CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, AUGUST 21, 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 Alderman Touchton followed by the Pledge of Allegiance to the Flag led by Alderman Lott.

ROLL CALL - City Clerk Wayne Derrick

Present:
Jehu Brabham - Alderman-At-Large
Tony Hisaw - Alderman Ward 1
Tony Greer - Alderman Ward 2
Clint Brantley - Alderman Ward 3
Phil Fisher - Alderman Ward 4
Herb Touchton – Alderman Ward 5
Sharbert Lott – Alderman Ward 6
Ken Dreher - City Attorney

RECOGNITIONS

1. Certificate of Recognition was presented by Mayor Aultman and Alderman ~~Greer~~ Hisaw to Courtney Strong, Clinton's Jr. Miss 2001 for her achievement as a top ten finalist in Mississippi's Junior Miss Scholarship Program.

2. Certificates of Recognition were presented to Lance Bass and Meredith Edwards for their outstanding achievements in entertainment and in gratitude for recognitions brought to the City of Clinton and Proclamation was made declaring Friday, August 24, 2001 Lance Bass and Meredith Edwards Day in the City of Clinton.

INDIAN TRAILS PART 6 – FINAL PLAT ACCEPTANCE

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Brabham to approve Indian Trails Part 6 final plat. **MOTION CARRIED UNANIMOUSLY**

EXECUTIVE SESSION

MOTION made by Alderman Brabham and **SECONDED** by Alderman Hisaw to consider entering executive session to discuss legal matters. **MOTION CARRIED UNANIMOUSLY**

MOTION made by Alderman Brabham and **SECONDED** by Alderman Hisaw at 7:36 p.m. to enter executive session for the stated matter. **MOTION CARRIED UNANIMOUSLY**

MOTION made by Alderman Brabham and **SECONDED** by Alderman Hisaw to exit executive session at 7:56 p.m. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 8:00 P.M.

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

APPROVED: Rosemary G. Aultman
Rosemary G. Aultman, Mayor
August 31, 2001
Date

ATTEST: W. Derrick
Wayne Derrick, City Clerk
08/31/2001
Date

SEAL:

CITY OF CLINTON OFFICIAL SEAL MISSISSIPPI

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: August 21, 2001 **Agenda Item No.** 7

Consent Agenda:	**To**:	
For:		
	Acct. No.	

Discussion/Action:	Condition of Property 103 A & B Suzanne Cove (William E. & Rebecca Christian)		
Introduced by:	Gary Ward	**Telephone**:	924-2239

Exhibits for Review:

Minutes	______	**Invoice**	______	**Other**:	______
Ordinance	______	**Plans, Maps**	______		______
Resolution	______	**Contract**	______		______

Recommendation:

Board Action:

Motion made by: Fisher
Seconded by: Brabham

Vote Cast:	**"Aye"**	**"Nay"**	**Action Taken:**
Brabham	✓		
Hisaw	✓		
Greer	✓		
Brantley	✓		
Fisher	✓		
Touchton	✓		
Lott	✓		
Mayor Aultman			

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

RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at 103 Suzanne Cove, Clinton, Mississippi, and after full consideration of the matter, Alderman FISHER offered the following Resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED AT 103 SUZANNE COVE , CLINTON, MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 103 Suzanne Cove, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanliness; and

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

WHEREAS, a public hearing was held at 7:00 p.m., August 21, 2001, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

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

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

1. It is hereby adjudicated that the property located at 103 Suzanne Cove, Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.
2. The Director of Public Works is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.
3. The Director of Public Works is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the city of Clinton, Mississippi may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances.

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

Alderman Brabham voted:	YES
Alderman Hisaw voted:	YES
Alderman Greer voted:	YES
Alderman Brantley voted:	YES
Alderman Fisher voted:	YES
Alderman Touchton voted:	YES
Alderman Lott voted:	YES

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

The foregoing Resolution was approved this the 21st day of August 2001.

CITY OF CLINTON

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

W. Derrick
WAYNE DERRICK, City Clerk

(S E A L)

CITY OF CLINTON MISSISSIPPI OFFICIAL SEAL

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: 8/21/01 Agenda Item No. 8

Consent Agenda: To:
For:

Account No.

Discussion/Action: Change Order No. 4 for Contract No. 1 - Southside Sewer Improvements - Hemphill Construction Company

Introduced by: R. L. Broome Telephone No. 924-5462

Exhibits for Review:

Minutes: ______ Invoice: ______ Other: Change Order
Ordinance: ______ Plans, Maps: ______
Resolution: ______ Contract: ______

Recommendation: Approval By Richard Broome, City Engineer

Board Action: Motion made by: Touchton
Seconded by: Lott

Vote Cast:	"Aye":	"Nay":	Action Taken:
Brabham			
Hisaw			
Greer			
Brantley			
Fisher	No	No	
Touchton			
Lott			
Mayor Aultman			

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BOARD APPROVED

DWIL

CONTRACT CHANGE ORDER

OWNER:	City of Clinton, Mississippi				
CONTRACTOR:	Hemphill Construction Co., Inc., P.O. Drawer 879, Clinton, MS 39056				
DATE:	August 14, 2001			SRF No.	C280 805-02
CHANGE ORDER NUMBER:	4		CONTRACT NUMBER:		1
PROJECT NAME:	Southside Sewer Improvements				
REASON FOR CHANGE:	To include an emergency stand-by generator for the 3.0 MGD pump station on Segment "B" and to provide additional contract days to cover this work.				

Item No.	Description of Change(s) (Quantities, Etc.)	Unit Qty.	Unit	Unit Price	Total Cost
1	150 Kilowatt Emergency Stand-By Generator to include all materials, support frame, foundation, and electrical modifications, installed, complete.	1	L.S.	52,915.10	$52,915.10
TOTAL CONTRACT CHANGE					$52,915.10

	TOTAL	TOTAL COST
ORIGINAL CONTRACT AMOUNT: (As Bid)		3,537,108.50
CURRENT CONTRACT AMOUNT:		3,547,655.67
THIS CONTRACT CHANGE:		$52,915.10
REVISED CONTRACT AMOUNT:		3,600,570.77
CURRENT CONTRACT COMPLETION DATE:		Mar. 21, 2001
TIME EXTENSION REQUIRED BY CHANGE:		236 Days
REVISED CONTRACT COMPLETION DATE:		Nov. 12, 2001

THIS CONTRACT CHANGE ORDER SHALL BECOME AN AMENDMENT TO THE ABOVE REFERENCED CONTRACT AND ALL PROVISIONS OF THE CONTRACT WILL APPLY

RECOMMENDED BY: [signature] 8/14/01

ENGINEER: Gregory Gearhart, P.E. DATE

ACCEPTED BY:

CONTRACTOR: DATE

APPROVED BY:

OWNER: DATE

0

BOARD APPPOVED

WILLIFORD, GEARHART & KNIGHT, INC.
ENGINEERS & SURVEYORS

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

August 14, 2001

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

Re: Southside Sewer Improvements –Contract #1
WGK #97-100

Dear Richard:

Attached is Change Order #4 in the amount of $52,915.10 for the above referenced project. This change order will provide a diesel powered emergency stand-by generator for the 3.0 MGD pump station located behind Bruenburg subdivision.

We recommend the inclusion of this emergency generator in this project to provide for power at this crucial pump station during power outages. The finished floor elevations of some portions of Bruenburg are such that prolonged power outages at the pump station may result in sewer backing up into houses. Due to the location of the pump station in the floodway of Lindsey Creek and the probability of floodwaters several feet deep during power outages, and after discussions with you and Tim Rogers, it was decided that a permanent emergency generator should be supplied at this location. The size of the generator's diesel fuel tank will allow for several days of operation in the event of a prolonged power outage.

Due to cost considerations, this generator was not included in the initial plans for this project. However, at this point in the combined contracts for the Southside Sewer Improvements, adequate funds exist in the overall SRF loan to pay for this additional work.

The contract time for this contract was stopped on March 21st of this year. The proposed Change Order provides for 236 days of additional time to cover work under this change. The majority of this time is to account for the days from March 21st until present and the approximate 7-9 week delivery time for the generator unit. The revised contract date will therefore be November 12, 2001.

If you should have any questions, or need additional information, please do not hesitate to call me at 925-4444.

Sincerely,
WILLIFORD, GEARHART & KNIGHT, INC.

John Perry, P. E.
Project Engineer

Enclosures

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: August 21, 2001 Agenda Item No. 9.

Consent Agenda:

For: To:

Account:

Discussion/Action: Reimbursement Resolution for Prugon Project on Hampstead Blvd

Introduced by: Richard Broome Telephone: 924-5462

Exhibits for Review:

Minutes: ________ Invoice: ________ Other: ________

Ordinance: ________ Plans, Maps: ________

Resolution: X Contract: ________

Recommendation:

Board Action:

Motion made by: Hisaw

Seconded by: Lott

Vote Cast:	"Aye":	"Nay":	Action Taken:
Brabham			
Hisaw			
Greer			
Brantley			
Fisher			
Touchton			
Lott			
Mayor Aultman			

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BOARD APPROVED

City of Clinton

Mississippi

Rosemary Aultman, Mayor

MEMO TO: Board of Aldermen

FROM: Rosemary Aultman, Mayor R. Aultman

DATE: August 17, 2001

RE: Spring Ridge Road/Interstate 20
22± Acre Commercial Development

As you are aware, the City has been in discussions with the developers and owners of the subject property regarding the development of a 300,000± square foot commercial shopping center for over two years. The project will create new job opportunities for the City, and it will increase ad valorem taxes and sales tax rebates significantly. It has been my intent as Mayor to recommend to the Board that it consider utilizing Tax Increment Financing to provide financing for the public infrastructure, i.e., roads, water, sewer, and drainage to induce and serve the development.

At this time, the owner of the property, PruGON Properties, L.P. (a joint venture between Pruitt Oil Company and Ergon) is prepared to construct the necessary infrastructure improvements to facilitate the development of the property. PruGON has requested that the City agree to fund the infrastructure improvements through the TIF reimbursement process. The estimated cost of the improvements is $864,592. Therefore, I recommend that the City approve the enclosed resolution, which will preserve PruGON's eligibility to have the eligible public infrastructure costs reimbursed provided that PruGON develops a major commercial project that will generate adequate ad valorem tax revenues to service the debt for the proposed Tax Increment Financing bond issue. The amount of bonds proposed to be issued are not to exceed $1,000,000 to allow for the City's bond issuance costs including attorney's fees, capitalized interest, and related costs.

P.O. Box 156 / 300 Jefferson Street / Clinton, Mississippi 39060 / (601) 924-5462

BOARD ~~PROVED

RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI EXPRESSING THE INTENT OF THE CITY WITH RESPECT TO REIMBURSEMENT OF CERTAIN EXPENDITURES MADE IN CONNECTION WITH THE CONSTRUCTION OF THE INFRASTRUCTURE IMPROVEMENTS FOR PRUGON PROPERTIES PROJECT AT SPRING RIDGE ROAD AND I-20, FROM THE PROCEEDS OF TAX EXEMPT TAX INCREMENT FINANCING BONDS TO BE ISSUED BY THE CITY, AS REQUIRED BY AND IN COMPLIANCE WITH INTERNAL REVENUE CODE REGULATIONS 1-120-2 APPEARING IN 58 FED. REG. 33510.

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have previously supported economic development within the City by the issuance of Tax Increment Financing Bonds to provide infrastructure improvements for an economic development projects; and

WHEREAS, the PruGON Properties Project (the "Developer") proposes to construct a commercial shopping center which will provide a significant increase to the ad valorem and sales tax base of the City of Clinton, Mississippi, through the development of a 22+/- acre site owned by PruGON; and

WHEREAS, the Developer has proposed to develop the property by constructing the required infrastructure for future commercial development, all of which will be dedicated to the City; and

WHEREAS, the City of Clinton wishes to support said Project through the issuance of Tax Increment Financing Bonds when appropriate; and

WHEREAS, there are no other funds available to the City to defray the costs of the Infrastructure Improvements, and the Governing Body will consider the issuance of Bonds or Notes of the City for such purposes through further proceedings of the Governing Body.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI AS FOLLOWS:

1. That this resolution is being adopted as required by and in order to comply with the so called "Reimbursement Rules" set forth in the Internal Revenue Code of 1986 and the rules and regulations promulgated thereunder including specifically Internal Revenue Code Regulation 1.150-2 and appearing at 58 Federal Register 33510.

2. The functional description of the property for which reimbursement will be made will be the acquisition and construction of roads, rights-of-way, utilities, and other infrastructure improvements in connection with the PruGON Properties Project.

3. The maximum amount subject to reimbursement will not exceed $1,000,000.

4. The Mayor and Aldermen reasonably expect that the reimbursement of the expenditures described above in the maximum set forth above will be reimbursed from the proceeds of the issuance of Notes or Bonds of the City or other financing transaction by or on the part of the City, such financing to occur through further proceedings of the Mayor and Aldermen of the City.

5. Reimbursement will be limited to the principal amount of Bonds issued by the City, in its sole discretion conditioned upon dedication of the improvements to the City and construction of the improvements in compliance with existing and/or future codes and ordinances of the City.

6. The Bonds proposed to be issued hereunder shall be secured by increased ad valorem taxes accruing to the City resulting from construction of the Project.

7. Such future financing transaction will be closed, the proceeds delivered and the reimbursement made no later than September 1, 2003.

Alderman HISAW moved for adoption of the foregoing Resolution and Alderman LOTT seconded the motion. The vote thereupon was as follows:

Alderman Jehu W. Brabham	voted: YES
Alderman Tony Hisaw	voted: YES
Alderman Tony Greer	voted: YES
Alderman Clint Brantley	voted: YES
Alderman Phil Fisher	voted: YES
Alderman Herb Touchton	voted: YES
Alderman Sharbert K. Lott	voted: YES

The Motion having received the foregoing vote of the Governing Body, the Mayor declared the Motion carried and the Resolution adopted on this the 21st day of August, 2001.

The City of Clinton, Mississippi

By: Rosemary G. Aultman

Rosemary Aultman, Mayor

ATTEST:

W. Derrick

Wayne Derrick, City Clerk

CITY OF CLINTON OFFICIAL SEAL MISSISSIPPI

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: 8/21/01 Agenda Item No. 10

Consent Agenda: To:
For:

Account No.

Discussion/Action:
Indian Trails Part 6 - Final Plat Acceptance

Introduced by: R. L. Broome Telephone No. 924-5462

Exhibits for Review:

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

Recommendation: bz Richard Broome, City Engineer

Board Action: Motion made by: Brantley
Seconded by: Brabham

Vote Cast:	"Aye":	"Nay":	Action Taken:
Brabham			
Hisaw			
Greer			
Brantley			
Fisher			
Touchton			
Lott			
Mayor Aultman			

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