

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, FEBRUARY 5, 2002 – 7:00 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET**

WELCOME AND CALL TO ORDER - Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Fisher followed by the Pledge of Allegiance to the Flag led by Alderman Touchton.

ROLL CALL - City Clerk Wayne Derrick

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

Absent: Sharbert Lott – Alderman Ward 6

APPROVAL OF AGENDA ITEMS A-X

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

PLANNING & ZONING ITEMS:

REQUEST FOR DIMENSIONAL VARIANCE FOR CLINTON UNITED ARTIST

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Touchton to approve the request of dimensional variance for Clinton United Artist. The Planning & Zoning Commission recommended approval with no opposition. Dimensional variance plan is on file with the Zoning Administrator. **MOTION CARRIED UNANIMOUSLY**

PRELIMINARY SITE PLAN FOR ENTERGY'S NEW SERVICE CENTER LOCATED AT 905 HIGHWAY 80 EAST

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Greer to approve Entergy's preliminary site plan for a new service center to be constructed at its current site located at 905 Highway 80 East. The Zoning & Planning Commission recommended approval, with no exceptions. Site plan is on file with the Zoning Administrator. **MOTION CARRIED UNANIMOUSLY**

AMENDMENT TO ZONING ORDINANCE SECTION 401.5 – ACCESSORY BUILDINGS OR USES

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Fisher and **SECONDED** by Alderman Brabham to approve amendment to Zoning Ordinance Section 401.5 – Accessory Buildings or Uses. A copy of Amended Ordinance Section 401-.5 is attached. **MOTION CARRIED UNANIMOUSLY**

FINAL PLAT APPROVAL FOR INDIAN TRIALS PART 7

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Greer to approve the Final Plat of Indian Trails Part 7. A copy of the Final Plat is on file at the Public Works Department. **MOTION CARRIED UNANIMOUSLY**

SUMMARY CHANGE ORDER – 2001 STREET IMPROVEMENTS PROGRAM

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Fisher and **SECONDED** by Alderman Brantley to approve the Summary Change Order for the 2001 Street Improvements Program with Adcamp, Inc. Said Change Order increases the cost of the 2001 Street Improvements Program to \$531,196.12, which exceeds the amount budgeted by \$31,196.12. **MOTION CARRIED UNANIMOUSLY**

ADVERTISING AGREEMENT WITH AMACKER, INC. FOR WLBT.COM INTERNET ADVERTISING

Upon recommendation by Jim Powell, Economic Development Director, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Brabham to approve the Advertising Agreement with Amacker, Inc. for WLBT.com Internet advertising in the amount of \$18,000.00. A copy of the Agreement is attached. **MOTION CARRIED UNANIMOUSLY**

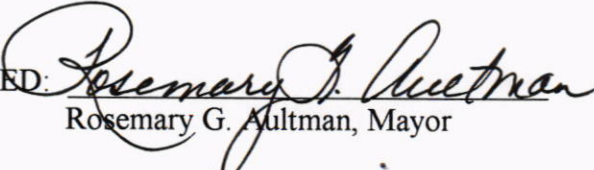
DONATION OF A 1 ¾ TON HEAVY RESCUE VEHICLE TO THE CLINTON FIRE DEPARTMENT BY AMR

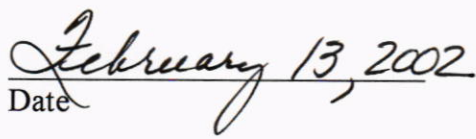
The Board of Aldermen authorized Mayor Aultman and Fire Chief Darrell McQuirter to travel to Monroe, Louisiana to inspect and assess the condition of a 1 ¾ ton heavy rescue vehicle, which has been offered to the City of Clinton. The results of the inspection and assessment will be presented to the Board upon completion.

ADJOURN 7:30.M.

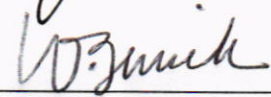
MOTION made by Alderman Brabham and **SECONDED** by Alderman Brantley to adjourn. **MOTION CARRIED UNANIMOUSLY**

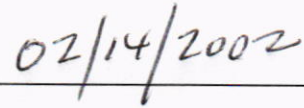
APPROVED:


Rosemary G. Aultman, Mayor


Date

ATTEST:


Wayne Derrick, City Clerk


Date

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: February 5, 2002

Agenda Item No. 7.a

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: Dimensional Variance
Clinton United Artist

Introduced by: Gary Ward

Telephone: 924-2256

Exhibits for Review:

Minutes

Invoice

Other: -

Ordinance

Plans, Maps

Resolution

Contract

Recommendation:

Board Action:

Motion made by: Brabham

Seconded by: Touchton

Vote Cast:

"Aye"

"Nay"

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

absent

BOARD APPROVED**REQUEST FOR DIMENSIONAL VARIANCE**
APPLICATION

Subject Property Address Clinton Center Drive
Owner William J. Wade, an individual, not in his individual capacity, but
Address One Rodney Square solely as the Owner Trustee
Wilmington, Delaware 19899 under the Trust Agreement
dated as of December 13, 1995.
Phone # 302-651-7718
Current Zoning District C2

Requirements of Applicant:

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

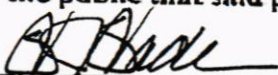
Requirements for Granting Variances: (Section 2404.01 - Zoning Ordinance)

- (a). Applicant shall demonstrate that special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
- (b). Applicant shall demonstrate that literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this Ordinance.
- (c). Applicant shall demonstrate that granting the variance will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district.

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.

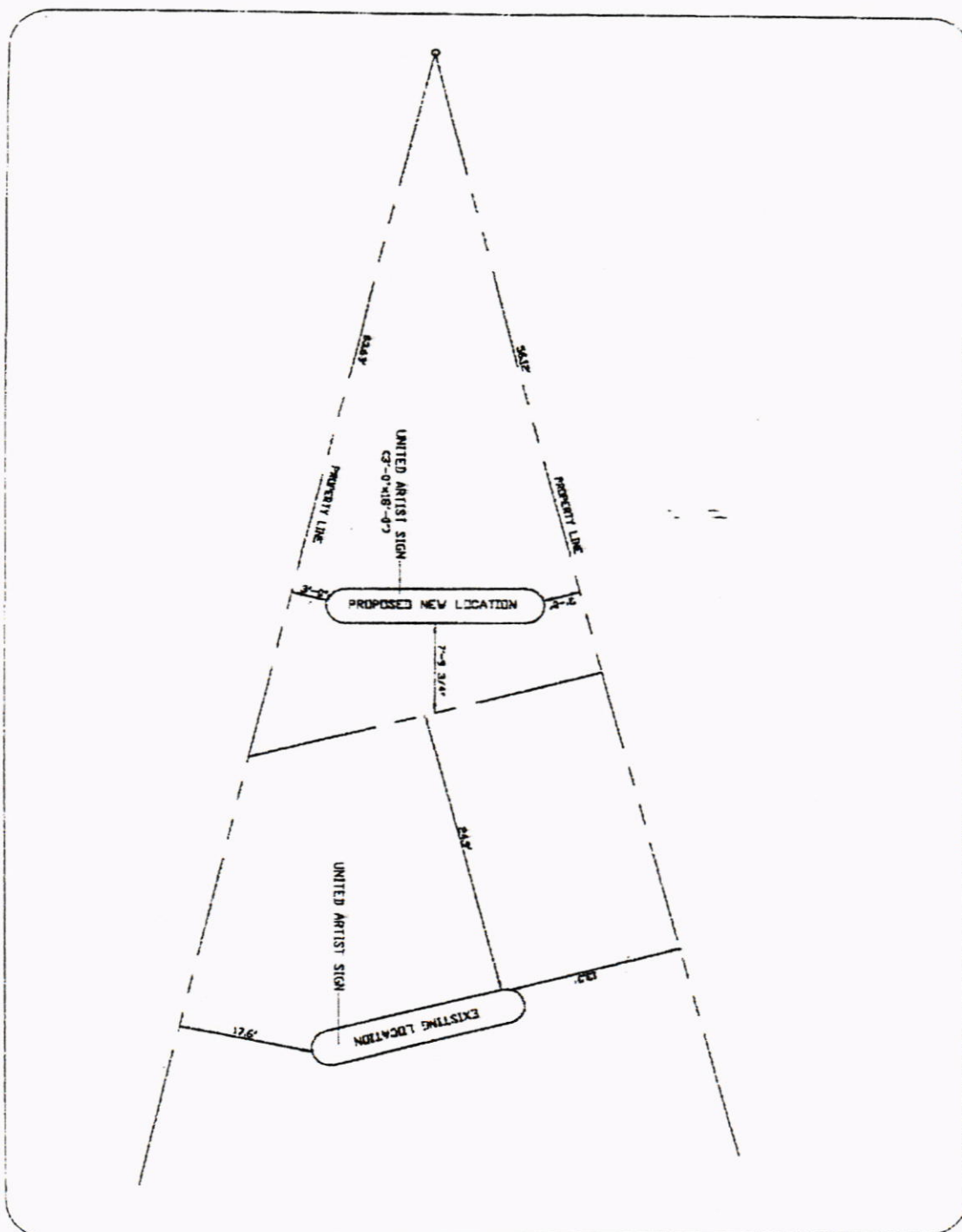
By signing this application, it is understood and agreed that permission is given to the Zoning Administrator to have a sign erected on subject property, giving notice to the public that said property is being considered for a dimensional variance.



Signature

Nov 12, 2001
Date

BOARD APPROVED



DRAWING NAME UNITED ARTIST	DATE ATTACHED	ATTACHED BY: _____	MOORE ENTERPRISES, INC. 7712 Hwy 40 North, Hattiesburg, MS 601-864-7448	SOUTHERN SIGN SPECIALISTS LOCATION: UNITED ARTIST 231 CLINTON CENTER DR. CLINTON, MS	REV.
	DATE ATTACHED	ORDER BY: BL ROYD WORK ORDER # 730 DATE: 1-4-02 SALESMAN: CHM			
	DATE ATTACHED	CUSTOMER: UNITED ARTIST			
	DATE ATTACHED	PROPERTY OF MOORE ENTERPRISES, INC. - NOT TO BE REPLICATED			

SIGNS OF ALL KINDS



November 14, 2001

To Whom It May Concern
City of Clinton
P.O. Box 156
Clinton, MS 39060

Re: Request for Variance – United Artist

To Whom It May Concern:

Request for variance from property line set backs due to shape of property.

The existing United Artist sign was installed on the wrong property due to Highway Department taking in additional property. The property where the sign is now was sold after the sign was installed and the property where the sign should go is too small for the set back requirements of the city.

Sincerely,

A handwritten signature in cursive script, appearing to read "Harold Munn", followed by a long horizontal flourish.

Harold Munn
Vice President
Munn Enterprises, Inc.
ks

RESOLUTION**RESOLUTION APPROVING A DIMENSIONAL VARIANCE FOR UNITED ARTIST THEATRE CIRCUIT, INC FOR PROPERTY LOCATED ON CLINTON CENTER DRIVE, CLINTON MISSISSIPPI, AS DESCRIBED IN EXHIBIT "A"**

WHEREAS, United Artist Theatre Circuit Inc., has requested a dimensional variance on the setback requirements as set in Section 2306 of the Zoning Ordinance of the City of Clinton, Mississippi; and,

WHEREAS, the Zoning Ordinance of the City of Clinton, Mississippi now require certain setback requirements as set forth therein; and,

WHEREAS, because of the unusual shape of the subject property a variance is needed for the setbacks on the north property line and south property line; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, find that the requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and,

WHEREAS, the Owner has complied with the requirements of the Zoning Regulations regarding dimensional variance; and,

WHEREAS, the Planning and Zoning Board has recommended granting the dimensional variance as set out in its minutes.

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the requested dimensional variance should be granted as follows:

1. A dimensional variance shall be granted to permit a setback
2. The legal description of the subject property is shown in Exhibit "A" attached hereto.
3. The setback variances shall be generally as shown in the proposed site plan attached hereto as Exhibit "B".

Except as modified hereby, this property shall be subject to all applicable ordinances and regulations;

The foregoing Resolution, having been reduced to writing, Alderman Brabham Moved that said Resolution be adopted. Alderman Touchton 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 Brantley voted:	<u>yes</u>
Alderman Fisher voted:	<u>yes</u>
Alderman Touchton voted:	<u>yes</u>
Alderman Lott voted:	<u>absent</u>

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

The foregoing ordinance was approved this the 5th day of February 2002.

CITY OF CLINTON

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, MAYOR

ATTEST:

Wayne Derrick
Wayne Derrick, City Clerk

(SEAL)

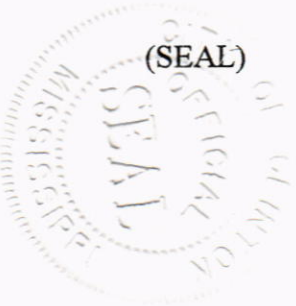


Exhibit "A"

Begin Northwest corner, Lot 2, Joe T Dehmer Development Phase I, Southeasterly 56.14, Westerly 30 feet, North 63.63, to the Point of Beginning.

Part Lot 2 Joe T Dehmer Development Phase I, City of Clinton, Mississippi.

Situated in the Southwest quarter of Section 29, the Northeast quarter of Section 31 and the Northwest quarter of Section 32, Township 6 North - Range 1 West, City of Clinton, Hinds County, Mississippi.

Also known as Sign for United Artist Theatre (Clinton Cinema).

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: February 5, 2002

Agenda Item No. 7. b

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: Preliminary Site Plan
Entergy – Clinton Service Cener

Introduced by: Gary Ward

Telephone: 924-2256

Exhibits for Review:

Minutes _____

Invoice _____

Other: _____

Ordinance _____

Plans, Maps _____

Resolution _____

Contract _____

Recommendation:

Board Action:

Motion made by: _____

Seconded by: _____

Vote Cast:

"Aye"

"Nay"

Action Taken:

Brabham _____

Hisaw _____

Greer _____

Brantley _____

Fisher _____

Touchton _____

Lott _____

Mayor Aultman _____

absent

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: February 5, 2002

Agenda Item No. 7. C

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: Amendment to Zoning Ordinance
Section 401.05 – Accessory Buildings or Uses

Introduced by: Gary Ward

Telephone: 924-2256

Exhibits for Review:

Minutes _____
Ordinance _____
Resolution _____

Invoice _____
Plans, Maps _____
Contract _____

Other: _____

Recommendation:

Board Action:

Motion made by: Fisher
Seconded by: Brabham

Vote Cast: "Aye" _____

"Nay" _____

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman _____

Absent

Proposed Ordinance

Section 401.05 - Accessory Buildings or Uses

- a) Accessory buildings or uses are PROHIBITED in the front yard and side yard of ANY district.
- b) Accessory buildings or uses may be placed in the required rear yard of any main building or use in ANY district, provided that the accessory building or use is at least ten (10) feet from the rear property line and at least eight (8) from the side property line.
- c) Accessory buildings shall not cover more than ten percent (10%) of the rear yard in ANY district.
- d) Accessory buildings shall not exceed a height of twenty (20) feet.
- e) Exterior colors and materials of accessory buildings or uses shall be compatible with surrounding structures, unless accessory building is screened by solid fencing as to not be visible from the street or any sides.

Existing Ordinance

Adopted April, 1997

401.05 Accessory Buildings or Uses:

- (a) Front yards: Accessory buildings or uses are PROHIBITED in the front yard of ANY district.
- (b) Side yards in R-1 and R-2: Accessory buildings or uses may be erected in the side yard of R-1 districts at least eight (8) feet from the side property line and in the side yard of R-2 districts at least five (5) feet from the side property line.
- (c) Side yards in districts other than R-1 or R-2: Accessory buildings or uses shall be PROHIBITED in the side yards of any district other than R-1 or R-2.
- (d) Rear yards: Accessory buildings or uses may be placed in the required rear yard of any main building or use in ANY district, provided that the accessory building or use is at least ten (10) feet from the rear property line.
- (e) Maximum coverage of rear yard: Accessory buildings shall not cover more than ten percent (10%) of the rear yard in ANY district.
- (f) Maximum height of accessory buildings: Accessory buildings shall not exceed a height of twenty (20) feet.

*See amended
Ordinance
Attached*

AN ORDINANCE AMENDING THE OFFICIAL ZONING ORDINANCE OF THE CITY OF CLINTON, MISSISSIPPI BY AMENDING SECTION 401.05 – ACCESSORY BUILDINGS OR USES

WHEREAS, notice of a public hearing to amend Section 401.05 of the Zoning Ordinance of the City of Clinton was published in the Clarion-Ledger on January 7, 2002; and

WHEREAS, a public hearing on the proposed amendment was held on January 24, 2002, at 7:00 o'clock P.M.; and,

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

AMENDMENT TO ZONING ORDINANCE

Section 401.05, Accessory Buildings or Uses is amended by deleting A, B, C, D, E, F and adding the following:

- a) Accessory buildings or uses are PROHIBITED in the front yard and side yard of ANY district.*
- b) Accessory buildings or uses may be placed in the required rear yard of any main building or use in ANY district, provided that the accessory building or use is at least ten (10) feet from the rear property line and at least eight (8) from the side property line.*
- c) Accessory buildings shall not cover more than ten percent (10%) of the rear yard in ANY district.*
- d) Accessory buildings shall not exceed a height of twenty (20) feet.*
- e) Exterior and materials of the accessory buildings or uses shall be compatible with surrounding structures, unless accessory building is screened by solid fencing as to not be visible from the street or any sides.*

This Ordinance shall be effective 30 days from and after passage.

ORDAINED, ADOPTED AND APPROVED BY THE MAYOR AND
BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, at a
meeting thereof held on the 5th day of February 2002.

A Motion for adoption was made by Alderman _____ and
seconded by Alderman _____. 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: _____

Alderman Hisaw voted: _____

Alderman Greer voted: _____

Alderman Brantley voted: _____

Alderman Fisher voted: _____

Alderman Touchton voted: _____

Alderman Lott voted: _____

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

The foregoing ordinance was approved this the 5th day of February 2002.

CITY OF CLINTON

BY: _____
ROSEMARY AULTMAN, Mayor

ATTEST:

WAYNE DERRICK, City Clerk

(S E A L)

AN ORDINANCE AMENDING THE OFFICIAL ZONING ORDINANCE OF THE CITY OF CLINTON, MISSISSIPPI BY AMENDING SECTION 401.05 – ACCESSORY BUILDINGS OR USES

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WHEREAS, a public hearing on the proposed amendment was held on January 24, 2002, at 7:00 o'clock P.M.; and,

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

AMENDMENT TO ZONING ORDINANCE

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- a) Accessory buildings or uses are PROHIBITED in the front yard and side yard of ANY district.*
- b) Accessory buildings or uses may be placed in the required rear yard of any main building or use in ANY district, provided that the accessory building or use is at least ten (10) feet from the rear property line and at least eight (8) from the side property line.*
- c) Accessory buildings shall not cover more than ten percent (10%) of the rear yard in ANY district.*
- d) Accessory buildings shall not exceed a height of twelve (12) feet, unless a greater height is approved by the Mayor and Board of Aldermen.*
- e) Exterior and materials of the accessory buildings or uses shall be compatible with surrounding structures, unless accessory building is screened by solid fencing as to not be visible from the street or any sides.*

This Ordinance shall be effective 30 days from and after passage.

ORDAINED, ADOPTED AND APPROVED BY THE MAYOR AND
BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, at a
meeting thereof held on the 5th day of February 2002.

A Motion for adoption was made by Alderman Fisher and
seconded by Alderman Brabham. 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:	<u>yes</u>
Alderman Hisaw voted:	<u>yes</u>
Alderman Greer voted:	<u>yes</u>
Alderman Brantley voted:	<u>yes</u>
Alderman Fisher voted:	<u>yes</u>
Alderman Touchton voted:	<u>yes</u>
Alderman Lott voted:	<u>absent</u>

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

The foregoing ordinance was approved this the 5th day of February 2002.

CITY OF CLINTON

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Wayne Derrick
WAYNE DERRICK, City Clerk

PLANNING AND ZONING COMMISSION

Clinton, Mississippi

Thursday, January 24, 2002

Public Hearing - 7:00 P.M.

Municipal Courtroom

305 Monroe Street

Minutes

Commission members present: Jim Martin, Bill Campbell, Bettye King, Janet Sherer, Kathy Peace

City officials present: Gary Ward, Zoning Administrator, Ken Dreher, City Attorney, Clint Brantley, Alderman

I. Call to Order

Commission chairman Bill Campbell called the meeting to order at 7:00 pm.

II. Consideration and approval of November 27, 2001 minutes

MOTION was made by Bettye King to accept MINUTES of November 27, 2001 meeting. SECOND by Janet Sherer. MOTION carried, none opposed.

III. Considerations from previous meetings

There were no considerations from previous meetings.

IV. New Considerations

1. Entergy – Clinton Service Center Preliminary Site Plan

Representatives present: Charles Bryan, Wayne Timmer, Mark Vaughn

Gary Ward briefed the commission on the preliminary site plan of the Entergy Service Center on Highway 80 in Clinton. The existing Entergy building will be demolished and a new 15000 square foot building will be built in its place. All city department heads have reviewed and approved the preliminary site plan.

Charles Bryan added that the existing building was built in the 1950's and needed updating.

A public hearing was held and no opposition was expressed.

A MOTION was made by Janet Sherer to recommend approval to the Mayor and Board of Aldermen for the preliminary site plan for Entergy. SECOND by Kathy Peace. MOTION carried unanimously, none opposed.

Site plan is on file with the Zoning Administrator.

2. Clinton United Artist – Clinton Center Drive
Request for dimensional variance

Representatives present: Howard Munn, Shawn Umbrello

Gary Ward briefed the commission on the Clinton United Artist request for a dimensional variance for their sign. The current location of the sign is on Dr. Ryan Tracy's property; therefore they are requesting to move the sign to a location 32 feet west of current site. However, to do this they will need a 2-foot variance from the Clinton Center Drive Right of Way on the south side and a 2-foot variance from I-20 ROW on the north side. The City of Clinton Zoning Ordinance requires a 5-foot variance from all property lines.

Bettye King asked the representatives if this site had been verified. The representatives replied that a survey of the property confirmed that the site belongs to the theatre.

Jim Martin asked about the location of the sign indicating there may be a driving hazard if the column is only three feet from the curb. Mr. Munn explained that the support column of the sign would actually be 12-15 feet from the road; the aerial sign edge would be 7 – 8 feet from the curb.

A public hearing was held and no opposition was expressed.

A MOTION was made by Bettye King to approve the request for a dimensional variance by Clinton United Artist Theatre and forward to the Mayor and Board of Aldermen. SECONDED by Kathy Peace. MOTION carried, none opposed.

3. Amendment to Zoning Ordinance, Section 401.05
Accessory Buildings or Uses

Gary Ward presented the amendment to the Zoning Ordinance, Section 401.05 regarding accessory buildings or uses. This amendment does not prohibit accessory buildings as long as they match the existing structure or are fully enclosed by fencing.

Jim Martin asked if there is a definition of accessory building in the zoning ordinance. Gary Ward read aloud the definition of an accessory building as stated in the zoning ordinance. As stated in Article II, Section 201 of the zoning ordinance, an accessory structure or use is any detached structure or use which is subordinate or incidental to the main building or dominant use of the lot or premises, excluding driveways, sidewalks, and fences.

Janet Sherer questioned item E of the proposed ordinance change. It states that metal buildings are not prohibited if they are enclosed by fencing. Mrs. Sherer asked if this would apply to existing buildings. Gary Ward replied that accessory buildings would be grandfathered as long as they exist before this proposed change is adopted.

A public hearing was held and the members of the commission had the following concerns:

Jim Martin would like for something to be stated in this proposed amendment that a variance could be requested for side yard buildings (i.e. garages) as long as it is

compatible with the existing structure. Betty King stated concerns regarding the twenty-foot high fencing and Bill Campbell was concerned about screening such as landscaping being used as fencing.

No one was present to express opposition.

V. Other Business

There were no other business items to discuss.

VI. Confirmation of next meeting

Confirmation of the next Planning and Zoning Commission Meeting to be held on February 26, 2002 at 7:00 P.M. with the Informational Meeting set for 6:30 P.M.

VII. Adjournment

MOTION to adjourn was made by Kathy Peace. SECOND by Janet Sherer. MOTION carried unanimously, none opposed.

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: February 05, 2002

Agenda Item No. 8

Consent Agenda:	To:
Account No.	

Discussion/Action: Final Plat approval for Indian Trials part 7	
Introduced by: Richard Broome	Telephone No. 924-5462

Exhibits for Review:

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

Recommendation:

Board Action:

Motion made by: Brantley
Seconded by: Green

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

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: February 05, 2002

Agenda Item No. 9

Consent Agenda: For:	To:
Account No.	

Discussion/Action: Summary Change Order – 2001 Street Improvements Program	
Introduced by: Richard Broome	Telephone No. 924-5462

Exhibits for Review:

Minutes: _____	Invoice: _____	Other: <u>Change Order</u>
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation:

Board Action:

Motion made by: Fisher

Seconded by: Gumley

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

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: February 5, 2002

Agenda Item No. 10

Consent Agenda:

To: Alford Engineering

For:

Addendum to Brighton Park

Agreement- not to exceed \$1750.00

Account No. A001-305-720-0

Discussion/Action:

Introduced by:

Telephone No.

Michael E. Taggart

601-924-6082

Exhibits for Review: See Attachment.

Minutes: _____

Invoice: _____

Other: _____

Ordinance: _____

Plans, Maps: _____

Resolution: _____

Contract: _____

Recommendation:

Board Action:

Motion made by: Hisaw

Seconded by: Brabham

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Absent

Mayor Aultman

Agenda items must be turned in to the City Clerk with all attachments no later than 5 PM on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

ALFORD ENGINEERING

CONSULTING ENGINEERS

P.O. BOX 16621

JACKSON, MISSISSIPPI 39236-6621

5135 GALAXIE DRIVE, SUITE 401-D

JACKSON, MISSISSIPPI 39206

TELEPHONE: (601) 362-7450

FAX: (601) 366-5948

January 28, 2002

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

RE: Brighton Park

Dear Mayor Aultman:

We have begun developing preliminary cost estimates based on the "Master Plan".

The old lagoon was filled with many different kinds of waste materials including trees, stumps, concrete, and some suitable soils. The tennis courts and main building areas will likely require undercutting to assure we have a good foundation.

In order for us to make a more reasonable preliminary cost estimate of this work, we recommend that some preliminary geotechnical work be performed. We met on the site with Richard Broome and Gene Wardlaw of GeoScience Engineers, LLC and we propose that three (3) auger borings be made to give us a "snapshot" of what to expect.

The information from these borings will also be utilized in the geotechnical investigation and report that will be prepared before the final design is initiated. We propose to provide these services as an "Addendum" to our "Agreement" and in accordance with the attached proposal from GeoScience Engineers, LLC for a fee not to exceed \$1,750.00.

Page 2

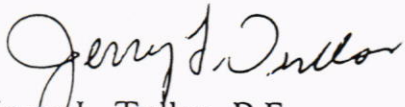
Honorable Rosemary Aultman, Mayor

January 28, 2002

If you and the Board concur with this proposal, please sign below and return a copy for our files. If you should have any questions or comments, please do not hesitate to call.

Sincerely,

ALFORD ENGINEERING



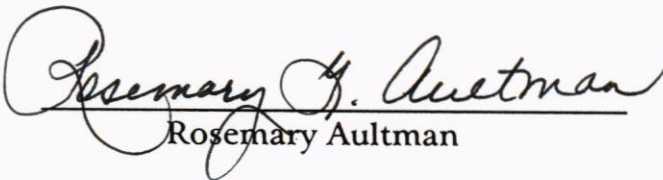
Jerry L. Tullos, P.E.

JLT/mp

Enclosure

This letter shall serve as an Amendment to the Agreement of August 7, 2001, and is hereby accepted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on this 5th day of February, 2002.

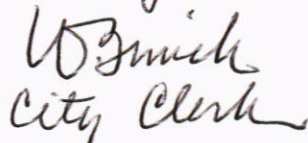
BY:


Rosemary Aultman

Mayor

Title

Attested by:


City Clerk

BOARD APPROVED

GeoScience

E N G I N E E R S, LLC

POST OFFICE Box 9144
JACKSON, MISSISSIPPI 39286

104 EAST MARKETRIDGE DRIVE
RIDGELAND, MISSISSIPPI 39157

GEOTECHNICAL AND GEOENVIRONMENTAL CONSULTANTS

TELEPHONE: (601) 956-0851

FACSIMILE: (601) 956-1116

January 24, 2002

Alford Engineering
Post Office Box 16621
Jackson, Mississippi 39236-6621

Attention: Mr. Jerry L. Tullos, P.E.

Re: Preliminary Geotechnical Investigation
Brighton Park
Clinton, Mississippi

Gentlemen:

GeoScience Engineers, LLC (GeoScience) is pleased to submit this proposal to provide geotechnical engineering services to Alford Engineering (Alford) related to preliminary design of Brighton Park at a site in Clinton, Mississippi. This proposal was requested by Mr. Jerry L. Tullos, P.E. on January 22, 2002.

Project Description

Based on information provided by Alford, it is our understanding that the City of Clinton is planning the construction of a recreational park at a site in Clinton, Mississippi. The site of this project is located south of Interstate 20 and west of Clinton Raymond Road and just north of Brighton Subdivision and has an area of about 20 acres. According to preliminary designs, the park would provide walking trails, volley ball courts, tennis courts, three pavilions, and a club house. According to available information, the site has had extensive fill placement over the years. The quality of the fill and fill placement is unknown.

Proposed Work Scope

The preliminary geotechnical investigation proposed for this project would include the following:

- a. Site reconnaissance: The site would be observed to document physical conditions pertinent to the geotechnical investigation.
- b. Soil Borings: A total of three soil borings would be drilled and sampled. The boring locations would be placed at representative locations throughout the proposed park site. The boring program would consist of the following

borings:

Proposed Boring Program		
Location	Undisturbed Sampling	Disturbed Sampling
Club House	---	1 to 15 ft.
Tennis Courts	---	1 to 15 ft.
Pavilion	---	1 to 15 ft.

- c. Laboratory Testing: The engineering properties of selected soil samples would be determined by means of geotechnical laboratory testing. Laboratory tests would include Atterberg limit and moisture content determinations.
- d. Engineering and Reporting: After review of field and laboratory data, engineering analyses would be performed and the findings of the investigation would be reported in an engineering report along with our conclusions and recommendations.

Procedures

GeoScience has developed standard procedures for soil borings associated with investigations of this type. Attachment A is provided to document these procedures.

Laboratory tests would be conducted to determine the plasticity characteristics and natural moisture contents of the soils encountered. These tests would be completed using recognized ASTM standards and procedures in our laboratory facility. Results of these laboratory tests would be included in the engineering report prepared for this project.

After the field and laboratory phases of this investigation have been completed, an engineering report would be prepared to present the results of this study. The engineering report would include graphical logs of the soil borings, results of all field and laboratory soils tests, description of the soil conditions, and other appropriate illustrations. Specifically, this engineering report would address soil conditions at the project site, recommended foundation types and other geotechnical issues related to this project.

Fees

An estimate of fees for this project has been developed using our standard fee schedule. Based upon the work scope and procedures stated herein and our understanding of the site conditions, we believe the cost of this investigation would not exceed about \$1,750. This cost estimate assumes that the site is accessible with our field exploration equipment with only minimal difficulty.

The estimated cost for this investigation does not account for contingencies which might be encountered during the field investigation. These contingencies might include the need to deepen some of the borings or to use special equipment to complete the borings. In the event that this

special equipment becomes necessary or if unusual conditions requiring deeper borings were encountered, we would contact you to secure your approval prior to proceeding.

Schedule

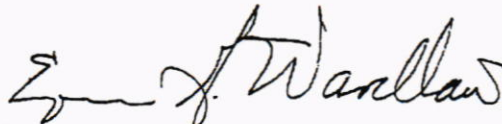
The field investigation phase of this study could be initiated within about one week of your notice to proceed and would require about one day to complete. A completed engineering report could be submitted to you approximately ten days after completion of the field investigation. Preliminary recommendations could be provided upon your request.

Contractual Considerations

In lieu of a more formal contract, this letter, Attachment A (Standard Procedures for Soil Borings) and Attachment B (General Conditions for Engineering Services) can be used as a written agreement of the work scope, schedule, and fees. This document is provided to you in duplicate. Please have the person responsible for payment sign and return an acknowledgment copy of this proposal for our files, or issue a purchase order reflecting its terms. Your verbal or written notice to proceed will indicate your acceptance of the estimated fee, proposed schedule and the attached General Conditions for Engineering Services.

We appreciate the opportunity to submit this proposal. If we can answer any questions or provide any additional information, please call on us.

Very Truly Yours,
GeoScience Engineers, LLC

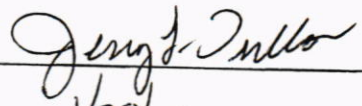
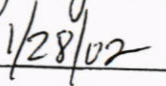

Eugene G. Wardlaw, P.E.

EGW

Copies Submitted: 2

Attachments

q:\proposal\2002\jan\Brighton_Park.p.wpd

Accepted By: Date: 

Attachment A
Standard Procedures for Soil Borings

The following paragraphs provide information regarding standard procedures utilized by GeoScience Engineers, LLC for soil borings associated with geotechnical investigations. Where applicable, references to ASTM procedures are made. These references provide more thorough explanation of procedures. In some cases ASTM procedures are modified to accommodate local conditions and practices. Field data collected and soil classifications are reported on the soil boring log.

Boring Advancement

Soil borings are advanced using rotary drilling methods. Auger procedures are used where possible to allow observation of groundwater. In unstable soils and below groundwater the borings are advanced using a rotary wash procedure to stabilize and to flush cuttings from the boring.

Groundwater Observations

During the advancement of soil borings, fluid levels in the borings are monitored to detect the presence of groundwater or subsurface seepage water. Observations are made in general accordance with ASTM D 4750. Typically, the depth that free water is originally encountered and the short term rise characteristics are noted. In some cases, long term levels are noted.

Soil Sampling - Auger Samples

Auger samples are collected as a cost-effective method to obtain samples for classification and moisture content determination purposes. Disturbed samples are obtained directly from the auger in general accordance with ASTM D 1452. The samples are classified in general accordance with ASTM D 2488 and placed in protective containers for return to the laboratory.

Soil Sampling - Undisturbed Samples

Representative undisturbed samples of cohesive and semi-cohesive soils are obtained by pushing a 3 inch outer diameter, Shelby tube sampler a distance of 2 feet into the soil in general accordance with ASTM D1587. The Shelby tube is removed from a boring, and the soil sample is extruded in the field. The extruded sample is classified in general accordance with ASTM D2488. A representative portion of the

undisturbed sample is selected and sealed with melted paraffin in a cylindrical cardboard container to minimize moisture loss and disturbance during transport to the laboratory. Another portion of the undisturbed sample is typically sealed a glass jar for minimization of moisture loss during transport to the laboratory.

Soil Sampling - Standard Penetration Test

Representative disturbed samples of cohesionless soils are obtained from borings by driving a two inch outer diameter, split-spoon sampler a distance of 18 inches into the soil with a 140-lb hammer falling a distance of 30 inches in general accordance with ASTM D 1586. The number of blows required to drive the sampler through the three, 6 inch penetration increments is recorded and the final two increments are summed and listed as the standard penetration resistance in blows per foot.

After the penetration test is performed, the split-spoon sampler is removed from the boring and the sample is classified in general accordance with ASTM D2488. A representative portion of the soil is sealed in a glass jar for minimization of moisture loss during transport to the laboratory, placed in a protective container for return to the laboratory and possible testing.

Boring Abandonment

Upon completion of the boring, the hole is sealed. The boring is typically sealed with bentonite pellets and soil cuttings. In some cases, the borings are sealed with a cement/bentonite slurry which is pumped into the boring. The sealing method is documented on the soil boring log.

General Conditions for Engineering Services**Terms of Payment**

Payment is due upon presentation of invoice and is past due 30 days from invoice date. Client agrees to pay a finance charge of 1.5% per month on past due accounts. If the invoice becomes 60 days past due, Consultant can turn the account over to an attorney for collection and Client will pay any and all fees associated with collection.

Disputes

In the event that a dispute should arise relating to the performance of the services to be provided under this Agreement, and should that dispute result in litigation, the prevailing party shall be entitled to recover all reasonable costs incurred in the defense of the claim, including but not limited to staff time, court costs, attorney's fees, expert fees, and other claim related expenses.

Variable Conditions

Surface or subsurface conditions may vary from those encountered at the location where GeoScience collects field data. Interpretations and recommendations are based solely on the data collected and the project information furnished to GeoScience. Consultant will be responsible for those data, interpretations, and recommendations, but shall not be responsible for variations which are subsequently found to exist at the site.

The data collected, interpretations, and recommendations provided under this agreement are for the exclusive use of the Client or his authorized agent for specific application to the project as described by this proposal. GeoScience will maintain no responsibility for use of the data, interpretations or opinions by others, or for any other project.

Standard of Care

Services performed by GeoScience under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by reputable members of the profession currently practicing under similar conditions. No other warranty, expressed or implied, is made.

Limitations of Liability

GeoScience's liability to any parties arising from our professional acts, errors or omissions, will be limited such that GeoScience's total aggregate liability to all those named shall not exceed twice our total fees for that project.

Insurance

GeoScience, its agents, staff and consultants employed are protected by workmen compensation insurance and maintain such coverage under public and professional liability and property damage insurance policies which we deem to be adequate. Certificates for all such policies of insurance shall be provided to Client upon request in writing. Within the limits and conditions of such insurance, we agree to indemnify and save Client harmless from and against any loss, damage or liability arising from any negligent acts by us, our agents, staff and consultants employed by us. We shall not be responsible for any loss, damage, or liability beyond the amounts, limits, and conditions of such insurance. We shall not be responsible for any loss, damage, or liability arising from any negligent acts by Client, its agents, staff and other consultants employed by it.

Document and Sample Control

In the event that the project requires GeoScience to collect samples on behalf of the Client for our testing purposes, GeoScience will retain all samples collected under this agreement for a period of at least 35 days after collection; however, samples remain property of the Client. At time of sample disposal, GeoScience retains the right to return samples to Client for disposal should any hazardous substances be detected or suspected. Otherwise, upon completion of the retention period, GeoScience will dispose of samples as normal solid waste to an authorized, permitted solid waste landfill.

GeoScience will retain written correspondence to Client or other agencies on behalf of Client for a period of at least two years after correspondence initiation. GeoScience retains the right to utilize the sample data, evaluations and other correspondence for our benefit on similar projects. In consideration of this right, GeoScience agrees to maintain Client confidentiality without expressed consent of Client to the contrary.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: February 5, 2002

Agenda Item No. 11

Consent Agenda: \$
For:

To:

Account:

Discussion/Action: Approval of Advertising Agreement with Amacker, Inc. for WLBT.com Internet Advertising to be Paid in monthly installments of \$1,500 totaling \$18,000

Introduced by : Jim Powell

Exhibits for Review:

Minutes: _____

Invoice: _____

Other: _____

Ordinance: _____

Plans, Maps: _____

Resolution: _____

Contract: _____

Recommendation:

Board Action:

Motion made by: _____

Seconded by: _____

Greer
Brabham

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

absent

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.



WLBT.com Internet Advertising Agreement

Advertiser: City of Clinton

Client Contact: Debbe Amacker-Tillman (Amacker, Inc.)

Address: 705 Highway 80 West

Clinton, Ms 39056

Phone: (601) 924 - 7080

Email: Amacker @ jam.rr.com . com

Billing Address:

Amacker, Inc.

705 Highway 80 West

Clinton, Ms 39056

Package Description:

Sponsor of the News Channel on WLBT.com

Start Date 2 / 4 /02

Length of Term: ☒ 12 Mo. 6th mth.opt. _____

Monthly Charge \$1,500

Total Commitment \$18,000

Agreed By: Resemay G. Auctman **Date:** 2/06/02

Sales Representative: Nathanial Brown, Internet Sales Director **Date:** _____

Phone: (601) 960-4386

Email: Frankie@wlbt.net

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: Feb. 5, 2002

AGENDA ITEM NO. 12

CONSENT AGENDA : \$

TO:

FOR:

Circle : Low Quote, Sole Source, Emergency, etc. if applicable. ACCT. NO.

DISCUSSION/ACTION:

Donation to CFD of 1³/₄ ton truck from
AMR. Proposed use : Heavy Rescue Unit. See attached sheet.

INTRODUCED BY:

[Signature]
CHIEF DARREL MCQUIRTER

TELEPHONE:

925-1010

EXHIBITS FOR REVIEW:

Minutes

Ordinance

Resolution

Invoice

Plans, Maps

Contract

Other

*Investigation of
equipment located
in Mousal, LA.
Valued at estimated
12-15,000
new 80,000+*

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY:

Brabham

SECONDED BY:

Brantley

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

absent

Mayor Aultman

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

BOARD APPROVED



BOARD APPROVED



Summary Change Order

Project: 2001 Streets Improvements Program
 Owner: City of Clinton, MS
 Contractor: Adcamp, Inc.

Item	Original Quantity	Item Unit	Unit Price	Add/Delete	Final Quantity	Total Price
Surface Course	13,300	Tons	\$31.34	2161.43	15461.43	\$484,561.25
Base Failure Repair	200	Tons	\$30.98	(200)	0.00	\$0.00
Granular Material	200	Tons	\$9.00	(200)	0.00	\$0.00
Cold Milling	8,570	Square Yards	\$0.90	11177	19747.00	\$17,772.30
Traffic Stripe (White)	5,000	Feet	\$0.14	12140	17440.00	\$2,399.60
Traffic Stripe (Yellow)	5,000	Feet	\$0.14	17140	19740.00	\$2,763.60
Detail Traffic Stripe	0	Feet	\$0.65	3469	3469.00	\$2,254.85
Traffic Legend	0	Square Feet	\$4.50	264.8	264.80	\$1,191.60
Asphalt Base Course	0	Tons	\$30.50	664.03	664.03	\$20,252.92

Final Contract Amount \$531,196.12

14,740

Recommended By: _____ Date _____

Contractor's Approval _____ Date _____

Owner's Approval _____ Date _____

BOARD APPROVED

City of Clinton
Cost of Summary Change Order
2001 Streets Improvements Program

Item	Unit price	Original qty	Final qty	Original cost	Final cost	Summary change order cost
Surface course	\$31.34	13,300.00	15,461.43	\$416,822.00	\$484,561.25	\$67,739.25
Base failure repair	30.98	200.00	0.00	6,196.00	0.00	(6,196.00)
Granular material	9.00	200.00	0.00	1,800.00	0.00	(1,800.00)
Cold milling	0.90	8,570.00	19,747.00	7,713.00	17,772.30	10,059.30
Traffic stripe wht	0.14	5,000.00	17,140.00	700.00	2,399.60	1,699.60
Traffic stripe yel	0.14	5,000.00	19,740.00	700.00	2,763.60	2,063.60
Detail traffic stripe	0.65	0.00	3,469.00	0.00	2,254.85	2,254.85
Traffic legend	4.50	0.00	264.80	0.00	1,191.60	1,191.60
Asphalt base course	30.50	0.00	664.03	0.00	20,252.92	20,252.92

				\$433,931.00	\$531,196.11	\$97,265.11
				=====		