

REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, SEPTEMBER 3, 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, September 3, 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 Mr. Edward Taylor 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
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
Mayor Billy Ray Smith - Presiding

City Attorney Bill Spell
City Clerk Nelson Byrd

Absent - Sharbert Lott - Alderman Ward 6

APPROVAL OF CONSENT AGENDA ITEMS A-N:

- A. Minutes of the Regular Meeting of the Mayor and Board of Aldermen of August 6, 1991, the Adjourned Meeting of August 20, 1991, and the Special Meeting of August 27, 1991, as printed and distributed.
- B. Claims Docket - Manual and Computer Claims numbered 1-441 for the month of August, 1991.
- C. \$1,483.00 to MS Municipal Association for FY 1992 annual dues (Adm.)
- D. \$520.00 to Givens Upholstery for low quote to reupholster furniture (Fire)
- E. \$74.74/1,000 low quote to MBF Corporation for appx. 10,000 meter book sheets (Water)
- F. \$2,977.39 to Data General for emergency purchase of sole source computer workstation printer and programs to be purchased with drug seizure money (Police)
- G. \$2,101.03 + \$942.48 to Apac-MS for asphalt for street repairs (Public Works)
- H. \$1,480.00 + \$900.00 to Capweld for chlorine for water treatment (Public Works)
- I. \$1,006.14 + \$1,113.90 to Central Pipe for pipe and supplies to be used on Morrison Heights Ditch SCS project (Public Works)
- J. \$1,185.00 to Harcros Chemicals for sodium fluoride for water treatment (Public Works)
- K. \$615.00 to Jerry's Tech. Services to repair and service M guage probe for spare at lift stations (Public Works)
- L. \$595.37 to Lampton Love Gas for oil & fluids for street and water departments
- M. \$301,559.51 to Delta const. for estimate #5 SW Wastewater Treatment Facility (Public Works)
- N. \$2,509.77 to Anderson Engineers for services through August 27, 1991, on SW Wastewater Treatment Facility

The 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, **MOTION** made by Alderman Johnson and **SECONDED** by Alderman Montgomery to approve Consent Agenda Items A-N as

listed above. MOTION CARRIED UNANIMOUSLY. Quotes listed in items D and E are on file in the Office of the City Clerk.

BUDGET HEARING HELD WITH FINAL ADOPTION TO BE HELD SEPTEMBER 10, 1991 AT THE MUNICIPAL COURTROOM LOCATED AT 200 JEFFERSON STREET

As shown by Proof of Publication found on Page 887 of this Minute Book U that a Budget Hearing would be held to allow citizen input into the proposed 1991-1992 budget for the City of Clinton, Mayor Smith called said public hearing to order with the following requests made:

Mr. Bradley Pope and Mrs. Liz Payne requested the Board to increase the City's contribution from \$4,500 to \$6,000.00 to the Clinton Christian Community Corporation; Mr. Sid Spiro, President of Easthaven Homeowners Association requested the Board to allow extra money for the addition of two police officers and also requested the Board to consider by Executive Order barricading the entrance to Eastside Drive off of Shaw Road to help with the recurring burglaries in Easthaven Subdivision; no further comments made from the public, the Board members then proceeded to go through the budget by items and made the following changes: MOTION CARRIED UNANIMOUSLY to add two new police officers; MOTION CARRIED 4-2 to give the City employees a 3% cost of living increase instead of the proposed 2% with Aldermen Ryan, Ferrell, Valente and Chappell voting "aye" and Aldermen Montgomery and Johnson voting "nay". MOTION was then made by Alderman Valente and SECONDED by Alderman Ferrell to allow \$6,000 to the 4C's with Aldermen Ryan, Montgomery, and Johnson voting "nay" and Aldermen Ferrell, Valente and Chappell voting "aye", with Mayor Smith casting the tie-breaking "nay" vote defeating the \$6,000.00 allotment. Alderman Valente then MOVED to allow \$5,500 to the 4C's, SECONDED by Alderman Ferrell and again the vote was tied with Aldermen Ryan, Montgomery and Johnson voting "nay"; Alderman Ferrell, Valente and Chappell voting "aye"; and Mayor Smith casting a tie-breaking "nay" vote which resulted in Alderman Valente again MOVING to allot \$5,000.00 to the 4 C's, SECONDED by Alderman Ferrell and said \$5,000.00 allotment CARRIED 4-2 with Aldermen Ryan, Ferrell, Valente, and Chappell voting "aye"; Aldermen Montgomery and Johnson voting "nay". Comptroller Lee Anne Broadstreet was directed to add the \$2,000.00 beautification grant money that the City is to receive into the budget and \$16,000.00 Grand Gulf monies to revenues. No further comments to be made, Mayor Smith stated that said budget would be adopted and the millage rate set at the next meeting on September 10, 1991, at the courtroom, 200 Jefferson Street.

RESOLUTION ADOPTED INCREASING COMPENSATION OF CROSSING GUARDS

In conjunction with the City Budget, MOTION made by Alderman Ferrell and SECONDED by Alderman Chappell to adopt that Resolution found on Page 888 of this Minute Book U increasing the compensation of City Crossing Guards effective 10-1-91. MOTION CARRIED UNANIMOUSLY.

BOARD RULES UNLAWFUL TO POST SIGNS AT CLINTON PARK ELEMENTARY SCHOOL

Acting upon the request of Clinton Park School Principal Valerie Wiggins to not allow advertising signs to be posted on the grounds of the Clinton Park School due to the unsightly nature and traffic and safety hazards to the school children, MOTION made by Alderman Ryan and SECONDED by Alderman Valente to make it unlawful henceforth to post signs at said location and instructed the Public Works Director and Building Inspector to have the current signs removed. MOTION CARRIED UNANIMOUSLY.

MODIFIED 1990 TAX ROLL ACCEPTED

MOTION made by Alderman Valente and SECONDED by Alderman

Ferrell to adopt the modified 1990 tax roll as presented and found on Pages 889-890 of this Minute Book U.

PUBLIC HEARINGS ON VARIOUS PROPERTIES TO DETERMINE CLEANLINESS HELD

Noting that property owners had been properly noticed by certified mail that a public hearing would be held regarding their property to determine the state of cleanliness, the Board found and ordered the following:

A. Cora Belle Taylor - vacant lot - Johnson Street - had been completed and required **NO BOARD ACTION**

B. Trans Am Realty Tax Service - Lisi Lane - **MOTION** made by Alderman Montgomery and **SECONDED** by Alderman Valente to order said property cleaned and remind Public Works to keep an accurate record of cost to assess to property. **MOTION CARRIED UNANIMOUSLY.**

C. Multigraphic Ind., Inc. - W. Northside Drive - in progress and **NO BOARD ACTION** was taken.

D. Jeffery Ross - 100 Lovette Drive - has been completed and required **NO BOARD ACTION.**

E. Harmon Alley - Lindale/Clinton Blvd. - has been started and **NO BOARD ACTION** was taken.

F. Epic Partners, Inc. - 748 Cherry Park Blvd. - certified letter has been mailed to 3rd ownership of said property and will bring this matter back next month.

G. 402 Pebblebrook Drive - although not on agenda for tonight, Public Works Director Alderman apprised the Board that Atlantic Property Mortgage has cut this yard and the broken windows have been boarded up. **NO BOARD ACTION.**

ALDERMAN AND LOWTHER DIRECTED TO ENFORCE ZONING ORDINANCE REGARDING CAR CARE CLINIC ON NORTHSIDE DRIVE

Following discussion regarding the Car Care Clinic on Northside Drive in which it was noted that Mr. Ernie Johnson had pled guilty in Municipal Court of not abiding by the City Zoning Ordinance by not keeping and storing vehicles in an enclosed structure and is still not abiding by said ordinance, **MOTION** was made by Alderman Chappell and **SECONDED** by Alderman Valente directing Public Works Director Alderman and Building Inspector Lowther to enforce the ordinance as written. **MOTION CARRIED UNANIMOUSLY.** It was noted that Mr. Johnson was present for said discussion and was reminded that all work must be done inside an enclosed structure with those vehicles waiting minor repair to be kept and stored inside an enclosed structure and specifically that wrecked or junk vehicles including the large personal bus that is currently on said property is to be removed from the premises.

O. M. SCOTT TURF CARE SUPPLIES BID ACCEPTED ALONG WITH GROW-IN PROGRAM

MOTION made by Alderman Valente and **SECONDED** by Alderman Montgomery to accept the low bid from O. M. Scott for Turf Care Supplies as found on Pages 891-892 of this Minute Book U along with the bond issue grow-in program as found on Page 893 of this Minute Book U. **MOTION CARRIED UNANIMOUSLY.** Proof of Publication that bids were properly advertised may be found on Page 894 of this Minute Book U.

QUOTES TO BE OBTAINED FOR BANKS ROAD DRAINAGE PROJECT

MOTION made by Alderman Valente and **SECONDED** by Alderman Ferrell that subject to provision of law, Public Works Director Alderman obtain at least two quotes for service work for clearing,

grubbing and digging ditch according to plans from Clinton Raymond Road to the back of Banks Road with quotes to be brought back to the next Board Meeting. MOTION CARRIED UNANIMOUSLY. Said quotes are not to exceed appropriated \$10,000.00 for Banks Road Project.

SOUTH CENTRAL BELL ESSEX SYSTEM APPROVED FOR CITY OFFICES

MOTION made by Alderman Montgomery and SECONDED by Alderman Johnson to approve the South Central Bell Essex System for all City Offices. MOTION CARRIED UNANIMOUSLY. Copy of Agreement may be found on Pages 895-900 of this Minute Book U.

PUBLIC WORKS DIRECTOR TO CHECK INTO OBTAINING FEDERATION DRIVE AS A DEDICATED CITY STREET

Acting upon the request of Velma Hulitt, Director of Federation Towers, to take Federation Drive as a dedicated City Street, Alderman Ferrell requested Public Works Director Alderman to look at Federation Drive and bring back to the next Board Meeting the necessary paperwork for obtaining Federation Drive as a dedicated City Street. NO BOARD ACTION required.

RESOLUTION ADOPTED AUTHORIZING MAYOR SMITH AND CITY CLERK BYRD TO APPROVE PAYMENTS BY DGNB FOR 1988 SEWER BONDS

MOTION made by Alderman Montgomery and SECONDED by Alderman Valente to adopt that resolution found on Pages 901-902 of this Minute Book U authorizing Mayor Billy Ray Smith and City Clerk Nelson Byrd to approve payments by Deposit Guaranty National Bank for 1988 sewer bonds. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF FINAL ORDER EXEMPTING CERTAIN PROPERTIES OF PACKARD ELECTRIC FROM CITY TAXES

MOTION made by Alderman Montgomery and SECONDED by Alderman Johnson to approve that Final Order found on Pages 903-904 of this Minute Book U exempting certain properties of Packard electric from City taxes. MOTION CARRIED UNANIMOUSLY.

\$100 AD APPROVED FOR JUNIOR HIGH/SUMNER HILL PROGRAM

Finding that an ad would favorably notice the opportunities, possibilities and resources of the City of Clinton, MOTION made by Alderman Valente and SECONDED by Alderman Chappell to approve a \$100 full page ad in the CJHS/Sumner Hill football program. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT-10:00 P.M.

There being no further business to discuss, MOTION made by Alderman Johnson and SECONDED by Alderman Chappell to RECESS until September 10, 1991, 7 P.M., at the Municipal Courtroom, 200 Jefferson Street. MOTION CARRIED UNANIMOUSLY.

Copy of Agenda may be found on Pages 905-906 of this Minute Book U.

APPROVED:

Billy R. Smith
Billy Ray Smith, Mayor

9-5-91
Date

ATTEST:

Nelson Byrd
Nelson Byrd, City Clerk

9-5-91
Date

SEAL

PASTE AD HERE

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

LEGAL NOTICE
OF BUDGET HEARING
A Public Hearing will be held
on September 3, 1991, at 7
p.m., at the A. E. Wood Me-
morial Library, 111 Clinton
Boulevard, to provide the
general public with an oppor-
tunity to comment on the
taxing and spending plan in-
corporated in the Budgets of
Clinton, Mississippi, for the
Fiscal Year beginning Octo-
ber 1, 1991, and ending Sep-
tember 30, 1992.
All interested citizens are en-
couraged to attend and com-
ment. Proposed Budget will
be open for inspection at the
Office of the City Clerk, 300
Jefferson Street, before said
Public Hearing Date of Sep-
tember 3, 1991.
/s/ Billy Ray Smith
Billy Ray Smith, Mayor
8/23/91
/s/ Nelson Byrd
Nelson Byrd, City Clerk
8/23/91
(SEAL)
August 29, 1991

RECEIVED
SEP 05 1991
CITY OF CLINTON

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 August 29, 19 91

Date _____, 19 ____

Date _____, 19 ____

Date _____, 19 ____

Date _____, 19 ____

Number of Lines 31

Published 1 Times

Total \$ 10.92

Signed Debbie Swinnen
Authorized Clerk
of The Clinton News

Sworn to and subscribed before me the 29th day of
August 1991.

Jane B. Batcher
Notary Public

My Commission Expires:

My Commission Expires Nov. 17, 1992

7.

RESOLUTION

Effective October 1, 1991, the following compensation schedule will be used for the designated positions:

Position	Monthly Salary
Crossing Guards-First Year	240.00
Crossing Guards-After One Year Upon Recommendation of Supervisor or Police Chief	265.00

Motion for adoption of this Resolution was made by Alderman Ferrell, Seconded by Alderman Chappell and passed with the following vote: Ryan - yes, Ferrell - yes, Valente - yes, Chappell yes, Montgomery yes, Johnson yes, MOTION CARRIED UNANIMOUSLY

APPROVED: Billy R Smith 9-3-91
Billy Ray Smith, Mayor Date

ATTEST: Nelson Byrd 9-3-91
Nelson Byrd, City Clerk Date

SEAL

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CITY OF CLINTON

CHANGES IN 1990 TAX ROLL

INSIDE CITY:DELETEADD

2860-1-11	WELLS, ROBERT LEE	1,218	812
2860-274	BRENT, VALERIE D	8,648	5,765
2860-501-180	ELLIOTT, JERRY & CINDY	10,439	6,959
2860-501-850	STATE OF MISS.	180	-0-
2860-505-400	STATE OF MISS.	1,836	-0-
2860-834-790	DEHMER, JOE T JR, DINKINS, D	14,019	6,000
2860-834-872	HALL, EVELYN L	5,435	3,623
2860-834-870	HALL, LORRAINE	5,429	3,619
2860-835-36	JOLLY, RANDELL K & DONNA C	8,568	5,712
2860-875	CAGE, ELNORA & ELBERT	2,622	1,748
2860-911-3	STATE OF MISS.	75	-0-
2861-583	WILKINSON, C L JR	9,558	6,372
2861-671	BLACK, ROBERT N JR	7,014	4,676
2862-111-45	BYDON, MAMIE B LIFE EST	2,246	1,497
2862-111-64	PULLIAM, J P & TOMMIESENE	1,212	808
2862-111-356	THOMPSON, J E JR	8,304	5,536
2862-111-886	HERRIN, C R	10,973	7,315
2862-150-221	PALMER, COKER & BRENDA	16,239	10,826
2862-164-223	FOOSHEE, JANIE	5,937	3,958
2862-165-101	DAVIS, JAMES	150	100
2862-165-152	STATE FO MISS.	1,191	-0-
2862-167-28	SHAPLEY, RICHARD P & SANDRA	18,677	12,451
2862-167-46	FIRST SOUTHEAST CORP	17,121	1,800
2862-167-142	GROVE, HAROLD F JR	20,789	13,859
2862-171-590	LINDSEY, FREDERICK J	8,138	5,425
2982-264	PEEVEY, MALCOLM A J	3,375	2,250
2982-265	PEEVEY, MALCOLM A J	10,910	10,460

PERSONAL PROPERTY:

WATTS WOOD PRODUCTS

3,971	2,172
204,274	123,743

MOBILE HOMES (1990):

GREEN, GEORGE & EVELYN	1,176	-0-
MCNAIR, SHANE	829	-0-
MILLER, BESSIE	324	-0-
MOORE, PHILLIP & ANNETTE	941	-0-
	3,270	-0-

MOBILE HOMES (1991):

HANCOCK, PAMELA	829	-0-
MOHON, REX	1,882	-0-
NETHERLAND, PHIL & ROBIN	1,129	-0-
WILLIAMS, PAULA KAY	1,411	-0-
	5,251	-0-

INSIDE CITY GRAND TOTAL	212,795	123,743
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OUTSIDE CITY:

2853-169-3	HEARNE, CURTIS	2,760	38
2853-433	RATLIFF, H T JR	17,952	4,932
2853-459-6	TRUNNEL, FRANCES	5,557	3,704
2853-459-7	TRUNNEL, FRANCES	695	463
2967-217-4	NETTLES, LUTHER F	9,074	6,049
2967-287	RUFF, M A JR	5,914	3,942
		41,952	19,128

MOBILE HOMES (1990):

BROWN, BILLY R	1,529	-0-
BYRD, BILLY W	461	-0-
CALIHAN, THOMAS	270	-0-
COVINGTON, MICHAEL D	806	-0-
CREEL, MARION	1,198	-0-
DANIELS, HENRY	346	-0-
FROST, CAREY L	3,770	-0-
GAINES, FRANCES I	1,882	-0-
HUCKABY, STEPHEN R	1,764	-0-
LILLEY, BEN	1,382	-0-
UNDERWOOD, SALENTIA HOLTON	1,210	-0-
	14,618	-0-

CITY OF CLINTON
CHANGES IN 1990 TAX ROLL

<u>OUTSIDE CITY:</u>	<u>DELETE</u>	<u>ADD</u>
<u>MOBILE HOMES (1991):</u>		
BARRILLEAUX, JESSE	1,529	-0-
BEATY, SHIRLEY A	1,747	-0-
BOLEWARE, JACK L	1,646	-0-
HODGES, BECKY	887	-0-
LILLEY, BEN	1,296	-0-
SANDIDGE, RICHARD A	1,882	-0-
VOLK, DENNIS	346	-0-
WEEKS, ROBERT L & BETTY	346	-0-
WELLS, JAMES M	968	-0-
WILLIAMS, PAUL	216	-0-
WINSTEAD, LINDA	346	-0-
	<u>11,209</u>	<u>-0-</u>
<u>OUTSIDE CITY GRAND TOTAL</u>	<u>67,779</u>	<u>19,128</u>

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CITY OF CLINTON
1992 PROGRAM FOR ATHLETIC FIELDS

MAIN TURF PROGRAM

<u>STOCK NO.</u>	<u>PRODUCT</u>	<u>UNIT PRICE</u>	<u>UNITS</u>	<u>TOTAL</u>
8350	NPK TURF FERTILIZER	17.50	116	\$ 2,030.00
8386	TURF STARTER	16.00	161	2,576.00
83337	TURF FERTILIZER	16.75	275	4,606.25
83105	TURF FERTILIZER + IRON	15.00	103	1,545.00
83667	HIGH K	20.50	37	758.50
83J3	SUPER FAIRWAY	22.50	8	180.00
83584	HD STARTER	25.00	8	200.00
8327	HD FERTILIZER + IRON	24.00	8	192.00
TOTAL				\$ 12,087.75
DISCOUNT-9% PROGRAM DISCOUNT + 3% QUANTITY DISCOUNT				(1,813.16)
<u>GRAND TOTAL</u>				<u>\$ 10,274.59</u>

OVERSEEDING

WINTER TURF 9 OVERSEEDING	\$ 4,725.00
LESS 15% DISCOUNT	(708.75)
	<u>\$ 4,016.25</u>

SOIL TESTING

ALL SOIL TEST ARE BASED ON \$13.00/EACH

MAIN \$ 14,290.84
SUPPLEMENTAL 3705.56
TOTAL 17,996.40

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CITY OF CLINTON
1992 PROGRAM FOR ATHLETIC FIELDS

SUPPLEMENTAL PROGRAM

<u>STOCK NO.</u>	<u>PRODUCT</u>	<u>UNIT PRICE</u>	<u>UNITS</u>	<u>TOTAL</u>
83337	TURF FERTILIZER	16.75	50	\$ 837.50
8386	TURF STARTER	16.00	50	800.00
8600	DMC (BAHIAGRASS) CONTROL	250.00	1	250.00
TOTAL				\$ 1,887.50
DISCOUNT-8% PROGRAM DISCOUNT + 2% QUANTITY DISCOUNT				(226.50)
<u>GRAND TOTAL</u>				<u>\$ 1,661.00</u>

IMPROVED BERMUDAGRASSES

SAHARA BERMUDAGRASS (HULLED)-50 LB BAG	370.00
SONESTA BERMUDAGRASS (HULLED)-50 LB BAG	475.00

OVERSEEDING

WINTER TURF 9 OVERSEEDING-25 BAGS x 47.25=\$	1,171.25
SPIRIT OVERSEEDING-5 (50 LB/BAG) x 48.00=	240.00

	\$ 1,411.25
LESS 15% DISCOUNT	(211.69)

<u>TOTAL</u>	<u>\$ 1,199.56</u>

TOTAL 3705.56
SUPPLEMENTAL

CITY OF CLINTON
1992 PROGRAM FOR ATHLETIC FIELDS

GROWIN-IN PROGRAM

BOND ISSUE DEVELOPMENT
FOR NEW FIELDS

<u>STOCK NO.</u>	<u>PRODUCT</u>	<u>UNIT PRICE</u>	<u>UNITS</u>	<u>TOTAL</u>
8386	TURF STARTER	16.00	160	\$ 2,560.00
83113	STEP	39.25	40	1,570.00
83337	TURF FERTILIZER	16.75	420	7,035.00
83105	TURF FERTILIZER + IRON	15.00	80	1,200.00
83667	HIGH K	16.00	80	1,640.00

				\$14,005.00
	LESS 9% PROGRAM DISCOUNT PLUS 3% QUANTITY DISCOUNT			(1,680.60)

<u>TOTAL</u>				<u>\$12,324.40</u>

OVERSEED

WINTER TURF 9 OVERSEEDING-100 BAGS X 47.25= \$4,725.00
 LESS 15% DISCOUNT= (708.75)

TOTAL \$4,016.25

16,340.65

11.

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

NOTICE TO RECEIVE BIDS
Notice is hereby given that the City of Clinton Parks and Recreation Commission will receive sealed bids at the City Hall, 300 Jefferson Street, Clinton, Mississippi at 10:00 A.M. on the 30th day of August, 1991, for the turf care supplies with technical assistance provided from a graduate Agronomist. For specific information concerning products and technical assistance please call Parks and Recreation at 924-6082. The City of Clinton reserves the right to reject all bids or to accept the bid most favorable to the City of Clinton.
Mayor
/s/ Billy R. Smith
Billy Ray Smith, Mayor
City Clerk
/s/ Nelson Byrd
Nelson Byrd, City Clerk
(Seal)
August 13, 20, 1991

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

Kimberly Allday,

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 August 13, 1991

Date August 20, 1991

Date _____, 19____

Date _____, 19____

Date _____, 19____

Number of Lines 28

Published 2 Times

Total \$ 15.56

Signed Kimberly Allday
Authorized Clerk
of The Clarion-Ledger

SWORN to and subscribed before me the 20th day of August,
1991.

James Boatner
Notary Public

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

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(Seal)

**SOUTH CENTRAL BELL TELEPHONE COMPANY
LETTER OF ELECTION FOR ESSX 200 SERVICE**

The undersigned Subscriber requests the South Central Bell Telephone Company (hereinafter Telephone Company) to provide SCB ESSX service in accordance with the Telephone Company's lawfully filed tariffs. Tariff provisions relating to ESSX Service include, but are not limited to, the terms and conditions described below. The subscriber understands that the Telephone Company can provide this service only as set forth in its tariffs and that in any conflict between the tariffs and this letter, the tariff shall prevail.

- (1) The Telephone Company will furnish, install and provide maintenance service for SCB ESSX 200 service including:

SCB ESSX Common Equipment, Main Station Lines, Extension Station Lines, Group A Features, Group B Features, Optional Service Features and Line Terminating Arrangements.

- (2) The subscriber agrees to pay the Telephone Company installation and service establishment charges and a monthly rate as detailed on Attachment A for an elected service period of ___ months. The monthly rate is subject to Company initiated rate increases of not more than 6 percent in any annual period and not more than ___ percent over the entire contract period.

Additional services ordered will be subject to additional, applicable rates.

Additional SCB ESSX service may be added as follows:

- a) Equipment can be added to an existing system at the customer's option; however, tariff rates, charges, terms and conditions then currently effective for such service will be applied.
- b) At the customer's option, charges for additions may be paid for over the remainder of the existing system's payment period, and may be added onto the existing agreement, providing at least 30 days remain in the customer's payment period. Payment periods for additions and the existing system will then have a common expiration date. Charge(s) for the addition(s) will be the then current, filed rates(s) for the

895

equipment for the same payment period as the existing system's payment period. If the existing system's payment period is not in the current tariff, the rate charged for the addition will be that of the next shorter filed payment period in the current tariff. If less than 30 days remain in the payment period for the existing system, additions may only be placed on the one-month payment period at then current rates in effect for the one-month period.

- c) If the coterminous option for additions is not elected by the customer, additions may then be placed only on the on-month payment period at then current rates in effect for the one-month period.
- (3) The subscriber understands that some installation and service establishment charges may be deferred over the length of the Variable Term Payment Plan or a shorter period subject to terms and conditions set forth in the tariff. The Deferred Payment period covers ____ months and will cost ____ dollars.
 - (4) The subscriber understands recurring monthly rates may be prepaid subject to the terms and conditions set forth in the tariff. The Prepayment period covers ____ months and will cost ____ dollars.
 - (5) If the service requested by the Subscriber is canceled prior to the establishment of service, but after the date of acceptance shown below, the Subscriber is required to reimburse the company for all expenses incurred in handling the request before notice of cancellation is received. Such charge, however, is not to exceed all charges which would apply if the work involved in complying with the request for service had been completed.
 - (6) At the expiration of the service period, the Subscriber may continue the service according to renewal options then provided under the tariff. If the Subscriber does not elect and additional service period or does not request discontinuance of service, then the above service will be continued at the monthly rate then currently in effect for month-to-month subscribers.

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- (7) In the event that any item of service is terminated prior to expiration of the applicable service period, the Subscriber is subject to the following charges as provided in the tariff.
- (8) Station line moves (other than inside moves) will require disconnect of the station line at the existing location, with the application of all appropriate termination charges. Such moves would be treated as a new installation at the new location and be subject to all applicable charges.
- (9) The Subscriber is not permitted to suspend service described in this letter.
- (10) With the written permission of the Telephone Company, a subscriber may assign the plan to another subscriber at the same location subject to all provisions of the Company tariff.

ADDRESS 300 JEFFERSON ST. CLINTON, MS.
Street Number and Name City or Town, and State

SUBSCRIBER CITY OF CLINTON

BY Billy R Smith TITLE MAYOR

DATE 9-3-91

SOUTH CENTRAL BELL TELEPHONE COMPANY

ACCEPTED BY _____

DATE _____ TITLE _____

NOTATION:

Date of the establishment of service of the initial system.

(May be entered when service is established)

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ATTACHMENT A

The following rates will apply for South Central Bell ESSX-200 Service with 40 Main Station lines for _____ month contract period:

Contract \$ _____

Monthly \$ _____

Total \$ _____

Installation \$ _____

898

SOUTH CENTRAL BELL ESSX[®] SERVICE
UNCONDITIONAL SATISFACTION GUARANTEE

South Central Bell Telephone Company thanks you for allowing us to serve your telecommunications needs with ESSX Service. We have tremendous confidence in the abilities of ESSX Service to perform to your expectations. To that end we extend to you a guarantee that you will be satisfied with your ESSX Service. We want to know if you are not satisfied. Please contact us if you have any questions or problems with your service.

If we are unable to satisfy you and you wish to exercise this guarantee, please provide written notification within ninety days after the effective billing date for the ESSX service to the General Manager - Business Marketing for South Central Bell. The address is Post Office Box 811, 473 Landmark Center, Jackson, Mississippi 39205. Within ten days of receipt of the notification we will remove the ESSX Service and refund non-recurring and recurring charges associated with your ESSX Service as outlined below.

If the guarantee option is exercised you will receive credit for ESSX Service (including service connection charges) rendered from the effective date of billing up through removal of the ESSX Service not to exceed ninety days. Recurring charges associated with Network Access Registers, Grouping, End User Common Line Charges, or any other non-ESSX rate element will not be refunded.

Recognizing that ten days may not be sufficient time in all cases for you to secure a replacement for the ESSX Service, you may designate that additional time is required and you will receive a credit for ESSX Service for the first ninety days. In no event will a credit or refund of more than ninety days be given. You will be billed the contracted recurring rates and required to pay all ESSX Service charges for any service provided after the ninety day period. In no event will South Central Bell provide contracted ESSX Service for

more than six months from the effective billing if you exercise the guarantee option and need more than ten days to replace the service.

This guarantee can only be exercised by delivery of written notification within the ninety day period beginning with the effective billing date. If the notification is not delivered in such time, you will continue to pay all charges for the ESSX Service during the remainder of the contract period. You have the responsibility to arrange for subsequent service after the ESSX Service is removed or replaced and South Central Bell has no obligation to reinstate any former service (including but not limited to any Customer Premises Equipment) that may have been in place prior to installation of the ESSX Service. South Central Bell also has no obligation to refund or credit any expenses for Customer Premises Equipment purchased to be used in connection with ESSX Service.

The ESSX Service provided in connection with this guarantee option is not intended for subscribers that have short-term or transient telecommunications needs. Any refund or credit will only be paid to customers that exercise the guarantee option and also retain uninterrupted South Central Bell local exchange service, beyond the ninety day refund period, at the same business location after the ESSX Service is removed. The decision whether a refund or credit is due will be made after the ESSX Service is removed, not when the notice is provided.

The Unconditional Satisfaction Guarantee is based on the approved South Central Bell General Subscriber Services Tariff, Sections A4 and A12. The Tariff shall govern the administration of this Guarantee and in the event of a conflict in the terms of this guarantee and the tariff, the applicable tariff shall apply. The guarantee option applies only to contracted ESSX Service and does not cover month-to-month ESSX Service.

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MS - USG - REV 01-10/90

CITY OF CLINTON
PROPOSED ESSX SYSTEM
COST SUMMARY

The following rates are based on an analysis of the existing South Central Bell service for the City of Clinton:

	<u>36-MONTHS</u>	<u>60-MONTHS</u>	<u>84-MONTHS</u>
Contract	\$ 804.45	\$ 781.20	\$ 767.25
Monthly	<u>572.85</u>	<u>572.85</u>	<u>572.85</u>
Total ESSX Cost	\$ 1377.30	\$ 1354.05	\$ 1340.10
Existing Cost	\$ 1893.23	\$ 1893.23	\$ 1893.23
Monthly Savings	\$ 515.93	\$ 539.18	\$ 553.13
*Installation:	\$ 2752.45		
Payback Period: (60 month option)	5 Months		

*The installation charge may be spread over a six month period with no interest charges.

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RESOLUTION

WHEREAS, the Deposit Guaranty National Bank, a national banking association, organized and existing under the United States of America domiciled in Jackson, Mississippi, is the "Trustee/Paying Agent" under that certain 1988 Series A sewer system revenue bonds issued by the City of Clinton, Mississippi, in the amount of One Million Six Hundred Thousand Dollars (\$1,600,000) issued on November 14, 1988, and

WHEREAS, the City of Clinton and the Deposit Guaranty National Bank wish to memorialize the understanding, agreement and authority of Deposit Guaranty National Bank as Trustee and Paying Agent to make certain payments authorized and approved by the City of Clinton in the construction and operation of the sewer system project financed by the above-referenced bond issue,

NOW, THEREFORE, BE IT RESOLVED that Mayor Billy Ray Smith and City Clerk Nelson Byrd shall be, and hereby are, authorized to approve payments by notification in writing to the Deposit Guaranty National Bank of items due and payable for the construction and operation of the sewer project.

BE IT FURTHER RESOLVED that the approval of both Mayor Billy Ray Smith and City Clerk Nelson Byrd shall be required to constitute approval by the City of Clinton.

BE IT FURTHER RESOLVED that this Resolution shall supercede and replace that Resolution adopted by the Mayor and Board of Aldermen on January 3, 1989, in which Mayor Billy Ray Smith and City Engineer Terry Anderson were authorized to approve payments and notify the Trustee/Paying Agent.

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

Alderman Ryan voted:	<u>AYE</u>
Alderman Ferrell voted:	<u>AYE</u>
Alderman Valente voted:	<u>AYE</u>

Alderman Chappell voted:

AYE

Alderman Montgomery voted:

AYE

Alderman Johnson voted:

AYE

Alderman Lott voted:

ABSENT

APPROVED on the 3rd day of September,

1991.

Billy R Smith
BILLY RAY SMITH, MAYOR

ATTEST:

Nelson Byrd
NELSON BYRD, CITY CLERK

FINAL ORDER OF THE MAYOR AND BOARD OF ALDERMEN OF
CLINTON, MISSISSIPPI,
EXEMPTING CERTAIN PROPERTIES OF GENERAL
MOTORS CORPORATION, PACKARD ELECTRIC
DIVISION, FROM CITY AD VALOREM TAXES
FOR ADDITIONS COMPLETED JANUARY 1, 1991

WHEREAS, 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; and

WHEREAS, the additions or expansions and replacement of equipment were completed on January 1, 1991, and as of that date the true value of all property to be exempt was Three Million, Three Hundred Fourteen Thousand, Five Hundred Sixteen and 16/100 Dollars (\$3,314,516.16), as shown in an itemized list attached to the Application for Exemption as Exhibit "A"; and

WHEREAS, the Application of General Motors Corporation, Packard Electric Division, was approved by this body for submission to the Mississippi State Tax Commission which in turn certified that the properties described in the Application are eligible for exemption and the Mayor and Board of Aldermen now finding that the provisions of Section 27-31-101 et seq. have been fully complied with for the exemption;

IT IS THEREFORE ORDERED by the Mayor and Board of Aldermen of Clinton, Mississippi, that the General Motors, Packard Electric Division, Application herein is hereby approved and that the property described in Exhibit "A" to the Application for Exemption with a value of \$3,314,516.16 is exempt from all ad valorem taxation, except State and School District taxation, for an initial five (5) year exemption period beginning on the 1st day of January, 1991, and ending on the 31st day of December, 1995.

IT IS FURTHER ORDERED that General Motors Corporation, Packard Electric Division, may request an extension of the initial exemption granted herein within ninety (90) days prior to the expiration of the exemption as provided by §27-31-101 et. seq.

SO ORDERED, this, the 3rd day of Sept., 1991.


Billy R Smith
BILLY RAY SMITH, MAYOR
CITY OF CLINTON, MISSISSIPPI

ATTEST:

Nelson Byrd
NELSON BYRD, CITY CLERK
CITY OF CLINTON, MISSISSIPPI

(SEAL)