|---|---|---|
| Minutes | Invoice | Other: |
| Ordinance | Plans, Maps | |
| Resolution x | Contract | |

RECOMMENDATION:

.

BOARD ACTION:

MOTION MADE BY: Bishop

SECONDED BY: Greer

| VOTE CAST: | "AYE" | "NAY" | ACTION TAKEN: |
|---|---|---|---|
| Brabham | ✓ | | |
| Hisaw | ✓ | | |
| Greer | ✓ | | |
| Bishop | ✓ | | |
| Fisher | ✓ | | |
| 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

SEP 20 2005

CITY OF CLINTON

## RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unkempt property located at 724 Cherry Park Blvd., Clinton, Mississippi, and after full consideration of the matter, Alderman Bishop offered the following Resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED AT 724 CHERRY PARK BLVD., CLINTON MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.**

**WHEREAS**, it has come to the attention of the Mayor and Board of Aldermen that the property located at 724 Cherry Park Blvd., Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanliness; and

**WHEREAS**, notice was given to the owner of said property as required Section 21-19-11 of the Miss. Code of 1972, as amended, of a public hearing on this matter; and

**WHEREAS**, a public hearing was held at 7:00 p.m., September 20, 2005, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

**WHEREAS**, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanliness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of the Public Works Department is directed to take such action as appropriate under Section 21-19-11 of the Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, clean the property by cutting weeds, removing rubbish and dilapidated buildings and other debris.

**NOW BE IT RESOLVED**, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at 724 Cherry Park Blvd., Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.

2. The Director of Public Works is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.

3. The Director of Public Works is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the city of Clinton, Mississippi may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by Alderman Greer and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Alderman for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

| | |
|---|---|
| Alderman Brabham voted: | yes |
| Alderman Hisaw voted: | yes |
| Alderman Greer voted: | yes |
| Alderman Bishop voted: | yes |
| Alderman Fisher voted: | yes |
| Alderman Morgan voted: | yes |
| Alderman Barnett voted: | yes |

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

The foregoing Resolution was approved this the 20th day of September 2005.

CITY OF CLINTON

BY: Rosemary G. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:
Carol Warren, Deputy
WAYNE DERRICK, City Clerk

(S E A L)

CITY OF CLINTON MISSISSIPPI OFFICIAL SEAL

BOARD APPROVED

SEP 20 2005

CITY OF CLINTON

# CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: SEPTEMBER 20, 2005 AGENDA ITEM NO. 8.

CONSENT AGENDA: TO:

FOR:

ACCOUNT NO:

INTRODUCED BY:

---

DISCUSSION/ACTION: Appointment of Tamra Morgan as Deputy Court Clerk

INTRODUCED BY: Wayne Derrick, City Clerk

BOARD ACTION: MOTION MADE BY: Barnett

SECONDED BY: Fisher

| VOTE CAST: | "AYE" | "NAY" | ACTION TAKEN: |
|---|---|---|---|
| Brabham | ✓ | | |
| Hisaw | ✓ | | |
| Greer | ✓ | | |
| Bishop | ✓ | | |
| Fisher | ✓ | | |
| 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 GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.**

BOARD APPROVED

SEP 20 2005

CITY OF CLINTON

CERTIFICATE OF OATH

City of Clinton

State of Mississippi

County of Hinds

I, Tamra G. Morgan, do solemnly swear (or affirm) that I will faithfully support the Constitution of the United States and the Constitution of the State of Mississippi, and obey the laws thereof; that I am not disqualified from holding the office of Deputy Court Clerk; that I will faithfully discharge the duties of the office upon which I am about to enter. So help me God.

(Signed)

Sworn to and Subscribed before me, this the 7th of August, 2005.

Darren Lamarca
Clinton Municipal Judge

BOARD APPROVED

SEP 20 2005

CITY OF CLINTON

# CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: September 20, 2005 AGENDA ITEM NO. 9. (a)

CONSENT AGENDA: $112,660.00

TO: Alabama Truck Body

FOR: American Hawk Crane Rated Trash Loader Model H-1150
Vin 1HTZZAAN35J174775
ACCT. NO. 001-215-730

EMERGENCY PURCHASE
450-222-730

INTRODUCED BY: Tim Rogers, Director of Public Works TELEPHONE: 924-2239

EXHIBITS FOR REVIEW:

| | | |
|---|---|---|
| Minutes | Invoice | Other : Hisaw |
| Ordinance | Plans, Maps | |
| Resolution | Contract | |

RECOMMENDATION: Brabham

BOARD ACTION:

MOTION MADE BY: Hisaw

SECONDED BY: Brabham

| VOTE CAST: | "AYE" | "NAY" | ACTION TAKEN: |
|---|---|---|---|
| Brabham | \| | | |
| Hisaw | \| | | |
| Greer | \| | | |
| Bishop | \| | | |
| Fisher | \| | | |
| 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.

9.(b)

FIRST CONTINENTAL
LEASING



**September 13, 2005**

**Sent via:** Fax: 601-925-4605, Attn: Carol

City of Clinton, Mississippi

Dear Sir or Madam:

It is a pleasure to submit for your consideration the following proposal to provide lease-purchase financing based on the terms and conditions set forth below:

| | |
|---|---|
| 1. Lessor: | First Continental Leasing, a division of BancorpSouth Bank |
| 2. Lessee: | City of Clinton, Mississippi |
| 3. Equipment Description | (1) American Hawk Trash Loader |
| 4. Equipment Cost: | $112,660.00 |
| 5. Lease Term: | 6 Years |
| 6. Lease Payments: | (These are approximate payment amounts. The actual payment will be determined at funding date.)<br>72 Monthly payments of $1,775.45<br>Payment in Arrears |
| 7. Lease Rate: | 4.25% |
| 8. Funding Date: | This proposal is contingent upon the equipment being delivered and the lease funded prior to 12/31/2005. If the equipment is not delivered and the lease funded prior to 12/31/2005, this proposal is null and void. Any extension of the funding date must be in writing. |

9. Purchase Option: Title is passed to Lessee at lease expiration for no further consideration.

10. Non-appropriation/Termination: The lease provides that Lessee is to make reasonable efforts to obtain funds to satisfy the obligation in each fiscal year. However, the lease may be terminated without penalty in the event of non-appropriation. In such event, the Lessee agrees to provide an attorney's opinion confirming the events of non-appropriation and Lessee's exercise of diligence to obtain funds.

9.(b)

11. Bank Qualification: This lease-purchase financing shall be designated as a bank qualified tax-exempt transaction as per the 1986 Federal Tax Bill. **This means that the Lessee's governing body will pass a resolution stating that it does not anticipate issuing more than $10 million in General Obligation debt or other debt falling under the Tax Bill's definition of qualifying debt during the calendar year that the lease is funded.**

12. Tax Status: This proposal is subject to the Lessee being qualified as a governmental entity or "political subdivision" within the meaning of Section 103(a) of the Internal Revenue Code of 1954 as amended, within the meaning of said Section. Lessee agrees to cooperate with Lessor in providing evidence as deemed necessary or desirable by Lessor to substantiate such tax status.

13. Net Lease: This will be a net lease transaction whereby maintenance, insurance, taxes (if applicable), compliance with laws and similar expenses shall be borne by Lessee.

14. Financial Statements: Complete and current financial statements must be submitted to Lessor for review and approval of Lessee creditworthiness.

15. Lease Documentation: This equipment lease-purchase package is subject to the mutual acceptance of lease-purchase documentation within a reasonable time period, otherwise payments will be subject to market change.

If the foregoing is acceptable, please so indicate by signing this letter in the space provided below and returning it to First Continental Leasing. **The proposal is subject to approval by First Continental Leasing's Credit Committee and to mutually acceptable terms, conditions and documentation.**

This proposal expires as of the close of business on 9/30/2005. Extensions must be approved by the undersigned.

Any concerns or questions should be directed to Bob Lee at 1-800-222-1610.

Sincerely,

Bob Lee

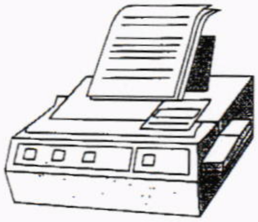
Bob Lee
Municipal Finance Manager

**ACCEPTANCE**
City of Clinton, Mississippi
By: W. Zimich Date: 9/14/2005
City Clerk & CFO

**FIRST CONTINENTAL LEASING**, a division of BancorpSouth Bank

PO Box 15097, Hattiesburg, MS 39404-5097
302 2nd Avenue 39402

# FAX



Date: **9/13/2005** **/11:23:55 AM**

Number of pages including cover sheet: **3**

| **To:** | |
|---|---|
| | Carol |
| Phone: | |
| Fax phone: | 601-925-4605 |
| CC: | |

| **From:** | |
|---|---|
| | Jessica Robinson |
| E-Mail: | jrobinson@fclease.com |
| Phone: | 800-222-1610 / 601-544-3252 |
| Fax phone: | 800-322-1611 / 601-545-1830 |

**REMARKS:** ☐ Urgent X For your review ☐ Reply ASAP ☐ Please comment

Please feel free to call me if you have any questions or need additional information.

Thanks, Jessica

*********************
*** TX REPORT ***
*********************

TRANSMISSION OK

| | |
|---|---|
| TX/RX NO | 1468 |
| CONNECTION TEL | 918003221611 |
| CONNECTION ID | |
| ST. TIME | 09/15 09:14 |
| USAGE T | 01'02 |
| PGS. SENT | 3 |
| RESULT | OK |

# City of Clinton

Post Office Box 156
300 Jefferson Street
Clinton, Mississippi 39060
Phone: 601-924-5462
Fax: 601-925-4605

FACSIMILE TRANSMITTAL COVER SHEET

TO: Jessica Robinson DATE: 9-15-05

FAX NO: 1-800-322-1611

RE: Lease Purchase Proposal-Signed

FROM: Carol Warren

TOTAL NO. OF PAGES INCLUDING COVER: 3

COMMENTS: ____________________

CONFIDENTIALITY NOTICE

BOARD APPROVED

SEP 20 2005

CITY OF CLINTON

# CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: September 20, 2005 AGENDA ITEM NO. 10

CONSENT AGENDA: TO:

FOR:

ACCT. NO.

DISCUSSION/ACTION: Joe Skee, Jr., Ward 4 Representative – appointment to P&R Advisory Board

INTRODUCED BY: Alderman, Phil Fisher TELEPHONE:

EXHIBITS FOR REVIEW:

| | | |
|---|---|---|
| Minutes | Invoice | Other: |
| Ordinance | Plans, Maps | |
| Resolution | Contract | |

RECOMMENDATION:

BOARD ACTION: MOTION MADE BY: Fisher

SECONDED BY: Greer

| VOTE CAST: | "AYE" | "NAY" | ACTION TAKEN: |
|---|---|---|---|
| Brabham | ✓ | | |
| Hisaw | ✓ | | |
| Greer | ✓ | | |
| Bishop | ✓ | | |
| Fisher | ✓ | | |
| 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

SEP 20 2005

CITY OF CLINTON

| | |
|---|---|
| Name: | Joe Skee Jr. |
| Age: | 74 |
| Married: | Elizabeth Reynolds ( 44 yrs. ) |
| Military Service: | Korea & Iceland ( 1951-1959 ) |
| | Lived in Clinton ( 44 yrs. ) |
| | Members of Morrison Heighta Baptist Church |
| | Retired from Miss. State Highway Dept. |

BOARD APPROVED

SEP 20 2005

CITY OF CLINTON

# CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: September 20, 2005 AGENDA ITEM NO. 12.

CONSENT AGENDA:

TO: FOR:

ACCT. NO.

Discussion/Action: Consideration of bids on Arrow Drive project

INTRODUCED BY: Richard Broome, P.E. TELEPHONE: 924-5462

EXHIBITS FOR REVIEW:

Minutes
Ordinance
Resolution

Invoice
Plans, Maps
Contract

Other : Lowest + best bid award made to Hemphill Construction Company.

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY: Bishop

SECONDED BY: Brabham

ACTION TAKEN:

| VOTE CAST: | "AYE" | "NAY" |
|---|---|---|
| Brabham | ✓ | |
| Hisaw | ✓ | |
| Greer | ✓ | |
| Bishop | ✓ | |
| Fisher | ✓ | |
| 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

SEP 20 2005

CITY OF CLINTON

# CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: September 20, 2005 AGENDA ITEM NO. 13.

CONSENT AGENDA: TO:

FOR:

ACCOUNT NO.:

INTRODUCED BY: Richard Broome, P.E.

---

DISCUSSION/ACTION: Final Plat approval of Oakhurst subd/Oak Meadows Part 2

INTRODUCED BY: Richard Broome, P.E.

BOARD ACTION:

MOTION MADE BY: Greer

SECONDED BY: Morgan

| VOTE CAST: | "AYE" | "NAY" | ACTION TAKEN: |
|---|---|---|---|
| Brabham | | | |
| Hisaw | | | |
| Greer | | | |
| Bishop | | | |
| Fisher | | | |
| 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 GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.**

S.A. Form C-10

# 14

# CONSTRUCTION CHANGE REQUEST

No. 1 September 16, 20 05

BOARD APPROVED
SEP 20 2005
CITY OF CLINTON

**Mayor and Board of Aldermen**
**City of Clinton, Mississippi**
**CDBG Project No. 1120-03-147-ED-01**
**Megaplastics Railspur**

**ATTN.: Mayor and Board of Aldermen** **City of Clinton, Hinds County, Mississippi**

**The following changes on the above project, with stations, quantities and items involved, are recommended for the reasons stated in detail:**

A. PROPOSED: To decrease the contract amount for Pay Item # RR-3, Turnout Assembly – frog – 115 lb rail

REASON: Design standards of the Kansas City Southern Railroad have changed since the original design and bid process was completed. Kansas City Southern Railroad will no longer allow the specified turnout to be installed on a mainline rail.

B. PROPOSED: To add Pay Item # RR-5, #11 Turnout.

REASON: Design standards of the Kansas City Southern Railroad have changed since the original design and bid process were completed. Kansas City Southern Railroad will only allow a #11 turnout to be installed on a mainline rail.

**Original Quantity**

| | | | | |
|---|---|---|---|---|
| RR-4 | Turnout Assembly –frog-115 lb rail | 1.0 each@ $36.950.00 | = | $36,950.00 |
| RR-5 | #11 Turnout | 0.0 each @ $0.00 | = | $0.00 |
| | | **Original Total** | | **$36,950.00** |

**Revised Quantity**

| | | | | |
|---|---|---|---|---|
| RR-4 | Turnout Assembly –frog-115 lb rail | 0.0 each@ $36.950.00 | = | $0.00 |
| RR-5 | #11 Turnout | 1.0 each @ $156,900.00 | = | $156,900.00 |
| | | **Revised Total** | | **$156,900.00** |

Increase in Construction Cost, Etc **$119,950.00**

| | | |
|---|---|---|
| TOTAL CONTRACT ITEMS | $243,109.00 | (C) |
| TOTAL Previously Approved Change Requests □Plus □ Minus | $ 0.00 | (D) |
| NEW TOTAL – CONTRACT ITEMS (C+ ---D) | $ 243,109.00 | (E ) |
| Estimated Amount ---This Request □Plus □ Minus | $ 119,950.00 | (F) |
| REVISED TOTAL --- CONTRACT ITEMS (E + ---F) | $ 588,585.27 | (G) |
| INDICATED UNDERRUN (A---G) | $ | |
| INDICATED OVERRUN (G--A) | $ 119,950.00 | |

APPROVAL RECOMMENDED: 9/19 20 05

PROJECT ENGINEER

APPROVED:______________ 20___

MAYOR, City of Clinton, Mississippi

Motion Hiaws.
Second Greer.
Vote 4.

ABMB
ENGINEERS, INC.

August 17, 2005

Chris Gouras
Urban Planning Consultants
P.O. Box 1547
Vicksburg, Mississippi 39181

RE: **Megaplastics Railspur**
**2003 CDBG Project No. 1120-03-147-ED-01**
**City of Clinton, Mississippi**

Dear Mr. Gouras:

We are enclosing herewith one copy of a letter from Mr. John F. McBride with Balfour Beatty Rail. This letter details a cost adjustment necessary to install a number eleven turnout on the above referenced project as required by the Kansas City Southern Railway.

We have reviewed this information, found it to be in order, and provide this to you for further discussion and processing with the City of Clinton. Should you have any questions or require any further information in this regard, please contact me.

Sincerely,

Lynn Wolfe, P.E.
Project Engineer

# Balfour Beatty
Rail

*Marta Track Constructors, Inc.*

36543 Mission St.
Prairieville, La 70395

Tel (225) 744-3070
Fax (225) 744-3072

July 29, 2005

ABMB Engineers Inc
Attn: Mr. Tony Clark
300 North State St. Suite 300
Jackson, MS 39202

Mr. Clark,

Here the break down on the number eleven turnout that Kansas City Southern Railway requires to be install on they main line, for the Megaplastics Rail Spur 2003 Community Development Block Grant Project No. 1120-03-147-ED-01.

Materials for turnout - $124,982.00
Equipment to build and install - $15,128.00
Labor to build and install - $16,790.00

Total - $156,900.00

The price to furnish and install the turnout spec in the bid proposal was $ 36,950.00 deduct this from the $156,900.00

The total change order will be $119,950.00

If you have any questions feel free to call me at any time

Respectfully,

John F. McBride
Regional Manager
jmcbride@bbri.com

Robbie: Ledet

City of Clinton
CDBG Project No. 1120-03-147-ED-01

| | | |
|---|---|---|
| Current Construction Contract Amount: | $243,109 | |
| Construction Contract Amount w/new turnout | $363,059 | |
| Difference of Original Contract and Change Order | $119,950 | |
| Current CDBG funds available: | $286,800 | (Rail Spur Construction) |
| | $20,444 | (Contingency) |
| Total CDBG Funds Available | $307,244 | |
| Additional funds needed: | $55,815 | |

as City Clerk to replace WD the present City Clerk who has announced his retirement. Mr. Wall would begin his employment as City Clerk on or about Oct 17, 2005, and would ~~entry~~ be employed at PM 17-9 ________

Adjourn 8:35 PM
Motion by Alder Brabham and seconded by Alderman Hibans to Adjourn.

Unan.

MOTIONS BY ALDERMAN BRABHAM AND SECONDED BY ALDERMAN GREER ~~THAT THE~~ MAYOR AND BD OF ALDER. consider entering into to executive sessions to discuss personnel matters (employment of new department head and personnel matters related to Court Services.)
Motion Carried Unanm.

Motion by Ald Brab. and seconded by Ald. Greer that the Mayor and Bd of Ald. enter into Executive Session to discuss personnel matters (employ. ... ) Motion carried unam.

Mayor and Bd of Ald entered Executive Session at 7:50 PM. Also present were City Clerk WD and City Attorney KD. City Clerk WD left Ex. Sess at 8:15PM. Executive Session continued until 8:32 PM at which time ~~Alderman Brabham~~ a motion by Alderman Brabham and seconded by Alderman HiGaw to exit Executive Session passed unanimously. The Mayor and Bd of Aldermen exited Ex Sess at 8:32PM

Motion by Ald Brabham and Seconded by Alder HiGaw to employ Russell Wall

BOARD APPROVED

SEP 20 2005

CITY OF CLINTON

# CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: September 20, 2005 AGENDA ITEM NO. ~~15.~~ ~~#6.~~ 15.

CONSENT AGENDA: TO:

FOR:

ACCOUNT NO.:

INTRODUCED BY:

---

DISCUSSION/ACTION: Hinds County E-911 allotted CPD $63,146.50 to purchase equipment. Attached invoices should be paid as follows: $1,478.00 chairs for dispatch, $48,743.10 (6) mobile and (12) portable radios, $11,895.00 computers plus accessories. Total spent $62,116.10. Refund amount to E-911, $1,030.40.

INTRODUCED BY:

BOARD ACTION:

MOTION MADE BY: Bishop

SECONDED BY: Hisaw

| VOTE CAST: | "AYE" | "NAY" | ACTION TAKEN: |
|---|---|---|---|
| Brabham | ✓ | | |
| Hisaw | ✓ | | |
| Greer | ✓ | | |
| Bishop | ✓ | | |
| Fisher | ✓ | | |
| 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 GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.**

**MOTOROLA**

# INVOICE



*1307 E. Algonquin Rd Schaumburg, IL 60196*

***Visit our web site at: www.motorola.com***

| | |
|---|---|
| **TOTAL INVOICE AMOUNT:** | **$48,743.10** |
| **MOTOROLA INVOICE NUMBER:** | 13459608 |
| **INVOICE DATE:** | 07/21/2005 |
| **PAYMENT DUE:** | 08/20/2005 |
| **CUSTOMER ACCOUNT NUMBER:** | 1036322808 0001 |
| **PURCHASE ORDER DATE:** | 05/10/2005 |
| **YOUR PURCHASE ORDER NUMBER:** | 52938 |

BILL TO CLINTON POLICE DEPT, CITY OF

305 MONROE ST
CLINTON, MS 39056

SHIP TO CLINTON POLICE DEPT, CITY OF
MIKE WARREN 20179020
305 MONROE ST
CLINTON, MS 39056

***For questions concerning this Invoice please contact Motorola at: 1-888-567-7347***

00031-00031-00031

Payment Terms: NET 30 DAYS FROM INVOICE DATE Motorola Federal Tax Id: 36-1115800
Sales Order Number: 1430301650054

## Invoice Detail

**Please see reverse side for additional information.**

| Item | Model Number | Qty | Description | Unit Price | Amount |
|---|---|---|---|---|---|
| 1 | | 6 | XTL 5000 MOTOROLA RADIO | [illegible]660.85 | 21,965.10 |
| 2 | | 12 | XTS 2500 PORTABLE RADIO | 2,231.50 | 26,778.00 |
| 3 | | | INVOICE IS DUE WITHIN 30 DAYS OF RECEIPT. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT JILL LUKOVICH AT 847 725 4835 | | |
| | | | SUBTOTAL | | 48,743.10 |
| | | | Carrier: ABF | | |
| | | | PLEASE PAY THIS AMOUNT (PAYMENT DUE: 08/20/2005) | | 48,743.10 |

**BOARD APPROVED**
SEP 2 0 2005
**CITY OF CLINTON**

DB
730
001-105-~~540~~-0

RECEIVED
AUG 0 1 2005
**CITY OF CLINTON**

***Detach here and return bottom portion with your payment.***

## Payment Coupon

| INVOICE NUMBER | CUSTOMER ACCOUNT NUMBER | PAYMENT DUE |
|---|---|---|
| **13459608** | **1036322808 0001** | **08/20/2005** |

| Invoice Total | Amount Paid |
|---|---|
| $48,743.10 | |

**Please put your Invoice Number and your Customer Account Number on your check for prompt processing.**

CLINTON POLICE DEPT, CITY OF

305 MONROE ST
CLINTON, MS 39056

**Send Payment To:**

**MOTOROLA**
P.O. BOX 404059
ATLANTA, GA 30384-4059

Malcolm Baldrige National Quality Award 2002 Award Recipient

0103040509060008 1036322808 0001 0000 072105 0004874310 00

ICS

Innovative Computer Solutions, Inc.
1029 Hwy 51 Suite F2, PMB 40
Madison, MS 39110

# Invoice

| Date | Invoice # |
|---|---|
| 6/6/2005 | 100676 |

| Bill To |
|---|
| City of Clinton<br>305 Monroe St<br>Clinton, MS 39060 |

| Ship To |
|---|
| City of Clinton-Police Dept<br>305 Monroe St<br>Clinton, MS 39056 |

BOARD APPROVED
SEP 20 2005
CITY OF CLINTON

| P.O. Number | Terms | Rep | Ship | Via | F.O.B. | Project |
|---|---|---|---|---|---|---|
| | Due on receipt | DW | 5/23/2005 | ICS | | |

| Quantity | Item Code | Description | Price Each | Amount |
|---|---|---|---|---|
| | | Police Dept | | |
| 1 | td-149314 | ORINOCO AP-4000 Wireless Access Point | 792.00 | 792.00 |
| 1 | td-149318 | ORINOCO 2.4GHZ 5DBI Antenna | 492.00 | 492.00 |
| 1 | td-989156 | 50 CM Pigtail Cable for ORINOCO | 65.76 | 65.76 |
| 1 | td-989140 | ORINOCO 20FT LMR 400 Cable and Mounts | 293.24 | 293.24 |
| 1 | td-827410 | ORINOCO Lightning Protection | 149.00 | 149.00 |
| 1 | sa-labor | Installation | 1,500.00 | 1,500.00 |
| 1 | sa-labor | Security Set up's | 1,500.00 | 1,500.00 |
| 1 | Prepaid-Clinton ... | Clinton 30 laptop Wireless configuration | 4,500.00 | 4,500.00 |

RECEIVED
JUN 27 2005
CITY OF CLINTON

**Total** $9,292.00

| Phone # | Fax # |
|---|---|
| (601) 853-9923 | (601) 853-9928 |

ICS

Innovative Computer Solutions, Inc.
1029 Hwy 51 Suite F2, PMB 40
Madison, MS 39110

# Invoice

| Date | Invoice # |
|---|---|
| 4/22/2005 | 100559 |

| Bill To |
|---|
| City of Clinton<br>P. O. Box 156<br>Clinton, MS 39060 |

| Ship To |
|---|
| City of Clinton-Police Dept<br>300 Jefferson St<br>Clinton, MS 39056 |

BOARD APPROVED
SEP 20 2005
CITY OF CLINTON

| P.O. Number | Terms | Rep | Ship | Via | F.O.B. | Project |
|---|---|---|---|---|---|---|
| Jeff | Due on receipt | DW | 4/22/2005 | ICS | | |

| Quantity | Item Code | Description | Price Each | Amount |
|---|---|---|---|---|
| | | Police Dept | | |
| 2 | td-589670 | Acer 17" LCD Flat Screen Monitor | 379.00 | 758.00 |
| 3 | td-563314 | Wireless Headset System | 224.00 | 672.00 |
| 2 | td-253573 | Ergotron Flat Panel Holder - Three Monitor Support | 365.00 | 730.00 |
| 2 | td-253566 | Ergotron Flat Panel Monitor Arm | 70.00 | 140.00 |
| 2 | td-670885 | MSI TV Anywhere Master TV/Radio Adapter | 70.00 | 140.00 |
| 2 | td-330036 | Quadro4 NVS400 Video Adapter - 4 Monitor Support | 49.00 | 98.00 |
| 1 | shipping | UPS Ground Shipping | 65.00 | 65.00 |

RECEIVED
APR 27 2005
CITY OF CLINTON

**Total** $2,603.00

# QUOTE

| | |
|---|---|
| Quote # | BCIQ7189 |
| Date | 10/07/04 |
| Sales Rep. | TMYERS |

**Business Communications, Inc.**
442 Highland Colony Pkwy
Ridgeland, MS 39157
**Phone** 601-898-1890
**Fax** 601-898-1310

C

**Quote To:**
Clinton Police Dept.
Jeff Gibson
305 Monroe St.
Clinton, MS 39056

**Ship To:**
Clinton Police Dept.
Jeff Gibson
305 Monroe St.
Clinton, MS 39056

Government Pricing

| Qty | Part # | Description | Unit Price | Ext. Price |
|---|---|---|---|---|
| | | Estimated Outdoo- Wireless Hotspot Pricing | | |
| 1 | AIR-AP1231G-A-K9 | CISCO 1200 SERIES IOS AP MPCI FCC CNFG 802.11G | $792.00 | $792.00 |
| 1 | CON-SNT-PKG1 | SMARTNET PKG 8X5XNBD CAT1(per year) | $75.00 | $75.00 |
| 1 | AIR-OTDR- | Outdoor Antenna | $425.00 | $425.00 |
| 1 | AIR-MTNPKG | Cabling and Mounts | $500.00 | $500 00 |
| 1 | AIR-INSTL | Intallation | $1,500 00 | $1,500.00 |
| 1 | AIR-INSTL-SEC | Security Set up's | $1,500.00 | $1,500.00 |
| 30 | AIR-INSTL-CLTN | Client Set up's | $150.00 | $4,500.00 |
| | | SubTotal | | $9,292.00 |
| | | [redacted] | | |
| 1 | 3509A-G00-5.0 | | $87.85 | [redacted] |
| | | SubTotal | | $87.85 |
| | | Microsoft Server 2003 Software and CALS | | |
| 1 | P73-00594 | GOV WIN SVR 2003 STD | $655.60 | $655.60 |
| 50 | R18-00190 | GOV WIN SVR 2003 DEVICE CAL | $26.24 | $1,312.00 |
| 1 | P73-00156 | WWF WIN 2003 SVR STD DISK KIT | $26.98 | $26.98 |
| | | SubTotal | | $1,994.58 |

601 853 9928