

15 ALL
9 SHORT

REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, MAY 7, 1991 - 7 P.M.
A. E. WOOD MEMORIAL LIBRARY

The Mayor and Board of Aldermen of the City of Clinton, Mississippi, met in Regular Meeting at the A. E. Wood Memorial Library, 111 Clinton Boulevard, Tuesday, May 7, 1991, 7 P.M.

WELCOME AND CALL TO ORDER - Mayor Billy Ray Smith

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The Invocation was led by Reverend Robert Shelton, Clinton Church of Christ, followed by the Pledge of Allegiance to the Flag led by Alderman Jean Johnson.

ROLL CALL - City Clerk Nelson Byrd

Present - Willard Ryan - Alderman-at-Large
O. C. George Ferrell - Alderman Ward 1
Edward Valente - Alderman Ward 2
Ronnie Chappell - Alderman Ward 3
Keith Montgomery - Alderman Ward 4
Jean Johnson - Alderman Ward 5
Sharbert Lott - Alderman Ward 6
Mayor Billy Ray Smith - Presiding

Acting City Attorney Robert Spell
City Clerk Nelson Byrd

Absent - City Attorney William E. Spell

APPROVAL OF CONSENT AGENDA ITEMS A-II:

- A. Minutes of the Regular Meeting of the Mayor and Board of Aldermen of April 2, 1991; the Special Meetings of April 11 and 19, 1991; and the Adjourned Meeting of April 16, 1991 as printed and distributed
- B. Claims Docket - Manual and Computer Claims Numbered 1-604 for the month of April, 1991
- C. \$85.00 to Crossroads Diamond Club of Jackson for 1/2 Page Ad in the MS High School Baseball All-Star Program (Adm.)
- D. \$60.00 to American Public Works Assoc. - Registration fee for Harold Alderman for Annual Meeting, May 16-17, Jackson (PWD)
- E. \$5,000.00 to Scottsdale Ins. Co. for policy deductible on Eldridge Lamar Goff Suit (Adm.)
- F. \$2,304.90 to Roper Supply (low quote) for radio controls to erect CD siren (Fire)
- G. \$4,993.00 to Office Management Systems, Inc., for low bid on hand held meter reader software and training (Water Dept.)
- See Correction* H. \$203.63/mo. for 36 months totaling \$7,330.68 to North Park Outdoor Equipment for bid (Municipal Lease Purchase) on motorized field rake for ballfield maintenance (P&R)
- I. \$2,866.50 to Clinton Welding & Machine Shop, Inc., to repair and re-build Bat Wing Mower (15') (P&R)
- J. \$1,186.36 to Clinton Welding & Machine Shop, Inc., to make frame for drag with 3 point hitch for ballfields and new bond issue development (P&R)
- K. \$605.35 to Clinton Welding & Machine Shop, Inc., for hydraulic valve repair on J.D. Tractor (P&R)
- L. \$1,613.74 to Jordan Electric Co., to repair lightning damage to two ballfields and one concession stand (P&R)
- M. \$837.50 to Forestry Suppliers, Inc., for purchase of heliflux

- magnetic locator to locate water lines (emergency purchase - water line broken) (PWD)
- N. \$501.90 to Fountain Electric Co., Inc., to repair broken fixtures and check guide wire on Northside Drive (PWD)
 - O. \$954.15 to Gordon Redd Lumber Co. for timber to repair bridge on Pinehaven Road (PWD)
 - P. \$532.55 to Clinton Welding & machine Shop to repair pump at Industrial Park Treatment Plant (PWD)
 - Q. \$763.94 to Clinton Garage, Inc., to repair truck C-7 (PWD)
 - R. \$601.97 to Apac-MS for asphalt for street repair/maintenance (PW)
 - S. \$902.53 to Apac-MS for asphalt for street repair/maintenance (PW)
 - T. \$1,048.75 to Adcamp, Inc. for asphalt for street repair/maintenance (PWD)
 - U. \$900.00 to Capweld for 9 cylinders chlorine to treat water (PWD)
 - V. \$541.00 to Winter Electric, Inc., for repairs to Briars Treatment Plant (PWD)
 - W. \$815.15 to Control Systems, Inc. for air compressor at College Hills Booster Station (PWD)
 - X. \$2,575.94 to MS Road Supply Co. for repair to JCB Backhoe Transmission (PWD)
 - Y. \$3,326.00 to Utility Constructors, Inc., for installation of 10 h.p. aerator in 4-cell lagoon including extra cable for storage (PWD)
 - Z. \$736.23 to Fountain Electric to upgrade 5 section traffic signals to meet Federal and State regulations (PWD)
 - AA. \$7,761.30 to Hill City Oil Co. for 8200 gals. gasoline (various departments)
 - BB. \$890.35 to Buck Sullivan, Inc., to repair C-10 truck (PWD)
 - CC. \$1,060.00 to Capweld for chlorine for water treatment (PWD)
 - DD. \$1,386.25 to Scoggins Welding for parts to repair Industrial Park Treatment Plant (PWD)
 - EE. \$855.00 to Great Riverstone for riprap for drainage maintenance (PWD)
 - FF. Authorization for Bill Smith to attend National Fire Academy Aug. 18-30, 1991 - Cost: \$163.20 to Service Am. Corp. for meals; \$338.00 to Int. Tours for plane fare (to be reimbursed by Fed. Gov't.) Budgeted (Fire)
 - GG. \$889.60 to Firestone for repairs to Unit 14 brakes, radiator, heater (Fire)
 - HH. \$4,680.00 to Lanier for purchase of 18 microcassette recorders on State Contract Price for police officers (paid out of drug money - Police)
 - II. \$170.00 to Lt. Rob Watras and; \$150.00 to Patrolman Randy Ruffin for tuition and travel to Hostage Negotiation School May 13-15, 1991 on Gulf Coast (Police)

This Board having found as fact that said advertisement or dues in Consent Agenda Item C will serve to advertise favorably the opportunities, possibilities, and resources of the City of Clinton, and correction being made to Consent Agenda Item H to reflect \$190.42 per month for 36 months totaling \$6,855.12, MOTION made by Alderman Johnson and SECONDED by Alderman Ryan to approve Consent Agenda Items A-II as listed above with the noted correction to Item H. MOTION CARRIED UNANIMOUSLY. Quotes, bids, and leases listed in Items F, G, and H respectively above may be found in the Office of the City Clerk. Proofs of Publication that Items G and H were properly advertised may be found on Pages 622-623 respectively of this Minute Book U.

CITY-WIDE CURB-SIDE RECYCLING PROGRAM TO BEGIN JULY 1, 1991

Following months of discussion regarding City-wide recycling, MOTION made by Alderman Montgomery and SECONDED by Alderman Valente to begin City-wide curb-side recycling July 1, 1991, with residents of Clinton receiving

one day per week garbage pick-up service and one day per week recycling service with all 6,030 Clinton households (including those exempt from garbage fees due to age or handicap) being charged an additional \$1.25 per month recycling charge on their monthly water/sewer/garbage billing and any monies received from BFI as rebate for recycling shall be placed into the City's General Fund and channeled into beautification projects for the City. MOTION CARRIED UNANIMOUSLY. It was noted that Mr. Dubose, BFI, stated that BFI will furnish the recycling curb-side collection bins for residents and education materials on recycling as part of the program start-up, that BFI trucks will be running in Clinton 5 days per week (Monday-Friday) with routes for recycling days to be worked out with the Mayor, and that the \$1.25 fee per household shall be guaranteed for a 12-month period.

PUBLIC HEARING - RE-ZONING OF PATEL PROPERTY ON SPRINGRIDGE FROM C-1 TO C-2 FOR PURPOSE OF CONSTRUCTING A MOTEL

As shown by Proof of Publication found on Page 624 of this Minute Book U that proper public hearing was held before the Planning and Zoning Commission on March 26, 1991, and upon hearing of case on matter of re-zoning of Patel property on Springridge from C-1 to C-2 for the purpose of constructing a motel, said Planning and Zoning Commission members cast a tie vote of 3 members for and 3 members against said re-zoning with 1 member disqualifying himself, thereby forwarding said matter for final action before the Mayor and Board of Aldermen. Upon determination that said matter is now before the Mayor and Board of Aldermen for consideration and has been properly noticed in the paper for a public hearing, Mayor Smith called said Public Hearing open at 7:40 P.M.

Following an approximate 2 1/2 hours hearing in which debates and testimony were heard from both sides for and against said rezoning, MOTION made by Alderman Montgomery and SECONDED by Alderman Chappell to approve the re-zoning request of Raman Patel for that property in question on Springridge Road from C-1 to C-2. ROLL CALL VOTE: Alderman Ryan - "nay", Alderman Ferrell - "aye", Alderman Valente - "nay", Alderman Chappell - "aye", Alderman Montgomery - "aye", Alderman Johnson - "aye", Alderman Lott - "nay". MOTION CARRIED 4-3 to grant said re-zoning. Copy of Rezoning Ordinance may be found on Pages 509-515 of the City of Clinton Ordinance Book II and on Pages 625-631 of this Minute Book U with Proofs of Publication being found on Pages 516 and 632 respectively. It was noted that Mr. Patel proposes to construct a national chain motel, namely a Hampton Inn, a two-story, 60 room, conference room, pool, and 81 parking spaces on the 2.22 acres; and that 41 persons were present in opposition to said re-zoning.

Exhibits entered into the record are as follows and may be found on file in the Offices of the City Clerk and Planning and Zoning: Entered by James Peden, representing Raman Patel, were (1) copy of \$35,000.00 good faith check to Hampton Inn with letter of acknowledgement of receipt; (2) colored artist's rendering of proposed Hampton Inn; (3) 4-22-91 Resolution of the Clinton Chamber of Commerce seeking franchise development (Alderman Chappell requested the record to reflect that he abstained from voting on said Chamber Resolution); (4) Warranty Deed of Dehmer property reflecting agreement to disallow any motel/hotel on that 71.78 acre parcel for 25 years except that 87,000 sq. ft. less than 2 acres which has been rezoned to C-2; (5) petition in support of re-zoning; and (6) expert witness Joseph Lustick's re-zoning analysis report. It was noted that several other exhibits were examined by the Aldermen (Weinstein Study, photographs, preliminary site plan, plat of I-20 Springridge Road Intersection, and drawing of proposed development of Dehmer property) but were not requested to be placed in this record as they are already on file with the Planning and Zoning Department.

Entered by opposing landowners (represented by Mike McCollum) were: (1)

opposition to re-zoning application; (2) applicant's comparables; (3) City Map highlighting boundary of neighborhood; (4) list/photo of commercial decline; (5) zoning ordinance and zoning map of City; (6) Hinds County Map reflecting subject property and surrounding area; (7) Minutes of the Mayor and Board of Aldermen's Meeting on 4-18-89 reflecting specifically page 160 Land Use and Thoroughfares Plan Goal to provide safe, efficient traffic; (8) List of available C-2 property in area; (9) Planning & Zoning Minutes of 8-24-89 denying re-zoning of like kind in said area; (9A-B) photos of adjacent property; (10) Minutes of the Planning and Zoning Commission of 7-27-89 and Mayor and Board of Aldermen Meeting of 8-1-89 denying re-zoning of like kind for Dr. Patterson's property; (11) Affidavits of Clinton residents stating that they had observed no substantial change in neighborhood; (12) petition in opposition "neighborhood only" (106 persons, 73 households); (13) petition in opposition from surrounding area neighbors not in immediate "neighborhood".

During the public hearing Aldermen George Ferrell left Board Room from 8-8:03 P.M.; Ronnie Chappell left Board Room from 8:31-8:35 P.M.; and Keith Montgomery left Board Room from 8:36-8:39 P.M. Following arguments and testimony by Attorney's Peden and McCollum and Expert Witness Joe Lustick, the motion for re-zoning was made and further discussion and public comments were held. Copy of those persons voicing comments have been made a part of this record and may be found on Page 633 of this Minute Book U. It was noted that Mr. Logan submitted 3 photographs and requested they be included in the record. Said Public Hearing closed at 10:05 P.M.

Following a brief recess, Mayor Smith called the meeting back to order at 10:15 P.M.

APPROVAL OF BID FOR PHASE 10 WATER DISTRIBUTION IMPROVEMENTS TO LOW BIDDER TRIANGLE CONSTRUCTION

As shown by Proof of Publication found on Page 634 of this Minute Book U that sealed bids would be received for construction of Water Distribution System, Phase 10-Improvements, said bids were received and opened in the Office of the Mayor on May 1, 1991, with copy of Bid Tabulation found on Pages 635-636 of this Minute Book U. MOTION made by Alderman Valente and SECONDED by Alderman Chappell to approve the low bid of Triangle Construction in the amount of \$312,375.00 for Phase 10 Water Improvements Project. MOTION CARRIED UNANIMOUSLY. Notice of Award may be found on Page 637 of this Minute Book U.

ADOPTION OF RESOLUTION AUTHORIZING 10 YEAR TAX EXEMPTION TO PACKARD ELECTRIC ON NEW ADDITIONS COMPLETED 1-1-91

MOTION made by Alderman Johnson and SECONDED by Alderman Lott to adopt that Resolution found on Pages 638-641 of this Minute Book U authorizing a ten year tax exemption on property in the amount of \$3,314,516.16 to Packard Electric on the new additions completed 1-1-91 as identified in Exhibit A of the formal Application found on Pages 642-646 of this Minute Book U. MOTION CARRIED UNANIMOUSLY.

DIRECTIONAL SIGN FOR WAL-MART APPROVED

Acting upon the recommendation of the City of Clinton Planning and Zoning Board, MOTION made by Alderman Ryan and SECONDED by Alderman Ferrell to approve that request of Wal-Mart to place a 5 X 12 directional sign (rather than requiring a second ground sign) for the express purpose of directing traffic to the Tire, Lube, and Oil Express located behind the garden center on the side of the building. ROLL CALL VOTE: Alderman Ryan - "aye", Alderman Ferrell - "aye", Alderman Valente - "nay", Alderman Chappell - "aye", Alderman Montgomery - "nay", Alderman Johnson - "aye", Alderman Lott - "aye". MOTION CARRIED 5-2 to grant said sign. Proof of Publication that proper public hearing was held may be found on Page 646-A of this Minute Book U.

ORDINANCE ADOPTED REQUIRING PERMIT FOR DEALING IN ANTIQUES, USED OR
SCRAPPED JEWELRY AND FOR OPERATING A PAWN SHOP

Acting upon the request of Police Chief Byington, MOTION made by Alderman Montgomery and SECONDED by Alderman Valente to adopt that Ordinance found on Pages 647-650 of this Minute Book U and on Pages 517-520 of the City of Clinton Ordinance Book II requiring a permit for dealing in antiques, used or scrapped jewelry, and for operating a pawn shop. MOTION CARRIED UNANIMOUSLY. Proofs of Publication that ordinance was properly published may be found on Pages 651 and 521 respectively.

POLICE FACILITY RENDERING POSTPONED

Due to Architect Usry's absence, the presentation of the proposed new police/courtroom facility was postponed. NO BOARD ACTION.

PUBLIC WORKS DIRECTOR AND CITY ENGINEER TO MAKE RECOMMENDATION TO CORRECT
DRAINAGE/EROSION PROBLEM AT ROYAL OAK AND LONGWOOD

Following a brief video presentation showing flooding/drainage/erosion problem at Royal Oak/Longwood, and comments from residents Mr. Gibson, 501 Royal Oak; Ms. Gann, 405 Royal Oak; and Mrs. McGuire, 100 Longwood; MOTION made by Alderman Valente and SECONDED by Alderman Ferrell to authorize the Public Works Director and City Engineer to examine the flow information currently available to the City and make a recommendation to the Mayor and Board of Aldermen for correction to the Royal Oak/Longwood flooding situation on the road and at the City lift station. MOTION CARRIED UNANIMOUSLY.

Alderman Ferrell left Board Room from 10:53-10:55 P.M.

ADOPTION OF FINAL AGREED ORDER MS COMMISSION ON ENVIRONMENTAL QUALITY FOR
CLINTON INDUSTRIAL PARK NPDES PERMIT NO. MS0023221

MOTION made by Alderman Lott and SECONDED by Alderman Chappell to approve that Final Agreed Order with the Mississippi Commission on Environmental Quality for the Clinton Industrial Park NPDES Permit No. MS0023221 as found on Pages 652-654 of this Minute Book U. MOTION CARRIED UNANIMOUSLY.

MAYOR AUTHORIZED TO PROCEED NEGOTIATIONS TO ACQUIRE RIGHT-OF-WAY PROPERTY
ON SPRINGRIDGE ROAD AT APPRAISED VALUE

MOTION made by Alderman Valente and SECONDED by Alderman Chappell to approve Mayor Smith to proceed with negotiations as close to the appraised value as possible up to and including initiating eminent domain proceedings in the added amount of \$45,000.00 to acquire right-of-way property on Springridge Road. MOTION CARRIED UNANIMOUSLY.

OTHER BUSINESS

AUTHORIZATION TO ACCEPT HIGH BID OF JOHN LANDRY FOR SURPLUS POLICE VEHICLES

As shown by Proof of Publication found on Page 655 of this Minute Book U that sealed bids would be received for six surplus police vehicles on May 7, 1991, said bids were received and opened with copy of Bid Tabulation found on Page 656 of this Minute Book U. MOTION made by Alderman Ferrell and SECONDED by Alderman Lott to accept the high bid in the amount of \$9,781.00 for all six surplus police vehicles from Mr. John Landry. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT - 11:35 P.M.

There being no further business to discuss, MOTION made by Alderman Chappell and SECONDED by Alderman Ferrell to Recess until May 21, 1991, 7 P.M. MOTION CARRIED UNANIMOUSLY.

Copy of Agenda may be found on Pages 657-659 of this Minute Book U.

APPROVED:

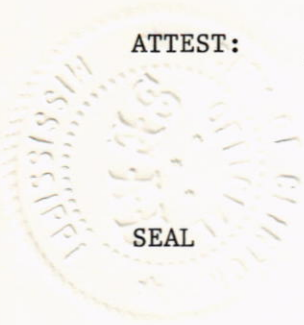
Billy R. Smith
Billy Ray Smith, Mayor

5-10-91
Date

ATTEST:

Nelson Byrd
Nelson Byrd, City Clerk

5-10-91
Date



PASTE AD HERE

PUBLIC NOTICE

Notice is hereby given that Raman K. Patel has filed an application to rezone certain property located on the east side of Springridge Road south of the intersection of Springridge Road with Interstate Highway 20 from a classification of Limited Commercial District (C-1) to a classification of Highway Commercial District (C-2) under the Zoning Ordinance of the City of Clinton, Mississippi.

The property for which rezoning is being sought consists of 2.22 acres, more or less, described as follows:

A parcel of land located in Section 32, Township 6 North, Range 1 West, in the First Judicial District of Hinds County, Mississippi, and being more particularly described as follows: Beginning at a point where the line between the North half and the South half of Section 32, Township 6 North, Range 1 West, Hinds County, Mississippi, intersects the East right of way line of Springridge Road, said point being 40 feet measured at right angles from the center line of said Springridge Road; run thence North 1 degree 45 minutes 30 seconds East along the East right of way of Springridge Road for a distance of 738.36 feet to the POINT OF BEGINNING; thence continue North 1 degree 45 minutes 30 seconds East along the East right of way of said Springridge Road for a distance of 427 feet to a point; thence South 89 degrees 40 minutes East for a distance of 342 feet to a point; thence South 1 degree 45 minutes 30 seconds West for a distance of 527 feet to a point; thence North 89 degrees 40 minutes West for a distance of 192 feet to a point; thence North 1 degree 45 minutes 50 seconds East for a distance of 100

feet to a point; thence North 89 degrees 40 minutes West for a distance of 150 feet to the POINT OF BEGINNING. TOGETHER with all right, title and interest in and to that certain easement granted Richard R. Stock by Joshua Acres, Inc., by that certain easement agreement dated June 15, 1973, and of record in the office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, in Book 2114, at Page 172. LESS AND EXCEPT: A strip of land 200 feet wide off the north side of the foregoing tract, which strip of land was previously released by The American Bank, which Release is recorded in Book 2809, at Page 708, of the Records of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, and which strip of land is more particularly described as follows:

Commencing at a point where the line between the North half and the South half of Section 32, Township 6 North, Range 1 West, Clinton, Hinds County, Mississippi, intersects the East line of Springridge Road, said point being 40 feet measured at right angles to the centerline of said Springridge Road; run thence North 01 degree 45 minutes 30 seconds East along the East right of way of said Springridge Road 965.36 feet to the POINT OF BEGINNING; thence continue North 01 degree 45 minutes 30 seconds East along said East line of Springridge Road for a distance of 200 feet; thence South 89 degrees 40 minutes East for a distance of 342 feet to a point; thence South 01 degree 45 minutes 30 seconds West for a distance of 200.00 feet to a point; thence North 89 degrees 40 minutes West for a distance of 342 feet to the POINT OF BEGINNING. TOGETHER with all right, title in interest in and to that certain easement granted Richard Stock by Joshua Acres, Inc., by that certain agreement dated June 15, 1973, and of record in the office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, in Book 2114, at Page 172, as same would apply to the above description.

The Planning Commission of the City of Clinton, Mississippi, considered the rezoning application at a public hearing held on March 26, 1991. On a tie vote of three members recommending approval, three members recommending denial, and one member disqualifying himself, the Planning Commission forwarded the rezoning application to the Mayor and Board of Aldermen of the City of Clinton, Mississippi, for final action.

A public hearing on the rezoning application will be held before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, at 7:00 p.m. on May 7, 1991, in the A. E. Wood Memorial Library, 111 Clinton Boulevard, Clinton, Mississippi 39056, at which time and place all persons wishing to be heard regarding the rezoning application should appear.

DATED this 2nd day of April, 1991.

/s/ Billy R. Smith
Billy Ray Smith, Mayor
City of Clinton, Mississippi

PROOF OF PUBLICATION THE STATE OF MISSISSIPPI HINDS COUNTY

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

Debbie Swinnen,

an authorized clerk of THE CLINTON NEWS, a weekly newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of 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:

Date April 18, 19 91

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Number of Lines 182

Published 1 Times

Total \$ 59.24

Signed Debbie Swinnen
Authorized Clerk
of The Clinton News

Sworn to and subscribed before me the 18th day of

April, 19 91

James Boatner
Notary Public

My Commission Expires:

My Commission Expires Nov. 17, 1992

(Seal)

ORDINANCE GRANTING APPLICATION OF RAMAN K.
PATEL TO REZONE PROPERTY ON EAST SIDE OF
SPRINGRIDGE ROAD FROM CLASSIFICATION OF
LIMITED COMMERCIAL DISTRICT (C-1) TO
CLASSIFICATION OF HIGHWAY COMMERCIAL DISTRICT
(C-2)

WHEREAS, on February 27, 1991, Raman K. Patel filed an application with the City of Clinton, Mississippi, seeking to rezone a 2.22-acre tract of land (hereinafter "subject property") located on the east side of Springridge Road south of the intersection of Springridge Road with Interstate Highway 20 in the City of Clinton, Mississippi, from its present classification of Limited Commercial District (C-1) to a classification of Highway Commercial District (C-2), as those classifications are established under the Official Zoning Ordinance of the City of Clinton, Mississippi; and

WHEREAS, Raman K. Patel is seeking to rezone the subject property, the legal description of which is hereinafter set forth, for the purpose of constructing thereon a modern motel; and

WHEREAS, a public hearing on the said rezoning application was scheduled before the Planning Commission of the City of Clinton, Mississippi, at a regular meeting to be held at 7:30 p.m. on March 26, 1991, in the A. E. Wood Memorial Library, 111 Clinton Boulevard, Clinton, Mississippi 39056; and

WHEREAS, notice of the said public hearing was published in the Clinton News, a newspaper having general circulation in the City of Clinton, Mississippi, on March 7, 1991, at least fifteen (15) days prior to the scheduled hearing date, in accordance with the statutes of the State of Mississippi and the Official Zoning Ordinance of the City of Clinton, Mississippi; and

WHEREAS, the Planning Commission of the City of Clinton, Mississippi, thereupon conducted a public hearing on the rezoning application at the scheduled time and place, at which public hearing all persons wishing to present testimony or

evidence in regard to the rezoning application had an opportunity to do so; and

WHEREAS, at the said public hearing, Raman K. Patel presented testimony and evidence in support of his rezoning application, and various protestants presented testimony and evidence in opposition to the rezoning application; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission voted on a motion to recommend to the Mayor and Board of Aldermen of the City of Clinton, Mississippi, that the rezoning application be approved; and

WHEREAS, there was a tie vote on the said motion, with three members of the Planning Commission voting in favor, with three members voting in opposition, and with the Chairman disqualifying himself from voting; and

WHEREAS, the Chairman of the Planning Commission thereupon advised those persons in attendance that the rezoning application would be forwarded to the Mayor and Board of Aldermen of the City of Clinton, Mississippi, for final action, with a notation of the tie vote of the Planning Commission; and

WHEREAS, to the extent that the tie vote may have been considered a recommendation that the rezoning application be denied, Raman K. Patel appealed such recommendation of denial to the Mayor and Board of Aldermen of the City of Clinton, Mississippi, in accordance with the statutes of the State of Mississippi and the Official Zoning Ordinance of the City of Clinton, Mississippi; and

WHEREAS, a public hearing on the rezoning application was scheduled before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, at a regular meeting to be held at 7:00 p.m. on May 7, 1991, in the A. E. Wood Memorial Library, 111 Clinton Boulevard, Clinton, Mississippi 39056; and

WHEREAS, notice of the said public hearing was duly published in the Clinton News, a newspaper having general circulation in the City of Clinton, Mississippi, on April 18, 1991, at least fifteen (15) days prior to the scheduled hearing

date, in accordance with the statutes of the State of Mississippi and the Official Zoning Ordinance of the City of Clinton, Mississippi; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, thereupon conducted a public hearing on the rezoning application at the scheduled time and place, at which public hearing all persons wishing to present testimony or evidence in regard to the rezoning application had an opportunity to do so; and

WHEREAS, at the said public hearing, Raman K. Patel presented testimony and evidence in support of his rezoning application, and various protestants presented testimony and evidence in opposition to the rezoning application; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have considered the rezoning application, all documents filed in support thereof, all documents in opposition filed by the protestants, all evidence placed in the record by both the applicant and the protestants at the hearing before the Planning Commission, the recommendation of the Planning Commission, and all evidence and testimony placed in the record by both the applicant and the protestants at the hearing before the Mayor and Board of Aldermen; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, find that Raman K. Patel, the applicant, has proved by clear and convincing evidence (1) that there has been substantial change in the character of the neighborhood of the subject property so as to justify the requested rezoning to a classification of Highway Commercial District (C-2); (2) that there is a public need for the requested rezoning; (3) that granting the requested rezoning is necessary because of changing conditions within the City of Clinton, new development patterns, or annexation; and (4) that the requested rezoning will more suitably promote and protect the public health, safety, and welfare than the existing zoning classification on the subject property; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, further find that rezoning the subject property to a classification of Highway Commercial District (C-2) would be consistent with, and in accordance with, the Land Use/Thoroughfare Plan adopted for the City of Clinton, Mississippi, by the Mayor and Board of Aldermen on April 18, 1989; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, further find that all requirements of the statutes of the State of Mississippi and the Ordinances of the City of Clinton, Mississippi, in regard to the proposed rezoning have been met, and that the Mayor and Board of Aldermen have full authority and jurisdiction to enact this Ordinance,

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, AS FOLLOWS:

Section 1. That certain tract of land located on the east side of Springridge Road south of the intersection of Springridge Road with Interstate Highway 20 in the City of Clinton, Mississippi, which tract consists of 2.22 acres, more or less, described as follows:

A parcel of land located in Section 32, Township 6 North, Range 1 West, in the First Judicial District of Hinds County, Mississippi, and being more particularly described as follows:

Beginning at a point where the line between the North half and the South half of Section 32, Township 6 North, Range 1 West, Hinds County, Mississippi, intersects the East right of way line of Springridge Road, said Point being 40 feet measured at right angles from the center line of said Springridge Road; run thence North 1 degree 45 minutes 30 seconds East along the East right of way of Springridge Road for a distance of 738.36 feet to the POINT OF BEGINNING; thence continue North 1 degree 45 minutes 30 seconds East along the East right of way of said Springridge Road for a distance of 427 feet to a point; thence South 89 degrees 40 minutes East for a distance of 342 feet to a point; thence South 1 degree 45 minutes 30 seconds West for a distance of 527 feet to a point; thence North 89 degrees 40 minutes West for a distance of 192 feet to a point; thence North 1 degree 45 minutes 50 seconds East for a distance of 100 feet to a point;

thence North 89 degrees 40 minutes West for a distance of 150 feet to the POINT OF BEGINNING. TOGETHER with all right, title and interest in and to that certain easement granted Richard R. Stock by Joshua Acres, Inc., by that certain easement agreement dated June 15, 1973, and of record in the office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, in Book 2114, at Page 172.

LESS AND EXCEPT: A strip of land 200 feet wide off the north side of the foregoing tract, which strip of land was previously released by The American Bank, which Release is recorded in Book 2809, at Page 708, of the Records of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, and which strip of land is more particularly described as follows:

Commencing at a point where the line between the North half and the South half of Section 32, Township 6 North, Range 1 West, Clinton, Hinds County, Mississippi, intersects the East line of Springridge Road, said point being 40 feet measured at right angles to the centerline of said Springridge Road; run thence North 01 degree 45 minutes 30 seconds East along the East right of way of said Springridge Road 965.36 feet to the POINT OF BEGINNING; thence continue North 01 degree 45 minutes 30 seconds East along said East line of Springridge Road for a distance of 200 feet; thence South 89 degrees 40 minutes East for a distance of 342 feet to a point; thence South 01 degree 45 minutes 30 seconds West for a distance of 200.00 feet to a point; thence North 89 degrees 40 minutes West for a distance of 342 feet to the POINT OF BEGINNING. TOGETHER with all right, title and interest in and to that certain easement granted Richard Stock by Joshua Acres, Inc., by that certain easement agreement dated June 15, 1973, and of record in the office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, in Book 2114, at Page 172, as same would apply to the above description,

is hereby rezoned from a classification of Limited Commercial District (C-1) to a classification of Highway Commercial District (C-2), and the Official Zoning Ordinance and Official Zoning Map of the City of Clinton, Mississippi, are hereby amended accordingly.

Section 2. The City Clerk and the Building Inspector shall note the foregoing zoning amendment on the Official Zoning Map of the City of Clinton, Mississippi.

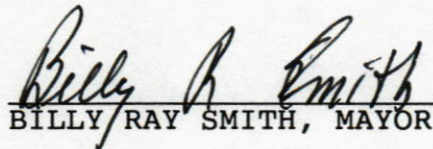
Section 3. This Ordinance shall take effect and be in force one month after its passage and after publication in the

Clinton News, a newspaper published in the City of Clinton,
Mississippi.

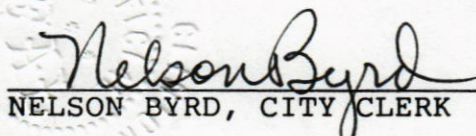
Alderman Keith Montgomery moved that the foregoing
Ordinance be adopted. Alderman Ronnie Chappell seconded the
motion. The vote was as follows:

Willard Ryan, Alderman at Large, voted:	Nay
George Ferrell, Alderman, Ward 1, voted:	Aye
Ed Valente, Alderman, Ward 2, voted:	Nay
Ronnie Chappell, Alderman, Ward 3, voted:	Aye
Keith Montgomery, Alderman, Ward 4, voted:	Aye
Jean Johnson, Alderman, Ward 5, voted:	Aye
Sharbert Lott, Alderman, Ward 6, voted:	Nay

APPROVED on this the 7th day of May, 1991.


BILLY RAY SMITH, MAYOR

ATTEST:

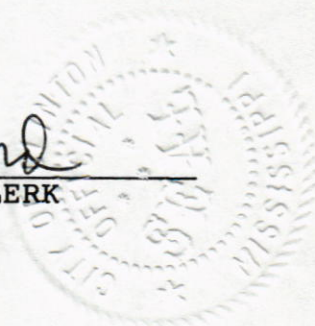

NELSON BYRD, CITY CLERK

(S E A L)

CERTIFICATE

I, Nelson Byrd, the undersigned City Clerk of the City of Clinton, Mississippi, do hereby certify that the above and foregoing is a true copy of an Ordinance adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, at a regularly scheduled meeting duly held on May 7, 1991, as the same appears in Minute Book U, at Pages 625-631, of the Minutes of the said Mayor and Board of Aldermen and as the same is recorded in Ordinance Book No. 2 of the City of Clinton, Mississippi, at Pages 509-515 thereof.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this 7th day of May, 1991.


Nelson Byrd
NELSON BYRD, CITY CLERK

(S E A L)

ORDINANCE GRANTING APPLICATION OF RAMAN K. PATEL TO REZONE PROPERTY ON EAST SIDE OF SPRINGRIDGE ROAD FROM CLASSIFICATION OF LIMITED COMMERCIAL DISTRICT (C-1) TO CLASSIFICATION OF HIGHWAY COMMERCIAL DISTRICT (C-2)

WHEREAS, on February 27, 1991, Raman K. Patel filed an application with the City of Clinton, Mississippi, seeking to rezone a 2.22-acre tract of land (hereinafter "subject property") located on the east side of Springridge Road south of the intersection of Springridge Road with Interstate Highway 20 in the City of Clinton, Mississippi, from its present classification of Limited Commercial District (C-1) to a classification of Highway Commercial District (C-2), as those classifications are established under the Official Zoning Ordinance of the City of Clinton, Mississippi; and

WHEREAS, Raman K. Patel is seeking to rezone the subject property, the legal description of which is hereinafter set forth, for the purpose of constructing thereon a modern motel; and

WHEREAS, a public hearing on the said rezoning application was scheduled before the Planning Commission of the City of Clinton, Mississippi, at a regular meeting to be held at 7:30 p.m. on March 26, 1991, in the A. E. Wood Memorial Library, 111 Clinton Boulevard, Clinton, Mississippi 39056; and

WHEREAS, notice of the said public hearing was published in the Clinton News, a newspaper having general circulation in the City of Clinton, Mississippi, on March 7, 1991, at least fifteen (15) days prior to the scheduled hearing date, in accordance with the statutes of the State of Mississippi and the Official Zoning Ordinance of the City of Clinton, Mississippi; and

WHEREAS, the Planning Commission of the City of Clinton, Mississippi, thereupon conducted a public hearing on the rezoning application at the scheduled time and place, at which public hearing all persons wishing to present testimony or evidence in regard to the rezoning application had an opportunity to do so; and

WHEREAS, at the said public hearing, Raman K. Patel presented testimony and evidence in support of his rezoning application, and various protestants presented testimony and evidence in opposition to the rezoning application; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission voted on a motion to recommend to the Mayor and Board of Aldermen of the City of Clinton, Mississippi, that the rezoning application be approved; and

WHEREAS, there was a tie vote on the said motion, with three members of the Planning Commission voting in favor, with three members voting in opposition, and with the Chairman disqualifying himself from voting; and

WHEREAS, the Chairman of the Planning Commission thereupon advised those persons in attendance that the rezoning application would be forwarded to the Mayor and Board of Aldermen of the City of Clinton, Mississippi, for final action, with a notation of the tie vote of the Planning Commission; and

WHEREAS, to the extent that the tie vote may have been considered a recommendation that the rezoning application be denied, Raman K. Patel appealed such recommendation of denial to the Mayor and Board of Aldermen of the City of Clinton, Mississippi, in accordance with the statutes of the State of Mississippi and the Official Zoning Ordinance of the City of Clinton, Mississippi; and

WHEREAS, a public hearing on the rezoning application was scheduled before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, at a regular meeting to be held at 7:00 p.m. on May 7, 1991, in the A. E. Wood Memorial Library, 111 Clinton Boulevard, Clinton, Mississippi 39056; and

WHEREAS, notice of the said public hearing was duly published in the Clinton News, a newspaper having general circulation in the City of Clinton, Mississippi, on April 18, 1991, at least fifteen (15) days prior to the scheduled hearing date, in accordance with the statutes of the State of Mississippi and the Official Zoning Ordinance of the City of Clinton, Mississippi; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, thereupon conducted a public hearing on the rezoning application at the scheduled time and place, at which public hearing all persons wishing to present testimony or evidence in regard to the rezoning application had an opportunity to do so; and

WHEREAS, at the said public hearing, Raman K. Patel presented testimony and evidence in support of his rezoning application, and various protestants presented testimony and evidence in opposition to the rezoning application; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have considered the rezoning application, all documents filed in support thereof, all documents in opposition filed by the protestants, all evidence placed in the record by both the applicant and the protestants at the hearing before the Planning Commission, the recommendation of the Planning Commission, and all evidence and testimony placed in the record by both the applicant and the protestants at the hearing before the Mayor and Board of Aldermen; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, find that Raman K. Patel, the applicant, has proved by clear and convincing evidence (1) that there has been substantial change in the character of the neighborhood of the subject property so as to justify the requested rezoning to a classification of Highway Commercial District (C-2); (2) that there is a public need for the requested rezoning; (3) that granting the requested rezoning is necessary because of changing conditions within the City of Clinton, new development patterns, or annexation; and (4) that the requested rezoning will more suitably promote and protect the public health, safety, and welfare than the existing zoning classification on the subject property; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, further find that rezoning the subject property to a classification of Highway Commercial District (C-2) would be consistent with, and in accordance with, the Land Use/Thoroughfare Plan adopted for the City of Clinton, Mississippi, by the Mayor and Board of Aldermen on April 18, 1989; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, further find that all requirements of the statutes of the State of Mississippi and the Ordinances of the City of Clinton, Mississippi, in regard to the proposed rezoning have been met, and that the Mayor and Board of Aldermen have full authority and jurisdiction to enact this Ordinance,

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, AS FOLLOWS:

Section 1. That certain tract of land located on the east side of Springridge Road south of the intersection of Springridge Road with Interstate Highway 20 in the City of Clinton, Mississippi, which tract consists of 2.22 acres, more or less, described as follows:

A parcel of land located in Section 32, Township 6 North, Range 1 West, Hinds County, Mississippi, and being more particularly described as follows:

Beginning at a point where the line between the North half and the South half of Section 32, Township 6 North, Range 1 West, Hinds County, Mississippi, intersects the East right of way line of Springridge Road, said point being 40 feet measured at right angles from the center line of said Springridge Road; run thence North 1 degree 45 minutes 30 seconds East along the East right of way of Springridge Road for a distance of 738.36 feet to the POINT OF BEGINNING; thence continue North 1 degree 45 minutes 30 seconds East along the East right of way of said Springridge Road for a distance of 427 feet to a point; thence South 89 degrees 40 minutes East for a distance of 342 feet to a point; thence South 1 degree 45 minutes 30 seconds West for a distance of 527 feet to a point; thence North 89 degrees 40 minutes West for a distance of 192 feet to a point; thence North 1 degree 45 minutes 30 seconds East for a distance of 100 feet to a point; thence North 89 degrees 40 minutes West for a distance of 150 feet to the POINT OF BEGINNING. TOGETHER with all right, title and interest in and to that certain easement granted Richard R. Stock by Joshua Acres, Inc., by that certain easement agreement dated June 15, 1973, and of record in the office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, in Book 2114, at Page 172.

LESS AND EXCEPT: A strip of land 200 feet wide off the north side of the foregoing tract, which strip of land was previously released by The American Bank, which Release is recorded in Book 2809, at Page 708, of the Records of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, and which strip of land is more particularly described as follows:

Commencing at a point where the line between the North half and the South half of Section 32, Township 6 North, Range 1 West, Clinton, Hinds County, Mississippi, intersects the East line of Springridge Road, said point being 40 feet measured at right angles to the centerline of said Springridge Road; run thence North 01 degree 43 minutes 30 seconds East along the East right of way of said Springridge Road 965.36 feet to the POINT OF BEGINNING; thence continue North 01 degree 45 minutes 30 seconds East along said East line of Springridge Road for a distance of 200 feet; thence South 89 degrees 40 minutes East for a distance of 342 feet to a point; thence South 01 degree 45 minutes 30 seconds West for a distance of 200.00 feet to a point; thence North 89 degrees 40 minutes West for a distance of 342 feet to the POINT OF BEGINNING. TOGETHER with all right, title and interest in and to that certain easement granted Richard Stock by Joshua Acres, Inc., by that certain easement agreement dated June 15, 1973, and of record in the office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi, in Book 2114, at Page 172, as same would apply to the above description,

is hereby rezoned from a classification of Limited Commercial District (C-1) to a classification of Highway Commercial District (C-2), and the Official Zoning Ordinance and Official Zoning Map of the City of Clinton, Mississippi, are hereby amended accordingly.

Section 2. The City Clerk and the Building Inspector shall note the foregoing zoning amendment on the Official Zoning Map of the City of Clinton, Mississippi.

Section 3. This Ordinance shall take effect and be in force one month after its passage and after publication in the Clinton News, a newspaper published in the City of Clinton, Mississippi.

Alderman Keith Montgomery moved that the foregoing Ordinance be adopted. Alderman Ronnie Chappell seconded the motion. The vote was as follows:

Willard Ryan, Alderman at Large, voted:	May
George Ferrell, Alderman, Ward 1, voted:	Aye
Ed Valente, Alderman, Ward 2, voted:	May
Ronnie Chappell, Alderman, Ward 3, voted:	Aye
Keith Montgomery, Alderman, Ward 4, voted:	Aye
Jean Johnson, Alderman, Ward 5, voted:	Aye
Sharbert Lott, Alderman, Ward 6, voted:	May

APPROVED on this the 7TH day of May, 1991.

ATTEST:

Nelson Byrd
NELSON BYRD, CITY CLERK
(S E A L)

CERTIFICATE

I, Nelson Byrd, the undersigned City Clerk of the City of Clinton, Mississippi, do hereby certify that the above and foregoing is a true copy of an Ordinance adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, at a regularly scheduled meeting duly held on May 7, 1991, as the same appears in Minute Book 46, at Pages 625-631, of the Minutes of the said Mayor and Board of Aldermen and as the same is recorded in Ordinance Book 14-2 of the City of Clinton, Mississippi, at Pages 509-515 thereof.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this 7TH day of May, 1991.

(S E A L)
May 23, 1991

PUBLICATION
OF MISSISSIPPI
COUNTY

before me, the undersigned notary
Mississippi,

ebbie Swinnen

E CLINTON NEWS, a weekly
described in Sections 13-3-31 and
of 1972, as amended, who, being
notice, a true copy of which is
the issues of said newspaper as

ay 23, 19 91

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42

Times

41.44

Swinnen

S

before me the 23rd day of

May 19 91

Swinnen

Nov. 17, 1992

(Seal)

632

Public Hearing SPEAKERS

5-7-91

Reasoning - Ramon Patel - Springridge Road

<u>Name</u>	<u>address</u>
1. James A. Peden, Jr.	P.O. Box 22627 Jackson
2. Joseph A. KUSTECK	P.O. Box 1608 JACKSON
3. Michael J. McEllam	105 ROANWOOD CT., Clinton
4. Louis Logan	100 ABBY OAK
5. Rhud Cole	116 Red OAK RD Clinton
6. Norma Dagon	100 abbey oak rd
7. Maria Doby	109 Mailwood Dr.
8. J A JEFF	102 Red OAK RD
9. Jim Power	Box 143, Clinton
10. Gloria Wright	104 Red OAK Road.
11. Robert	403 Parker Dr. Clinton, mo.
12.	
13.	
14.	
15.	

8

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

**ADVERTISEMENT
FOR BIDS**
Sealed bids for construction of Water Distribution System, Phase 10-Improvements in Clinton, Mississippi will be received by the Mayor and Board of Aldermen, 300 Jefferson Street, Clinton, Mississippi, in the Mayor's office, Clinton, Mississippi, until 2:00 P.M. local time on May 1, 1991, and immediately thereafter will be opened and publicly read.
The work involved in this project includes installation of approximately 9,550 L.F. of 6-inch water main, approximately 6,950 L.F. of 10-inch water main, and approximately 9,350 L.F. of 12-inch water main as shown on the contract drawings, and related items including valves, fire hydrants and fittings. All documents required for bidding purposes, including specifications, may be obtained from Anderson Engineers, P.A., 541 Highway 80 West, Suite B, PO Box 254, Clinton, MS 39060, for a deposit of \$30.00, non-refundable. A copy of the specifications may be examined at the office of the Project Engineers, as specified above: Clinton Public Works Department, and the AGC, ABC, and F. W. Dodge plan rooms in Jackson, Mississippi.
Bid preparation will be in accordance with the Instructions to Bidders bound in the Specifications. The City of Clinton reserves the right to waive irregularities and to reject any or all bids.
City of Clinton, Mississippi
By: /s/ Nelson Byrd
Nelson Byrd
City Clerk
Approved by: Billy Ray Smith
Mayor
April 10, 17, 1991

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

Debbie Swinnen,

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:

Date April 10, 19 91

Date April 17, 19 91

Date _____, 19____

Date _____, 19____

Date _____, 19____

Number of Lines 56

Published 2 Times

Total \$ 31.12

Signed Debbie Swinnen

Authorized Clerk
of The Clarion-Ledger

SWORN to and subscribed before me the 17th day of April,
19 91.

Janet Boatman
Notary Public

My Commission Expires:
My Commission Expires Nov. 17, 1992

(Seal)

AGENDA 8 5-7-91

BID TABULATION

PROJECT: WATER IMPROVEMENTS - PHASE 10
QUAIL HOLLOW DRIVE, SHORT TARVIN STREET,
SHORT DAWSON STREET, MT. SALUS ROAD,
SHORT VERNON ROAD, NORTH FRONTAGE,
PINEHAVEN ROAD, NORTH MIDWAY ROAD,
McRAVEN ROAD, AND WELLS ROAD
6", 10", AND 12" DISTRIBUTION WATER MAINS

OWNER: CITY OF CLINTON, CLINTON, MS

ENGINEER: ANDERSON ENGINEERS, P.A.

BID DATE: MAY 1, 1991 2:00 P.M.
MAYOR'S OFFICE
300 JEFFERSON STREET
CLINTON, MISSISSIPPI

CONTRACTOR

BASE BID

PERMA SEPTIC TANK COMPANY, INC.

C.O.R.# 2844

BID BOND

\$347,022.50

JOSEPH CONTRACTORS, INC.

C.O.R.# 6814

BID BOND

339,153.00

SATTERFIELD CONSTRUCTION, INC.

C.O.R.# 5666

BID BOND

332,605.00

HEMPHILL CONSTRUCTION

C.O.R.# 2449

BID BOND

336,383.50

BELK CONSTRUCTION COMPANY

C.O.R.# 3300

BID BOND

356,007.50

8

TRIANGLE CONSTRUCTION
C.O.R.# 02176 312,375.00
BID BOND _____

WACO CONSTRUCTION CO., INC.
C.O.R.# 04588 398,817.50
BID BOND _____

THWEATT CONSTRUCTION, INC.
C.O.R.# 02255 362,295.00
BID BOND _____

STEEN'S PLUMBING AND DIGGING
C.O.R.# 4940 334,405.00
BID BOND _____

This is to certify that the above bid amounts are a true and accurate tabulation of the construction bids received on this project.

BY: *Terry L. Anderson*
Terry L. Anderson, P.E.
Anderson Engineers, P.A.

8

NOTICE OF AWARD

DATE: May 3, 1991 PROJECT NO.: 100C2201

TO: Triangle Construction Co., Inc. PROJECT: City of Clinton

P. O. Box 6903 Water Improvements - Phase 10

Jackson, MS 39282-6903

CONTRACT FOR: Phase 10 - Water Improvements for the City of
Clinton

You are notified that your Bid dated May 1, 1991 for the above Contract has been considered. You are the apparent successful bidder and have been awarded a contract for Phase 10 - Quail Hollow Dr., Short Tarvin St., Short Dawson St., Mt. Salus Rd., Short Vernon Rd., N. Frontage, Pinehaven Rd., N. Midway Rd., McRaven Rd., and Wells Rd. 6", 10", & 12" Water Distribution Mains. The Contract Price is Three Hundred Twelve Thousand Three Hundred Seventy-Five & no/100 Dollars (\$ 312,375.00).

Three copies of each of the proposed Contract Documents (except Drawings) accompany this Notice of Award.

You must comply with the following conditions precedent within fifteen (15) days of the date of this Notice of Award, that is by May 22, 1991.

1. You must deliver to the OWNER three (3) fully executed counterparts of the Agreement including all the Contract Documents. Each of the Contract Documents must bear your signature on page 00500-1.
2. You must deliver with the executed Agreement to the Performance and Payment Bonds specified in the Instructions to Bidders and the General Conditions (paragraph 7.5). These Bonds shall be in the form as shown in Section 00600 of the Contract.
3. Provide certificates of insurance as required.

Failure to comply with these conditions within the time specified will entitle OWNER to consider your bid abandoned, to annul this Notice of Award and to declare your Bid Security forfeited.

Within ten (10) days after you comply with those conditions, OWNER will return to you one fully signed counterpart of the Agreement with the Contract Documents attached.

City of Clinton, MS
(Owner)
By: Billy R. Smith
(Authorized Signature)
Mayor

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF
CLINTON, MISSISSIPPI, AUTHORIZING APPLICATION
OF GENERAL MOTORS CORPORATION, PACKARD ELECTRIC
DIVISION, FOR EXEMPTION FROM AD VALOREM TAXES
AS AUTHORIZED BY SECTION 27-31-101 ET SEQ. OF
THE MISSISSIPPI CODE OF 1972
FOR ADDITIONS COMPLETED JANUARY 1, 1991

The Board next took up for consideration the matter of granting tax exemption from ad valorem taxes for General Motors Corporation, Packard Electric Division, and the following Resolution, having first been reduced to writing, was introduced:

RESOLUTION OF THE MAYOR AND BOARD OF
ALDERMEN OF CLINTON, MISSISSIPPI,
GRANTING TAX EXEMPTION FROM AD VALOREM
TAXES FOR TWO (2) CONSECUTIVE FIVE-YEAR
PERIODS TO GENERAL MOTORS CORPORATION,
PACKARD ELECTRIC DIVISION, AS AUTHORIZED
BY SECTION 27-31-101 ET SEQ., OF THE
MISSISSIPPI CODE, AS AMENDED.

WHEREAS, General Motors Corporation, Packard Electric Division, filed in triplicate with this Board its Application for exemption from ad valorem taxation on expanded facilities in Plants 20, 21, 22, 24 and 27, completed January 1, 1991, and located within the industrial park of the City of Clinton, Hinds County, Mississippi; and

WHEREAS, General Motors Corporation, Packard Electric Division, has produced written verification and documentation to this Board as to the authenticity and correctness of its Application in regard to the true value of the prayed-for exemption, the completion date of said enterprise; and

WHEREAS, this Board finds as a fact that the property described in the aforesaid Application constitutes an expanded industrial enterprise of public utility which was completed on the 1st day of January, 1991, and that said company is entitled to the exemption sought for two (2) consecutive five-year periods totaling ten (10) years, provided that the applicant at the end of the initial five-

year exemption period requests a continuation of said exemption in accordance with Section 27-31-101 of the Mississippi Code, as amended, with the initial five-year exemption period beginning on the 1st day of January, 1991, and ending on the 31st day of December, 1995, and the subsequent five-year exemption period beginning on the 1st day of January, 1996, and ending on the 31st day of December, 2000, subject to approval and certification by the Mississippi State Tax Commission.

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

1. That the Application for ad valorem tax exemption by General Motors Corporation, Packard Electric Division, on the property described in Exhibit "A" of the Application filed by said Company for tax exemption, for two (2) consecutive five-year periods totaling ten (10) years, provided that the applicant within three (3) months prior to the expiration of the initial five-year exemption period requests a continuation of said exemption in accordance with Section 27-31-101 of the Mississippi Code, as amended, with the initial five-year exemption period beginning on the 1st day of January, 1991, and ending on the 31st day of December, 1995, and the subsequent five-year exemption period beginning on the 1st day of January, 1996, and ending on the 31st day of December, 2000, be and the same is hereby approved, subject to approval and certification by the Mississippi State Tax Commission.

2. That General Motors Corporation, Packard Electric Division, is hereby granted tax exemption on ad valorem taxes on the property of Plants 20, 21, 22, 24 and 27 described in the Application, except State and School District ad valorem taxation, for two (2) consecutive periods of five years, totaling ten (10) years, with the

initial period beginning January 1, 1991, and ending December 31, 1995, and the subsequent period beginning January 1, 1996, and ending December 31, 2000, subject to approval and certification by the Mississippi State Tax Commission.

3. That the Clerk of this Board be and is hereby directed to spread a copy of this Order on the minutes of this Board; and that said Clerk shall forward the original and three certified copies of the Application and a certified copy of the transcript of this Order approving said Application to the Mississippi State Tax Commission for its approval and certification; and said Clerk shall also forward one certified copy to the Tax Assessor of the City of Clinton and obtain the Certificate of said Tax Assessor stating that both the real and personal property as itemized in the Application have been placed on the appropriate tax roll as "Non-Taxable," except for State and School District ad valorem taxes, for the duration of the exemption period only.

After a full discussion of this matter, Alderman JOHNSON moved that the foregoing Resolution be adopted and said motion was seconded by Alderman LOTT, and upon the question being put to a vote, the vote was as follows:

Alderman William A. Ryan	voted:	<u>" AYE "</u>
Alderman George Ferrell	voted:	<u>" AYE "</u>
Alderman Edward J. Valente	voted:	<u>" AYE "</u>
Alderman Ronny Chappell	voted:	<u>" AYE "</u>
Alderman Keith Montgomery	voted:	<u>" AYE "</u>
Alderman Gene W. Johnson	voted:	<u>" AYE "</u>
Alderman Sharbert K. Lott	voted:	<u>" AYE "</u>

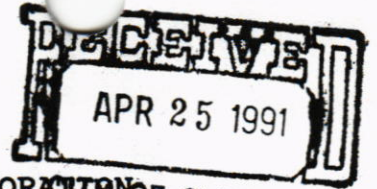
WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Mayor and Board of Alderman of Clinton, Mississippi, on this, the 7TH day of May, 1991.


BILLY RAY SMITH, Mayor
City of Clinton, Mississippi

ATTEST:


NELSON BYRD, City Clerk
City of Clinton, Mississippi

(SEAL)



APPLICATION OF GENERAL MOTORS CORPORATION OF CLINTON
PACKARD ELECTRIC DIVISION, FOR EXEMPTION FROM
AD VALOREM TAXES ON ADDITIONAL AND EXPANDED
PROPERTIES AND REPLACEMENT OF EQUIPMENT
AS AUTHORIZED BY SECTION 27-31-101
ET SEQ. OF THE MISSISSIPPI CODE OF 1972
FOR ADDITIONS COMPLETED JANUARY 1, 1991

TO THE MAYOR AND BOARD OF ALDERMEN OF CLINTON, MISSISSIPPI:

1. General Motors Corporation, Packard Electric Division, files this its application in triplicate for exemption from ad valorem taxation and respectfully represents unto this Honorable Board as follows:

2. Applicant General Motors Corporation, Packard Electric Division, is a Delaware corporation with its principal place of business in Detroit, Michigan, and is qualified to do business in Mississippi with its registered office in Hinds County, Mississippi.

3. Applicant is now operating as an automobile component part manufacturing type of industry within the industrial park of the City of Clinton, Hinds County, Mississippi, which factory includes Plants 20, 21, 22, 24 and 27 containing bona fide expanded facilities of public utility within the meaning of Section 27-31-101 et seq. and related Sections of the Mississippi Code, as amended, and is eligible for the exemption granted by the above-mentioned section by specific enumeration, namely "manufacturing"; and the exemption prayed for in this Application is for additions or expansions of the above-mentioned plants and the replacement of equipment used in connection with or necessary to the operation of the said enterprise as provided in Section 27-31-105 of the Mississippi Code, as amended.

4. That said new additions or expansions and replacement of equipment were completed on the 1st day of January, 1991, within the meaning of the applicable statutes of the State of Mississippi, and, therefore, the exemption

hereby claimed is for two (2) consecutive five-year periods, totaling ten (10) years, with the initial five-year exemption period to begin on the 1st day of January, 1991, and to end on the 31st day of December, 1995, and the subsequent five-year exemption period to begin on the 1st day of January, 1996, and to end on the 31st day of December, 2000. Within three (3) months prior to the expiration of the initial exemption period, applicant will file a request for a continuation of said exemption in accordance with Section 27-31-101 of the Mississippi Code, as amended.

5. That said new additions or expansions and replacement of equipment will make more secure and support approximately 20 jobs with an estimated annual payroll of \$600,000.00 in Packard Electric's facilities.

6. That said exemption on the tangible property described in Exhibit "A" should be granted for two (2) consecutive five-year periods, totaling ten (10) years, from said date of completion.

7. That the true value of all property to be exempted is Three Million Three Hundred Fourteen Thousand Five hundred Sixteen and 16/100 Dollars (\$3,314,516.16) as shown in an itemized list attached hereto as Exhibit "A" and made a part hereof.

PRAYER

WHEREFORE, applicant prays that this Board of Aldermen enter a finding that applicant's factory is in fact an expanded enterprise of public utility, and that the same was completed on the 1st day of January, 1991, within the meaning of the applicable laws of Mississippi; and

That applicant be granted an exemption from ad valorem taxation except State and School District ad valorem taxation, as provided by law, upon all of the tangible

property described in Exhibit "A," attached hereto and made a part hereof, used in, or necessary to, the operation of applicant's factory in the industrial park of the City of Clinton, Hinds County, Mississippi, for two (2) consecutive five-year periods totaling ten (10) years, provided that the applicant at the end of the initial five-year exemption period requests a continuation of said exemption in accordance with Section 27-31-101 of the Mississippi Code, as amended; with the initial five-year exemption period beginning on the 1st day of January, 1991, and ending on the 31st day of December, 1995, and the subsequent five-year exemption period beginning on the 1st day of January, 1996, and ending on the 31st day of December, 2000; and

That this Board of Aldermen approve this application by an order or resolution spread upon its minutes, declaring that such property is exempt from all ad valorem taxation, except State and School District ad valorem taxation, for two (2) consecutive periods of five years, totaling ten (10) years, and forward the original and three certified copies of this application and a certified transcript of such approval to the Mississippi State Tax Commission, and upon approval of such application by the said Mississippi State Tax Commission and certification of its approval, the Board will enter a final order on its minutes granting the exemption herein prayed.

Respectfully submitted, this the 22ND day of APRIL, 1991.

GENERAL MOTORS CORPORATION
PACKARD ELECTRIC DIVISION

BY:

Patrick G. McCart
PATRICK G. MCCART
DIRECTOR
MISSISSIPPI OPERATIONS

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, PATRICK G. McCART, who stated that he is Director, Mississippi Operations, of Packard Electric Division of General Motors Corporation, Clinton, Mississippi, and that the matters set out in the foregoing Application for Exemption from Ad Valorem Taxation are true and correct.

22nd day of April, 1991. SWORN TO AND SUBSCRIBED BEFORE ME, on this, the

Christine H. Parris
NOTARY PUBLIC

My commission expires:

4-13-92

OF COUNSEL:

ROBERT P. WISE
WISE CARTER CHILD & CARAWAY
PROFESSIONAL ASSOCIATION
P.O. Box 651
Jackson, Mississippi 39205
(601)968-5500

EXHIBIT A
GENERAL MOTORS CORPORATION
PACKARD ELECTRIC DIVISION

True value of property added to Plants 20, 21, 22, 24 and 27
completed January 1, 1991:

	<u>MACHINERY AND EQUIPMENT</u>	<u>FURNITURE AND FIXTURES</u>	<u>WORK-IN- PROGRESS INVENTORIES</u>	<u>TOTAL</u>
Plant 20	\$ 3,196.00	\$ - 0 -	\$ 1,593.00	\$ 4,789.00
Plant 21	248,538.41	- 0 -	123,903.00	372,441.41
Plant 22	1,449,424.13	7,999.76	722,572.00	2,179,995.89
Plant 24	2,722.40	- 0 -	1,357.00	4,079.40
Plant 27	502,635.46	- 0 -	250,575.00	753,210.46
	<u>\$2,206,516.40</u>	<u>\$7,999.76</u>	<u>\$1,100,000.00</u>	<u>\$3,314,516.16</u>

PASTE AD HERE

NOTICE OF
ZONING HEARING
Notice is hereby given to
those parties in interest that
there will be a hearing on
April 23, 1991 at 7:30 p.m., at
the A.E. Memorial Library,
111 Clinton Blvd., Clinton,
Mississippi, for the purpose
of determining whether or
not a special exception shall
be allowed on the following
described property located in
the City of Clinton, Mississip-
pi:
A parcel begin situated in the
West Half of Section 29,
Township 6 North, Range 1
West, City of Clinton, First
Judicial District, Hinds Coun-
ty, Mississippi, being more
particularly described as fol-
lows:
Begin at a point intersecting
the easterly right-of-way line
of New Prospect Street (60
foot right-of-way), the North-
ern Half and the Southern
Half of said Section 29;
thence southerly along said
right-of-way line for a dis-
tance of 401.40 feet to a point
intersecting the northerly
right-of-way line of U.S.
Highway 80 (right-of-way
varies); thence along said
northerly right-of-way line
South 62°17'00" East a dis-
tance of 160.10 feet; thence
East a distance of 110.32 feet
to a point, said point being
the POINT OF BEGINNING;

thence North 00°26'12" East
a distance of 234.49 feet;
thence North 89°56'11" West
a distance of 252.16 feet to a
point on the easterly right-of-
way line of New Prospect
Street (60 foot right-of-way);
thence along said easterly
right-of-way line North
00°20'24" East a distance of
228.00 feet; thence leaving
said easterly right-of-way
line South 89°55'55" East a
distance of 246.36 feet; thence
North 00°05'34" East a dis-
tance of 200.00 feet to a point
on the southerly right-of-way
line of Fairmont Avenue (60
foot right-of-way); thence
along said southerly right-of-
way line South 89°33'48"
East a distance of 561.65 feet;
thence leaving said Southerly
right-of-way line South
00°08'43" East a distance of
208.55 feet; thence South
89°21'00" West a distance of
27.50 feet; thence South
00°
02°12' West a distance of
148.29 feet; thence South
89°33'48" East a distance of
37.50 feet; thence South
00°26'12" West a distance of
76.50 feet; thence South
89°33'48" East a distance of
4.00 feet; thence South
89°33'48" East a distance of
104.00 feet; thence South
00°26'12" West a distance of
66.00 feet; thence North
83°11'00" East a distance of
23.13 feet; thence South
06°49'00" East a distance of
43.50 feet to a point on the
northerly right-of-way line of
U.S. Highway 80 (right-of-
way varies); thence along
said northerly right-of-way
line South 83°11'00" West a
distance of 263.86 feet; thence
continuing along said norther-
ly right-of-way line South
06°49'00" East a distance of
18.66 feet; thence continuing
along said northerly right-of-
way line South 83°11'00"
West a distance of 529.68 feet
to a point, said point being
the POINT OF BEGINNING,
containing 429,841.77 square
feet, or 9.87 acres,
more or less.

APPROVED
/s/ Billy R. Smith
Billy Ray Smith
Mayor
ATTEST
/s/ Nelson Byrd
Nelson Byrd
City Clerk
April 4, 1991

WALMART SIGN
DIRECTIONAL SIGN
PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

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

Debbie Swinnen,
an authorized clerk of THE CLINTON NEWS, a weekly
newspaper as defined and prescribed in Sections 13-3-31 and
13-3-32, of 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:

Date April 4, 19 91

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Number of Lines 113

Published 1 Times

Total \$ 38.16

Signed Debbie Swinnen
Authorized Clerk
of The Clinton News

Sworn to and subscribed before me the 4th day of
April 19 91.

Marie Mills
Notary Public

My Commission Expires:

My Commission Expires Nov. 9, 1992

(Seal)

AN ORDINANCE REQUIRING PERMIT FOR DEALING IN ANTIQUES, USED
OR SCRAPPED JEWELRY AND FOR OPERATING A PAWN SHOP

BE IT ORDAINED by the Mayor and the Board of Aldermen of the City of Clinton, Mississippi:

1. Any person, firm or corporation acquiring, purchasing or otherwise dealing in antique, used or scrapped jewelry, flatware, silverware, silver, gold or other precious metals, in whatever form, where the said purchase is for resale in its original form or is changed by remounting, melting, reforming, remodeling or recasting for resale as scrap or in bulk, or who operates a pawn shop where property of any kind is held as security for a loan shall be required to obtain a permit from the City Clerk prior to engaging in such business, which permit shall be valid for not more than one (1) year.

2. To obtain a permit, applicant shall supply to the City Clerk the following information: name, social security number, and date of birth of applicant, and if a corporation, the names, social security numbers, and dates of birth of all officers and directors who shall be designated as to their office, address of applicant and, in addition, if a corporation, the address of all officers and directors; names of employees, social security numbers and dates of birth and their addresses, criminal convictions other than traffic offenses of applicant, officers, directors, and employees, street address of place from which business is to be conducted, and the location where items obtained as security or for resale shall be kept during the time period such items are required to be kept under the terms of this Ordinance; a recent photograph of applicant, officers, directors, and employees, and the days of the week and hours of the day during which the business will be conducted. A willful providing of false information shall constitute a violation of this Article.

3. It shall be unlawful for any person, firm or corporation engaging in the activity described in Sections 1 and 2

above, for a period of five (5) days from the date of said purchase or other acquisition to sell, exchange, barter or remove from the place in which said business is conducted or in case the place of business is located in a motel or hotel, the room or rooms in which the business is conducted, or at such other place as may be approved by the Chief of Police, or to change the form of any of the said items by remounting, melting, cutting up, or otherwise to change the form of said items.

4. During the five (5) day period set forth and provided for hereinabove, all items described herein shall be kept physically separated, according to the date of purchase or other acquisition, and shall not be comingled with any other personality.

5. Every person, firm or corporation dealing in the items described hereinabove shall maintain a log in duplicate and shall enter on said log a clear and accurate description of any items which are purchased or otherwise acquired, for resale or to be held as security or for any other purpose and the date and amount of money or other thing of value paid for said items and the name, race, sex, driver's license (State and number), residence and address of the seller. The seller and the purchaser shall each sign the log acknowledging the accuracy of the description of said item sold and the consideration paid for said items. For each day the person, firm or corporation subject to this Ordinance shall designate in his application as a day on which he shall be open for business of the type described herein, each person, firm or corporation shall deliver to the Chief of Police in a manner designated by the Chief of Police a copy of the log concerning the day's business (whether transactions are consummated or not), said copy of said log to be delivered by noon of the day following. The original log shall be carefully preserved without alteration and shall, at all times, be open and available for inspection by the Chief of Police or his designee. Failure

to log each purchase or other acquisition of any items shall constitute a separate violation of this Article.

6. Each day a person, firm or corporation engaging in the activities covered by this Ordinance shall fail to obtain from the Clerk of the City a permit or maintain a log as required or shall fail to deliver to the Chief of Police a copy of the log for which provision is therein made or other violation of this Article continues, shall constitute a separate offense.

7. Every person, firm or corporation, their agents or employees, who shall violate any of the provisions hereof shall, on conviction thereof, be deemed guilty of a misdemeanor and shall be fined in a sum not to exceed One Thousand Dollars (\$1000) or imprisoned for not more than ninety (90) days, or both, for each offense.

8. In any criminal proceeding hereunder, the holder of a permit issued pursuant to the terms of this Article, shall be presumed to have acquired, purchased or otherwise come into the possession of the items described herein for purposes of resale or, in the case of a pawn shop, to be held as security for a loan.

9. Upon conviction of a violation of any provision of this Ordinance, or upon the failure to comply with its terms, the Clerk shall, upon petition of the Chief of Police and upon approval of the governing authority of the City, revoke any permit issued pursuant to the provisions hereof.

10. All ordinances in conflict with this Ordinance are hereby expressly repealed.

Alderman Montgomery moved that the foregoing Ordinance be adopted. Alderman Valente seconded. The vote was as follows:

Alderman Ryan voted:

" AYE "

Alderman Ferrell voted:

" AYE "

Alderman Valente voted:

" AYE "

Alderman Chappell voted:

" AYE "

Alderman Montgomery voted:

" AYE "

Alderman Johnson voted:

" AYE "

Alderman Lott voted:

" AYE "

APPROVED on the 7th day of MAY,

1991.

Billy R Smith
BILLY RAY SMITH, MAYOR

ATTEST:

Nelson Byrd
CITY CLERK

CERTIFICATE

I, NELSON BYRD, the undersigned City Clerk of the City of Clinton, Hinds County, Mississippi, hereby certify that the above and foregoing is a true copy of an Ordinance adopted by the Mayor and Board of Aldermen of the City of Clinton at its Meeting duly held on May, 7, 1991, as the same appears in Minute Book 40 at Pages 647-650 of the Minutes of the said Board and recorded in the Ordinance Book 2 of the City of Clinton at Pages 517-520 thereof.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 7th day of May, 1991.

Nelson Byrd
City Clerk

PASTE AD HERE

PROOF OF PUBLICATION
STATE OF MISSISSIPPI
HINDS COUNTY

AN ORDINANCE REQUIRING PERMIT FOR DEALING IN ANTIQUES, USED
OR SCRAPPED JEWELRY AND FOR OPERATING A PAWN SHOP

BE IT ORDAINED by the Mayor and the Board of Aldermen of the City of Clinton, Mississippi:

1. Any person, firm or corporation acquiring, purchasing or otherwise dealing in antique, used or scrapped jewelry, flatware, silverware, silver, gold or other precious metals, in whatever form, where the said purchase is for resale in its original form or is changed by remounting, melting, reforming, remodeling or recasting for resale as scrap or in bulk, or who operates a pawn shop where property of any kind is held as security for a loan shall be required to obtain a permit from the City Clerk prior to engaging in such business, which permit shall be valid for not more than one (1) year.

2. To obtain a permit, applicant shall supply to the City Clerk the following information: name, social security number, and date of birth of applicant, and if a corporation, the names, social security numbers, and dates of birth of all officers and directors who shall be designated as to their office, address of applicant and, in addition, if a corporation, the address of all officers and directors; names of employees, social security numbers and dates of birth and their addresses, criminal convictions other than traffic offenses of applicant, officers, directors, and employees, street address of place from which business is to be conducted, and the location where items obtained as security or for resale shall be kept during the time period such items are required to be kept under the terms of this Ordinance; a recent photograph of applicant, officers, directors, and employees, and the days of the week and hours of the day during which the business will be conducted. A willful providing of false information shall constitute a violation of this Article.

3. It shall be unlawful for any person, firm or corporation engaging in the activity described in Sections 1 and 2 above, for a period of five (5) days from the date of said purchase or other acquisition to sell, exchange, barter or remove from the place in which said business is conducted or in case the place of business is located in a motel or hotel, the room or rooms in which the business is conducted, or at such other place as may be approved by the Chief of Police, or to change the form of any of the said items by remounting, melting, cutting up, or otherwise to change the form of said items.

4. During the five (5) day period set forth and provided for hereinabove, all items described herein shall be kept physically separated, according to the date of purchase or other acquisition, and shall not be commingled with any other person's.

5. Every person, firm or corporation dealing in the items described hereinabove shall maintain a log in duplicate and shall enter on said log a clear and accurate description of any items which are purchased or otherwise acquired, for resale or to be held as security or for any other purpose and the date and amount of money or other thing of value paid for said items and the name, race, sex, driver's license (State and number), residence and address of the seller. The seller and the purchaser shall each sign the log acknowledging the accuracy of the description of said item sold and the consideration paid for said items. For each day the person, firm or corporation subject to this Ordinance shall designate in his application as a day on which he shall be open for business of the type described herein, each person, firm or corporation shall deliver to the Chief of Police in a manner designated by the Chief of Police a copy of the log

concerning the day's business (whether transactions are consummated or not), said copy of said log to be delivered by noon of the day following. The original log shall be carefully preserved without alteration and shall, at all times, be open and available for inspection by the Chief of Police or his designee. Failure to log each purchase or other acquisition of any items shall constitute a separate violation of this Article.

6. Each day a person, firm or corporation engaging in the activities covered by this Ordinance shall fail to obtain from the Clerk of the City a permit or maintain a log as required or shall fail to deliver to the Chief of Police a copy of the log for which provision is therein made or other violation of this Article continues, shall constitute a separate offense.

7. Every person, firm or corporation, their agents or employees, who shall violate any of the provisions hereof shall, on conviction thereof, be deemed guilty of a misdemeanor and shall be fined in a sum not to exceed One Thousand Dollars (\$1000) or imprisoned for not more than ninety (90) days, or both, for each offense.

8. In any criminal proceeding hereunder, the holder of a permit issued pursuant to the terms of this Article, shall be presumed to have acquired, purchased or otherwise come into the possession of the items described herein for purposes of resale or, in the case of a pawn shop, to be held as security for a loan.

9. Upon conviction of a violation of any provision of this Ordinance, or upon the failure to comply with its terms, the Clerk shall, upon petition of the Chief of Police and upon approval of the governing authority of the City, revoke any permit issued pursuant to the provisions hereof.

10. All ordinances in conflict with this Ordinance are hereby expressly repealed.

Alderman Montgomery moved that the foregoing Ordinance be adopted. Alderman Valente seconded. The vote was as follows:

Alderman Ryan voted:	"AYE"
Alderman Ferrell voted:	"AYE"
Alderman Valente voted:	"AYE"
Alderman Chappell voted:	"AYE"
Alderman Montgomery voted:	"AYE"
Alderman Johnson voted:	"AYE"
Alderman Lott voted:	"AYE"
APPROVED on the <u>7th</u> day of <u>MAY</u> , 1991.	

1991.

Billy R Smith
BILLY RAY SMITH, MAYOR

ATTEST:

Nelson Byrd
CITY CLERK

CERTIFICATE

I, NELSON BYRD, the undersigned City Clerk of the City of Clinton, Hinds County, Mississippi, hereby certify that the above and foregoing is a true copy of an Ordinance adopted by the Mayor and Board of Aldermen of the City of Clinton at its Meeting duly held on May 7, 1991, as the same appears in the Minutes of the said Board and recorded in the Ordinance Book 2 of the City of Clinton at Pages 517-520 thereof.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 7th day of May, 1991.

(SEAL)

May 23, 1991

Nelson Byrd
City Clerk

ed before me, the undersigned notary
, Mississippi,

Debbie Swinnen

THE CLINTON NEWS, a weekly
and prescribed in Sections 13-3-31 and
Code of 1972, as amended, who, being
the notice, a true copy of which is
d in the issues of said newspaper as

May 23, 19 91

, 19

, 19

, 19

, 19

434

1 Times

141.88

Swinnen

WS

before me the 23rd day of

May 19 91.

Janet D. Butler
Notary Public

My Commission Expires:

My Commission Expires Nov. 17, 1992

(Seal)

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 2039 91

CITY OF CLINTON
(CLINTON INDUSTRIAL PARK)

RESPONDENT

AGREED ORDER

COME NOW THE Mississippi Commission on Environmental Quality
(Commission), Complainant, and City of Clinton (Clinton Industrial
Park), Respondent, in the above captioned cause and agree as follows:

1.

On July 3, and November 28, 1990, Respondent was contacted by
Complainant and notified of the following violation(s):

1. During the months of January through September, 1990, the
Respondent violated the residual chlorine quarterly average
concentration limits of its NPDES Permit No. MS0023221.
2. On the months of July through September, 1990, the
Respondent violated the BOD, TSS, Ammonia-Nitrogen and
Fecal Coliform quarterly average concentration limits of
its NPDES Permit No. MS0023221.

2.

In lieu of a formal enforcement hearing concerning the
violation(s) listed above, Complainant and Respondent agree to settle
this matter as follows:

- A. Respondent agrees to pay and complainant agrees to accept,
the sum of \$37,500 as a full and complete settlement
thereof, said sum to be payable as follows:
 - (1) The sum of \$12,500 shall be paid to complainant
within thirty (30) days after entry of this order in
settlement of the aforementioned violations.
 - (2) An additional sum of \$25,000 shall be paid to
complainant if the requirements outlined in paragraph
2.B.(1)a are not satisfied.
 - (3) An additional stipulated penalty of \$1,000 per
violation shall be paid to Complainant if Respondent
violates the daily average limitations in item
2.B.(2)a.

B. Respondent further understands and agrees that, as part of the above referenced settlement, respondent shall comply with the following:

(1) Schedule of Compliance

a. On or before May 1, 1991, Respondent shall submit a Preliminary Engineering Report.

(2) a. Respondent shall comply with the following discharge limits beginning May 1, 1991 and lasting until November 1, 1991:

Parameters	Daily Avg (mg/l)	Daily Max (mg/l)	Measurement Frequency	Sample Type
Flow	--	0.20	5 days/week	Instantaneous
BOD ₅	24	48	Twice/month	24-Hr Composite
Total Suspended Solids	89	178	Twice/month	24-Hr Composite
Ammonia-Nitrogen	4	6	Twice/month	Grab
Dissolved Oxygen	Not less than 5.0 mg/l		Twice/month	Grab
Coliform	200/100 ml	400/100 ml	Once/month	Grab

Analysis of samples shall conform to regulations published pursuant to Section 304(h) of the Federal Water Pollution Control Act, as amended. Results of analysis shall be submitted once/month.

Monitoring results obtained during previous month shall be summarized and reported on the discharge monitoring report form (EPA No. 3320-1).

(3) The Respondent shall not allow any further connections to its wastewater treatment/collection system until at such time the improvements to the wastewater treatment system are completed.

3.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Section 49-17-31 of the Mississippi Code Annotated (Supp. 1989), and that it has made an informed waiver of that right.

Revised P-704

B. Respondent further understands and agrees that, as part of the above referenced settlement, respondent shall comply with the following:

(1) Schedule of Compliance

- a. On or before June 1, 1991, Respondent shall initiate design of the proposed plant.
- b. On or before August 15, 1991, Respondent shall submit completed plans and specifications to the Office of Pollution Control.
- c. On or before October 1, 1991, Respondent shall begin construction of proposed .35 MGD plant.
- d. On or before March 31, 1992, Respondent shall complete construction of proposed .35 MGD plant.

- (2) a. Respondent shall comply with the following discharge limits beginning May 1, 1991 and lasting until May 31, 1992:

Parameters	Daily Avg (mg/l)	Daily Max (mg/l)	Measurement Frequency	Sample Type
Flow	7	0.20	5 days/week	Instantaneous
BOD ₅	24	48	Twice/month	24-Hr Composite
Total Suspended Solids	89	178	Twice/month	24-Hr Composite
Ammonia-Nitrogen	4	6	Twice/month	Grab
Dissolved Oxygen	Not less than 5.0 mg/l		Twice/month	Grab
Coliform	200/100 ml	400/100 ml	Once/month	Grab

Analysis of samples shall conform to regulations published pursuant to Section 304(h) of the Federal Water Pollution Control Act, as amended. Results of analysis shall be submitted once/month.

Monitoring results obtained during previous month shall be summarized and reported on the discharge monitoring report form (EPA No. 3320-1).

- (3) The Respondent shall not allow any further connections to its wastewater treatment/collection system until at such time the improvements to the wastewater treatment system are completed.

3.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Section 49-17-31 of the Mississippi Code Annotated (Supp. 1989), and that it has made an informed waiver of that right.

REVISED
SEE PAGE 662, 704
-653-

ORDERED, this the 30th day of May, 1990.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY:

J. I. Palmer, Jr.
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 7th day of May, 1991.

Billy B. Smith
RESPONDENT

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

LEGAL NOTICE
ADVERTISEMENT
FOR BIDS
Sealed bids for the sale of six
(6) surplus vehicles will be
received by the City Clerk at
City Hall, P. O. Box 156, 300
Jefferson Street, Clinton, Mis-
sissippi, 39060, until 10:00
A.M., May 7, 1991.
Listed below are said surplus
Police Department vehicles:
1. 1986 Ford Vint#1419
2. 1985 Chev Vint#8847
3. 1988 Chev Vint#7172
4. 1987 Chev Vint#0831
5. 1985 Chev Vint#3577
6. 1989 Chev Vint#1544
The City of Clinton reserves
the right to waive irregular-
ities and to reject any or all
bids.
City of Clinton
Approved:
Mayor Billy Ray Smith
(Seal)
Attest:
/s/ Nelson Byrd
Nelson Byrd, City Clerk
April 22, 29, 1991

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

Debbie Swinnen,

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:

Date April 22, 1991

Date April 29, 1991

Date _____, 19____

Date _____, 19____

Date _____, 19____

Number of Lines 30

Published 2 Times

Total \$ 16.60

Signed Debbie Swinnen

Authorized Clerk
of The Clarion-Ledger

SWORN to and subscribed before me the 29th day of April,
1991.

Janet Beathner
Notary Public

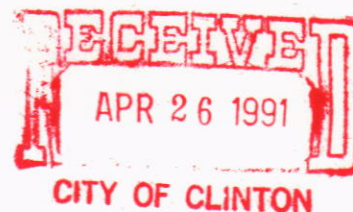
My Commission Expires:

My Commission Expires Nov. 17, 1992

(Seal)

G

**PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY**



PASTE PROOF HERE

CITY OF CLINTON,
MISSISSIPPI
Billy Ray Smith, Mayor
Notice to Receive Bids:
The City of Clinton will re-
ceive sealed bids at the office
of the City Clerk, 300 Jeffer-
son St., Clinton, MS, at 10:00
a.m. on the 30th day of April,
1991 for an automated Meter
Reading Collection System to
interface with the City's ex-
isting computer system and
software. Specifications are
on file at the City Clerk's Of-
fice. The City of Clinton re-
serves the right to waive ir-
regularities, to reject all bids,
and to award the bid to the
lowest and best bidder.
City of Clinton, MS
By: /s/ Nelson Byrd
Nelson Byrd
City Clerk
Approved by:
/s/ Billy R. Smith
Billy Ray Smith, Mayor
April 16, 23, 1991

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

Debbie Swinnen,

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:

Date April 16, 19 91

Date April 23, 19 91

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Number of Lines 28

Published 2 Times

Total \$ 15.56

Signed Debbie Swinnen

Authorized Clerk
of The Clarion-Ledger

SWORN to and subscribed before me the 23rd day of April,
19 91.

Janet Bratner
Notary Public

My Commission Expires:

My Commission Expires Nov. 17, 1992

(Seal)

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PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

BID NOTICE
The City of Clinton Parks and Recreation Commission will be accepting sealed bids for a motorized field rake until 10:00 A.M. on April 24, 1991 and opened immediately thereafter in the office of the City Clerk. Bids may be mailed to the Office of the City Clerk, P.O. Box 156, 300 Jefferson Street, Clinton, Mississippi, 39060. The City of Clinton reserves the right to reject any or all bids or accept the lowest and best bid. Please furnish total cash price and lease purchase for 24 months.
Minimum Specifications
10 HP
66 Inch Cultivator
78 Inch Field Rake
40 Inch Front Blade
City of Clinton, Mississippi
/s/ Nelson Byrd
Nelson Byrd, City Clerk
Approved By:
Billy Ray Smith, Mayor
April 9, 16, 1991

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

Debbie Swinnen,
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:

Date April 9, 19 91

Date April 16, 19 91

Date _____, 19____

Date _____, 19____

Date _____, 19____

Number of Lines 30

Published 2 Times

Total \$ 17.60

Signed Debbie Swinnen
Authorized Clerk
of The Clarion-Ledger

SWORN to and subscribed before me the 16th day of April,
19 91.

Janet Beath
Notary Public

My Commission Expires:
My Commission Expires Nov. 17, 1992

(Seal)