

CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, JUNE 5, 2001 – 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 Mayor Aultman followed by the Pledge of Allegiance to the Flag led by Alderman Brantley.

ROLL CALL - City Clerk Wayne Derrick

Present: Jehu Brabham - Alderman-At-Large
 Tony Hisaw - Alderman Ward 1
 Rodney DePriest - 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-EE

MOTION made by Alderman Brantley and **SECONDED** by Alderman Brabham to approve Consent Agenda Items A-EE listed on Page of this Minute Book AA. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF PLANNING & ZONING ITEMS A-L

a. Upon recommendation by Gary Ward, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Touchton to approve exterior renovations (carport on east side of house) to Lytal residence at 304 E. College Street. **MOTION CARRIED UNANIMOUSLY**

b. Upon recommendation by Gary Ward, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Fisher to approve exterior renovations (additional room to rear of house) to Gearhart residence at 306 E. College Street. **MOTION CARRIED UNANIMOUSLY**

c. Upon recommendation by Gary Ward, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Touchton to deny request for exterior renovations at 308 East College Street. **MOTION CARRIED UNANIMOUSLY** -Text of Motion: Pursuant to section 1400 of the City of Clinton Zoning Ordinance, I move that this request be denied in that said property is currently residential and it is premature to alter the property at this time. Upon submission of a bona fide commercial use permitted under the Old Towne Zoning Ordinance, this matter should be resubmitted.

d. Upon recommendation by Gary Ward, **MOTION** made by Alderman Fisher and **SECONDED** by Alderman Brantley to approve the request to rezone 1455 Northside Drive from R-1 to R-3. **MOTION CARRIED UNANIMOUSLY** (Ordinance Attached)

e. Upon recommendation by Gary Ward, **MOTION** made by Alderman Fisher and **SECONDED** by Alderman Brabham to approve the request to rezone 1455 Northside Drive from R-1 to C-2. **MOTION CARRIED UNANIMOUSLY** (Ordinance Attached)

f. Upon recommendation by Gary Ward, **MOTION** made by Alderman Lott and **SECONDED** by Alderman Brabham to approve preliminary site plan for 103 Woodchase Park Drive, contingent upon meeting drainage requirements. **MOTION CARRIED UNANIMOUSLY**

g. Upon recommendation by Gary Ward, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Touchton to approve a dimensional variance on a setback of 20' (instead of 30') on the front and 20' (instead of 25') on the rear of the proposed Clinton Park Subdivision, Part 15. Before these setbacks may be in force, owner must enter into a recordable agreement with the City of Clinton to provide for privacy fences as required by the Mayor and Board of Aldermen and to provide a drainage proposal acceptable and agreed to by the City Engineer. **MOTION CARRIED UNANIMOUSLY** (Resolution Attached)

h. Upon recommendation by Gary Ward, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Brabham to approve request for preliminary plat for proposed Clinton Park Subdivision, Part 15 subject to providing a drainage proposal acceptable and agreed to by the City Engineer. **MOTION CARRIED UNANIMOUSLY**

i. Upon recommendation by Gary Ward, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Brabham to approve a dimensional variance on a setback of 20' (instead of 30') on the front and 20' (instead of 25') on the rear of the proposed Heights Subdivision. Before these setbacks may be in force, owner must enter into a recordable agreement with the City of Clinton to provide for privacy fences as required by the Mayor and Board of Aldermen and to provide a drainage proposal acceptable and agreed to by the City Engineer. **MOTION CARRIED UNANIMOUSLY** (Resolution Attached)

j. Upon recommendation by Gary Ward, **MOTION** by Alderman Touchton and **SECONDED** by Alderman Brantley to approve request for dimensional variance to permit a setback 75' from the railroad right-of-way to the rear of the principal structure for lots 16, 17, 18, 20, 21, 25, & 26 of the proposed Heights Subdivision. **MOTION CARRIED UNANIMOUSLY** (Resolution Attached)

k. Upon recommendation by Gary Ward, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Brabham to approve request for preliminary plat for the proposed Heights Subdivision. **MOTION CARRIED UNANIMOUSLY**

l. Upon recommendation by Gary Ward, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Brabham to approve dimensional variance to permit a setback 75' from the railroad right-of-way to the rear of the principal structure of Parcels 5 & 6 – Oakwood Street. **MOTION CARRIED UNANIMOUSLY** (Resolution Attached)

APPROVAL TO REQUEST PROPOSALS FOR WASTEWATER TREATMENT FACILITIES OPERATOR

Upon recommendation of City Engineer Richard Broome, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Lott to approve to request proposals for contract operation of the City's wastewater facilities beginning October 1, 2001. **MOTION CARRIED UNANIMOUSLY**

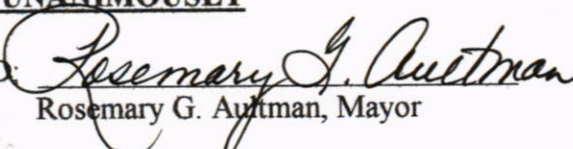
APPROVAL OF CONSTRUCTION CHANGE ORDER NO. 2

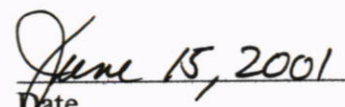
Upon recommendation of City Engineer Richard Broome, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Hisaw to approve construction change order No. 2 for the 1998 CDBG project-Hobby Farms /Clinton-Raymond Road Sewer Project. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 7:40 P.M.

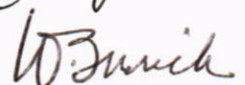
MOTION made by Alderman Brabham and **SECONDED** by Alderman Fisher to adjourn. **MOTION CARRIED UNANIMOUSLY**

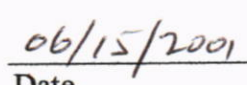
APPROVED:


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 5, 2001

Agenda Item No. 7. a

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: 304 E. College Street (Lytal Residence)
Exterior Renovations

carport - east side of house

Introduced by: Gary Ward

Telephone: 924-2239

Exhibits for Review:

Minutes

Invoice

Other: _____

Ordinance

Plans, Maps

Resolution

Contract

Recommendation: Planning and Zoning Commission recommends approval.

Board Action:

Motion made by: Brabham

Seconded by: Touchton

Vote Cast:

"Aye"

"Nay"

Action Taken:

Brabham

Hisaw

DePriest

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.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 5, 2001

Agenda Item No. 7. b

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: 306 E. College Street (Gearhart Residence) *500 sq ft.*
Exterior Renovations *additional room to rear of house*

Introduced by: Gary Ward

Telephone: 924-2239

Exhibits for Review:

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

Recommendation: Planning and Zoning Commission recommends approval.

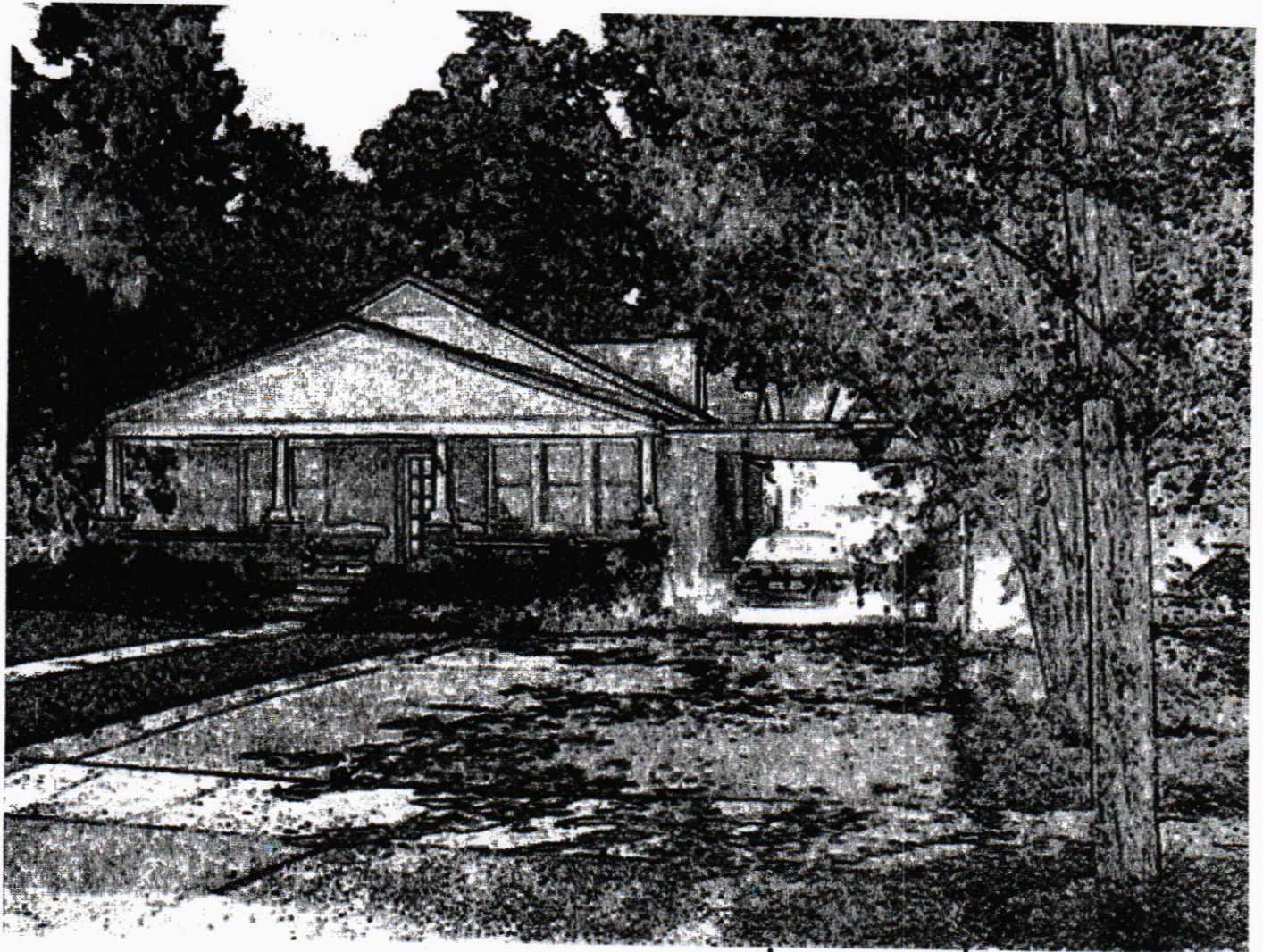
Board Action:

Motion made by: Brantley
Seconded by: Fisher

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

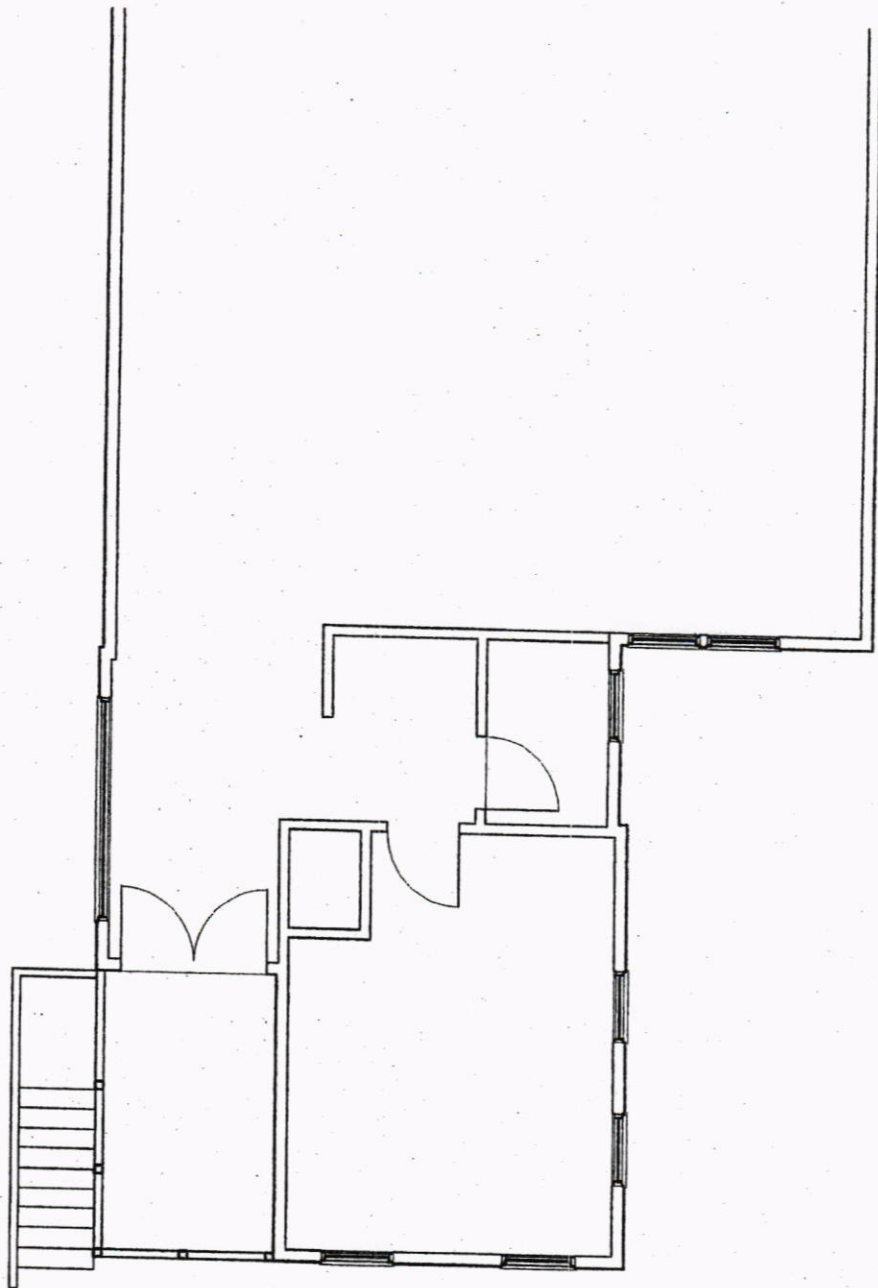
Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED



GEARHART HOME
SKETCH MAY 2007

BOARD APPROVED



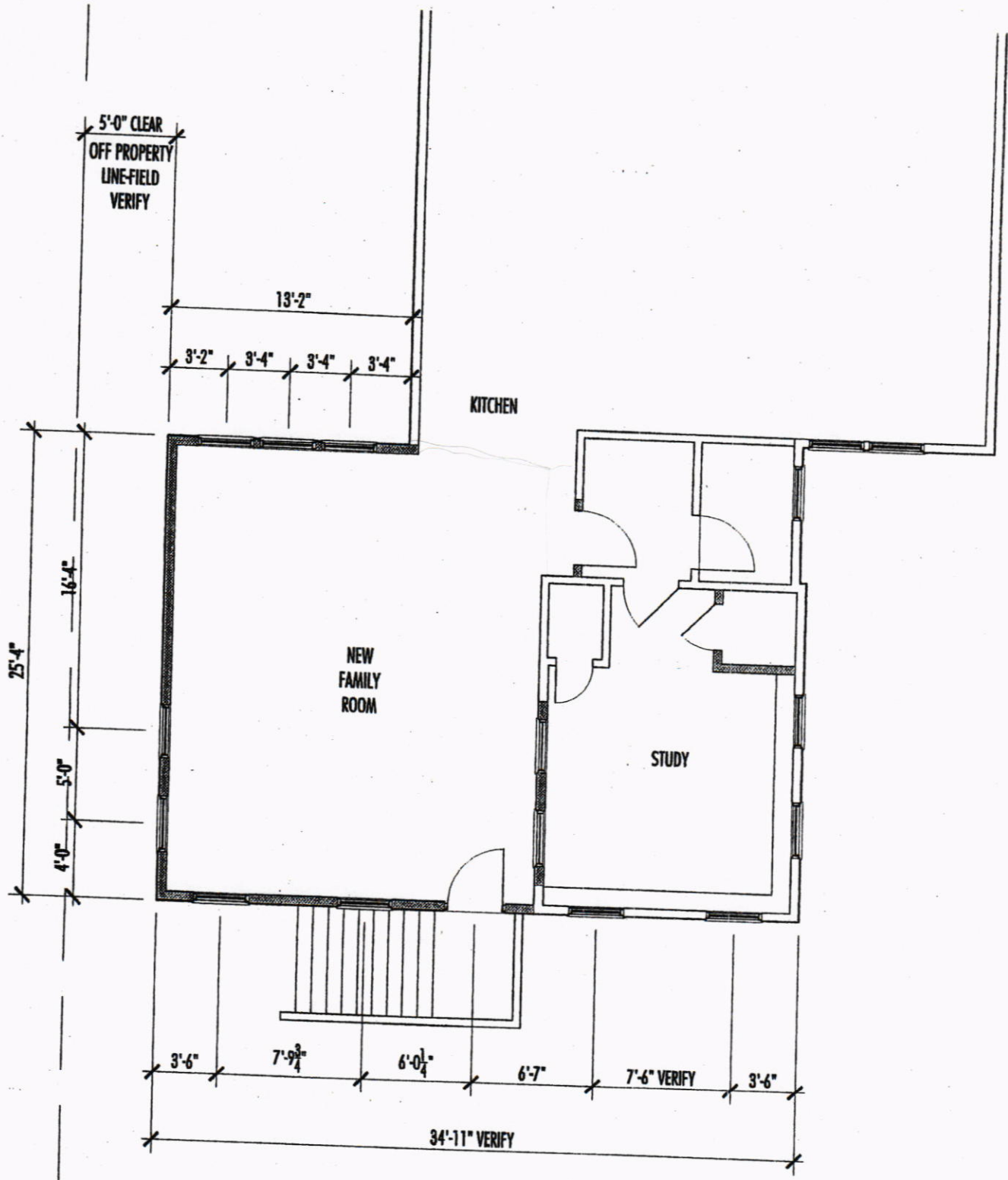
1

EXISTING FLOOR PLAN

PORCH

SCALE: 1/8" = 1'-0"

BOARD APPROVED



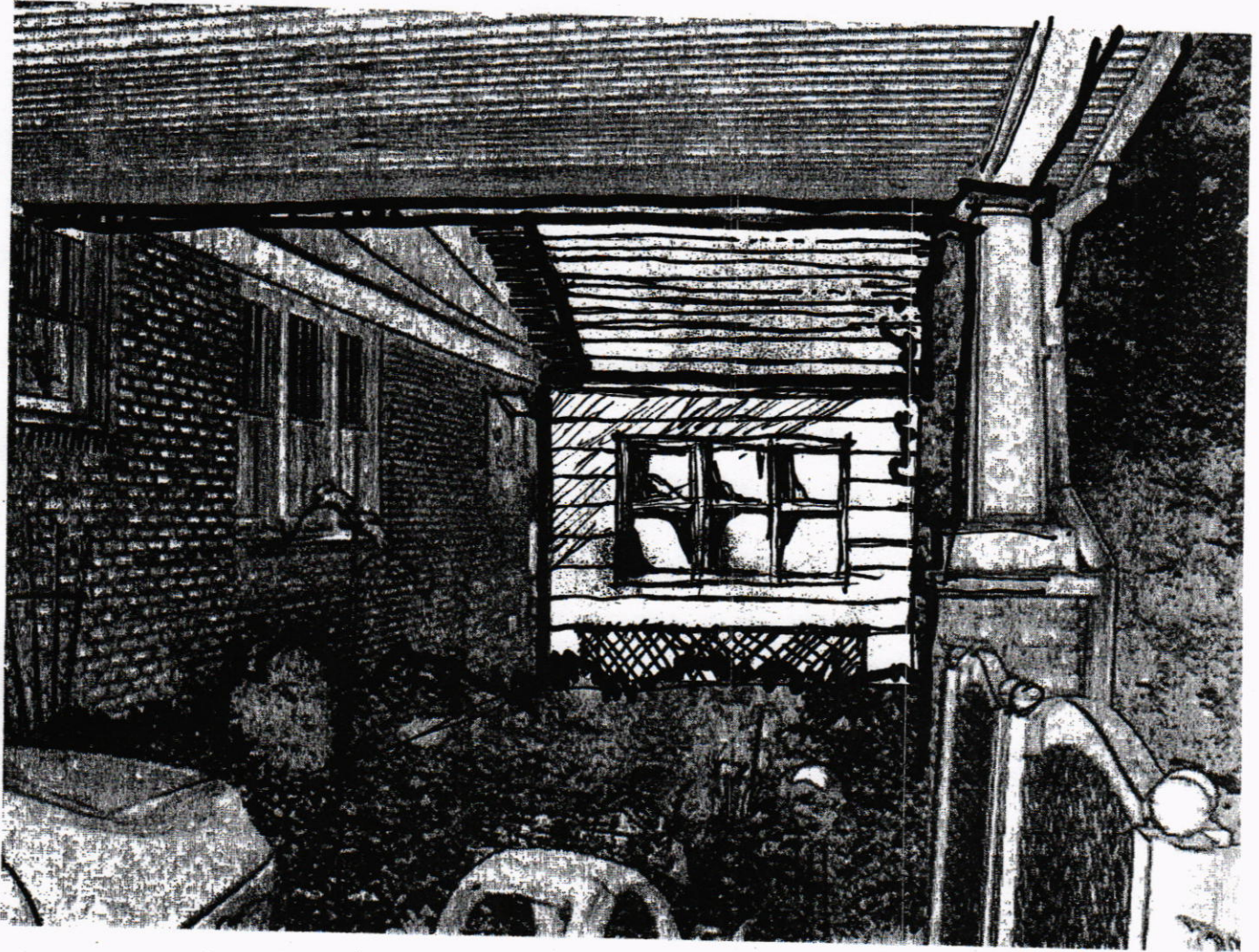
1

NEW FLOOR PLAN

PORCH

SCALE: 1/8" = 1'-0"

BOARD APPROVED



PROPOSED ADDITION

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 5, 2001

Agenda Item No. 7.C

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: 308 E. College Street (Lundgren Residence) 1800 sq. ft. 6 ft.
Exterior Renovations - 5 space parking area & privacy fence

Introduced by: Gary Ward

Telephone: 924-2239

Exhibits for Review:

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

Recommendation: Planning and Zoning Commission recommends approval.

Board Action:

Motion made by: Brabham
Seconded by: Touchton

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

BOARD APPROVED

Bruce A. Lundgren

P.O. Box 54695

Pearl, Ms

39288

Ph 601-536-2054

May 4, 2001

Mr. Gary Ward
City of Clintonn, Public Works/Zoning

Dear Sir:

Enclosed you will find a scale drawing of my property at 308 E. College St. here in Clinton. Per our conversation, I am submitting a description of those changes I am considering which are subject to the approval of the Historic Preservation Commission.

The location of the property, with the completion of the new road at New Prospect, will present good commercial potential. According to Section 1400 and Article XIV, limited commercial use, such as offices, would be permitted.

I would make no changes to the existing structure of the house.

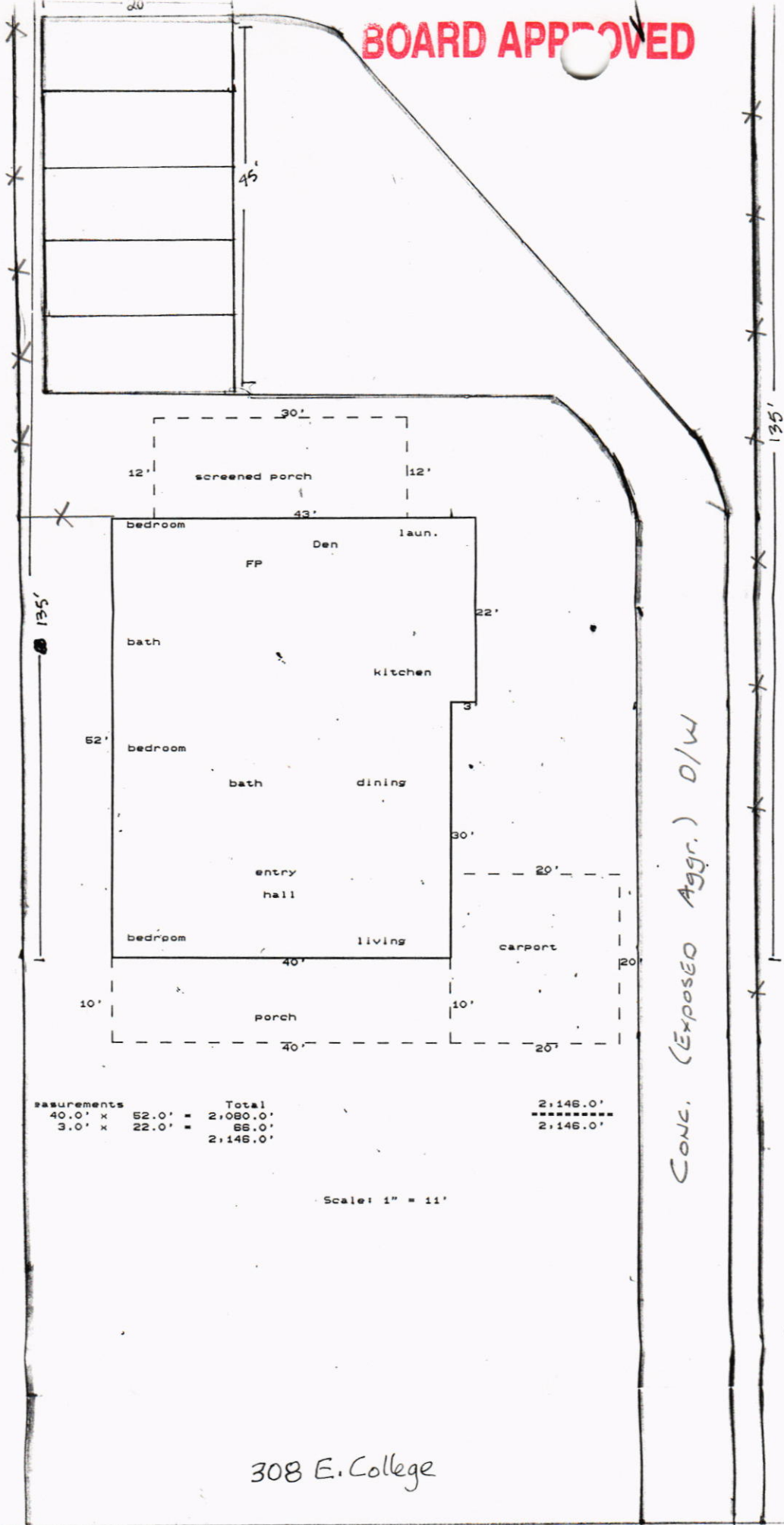
There is an old driveway on the West Side which leads into the back yard. I would propose to pave this with asphalt and construct a small parking area with five [5] spaces covering about 1800 square feet. This would be sloped in such a way to drain the storm run-off down the driveway towards the street. This whole area already drains toward the street, flowing down the West Side of the lot, and under the house. The lot is really one and a half lots, originally two, but the southern half was taken to build the old athletic field. The high point of the property is toward the back of the lot, and all the storm run-off has always drained toward the street.

I propose to construct six foot [6'] wooden privacy fences on the east and west as shown, of redwood or similar material. Each fence would be one hundred and thirty five feet long, extending from the front of the house, south to behind the parking area.

Sincerely,

Bruce A. Lundgren

BOARD APPROVED



Measurements
40.0' x 52.0' = 2,080.0'
3.0' x 22.0' = 66.0'
2,146.0'

2,146.0'

2,146.0'

Scale: 1" = 11'

CONC. (Exposed Aggr.) O/W

308 E. College

College St.

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 5, 2001

Agenda Item No. 7.d

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: 1455 Northside Drive
Request to rezone from R-1 to R-3

*32 patio homes with
fence & gate*

Introduced by: Gary Ward

Telephone: 924-2239

Exhibits for Review:

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

Recommendation: Planning and Zoning Commission recommends approval.

Board Action:

Motion made by: Fisher
Seconded by: Brantley

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

BOARD APPROVED

Zoning Action Application

Request for:

- ☒ Rezoning
☐ Dimensional Variance
☐ Conditional Use (Special Exception)

Owner's Name Keith Construction Phone # 924 9186
Address 101 Park Place
Clinton, MS 39056
Property Address 1455 E. Northside Dr.
Current Zoning R-1 Requested Change R-3 E C-2

Date of Public Hearing before Planning & Zoning Commission _____
Date of Mayor & Board of Aldermen Meeting _____

Requirements of Applicant: (General Guidelines Only)

1. Letter stating reason for request.
2. Copy of the written legal description.
3. Site plan or plat of property.
4. Identification of property owners within 160 feet of subject property (*required for rezoning request only*).
5. \$250.00 fee required for processing.

PLEASE NOTE: APPLICANT IS RESPONSIBLE FOR COMPLYING
WITH ALL APPLICABLE REQUIREMENTS OF THE
ZONING ORDINANCE.

Applicant shall be present at both the Planning & Zoning Commission and Mayor/ Board of Aldermen meetings. Documents shall be submitted thirty (30) days prior to public hearing before the Planning and Zoning Commission.

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

Dale Keith
Signature

4-23
Date

OFFICIAL FORM

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, HINDS COUNTY, MISSISSIPPI AMENDING THE OFFICIAL ZONING ORDINANCE AND ZONING MAP OF THE CITY OF CLINTON, MISSISSIPPI FOR THE PROPERTY LOCATED AT 1455 E. NORTHSIDE DRIVE, AND AS DESCRIBED IN EXHIBIT "A" FROM R-1 TO R-3

WHEREAS, Mr. Dale Keith, dba Keith Construction (the "Applicant") did file a petition to Rezone certain property from its present R-1 use district classification to a R-3 use district classification: and,

WHEREAS, a public hearing, pursuant to Section 2406.05 of the Zoning Ordinance of the City of Clinton, Mississippi, was set for the 22nd day of May, 2001, at 7:00 o'clock P.M.; and,

WHEREAS, the City of Clinton did cause notice of said hearing to be published in the *Clarion Ledger*, a newspaper published in Hinds County, Mississippi, in the manner and for the time required by law, and did post notice upon the affected property in the manner and for the time required by law; and,

WHEREAS, at the time, date and place specified in the Notice, the Planning Commission of the City of Clinton, Mississippi, did conduct a full and complete hearing, and thereafter, did recommend the petition of the applicants be approved, pursuant to Section 2406 of the Zoning Ordinance; and,

WHEREAS, the matter was presented to the Mayor and Board of Aldermen of the City of Clinton, along with the recommendation of the Planning Commission, as shown in minutes of said minutes and exhibits attached thereto, and after discussion thereof, Alderman FISHER offered the following ordinance and moved that it be adopted, to-wit;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Clinton, Hinds County, Mississippi as follows, to-wit:

Section 1. That the matters and facts stated in the preamble hereof are found to be true and correct.

Section 2. That this matter was presented as required by Section 2406 of the City of Clinton Zoning Ordinance and the Mayor and Board of Aldermen hereby find that this request meets the requirements of Section 2406.03(a) Criteria for Rezoning, the Mayor and Board of Aldermen specifically finding that the character of the neighborhood has changed to such an extent as to justify reclassification and that there is a public need for additional general commercial district within the City of Clinton.

Section 3. That pursuant to Article XV of the Zoning Ordinance, the proposed facility shall be "R-3, Patio Home District".

Section 4. That the following described tract of real property be, and the same is, hereby rezoned from its present R-1 use district classification to R-3 use district classification and that said rezoning is consistent with the current Comprehensive Plan of the City of Clinton, to-wit:

A tract of land situated in the City of Clinton, the First Judicial District of Hinds County, Mississippi and more completely described in Exhibit "A" attached hereto and made a part thereof.

Section 5. That the City of Clinton Zoning Ordinance be, and the Official Zoning Map be, and the same hereby are, amended to reflect the foregoing change in the zoning of the above-described real property.

Section 6. That this ordinance shall take effect thirty 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 June, 2001.

A Motion for adoption was seconded by Alderman BRANTLEY and 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: AYE

Alderman Hisaw voted: AYE

Alderman DePriest voted: AYE

Alderman Brantley voted: AYE

Alderman Fisher voted: AYE

Alderman Touchton voted: AYE

Alderman Lott voted: AYE

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

The foregoing ordinance was approved this the 5TH day of June, 2001.

CITY OF CLINTON

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Wayne Derrick
WAYNE DERRICK, City Clerk



Exhibit "A"

Legal Description For Keith Construction Company

Commence the southeast corner of the southwest quarter of the northwest quarter of section 21, township 6 north, range 1 west, Hinds County, Mississippi; run thence east for a distance of 682.23 feet to a point; run thence north for a distance of 1274.29 feet to a point on the south right-of-way line of Northside Drive as said right-of-way is now laid out and established on the ground, reference to which is hereby made in aid of land and as a part of this description; run thence north 32 degrees, 54 minutes 55 seconds east and along said south right-of-way line of Northside Drive for a distance of 125.00 feet to the point of beginning for the description of a parcel of land described as follows:

Continue thence north 32 degrees 54 minutes 55 seconds east and along said south right-of-way line of Northside Drive for a distance of 260.25 feet to a point; run thence, leaving said south right-of-way line of Northside Drive, south 55 degrees 11 minutes 21 seconds east for a distance of 250.91 feet to a point; run thence north 332 degrees 28 minutes 59 seconds east for a distance of 234.97 feet to a point; run thence north 89 degrees 49 minutes 39 seconds west for a distance of 661.83 feet to a point; run thence north 57 degrees 41 minutes 33 seconds west for a distance of 197.67 feet to the point of beginning.

The above described parcel of land is located in the northeast quarter (NE $\frac{1}{4}$) and the southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) and the northwest quarter (NW $\frac{1}{4}$) and the northwest quarter (NW $\frac{1}{4}$) and the southwest quarter (SW $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of section 21, township 6 north, range 1 west, City of Clinton, Hinds County, Mississippi and contains 4.705 acres, more or less.



BOARD APPROVED

Keith Construction Co., Inc.

101 PARK PLACE
CLINTON, MS 39056
(601) 924-9186

May 22, 2001

City of Clinton
Mayor Aultman
Board of Alderman
Planning and Zoning Committee

Re: Zoning Request

I have made a request to the City of Clinton to rezone a 5 acre parcel of land at 1455 E. Northside Drive from R-1 to R-3 and C-2. The adjacent properties over the years have been rezoned and developed into R-5 multifamily to the east side and west side, R-4 Duplex townhomes to the south and PUD townhomes in the Cascades. As you see, the character of this neighborhood has changed greatly in the 40 years since Mrs. Grace Calhoun and her late husband built their home on the aforementioned property. Mrs. Calhoun is elderly and was unaware of the necessity to request a zoning change when the Future Land Use and Thoroughfare Plan was under consideration.

After purchasing Mrs. Calhoun's property 2 years ago, I have considered all possibilities of the "best use" for this very visible tract of land. I am proposing a high quality, totally fenced, gated entrance patio home development to meet R-3 zoning. In addition to the R-3 zoning, we have a small triangle shaped lot fronting Northside Drive on the west end of the property we wish to rezone C-2. The purpose of which is to construct an attractive office with exterior elevation similar to the homes in the proposed development with brick veneer exterior and similar paint colors. The property across Northside Drive to the north is zoned C-2 and contains an office/warehouse.

We will work diligently to blend this project in with the natural landscape along Northside Drive, as I have done with all of my developments. As you can see from my past and present developments, it is my desire to create a development on this 5 acre parcel of land which will enhance and accommodate the City of Clinton with a much needed gated community. Thank you for your consideration in this matter.

Dale Keith
President
Keith Construction Co., Inc.

[illegible]

CITY OF CLINTON AGENDA ITEM FACT SHEET**Board Meeting Date:** June 5, 2001**Agenda Item No.** 7.e**Consent Agenda:****To:****For:****Acct. No.****Discussion/Action:** 1455 Northside Drive
Request to rezone from R-1 to C-2**Introduced by:** Gary Ward**Telephone:** 924-2239**Exhibits for Review:**

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

Recommendation: Planning and Zoning Commission recommends approval.**Board Action:****Motion made by:** Fisher
Seconded by: Brabham

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

OFFICIAL FORM

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, HINDS COUNTY, MISSISSIPPI AMENDING THE OFFICIAL ZONING ORDINANCE AND ZONING MAP OF THE CITY OF CLINTON, MISSISSIPPI FOR THE PROPERTY LOCATED AT 1455 E. NORTHSIDE DRIVE, AND AS DESCRIBED IN EXHIBIT "A" FROM R-1 TO C-2

WHEREAS, Mr. Dale Keith, dba Keith Construction (the "Applicant") did file a petition to Rezone certain property from its present R-1 use district classification to a C-2 use district classification: and,

WHEREAS, a public hearing, pursuant to Section 2406.05 of the Zoning Ordinance of the City of Clinton, Mississippi, was set for the 22nd day of May, 2001, at 7:00 o'clock P.M.; and,

WHEREAS, the City of Clinton did cause notice of said hearing to be published in the *Clarion Ledger*, a newspaper published in Hinds County, Mississippi, in the manner and for the time required by law, and did post notice upon the affected property in the manner and for the time required by law; and,

WHEREAS, at the time, date and place specified in the Notice, the Planning Commission of the City of Clinton, Mississippi, did conduct a full and complete hearing, and thereafter, did recommend the petition of the applicants be approved, pursuant to Section 2406 of the Zoning Ordinance; and,

WHEREAS, the matter was presented to the Mayor and Board of Aldermen of the City of Clinton, along with the recommendation of the Planning Commission, as shown in minutes of said minutes and exhibits attached thereto, and after discussion thereof, Alderman FISHER offered the following ordinance and moved that it be adopted, to-wit;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Clinton, Hinds County, Mississippi as follows, to-wit:

Section 1. That the matters and facts stated in the preamble hereof are found to be true and correct.

Section 2. That this matter was presented as required by Section 2406 of the City of Clinton Zoning Ordinance and the Mayor and Board of Aldermen hereby find that this request meets the requirements of Section 2406.03(a) Criteria for Rezoning, the Mayor and Board of Aldermen specifically finding that the character of the neighborhood has changed to such an extent as to justify reclassification and that there is a public need for additional general commercial district within the City of Clinton.

Section 3. That pursuant to Article XV of the Zoning Ordinance, the proposed facility shall be "C-2, General Commercial District".

Section 4. That the following described tract of real property be, and the same is, hereby rezoned from its present R-1 use district classification to C-2 use district classification and that said rezoning is consistent with the current Comprehensive Plan of the City of Clinton, to-wit:

A tract of land situated in the City of Clinton, the First Judicial District of Hinds County, Mississippi and more completely described in Exhibit "A" attached hereto and made a part thereof.

Section 5. That the City of Clinton Zoning Ordinance be, and the Official Zoning Map be, and the same hereby are, amended to reflect the foregoing change in the zoning of the above-described real property.

Section 6. That this ordinance shall take effect thirty 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 June, 2001.

BOARD APPROVED

A Motion for adoption was seconded by Alderman BRABHAM and 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: AYE

Alderman Hisaw voted: AYE

Alderman DePriest voted: AYE

Alderman Brantley voted: AYE

Alderman Fisher voted: AYE

Alderman Touchton voted: AYE

Alderman Lott voted: AYE

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

The foregoing ordinance was approved this the 5TH day of June, 2001.

CITY OF CLINTON

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Wayne Derrick
WAYNE DERRICK, City Clerk

(SEAL)



Exhibit "A"

**Legal Description
For
Keith Construction Company**

Commence the southeast corner of the southwest quarter of the northwest quarter of Section 21, Township 6 North, Range 1 West, Hinds County, Mississippi; run thence east for a distance of 682.23 feet to a point; run thence north for a distance of 1274.29 feet to a point on the south right-of-way line of Northside Drive as said right-of-way is now laid out and established on the ground, references to which is hereby made in aid of and as a part of this description, said point being the point of beginning for the description of parcel of land described as follows:

Run thence north 32 degrees 54 minutes 55 seconds east and along said south right-of-way line of Northside Drive for a distance of 125.00 feet to a point; run thence, leaving said south right-of-way line of Northside Drive, south 57 degrees 41 minutes 33 seconds east for a distance of 197.67 feet to a point; run thence north 89 degrees 49 minutes 39 seconds west for a distance of 235.00 feet to the point of beginning.

The above described parcel of land is located in the northeast quarter (NE $\frac{1}{4}$) and the southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of section 21, township 6 north, range 1 west, City of Clinton, Hinds County, Mississippi and contains 0.284 acre, more or less.

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 5, 2001

Agenda Item No. 7. f

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: 103 Woodchase Park Drive
Preliminary site plan approval

Introduced by: Gary Ward

Telephone: 924-2239

Exhibits for Review:

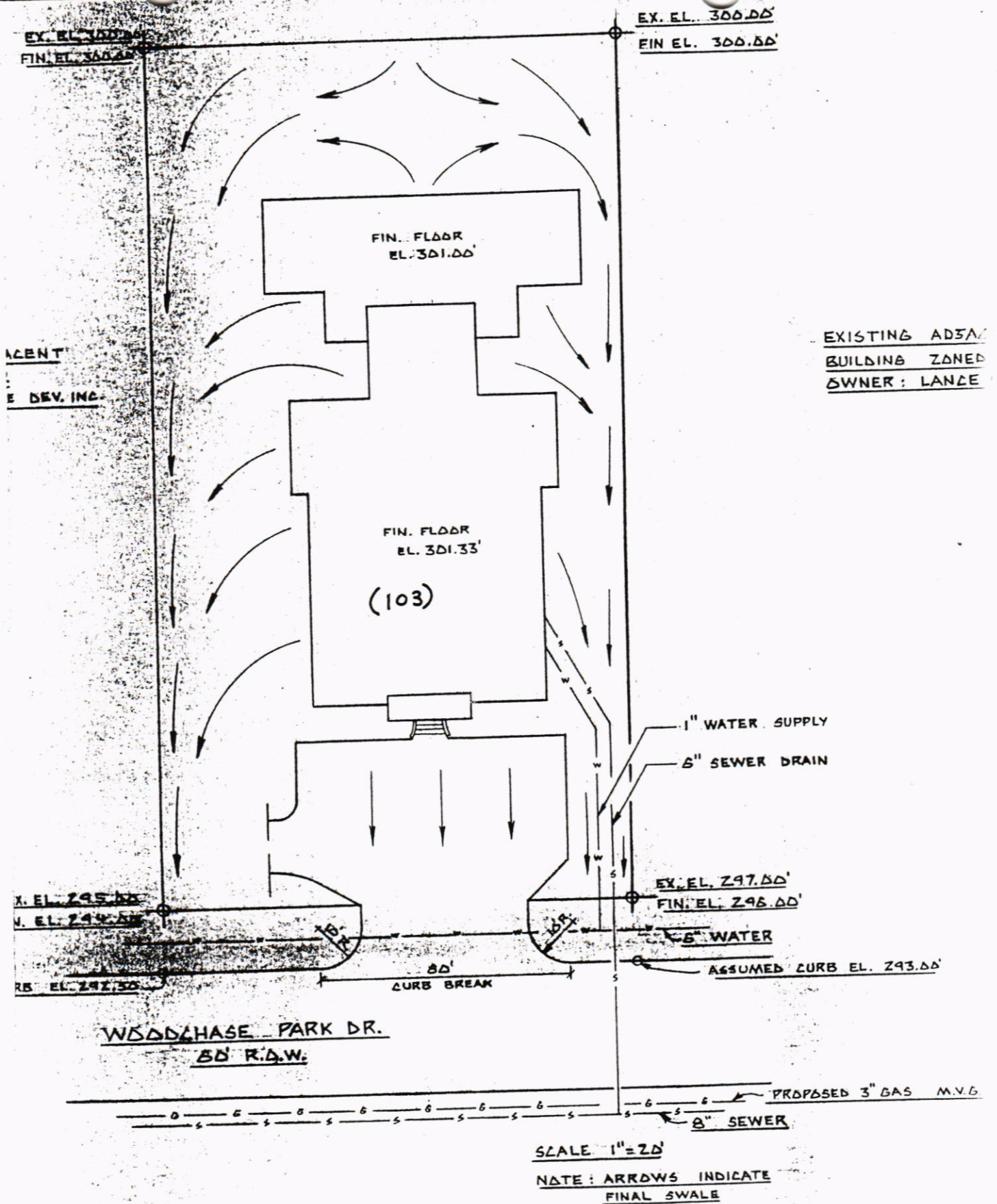
Minutes _____	Invoice _____	Other: _____
Ordinance _____	Plans, Maps _____	_____
Resolution _____	Contract _____	_____

Recommendation: Planning and Zoning Commission recommends approval.**Board Action:**Motion made by: LottSeconded by: Brabham**Vote Cast:** **"Aye"****"Nay"****Action Taken:**

Brabham	<u> / </u>	_____	_____
Hisaw	<u> / </u>	_____	_____
DePriest	<u> / </u>	_____	_____
Brantley	<u> / </u>	_____	_____
Fisher	<u> / </u>	_____	_____
Touchton	<u> / </u>	_____	_____
Lott	<u> / </u>	_____	_____
Mayor Aultman	_____	_____	_____

*Contingent on meeting drainage
requirements*

BOARD APPROVED



CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 5, 2001

Agenda Item No. 7.9

Consent Agenda:	To:
For:	
Acct. No.	

Discussion/Action:	Proposed Clinton Park Subdivision, Part 15 Request for dimensional variance (Building setbacks)		
Introduced by:	Gary Ward	Telephone:	924-2239

Exhibits for Review:			
Minutes	Invoice	Other:	
Ordinance	Plans, Maps		
Resolution	Contract		

Recommendation: Planning and Zoning Commission recommends approval.

<u>Board Action:</u>		Motion made by: <u>Brantley</u> Seconded by: <u>Touchton</u>	
<u>Vote Cast:</u>	<u>"Aye"</u>	<u>"Nay"</u>	<u>Action Taken:</u>
Brabham	7		
Hisaw			
DePriest			
Brantley			
Fisher			
Touchton			
Lott			
Mayor Aultman			

*Privacy fence
damage*

BOARD APPROVED

Zoning Action Application

Request for:

☐ Rezoning
☒ Dimensional Variance
☐ Conditional Use (Special Exception)

Owner's Name E.M. KING, JR. Phone # 601-924-3949

Address P.O. Box 399
CLINTON, MS 39060

Property Address CLINTON PARK PART 15, THE HEIGHTS, PARCELS 5 & 6 OAK WOOD ST.
Current Zoning R-1 Requested Change _____

Date of Public Hearing before Planning & Zoning Commission MAY 22, 01

Date of Mayor & Board of Aldermen Meeting JUNE 5, 01

Requirements of Applicant: (General Guidelines Only)

1. Letter stating reason for request.
2. Copy of the written legal description.
3. Site plan or plat of property.
4. Identification of property owners within 160 feet of subject property (*required for rezoning request only*).
5. \$250.00 fee required for processing.

PLEASE NOTE: APPLICANT IS RESPONSIBLE FOR COMPLYING
WITH ALL APPLICABLE REQUIREMENTS OF THE
ZONING ORDINANCE.

Applicant shall be present at both the Planning & Zoning Commission and Mayor/ Board of Aldermen meetings. Documents shall be submitted thirty (30) days prior to public hearing before the Planning and Zoning Commission.

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

E.M. King, Jr.
Signature

APRIL 23, 2001
Date

BOARD APPROVED

E. M. King, Jr.

P.O. Box 399
Clinton, Mississippi 39060-0399
Phone 601-924-3949
E-Mail EMKIN2533@AOL.COM

April 23, 2001

Planning and Zoning Commission
Board of Aldermen
P.O. Box 156
Clinton, Mississippi 39060-0156

RE : Clinton Park Subdivision Part 15 , The Heights Subdivision , Parcels 5 and 6 on Oakwood Street, Clinton, Mississippi .

Gentlemen :

I request the following dimensional variances be made on the above referenced properties.

- 1. CLINTON PARK SUBDIVISION , PART 15 : My request is for a 10' variance on the front setback , causing the building setback to be 20' instead of 30' as required in section 603.04. Also I request a 5' dimensional variance on the rear set back from 25' to 20' as required under the same section. These requested variances are necessary because the lots are unusually wide and shallow.
2. THE HEIGHTS SUBDIVISION : I request a dimensional variance of 75' on all lots where the rear of the lot joins the R/R R.O.W. My request is that the building setback be 50' from the R/R R.O.W. instead of 100' plus the normal setback as required under section 401.06 This will allow us to utilize as much of the lot as possible for garages to the rear of some of the houses . Also, I request a 10' variance on the front setback of all lots , making the front set back 20' instead of 30' , and a 5' variance on the rear set back making it 20' instead of 25' on all lots **not** joining the R/R R.O.W.. The requested dimensional variances will greatly enhance the appearance and the way the subdivision functions . A subdivision of CLASSICAL style homes has wide side walks and the houses are close to the street so people can visit as they walk .
3. PARCELS 5 AND 6 : I request a 75' dimensional variance on the back of these two lots or parcels. My request is that the building setback be changed to 50' from the R/R R.O.W. instead of 100' plus the normal setback as required in 401.06 . These two lots or parcels are totally unusable as they are now .

Thank you for your consideration concerning my requests.

Sincerely,

E. M. King, Jr.

E. M. King, Jr.

RECEIVED

APR 23 2001

CITY OF CLINTON
PLANNING & ZONING

Exhibit "A"

Legal Description
For
E. M. King, Jr. (Clinton Heights, Part 15)

Certain Properties being located in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 21, T6N-R1W, City of Clinton, Hinds County, Mississippi, and being more particularly described as follows:

Commencing at an iron pin marking the NE corner of Lot 627, Clinton Park Subdivision, Part 13, as filed in Plat Book 23, Page 16, at the Chancery Clerk's Office in Jackson, Hinds County, Mississippi, run south 0 degrees 00 minutes 00 seconds east, 340.72 feet, along the east boundary line of said Clinton Park Subdivision, Part 13, to a point on the east line of Clinton Park Subdivision, Part 12 (Plat Book 22, Page 47), said point being the Point of Beginning of the property herein described. From the Point of Beginning, run south 66 degrees 06 minutes 29 seconds east, 240.51 feet, along the south boundary line of Park Ridge Subdivision (Plat Book 37, Page 20); thence south 0 degrees 02 minutes 16 seconds west, 545.27 feet; thence south 89 degrees 59 minutes 22 seconds west, 219.54 feet, to a point on the east boundary line of said Clinton Park Subdivision, Part 12; thence north 0 degrees 00 minutes 00 seconds east, 642.71 feet, along the east boundary line of said Clinton Park Subdivision, Part 12, to the Point of Beginning, containing 3.00 acres, more or less.

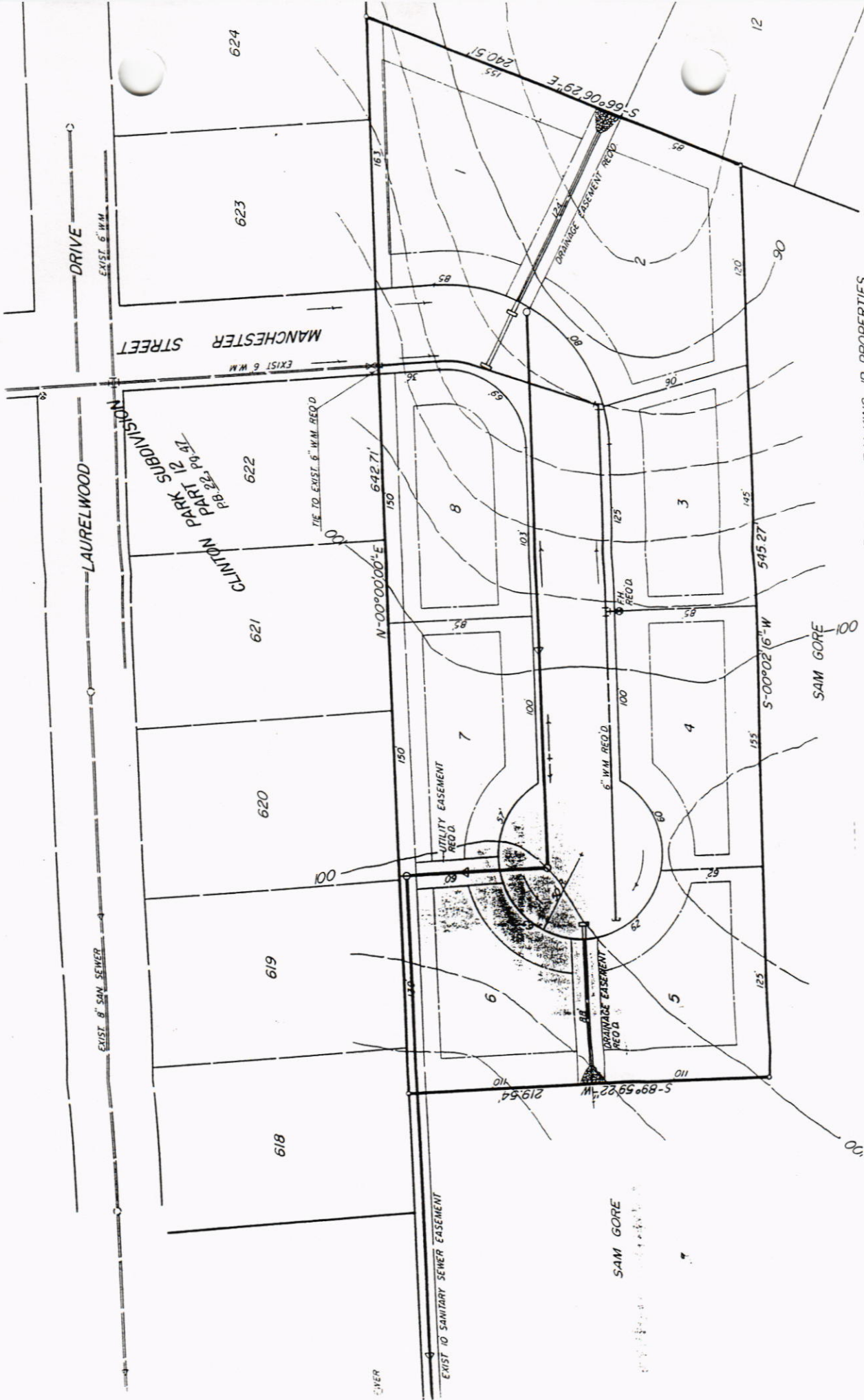


EXHIBIT "B"

OWNER & DEVELOPER: E.M. KING, JR. PROPERTIES
 PO BOX 399
 CLINTON, MISSISSIPPI 39060
 TEL -601/924-3949

ENGINEER: BAILEY ENGINEERING & LAND SURVEYING, LLC
 2112 CROSSBRIDGE BLVD
 JACKSON, MISSISSIPPI 39212
 JOHN T. BAILEY, P.E. 10734

NOTE

RESOLUTION

RESOLUTION APPROVING A DIMENSIONAL VARIANCE FOR E. M. KING, KING JR., CLINTON PARK SUBDIVISION, PART 15 FOR PROPERTY LOCATED ON MANCHESTER STREET, CLINTON MISSISSIPPI, AS DESCRIBED IN EXHIBIT "A"

WHEREAS, Mr. E. M. King, Jr., has requested a dimensional variance on the setback requirements as set in Section 603.04 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 front and rear setbacks; 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, for the front yard setback and denying the request for rear yard setbacks 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 of 20 feet (instead of 30 feet) on the front and 20 feet (instead of 25 feet) on the rear.

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 BRANTLEY
Moved that said Resolution be adopted. Alderman TOUCHTON seconded. The vote was as follows:

Alderman Brabham voted:	<u>AYE</u>
Alderman Hisaw voted:	<u>AYE</u>
Alderman DePriest voted:	<u>AYE</u>
Alderman Brantley voted:	<u>AYE</u>
Alderman Fisher voted:	<u>AYE</u>
Alderman Touchton voted:	<u>AYE</u>
Alderman Lott voted:	<u>AYE</u>

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

The foregoing ordinance was approved this the 5TH day of JUNE, 2001.

CITY OF CLINTON

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, MAYOR

ATTEST:

Wayne Derrick
Wayne Derrick, City Clerk

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 5, 2001

Agenda Item No. 7.1h

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: Proposed Clinton Park Subdivision, Part 15
Request for preliminary plat approval

Introduced by: Gary Ward

Telephone: 924-2239

Exhibits for Review:

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

Recommendation: Planning and Zoning Commission recommends approval.

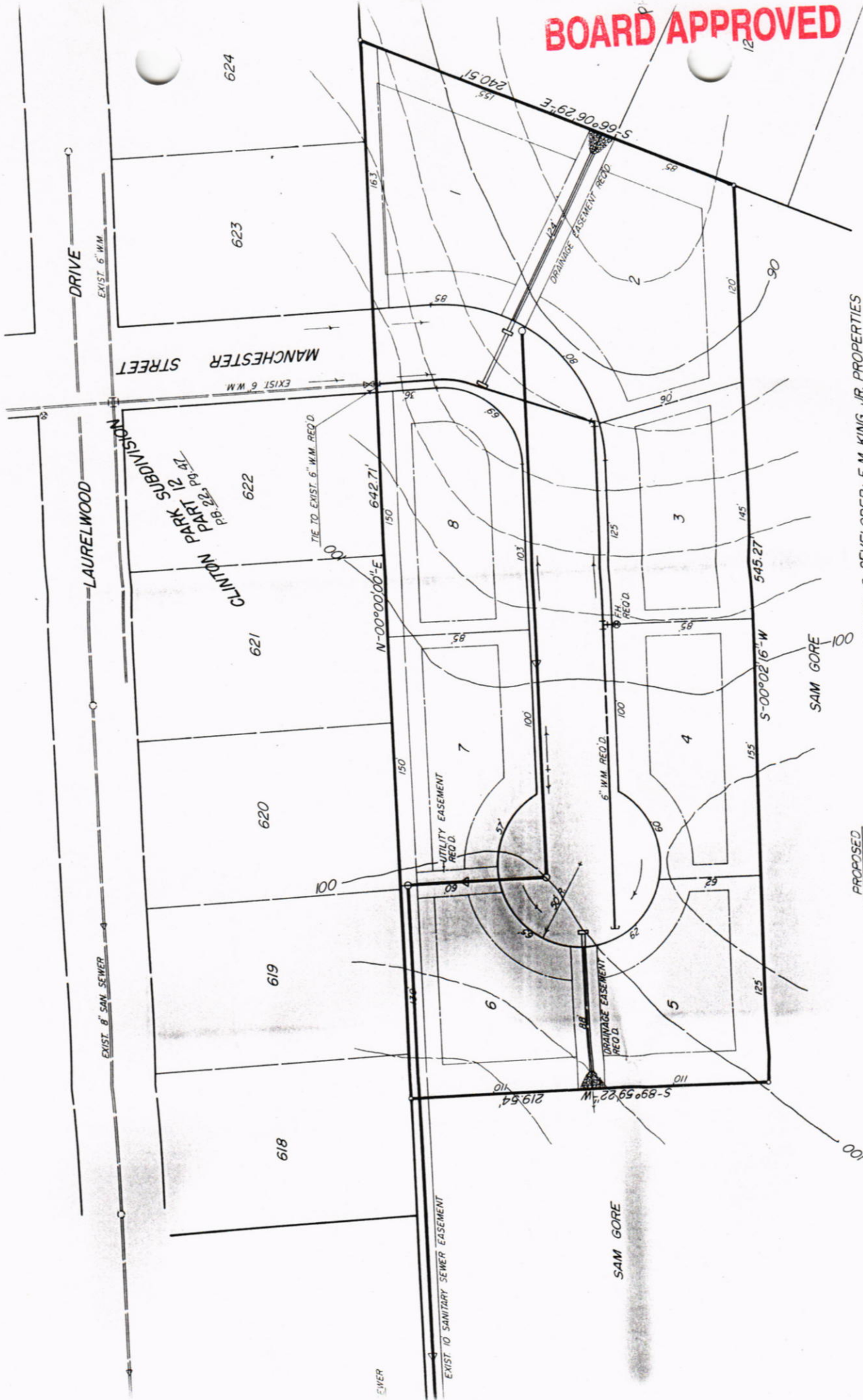
Board Action:

Motion made by: Brantley
Seconded by: Brabham

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

*Subject to
damage be acceptable to
City engineer.*

BOARD APPROVED



OWNER & DEVELOPER: E.M. KING, JR. PROPERTIES
PO BOX 399
CLINTON, MISSISSIPPI 39060
TEL: (601) 924-3949
ENGINEER: BAILEY ENGINEERING & LAND SURVEYING, LLC
2112 CROSSBRIDGE BLVD
JACKSON, MISSISSIPPI 39212
JOHN T. BAILEY, PE 10734
12/20/2021 1773-3621

PROPOSED
8" SANITARY SEWER
STORM SEWER
WATER MAIN

NOTE

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 5, 2001

Agenda Item No. 7. i

Consent Agenda:	To:
For:	
Acct. No.	

Discussion/Action:	Proposed The Heights Subdivision <i>S. Woodchase Park Dr</i> Request for dimensional variance (Railroad setbacks)
Introduced by:	Gary Ward
Telephone:	924-2239

Exhibits for Review:			
Minutes	_____	Invoice	_____
Ordinance	_____	Plans, Maps	_____
Resolution	_____	Contract	_____

Recommendation: Planning and Zoning Commission recommends approval.

Board Action:	Motion made by: <u><i>Touchton</i></u>		
	Seconded by: <u><i>Brantley</i></u>		
Vote Cast:	<u>"Aye"</u>	<u>"Nay"</u>	<u>Action Taken:</u>
Brabham	<u> ✓ </u>	_____	_____
Hisaw	<u> ✓ </u>	_____	_____
DePriest	<u> ✓ </u>	_____	_____
Brantley	<u> ✓ </u>	_____	_____
Fisher	<u> ✓ </u>	_____	_____
Touchton	<u> ✓ </u>	_____	_____
Lott	<u> ✓ </u>	_____	_____
Mayor Aultman	<u> ✓ </u>	_____	_____

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.

Zoning Action Application

Request for:

☐ Rezoning
☒ Dimensional Variance
☐ Conditional Use (Special Exception)

Owner's Name F.M. KING, JR. Phone # 601-924-3949

Address P.O. BOX 399
CLINTON, MS 39060

Property Address CLINTON PARK PART 15, THE HEIGHTS, PARCELS 5 & 6 OAK WOOD ST.
Current Zoning R-1 Requested Change _____

Date of Public Hearing before Planning & Zoning Commission MAY 22, 01

Date of Mayor & Board of Aldermen Meeting JUNE 5, 01

Requirements of Applicant: (General Guidelines Only)

1. Letter stating reason for request.
2. Copy of the written legal description.
3. Site plan or plat of property.
4. Identification of property owners within 160 feet of subject property (required for rezoning request only).
5. \$250.00 fee required for processing.

PLEASE NOTE: APPLICANT IS RESPONSIBLE FOR COMPLYING
WITH ALL APPLICABLE REQUIREMENTS OF THE
ZONING ORDINANCE.

Applicant shall be present at both the Planning & Zoning Commission and Mayor/ Board of Aldermen meetings. Documents shall be submitted thirty (30) days prior to public hearing before the Planning and Zoning Commission.

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

E.M. King, Jr.
Signature

APRIL 23, 2001
Date

BOARD APPROVED

E. M. King, Jr.

P.O. Box 399
Clinton, Mississippi 39060-0399
Phone 601-924-3949
E-Mail EMKIN2533@AOL.COM

April 23, 2001

Planning and Zoning Commission
Board of Aldermen
P.O. Box 156
Clinton, Mississippi 39060-0156

RE : Clinton Park Subdivision Part 15, The Heights Subdivision, Parcels 5 and 6 on Oakwood Street, Clinton, Mississippi.

Gentlemen :

I request the following dimensional variances be made on the above referenced properties.

1. CLINTON PARK SUBDIVISION, PART 15 : My request is for a 10' variance on the front setback, causing the building setback to be 20' instead of 30' as required in section 603.04. Also I request a 5' dimensional variance on the rear set back from 25' to 20' as required under the same section. These requested variances are necessary because the lots are unusually wide and shallow.
- 2. THE HEIGHTS SUBDIVISION : I request a dimensional variance of 75' on all lots where the rear of the lot joins the R/R R.O.W. My request is that the building setback be 50' from the R/R R.O.W. instead of 100' plus the normal setback as required under section 401.06. This will allow us to utilize as much of the lot as possible for garages to the rear of some of the houses. Also, I request a 10' variance on the front setback of all lots, making the front set back 20' instead of 30', and a 5' variance on the rear set back making it 20' instead of 25' on all lots not joining the R/R R.O.W.. The requested dimensional variances will greatly enhance the appearance and the way the subdivision functions. A subdivision of CLASSICAL style homes has wide side walks and the houses are close to the street so people can visit as they walk.
3. PARCELS 5 AND 6 : I request a 75' dimensional variance on the back of these two lots or parcels. My request is that the building setback be changed to 50' from the R/R R.O.W. instead of 100' plus the normal setback as required in 401.06. These two lots or parcels are totally unusable as they are now.

Thank you for your consideration concerning my requests.

Sincerely,

E. M. King, Jr.

E. M. King, Jr.

RECEIVED

APR 23 2001

CITY OF CLINTON
PLANNING & ZONING

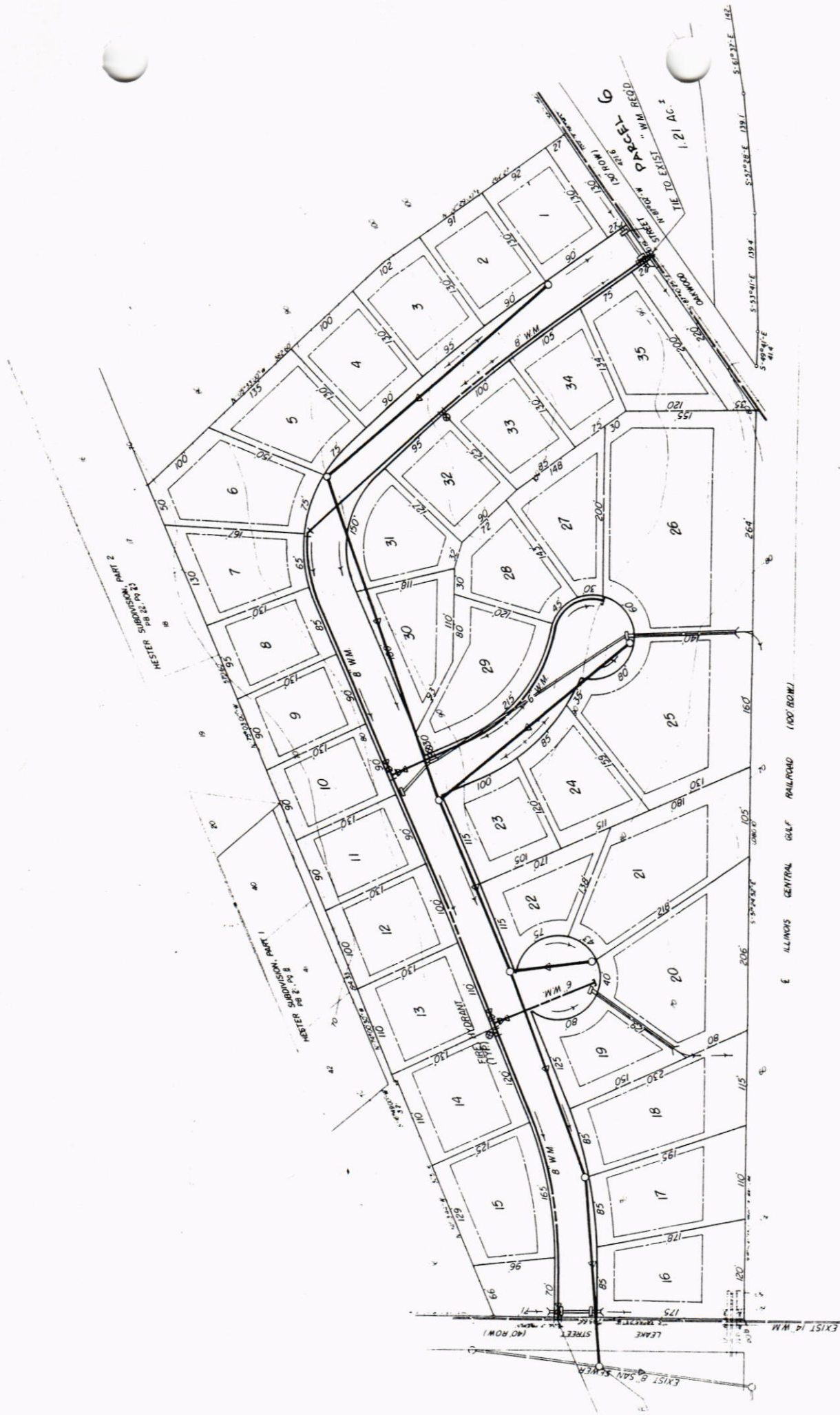


EXHIBIT "B"

7. i

RESOLUTION

RESOLUTION APPROVING A DIMENSIONAL VARIANCE FOR E. M. KING, KING JR., THE HEIGHTS SUBDIVISION ON OAKWOOD STREET AND LEAKE STREET, CLINTON MISSISSIPPI, AS DESCRIBED IN EXHIBIT "A"

WHEREAS, Mr. E. M. King, Jr., has requested a dimensional variance on the setback requirements as set in Section 401.06 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 from the railroad setback; 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 request for the railroad setbacks 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 seventy-five (75) feet from the railroad right-of-way to the rear of the principal structure for lots 16, 17, 18, 20, 21, 25, 26 of Clinton Heights Subdivision Part .
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 TOUCHTON Moved that said Resolution be adopted. Alderman BRANTLEY seconded. The vote was as follows:

Alderman Brabham voted:	<u>AYE</u>
Alderman Hisaw voted:	<u>AYE</u>
Alderman DePriest voted:	<u>AYE</u>
Alderman Brantley voted:	<u>AYE</u>
Alderman Fisher voted:	<u>AYE</u>
Alderman Touchton voted:	<u>AYE</u>
Alderman Lott voted:	<u>AYE</u>

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

The foregoing ordinance was approved this the 5TH day of JUNE, 2001.

CITY OF CLINTON

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, MAYOR

ATTEST:

W. Derrick
Wayne Derrick, City Clerk



Exhibit "A"

Legal Description

For

E. M. King, Jr. (The Heights Subdivision & Parcels 5 & 6)

Begin at the point of intersection of the east right of way line of Leake Street with the north right of way line of the Illinois Central Gulf Railroad as said Leake Street and Illinois Central Gulf Railroad is now laid out and established on the ground, reference to which is hereby made in aid of and as a part of this description; run thence South 51 degrees 24 minutes 52 seconds East and along said north right of way line of the Illinois Central Gulf Railroad for a distance of 1080.10 feet to a point on the north right of way line of Oakwood Street as said street is now laid out and established on the ground, reference to which is hereby made in aid of and as a part of this description; run thence South 87 degrees 10 minutes 25 seconds East and along said north right of way line of Oakwood Street for a distance of 400.19 feet to a point; run thence north 02 degrees 29 minutes 00 seconds east for a distance of 262.27 feet to a point; run thence north 05 degrees 33 minutes 00 seconds west for a distance of 382.60 feet to a point on the south line of Hester Subdivision, Part 2, a subdivision according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi in Plat Book 22 at page 23, reference to which is hereby made in aid of and as a part of this description; run thence north 75 degrees 03 minutes 00 seconds west and along said south line of Hester Subdivision, Part 2 and the extension thereof for a distance of 570.60 feet to a point; run thence north 74 degrees 00 minutes 30 seconds west for a distance of 194.33 feet to a point; run thence south 16 degrees 49 minutes 00 seconds west for a distance of 3.21 feet to a point; run thence north 74 degrees 13 minutes 44 seconds west for a distance of 305.06 feet to a point on said southeasterly right of way line of Leake Street; run thence south 38 degrees 55 minutes 23 seconds west and along said southeasterly right of way line of Least Street for a distance of 295.68 feet to the Point of Beginning.

The above-described parcel of land is located in the Northwest Quarter (NW1/4), the Northeast Quarter (NE1/4) and the Southeast Quarter (SE1/4) of the Northwest Quarter of Section 29, Township 6 North, Range 1 West, City of Clinton, Hinds County, Mississippi and contains 15.33 acres, more or less.

Parcel No. 5: A parcel of land situated in Section 29, Township 6 North, Range 1 West, Hinds County, Mississippi, and being more particularly described as follows:

Commence at an iron pin marking the Southeast corner of Lot 14, Hester Subdivision Part 2, Clinton, Hinds County, Mississippi, according to a map or plat thereof on file and of record in the Office of the Chancery Clerk of Hinds County in Plat Book 22, Page 23, reference to which is hereby made in aid of and as a part of this description; run thence North 73 degrees 43 minutes West for 19.0 feet; run thence South 0 degrees 29 minutes West for 102.53 feet; run thence South 0 degrees 44 minutes West for 113.0 feet; run thence South 0 degrees 51 minutes West for 103.3 feet; run thence South 2 degrees 38 minutes West for 282.04 feet; run thence South 8 degrees 38 minutes West for 15.0 feet to the south right-of-way of Oakwood Street with a right of way width of 30.0 feet; run thence North 83 degrees 53 minutes West along said right of way for 100.0 feet to the Point of Beginning of the Parcel herein described; continue thence North 83 degrees 53 minutes West along said right of way for 70.9 feet; run thence North 87 degrees 02 minutes West along said right of way for 29.1 feet; run thence South 8 degrees 38 minutes West for 232.5 feet to the North right or way of a railroad; run thence South 66 degrees 40 minutes East along said right of way for 103.2 feet; run thence North 8

Exhibit "A"

Legal Description
For

E. M. King, Jr. (The Heights Subdivision & Parcels 5 & 6)

degrees 38 minutes East for 264.7 feet to the Point of Beginning; and containing 0.57 acres, more or less.

Parcel No. 6: A parcel of land situated in Section 29, Township 6 North, Range 1 West, Hinds County, Mississippi, and being more particularly described as follows:

Commence at an iron pin marking the Southeast corner of Lot 14, Hester Subdivision Part 2 Clinton, Hinds County, Mississippi, according to a map or a plat thereof on file and of record in the office of the Chancery Clerk of Hinds County in Plat Book 22, Page 23, reference to which is hereby made in aid of and as a part of this description: run thence North 73 degrees 43 minutes West for 19.0 feet; run thence South 0 degrees 29 minutes West for 103.53 feet; run thence South 0 degrees 44 minutes West for 113.0 feet; run thence South 0 degrees 51 minutes West for 103.03 feet; run thence South 2 degrees 38 minutes West for 282.04 feet ; run thence South 8 degrees 38 minutes West for 15.0 feet to the south right-of way of Oakwood Street with a right of way width of 30.0 feet; run thence North 83 degrees 53 minutes West along said right of way for 170.9 feet; run thence North 87 degrees 58 minutes West for 29.1 feet to the point of beginning of the parcel herein described; continue thence North 87 degrees 02 minutes West for 421.6 feet to the North right of way of railroad run thence South 49 degrees 41 minutes East along said right of way for 41.4 feet; run thence South 53 degrees 41 minutes East along said right of way for 139.4 feet; run thence South 57 degrees 28 minutes East along said right of way for 139.1 feet; run thence South 61 degrees 37 minutes East along said right of way for 142.0; run thence North 8 degrees 38 minutes East for 232.5 feet to the Point of Beginning; and containing 1.21 acres, more or less.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 5, 2001

Agenda Item No. 7.j

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: Proposed The Heights Subdivision
Request for dimensional variance (Building setbacks)

Introduced by: Gary Ward

Telephone: 924-2239

Exhibits for Review:

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

Recommendation: Planning and Zoning Commission recommends approval.

Board Action:

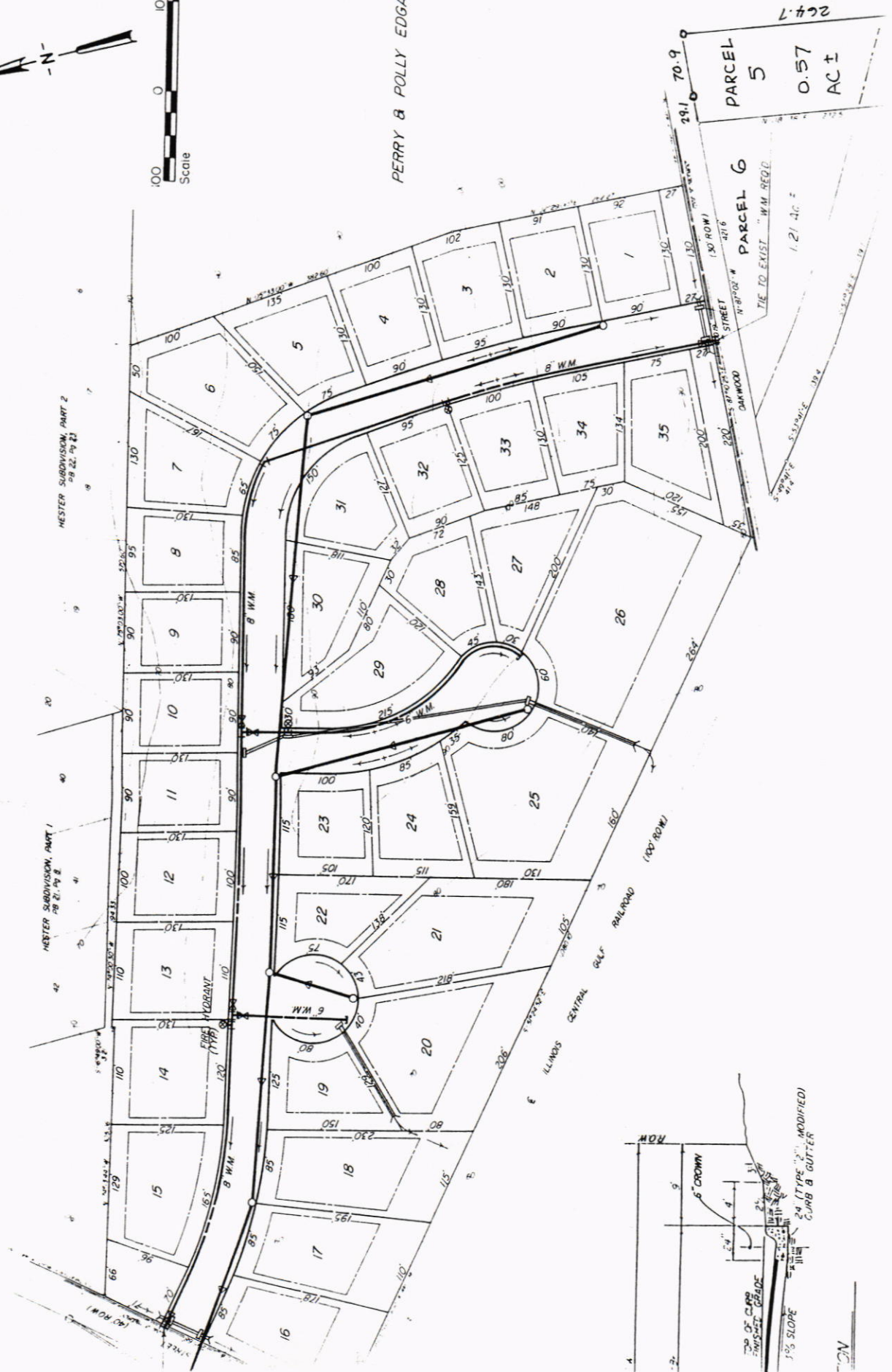
Motion made by: Touchton
Seconded by: Brabham

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

*Private sewer and
drainage requirements
City be met.*

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.

PERRY & POLLY EDGAR



BOARD APPROVED

E. M. King, Jr.

P.O. Box 399

Clinton, Mississippi 39060-0399

Phone 601-924-3949

E-Mail EMKIN2533@AOL.COM

April 23, 2001

Planning and Zoning Commission
Board of Aldermen
P.O. Box 156
Clinton, Mississippi 39060-0156

RE : Clinton Park Subdivision Part 15 , The Heights Subdivision , Parcels 5 and 6 on Oakwood Street, Clinton, Mississippi .

Gentlemen :

I request the following dimensional variances be made on the above referenced properties.

1. CLINTON PARK SUBDIVISION , PART 15 : My request is for a 10' variance on the front setback , causing the building setback to be 20' instead of 30' as required in section 603.04. Also I request a 5' dimensional variance on the rear set back from 25' to 20' as required under the same section. These requested variances are necessary because the lots are unusually wide and shallow.
2. THE HEIGHTS SUBDIVISION : I request a dimensional variance of 75' on all lots where the rear of the lot joins the R/R R.O.W. My request is that the building setback be 50' from the R/R R.O.W. instead of 100' plus the normal setback as required under section 401.06 This will allow us to utilize as much of the lot as possible for garages to the rear of some of the houses . Also, I request a 10' variance on the front setback of all lots , making the front set back 20' instead of 30' , and a 5' variance on the rear set back making it 20' instead of 25' on all lots not joining the R/R R.O.W.. The requested dimensional variances will greatly enhance the appearance and the way the subdivision functions . A subdivision of CLASSICAL style homes has wide side walks and the houses are close to the street so people can visit as they walk .
3. PARCELS 5 AND 6 : I request a 75' dimensional variance on the back of these two lots or parcels. My request is that the building setback be changed to 50' from the R/R R.O.W. instead of 100' plus the normal setback as required in 401.06 . These two lots or parcels are totally unusable as they are now .

Thank you for your consideration concerning my requests.

Sincerely,

E. M. King, Jr.

E. M. King, Jr.

RECEIVED

APR 23 2001

CITY OF CLINTON
PLANNING & ZONING

RESOLUTION

RESOLUTION APPROVING A DIMENSIONAL VARIANCE FOR E. M. KING, KING JR., THE HEIGHTS SUBDIVISION FOR PROPERTY LOCATED ON LEAKE STREET AND OAKWOOD STREET, CLINTON MISSISSIPPI, AS DESCRIBED IN EXHIBIT "A"

WHEREAS, Mr. E. M. King, Jr., has requested a dimensional variance on the setback requirements as set in Section 603.04 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 front and rear setbacks; 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 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, for the front yard setback and denying the request for rear yard setbacks 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 TOUCHTON Moved that said Resolution be adopted. Alderman BRABHAM seconded. The vote was as follows:

Alderman Brabham voted:	<u>AYE</u>
Alderman Hisaw voted:	<u>AYE</u>
Alderman DePriest voted:	<u>AYE</u>
Alderman Brantley voted:	<u>AYE</u>
Alderman Fisher voted:	<u>AYE</u>
Alderman Touchton voted:	<u>AYE</u>
Alderman Lott voted:	<u>AYE</u>

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

The foregoing ordinance was approved this the 5TH day of JUNE, 2001.

CITY OF CLINTON

BY: Rosemary S. Aultman
ROSEMARY AULTMAN, MAYOR

ATTEST:

Wayne Derrick
Wayne Derrick, City Clerk

(SEAL)

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 5, 2001

Agenda Item No. 7. K

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: Proposed The Heights Subdivision
Request for preliminary plat approval

Introduced by: Gary Ward

Telephone: 924-2239

Exhibits for Review:

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

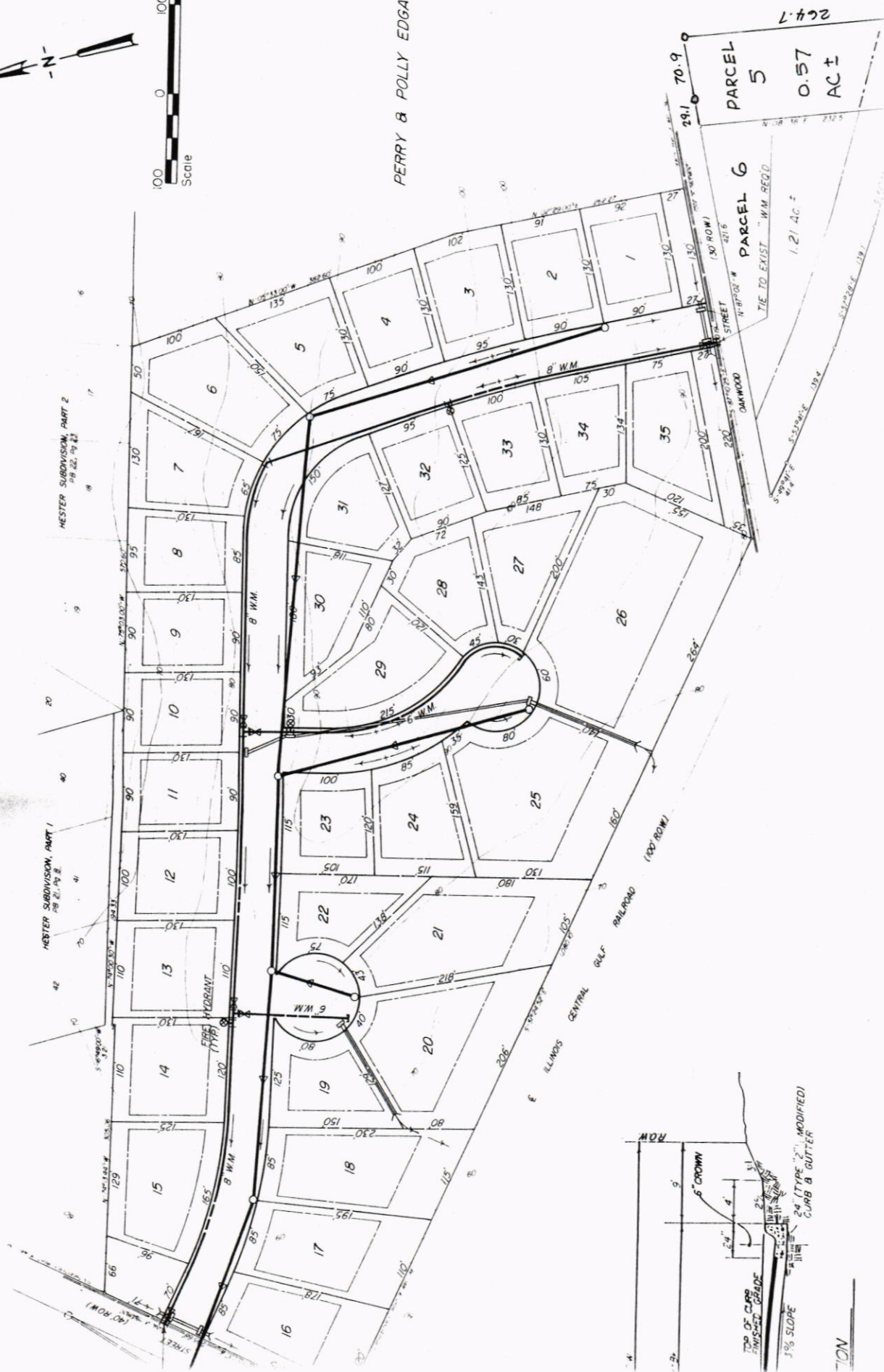
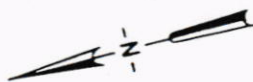
Recommendation: Planning and Zoning Commission recommends approval.**Board Action:**

Motion made by: Touchton
Seconded by: Brabham

Vote Cast: "Aye"**"Nay"****Action Taken:**

Brabham	<u> </u>	<u> </u>	<u> </u>
Hisaw	<u> </u>	<u> </u>	<u> </u>
DePriest	<u> </u>	<u> </u>	<u> </u>
Brantley	<u> </u>	<u> </u>	<u> </u>
Fisher	<u> </u>	<u> </u>	<u> </u>
Touchton	<u> </u>	<u> </u>	<u> </u>
Lott	<u> </u>	<u> </u>	<u> </u>
Mayor Aultman	<u> </u>	<u> </u>	<u> </u>

PERRY & POLLY EDGAR



No.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: June 5, 2001

Agenda Item No. 7. L

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: Parcels 5 & 6 - Oakwood Street
Request for dimensional variance (Railroad setback)

Introduced by: Gary Ward

Telephone: 924-2239

Exhibits for Review:

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

Recommendation: Planning and Zoning Commission recommends approval.

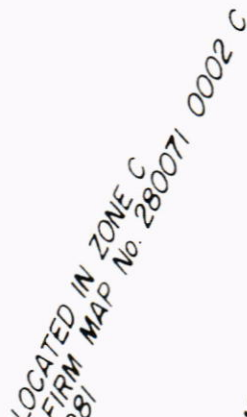
Board Action:

Motion made by: Touchton
Seconded by: Brabham

<u>Vote Cast:</u>	<u>"Aye"</u>	<u>"Nay"</u>	<u>Action Taken:</u>
Brabham	<u>T</u>	_____	_____
Hisaw	_____	_____	_____
DePriest	_____	_____	_____
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.

8 POLLY EDGAR



ED ELEVATION

BAILEY ENGINEERING
CIVIL ENGINEERING and LAND
JACKSON, MISSISSIPPI

PR

E: 1"=100'	
NO:	
BY	CHKD.
	APPD.

BOARD APPROVED

E. M. King, Jr.

P.O. Box 399

Clinton, Mississippi 39060-0399

Phone 601-924-3949

E-Mail EMKIN2533@AOL.COM

April 23, 2001

Planning and Zoning Commission
Board of Aldermen
P.O. Box 156
Clinton, Mississippi 39060-0156

RE : Clinton Park Subdivision Part 15 , The Heights Subdivision , Parcels 5 and 6 on Oakwood Street, Clinton, Mississippi .

Gentlemen :

I request the following dimensional variances be made on the above referenced properties.

1. CLINTON PARK SUBDIVISION , PART 15 : My request is for a 10' variance on the front setback , causing the building setback to be 20' instead of 30' as required in section 603.04. Also I request a 5' dimensional variance on the rear set back from 25' to 20' as required under the same section. These requested variances are necessary because the lots are unusually wide and shallow.
2. THE HEIGHTS SUBDIVISION : I request a dimensional variance of 75' on all lots where the rear of the lot joins the R/R R.O.W. My request is that the building setback be 50' from the R/R R.O.W. instead of 100' plus the normal setback as required under section 401.06 This will allow us to utilize as much of the lot as possible for garages to the rear of some of the houses . Also, I request a 10' variance on the front setback of all lots , making the front set back 20' instead of 30' , and a 5' variance on the rear set back making it 20' instead of 25' on all lots not joining the R/R R.O.W.. The requested dimensional variances will greatly enhance the appearance and the way the subdivision functions . A subdivision of CLASSICAL style homes has wide side walks and the houses are close to the street so people can visit as they walk .
- 3. PARCELS 5 AND 6 : I request a 75' dimensional variance on the back of these two lots or parcels. My request is that the building setback be changed to 50' from the R/R R.O.W. instead of 100' plus the normal setback as required in 401.06 . These two lots or parcels are totally unusable as they are now .

Thank you for your consideration concerning my requests.

Sincerely,

E. M. King, Jr.

E. M. King, Jr.

RECEIVED

APR 23 2001

CITY OF CLINTON
PLANNING & ZONING

E. M. King, Jr.

P.O. Box 399
Clinton, Mississippi 39060-0399
Phone 601-924-3949
E-Mail EMKIN2533@AOL.COM

April 23, 2001

Planning and Zoning Commission
Board of Aldermen
P.O. Box 156
Clinton, Mississippi 39060-0156

RE : Clinton Park Subdivision Part 15, The Heights Subdivision, Parcels 5 and 6 on Oakwood Street, Clinton, Mississippi.

Gentlemen :

I request the following dimensional variances be made on the above referenced properties.

1. CLINTON PARK SUBDIVISION, PART 15 : My request is for a 10' variance on the front setback, causing the building setback to be 20' instead of 30' as required in section 603.04. Also I request a 5' dimensional variance on the rear set back from 25' to 20' as required under the same section. These requested variances are necessary because the lots are unusually wide and shallow.
2. THE HEIGHTS SUBDIVISION : I request a dimensional variance of 75' on all lots where the rear of the lot joins the R/R R.O.W. My request is that the building setback be 50' from the R/R R.O.W. instead of 100' plus the normal setback as required under section 401.06. This will allow us to utilize as much of the lot as possible for garages to the rear of some of the houses. Also, I request a 10' variance on the front setback of all lots, making the front set back 20' instead of 30', and a 5' variance on the rear set back making it 20' instead of 25' on all lots not joining the R/R R.O.W.. The requested dimensional variances will greatly enhance the appearance and the way the subdivision functions. A subdivision of CLASSICAL style homes has wide side walks and the houses are close to the street so people can visit as they walk.
3. PARCELS 5 AND 6 : I request a 75' dimensional variance on the back of these two lots or parcels. My request is that the building setback be changed to 50' from the R/R R.O.W. instead of 100' plus the normal setback as required in 401.06. These two lots or parcels are totally unusable as they are now.

Thank you for your consideration concerning my requests.

Sincerely,

E. M. King, Jr.

E. M. King, Jr.

RECEIVED

APR 23 2001

CITY OF CLINTON
PLANNING & ZONING

RESOLUTION**RESOLUTION APPROVING A DIMENSIONAL VARIANCE FOR E. M. KING, KING JR., PARCELS 5 AND 6 FOR PROPERTY LOCATED ON OAKWOOD STREET, CLINTON MISSISSIPPI, AS DESCRIBED IN EXHIBIT "A"**

WHEREAS, Mr. E. M. King, Jr., has requested a dimensional variance on the setback requirements as set in Section 401.06 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 from the railroad setback; 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 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 for the railroad setbacks 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 seventy-five (75) feet from the railroad right-of-way to the rear of the principal structure.
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 TOUCHTON
Moved that said Resolution be adopted. Alderman BRABHAM seconded. The vote was as follows:

Alderman Brabham voted:	<u>AYE</u>
Alderman Hisaw voted:	<u>AYE</u>
Alderman DePriest voted:	<u>AYE</u>
Alderman Brantley voted:	<u>AYE</u>
Alderman Fisher voted:	<u>AYE</u>
Alderman Touchton voted:	<u>AYE</u>
Alderman Lott voted:	<u>AYE</u>

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

The foregoing ordinance was approved this the 5TH day of JUNE, 2001.

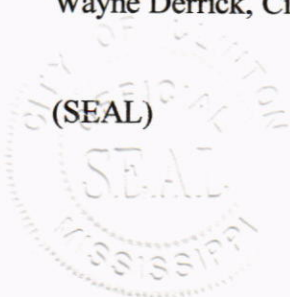
CITY OF CLINTON

BY: Rosemary A. Aultman
ROSEMARY AULTMAN, MAYOR

ATTEST:

Wayne Derrick
Wayne Derrick, City Clerk

(SEAL)



BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: June 5, 2001

AGENDA ITEM NO. 8

CONSENT AGENDA : \$	TO:
FOR:	
Circle : Low Quote, Sole Source, Emergency, etc. if applicable. ACCT. NO.	

DISCUSSION/ACTION: Board Authority to Request Proposals for Contract Operation of	
Wastewater Facilities beginning 10/1/01.	
INTRODUCED BY: R. L. Broome	TELEPHONE: 924-5462

EXHIBITS FOR REVIEW:

Minutes _____	Invoice _____	Other <u>Request for Proposals</u>
Ordinance _____	Plans, Maps _____	_____
Resolution _____	Contract _____	_____

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY: Theriot

SECONDED BY: Lott

<u>VOTE CAST:</u>	<u>"AYE"</u>	<u>"NAY"</u>	<u>ACTION TAKEN:</u>
Brabham	<u>/</u>	_____	_____
Hisaw	<u>/</u>	_____	_____
DePriest	<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.

BOARD APPROVED

REQUEST FOR QUALIFICATIONS

FOR THE

OPERATION, MAINTENANCE and MANAGEMENT

OF THE

CLINTON WASTEWATER TREATMENT FACILITIES

FOR THE

CITY OF CLINTON, MISSISSIPPI

JUNE 2001

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**CITY OF CLINTON, MISSISSIPPI
Request for Qualifications (RFQ)**

**Full Contract Management, Operations
And Maintenance Program**

I. General

The City of Clinton, Mississippi is seeking Statements of Qualifications (SOQs) from firms (hereinafter referred to as "Contractor") capable of operating and maintaining the City of Clinton Wastewater Treatment Facilities. The scope of work includes full service contract operations, maintenance and management (OM&M) of the four activated sludge wastewater treatment plants. The scope of work will also include the full service operation, maintenance and management (OM&M) of pumping stations located throughout the City. Attached is a listing and brief description of these facilities.

Full service contract operations includes the requirement the Contractor employ all treatment facility OM&M staff and pay all chemical costs, with the Contractor fully responsible for all aspects of facility management, operation and maintenance, compliance monitoring, testing & reporting for compliance with the NPDES Permits. The scope of work for the project includes full service contract OM&M of the City's wastewater treatment facilities. Contractors should demonstrate experience operating similar facilities.

To be considered for evaluation, written statements must be received by 10:00 A.M. on July 24, 2001. SOQs received after this deadline will not be considered. An original and six (6) copies of the SOQ shall be mailed or hand delivered to the attention of Tim Rogers, Public Works Director, at the following address:

Public Works Department
City of Clinton
P. O. Box 156
Clinton, MS 39060

300 Jefferson Street
Clinton, MS 39056

Telephone # 601-924-2239

The outside of the envelope must be clearly marked 'STATEMENT OF QUALIFICATIONS – CONTRACT OPERATIONS AND MAINTENANCE FOR THE CITY OF CLINTON WASTEWATER TREATMENT FACILITY.' No other distribution of SOQs will be allowed by the Contractors. Any distribution other than described will be cause for disqualification from the remaining process.

All questions, clarifications, and requests, together with answers, if any, will be provided to all Contractors that have indicated an interest or intention to submit statements, but the names of any Contractors submitting any questions, clarifications, or requests will not be disclosed until after the deadline for submitting SOQs. The City reserves the right to respond or not to respond to any questions, clarifications, or requests.

II. General Intent

It is the intent of the City to investigate the possibility of contracting all or some portion of the OM&M of the City's wastewater treatment system. A selection committee will evaluate submittals and shortlist Contractors for further consideration. However, the City reserves the right to terminate this process at any time and no guarantee is expressed or implied that obligates the City to continue contract operation of said facility.

The selected Contractor will be required to provide uninterrupted, economical sanitary and industrial sewage treatment; to prevent bypass or overflow of sanitary or industrial sewerage from the treatment plants or pumping stations; to handle and treat the sanitary and industrial sewage in accordance with the requirements of the Permit to Discharge; Mississippi Department of Environmental Quality; and any other applicable local, state or federal guidelines, rules, regulations, code and/or laws; and to operate the treatment plant and pumping stations to optimize life time, cycle time and service time.

III. Required Contractor Information

The SOQ is intended to assess the Contractor's background, qualifications, and experience in the contract operations arena. Each interested Contractor must respond to each of the following request/questions in a clear and comprehensive manner. An incomplete or inaccurate response may preclude Contractors from further consideration.

1. Provide the full name, tax identification number, and main office address of the entity ("Contractor") which would ultimately enter into a contract with the City.
2. Identify when the Contractor was organized, and if corporation, where incorporated and how many years engaged in providing full service operations under that name. Provide a comprehensive description of Contractor's corporate ownership history. Fully identify and explain any changes in corporate ownership and/or operating name. Describe parent company relationship and history of parent company.
3. Provide a financial statement in the form of an Annual Report and/or annual audited financial statements.

4. Provide a comprehensive reference list of all facilities (wastewater) operated in the State of Mississippi, over the past 10 years, where the Contractor provides full service contract operations. For each facility, list the gross annual amount of each contract; the contract start date; the contract completion date (if applicable); the name, address, contact person and title, and the telephone number of the owner; and the size and type of facility.
5. Provide information on all treatment facilities operated over the past 5 years, which are activated sludge process.
6. List awards that your firm has been awarded within the past 5 years for operation and maintenance of water, wastewater and laboratory facilities.
7. Provide evidence of bonding capability of the annual contract amount. The amount of the bond may be reduced depending upon the final scope of services.

The above described comprehensive reference list shall include only full service contract operations contracts. Full Service Contract Operations is defined as where the Contractor employees all treatment facility OM&M staff, pays all chemical costs, and is fully responsible for all aspects of facility management, operation, and maintenance. Contractors may, if desired, list separately Mississippi facilities owned by a parent company or holding company or by other subsidiary of said parent or holding company.

Contractor shall not include any listings on the referenced list that are:

- A. Facilities where the Contractor does not provide full service contract operations. Facility startup or operations troubleshooting are not considered full service contract operations (i.e., startup for facility that was designed by Contractor's parent engineering firm).
 - B. Facilities where the Contractor provides "management consulting" services only (i.e., Contractor provides facility manager, with the majority of staff being provided by the client).
8. Provide a "Record of Compliance", in which the Contractor is required to represent and certify its past performance with regard to the following:
 - A. Safety Record – Specify all OSHA (and state counterpart) safety citations which resulted in assessment or fines at all wastewater facilities owned or operated, current and past (within the past 5 years), by the Contractor.
 - B. Detail any lost time-on-job and workers' compensation claims at all wastewater facilities owned or operated which have occurred within the past 5 years.

- C. Violations of Water Quality Environmental Regulations – Specify all environmental violations which have been cited at all facilities owned and/or operated, current and past, by the Contractor.
 - D. Regulatory and Contractual Failures to Perform – For all previous and current wastewater treatment contracts, the Contractor must summarize any reported failures to perform in compliance with regulatory permits, as well as any failures to meet contractual specifications regarding operating performances, financial obligations, default, or any other standards.
 - E. Bankruptcy Filings – Identify whether the Contractor has filed for bankruptcy, had projects foreclosed upon or repossessed, or has sought the protection of any bankruptcy or insolvency laws.
 - F. Litigation and Claims – provide details of all instances where the Contractor has (a) had a claim in excess of \$500,000 made against it in the last 10 years; (b) had a claim for injunctive relief or any type involving a claim by the Contractor or any other party against the Contractor; and (c) is currently involved in any litigation in any civil proceedings before a court or tribunal in any state, territory, province, or country, which was or are based in whole or in part on fraud, theft, deceit, wrongful death, safety, misrepresentation or similar conduct.
 - G. Criminal Offenses – Provide full details if the Contractor, or any individual authorized to represent the Contractor for purposes of this SOQ, has been charged with a crime within the past 10 years.
- 9. Does any commission member or other officer, employee, or person living in or associated in any way with the City have any direct or indirect personal interest in the Contractor? If so, describe the circumstances.
 - 10. Has the Contractor been named as a defendant in any litigation brought as a result of any contract operations and maintenance? If so, name the owner and describe the circumstances.
 - 11. Has the Contractor ever been terminated or fired on a project? If so, name the owner and describe the circumstances.
 - 12. Describe the Contractor's overall program of preventative and corrective maintenance, equipment repair and maintenance, and plan for prevention of and response to emergencies.
 - 13. Describe Contractor's system for handling any and all complaints, problems, and inquiries by the City, by the constituent municipalities, by other governmental agencies, and by members of the public.

14. Describe Contractor's quality assurance/quality control, safety program for the OM&M of facilities.

IV. Sample Contract

The Contractor shall include a contract containing, at a minimum, provisions as follows:

Provisions of liability for the payment of fines and/or civil penalties levied against the Contractor and/or the City by any regulatory agency having jurisdiction as a result of failure to comply with the terms and conditions of any duly authorized permit, court order, administrative order, law, statute, ordinance, etc. for reasons resulting from the Contractor's negligence during the period of the contract.

Provisions for compliance with the Permit, specifically noting effluent quality and monitoring/reporting requirements and a process control system which furnishes complete and accurate records. Systems should be capable of readily providing historical data and trends.

Provisions of indemnification and hold harmless the City and its agents, officers, assigns, employees, etc. from any loss or liability for claims, damages, lawsuits for reasons resulting from the Contractor's negligence during the period of the contract.

Provisions of comprehensive liability insurance policies naming the City as additional insured for bodily injury and/or property damage in an amount of not less than Five Million Dollars (\$5,000,000); a certificate of such insurance shall be submitted to the City on signing of the OM&M contract.

Provision of a fixed dollar value for Repair and Replacement such that the Contractor's obligations will be explicit as to the maintenance of the City's equipment and facilities. Such Repair and Replacement limit will not include Contractor's on site labor or profit margin. A specific method of decision making concerning the use of funds for repair and replacement should be outlined.

The Contractor will provide their recommendation for the minimum number of full time, onsite certified, qualified personnel to operate and maintain the facility using the following classifications.

Project Manager
Administrative Assistant
Laboratory Technician
Operations Superintendent
Maintenance Superintendent
Facility Operations
Maintenance Personnel
Pumping Station Personnel

These employees shall meet relevant State of Mississippi requirements and certifications regarding wastewater treatment operations and maintenance, and are capable and demonstrate experience necessary to operate and maintain the facility.

Provision that the Contractor shall operate all facilities such that odor and noise shall be effectively controlled and that no disruption of adjacent neighborhoods shall result.

Provision that the Contractor shall provide training for personnel in areas of operation, maintenance, safety, supervisory skills, laboratory, energy management, etc. A proper safety program must be implemented, in accordance with local, state and federal requirements, and all portions of that program shall be adhered to.

Provision that the Contractor shall provide the City with a full accounting of all maintenance expenditures with sufficient detail as may be determined by the City, and assist the City in preparation of annual operating budgets.

Provision that the Contractor shall provide the City with full documentation that preventative maintenance is being performed on all City owned equipment in accordance with manufacturer's recommendations at intervals and in sufficient detail as may be determined by the City. Such a maintenance program must include documentation of corrective and preventative maintenance and a spare parts inventory.

Provision that annually, the Contractor shall provide the City with a listing of any recommended capital improvements the Contractor believes will be required for any of the facilities covered under the contract. The Contractor will not be relieved of his responsibilities to perform if the recommendations are not implemented, however.

Provision for the Contractor to provide computerized maintenance, process control, and laboratory management systems.

Provision for contract termination if the level of performance is unsatisfactory.

Provision that the Contractor shall be responsible for sludge management. Methods and costs of sludge management shall be approved by the City.

Provision that the Contractor shall work closely with the City in development of final sludge disposal option and be responsible for management of sludge disposal for the City with the City paying costs for ultimate disposal.

Provision that the Contractor shall be responsible for regulatory compliance as long as the influent meets the quantity/quality parameters identified in the agreement. Contractor performance in this regard shall be excused for uncontrollable circumstances.

V. Submittal Format and Content

The SOQ must contain at least the following:

- Transmittal Letter
- Contractor Information
- Operating Plan
- Business Considerations
- Draft OM&M Agreement

The SOQ shall identify any and all non-monetary terms and conditions associated with the services included in the SOQ, such as the Contractor's limitations of liability. After selection of the highest scoring Contractor, the scope of work shall be clarified, and any changes shall be negotiated with the agreement, beginning with the draft agreement submitted in the SOQ.

Following are further discussions relative to the content of each of the suggested chapters of the SOQ.

Transmittal letter - to include at a minimum, a commitment by Contractor, if selected, to enter into good faith negotiations. Letter must be signed by an officer of the Contractor firm.

Contractor Information - responses to requests contained in Section III

Operating Plan - The Operating Plan should discuss the following topics:

- a. Provide a listing of the specific individuals assigned to the Management Team and to Technical Support that the Contractor will assign to this partnership during the transition and operation, and provide the background and experience of those individuals.
- b. Discuss the transition procedure.
- c. Discuss Contractor's approach that indicates how operation, maintenance and management services will be provided.

Business Approach - Discuss Contractor's position on such business issues as assumption of risk, future years' price adjustments, repair and replacement, capital improvements and guarantees.

Draft OM&M Contract - Include a draft OM&M agreement for the City to review.

The City is requesting a draft OM&M agreement as part of the SOQ. However, a summary of some of the general provisions the City will expect to see in the final OM&M agreement are included in Section IV.

VI. Evaluation of Submittals

The evaluation of the SOQs and the Contractors presenting them will be carried out by an Evaluation Committee ("Committee") created for this purpose. No lobbying of selection committee members or elected officials will be permitted or tolerated during the review process. The Committee will make its decision based on information gathered during the procurement process and evaluation criteria outlined in this section. Failure to provide relevant information may result in penalties being assessed on the evaluation score.

Contractors will be evaluated as follows:

1. Committee members will individually evaluate each SOQ.
2. The Committee will meet to discuss SOQs and rank them. Consensus will be reached with the Committee agreeing to scores representative of the Committee's overall evaluation.
3. Contractors may be further evaluated based on an oral interview with the Committee members. The purpose of this interview is to clarify the qualifications of the Contractors and allow the Committee to verify its evaluation. No additional services or changes to the submittals shall be included in this RFQ.
4. The Contractors will be notified of the ranking after recommendation for selection has been made to the City of Clinton Board of Aldermen.

The SOQ evaluation will address the following criteria:

Qualifications to operate, maintain and manage the facilities (systems) and provide services based on previous experience, management capability, technical resources and financial capability.

History of operating facilities and providing services for facilities (systems) of similar size and complexity. Visits to sites and/or contact with other entities presently being served by the Contractor will be made if thought to be necessary to complete the evaluation.

The qualifications of the personnel being proposed to manage and support the facilities (systems) in terms of expertise and experience with similar facilities (systems) and services.

The quality of the submittal in terms of technical correctness and presentation.

The Contractors responsiveness to the RFQ.

The maintenance program that will be undertaken to ensure the capital investment in existing and future facilities the City has made is properly maintained and proof of condition and trends are sufficiently documented.

The adequacy and completeness of answers to the questions in Section III.

VII. Schedule of Events

Each Contractor must submit an original and six (6) copies of the complete SOQ no later than July 24, 2001. The City shall review all SOQs and develop a shortlist of the two most qualified Contractors for further consideration. This selection shall be made based on the selection committee's sole judgement and discretion.

The City will initiate negotiations with the top ranked Contractor. Should these negotiations fail to result in an agreement; the City may elect to negotiate with the second ranked Contractor or cancel the process. The City reserves the right to reject any and all submittals, to waive informalities or irregularities in the submittals, or to re-advertise.

The City reserves the right to make an outside inspection and evaluation of any facility at which contract operations services are currently being performed by the Contractor. If the City chooses to exercise this right, the Contractor shall provide a representative, with or without notice to accompany the City or its delegated representatives on any onsite inspection. The inspection is not limited to only one facility. All costs for transportation and subsistence to inspect any facility incurred by City personnel shall be borne by the City. All costs for transportation and subsistence at any facility associated with the City's inspection incurred by the Contractors representative shall be borne by the Contractors.

June 11, 2001	1 st Advertisement in Clarion Ledger
June 18, 2001	2 nd Advertisement in Clarion Ledger
June 28, 2001	City will conduct tour of facilities for the Contractors
July 24, 2001	Proposals Due

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: 06/05/01

AGENDA ITEM NO. 9

CONSENT AGENDA : \$	TO:
FOR:	
Circle : Low Quote, Sole Source, Emergency, etc. if applicable. ACCT. NO.	

DISCUSSION/ACTION:	Construction Change Order No. 2 for the 1998 CDBG Project -		
	Hobby Farms & Banks Road/Clinton-Clinton-Raymond Road Sewer Project.		
INTRODUCED BY:	R. L. Broome	TELEPHONE:	924-5462

EXHIBITS FOR REVIEW:

Minutes	_____	Invoice	_____	Other	_____
Ordinance	_____	Plans, Maps	_____	Change Order	_____
Resolution	_____	Contract	_____		_____

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY: Brantley

SECONDED BY: Hisaw

<u>VOTE CAST:</u>	<u>"AYE"</u>	<u>"NAY"</u>	<u>ACTION TAKEN:</u>
Brabham	<u>7</u>	_____	_____
Hisaw	<u>7</u>	_____	_____
DePriest	<u>7</u>	_____	_____
Brantley	<u>7</u>	_____	_____
Fisher	<u>7</u>	_____	_____
Touchton	<u>7</u>	_____	_____
Lott	<u>7</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: Greenbriar Digging Service, L.P., 1941 Highway 550 N.W., Brookhaven, Mississippi 39601-9615

DATE: 05/31/2001

LOAN NUMBER:

CHANGE ORDER NUMBER: Two (Summary)

CONTRACT NUMBER: 8-147-PF-01

PROJECT NAME: CDBG Sewer Extensions

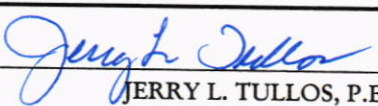
REASON FOR CHANGE: Adjusting estimated quantities to actual quantities as constructed. The project area was substantially complete by the original completion date. Due to wet conditions, the final cleaning, dressing, and grassing was not completed until May 29, 2001 and the contract time is extended to this date.

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) (QUANTITIES, ETC.)	QUANTITY	UNIT	UNIT COST	TOTAL
	BASE BID NO. 1: CLINTON/RAYMOND ROAD (SEE ATTACHMENT)			\$	\$ 1,136.50
	BASE BID NO. 2: HOBBY FARMS AREA (SEE ATTACHMENT)				(10,268.30)

TOTAL CONTRACT CHANGE:	\$ (9,131.80)
ORIGINAL CONTRACT AMOUNT:	\$ 374,470.00
CURRENT CONTRACT AMOUNT:	\$ 385,970.00
THIS CONTRACT CHANGE:	(-) \$ (9,131.80)
REVISED CONTRACT AMOUNT:	\$ 376,838.20
CURRENT CONTRACT COMPLETION DATE:	12/18/2000
TIME EXTENSION REQUIRED BY CHANGE:	162
REVISED CONTRACT COMPLETION DATE:	05/29/2001

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

RECOMMENDED BY: 
 JERRY L. TULLOS, P.E.
 ALFORD ENGINEERING

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

5/31/01
 DATE

ACCEPTED BY: _____
 GREENBRIAR DIGGING SERVICE, L.P.

DATE

APPROVED BY: _____
 CITY OF CLINTON

DATE

SUMMARY CHANGE ORDER NO. 2

CITY OF CLINTON
CDBG SEWER EXTENSIONS/CLINTON-RAYMOND ROAD
CDBG PROJECT NO. 8-147-PF-01
HINDS COUNTY, MISSISSIPPI

MAY 31, 2001

ITEM NO.	Description	Quantity	Unit	Unit Price	Extension
BASE BID NO. 1					
2.	8" PVC Sewer Pipe, 0'-6'	(14)	L.F.	\$ 12.50	\$ (175.00)
3.	8" PVC Sewer Pipe, 6'-8'	23	L.F.	13.50	310.50
4.	6" PVC Service Line (All Depths)	266	L.F.	8.00	2,128.00
5.	8" x 6" PVC Service Wye	(1)	Each	75.00	(75.00)
7.	Select Bedding for 8" PVC Gravity Main (Class B)	9	L.F.	2.00	18.00
10.	Manholes, Extra Depth	(1.5)	V.F.	180.00	(270.00)
13.	Cleanout	(4)	Each	150.00	(600.00)
14.	Additional House Connections	(2)	Each	100.00	(200.00)
TOTAL - BASE BID NO. 1					\$ 1,136.50
ITEM NO.	Description	Quantity	Unit	Unit Price	Extension
BASE BID NO. 2					
1.	14" Steel Casing, Open Cut	(31)	L.F.	\$ 30.00	\$ (930.00)
3.	8" Steel Casing, Open Cut	10	L.F.	17.00	170.00
5.	2" Asphalt Paving Repairs	(1,200)	S.Y.	10.00	(12,000.00)
6.	Concrete Paving Repairs	(10)	S.Y.	40.00	(400.00)
7.	8" PVC Sewer Pipe, 0'-6'	(246)	L.F.	8.50	(2,091.00)
8.	8" PVC Sewer Pipe, 6'-8'	(54)	L.F.	9.50	(513.00)
9.	8" PVC Sewer Pipe, 8'-10'	152	L.F.	12.00	1,824.00
10.	8" PVC Sewer Pipe, 10'-12'	149	L.F.	16.00	2,384.00
11.	8" PVC Sewer Pipe, 12'-14'	21	L.F.	28.00	588.00
13.	8" PVC Sewer Pipe, 16'-18'	4	Each	28.00	112.00
14.	6" PVC Service Line (All Depths)	1,056	Each	8.00	8,448.00
15.	8" x 6" PVC Service Wye	(10)	Each	75.00	(750.00)
16.	6" x 6" PVC Service Wye	3	Each	70.00	210.00
17.	House Tie-Ins	3	Each	250.00	750.00

SUMMARY CHANGE ORDER NO. 2

CITY OF CLINTON
 CDBG SEWER EXTENSIONS/CLINTON-RAYMOND ROAD
 CDBG PROJECT NO. 8-147-PF-01
 HINDS COUNTY, MISSISSIPPI

MAY 31, 2001

ITEM NO.	Description	Quantity	Unit	Unit Price	Extension
BASE BID NO. 2 (Cont'd)					
18.	Select Bedding for 8" PVC Gravity Main (Class B)	121	L.F.	\$ 2.00	\$ 242.00
20.	Select Backfill (L.V.M.)	(248.61)	C.Y.	10.00	(2,486.10)
22.	Manholes, Extra Depth	1.71	V.F.	180.00	307.80
25.	4" Class 160 PVC Force Main @ Lift Station No. 2	(21)	L.F.	4.00	(84.00)
27.	Loose Riprap	(50)	Ton	60.00	(3,000.00)
30.	Laboratory Testing Allowance	(L.S.)	L.S.	(1,000.00)	(1,000.00)
31.	Cleanout	(9)	Each	150.00	(1,350.00)
32.	Additional House Connections	(7)	Each	100.00	(700.00)
TOTAL - BASE BID NO. 2					\$ (10,268.30)
A. TOTAL - BASE BID NO. 1					\$ 1,136.50
B. TOTAL - BASE BID NO. 2					\$ (10,268.30)
NET DEDUCT					\$ (9,131.80)