

**SPECIAL MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, AUGUST 24, 1999, 5:30 P.M.
CITY HALL CONFERENCE ROOM-300 JEFFERSON ST.**

The Mayor and Board of Aldermen met in the City Hall Conference Room - 300 Jefferson St. on Tuesday, August 24, 1999, at 5:30 p.m. for a SPECIAL MEETING called by Mayor Rosemary Aultman for the purpose of discussing items named in the original Notice of said special meeting as found on page 242-243 of this Minute Book AA.

CALL TO ORDER-Mayor Rosemary Aultman

Officials in attendance were Mayor Rosemary Aultman, Aldermen Jehu Brabham, Tony Hisaw, Rodney DePriest, Clint Brantley, Phil Fisher, Herb Touchton, Sharbert Lott, and City Attorney Ken Dreher.

APPROVAL OF MDOT AGREEMENT

MOTION made by Alderman Touchton and **SECONDED** by Alderman Fisher to authorize the Mayor to execute Supplemental Agreement No. 1 to the Local Surface Transportation Program Agreement between MDOT and the City of Clinton found on pages 244-246 of this Minute Book AA. **MOTION CARRIED UNANIMOUSLY**

APPROVAL TO ADVERTISE FOR BIDS - CLINTON PARKWAY

MOTION made by Alderman Touchton and **SECONDED** by Alderman Fisher to authorize advertisement for bids on the Clinton Parkway Project. **MOTION CARRIED UNANIMOUSLY**

ADJOURNMENT 5:40 P.M.

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

APPROVED: Rosemary G. Aultman August 25, 1999
Rosemary G. Aultman, Mayor Date

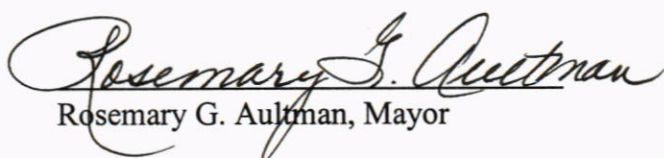
ATTEST: Nelson Byrd August 25, 1999
Nelson Byrd, City Clerk Date

SEAL

**NOTICE OF SPECIAL MEETING OF
THE MAYOR AND BOARD OF ALDERMEN**

I, the undersigned, Mayor Rosemary Aultman, Mayor of the City of Clinton, Mississippi, do hereby call a **SPECIAL MEETING** of the Mayor and Board of Alderman pursuant to the provisions of Section 21-3-21 of the MS Code of 1972. Said Meeting shall be held at 5:30 PM, Tuesday, August 24, 1999, in the Conference Room of City Hall, located at 300 Jefferson Street, for the purpose of discussing the following item:

1. Discussion/Action - Memorandum of Understanding, Mississippi Department of Transportation.
2. Discussion/Action - Authorization to Advertise for Bids - Clinton Parkway Project.


Rosemary G. Aultman, Mayor


August 23, 1999

c:\wpwin60\wpdocs\agenda\spclmtg.899

RETURN OF POLICE OFFICER

I, the undersigned Police Officer of the City of Clinton, Mississippi, personally delivered a true copy of the foregoing Notice of Special Meeting of the Mayor and Board of Aldermen to the following named persons at the date and time hereafter set out.

NAME	DATE	TIME
<i>[Signature]</i>	8/23/99	5:25 PM
<i>[Signature]</i>	8/23/99	5:26 PM
<i>[Signature]</i>	8/23/99	5:27 PM
<i>[Signature]</i>	8-23-99	5:28 PM
<i>[Signature]</i>	8-23-99	5:30 PM
<i>[Signature]</i>	8/23/99	5:30 PM
<i>[Signature]</i>	8/23/99	5:34 PM
<i>[Signature]</i>	8/23/99	5:37 PM

Witness my signature this the 23RD day of August, 1999.

CPT Penny Edwards FOR D.B.
Police Officer of the City of Clinton

I, the undersigned Police Officer of the City of Clinton, Mississippi, do hereby certify that I made a diligent search and inquiry as to the whereabouts of the following named persons, but was unable to find said persons.

NAME	DATE	TIME

Witness my signature this the ____ day of _____, 1999.

Police Officer of the City of Clinton

SUPPLEMENTAL AGREEMENT NO. 1
TO THE
LOCAL SURFACE TRANSPORTATION PROGRAM AGREEMENT
BETWEEN THE
MISSISSIPPI DEPARTMENT OF TRANSPORTATION
AND
THE CITY OF CLINTON

THIS SUPPLEMENTAL AGREEMENT NO. 1 is made and entered into on the last date hereinbelow written between the Mississippi Department of Transportation (hereinafter "MDOT") and the City of Clinton (hereinafter "City").

WHEREAS, MDOT and the City entered into on September 24, 1996 a Local Surface Transportation Program Agreement (hereinafter the "Agreement") to establish the conditions under which the City may avail itself of Local Surface Transportation Program (LSTP) Funds provided by the Intermodal Surface Transportation Efficiency Act (ISTEA) and subsequent acts; and

WHEREAS, the City desires to use Federal Funds to adjust City owned utilities necessitated by the proposed Clinton Parkway project from US 80 to West Northside Drive; and

WHEREAS, the Agreement does not provide a means for Federal-Aid reimbursement of costs to the City for adjusting City owned utilities on the above described project.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, MDOT and the City do enter into this Supplemental Agreement No. 1 and modify the above LSTP Agreement (for this project only) as follows:

1. The City's cost of adjusting all City owned utilities necessitated by construction, as determined by the City, shall be considered a LSTP participating item under the original Agreement. Underground utilities in the roadway prism that are pressurized must be encased to be a LSTP participating item.

2. For underground utilities in curbed sections, the roadway prism is interpreted to extend to five (5) feet beyond the back of the curb. In non-curbed sections, the roadway prism is interpreted to extend to ten (10) feet beyond the pavement edge. Above ground utilities should be placed as far as possible from the roadway but in no case shall the above ground utility be placed closer to the pavement edge than the minimum requirements called for

in the MDOT Standard Operating Procedures MND-10-00-00-000 (See Attachment "A" Schematic Interpretation).

3. The City agrees to require private and other public owned utilities in conflict with construction to be adjusted, as per item #1 and #2 of this agreement, at no cost to the project.

4. The City acknowledges that Federal regulations only allow Federal funds to be used for adjusting utilities with "non-betterment" utilities (e.g. must replace a 6" water line with a 6" water line, not with an 8" water line) unless City or other government agency regulation or laws require an upgrade in standards.

5. The City agrees to place all future parallel utilities (both public and private) outside the roadway prism and agrees to bore and/or jack all future crossings within the prism, with pressurized crossing(s) being encased.

6. Notwithstanding any other provision in this Supplemental Agreement, the City will not be entitled to LSTP reimbursement for amounts in excess of the amount approved for this project by the Municipal Planning Organization (MPO).

7. The City agrees to complete this project and obtain MDOT's and Federal Highway Administration's ("FHWA's") acceptance of it within three (3) years of FHWA's authorization to advertise for bids. If the City fails to meet this deadline, it shall refund to MDOT all Federal-Aid funds received by the City through MDOT for this project.

Unless specifically modified by this Supplemental Agreement No. 1, all requirements of the original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, MDOT and the City have executed this Supplemental Agreement No. 1 effective as of the date last hereinbelow indicated.

**MISSISSIPPI DEPARTMENT OF
TRANSPORTATION**

THE CITY OF CLINTON

EXECUTIVE DIRECTOR DATE

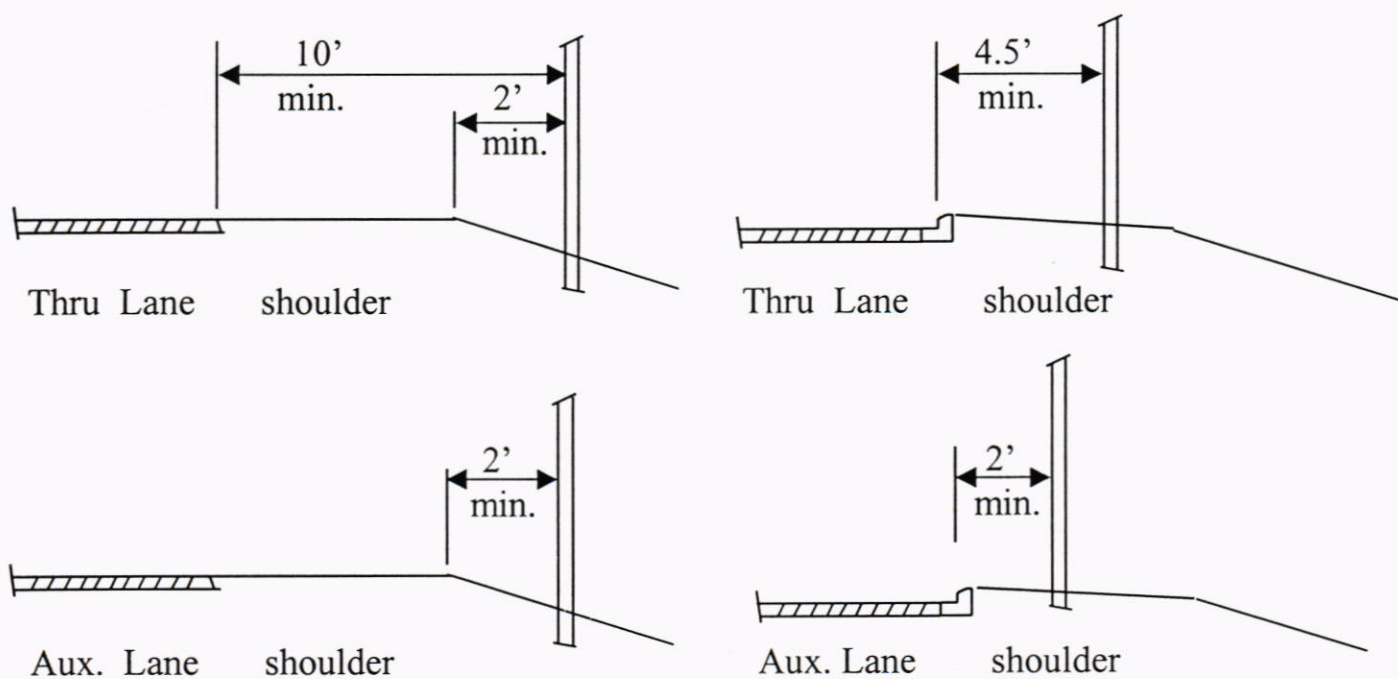
MAYOR DATE

ATTEST

ATTEST

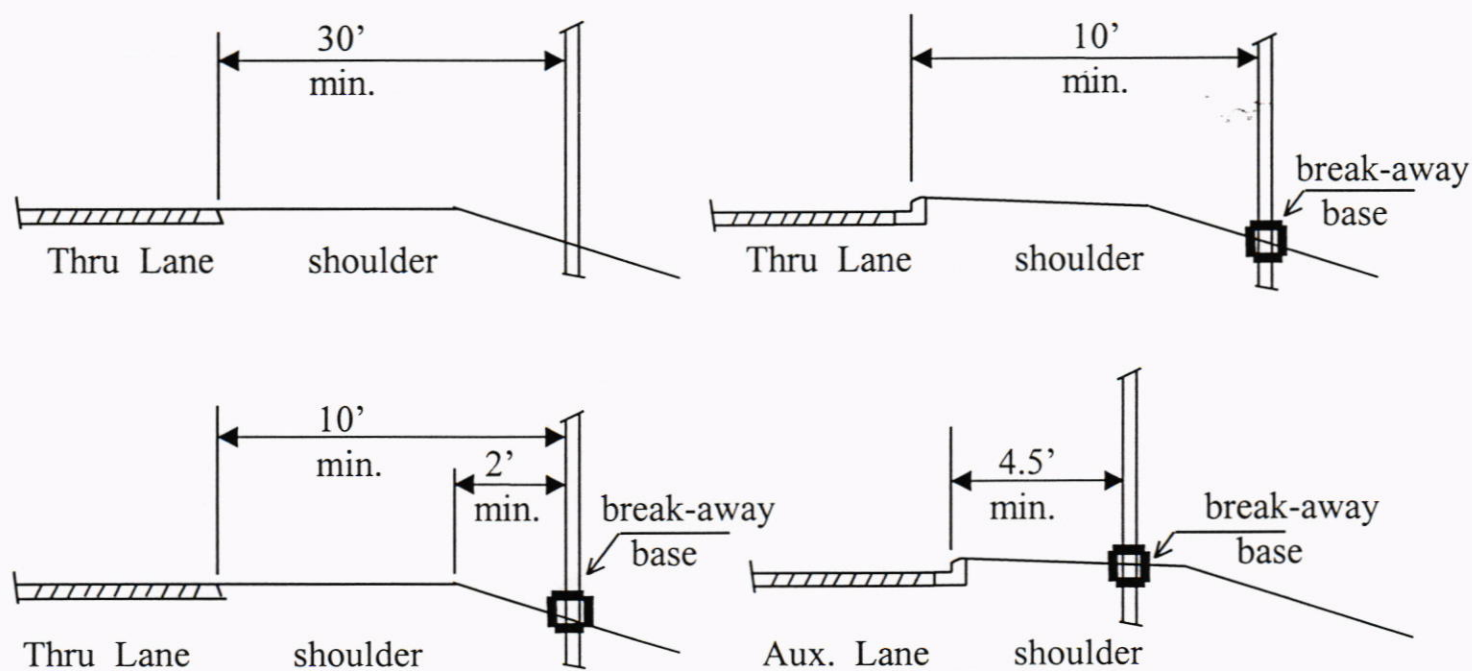
Low Speed

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Design Speed --- Less than 50 mph



High Speed

ADT ----- 750 or more and
Design Speed --- 50 mph or more



(attachment "A") ref. MND - 10-00-00-000