

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

WELCOME AND CALL TO ORDER – Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Brabham followed by the Pledge of Allegiance to the Flag led by Alderman Hisaw.

ROLL CALL – City Clerk, Russell Wall

Present: Jehu Brabham – Alderman-at-Large
 Tony Hisaw – Alderman Ward 1
 Tony Greer - Alderman Ward 2
 Mike Bishop – Alderman Ward 3
 Mike Morgan – Alderman Ward 5
 William Barnett – Alderman Ward 6

Absent: Phil Fisher – Alderman Ward 4

APPROVAL OF AGENDA ITEMS A-SS

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

CONDITIONAL USE TO OPERATE A CHURCH WHICH WILL BE LOCATED AT 752 WEST NORTHSIDE DRIVE

Upon presentation by Gary Ward, Community Development Director, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Greer to approve a conditional use for Philadelphia Ministries to operate a church which will be located at 752 West Northside Drive. The Planning and Zoning Commission recommended approval. **MOTION CARRIED UNANIMOUSLY**

AMENDMENTS TO THE ZONING ORDINANCES

Upon presentation by Gary Ward, Community Development Director, and after hearing comments from nine residents and four Aldermen, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Barnett to approve the resolution amending the Zoning Ordinance of the City of Clinton, to ensure neighborhood preservation, and encourage neighborhood aesthetics and to define nuisances. The Planning and Zoning Commission recommended denying the approval. Copies of the amendments are attached. **MOTION CARRIED 5 – 1 WITH ALDERMAN MORGAN VOTING “NO”**

CONSIDERATION OF BIDS FOR SEWER REHAB PROJECT

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brabham to award Insituform Technologies the Sewer Rehab Project. They submitted the lowest and best bid of \$1,337,791.94, subject to the approval of the MDEQ. **MOTION CARRIED UNANIMOUSLY**

ACCEPTANCE OF DONATION IN THE AMOUNT OF \$4,800.00 TO PURCHASE NEW FITNESS EQUIPMENT FOR THE POLICE DEPARTMENT

Upon presentation by Don Byington, Police Chief, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Bishop to accept a donation in the amount of \$4,800.00 to purchase new fitness equipment for the police department. **MOTION CARRIED UNANIMOUSLY**

APPOINTMENT OF OTTOWA CARTER TO THE PLANNING AND ZONING COMMISSION FOR WARD 1

Recommended and **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brabham to approve the appointment of Ottawa Carter to the Planning and Zoning Commission for a term of 3 years. **MOTION CARRIED UNANIMOUSLY**

APPOINTMENT OF MARK WILLIAMS TO THE PLANNING AND ZONING COMMISSION FOR WARD 6

Recommended and **MOTION** made by Alderman Barnett and **SECONDED** by Alderman Brabham to approve the appointment of Mark Williams to the Planning and Zoning Commission for a term of 3 years. **MOTION CARRIED UNANIMOUSLY**

EXECUTIVE SESSION

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

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

The Mayor and Board of Alderman entered into executive session at 8:35 p.m. Also present in executive session were City Attorney Ken Dreher, Attorney Jerry Mills and City Clerk Russell Wall. No action was taken during the executive session. A MOTION was made by Alderman Brabham and SECONDED by Alderman Greer to exit executive session. MOTION CARRIED UNANIMOUSLY The Mayor and Board of Aldermen exited executive session at 8:47 p.m.

ADJOURN 8:49 P.M.

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

APPROVED:

Rosemary L. Aultman
Rosemary Aultman, Mayor

February 10, 2006
Date

ATTEST:

Russell L. Wall
Russell L. Wall, City Clerk

February 13, 2006
Date

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD APPROVED

BOARD MEETING DATE: February 7, 2006

AGENDA ITEM NO. 7.a

FEB 07 2006

CONSENT AGENDA:

TO:

CITY OF CLINTON

FOR

ACCT. NO :

DISCUSSION/ACTION: Conditional Use to operate a church – 752 West Northside Drive
Philadelphia Ministries

INTRODUCED BY: Gary Ward

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes x
Ordinance
Resolution x

Invoice
Plans, Maps
Contract

Other:

TH
TH

RECOMMENDATION: Planning and Zoning Commission recommends approval.

BOARD ACTION:

MOTION MADE BY:

T Hisaw

SECONDED BY:

T Greer

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham
Hisaw
Greer
Bishop
Fisher
Morgan
Barnett

✓
✓
✓
✓
✓
✓
✓

Mayor Aultman

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

REQUEST FOR CONDITIONAL USE
APPLICATION

BOARD APPROVED

FEB 07 2006

Subject Property Address 752 W. Northside Dr.
Owner Rev. Stacy Brown
Address Parcel #'s 2860-505-~~381~~, 380
2860-505-400, 2860-505-390
Phone # 924-3826-Home, 609-3124-cell
Current Zoning District _____

CITY OF CLINTON
642 Berkshire St.
Clinton, Ms. 39056

Requirements of Applicant:

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

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

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

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

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

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

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

Stacy Brown
Signature

12-28-05
Date

Philadelphia Ministries Church
642 Berkshire Street
Clinton, Ms 39056
(601) 609-3124

BOARD APPROVED

FEB 07 2006

CITY OF CLINTON

Rev. Stacy M. Brown Sr.
Senior Pastor/Founder

December 27, 2005

To whom it may concern:

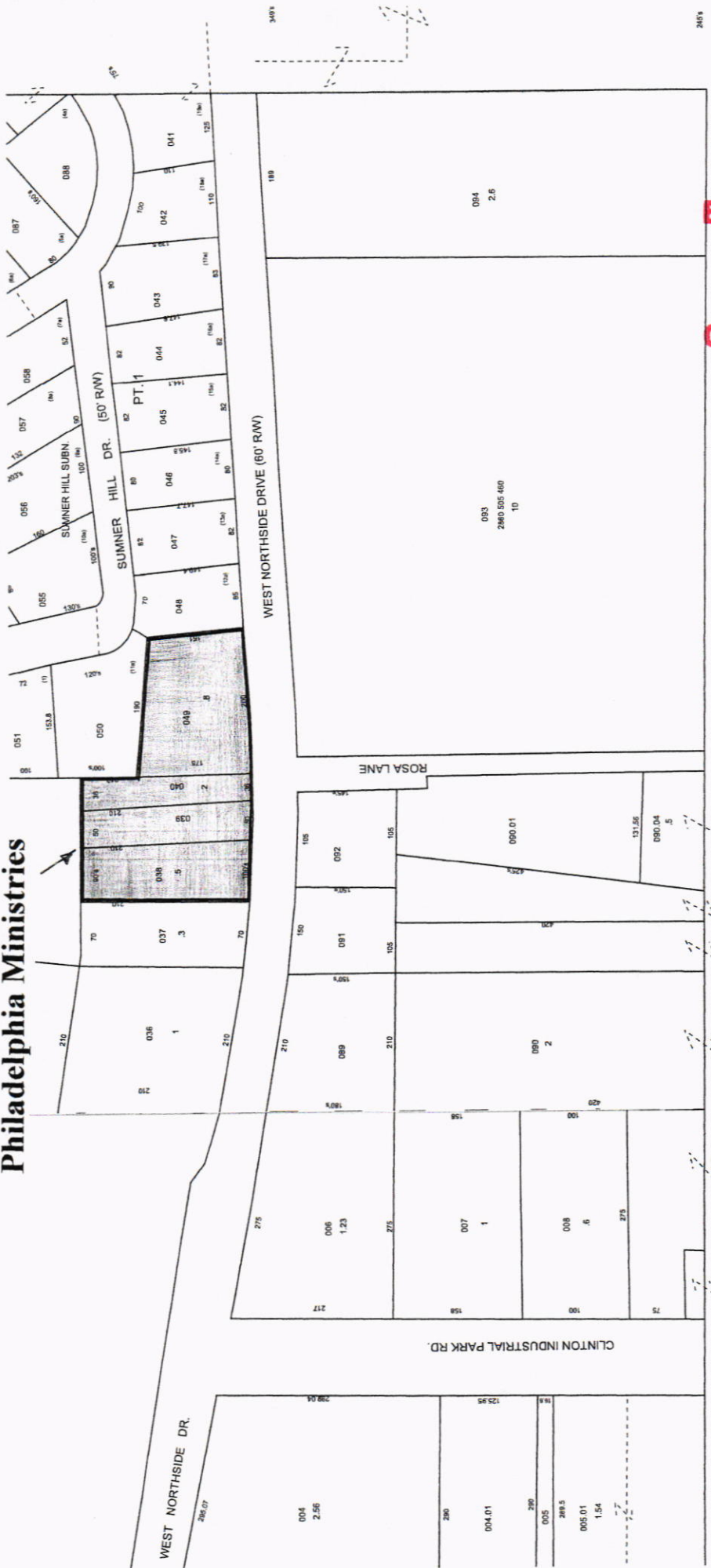
We the Philadelphia Ministries Church, are requesting a conditional use for three parcels of property, 2860-505-281, which is one acre we are purchasing from Claude Robinson, and 2860-505-400, 2860-505-390 which we already own. We deeply appreciate your cooperation in this matter.

Thank you

A handwritten signature in black ink, appearing to read "Pastor Stacy Brown", written in a cursive style.

Pastor Stacy M. Brown Sr.

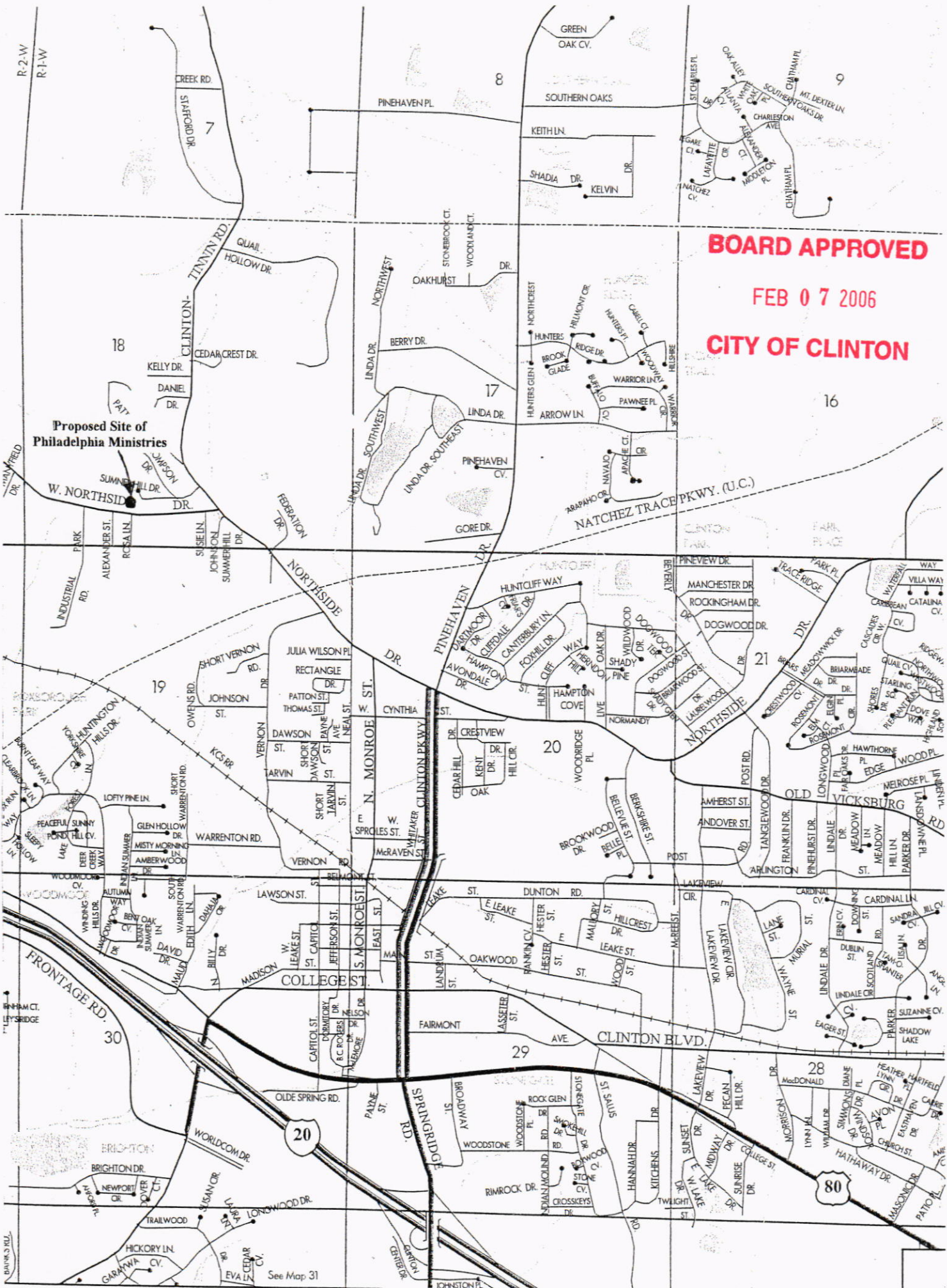
Proposed Site of Philadelphia Ministries



BOARD APPROVED

FEB 07 2006

CITY OF CLINTON



BOARD APPROVED
FEB 07 2006
CITY OF CLINTON

**Proposed Site of
Philadelphia Ministries**

FEB 07 2006

CITY OF CLINTON

**RESOLUTION APPROVING A CONDITIONAL USE FOR
PUBLIC/PUBLIC-QUASI FOR THE PROPERTY AS DESCRIBED IN EXHIBIT "A", CLINTON,
MISSISSIPPI**

WHEREAS, Philadelphia Ministries, did file a request for a designation of the property described in exhibit "A" as a public/quasi-public facility; and,

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Clinton were accomplished and a public hearing was held on January 24, 2006, as required; and,

WHEREAS, the Planning and Zoning Commission upon conclusion of the public hearing on January 24, 2006, adopted a motion to approve the request for a public/quasi-public facility and that the motion be forwarded to the next meeting of the Mayor and Board of Aldermen for their consideration.

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

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

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the request of Philadelphia Ministries for designation of the property as described in exhibit "A" as a public/public-quasi facility and hereby granted and such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.
2. The recommendation of the Planning and Zoning Commission is advisory in nature.
3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the conditional use.
4. The requested designation meets the definitions of a Conditional Use of the Zoning Ordinance.
5. The Conditional-Use will promote the general welfare of the City of Clinton and will not adversely affect adjacent property. Future projects within the designation area will remain subject to the Zoning Ordinance and approval of site plans or other matter will allow the City to continue to monitor the area.

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6. The Mayor and Board of Aldermen find that Section 402 of the Zoning Ordinances has been complied with and that the requirements of Section 2405.01 of the Zoning Ordinances are satisfied based upon the presentation of the applicants and the site plan presented to the Planning Commission and to the Mayor and Board of Aldermen.
7. The granting of this conditional-use does not relieve the requested from compliance with any applicable law, court order, covenants or contracts.

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

Alderman Brabham voted:	<u>yes</u>
Alderman Hisaw voted:	<u>yes</u>
Alderman Greer voted:	<u>yes</u>
Alderman Bishop voted:	<u>yes</u>
Alderman Fisher voted:	<u>absent</u>
Alderman Barnett voted:	<u>yes</u>

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

The foregoing ordinance was approved this the 7th day of February 2006.

CITY OF CLINTON

BY:

Rosemary Aultman
Rosemary Aultman, Mayor

ATTEST:

Russell Wall
Russell Wall, City Clerk

(SEAL)

Exhibit "A"

A tract of land situated 36' East and West, 210' North and South, West of and adjacent to Sumner Hill Subdivision, Part I. Section 18, T6N R1W City of Clinton, Hinds County, Mississippi and being more particularly described in Deed Book 2180, Page 124.

A tract of land situated 50" East and West, 210" North and South, Beginning approximately 390" East of intersection of the north line of West Northside Drive and West line of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 18, T6R1W, City of Clinton, Hinds County, Mississippi.

BOARD APPROVED

FEB 07 2006

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BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

FEB 07 2006

CITY OF CLINTON

BOARD MEETING DATE: February 7, 2006

AGENDA ITEM NO. 7.6

CONSENT AGENDA:

TO:

FOR

ACCT. NO :

DISCUSSION/ACTION: Zoning Ordinance Amendments

INTRODUCED BY: Gary Ward

TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes x
Ordinance x
Resolution x

Invoice
Plans, Maps
Contract

Other:

RECOMMENDATION: Planning and Zoning Commission recommends to deny.

BOARD ACTION:

MOTION MADE BY:

SECONDED BY:

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham

Hisaw

Greer

Bishop

Fisher *absent*

Morgan

Barnett

Mayor Aultman

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

Amendments to the Zoning Ordinance of the City of Clinton, Mississippi to ensure neighborhood preservation, and encourage neighborhood aesthetics and to define nuisances

BOARD APPROVED

FEB 07 2006

Amend Section 406.02 – Fences, Walls, & Hedges by adding:

CITY OF CLINTON

All fences and walls shall be maintained in a structurally sound condition and in good repair. Fences and walls shall be free from loose or rotting materials and shall have braces and supports attached or fastened in accordance with common building practices.

Amend Section 406.05 – Materials and Growth Constituting Public Health and/or Safety Hazards Prohibited by adding:

Items such as, but not limited to, washers, dryers, refrigerators, ovens, freezers, lawn mowers, string trimmers, edgers, tillers, rakes, shovels, mattresses, box springs, couches, sofas, recliners, ice chests, boxes, crates, storage bins, storage tubs, file cabinets, grills, kennels, barrels, drums, shall not be stored on a porch, breezeway, or balcony if the porch, breezeway, or balcony is visible from the street.

Placement of basketball goals on public streets or right-of-way is prohibited.

Amend Section 406 – Miscellaneous General Regulations by adding Section 406.10 – Prohibited Parking or Storage of Vehicles in Front and Side Yards and Section 406.11 – Repair of Vehicles

406.10 - Prohibited Parking or Storage of Vehicles in Front/Side Yards or Public Streets or Right-of-Way

No vehicle shall be parked or stored in any front yard or side yard within any residential zoned district, except within a garage, carport, apron or driveway. Driveway cannot cover more than 50 % of the front yard and a driveway must be paved with stone, brick, asphalt, concrete, or gravel.

Parking and/or storage of any vehicle on a public street or public right-of-way is prohibited within R1, R2, R3, R4, R5, and A1 zoning districts or other districts where no parking signs have been installed. EXCEPTION: Parking for isolated, non-recurring gatherings, parties, or visitors will be permitted.

Recreational vehicles, transient trailers, travel trailers, motor homes and the like must be parked or stored within a garage or open carport or behind the back line of the building (rear yard). Such vehicles may be parked in the driveway, front or side yard for loading/unloading, cleaning or repair for a period not to exceed twenty-four hours.

Trailers, boats, all-terrain vehicles (ATV), shall be parked or stored within a garage or open carport or behind the back line of the building (rear yard). EXCEPTION: Such items may be placed in side yard and if enclosed by solid fencing in a manner that prevents direct visibility from the street.

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CITY OF CLINTON**406.11 – Repair of Vehicles**

Minor repairs such as changing oil, or the replacement of the air filter, spark plugs, brakes, tires, shocks, etc. are permitted in the residential zoned district. Minor repairs of any vehicle performed other than within a fully enclosed building shall not exceed a seventy-two (72) hour period of time.

Major repairs such as, but not limited to, replacing or overhauling of engine, transmission, or auto bodywork or other repairs that exceed a 72 hour period is only permitted if such work is being conducted within a fully enclosed building.

Minor or major repairs as stated are only permitted on vehicles registered to the property owner or tenant of the said property on which the repairs are conducted. Vehicle repair shops are prohibited within any residential district.

Add Section 407 – PROPERTY MAINTENANCE & PUBLIC NUISANCE**407.01 – Owner's Responsibilities:**

Property owners shall be responsible for the maintenance of the owner's property and premises in a manner consistent with the provisions of this Ordinance; provided, however, that an owner may require by written agreement that a tenant, lessee, or occupant of the owner's property maintain same in accordance with this Ordinance but failure of such tenant, lessee, or occupant to so maintain the owner's property shall not relieve the owner of the owner's responsibilities hereunder

407.02 – Condition of Buildings, Accessory Structures on Property:

The existence of any of the following conditions on buildings, accessory structures, or property, where same has an adverse impact on safety, health, environment, aesthetics or property values of properties in the near vicinity as a result of being visible from outside the property, is declared to be a nuisance.

1. Broken windows
2. Window shutters that are damaged or not secured properly
3. Rain gutters and down spouts that are rusted, sagging, or improperly fastened
4. A roof with missing or deteriorated roofing materials such that repair or replacement is required
5. Any garage door that is inoperable, broken, sagging, lacking paint or missing visible parts or materials
6. Any driveway that is deteriorated, crumbling, weed-infested, or lacks adequate covering of asphalt, brick, or concrete, stone, gravel or is missing portions thereof
7. Exterior light fixtures in need of repair or replacement
8. Exterior light fixtures that shine directly toward adjacent property (with the exception of front entrance general illumination lights)
9. Exterior walls that have exposed, rotten, or deteriorated materials

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10. Screens on doors or windows that are torn or in need of repair or replacement
11. Stairs or railings affixed to the exterior of buildings that are in need of repair or replacement
12. Excessive scaling, peeling or flaking paint
13. Excessive mildew or mold.
14. Property damaged or destroyed by fire or acts of nature that has not been demolished or repairs begin within three months. Debris or refuse from fires or acts of nature remaining on property for three months
15. Torn or ripped window awnings
16. Inadequately secured antennas
17. Damaged, rotted, or decayed mailboxes or mailbox posts
18. Graffiti
19. Construction projects that are on-going for more than twelve months
(Exception: Construction projects with a valid building permit may request a time extension due to extenuating circumstances, such as natural disasters.)
20. Scattered building or repair material in a yard
21. Storage of construction, repair or maintenance material or equipment on a premises that is not to be used on the premises
22. Construction debris and refuse remaining on property for thirty days
23. Lumber or construction materials (excluding materials for a construction project on the property with a current valid permit), salvage items (junk), including but not limited to auto parts, scrap metals, tires, and the like stored on property in excess of seventy-two hours
24. Missing bricks on exterior walls and chimneys
25. Windows, doors, or building exteriors covered with but not limited to, aluminum foil, cardboard, plywood, or plastic, except during construction or pending permanent repairs
26. Lawn areas that are not properly planted and maintained to prevent erosion, excessive dust, or the accumulation of water and mud.
27. Building or repair material and building, maintenance, or repair equipment stored for thirty days
28. Piles of dirt, sand, gravel, rock, mulch in excess of fourteen (14) days
29. Scattered or rotted firewood
30. Wheel barrows, lawnmowers, or garden and lawn materials and equipment if visible from the street in excess of a twenty-four hour period
31. Erosion caused by lack of ground cover, resulting in dirt accumulation on sidewalks, streets, or adjacent properties
32. Discarded garbage, rubbish, refuse, or recyclable items that have not been collected within seven days of being deposited on the property and that remain thereon
33. Oil, grease, paint, other petroleum products, hazardous materials, volatile chemicals, pesticides, herbicides, fungicides, or waste (solid, liquid, or gaseous) that is determined to constitute a fire or environmental hazard, or to be detrimental to human life, health, or safety
34. The above listed items are not intended to be all inclusive
35. Any other condition existing on or in a building, accessory structure, or property that is a safety or health hazard whether or not same is visible from outside the property.

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407.03 – Garage or Carports

Garages used for the accumulation or storage of personal property that are unsightly and when viewed from outside the property, shall be kept closed except during ingress and egress.

Materials, equipment, or other items of personal property shall not be stored inside a carport to the extent that such storage prevents the use of an open carport for the parking of the number of motor vehicles for which the open carport is designed

407.04 - Garbage or Refuse Containers

Garbage or refuse containers shall be stored behind the front line of the building and shall not be visible from the street, except when placed for collection. Garbage or refuse containers shall be returned to the storage location not later than 8:00am the day following collection.

It shall be unlawful for any person to dispose of or cause to be disposed of any garbage, rubbish or other waste materials upon property other than a lawfully operated garbage dump or sanitary landfill. Excessive amounts of cutting, clippings, leaves, and other yard debris shall not be allowed to accumulate in the lawn area for up to fourteen (14) days as to adversely affect the value of properties in the near vicinity.

PLANNING AND ZONING COMMISSION

Clinton, Mississippi

Tuesday, January 24, 2006

7:00 P.M.

Municipal Courtroom

305 Monroe Street

MINUTES

Present: Commission members Bill Campbell, Edward Taylor, Jim Martin, Mark Williams, Bettye King, Kathy Peace, Alice Nettles. City Officials Ken Dreher- City Attorney, Derrick Milner- Assistant City Engineer, Gary Ward-Director of Community Development, Tony Hisaw - Alderman, Ward 1, Mike Bishop - Alderman, Ward 3

The meeting was called to order at 7:00pm.

Consideration and approval of November 22, 2005 minutes

MOTION was made by Bettye King to approve the Minutes of the November 22, 2005 meeting. SECOND by Kathy Peace. MOTION carried unanimously, none opposed.

New Considerations

Conditional Use for Philadelphia Ministries to operate a church to be located at 752 West Northside Drive (Parcels 2860-505-300, 2860-505-400, 2860-505-390 & 2860-505-380)
Representatives present: Rev. Stacy Brown

The property is located on the north side of Northside Drive, west of the Sumner Hill Subdivision in an A-1 zoned area. They are requesting a conditional use to operate a church. The use is allowed in this zoning with a conditional use.

A public hearing was held and no opposition was expressed.

MOTION was made by Bettye King to recommend to the Mayor and Board of Aldermen that approval for a conditional use be granted to Philadelphia Ministries to operate a church at 752 West Northside Drive. SECOND by Mark Williams. None opposed, MOTION carried unanimously.

Amendments to Zoning Ordinance

A power point presentation was done to give examples of violations of the proposed zoning ordinance. Printed copy of presentation is attached as Exhibit "A". (Copy of proposed zoning amendments attached as Exhibit "B".)

A public hearing was held.

Robert Seyfarth, 215 Royal Oak Drive, basically supports the proposal, but feels the wording on garages needs to be changed.

Debby Corkern, 720 Laney Drive, feels the City shouldn't be ticketing for such minor things but should try to find funds to help with such repairs. Also feels that the courts shouldn't be tied up with these types of tickets.

Jack Peterson, 117 Hood Drive, favors most everything in the proposal except (1) storage of boats in the front/side yard and (2) storage of items on decks. He has no location on his lot that the boat cannot be seen from the street. His deck is on both sides of his house. He has a large smoker stored on the deck and it is visible from the street.

James Williamson, 130 Kelvin Drive, opposed to the proposal. He was annexed into the City and didn't want to be. His motor home is stored in his side yard under a shed and he feels he shouldn't have to move it.

David Weeks, McRee Street, should be evident to the Commission that the will of the majority is to oppose the amendments. It is a violation of constitutional rights.

Annette Carter, 905 Cedar Hill Drive, the Supreme Court has ruled that you can not use your property as you please. Planning and Zoning rules have been upheld numerous times in the Supreme Court.

Chester Drake, 727 Laney Drive, against the amendments. Doesn't see how these proposals will be enforced when the Mayor doesn't enforce the current ordinance.

Jeannine Drake, 727 Laney Drive, has a drainage problem in her rear yard that the City won't talk to her about. She has a grill on the deck, trailers and campers that can be seen from the street because she can't get them to the rear yard due to the drainage ditch problem.

Ivy Callegan, 713 Berkshire Street, asked if anyone had checked with the owners of the properties shown in the slide show to see if they need any help repairing/cleaning up their property.

Gary Wilson, 109 Auburn Drive, disagrees with all the amendments. It is a violation of his rights.

Karen Evans, 909 Kent Drive, appreciates what the City is trying to do, but she lives in an older neighborhood and there is not enough room between the houses to put boats/trailers in the side or rear yard.

Debbie Fisher, 902 Oakhill Circle, against the ordinances. She lives in an older neighborhood and there is not enough room between the houses to abide by these proposed ordinances.

Greg Evans, 103 1/2 Warrenton Road, this is a dictatorship.

Karen Smith, 318 Oakhill Circle, finds the 34-item listing extreme. Instead the City should be trying to find some "cheap" money for people to borrow so that repairs and cleanups can be done.

Ed Sauls, 103 Mt. Salus road, City is trying to bring old neighborhoods up to new neighborhood standards. The amendments are too vague and wonders if enforcement will be consistent.

Bruce Barker, 102 Concord Drive, current president of the Olde Vineyard Homeowner's Association, fully supports the proposed amendments.

Johnny Courson, 913 Oakhill Circle, current president of Kentwood Homeowner's Association. A task force made up of the homeowner's associations in the City of Clinton and the Mayor was established in 2004 to address issues in their neighborhoods that they needed help with. At the October meeting when this proposal was first introduced, he asked that he be invited to discuss

this proposal with the Mayor, P&Z Commission, and Board of Aldermen. He agrees with some of the ordinances but not all.

Stan Yeagley, 214 Shadow Wood Drive, agrees with the proposal except for the part addressing the garbage cans.

Dianne Taylor, 700 E. Leake Street, no access to backyard. Feels the City has good intentions, but present a problem in the older neighborhoods.

Phil Davis, 810 Magnolia Road, Planning & Zoning Commission and Gary Ward have a very thankless job. These amendments are the result of a meeting with Mayor and fourteen homeowner association's in the City. He doesn't support the ordinances. Feels that the reason for the amendments may have been gotten away from and there may some constitutional issues with the proposal.

Brian Bowers, 1212 Canterbury Lane, feels this may be another tree house issue because the ordinances are too vague (unreasonable, unsightly, etc).

Bill Bolls, 911 Kent Drive, due to the length of his sailboat, he has nowhere to park it other than in the driveway.

Marlin Wallace, 209 Reynolds Road, opposed to zoning ordinance amendments.

Martin Taylor, 504 Rock Glen, doesn't feel this is best for the City.

Frankun Nred, 116 Country Cove Drive, no answers have been given to any questions. Agrees with the personal responsibility of your property. Doesn't think it is the job of the City to step in unless health/environment hazards are present. Main concerns are garage doors if not visible from the street and the garbage can ordinance.

Dave Ellis, 1830 Clinton/Raymond Road, does this apply to A-1 zoning.

Jerry Ellis, 106 Napa Valley Drive, wishes the City would put this much passion into the cleanup of the commercial areas, especially along Highway 80.

Janie Morrow, 320 Oakhill Circle, looks like these ordinances are against the people, poor people, sick people, and older neighborhoods. Older neighborhoods should be grandfathered.

James Morrow, 320 Oakhill Circle, only rich people can abide by these ordinances.

Larry Daniel, 324 Crestview Drive, disagrees with the entire proposal. Too vague, doesn't understand how the enforcement will be done without hiring additional person, which would mean more money the City would spend.

Donoso Escobar, 1005 Kent Drive, these ordinances are not practical; they are unfair, incomplete and target a particular area. Should listen to the people and deny the ordinances.

Ann Macke, 310 E. College Street, lives in the Historic District of the City of Clinton and there are many ordinances to which they have to abide, these include Federal ordinances. She feels this is an attempt to micro-manage the City of Clinton. She has researched the Constitution for many years and it states that no municipal laws can be written without the consent of the Legislature; therefore, this proposal is unconstitutional.

Brenda Knowles, 505 Lindale Street, totally disagrees with the ordinance. City should be more concerned with putting sidewalks on Lindale Street.

Martin Nail, 503 Hobby Farms Road, infringes on property rights.

Lee Carre, 808 Tanglewood Drive, has a motor home that he keeps elsewhere. His concern is that it takes him more than 24 hours to clean and load it.

John Weisenberger, 1715 McAlpin Road, this ordinance would allow the municipality to have way too much power.

Meg Myers, 581 Clinton/Tinnin Road, City is trying to take away all rights of the property owner. This is a ridiculous ordinance.

J R Savage, 704 Bellevue Street, ordinance is contradictory.

Robert Owen, 1213 Laurelwood, how many complaints are really received by the City of Clinton

Carolyn Owen, 1213 Laurelwood, fail to see the importance to have these ordinances.

Paul Soaligny, 408 McDonald Drive, if the neighborhood associations couldn't enforce the ordinances, enforce covenants, do away with ordinance.

Tom Mann, 114 Auburn Drive, City doesn't enforce EPA and DEQ guidelines for storm water runoff with their own projects, how can they enforce these ordinances on the people.

Brooxie Sessums, 501 Crestview Drive, knows the intentions are good, but the City needs to consider the sick, elderly, and financially strained people and do something unique, creative to find the money/help for these people. Her neighborhood, Kentwood, works really hard to have a nice neighborhood and be a loving neighborhood. Since it is an older one, these ordinances would create a hardship on them. She has CF and was recently hospitalized for 14 days, during which time her garbage cans were left at the street. Had this ordinance been in place, she would have received a citation for \$1400 for the garbage cans. Her illness causes her to be on limited disability income. These ordinances could cause her to have to choose between a citation and her medications.

Paul Barlow, 1010 Laurelwood, feels the City has gone to far with these ordinances. Ordinances are necessary but should be limited to maintain the health, safety, and welfare of the community.

Ray Williamson, 500 Hathaway, is an American citizen and people have fought for him to have civil rights and liberties. Do not allow the City government to strip the people of their rights.

Bettye King stated that she feels that the mission of the Planning and Zoning Commission is misunderstood. They are a public hearing board and they send only a recommendation to the Mayor and Board of Aldermen. The Mayor and Board of Aldermen are the body that approves the ordinances.

Jim Martin added that at the October 2004 meeting, public comments were heard regarding this same ordinance. The Commission tabled the proposal until today. After additional review,

changes were made based on comments and review by others. The main purpose is to maintain the livability and safety of the City of Clinton. The idea behind this ordinance is to provide some point of enforcement before the property becomes dilapidated. It is difficult to write a perfect ordinance because there are different people, different situations, etc.

Alice Nettles stated this ordinance should be viewed as a document for the City's citizen's protections not as harassment. We have to think progressively.

MOTION was made by Kathy Peace to recommend to the Mayor and Board of Aldermen that approval be granted for the proposed zoning amendments. SECOND by Jim Martin. Kathy Peace and Jim Martin for; Edward Taylor, Mark Williams, Betty King, Bill Campbell, Alice Nettles AGAINST. MOTION fails by a 2-5 vote. Bill Campbell stated that as chairman, he normally doesn't vote unless there is a tied vote, but wanted his position known.

There was no other business to be discussed.

The next meeting will be held on Tuesday, February 28, 2006 beginning at 7:00pm.

Adjournment

MOTION was made by Bettye King to adjourn the meeting. SECOND by Alice Nettles. NONE opposed, MOTION carried. Meeting was adjourned at 9:20pm.

PLANNING AND ZONING COMMISSION

Clinton, Mississippi

Tuesday, January 24, 2006

Public Hearing - 7:00 P.M.

Municipal Courtroom

305 Monroe Street

Sign-in Sheet

Name	Address
ROBERT TOUCHSTONE	1009 Post Rd.
Stacy Brown	642 Berkshire St.
Gregory Evans	103 1/2 Warren Rd
Don Corkern	720 Laney Dr.
Dobby Corkern	720 Laney Dr
ROBERT SEYFARTH	215 ROYAL OAK DR
DAVID Wick	P.O. Box 541 Clinton
Jack Peterson	117 Hood Drive
James R. Bickel	214 Stafford Drive
James M. Williamsen	130 Kelvin Drive
Paul Johnson	309 Indian mound R
Ivy Collegen	713 Berkshire St.
Jeannine Drake	727 Laney Drive
Chester M. DRAKE Sr	727 Laney Drive
Annette Carter	905 Cedar Hill Dr.
Jerry Cato	905 Cedar Hill Dr.
Mayhelle Cagle	193 Hobby Farms
Joseph P. Nix	901 Kent. Dr.
Patricia MACK	1523 Rosemont Circle
Sandra Patton	805 Franklin DR
Glenda Wilson	109 Auburn Dr.
Lang Wilson	109 Auburn Dr.
Minnie Bachman	508 Dwyer Road
John R. Bachman	16 11 10
Patsy K. Gacher	918 Oakhill Circle -
Debbie Fisher	902 Oak Hill Circle
Karen Evans	909 Kent. Dr.
Bert Bergeron	1003 Cedar Hill Dr.
Althea Bergeron	1003 Cedar Hill Dr.

Name

Address

Ray Smith
 Karen Smith
 Marilyn Sauls
 Edward Sauls
 Martha Henderson
 MARY JANE Short
 Sally Sealf
 Teresa Carroll
 Barbara Nail
 Lamar Nail
 J. R. SAVAGE
 Kenneth Short
 Presley H. Short
 Meg Myers
 John Weisenberger
 JAMES C. THOMAS
 Ray Williamson
 Alicia Williamson
 Mike Bishop
 Robert Owen
 Carolyn Owen
 Virginia Morton
 Larry Collier
 Oliver Moore
 David Lee
 S. E. Sturgis Jr
 Chris Sturgis
 JERRY MOORE
 John D. Jayroe
 Nancy Davis
 Brooxye Sessions
 Howell F. Stephens
 Larry F. Stephens
 Thomas M. Mann
 Paul Loaligay
 FAYE Smilguy (Faye Smilguy)
 Jim Brantley
 T. G. RAY

318 Oak Hill Cir
 318 Oak Hill Cir
 103 Mt. Salus Road
 103 Mt. Salus Road
 909 Cedar Hill Dr
 479 Hobby Farms Rd. Clinton
 493 Hobby Farms Rd.
 498 Hobby Farms Rd.
 103 Cedar Oak Drive
 103 Cedar Oak Drive
 704 Bellevue St.
 480 Hobby Farms Rd
 105 Castlewood Dr
 581 Clinton TOWN RD
 1715 McHIAIN Rd
 112 BERRY DR.
 500 Hathaway Drive
 500 Hathaway Dr
 8 Middleton Place
 { T
 1213 Laurelwood Dr.
 129 Kelvin Dr
 116 Keith Lane
 709 Pinehurst SE
 506 DAHAJA CIR.
 214 Dahaja Circle
 121 Keith Lane
 610 DUNTON RD,
 504 Hampton St.
 501 Crestview
 1780 Pinehaven Dr.
 105 SPANISH OAK DR
 114 AUBURN DR
 408 McDONALD DR
 408 McDONALD DRIVE
 610 Lakeside Lane
 Huntcliff Wy

Name

Address

Nickie Carre
 Lee Carre
 Jay Rollins
 Kerna Wiebie
 Jack Dean
 Brenda Knowles
 RAEINE NAIL
 MARTIN NAIL
 WYATT WATERS
 MARK S. VAUGHAN
 MARK Kuhn
 Mike Patterson
 Anne Macke
 Donoso Escobar
 Kathy Chavez
 Johnny Chavez
 Renee Kent
 David Kent
 Dave Ellis
 JERRY ELLIS
 Janie Morrow
 James Morrow
 Jan Daniel
 LARRY DANIEL
 FRANKLIN NORE'S
 Josuca Alford
 James Alford
 Britton Alford
 Tristian Brown
 Martin Taylor
 DIANNE TAYLOR
 Phillip DAVIS
 Ginger Davis
 Brian K. Bowers
 Bill Bolls
 MARLIN E WALLACE
 J T Beverly Watkins
 Tony Hisaw

808 Tanglewood Dr, Clinton
 808 Tanglewood Dr, Clinton
 1001 N Monroe St Clinton
 104 Misty Morning Ln Clinton,
 Midway, TN 37135
 505 Lindale Street
 503 Hobby Farms Road - Clinton
 503 Hobby Farms ROAD
 701 OAKWOOD DRIVE
 709 OAKWOOD DRIVE
 114 HOOD
 802 W. HURWOOD DR
 310 E. College St.
 1005 Kent Drive
 107 Moss Wood Ln
 107 Moss Wood Ln
 510 Hobby Farms Rd
 510 Hobby Farms Rd.
 1830 Clinton Raymond Rd.
 106 NAPA VALLEY DRIVE
 320 Oakhill Circle
 320 Oakhill Circle
 324 Crestview Dr
 324 Crestview Dr.
 116 Country Cove Dr.
 916 Monroe St.
 916 Monroe St.
 916 Monroe St.
 320 Oak Hill CR.
 504 Rock Glen Dr
 700 EAST LAKE STREET
 810 MAGNOLIA Rd
 810 Magnolia Rd.
 1212 Canterbury Lane
 911 Kent drive
 209 Reynolds Rd, Clinton, MS
 115 San Carlo Spri Clinton, MS
 182 Autumn Way

Name

Address

Cheryl Yeagley
 Stan Yeagley
 John Pittman
 Jimmy Johnson
 Bruce Barker
 John King
 Dick Albritton
 Ken Roney
 Liz Roney
 Paul Jacobson
 Leonis Harper
 Garrett Harper
 Brenda Banks
 AARON ROBINSON
 Paul J. Barlow
 GEORGE E. WHITFIELD

214 Shadow Wood Drive
 214 Shadow Wood Drive
 901 N. MONROE ST.
 913 Oak Hill Cir
 102 Concord Drive
 705 DUNHAM Rd
 216 Simmons Dr
 106 Spanish moss
 106 Spanish moss
 207 Hammah Dr.
 2170 N Frontage rd Clinton, MS
 2170 N Frontage rd Clinton
 123 CANADO Dr. Clinton, MS
 230 CASA GRANDE, CLINTON MS
 1010 Laurelwood Dr, Clinton, MS
 3149 KICKAPOO RD. JACKSON, MS 39209

**A RESOLUTION TO AMEND THE OFFICIAL ZONING ORDINANCE OF THE CITY
OF CLINTON, MISSISSIPPI**

WHEREAS, notice of a public hearing to amend the Zoning Ordinance of the City of Clinton was published in the Clarion-Ledger on January 9, 2006; and

WHEREAS, a public hearing on the proposed amendment was held on January 24, 2006, at 7:00 o'clock P.M.; and,

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi the Zoning Ordinance is amended as follows:

Amend Section 406.02 – Fences, Walls, & Hedges by adding:

All fences and walls shall be maintained in a structurally sound condition and in good repair. Fences and walls shall be free from loose or rotting materials and shall have braces and supports attached or fastened in accordance with common building practices.

Amend Section 406.05 – Materials and Growth Constituting Public Health and/or Safety Hazards Prohibited by adding:

Items such as, but not limited to, washers, dryers, refrigerators, ovens, freezers, lawn mowers, string trimmers, edgers, tillers, rakes, shovels, mattresses, box springs, couches, sofas, recliners, ice chests, boxes, crates, storage bins, storage tubs, file cabinets, grills, kennels, barrels, drums, shall not be stored on a porch, breezeway, or balcony if the porch, breezeway, or balcony is visible from the street.

Placement of basketball goals on public streets or right-of-way is prohibited.

Amend Section 406 – Miscellaneous General Regulations by adding Section 406.10 – Prohibited Parking or Storage of Vehicles in Front and Side Yards and Section 406.11 – Repair of Vehicles

406.10 - Prohibited Parking or Storage of Vehicles in Front/Side Yards or Public Streets or Right-of-Way

No vehicle shall be parked or stored in any front yard or side yard within any residential zoned district, except within a garage, carport, apron or driveway. Driveway cannot cover more than 50 % of the front yard and a driveway must be paved with stone, brick, asphalt, concrete, or gravel.

Parking and/or storage of any vehicle on a public street or public right-of-way is prohibited within R1, R2, R3, R4, R5, and A1 zoning districts or other districts where no parking signs have

been installed. EXCEPTION: Parking for isolated, non-recurring gatherings, parties, or visitors will be permitted.

Recreational vehicles, transient trailers, travel trailers, motor homes and the like must be parked or stored within a garage or open carport or behind the back line of the building (rear yard). Such vehicles may be parked in the driveway, front or side yard for loading/unloading, cleaning or repair for a period not to exceed twenty-four hours.

Trailers, boats, all-terrain vehicles (ATV), shall be parked or stored within a garage or open carport or behind the back line of the building (rear yard). EXCEPTION: Such items may be placed in side yard and if enclosed by solid fencing in a manner that prevents direct visibility from the street.

406.11 – Repair of Vehicles

Minor repairs such as changing oil, or the replacement of the air filter, spark plugs, brakes, tires, shocks, etc. are permitted in the residential zoned district. Minor repairs of any vehicle performed other than within a fully enclosed building shall not exceed a seventy-two (72) hour period of time.

Major repairs such as, but not limited to, replacing or overhauling of engine, transmission, or auto bodywork or other repairs that exceed a 72 hour period is only permitted if such work is being conducted within a fully enclosed building.

Minor or major repairs as stated are only permitted on vehicles registered to the property owner or tenant of the said property on which the repairs are conducted. Vehicle repair shops are prohibited within any residential district.

Add Section 407 – PROPERTY MAINTENANCE & PUBLIC NUISANCE

407.01 – Owner's Responsibilities:

Property owners shall be responsible for the maintenance of the owner's property and premises in a manner consistent with the provisions of this Ordinance; provided, however, that an owner may require by written agreement that a tenant, lessee, or occupant of the owner's property maintain same in accordance with this Ordinance but failure of such tenant, lessee, or occupant to so maintain the owner's property shall not relieve the owner of the owner's responsibilities hereunder

407.02 – Condition of Buildings, Accessory Structures on Property:

The existence of any of the following conditions on buildings, accessory structures, or property, where same has an adverse impact on safety, health, environment, aesthetics or property values of properties in the near vicinity as a result of being visible from outside the property, is declared to be a nuisance.

1. Broken windows
2. Window shutters that are damaged or not secured properly
3. Rain gutters and down spouts that are rusted, sagging, or improperly fastened
4. A roof with missing or deteriorated roofing materials such that repair or replacement is required
5. Any garage door that is inoperable, broken, sagging, lacking paint or missing visible parts or materials
6. Any driveway that is deteriorated, crumbling, weed-infested, or lacks adequate covering of asphalt, brick, or concrete, stone, gravel or is missing portions thereof
7. Exterior light fixtures in need of repair or replacement
8. Exterior light fixtures that shine directly toward adjacent property (with the exception of front entrance general illumination lights)
9. Exterior walls that have exposed, rotten, or deteriorated materials
10. Screens on doors or windows that are torn or in need of repair or replacement
11. Stairs or railings affixed to the exterior of buildings that are in need of repair or replacement
12. Excessive scaling, peeling or flaking paint
13. Excessive mildew or mold.
14. Property damaged or destroyed by fire or acts of nature that has not been demolished or repairs begin within three months. Debris or refuse from fires or acts of nature remaining on property for three months
15. Torn or ripped window awnings
16. Inadequately secured antennas
17. Damaged, rotted, or decayed mailboxes or mailbox posts
18. Graffiti
19. Construction projects that are on-going for more than twelve months (Exception: Construction projects with a valid building permit may request a time extension due to extenuating circumstances, such as natural disasters.)
20. Scattered building or repair material in a yard
21. Storage of construction, repair or maintenance material or equipment on a premises that is not to be used on the premises
22. Construction debris and refuse remaining on property for thirty days
23. Lumber or construction materials (excluding materials for a construction project on the property with a current valid permit), salvage items (junk), including but not limited to auto parts, scrap metals, tires, and the like stored on property in excess of seventy-two hours
24. Missing bricks on exterior walls and chimneys
25. Windows, doors, or building exteriors covered with but not limited to, aluminum foil, cardboard, plywood, or plastic, except during construction or pending permanent repairs
26. Lawn areas that are not properly planted and maintained to prevent erosion, excessive dust, or the accumulation of water and mud.
27. Building or repair material and building, maintenance, or repair equipment stored for thirty days
28. Piles of dirt, sand, gravel, rock, mulch in excess of fourteen (14) days
29. Scattered or rotted firewood
30. Wheel barrows, lawnmowers, or garden and lawn materials and equipment if visible

- from the street in excess of a twenty-four hour period
31. Erosion caused by lack of ground cover, resulting in dirt accumulation on sidewalks, streets, or adjacent properties
 32. Discarded garbage, rubbish, refuse, or recyclable items that have not been collected within seven days of being deposited on the property and that remain thereon
 33. Oil, grease, paint, other petroleum products, hazardous materials, volatile chemicals, pesticides, herbicides, fungicides, or waste (solid, liquid, or gaseous) that is determined to constitute a fire or environmental hazard, or to be detrimental to human life, health, or safety
 34. The above listed items are not intended to be all inclusive
 35. Any other condition existing on or in a building, accessory structure, or property that is a safety or health hazard whether or not same is visible from outside the property.

407.03 – Garage or Carports

Garages used for the accumulation or storage of personal property that are unsightly and when viewed from outside the property, shall be kept closed except during ingress and egress.

Materials, equipment, or other items of personal property shall not be stored inside a carport to the extent that such storage prevents the use of an open carport for the parking of the number of motor vehicles for which the open carport is designed

407.04 - Garbage or Refuse Containers

Garbage or refuse containers shall be stored behind the front line of the building and shall not be visible from the street, except when placed for collection. Garbage or refuse containers shall be returned to the storage location not later than 8:00am the day following collection.

It shall be unlawful for any person to dispose of or cause to be disposed of any garbage, rubbish or other waste materials upon property other than a lawfully operated garbage dump or sanitary landfill. Excessive amounts of cutting, clippings, leaves, and other yard debris shall not be allowed to accumulate in the lawn area for up to fourteen (14) days as to adversely affect the value of properties in the near vicinity.

This Ordinance shall be effective May1, 2006.

ORDAINED, ADOPTED AND APPROVED BY THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, at a meeting thereof held on
the 7th day of February, 2006.

A Motion for adoption was made by Alderman Braham and seconded by
Alderman Burnett. The foregoing ordinance having been first reduced to

writing, and no request being made by the Mayor or any member of the Board of Aldermen that the Ordinance be read by the City Clerk, before any vote was taken, it was submitted to the Board of Aldermen for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted: yes
Alderman Hisaw voted: yes
Alderman Greer voted: yes
Alderman Bishop voted: yes
Alderman Fisher voted: absent
Alderman Morgan voted: no
Alderman Barnett voted: yes

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

The foregoing ordinance was approved this the 7 of February, 2006

CITY OF CLINTON

BY:

Rosemary G. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Russell Wall
RUSSELL WALL, City Clerk

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: February 7, 2006

AGENDA ITEM NO.

8

CONSENT AGENDA: \$

TO:

BOARD APPROVED

FOR:

FEB 07 2006

ACCOUNT NO.:

CITY OF CLINTON

INTRODUCED BY: Richard L. Broome, P.E.

DISCUSSION/ACTION: Consideration of Bids for Sewer Rehab Project

INTRODUCED BY: Richard L. Broome, P.E.

BOARD ACTION:

MOTION MADE BY:

Hisaw

SECONDED BY:

Brabham

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham

☒

☐

Hisaw

☒

☐

Greer

☒

☐

Bishop

☒

☐

Fisher

☐

☐

Morgan

☒

☐

Barnett

☒

☐

Mayor Aultman

☐

☐

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.



WILLIFORD, GEARHART & KNIGHT, INC.
ENGINEERS & SURVEYORS

PRINCIPALS
Charles H. Williford, P.E., P.S.
Gregory A. Gearhart, P.E., D.E.E.
Jeffery T. Knight, P.E.
Billy W. Owen, P.E.
Michael K. McKenzie, P.E.
John C. Perry, P.E.

BOARD APPROVED

FEB 07 2006

CITY OF CLINTON

City of Clinton
Attn: Richard Broome, P.E., City Engineer
Post Office Box 256
Clinton, MS 39056

RECEIVED

JAN 23 2006

CITY OF CLINTON
ENGINEERING DEPARTMENT

Re: Sewer Rehab 2005
WGK# E2004-177

Dear Richard:

We have reviewed the Bid Proposals for the referenced project and enclosed a Certified Bid Tabulation of same. Insituform Technologies submitted the lowest and best bid at \$1,337,791.94, and we recommend award to them, subject to the approval of the MDEQ.

Sincerely:

WILLIFORD, GEARHART

Greg Gearhart, PE, DEE
Principal

*Dis/Act
Consideration of
Bids for Sewer
Rehab Project*

BID TABULATION FOR CITY OF CLINTON - December 20, 2005 10:00 am SEWER REHABILITATION				Insituform Technologies 702 Spirit 40 Park Dr. Chesterfield, MO 63005		Suncoast Inc P. O. Box 397 Florence, MS 39073		Miller Pipeline Corporation 8850 Crawfordsville Rd. Indianapolis, IN 46234		Reynolds Inliner, LLC 4520 North State Road 37 Orleans, IN 47452	
ITEM NO.	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
Schedule A-General											
1	Clearing and Grubbing	1	AC	7500.00	\$7,500.00	4000.00	\$4,000.00	7,945.00	\$7,945.00	1,000.00	\$1,000.00
2	Erosion Control	1	AC	1500.00	\$1,500.00	2000.00	\$2,000.00	1,850.00	\$1,850.00	1,000.00	\$1,000.00
3	Bypass Pumping	1	LS	3,450.00	\$3,450.00	4,250.00	\$4,250.00	1,785.00	\$1,785.00	25,000.00	\$25,000.00
4	Cementitious MH Lining Sys Type 1	200	VF	125.00	\$25,000.00	125.00	\$25,000.00	109.00	\$21,800.00	130.00	\$26,000.00
5	Raising Manholes w/4" or 8" Donuts	15	EA	275.00	\$4,125.00	500.00	\$7,500.00	250.00	\$3,750.00	100.00	\$1,500.00
6	Manhole Infiltration Insert	20	EA	45.00	\$900.00	35.00	\$700.00	115.00	\$2,300.00	100.00	\$2,000.00
7	Undercut (FM)	50	CY	75.00	\$3,750.00	14.00	\$700.00	23.00	\$1,150.00	20.00	\$1,000.00
8	Select Backfill (FM)	50	CY	15.00	\$750.00	20.00	\$1,000.00	23.00	\$1,150.00	20.00	\$1,000.00
9	Select Bedding (FM)	50	CY	35.00	\$1,750.00	25.00	\$1,250.00	23.00	\$1,150.00	20.00	\$1,000.00
10	Locate Buried Manholes	10	EA	150.00	\$1,500.00	100.00	\$1,000.00	535.00	\$5,350.00	400.00	\$4,000.00
Schedule B-CIPP in Inspected Lines											
11	8" CIPP	22,809	LF	33.00	\$752,697.00	28.00	\$638,652.00	29.50	\$672,865.50	26.00	\$593,034.00
12	10" CIPP	1653	LF	33.25	\$54,962.25	22.00	\$38,366.00	31.00	\$51,243.00	28.00	\$46,284.00
13	12" CIPP	383	LF	35.00	\$13,405.00	24.00	\$9,120.00	40.00	\$15,320.00	35.00	\$13,405.00
14	Olde Towne Remote 4" CIPP Lateral	100	EA	0.01	\$1.00	1,800.00	\$180,000.00	2,925.00	\$292,500.00	3,150.00	\$315,000.00
15	Olde Towne 4" CIPP Lateral	40	EA	0.01	\$0.40	1,500.00	\$60,000.00	2,925.00	\$117,000.00	3,150.00	\$126,000.00
16	Replace Serv Wye w/Pavement Repair	60	EA	0.01	\$0.60	3,500.00	\$210,000.00	1,525.00	\$91,500.00	3,000.00	\$180,000.00
17	Addtl 4" Serv Line w/Pavement Repair	100	LF	0.01	\$1.00	70.00	\$7,000.00	126.00	\$12,600.00	32.00	\$3,200.00
18	Replace Serv Wye w/Turf Repair	10	EA	0.01	\$0.10	1,500.00	\$15,000.00	990.00	\$9,900.00	2,600.00	\$26,000.00
19	Addtl 4" Serv Line w/Turf Repair	100	LF	0.01	\$1.00	70.00	\$7,000.00	56.00	\$5,600.00	30.00	\$3,000.00
20	Internal Service Reconnection	150	EA	0.01	\$1.50	1.00	\$150.00	120.00	\$18,000.00	50.00	\$7,500.00
21	Obstruction Removal / Pavement Repair	10	EA	0.01	\$0.10	4,000.00	\$40,000.00	2,165.00	\$21,650.00	3,000.00	\$30,000.00
22	Obstruction Removal / Turf Repair	4	EA	0.01	\$0.04	1,900.00	\$7,600.00	1,435.00	\$5,740.00	2,600.00	\$10,400.00
Schedule C-Pipe Bursting/Replacement											
23	Pipe Burst & Replace 6" w/8" HDPE	4138	LF	82.50	\$341,385.00	70.00	\$289,660.00	43.00	\$177,934.00	75.00	\$310,350.00
24	Service Taps, Connect to HDPE	95	EA	0.01	\$0.95	700.00	\$66,500.00	1,855.00	\$157,225.00	675.00	\$64,125.00
25	4" PVC Service Line w/Pavement Repair	1140	LF	0.01	\$11.40	30.00	\$34,200.00	40.00	\$45,600.00	35.00	\$39,900.00
26	4" PVC Service Line w/Turf Repair	760	LF	0.01	\$7.60	30.00	\$22,800.00	35.00	\$28,600.00	30.00	\$22,800.00
Schedule D-New Main Construction											
27	12" Sewer Main (0'-6")	617	LF	43.00	\$26,531.00	40.00	\$24,680.00	62.00	\$38,254.00	90.00	\$55,530.00
28	48" Manhole (0'-6")	4	EA	2675.00	\$10,700.00	1500.00	\$6,000.00	3,860.00	\$15,440.00	2,500.00	\$10,000.00
29	48" Doghouse Manhole (6'-8")	1	EA	2,875.00	\$2,875.00	1,500.00	\$1,500.00	3,880.00	\$3,880.00	2,500.00	\$2,500.00
30	60 "Doghouse Manhole (0'-6")	1	EA	3,730.00	\$3,730.00	2,000.00	\$2,000.00	4,475.00	\$4,475.00	3,500.00	\$3,500.00
31	24" Steel Casing (Open Cut)	40	LF	95.00	\$3,800.00	120.00	\$4,800.00	140.00	\$5,600.00	145.00	\$5,900.00
32	16" Steel Casing (Open Cut)	40	LF	118.00	\$4,720.00	100.00	\$4,000.00	86.00	\$3,440.00	120.00	\$4,800.00
33	15" Sewer Main (6'-8")	215	LF	70.00	\$15,050.00	50.00	\$10,750.00	93.00	\$19,995.00	100.00	\$21,500.00
34	Connect to Existing Manhole	3	EA	1,500.00	\$4,500.00	600.00	\$1,800.00	545.00	\$1,635.00	400.00	\$1,200.00

BOARD APPROVED

FEB 07 2006

CITY OF CLINTON

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: February 7, 2006

AGENDA ITEM NO. 6. B9

CONSENT AGENDA: \$4,800.00

TO: Clinton Police Department

FOR: ~~Anonymous~~ donation to purchase new fitness equipment for the police department gym. Quotes attached.

BOARD APPROVED

ACCOUNT NO.: 001-105-730

FEB 07 2006

INTRODUCED BY:

CITY OF CLINTON

DISCUSSION/ACTION:

INTRODUCED BY: DB

BOARD ACTION:

MOTION MADE BY:

Brabham

SECONDED BY:

Bishop

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham

☒

☐

Hisaw

☒

☐

Greer

☒

☐

Bishop

☒

☐

Fisher

☐

☐

Morgan

☒

☐

Barnett

☒

☐

Mayor Aultman

☐

☐

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.



BOARD APPROVED

FEB 07 2006

TO: MR EVANS

1/17/06

CITY OF CLINTON

CLINTON POLICE DEPARTMENT

EXERCISE QUOTE

1 - Body Solid GS9 3700 Gym \$2749.99

1 - SPORTS ART 803 ELLIPTICAL \$1999.99

(INCLUDING VERTICAL KNEE RAISE
ON GYM (249.99 VALUE) N/C
ORNO VERTICAL KNEE RAISE ON
3700 GYM (DEDUCT \$100.00
FROM GYM)

DELIVERY & INSTALLATION N/C

\$4749.98

\$4649.98

WITH VERTICAL
KNEE RAISEW/O VERTICAL
KNEE RAISETHANK YOU -
MIKE EVANS

**BOARD APPROVED****FEB 07 2006****CITY OF CLINTON**

JANUARY 5, 2005

PROPOSAL

CLINTON POLICE DEPT.
CLINTON, MS
ATTN: BART EVANS

<u>QTY</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>TOTAL</u>
1	VISION X6600HRT ELLIPTICAL	3299.00	3299.00
1	PRO ELITE 102 CABLE CROSSOVER	1995.00	1995.00
1	USA 300 LB. OLYMPIC SET W/ BAR	169.00	169.00
1PR	USA HEX DUMBBELL 10 TO 85 LBS.	836.00	836.00
1	PRO ELITE 05 MULTI BENCH PRESS	590.00	590.00
2	NAUTILUS 1710 DUMBBELL RACK	259.00	518.00
		SUBTOTAL	\$7407.00
		FREIGHT/INSTALL	\$580.00
		TAX	\$EXEMPT
		TOTAL	\$7987.00

****ALL PRODUCTS ARE FULL COMMERCIAL**
****PROPOSAL GOOD FOR 30 DAYS**
****PLEASE CONTACT CHAD MILTON AT 601-594-5681 WITH ANY QUESTIONS CONCERNING THIS PROPOSAL.**

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: February 7, 2006

AGENDA ITEM NO. 10

BOARD APPROVED

CONSENT AGENDA:

TO:

FEB 07 2006

FOR:

CITY OF CLINTON

ACCOUNT NO:

INTRODUCED BY:

DISCUSSION/ACTION: Appointment to the Planning and Zoning Commission for
Ward 1 at the Carter

INTRODUCED BY: Tony Hisaw, Alderman Ward 1

BOARD ACTION:

MOTION MADE BY: Hisaw

SECONDED BY: Brabham

VOTE CAST:

"AYE" "NAY"

ACTION TAKEN:

Brabham

✓

Hisaw

✓

Greer

✓

Bishop

✓

Fisher

Morgan

✓

Barnett

✓

Mayor Aultman

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: February 7, 2006

AGENDA ITEM NO. 11.

BOARD APPROVED

FEB 07 2006

CITY OF CLINTON

CONSENT AGENDA:

TO:

FOR:

ACCOUNT NO:

INTRODUCED BY:

DISCUSSION/ACTION: Appointment to the Planning and Zoning Commission for
Ward 6 Mark Williams

INTRODUCED BY: Bill Barnett, Alderman Ward 6

BOARD ACTION:

MOTION MADE BY:

SECONDED BY:

VOTE CAST:

"AYE" "NAY"

ACTION TAKEN:

Brabham

✓

Hisaw

✓

Greer

✓

Bishop

✓

Fisher

Morgan

✓

Barnett

✓

Mayor Aultman

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: February 7, 2006

AGENDA ITEM NO. *12.*

BOARD APPROVED

CONSENT AGENDA:

TO:

FEB 07 2006

FOR:

CITY OF CLINTON

ACCOUNT NO:

INTRODUCED BY:

DISCUSSION/ACTION: Litigation

INTRODUCED BY:

BOARD ACTION:

MOTION MADE BY:

SECONDED BY:

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham

Hisaw

Greer

Bishop

Fisher

Morgan

Barnett

Mayor Aultman

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.

dismiss litigation

~~*motion to adjourn*~~

annexation

motion to leave executive session

8:47

Brabham

Greer

all aye

*adjourn
Greer
Bishop*

*represent
want
hand down
mandate*

BOARD APPROVED

FEB 07 2006

CITY OF CLINTON

**City of Clinton
Speakers at February 7, 2006 Board Meeting
Discussion of Zoning Ordinance Changes**

	<u>Name</u>	<u>Address</u>
1	Chester Drake	727 Laney Drive
2	Johnny Courson	913 Oakhill Circle
3	Meg Myers	581 Clinton/Tinnin Road
4	Ryan Tracy	121 Countrywood Circle
5	Jeannine Drake	727 Laney Drive
6	Fred Roadmore	209 Indian Mound
7	Annette Carter	905 Cedar Hill Drive
8	Janie Morrow	320 Oakhill Circle
9	Biscuit Tom Sims	708 Oakwood Drive
10	Brooxie Sessums	501 Crestview Drive

CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, FEBRUARY 21, 2006 – 7:00 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET
AGENDA

1. Welcome and Call to Order - Mayor Rosemary Aultman
2. Invocation – Alderman Bishop
3. Pledge of Allegiance to the Flag – Alderman Morgan
4. Roll Call – City Clerk Russell Wall
5. Recognition – Clinton High School Boy's Soccer Team for Winning Class 5A State Championship
6. Approval of Consent Agenda Items A - EE
 - A. Minutes of Regular Meeting of the Mayor and Board of Aldermen held on February 7, 2006
 - B. Claims Docket – Manual Claims January 31 thru February 15, 2006, Totaling \$2,141,776.24 and Computer Claims 1 – 122 Totaling \$802,135.73
 - C. \$4,666.87 to Pyle, Mills & Dye, P.A. for 2003 Annexation Services Rendered (001-040-601-2)
 - D. \$70.00 to MS Municipal Court Clerks Association for Yearly Dues for Court Clerk and 2 Deputy Court Clerks (001-010-681)
 - E. \$25.00 to National Rifle Association for Renewal of Membership for Gene Mashburn (001-105-681)
 - F. \$60.00 to Center for Governmental Training & Technology for Registration Fee for Angela Richburg to Attend Certification Class (001-040-682)
 - G. \$83,166.32 to Kevin Coleman Construction for Construction Services for Traceway Park (328-305-720-1)
 - H. \$445.00 to Action Target Academy for Gene Mashburn to Attend Re-Certification Class for Firearms Instructor (001-160-682)
 - I. \$280.00 to State Fire Academy for Fireground Leadership Course for Alan Miller (001-400-681)
 - J. \$63.00 to Dept of Commerce & Insurance TFACA for Fire Inspector INFPA Course for Fred Green (001-160-682)
 - K. \$4,571.88 to Traffic Control Products for Traffic Striping for Pinehaven Rd (001-215-590)
 - L. \$10,473.32 to Marta Track Constructors for Construction Services for Mega Plastic Rail Spur (302-040-604-1)
 - M. \$375.00 to The University of MS, Office of Professional Development & Non-Credit Education for Registration Fees for Angela Richburg, Carol Warren & Russell Wall to Attend MS Municipal Clerks & Collectors Annual Association Meeting (001-040-682)
 - N. \$166,641.00 to Benchmark Construction for Pay Est. #12 for Construction of New Public Works Facility (325-215-755)
 - O. \$135.00 to NFPA for Membership Renewal for Barry Burnside (001-160-681)
 - P. \$93.00 to Guest Services for Meal for Barry Burnside Attending Class on Hurricane Recovery & Mitigation and \$318.60 to International Tours of Clinton for Airline Ticket for Barry Burnside to Attend Class (001-160-611)
 - Q. \$180.00 to MS Rural Water Association for Registration Fee for Duane Fortenberry and Ralph Hayman to Attend Annual Technical Conference (400-650-682)
 - R. \$675.00 to Jacksonville State University for Hazard Mitigation Course to be Taken On-Line by Barry Burnside (001-160-682)
 - S. \$14,050.00 to Mohawk Resources Ltd. For Vehicle Lift for Bay at New Public Works Facility (Low Quote) (325-215-755)
 - T. \$90.00 to MS Rural Water Association for Registration Fee for Tim Rogers to Attend Annual Technical Conference (400-650-682)
 - U. \$1,722.72 to W.S. Darley & Co. for Rescue Kit, Air Hammer-Super (001-160-730)
 - V. \$1,500.00 to Tremco Roofing and Building Maintenance Division for Cost to Make Repairs to the Roof at the Police Department (001-105-575)

*motion - Greer
second - Brabham
all eyes*

- W. \$985.00 to Medtronic Physio-Control for Technical Support Agreement for Life Pak 12 (001-160-681)
 - X. \$16.30 to Brad Hales for Reimbursement for Repair Parts for Stethoscope (001-160-575)
 - Y. \$210.00 to MS Law Enforcement Officers Training Academy for Registration Fee for Scott Herrington & Steve Menotti to Attend Crime Scene Investigation Course (001-105-682)
 - Z. \$150.00 to Camp Shelby Billeting for Lodging for 2 Police Officers at the North American Sniper Championship Competition (001-105-682), \$300.00 to MS Tactical Officers Association for Entry Fee for 2 Snipers to Enter Competition (001-105-682) and \$124.00 for Randy Ruffin, Michael Kelly, Bart Evans & Ronnie Clark for Per Diem to Attend Sniper Competition (001-105-611)
 - AA. \$8,430.00 to Layne-Central for Emergency Repair to Cascades Water Well Gear Drive (400-650-593) (Sole Source)
 - BB. \$300.00 to Clinton Jr. Miss for City of Clinton's Support in the Clinton Jr. Miss Scholarship Program (001-040-618)
 - CC. \$3,302.00 to Surplus City USA, Inc. for Purchase of 2 Tactical Weapon System/Sniper Rifles (001-105-730) (Low Quote)
 - DD. \$495.00 to National Emergency Communications Institution for Registration Fee for Jonathan Taylor to attend Emergency Instructor Course \$41.32 for Per Diem (various)
 - EE. \$125,008.90 to Hemphill Construction for Construction Services for Brighton Park (328-305-720)
-
- 7. Discussion/Action – Graphic Packaging-Assignment of Ground Lease – Ken Dreher, City Attorney
 - 8. Discussion/Action – Acceptance of a Donation of \$2,500.00 to Purchase Extrication Suits for the Special Operations Team. Bibs/Coveralls for 25 Employees – Barry Burnside, Fire Chief
 - 9. Discussion/Action – Contract for Utilities Billing Software for Water Dept. – Tim Rogers, Public Works Director
 - 10. Discussion/Action – Traceway Park – Engineering Contract Amendment – Richard Broome, City Engineer
 - 11. Other Business
 - 12. Motion to Adjourn

*Motion: Brabham
Second: Greer*

GOVERNING BODY

Rosemary Aultman – Mayor
 Jehu Brabham Alderman-At-Large
 Tony Hisaw - Alderman Ward 1
 Tony Greer - Alderman Ward 2
 Mike Bishop - Alderman Ward 3

allayle

7:51 PM

Phil Fisher – Alderman Ward 4 - *A*
 Mike Morgan - Alderman Ward 5
 William Barnett - Alderman Ward 6 - *A*
 City Attorney Ken Dreher
 City Clerk Russell L. Wall