

**CITY OF CLINTON**  
**REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN**  
**TUESDAY, JUNE 4, 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 Lott followed by the Pledge of Allegiance to the Flag led by Alderman Brabham.

**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  
                  Sharbert Lott – Alderman Ward 6  
                  Ken Dreher - City Attorney

**APPROVAL OF AGENDA ITEMS A-O**

**MOTION** made by Alderman Greer and **SECONDED** by Alderman Fisher to approve Consent Agenda Items A-O. **MOTION CARRIED UNANIMOUSLY**

#### **PRELIMINARY SITE PLAN FOR SOS OIL COMPANY**

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Touchton to approve a preliminary site plan for SOS Oil Company, which will serve as a wholesale fuel delivery business, to be located on Industrial Park Drive. A copy of the site plan is on file with the Zoning Administrator. **MOTION CARRIED UNANIMOUSLY**

#### **DIMENSIONAL VARIANCE FOR 113 EAST LAKE DRIVE**

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Lott and **SECONDED** by Alderman Brabham to approve a Resolution for a dimensional variance submitted by Judy King for property located at 113 East Lake Drive. A dimensional variance of 11 ½ feet from the east side property line shall be granted to permit a setback. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

#### **UNKEMPT PROPERTY LOCATED AT LOT 17, NORTH RECTANGLE DRIVE**

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Greer to approve a Resolution for the cleaning of private property located at Lot 17, North Rectangle Drive (Langston Subdivision) under the authority granted by municipalities by Section 21-19-11, Mississippi Code of 1972 as amended, and other applicable statutes and ordinances. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

#### **UNKEMPT PROPERTY LOCATED AT LOT 16, NORTH RECTANGLE DRIVE**

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brabham to approve a Resolution for the cleaning of private property located at Lot 16, North Rectangle Drive (Langston Subdivision) under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972 as amended, and other applicable statutes and ordinances. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

#### **UNKEMPT PROPERTY LOCATED AT LOT 9, NORTH RECTANGLE DRIVE**

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brabham to approve a Resolution for the cleaning of private property located at Lot 9, North Rectangle Drive (Langston Subdivision) under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972 as amended, and other applicable statutes and ordinances. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

#### **UNKEMPT PROPERTY LOCATED AT PARCEL NO. 2862-113-2, HUNTCLIFF WAY**

No action was taken on this item because the property owner had taken corrective action prior to this Board Meeting.

#### **APPROVAL OF 2002 FORD CROWN VICTORIA WHICH MAY BE USED FOR UNDERCOVER OPERATIONS**

Upon recommendation by Don Byington, Police Chief, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Lott to approve the 2002 Ford Crown Victoria, VIN 2FAFP74W2X111211, for undercover operations. **MOTION CARRIED UNANIMOUSLY**

#### **APPROVAL OF CHANGE ORDER #1 ON THE 2000 WATER IMPROVEMENTS – HEMPHILL CONSTRUCTION**

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Lott and **SECONDED** by Alderman Brabham to approve Change Order No. 1 to the contract between the City and Hemphill Construction Company, Inc. in the amount of \$67,020.00, bringing the total contract amount to \$393,320.00; said contract is for water improvements. **MOTION CARRIED UNANIMOUSLY**

#### **AMENDMENT TO CELLULAR SOUTH LEASE**

This item was removed from the Agenda and will be addressed at a subsequent Board Meeting.

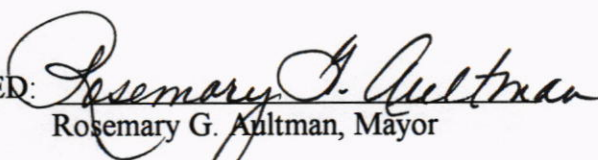
**APPROVAL OF SUMMARY CHANGE ORDER AND FINAL PAY REQUEST FOR BUILDING AT SOUTHSIDE TREATMENT PLANT**

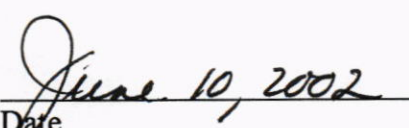
Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Brabham to approve Change Order No. 1 to the contract between the City and Shane Orman Construction in the amount of \$1,416.46 bringing the total contract amount to \$149,226.46; said contract is for the construction of a metal building located adjacent to the Southside Wastewater Treatment Facility. **MOTION CARRIED UNANIMOUSLY**

**ADJOURN 7:21 P.M.**

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

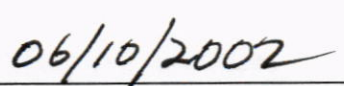
APPROVED:

  
Rosemary G. Aultman, Mayor

  
Date

ATTEST:

  
Wayne Derrick, City Clerk

  
Date

SEAL:



**BOARD APPROVED**

CITY OF CLINTON AGENDA ITEM FACT SHEET

**Board Meeting Date:** June 4 , 2002

**Agenda Item No.** 7.a

**Consent Agenda:**

**To:**

**For:**

**Acct. No:**

**Introduced by:**

**Telephone:**

**Discussion/Action:** SOS Oil Company (Ralph Abraham)  
Preliminary Site Plan

**Introduced by:** Gary Ward

**Telephone:** 924-2239

**Exhibits for Review:**

**Minutes** X

**Invoice**

**Other:**

**Ordinance**

**Plans, Maps**

**Resolution** X

**Contract**

**Recommendation:** Planning and Zoning recommends approval.

**Board Action:**

**Motion made by:** Hisaw  
**Seconded by:** Touchton

**Vote Cast:**

**"Aye"**

**"Nay"**

**Action Taken:**

**Brabham**

**Hisaw**

**Greer**

**Brantley**

**Fisher**

**Touchton**

**Lott**

**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.

**CITY OF CLINTON AGENDA ITEM FACT SHEET****Board Meeting Date:** June 4 , 2002**Agenda Item No.** 7.b**Consent Agenda:****To:****For:****Acct. No:****Introduced by:****Telephone:****Discussion/Action:** 113 East Lake Drive (Judy King)  
Dimensional Variance**Introduced by:** Gary Ward**Telephone:** 924-2239**Exhibits for Review:****Minutes** X**Ordinance** \_\_\_\_\_**Resolution** X**Invoice** \_\_\_\_\_**Plans, Maps** \_\_\_\_\_**Contract** \_\_\_\_\_**Other:****Recommendation:** Planning and Zoning recommends approval.**Board Action:****Motion made by:** \_\_\_\_\_**Seconded by:** \_\_\_\_\_Lott  
Brabham**Vote Cast:****"Aye"****"Nay"****Action Taken:****Brabham****Hisaw****Greer****Brantley****Fisher****Touchton****Lott****Mayor Aultman**

RESOLUTION**RESOLUTION APPROVING A DIMENSIONAL VARIANCE FOR JUDY KING FOR PROPERTY LOCATED 113 EAST LAKE DRIVE, CLINTON MISSISSIPPI, AS DESCRIBED IN EXHIBIT "A"**

**WHEREAS**, Judy King 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 east side 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 of 11 ½ feet from the east side property line 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 Lott moved that said Resolution be adopted. Alderman Brabham 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>yes</u> |

Whereupon the Mayor declared the Motion carried and the resolution approved and adopted. The foregoing resolution was approved this the 4<sup>th</sup> day of June 2002.

CITY OF CLINTON

BY: Rosemary J. Aultman  
ROSEMARY AULTMAN, MAYOR

ATTEST:

Wayne Derrick  
WAYNE DERRICK, CITY CLERK

(SEAL)

**BOARD APPROVED**

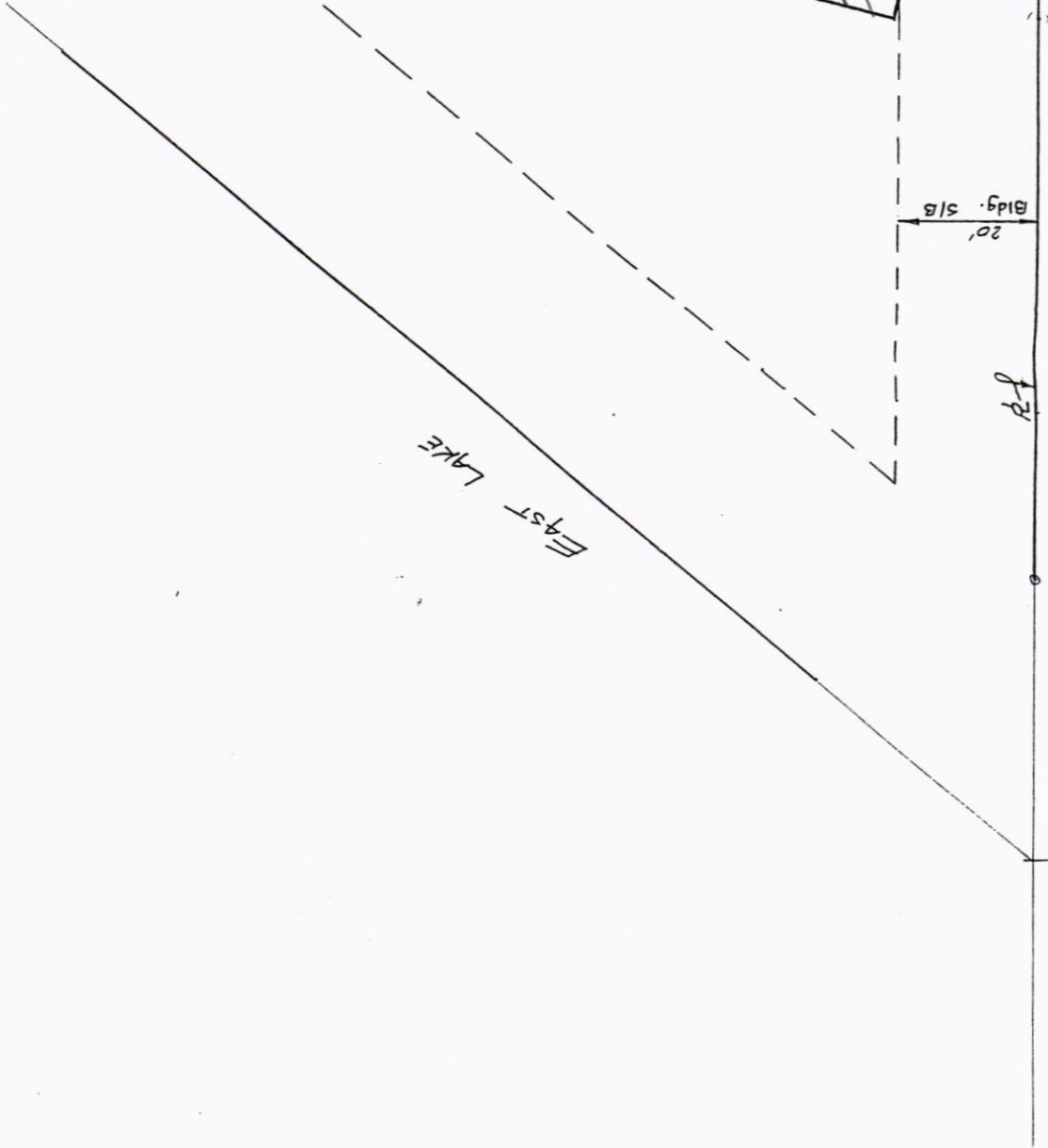
**Exhibit "A"**

Lot 18, Block "F", Lakeside Park Subdivision, Section 28, R1W, T6N, Hinds County,  
Mississippi

Also known as 113 East Lake Drive

BOARD APPROVED

52



## **PLANNING AND ZONING COMMISSION**

**Clinton, Mississippi**

Tuesday, May 28, 2002

Public Hearing - 7:00 P.M.

Municipal Courtroom

305 Monroe Street

### **Minutes**

Present: Commission members Bill Campbell, Edward Taylor, Jim Martin, Gayle Albritton, Bettye King, Kathy Peace, Janet Sherer and city officials Gary Ward (Zoning Administrator), Clint Brantley (Alderman, Ward 3), Sharbert Lott (Alderman, Ward 6).

#### **I. Call to Order**

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

#### **II. Consideration and approval of April 23, 2002 minutes**

MOTION was made by Gayle Albritton to accept the Minutes of the April 23, 2002 meeting. SECOND by Bettye King. MOTION carried, none opposed.

#### **III. Considerations from previous meetings**

There were no considerations from previous meetings.

#### **IV. New Considerations**

1. **113 East Lake Drive (Mrs. Judy King)**
  - a. Request for Dimensional Variance

Representatives present: Judy King and Paul Pickel

Gary Ward briefed the commission that Mrs. King is requesting an 11-½ foot setback from the east side property line. Her lot is a corner lot, which requires a 20-foot setback. Mrs. King is requesting the setback so that an addition can be made to her house. She is proposing to enclosing the existing garage and adding a carport and storage room. The new structure will be 15 feet from the edge of the pavement of the street.

Janet Sherer asked if any opposition had been stated from the neighbors. Gary Ward responded that there had been inquires only, no opposition.

A public hearing was held.

Alderman Sharbert Lott stated that he lived in the neighborhood and was in favor of the addition and the dimensional variance request.

A MOTION was made by Bettye King to recommend to the Mayor and Board of Aldermen to approve the request for the dimensional variance of an 11 ½ foot setback from the east side property line of 113 East Lake Drive, property of Judy King. SECOND by Janet Sherer. MOTION carried unanimously, none opposed.

## **2. SOS Oil Company (Industrial Park Drive)**

### **a. Preliminary Site Plan**

Representative present: Ralph Abraham

Gary Ward informed the commission that Mr. Abraham is requesting a preliminary site plan approval for SOS Oil Company to be located on Industrial Park Drive. He will be moving the existing above ground fuel tanks from their present location on Clinton Raymond Road at Frontage Road. The site is correctly zoned for this type of business. All department heads have reviewed and approved this preliminary site plan. All fire codes have been met.

Gayle Albritton asked if the same tanks would be used. Ralph Abraham replied the same tanks would be refurbished and used.

Janet Sherer inquired as to the anticipated traffic. Ralph Abraham answered that a small utility truck would make six to seven daily trips to the tanks and a large truck would make one trip per day.

Edward Taylor asked if this is a fuel supply business. Abraham answered that it is a wholesale fuel delivery business.

Bettye King inquired as the proposed building on the site plan. Abraham replied the building would be approximately 5000 square feet with office and storage space. The storage space would be for storage of packaged oil products.

A public hearing was held and no opposition was expressed.

A MOTION was made by Kathy Peace to recommend to the Mayor and Board of Aldermen to approve the preliminary site plan request for SOS Oil Company located on Industrial Park Drive. SECOND by Gayle Albritton. MOTION carried unanimously, none opposed.

## **V. Other Business**

There were no other business items to be discussed.

## **VI. Confirmation of next meeting**

Confirmation of the next Planning and Zoning Commission Meeting to be held on June 25, 2002 at 7:00 P.M. with the Informational Meeting set for 6:30 P.M.

## **VII. Adjournment**

MOTION to adjourn was made by Edward Taylor. SECOND by Janet Sherer. MOTION carried unanimously, none opposed.

**CITY OF CLINTON AGENDA ITEM FACT SHEET****Board Meeting Date:** June 4 , 2002**Agenda Item No.** 8**Consent Agenda:****To:****For:****Acct. No:****Introduced by:****Telephone:****Discussion/Action:** Unkempt Property  
Lot 17, Langston Subdivision  
North Rectangle Drive**Introduced by:** Gary Ward**Telephone:** 924-2239**Exhibits for Review:****Minutes**  
**Ordinance**  
**Resolution**      X**Invoice**  
**Plans, Maps**  
**Contract****Other:****Recommendation:****Board Action:****Motion made by:** Hisaw**Seconded by:** Greer**Vote Cast:**      **"Aye"****"Nay"****Action Taken:****Brabham****Hisaw****Greer****Brantley****Fisher****Touchton****Lott****Mayor Aultman**

**RESOLUTION**

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at Lot 17, North Rectangle Drive, Langston Subdivision, Clinton, Mississippi, and after full consideration of the matter, Alderman Hisaw offered the following Resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED AT LOT 17, NORTH RECTANGLE DRIVE, LANGSTON SUBDIVISION, CLINTON, MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.**

**WHEREAS**, it has come to the attention of the Mayor and Board of Aldermen that the property located at Lot 17, North Rectangle Drive, Langston Subdivision, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

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

**WHEREAS**, a public hearing was held at 7:00 p.m., June 4, 2002, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

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

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

1. It is hereby adjudicated that the property located at Lot 17, North Rectangle Drive, Langston Subdivision, Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.
2. The Director of Public Works is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.

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

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

|                          |            |
|--------------------------|------------|
| Alderman Brabham voted:  | <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>yes</u> |

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

The foregoing Resolution was approved this the 4<sup>th</sup> day of June 2002.

ATTEST:

W. Derrick  
WAYNE DERRICK, City Clerk

CITY OF CLINTON  
BY: Rosemary A. Aultman  
ROSEMARY AULTMAN, Mayor

(SEAL)



CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 4 , 2002

Agenda Item No. 9

Consent Agenda:

To:

For:

Acct. No:

Introduced by:

Telephone:

**Discussion/Action:** Unkempt Property  
Lot 16, Langston Subdivision  
North Rectangle Drive

Introduced by: Gary Ward

Telephone: 924-2239

**Exhibits for Review:**

Minutes

Invoice

Other:

Ordinance

Plans, Maps

Resolution X

Contract

**Recommendation:****Board Action:**Motion made by: HisawSeconded by: Brabham**Vote Cast:**"Aye""Nay"**Action Taken:**

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

**RESOLUTION**

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at Lot 16, North Rectangle Drive, Langston Subdivision, Clinton, Mississippi, and after full consideration of the matter, Alderman Hisa offered the following Resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED AT LOT 16, NORTH RECTANGLE DRIVE, LANGSTON SUBDIVISION, CLINTON, MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.**

**WHEREAS**, it has come to the attention of the Mayor and Board of Aldermen that the property located at Lot 16, North Rectangle Drive, Langston Subdivision, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

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

**WHEREAS**, a public hearing was held at 7:00 p.m., June 4, 2002, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

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

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

1. It is hereby adjudicated that the property located at Lot 16, North Rectangle Drive, Langston Subdivision, Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.
2. The Director of Public Works is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.

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

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

|                          |            |
|--------------------------|------------|
| Alderman Brabham voted:  | <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>yes</u> |

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

The foregoing Resolution was approved this the 4<sup>th</sup> day of June 2002.

ATTEST:

W. Derrick  
WAYNE DERRICK, City Clerk

CITY OF CLINTON  
BY: Rosemary J. Aultman  
ROSEMARY AULTMAN, Mayor

(S E A L)



**CITY OF CLINTON AGENDA ITEM FACT SHEET****Board Meeting Date:** June 4, 2002**Agenda Item No.** 10**Consent Agenda:****To:****For:****Acct. No:****Introduced by:****Telephone:****Discussion/Action:** Unkempt Property  
Lot 9, Langston Subdivision  
North Rectangle Drive**Introduced by:** Gary Ward**Telephone:** 924-2239**Exhibits for Review:****Minutes****Invoice****Other:****Ordinance****Plans, Maps****Resolution** X**Contract****Recommendation:****Board Action:****Motion made by:** Hisaw  
**Seconded by:** Brabham**Vote Cast:****"Aye"****"Nay"****Action Taken:****Brabham****Hisaw****Greer****Brantley****Fisher****Touchton****Lott****Mayor Aultman**

**RESOLUTION**

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at Lot 9, North Rectangle Drive, Langston Subdivision, Clinton, Mississippi, and after full consideration of the matter, Alderman Heaw offered the following Resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED AT LOT 9, NORTH RECTANGLE DRIVE, LANGSTON SUBDIVISION, CLINTON, MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.**

**WHEREAS**, it has come to the attention of the Mayor and Board of Aldermen that the property located at Lot 9, North Rectangle Drive, Langston Subdivision, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

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

**WHEREAS**, a public hearing was held at 7:00 p.m., June 4, 2002, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

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

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

1. It is hereby adjudicated that the property located at Lot 9, North Rectangle Drive, Langston Subdivision, Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.
2. The Director of Public Works is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.

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

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

|                          |            |
|--------------------------|------------|
| Alderman Brabham voted:  | <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>yes</u> |

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

The foregoing Resolution was approved this the 4<sup>th</sup> day of June 2002.

ATTEST:

W. Derrick  
WAYNE DERRICK, City Clerk

CITY OF CLINTON  
BY: Rosemary L. Aultman  
ROSEMARY AULTMAN, Mayor

(SEAL)



## CITY OF CLINTON AGENDA ITEM FACT SHEET

**Board Meeting Date:** June 4 , 2002

**Agenda Item No.** 11

**Consent Agenda:**

**To:**

**For:**

**Acct. No:**

**Introduced by:**

**Telephone:**

**Discussion/Action:** Unkempt Property  
Parcel No. 2862-113-2  
Huntcliff Way

**Introduced by:** Gary Ward

**Telephone:** 924-2239

**Exhibits for Review:**

**Minutes**

**Ordinance**

**Resolution**      X

**Invoice**

**Plans, Maps**

**Contract**

**Other:**

**Recommendation:**

**Board Action:**

**Motion made by:** No  
**Seconded by:** action taken

**Vote Cast:**      **"Aye"**

**"Nay"**

**Action Taken:**

**Brabham**

**Hisaw**

**Greer**

**Brantley**

**Fisher**

**Touchton**

**Lott**

**Mayor Aultman**

## RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at Parcel No. 2862-113-2, Huntcliff Way, Clinton, Mississippi, and after full consideration of the matter, Alderman \_\_\_\_\_ offered the following Resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED AT PARCEL NO. 2862-113-2, HUNTCLIFF WAY, CLINTON, MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.**

**WHEREAS**, it has come to the attention of the Mayor and Board of Aldermen that the property located at Parcel No. 2862-113-2, Huntcliff Way, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

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

**WHEREAS**, a public hearing was held at 7:00 p.m., June 4, 2002, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

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

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

1. It is hereby adjudicated that the property located at Parcel No. 2862-113-2, Huntcliff Way, Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.
2. The Director of Public Works is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.

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

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

Alderman Brabham voted: \_\_\_\_\_  
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 Resolution approved and adopted.

The foregoing Resolution was approved this the 4<sup>th</sup> day of June 2002.

CITY OF CLINTON

BY: \_\_\_\_\_  
ROSEMARY AULTMAN, Mayor

ATTEST:

\_\_\_\_\_  
WAYNE DERRICK, City Clerk

(S E A L)

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: June 2, 2002

AGENDA ITEM NO. 12

CONSENT AGENDA:

TO: Mayor and Board of Alderman

FOR: 2002 Ford Crown Victoria, identification number

2FAFP74W2X111211, may be used for the purpose of undercover operations.

ACCT. NO.

DISCUSSION/ACTION:

INTRODUCED BY: Don Byington

D/B

TELEPHONE: 924-5252

EXHIBITS FOR REVIEW:

Minutes \_\_\_\_\_  
Ordinance \_\_\_\_\_  
Resolution \_\_\_\_\_

Invoice \_\_\_\_\_  
Plans, Maps \_\_\_\_\_  
Contract \_\_\_\_\_

Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY:

Touchton  
Lott

SECONDED BY:

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham  
Hisaw  
Greer  
Brantley  
Fisher  
Touchton  
Lott

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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: June 4, 2002

Agenda Item No. 13

|                         |     |
|-------------------------|-----|
| Consent Agenda:<br>For: | To: |
| Account No.             |     |

|                                                                                                 |                               |
|-------------------------------------------------------------------------------------------------|-------------------------------|
| Discussion/Action: <u>Change order #1 - 2000 Water Improvements - Hemphill Construction Co.</u> |                               |
| Introduced by: <u>Richard Broome</u>                                                            | Telephone No. <u>924-5462</u> |

Exhibits for Review:

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

Recommendation:

Board Action:

Motion made by: Lott  
Seconded by: Brabham

| <u>Vote Cast:</u> | <u>"Aye":</u> | <u>"Nay":</u> | <u>Action Taken:</u> |
|-------------------|---------------|---------------|----------------------|
| Brabham           | <u>I</u>      | _____         | _____                |
| Hisaw             | _____         | _____         | _____                |
| Greer             | _____         | _____         | _____                |
| Brantley          | _____         | _____         | _____                |
| Fisher            | _____         | _____         | _____                |
| Touchton          | _____         | _____         | _____                |
| Lott              | <u>J</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.

# CONTRACT CHANGE ORDER

**BOARD APPROVED**

OWNER: City of Clinton, P.O. Box 156, Clinton, Mississippi 39060

CONTRACTOR: Hemphill Construction Company, Inc., P.O. Box 879, Florence, Mississippi 39073

DATE: 05/28/2002

LOAN NUMBER:

CHANGE ORDER NUMBER: One (1)

CONTRACT NUMBER:

PROJECT NAME: 2000 Water Improvements

REASON FOR CHANGE: To expand project scope to include replacing existing 6" cast iron water line along Kitchings Drive.  
When new line on Hannah Drive was tied to this existing line, it was found to be deteriorated severely.

YOU ARE HEREBY REQUESTED TO COMPLY WITH THE FOLLOWING CHANGES FROM THE CONTRACT PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS (USE ADDITIONAL SHEETS IF REQUIRED)

| ITEM NO. | DESCRIPTION OF CHANGE(S)<br>(QUANTITIES, ETC.) | QUANTITY | UNIT | UNIT COST | TOTAL CONTRACT |
|----------|------------------------------------------------|----------|------|-----------|----------------|
|          | (SEE ATTACHMENT)                               |          |      | \$        | \$             |

TOTAL CONTRACT CHANGE:

\$ 67,020.00

ORIGINAL CONTRACT AMOUNT:

\$ 326,300.00

CURRENT CONTRACT AMOUNT:

\$ 326,300.00

THIS CONTRACT CHANGE:

RICHARD L. BROOME, P.E.

(+) \$ 67,020.00

REVISED CONTRACT AMOUNT:

City Engineer  
CITY OF CLINTON, MS

\$ 393,320.00

CURRENT CONTRACT COMPLETION DATE:

05/01/2002

TIME EXTENSION REQUIRED BY CHANGE:

92 Days

REVISED CONTRACT COMPLETION DATE:

08/01/2002

THE DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT AND ALL PROVISIONS OF THE CONTRACT WILL APPLY.

RECOMMENDED BY:

ALFORD ENGINEERING - JERRY L. TULLOS, P.E.

DATE

ACCEPTED BY:

HEMPHILL CONSTRUCTION CO., INC. - RICHARD A. RULA, P.E.

DATE

APPROVED BY:

CITY OF CLINTON - ROSEMARY AULTMAN, MAYOR

DATE

**BOARD APPROVED**

CHANGE ORDER NO. 1

CITY OF CLINTON  
2000 WATER IMPROVEMENTS  
HINDS COUNTY, MISSISSIPPI

| ITEM NO.                            | DESCRIPTION                                                  | QUANTITY | UNIT | UNIT PRICE | EXTENSION    |
|-------------------------------------|--------------------------------------------------------------|----------|------|------------|--------------|
| PART J: KITCHINGS DRIVE             |                                                              |          |      |            |              |
| 1.                                  | Uncased Driveway, Sidewalk & Miscellaneous Bores for 6" Line | 480      | L.F. | \$ 28.00   | \$ 13,440.00 |
| 2.                                  | Uncased Directional Street Service Bores                     | 15       | Each | 140.00     | 2,100.00     |
| 3.                                  | Crushed Limestone                                            | 135      | Ton  | 35.00      | 4,725.00     |
| 4.                                  | 6" PVC Water Mains (C-900 - DR-18)                           | 2,300    | L.F. | 11.50      | 26,450.00    |
| 5.                                  | Tie Existing Fire Hydrant to New Main                        | 3        | Each | 960.00     | 2,880.00     |
| 6.                                  | Ductile Iron Fittings                                        | 0.75     | Ton  | 1,600.00   | 1,200.00     |
| 7.                                  | Hot Tap - 8" x 6" @ Highway No. 80                           | 1        | Each | 1,900.00   | 1,900.00     |
| 8.                                  | Hot Tap - 6" x 6" @ Mt. Salus                                | 1        | Each | 1,700.00   | 1,700.00     |
| 9.                                  | 6" Gate Valve Assembly @ Hannah Drive                        | 1        | Each | 600.00     | 600.00       |
| 10.                                 | 6" Tie-Ins @ Hannah Drive                                    | 2        | Each | 800.00     | 1,600.00     |
| 11.                                 | 3/4" Copper Service Line                                     | 810      | L.F. | 2.50       | 2,025.00     |
| 12.                                 | Connect Existing Meter to New Service Line & Main            | 28       | Each | 150.00     | 4,200.00     |
| 13.                                 | Service Saddles, 6" x 3/4"                                   | 28       | Each | 75.00      | 2,100.00     |
| 14.                                 | Solid Sod                                                    | 700      | S.Y. | 3.00       | 2,100.00     |
| TOTAL - CONTRACT CHANGE ORDER NO. 1 |                                                              |          |      |            | \$ 67,020.00 |

## CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 4, 2002

Agenda Item No. 14

|                         |     |
|-------------------------|-----|
| Consent Agenda:<br>For: | To: |
| Account No.             |     |

|                                                      |                        |
|------------------------------------------------------|------------------------|
| Discussion/Action: Amendment to Cellular South Lease |                        |
| Introduced by: Richard Broome                        | Telephone No. 924-5462 |

Exhibits for Review:

Minutes: \_\_\_\_\_  
Ordinance: \_\_\_\_\_  
Resolution: \_\_\_\_\_

Invoice: \_\_\_\_\_  
Plans, Maps: \_\_\_\_\_  
Contract: \_\_\_\_\_

Other: Letter  
\_\_\_\_\_

*Removed*

Recommendation:

Board Action:

Motion made by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

| <u>Vote Cast:</u> | <u>"Aye":</u> | <u>"Nay":</u> | <u>Action Taken:</u> |
|-------------------|---------------|---------------|----------------------|
| Brabham           | _____         | _____         | _____                |
| Hisaw             | _____         | _____         | _____                |
| Greer             | _____         | _____         | _____                |
| Brantley          | _____         | _____         | _____                |
| Fisher            | _____         | _____         | _____                |
| Touchton          | _____         | _____         | _____                |
| Lott              | _____         | _____         | _____                |
| 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.

# WIRELESS ACQUISITIONS, LLC

---

TELEPHONE: (601) 932-6700

P. O. BOX 320969  
FLOWOOD, MISSISSIPPI 39232  
lbjefcoat@ayrix.net

FACSIMILE: (601) 939-7127

May 23, 2002

Tim Rodgers  
Public Works Director  
City of Clinton, MS

Dear Mr. Rodgers,

As per our conversation, Cellular South wishes to extend their lease area at the City owned water tank located on Old Vicksburg Road. The additional space is needed to add equipment to handle an overload problem they are currently experiencing at this location. As discussed, the additional ground space will be approximately 15' in length by approximately 4' in width (or whatever width is available). Bob Case and Associates will stake off and survey this area and provide a certified survey for your files. It is also my understanding that only additional switching equipment is to be installed in the new lease area, with no additional work on the tank necessary.

We realize that this issue must be approved by the city. It is also understood that the next available agenda is June 4<sup>th</sup>. We would appreciate having this issue placed on the June 4th agenda for consideration. Please let me know as soon as possible if the city will require any additional rent for this small area and I will pass this information on to Cellular South. I can be reached at your convenience @ (318) 445-2655 or (318) 308-2292.

Also, for your information, I have contacted Mr. Dreher and Mr. Broom to make them aware of this request.

Thank you for your help in this matter.

Sincerely Yours,

*Tommy Sauve'*

Tommy Sauve'  
Wireless Acquisitions, LLC  
(Formerly TeleServe Communications)

cc: Ken Dreher

Richard Broom ✓

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 4, 2002

Agenda Item No. 15

|                         |                        |
|-------------------------|------------------------|
| Consent Agenda:<br>For: | To:<br><br>Account No. |
|-------------------------|------------------------|

*also payment is included*

Discussion/Action: Summary Change Order and Final Pay Request for Building at Southside Treatment Plant.

Introduced by: Richard Broome

Telephone No. 924-5462

Exhibits for Review:

Minutes: \_\_\_\_\_  
Ordinance: \_\_\_\_\_  
Resolution: \_\_\_\_\_

Invoice: X  
Plans, Maps: \_\_\_\_\_  
Contract: \_\_\_\_\_

Other: Change Order  
\_\_\_\_\_  
\_\_\_\_\_

Recommendation:

Board Action:

Motion made by: Brantley  
Seconded by: Brabham

| <u>Vote Cast:</u> | <u>"Aye":</u> | <u>"Nay":</u> | <u>Action Taken:</u> |
|-------------------|---------------|---------------|----------------------|
| Brabham           | <u>T</u>      | _____         | _____                |
| Hisaw             | <u> </u>      | _____         | _____                |
| Greer             | <u> </u>      | _____         | _____                |
| Brantley          | <u> </u>      | _____         | _____                |
| Fisher            | <u> </u>      | _____         | _____                |
| Touchton          | <u> </u>      | _____         | _____                |
| Lott              | <u> </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.

## CHANGE ORDER

|            |                                     |
|------------|-------------------------------------|
| OWNER      | <input checked="" type="checkbox"/> |
| ARCHITECT  | <input checked="" type="checkbox"/> |
| CONTRACTOR | <input type="checkbox"/>            |
| FIELD      | <input type="checkbox"/>            |
| OTHER      | <input type="checkbox"/>            |

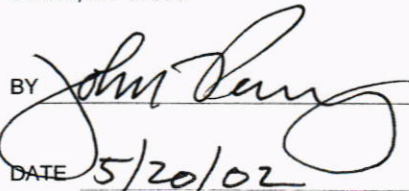
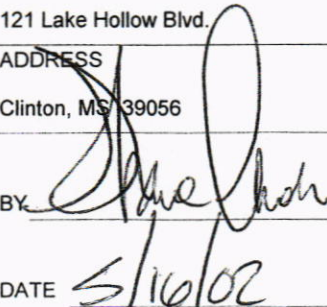
|                |                                                                                                |                      |                 |
|----------------|------------------------------------------------------------------------------------------------|----------------------|-----------------|
| PROJECT:       | Clinton Public Works Mt. Bldg.<br>Office/Shop<br>1899 Clinton Raymond Rd.<br>Clinton, MS 39056 | CHANGE ORDER NUMBER: | 1               |
|                |                                                                                                | DATE:                | 05/16/2002      |
| TO CONTRACTOR: |                                                                                                | PROJECT #s:          |                 |
|                | Shane Ormon Construction Management & De<br>121 Lake Hollow Blvd.<br>Clinton, MS 39056         | CONTRACT DATE:       | 12/19/2001      |
|                |                                                                                                | CONTRACT FOR:        | City of Clinton |

The Contract is changed as follows:

Electrical changes for Unit Heater, 5 phone conduits, 2 dedicated plugs and 2 exhaust fans per local code. Fencing changes for 28 lf more fence to enclose propayne tank.

|                                                                                                              |              |
|--------------------------------------------------------------------------------------------------------------|--------------|
| The original contract amount was .....                                                                       | \$147,810.00 |
| Net change by previously authorized change orders .....                                                      | \$0.00       |
| The contract amount prior to this change order was .....                                                     | \$147,810.00 |
| The contract amount will be (increased)(decreased)(unchanged)<br>by this change order in the amount of ..... | \$1,416.46   |
| The new contract amount including the change order will be .....                                             | \$149,226.46 |
| The contract time will be (increased)(decreased)(unchanged) by .....                                         | 0 days.      |
| The new date of completion as of the date of this change order therefore is .....                            | Unchanged    |

**Not valid until signed by all parties below.**

|                                                                                        |                                                                                        |                   |
|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-------------------|
| Williford, Gearhart & Knight                                                           | Shane Ormon Construction Management & D                                                | City of Clinton   |
| ARCHITECT                                                                              | CONTRACTOR                                                                             | OWNER             |
| P.O. Box 318                                                                           | 121 Lake Hollow Blvd.                                                                  | P.O. Box 156      |
| ADDRESS                                                                                | ADDRESS                                                                                | ADDRESS           |
| Clinton, MS 39056                                                                      | Clinton, MS 39056                                                                      | Clinton, MS 39056 |
| BY  | BY  | BY _____          |
| DATE 5/20/02                                                                           | DATE 5/16/02                                                                           | DATE _____        |

RICHARD L. BROOME, P.E.  
City Engineer  
CITY OF CLINTON, MS

  
5/29/02

**BOARD APPROVED**



**WILLIFORD, GEARHART & KNIGHT, INC.**  
ENGINEERS & SURVEYORS

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

May 20, 2002

Mr. Richard Broome, P. E., City Engineer  
City of Clinton  
P. O. Box 156  
Clinton, Mississippi

Re: City of Clinton  
Maintenance Building

Dear Richard:

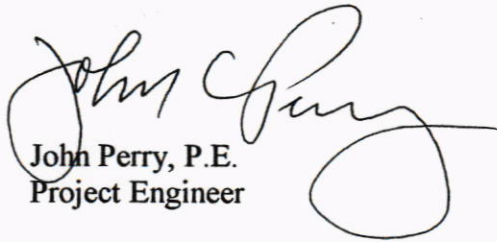
The Public Works Maintenance Building required several items be added by change order. These items consisted of the following:

- 1) Electrical modifications: a) additional conduit and wires to the shop heater, b) addition of 2 exhaust fans and 2 dedicated outlets to meet local code
- 2) Addition of 5 phone outlets and installation of phone wiring.
- 3) Additional fencing (28 LF) to enclose the relocated propane gas tank.

The total for these changes was \$1,416.46. Should you have any questions, please do not hesitate to call.

Sincerely,

WILLIFORD, GEARHART & KNIGHT, INC.

A handwritten signature in black ink, appearing to read 'John Perry', is written over the typed name and title.  
John Perry, P.E.  
Project Engineer

# BOARD APPROVED

## APPLICATION FOR PAYMENT

Page 1

TO OWNER: City of Clinton

P.O. Box 156

Clinton, MS 39056

PROJECT:

Clinton Public Works Mt. Bldg.

Office/Shop

1899 Clinton Raymond Rd.

Clinton, MS 39056

Willford, Gearhart & Knight

P.O. Box 318

Clinton, MS 39056

FROM CONTRACTOR: Shane Ormon Construction Management & Des ARCHITECT:

121 Lake Hollow Blvd.

Clinton, MS 39056

CONTRACT FOR: City of Clinton

## CONTRACTOR'S SUMMARY OF WORK

Application is made for payment as shown below.  
Continuation Page is attached.

1. ORIGINAL CONTRACT AMOUNT ..... \$147,810.00

2. NET CHANGE BY CHANGE ORDERS ..... \$1,416.46

3. CONTRACT AMOUNT TO DATE (Line 1 +/- 2) ..... \$149,226.46

4. TOTAL COMPLETED AND STORED TO DATE ..... \$149,226.46  
(Column G on Continuation Page)

### 5. RETAINAGE:

a. 0.00% of Completed Work ..... \$0.00  
(Columns D + E on Continuation Page)

b. 0.00% of Stored Material ..... \$0.00  
(Column F on Continuation Page)

Total Retainage (Line 5a + 5b or  
Column I on Continuation Page) ..... \$0.00

6. TOTAL EARNED LESS RETAINAGE ..... \$149,226.46  
(Line 4 minus Line 5 Total)

7. LESS PREVIOUS APPLICATIONS FOR PAYMENT ..... \$133,029.00  
(Line 6 from prior Application)

8. CURRENT PAYMENT DUE ..... \$16,197.46

9. BALANCE TO FINISH, INCLUDING RETAINAGE ..... \$0.00  
(Line 3 minus Line 6)

| CHANGE ORDER SUMMARY                      | ADDITIONS  | DEDUCTIONS |
|-------------------------------------------|------------|------------|
| Total changes approved in previous months | \$0.00     | \$0.00     |
| Total approved this month                 | \$1,416.46 | \$0.00     |
| TOTALS                                    | \$1,416.46 | \$0.00     |
| NET CHANGES by Change Order               | \$1,416.46 |            |

Contractor's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) the Work has been performed as required in the Contract Documents, (2) all sums previously paid to Contractor under the Contract have been used to pay Contractor's costs for labor, materials and other obligations under the Contract for Work previously paid for, and (3) Contractor is legally entitled to this payment.

CONTRACTOR:

By: 

Date: 5/16/02

State of:

County of:

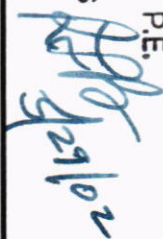
Subscribed and sworn to before

me this day of

Notary Public:

My Commission Expires:

RICHARD L. BROOME, P.E.  
City Engineer  
CITY OF CLINTON, MS



## ARCHITECT'S CERTIFICATION

Architect's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) Architect has inspected the Work represented by this Application, (2) such Work has been completed to the extent indicated in this Application, and the quality of workmanship and materials conforms with the Contract Documents, (3) this Application for Payment accurately states the amount of Work completed and payment due therefor, and (4) Architect knows of no reason why payment should not be made.

AMOUNT CERTIFIED .....

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Page that are changed to conform to the amount certified.)

ARCHITECT:

By:

Date:

Neither this Application nor payment applied for herein is assignable or negotiable. Payment shall be made only to Contractor, and is without prejudice to any rights of Owner or Contractor under the Contract Documents or otherwise.

APPLICATION FOR PAYMENT

## CONTINUATION PAGE

APPLICATION FOR PAYMENT  
containing Contractor's signed Certification is attached.  
Use Column I when variable retainage for line items may apply.

PROJECT: Clinton Public Works Mt. Bldg.  
Office/Shop  
General Conditions

APPLICATION NO.: 5 Final  
APPLICATION DATE: 05/16/2002  
PERIOD TO: 05/16/2002  
PROJECT #s:

| A<br>ITEM # | B<br>WORK DESCRIPTION                 | C<br>SCHEDULED VALUE | D<br>COMPLETED WORK               |             | F<br>STORED MATERIALS (NOT IN D OR E) | G<br>TOTAL COMPLETED AND STORED (D + E + F) | H<br>BALANCE TO COMPLETION (C-G) | I<br>RETAINAGE (IF VARIABLE RATE) |
|-------------|---------------------------------------|----------------------|-----------------------------------|-------------|---------------------------------------|---------------------------------------------|----------------------------------|-----------------------------------|
|             |                                       |                      | FROM PREVIOUS APPLICATION (D + E) | THIS PERIOD |                                       |                                             |                                  |                                   |
| 1           | GENERAL CONDITIONS                    |                      |                                   |             |                                       |                                             |                                  |                                   |
| 1a          | Supervision, temp utilities, bonds, p | \$12,211.00          | \$12,211.00                       | \$0.00      | \$0.00                                | \$12,211.00                                 | 100%                             | \$0.00                            |
| 2           | SITEWORK                              |                      |                                   |             |                                       |                                             |                                  |                                   |
| 2a          | Bldg. Foundation pad                  | \$2,980.00           | \$2,980.00                        | \$0.00      | \$0.00                                | \$2,980.00                                  | 100%                             | \$0.00                            |
| 2b          | Alternate parking area w/ fencing     | \$13,150.00          | \$13,150.00                       | \$0.00      | \$0.00                                | \$13,150.00                                 | 100%                             | \$0.00                            |
| 3           | CONCRETE                              |                      |                                   |             |                                       |                                             |                                  |                                   |
| 3a          | Bldg. Foundation                      | \$17,793.00          | \$17,793.00                       | \$0.00      | \$0.00                                | \$17,793.00                                 | 100%                             | \$0.00                            |
| 3b          | Sidewalk                              | \$650.00             | \$650.00                          | \$0.00      | \$0.00                                | \$650.00                                    | 100%                             | \$0.00                            |
| 4           | CARPENTRY                             |                      |                                   |             |                                       |                                             |                                  |                                   |
| 4a          | Rough framing                         | \$6,376.00           | \$6,376.00                        | \$0.00      | \$0.00                                | \$6,376.00                                  | 100%                             | \$0.00                            |
| 4b          | Interior doors                        | \$6,364.00           | \$6,364.00                        | \$0.00      | \$0.00                                | \$6,364.00                                  | 100%                             | \$0.00                            |
| 4c          | Millwork                              | \$5,005.00           | \$5,005.00                        | \$0.00      | \$0.00                                | \$5,005.00                                  | 100%                             | \$0.00                            |
| 5           | PRE-ENGINEERED BLDG.                  |                      |                                   |             |                                       |                                             |                                  |                                   |
| 5a          | Material                              | \$19,150.00          | \$19,150.00                       | \$0.00      | \$0.00                                | \$19,150.00                                 | 100%                             | \$0.00                            |
| 5b          | Labor and equipment                   | \$8,207.00           | \$8,207.00                        | \$0.00      | \$0.00                                | \$8,207.00                                  | 100%                             | \$0.00                            |
| 6           | FINISHES                              |                      |                                   |             |                                       |                                             |                                  |                                   |
| 6a          | Sheetrock                             | \$2,979.00           | \$2,979.00                        | \$0.00      | \$0.00                                | \$2,979.00                                  | 100%                             | \$0.00                            |
| 6b          | Acoustical ceiling                    | \$1,786.00           | \$1,786.00                        | \$0.00      | \$0.00                                | \$1,786.00                                  | 100%                             | \$0.00                            |
| 6c          | Painting                              | \$7,448.00           | \$7,448.00                        | \$0.00      | \$0.00                                | \$7,448.00                                  | 100%                             | \$0.00                            |
| 6d          | Floor covering                        | \$3,218.00           | \$3,218.00                        | \$0.00      | \$0.00                                | \$3,218.00                                  | 100%                             | \$0.00                            |
| 7           | DOORS, WINDOWS, GLASS                 |                      |                                   |             |                                       |                                             |                                  |                                   |
| 7a          | Storefront                            | \$815.00             | \$815.00                          | \$0.00      | \$0.00                                | \$815.00                                    | 100%                             | \$0.00                            |
| 7b          | Windows                               | \$804.00             | \$804.00                          | \$0.00      | \$0.00                                | \$804.00                                    | 100%                             | \$0.00                            |
| 8           | EQUIPMENT                             |                      |                                   |             |                                       |                                             |                                  |                                   |
| 8a          | Accessories                           | \$2,085.00           | \$2,085.00                        | \$0.00      | \$0.00                                | \$2,085.00                                  | 100%                             | \$0.00                            |
| 9           | MECHANICAL                            |                      |                                   |             |                                       |                                             |                                  |                                   |
| 9a          | Plumbing                              | \$14,003.00          | \$14,003.00                       | \$0.00      | \$0.00                                | \$14,003.00                                 | 100%                             | \$0.00                            |
| 9b          | HVAC w/ Propane                       | \$6,221.00           | \$6,221.00                        | \$0.00      | \$0.00                                | \$6,221.00                                  | 100%                             | \$0.00                            |
| 10          | ELECTRICAL                            |                      |                                   |             |                                       |                                             |                                  |                                   |
|             | SUB-TOTALS                            | \$131,245.00         | \$131,245.00                      | \$0.00      | \$0.00                                | \$131,245.00                                | 100%                             | \$0.00                            |

