

**RECESSED MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
TUESDAY, SEPTEMBER 17, 1996 - 7 P.M.  
MUNICIPAL COURTROOM - 305 MONROE STREET**

The Mayor and Board of Aldermen of the City of Clinton met in Recessed Meeting at 7 P.M., at the Municipal Courtroom, 305 Monroe Street, pursuant to a Recess Order adopted by said Mayor and Board of Aldermen at their Meeting of September 16, 1996, as found on Page 22 of this Minute Book Y.

**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 Brabham.

**ROLL CALL** - City Clerk Nelson Byrd

Present - Jehu Brabham - Alderman-At-Large  
George Ferrell - Alderman Ward 1  
Rodney DePriest - Alderman Ward 2  
Ben Todd - Alderman Ward 3  
Phil Fisher - Alderman Ward 4  
Herb Touchton - Alderman Ward 5

City Attorney - Ken Dreher  
City Clerk - Nelson Byrd

Absent - Sharbert Lott - Alderman Ward 6

**AGENDA CORRECTION**

Mayor Aultman announced addition of Item P to the Consent Agenda - \$2,335.00 (Low Quote) to D & A Associates for welcome sign at Traceway Park (A-001-305-730-0) and Item 17 - Discussion/Action - Ordinance to authorize future ordinances regarding unfit buildings. Item 12 is to be removed from the agenda.

**APPROVAL OF CONSENT AGENDA ITEMS A - P**

**MOTION** made by Alderman Ferrell and **SECONDED** by Alderman Todd to approve Consent Agenda Items A-P as listed on page 43 of this Minute Book Y, noting that Consent Agenda Item O will serve to advertise favorably the opportunities, possibilities, and resources of the City of Clinton. Quotes listed in Item P are on file in the Office of the City Clerk. **MOTION CARRIED UNANIMOUSLY**

**REQUEST FOR PUBLIC/QUASI FACILITY AT 617 DUNTON ROAD TAKEN UNDER ADVISEMENT**

City Attorney Ken Dreher recommended that the Board take under advisement the request for a Public/Quasi Facility at 617 Dunton road and that the Mayor and Board of Aldermen have a written decision with the help of Public Works evaluating the eight criteria named in the zoning regulations and make a finding and set out the ground rules should the special exception be approved. The City welcomed written input from all concerned citizens to help with the criteria evaluation. **NO BOARD ACTION**

**APPROVAL OF K & B SITE PLAN WITH NO ENTRANCE ON KITCHINGS DRIVE**

**MOTION** made by Alderman Brabham and **SECONDED** by Alderman Fisher to approve the site plan of K & B Drug Store on Highway 80 with the deletion of entrance on Kitchings Drive and pending full engineering approval of the detention facility. **MOTION CARRIED UNANIMOUSLY**

**APPROVAL OF 1996 WATER & SEWER IMPROVEMENTS PROJECT BID**

Upon the recommendation of City Engineer Richard Broome, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Fisher to approve the lowest and best bid of Greenbriar Digging Service in



the amount of \$357,068.00 for the 1996 Water and Sewer Improvements Project. **MOTION CARRIED UNANIMOUSLY.** Proof of Publication and Bid Tabulation can be found on Pages 1359-1367 of Minute Book X.

#### **APPROVAL OF TURF CARE BIDS FOR PARKS AND RECREATION**

Upon the recommendation of Parks and Recreation Director David Freeman, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Todd to accept the lowest and best bid from Scotts Proturf for \$23,000.64 for the 1996-1997 turf program. **MOTION CARRIED UNANIMOUSLY.** Proof of Publication and Bid Tabulation can be found on Pages 45-48 of this Minute Book Y.

#### **APPROVAL FOR MAYOR TO SIGN CHANGE ORDER NO. 1 FOR WATER TANK REHABILITATION**

Upon the recommendation of City Engineer Richard Broome, **MOTION** made by Alderman Ferrell and **SECONDED** by Alderman Fisher to authorize the Mayor to sign Change Order No. 1 to the Elevated Storage Water Tank Rehabilitation Contract with Capitol Enterprises, Inc. **MOTION CARRIED UNANIMOUSLY.** Copy of Change Order can be found on Page 49 of this Minute Book Y.

#### **APPROVAL FOR MAYOR TO SIGN CLINTON PARKWAY HISTORIC PRESERVATION AGREEMENT**

**MOTION** made by Alderman Touchton and **SECONDED** by Alderman Todd to authorize the Mayor to sign the Memorandum of Agreement for Historic Preservation for potential historic district in conjunction with the construction of the Clinton Parkway Project found on pages 50-90 of this Minute Book Y. **MOTION CARRIED UNANIMOUSLY.**

#### **CLINTON TO JOIN MMA TELECOMMUNICATIONS CONSORTIUM**

**MOTION** made by Alderman Todd and **SECONDED** by Alderman DePriest to adopt that Resolution and Agreement found on Pages 91-98 of this Minute Book Y to join the MMA Telecommunications Consortium that will help provide for a staff to assist the City of Clinton with regulating cable TV and other telecommunications services. **MOTION CARRIED 5-1** with Alderman Fisher voting "no."

#### **DRAINAGE PROJECT LIST TO INCLUDE 213 AND 215 KITCHINGS DRIVE**

**MOTION** made by Alderman Brabham and **SECONDED** by Alderman Fisher that after conducting a visual inspection, and subsequent investigation of the drainage problem associated with the existing drainage system project between 213 and 215 Kitchings Drive, the Mayor and Board of Aldermen, upon consultation and professional advice from the City Engineer and Department of Public Works, have determined that there appears to be either an open joint, broken pipe section, or other drainage deterioration in a storm drain system that is located on private property on which cannot be found a recorded drainage easement. The drainage system is connected to the drainage system for Kitchings Drive, and in the professional opinion of the City Engineer, and supportive opinion of the Board of Aldermen, that unless this storm drainage situation is corrected, the situation will continue to worsen and can adversely affect our street drainage system, and generally produce a public health, safety, and general welfare hazard. It is, therefore, the recommendation of the Board of Aldermen that the City of Clinton proceed to authorize the inclusion of this project on our approved drainage project list. Further, it is recommended that the City of Clinton proceed to acquire the necessary entry permission, and release of damages from the property owners, so that said work can be initiated according to the priority work schedule. **MOTION CARRIED UNANIMOUSLY.**

#### **DRAINAGE PROJECT LIST TO INCLUDE 207 AND 209 HANNAH DRIVE**

**MOTION** made by Alderman Brabham and **SECONDED** by Alderman Touchton that after conducting a visual inspection, and subsequent investigation of the drainage problem associated with the existing



drainage system project between 207 and 209 Hannah Drive, the Mayor and Board of Aldermen, upon consultation and professional advice from the City Engineer and Department of Public Works, have determined that there appears to be either an open joint, broken pipe section, or other drainage deterioration in a storm drain system that is located on private property on which cannot be found a recorded drainage easement. The drainage system is connected to the drainage system for Hannah Drive, and in the professional opinion of the City Engineer, and supportive opinion of the Board of Aldermen, that unless this storm drainage situation is corrected, the situation will continue to worsen and can adversely affect our street drainage system, and generally produce a public health, safety, and general welfare hazard. It is, therefore, the recommendation of the Board of Aldermen that the City of Clinton proceed to authorize the inclusion of this project on our approved drainage project list. Further, it is recommended that the City of Clinton proceed to acquire the necessary entry permission, and release of damages from the property owners, so that said work can be initiated according to the priority work schedule. **MOTION CARRIED UNANIMOUSLY.**

**TRANSIENT VENDOR ORDINANCE ADOPTED**

Upon the recommendation of City Attorney Ken Dreher, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Fisher, to adopt that Ordinance found on Pages 650-653 and 99-102 respectively of City of Clinton Ordinance Book II and Minute Book Y regulating and licensing transient vendors. Proof of Publication can be found on Pages 654 and 103 of the above mentioned Ordinance and Minute Book. **MOTION CARRIED UNANIMOUSLY.**

**ORDINANCE ADOPTED APPROVING FUTURE NECESSARY LANDLORD ORDINANCES**

Upon the recommendation of City Attorney Ken Dreher, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Fisher to adopt that ordinance found on Pages 655-657 and 104-105 respectively of City of Clinton Ordinance Book II and Minute Book Y declaring that conditions exist necessitating future landlord ordinances in the City of Clinton. Proof of Publication can be found on Pages 657 and 106 of the above mentioned Ordinance and Minute Book. **MOTION CARRIED 5-1 WITH ALDERMAN FERRELL VOTING "NO".**

**ADJOURNMENT - 8:00 P.M.**

There being no further business to discuss, **MOTION** made by Alderman DePriest and **SECONDED** by Alderman Fisher to adjourn. **MOTION CARRIED UNANIMOUSLY**

Copy of Agenda may be found on Pages 43-44 of this Minute Book Y.

APPROVED: Rosemary G. Aultman  
Rosemary G. Aultman, Mayor

September 19, 1996  
Date

ATTEST: Nelson Byrd  
Nelson Byrd, City Clerk

September 19, 1996  
Date

SEAL

PROOF OF PUBLICATION  
THE STATE OF MISSISSIPPI  
HINDS COUNTY

PASTE PROOF HERE

NOTIC TO RECEIVE BIDS  
Notice is hereby given that the City of Clinton Parks and Recreation Department will receive sealed bids at the City Hall, 300 Jefferson Street, Clinton, Mississippi at 10:00 a.m. on the 4th day of Sept. 1996 for the turf care supplies with technical assistance provided from a graduate Agronomist. For specific information concerning the products and technical assistance please call Parks and Recreation of 924-6082. The City of Clinton reserves the right to reject all bids or to accept the bid most favorable to the City of Clinton.  
Rosemary Aultman, Mayor  
Nelson Byrd, City Clerk  
924-5462  
(SEAL)  
August 16, 23, 1996

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

Shirley Waits

an authorized clerk of THE CLARION-LEDGER, a daily newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

Date August 16, 1996

Date August 23, 1996

Date, 19

Date, 19

Date, 19

Number of Lines/Words 26/109

Published 2 Times

Total \$ 15.17

Signed Shirley Waits  
Authorized Clerk  
of The Clarion-Ledger

SWORN to and subscribed before me the 23 day of August, 1996.

My Commission Expires:

Marie Mills  
Notary Public

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: Nov. 8, 1996.  
~~BONDED FIRST NOTARY PUBLIC UNDERWRITERS~~

(SEAL)



9.

**BID TABULATION  
PARKS AND RECREATION TURF PROGRAM**

| <u>COMPANY</u> | <u>PRODUCT DESCRIPTION</u> | <u>UNITS/<br/>BAGS</u> | <u>COST<br/>PER UNIT</u> | <u>TOTAL</u> |
|----------------|----------------------------|------------------------|--------------------------|--------------|
| 1. SCOTT       | 30-3-9+IRON                | 378                    | \$16.00                  | \$6,048.00   |
| TERRA          | 32-2-10+IRON               | 386                    | \$10.85                  | \$4,188.10   |
| LESCO          | 24-5-11+IRON               | 483                    | \$8.45                   | \$4,081.35   |
| 2. SCOTT       | 16-25-12 Turf Starter      | 131                    | \$19.00                  | \$2,489.00   |
| TERRA          |                            |                        |                          | NO BID       |
| LESCO          | 18-24-12 Starter           | 96                     | \$9.10                   | \$873.60     |
| 3. SCOTT       | 36-3-7 Fertilizer          | 116                    | \$16.00                  | \$1,856.00   |
| TERRA          | 32-2-10                    | 126                    | \$10.85                  | \$1,367.10   |
| LESCO          | 34-3-8 33%SCU              | 134                    | \$8.40                   | \$1,125.60   |
| 4. SCOTT       | 19-26-5 Turf Starter       | 10                     | \$29.25                  | \$292.50     |
| TERRA          |                            |                        |                          | NO BID       |
| LESCO          | 12-24-14 Elite             | 13                     | \$17.40                  | \$226.20     |
| 5. SCOTT       | 25-3-10 Fertilizer         | 212                    | \$18.00                  | \$3,816.00   |
| TERRA          | 32-2-10 Fertilizer         | 204                    | \$10.85                  | \$2,213.40   |
| LESCO          | 30-3-7+IRON                | 135                    | \$10.00                  | \$1,350.00   |
| 6. SCOTT       | 40-0-0 (N)                 | 80                     | \$18.75                  | \$1,500.00   |
| TERRA          | 42-0-0 50% SCU             | 80                     | \$11.50                  | \$920.00     |
| LESCO          | 39-0-0 100% SCU            | 82                     | \$11.50                  | \$943.00     |
| 7. SCOTT       | 18-3-6 w/Insecticide       | 38                     | \$28.00                  | \$1,064.00   |
| TERRA          |                            |                        |                          | NO BID       |
| LESCO          | 17-3-6 w/74% Dursban       | 38                     | \$16.50                  | \$627.00     |
| 8. SCOTT       | 14-21-10+ Ronstar          | 19                     | \$35.50                  | \$674.50     |
| TERRA          |                            |                        |                          | NO BID       |
| LESCO          |                            |                        |                          | NO BID       |
| 9. SCOTT       | 14-0-14+Pend.              | 19                     | \$26.75                  | \$508.25     |
| TERRA          | 24-4-18w/75% Surflan       | 23                     | \$14.50                  | \$333.50     |
| LESCO          | 19-0-19w/Pre-Merg.         | 21                     | \$15.75                  | \$330.75     |
| 10. SCOTT      | 15-5-10+ Ronstar           | 2                      | \$35.50                  | \$71.00      |
| TERRA          |                            |                        |                          | NO BID       |
| LESCO          | 20-2-20w/.95 Ronstar       | 2                      | \$28.80                  | \$57.60      |
| 11. SCOTT      | FLUID INSECTICIDE          | cases 4                | \$137.50                 | \$550.00     |
| TERRA          | Micro-Flo Chlorpyrifos     | cases 4                | \$79.00 per gal.         | \$316.00     |
| LESCO          |                            |                        |                          | NO BID       |

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|                             |                    |          |         |                      |
|-----------------------------|--------------------|----------|---------|----------------------|
| 12. SCOTT<br>TERRA<br>LESCO | IRON S             | 8        | \$31.00 | \$248.00             |
|                             | 15-0-0 IRON        | 2.5 gal. | \$18.75 | \$150.00<br>NO BID   |
| 13. SCOTT<br>TERRA<br>LESCO | FLUID MINORS       | cases 2  | \$70.00 | \$140.00<br>NO BID   |
|                             | Chelated Micro Mix | cases 2  | \$28.00 | \$56.00              |
| 14. SCOTT<br>TERRA<br>LESCO | WINTER TURF #1     | 18       | \$60.25 | \$1,084.10           |
|                             | 3-WAY PER. RYE     | 18       | \$36.55 | \$657.90<br>NO BID   |
| 15. SCOTT<br>TERRA<br>LESCO | WINTER TURF #10    | 154      | \$49.00 | \$7,546.00           |
|                             | 3-WAY PER. RYE     | 154      | \$36.55 | \$5,627.16<br>NO BID |

**TOTAL ALL PRODUCTS**

|       |                        |
|-------|------------------------|
| SCOTT | \$23,000.64 w/Discount |
| TERRA | NOT COMPLETE           |
| LESCO | NOT COMPLETE           |



**CITY OF CLINTON  
PARKS & RECREATION  
1997 COST SUMMARY**

| <b>STOCK #</b>                        | <b>DESCRIPITON</b>     | <b>UNITS</b> | <b>COST</b> | <b>TOTAL</b>              |
|---------------------------------------|------------------------|--------------|-------------|---------------------------|
| 83730                                 | 30-3-9+IRON TURF FERT. | 378          | \$16.00     | \$6,048.00                |
| 8312                                  | 16-25-12 TURF STARTER  | 131          | \$19.00     | \$2,489.00                |
| 8379                                  | 36-3-7 TURF FERT.      | 116          | \$16.00     | \$1,856.00                |
| 8204                                  | FLUID INSECTICIDE      | 4            | \$137.50    | \$550.00                  |
| 83808                                 | IRON S                 | 8            | \$31.00     | \$248.00                  |
| 8251                                  | 18-3-6+INSECTICIDE     | 38           | \$28.00     | \$1,064.00                |
| 8409                                  | 40-0-0 TURF NITROGEN   | 80           | \$18.75     | \$1,500.00                |
| 8385                                  | 25-3-10+IRON           | 212          | \$18.00     | \$3,816.00                |
| 8302                                  | FLUID MINORS           | 2            | \$70.00     | \$140.00                  |
| 8417                                  | 19-26-5 STARTER FERT.  | 10           | \$29.25     | \$292.50                  |
| 8634                                  | 14-0-14+PEND.          | 19           | \$26.75     | \$508.25                  |
| 8661                                  | 14-21-10+RONSTAR       | 19           | \$35.50     | \$674.50                  |
| 8632                                  | 15-5-10+RONSTAR        | 2            | \$35.50     | \$71.00                   |
|                                       | SUBTOTAL               |              |             | \$19,257.25               |
|                                       | LESS DISCOUNT          |              |             | (\$3,851.45)              |
|                                       | TOTAL                  |              |             | <u>\$15,405.80</u>        |
| 81521                                 | WINTER TURF 1          | 18           | \$60.25     | \$1,084.50                |
| 81589                                 | WINTER TURF 10         | 154          | \$49.00     | \$7,546.00                |
|                                       | SUBTOTAL               |              |             | \$8,630.50                |
|                                       | LESS DISCOUNT          |              |             | (\$1,036.60)              |
|                                       | TOTAL                  |              |             | <u>\$7,594.84</u>         |
| <b><u>GRAND TOTAL FOR PROGRAM</u></b> |                        |              |             | <b><u>\$23,000.64</u></b> |



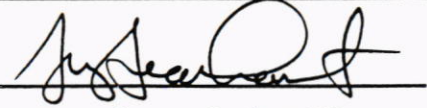
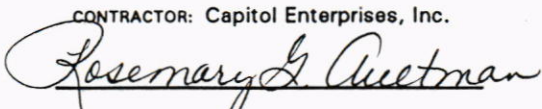
# CONTRACT CHANGE ORDER FORM

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|                           |                                                                                                                       |                         |        |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------|--------|
| <b>OWNER:</b>             | City of Clinton<br>P.O. Box 156<br>Clinton, Mississippi                                                               | <b>CHANGE ORDER NO.</b> | 1      |
| <b>PROJECT NAME:</b>      | ELEVATED STORAGE TANK REHABILITATION                                                                                  |                         |        |
| <b>ENGINEER:</b>          | Williford, Gearhart & Knight, Inc.                                                                                    | <b>WGK#:</b>            | 96-185 |
| <b>CONTRACTOR:</b>        | Capitol Enterprises, Inc.                                                                                             |                         |        |
| <b>CHANGE ORDER DATE:</b> | 9/5/96                                                                                                                | <b>CONTRACT DATE:</b>   | 8/6/96 |
| <b>REASON FOR CHANGE:</b> | Shroud System cannot be installed on Highway 80 Tank. The shroud was to be used on the removal of the exterior paint. |                         |        |

YOUR ARE HEREBY REQUESTED TO COMPLY WITH THE FOLLOWING CHANGES FROM THE CONTRACT PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS: (USE ADDITIONAL SHEETS IF DESIRED.)

| ITEM NO.                                  | DESCRIPTION OF CHANGE(S)<br>(QUANTITIES, ETC.)                                                                        | ITEM UNIT | TOTAL CONTRACT | TOTAL ELIGIBLE COST   |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-----------|----------------|-----------------------|
| 1                                         | Removal from contract amount for Add Alternate no. 1, Rehabilitation of tank exterior, using paint system No. 2.      | 1         | 15,000.00      | 15,000.00             |
| 2                                         | Provide a Full Primer Coat on the top of the Highway 80 Tank.                                                         | 1         | 0.00           | 0.00                  |
| 3                                         | Provide labor for the Installation of a pipe and valve connecting tank influent and overflow line, to drain the tank. | 1         | 0.00           | 0.00                  |
| <b>TOTAL CONTRACT CHANGE</b>              |                                                                                                                       |           | 15,000.00      | 15,000.00             |
|                                           |                                                                                                                       |           | <b>TOTAL</b>   | <b>TOTAL ELIGIBLE</b> |
| <b>ORIGINAL CONTRACT AMOUNT: (As Bid)</b> |                                                                                                                       |           | 306,800.00     | 306,000.00            |
| <b>CURRENT CONTRACT AMOUNT:</b>           |                                                                                                                       |           | 306,800.00     | 306,800.00            |
| <b>THIS CONTRACT CHANGE:</b>              |                                                                                                                       |           | - 15,000.00    | - 15,000.00           |
| <b>REVISED CONTRACT AMOUNT:</b>           |                                                                                                                       |           | 291,800.00     | 291,000.00            |
| <b>CURRENT CONTRACT COMPLETION DATE:</b>  |                                                                                                                       |           | 12/15/96       | N/A                   |
| <b>TIME EXTENSION REQUIRED BY CHANGE:</b> |                                                                                                                       |           | 0 Days         | N/A                   |
| <b>REVISED CONTRACT COMPLETION DATE:</b>  |                                                                                                                       |           | 12/15/96       | N/A                   |

|                        |                                                                                      |                |
|------------------------|--------------------------------------------------------------------------------------|----------------|
| <b>RECOMMENDED BY:</b> |   | <u>9/10/96</u> |
|                        | ENGINEER: Gregory Gearhart, P.E.                                                     | DATE           |
| <b>ACCEPTED BY:</b>    | _____                                                                                | _____          |
|                        | CONTRACTOR: Capitol Enterprises, Inc.                                                | DATE           |
| <b>APPROVED BY:</b>    |  | <u>9/19/96</u> |
|                        | OWNER: City of Clinton                                                               | DATE           |

September 9, 1996



11

MEMORANDUM OF AGREEMENT  
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION  
PURSUANT TO 36 CFR § 800.6(A)

WHEREAS, THE CITY OF CLINTON PROPOSES TO DEVELOP A PROJECT ON THE FEDERAL AID URBAN SYSTEM KNOWN AS THE CLINTON PARKWAY; AND

WHEREAS, CULTURAL RESOURCE SURVEYS HAVE BEEN MADE FOR THE PROPOSED CLINTON PARKWAY, A NORTH-SOUTH CONNECTION FROM US HIGHWAY 80 TO NORTHSIDE DRIVE IN CLINTON, MISSISSIPPI, DURING THE DEVELOPMENT OF THE NEPA DOCUMENTATION, AND A POTENTIAL HISTORIC DISTRICT HAS BEEN IDENTIFIED; AND

WHEREAS, THE PROPOSED PROJECT WOULD REQUIRE USE OF PROPERTY FROM A HISTORIC DISTRICT CONSIDERED ELIGIBLE FOR THE NATIONAL REGISTER AND 1 RESIDENCE (105 NEW PROSPECT STREET), AS WELL AS PORTIONS OF BRICK PAVED STREETS, WHICH ARE ELEMENTS CONTRIBUTING TO THE DISTRICT'S ELIGIBILITY; AND

WHEREAS, GIVEN THE EXPANSE OF THE POTENTIAL DISTRICT, THE LENGTH OF THE PROPOSED PARKWAY, AND THE FIXED POSITION OF ITS TERMINI, OTHER ALTERNATIVE ALIGNMENTS WOULD APPEAR TO BE MORE DISRUPTIVE TO THE HISTORIC AND COMMUNITY FABRIC OF CLINTON; THEREFORE, THE ONLY ALTERNATIVE WHICH WOULD AVOID THE ADVERSE EFFECTS TO THE DISTRICT WOULD BE THE "NO BUILD"; AND

WHEREAS, THE FEDERAL HIGHWAY ADMINISTRATION, IN CONSULTATION WITH THE MISSISSIPPI STATE HISTORIC PRESERVATION OFFICER (SHPO) PURSUANT TO 36 CFR PART 800, REGULATIONS IMPLEMENTING SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT (16 U.S.S. 470F), HAS DETERMINED THAT MEASURES CAN BE ADOPTED TO REDUCE AND MITIGATE THE IMPACTS; AND

WHEREAS, THE CITY OF CLINTON, THE PROJECT SPONSOR, AND THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION PARTICIPATED IN THE CONSULTATION AND HAVE BEEN INVITED TO CONCUR IN THIS MEMORANDUM OF AGREEMENT; AND

WHEREAS, THE PROPOSAL HAS BEEN SUBJECTED TO PUBLIC REVIEW AND SCRUTINY A NUMBER OF TIMES FROM 1982 TO THE PRESENT AND PUBLIC INVOLVEMENT WILL CONTINUE; AND

WHEREAS, THE DEFINITIONS GIVEN IN APPENDIX A ARE APPLICABLE THROUGHOUT THIS MEMORANDUM OF AGREEMENT;

NOW, THEREFORE, THE FEDERAL HIGHWAY ADMINISTRATION AND THE MISSISSIPPI SHPO AGREE THAT THE UNDERTAKING SHALL BE IMPLEMENTED IN ACCORDANCE WITH THE FOLLOWING STIPULATIONS IN ORDER TO TAKE INTO ACCOUNT THE EFFECT OF THE UNDERTAKING ON HISTORIC PROPERTIES.

STIPULATIONS

THE FEDERAL HIGHWAY ADMINISTRATION AND MISSISSIPPI DEPARTMENT OF TRANSPORTATION WILL ENSURE THAT THE FOLLOWING MEASURES TO MINIMIZE AND MITIGATE THE EFFECTS CAUSED TO THE POTENTIAL HISTORIC DISTRICT BY THE PROPOSED PROJECT ARE



SUCCESSFULLY CARRIED OUT AND THAT THE SHPO WILL BE CONSULTED AND KEPT ADVISED DURING THE DEVELOPMENT AND CONSTRUCTION OF THE PROPOSED PROJECT.

1. THE RESIDENCE AT 105 NEW PROSPECT STREET, WHICH CONTRIBUTES TO THE ARCHITECTURAL SIGNIFICANCE OF THE EAST CLINTON HISTORIC DISTRICT, WOULD BE RELOCATED BY THE OWNER AND CITY OF CLINTON TO A SITE ACCEPTABLE TO THE STATE HISTORIC PRESERVATION OFFICER THAT WOULD PRESERVE ITS HISTORICAL SIGNIFICANCE AND ENHANCE THE HISTORIC DISTRICT.
2. IMPACTS TO THE HISTORIC AND PHYSICAL SETTING OF THE HISTORIC DISTRICT WOULD BE MINIMIZED TO THE GREATEST EXTENT PRACTICABLE BY:
  - (A) REDUCING THE WIDTH OF THE RIGHT OF WAY FOR THE PARKWAY ALONG ITS WESTERN EDGE FROM EAST COLLEGE STREET TO THE PROPOSED LEAKE STREET OVERPASS AND RETAINING AND PRESERVING THE LIFE OF AS MANY AS POSSIBLE OF THE MATURE TREES.
  - (B) SELECTING SERVICE ELEMENTS; I.E., STREET LIGHTS AND TRAFFIC LIGHTS, COMPATIBLE WITH THE CHARACTERISTICS OF THE DISTRICT, WITH SPECIAL ATTENTION TO THE APPROACHES TO THE PARKWAY FROM EAST COLLEGE STREET.
  - (C) UTILIZING LANDSCAPING COMPATIBLE WITH ROADWAY ELEMENTS AND TOPOGRAPHY TO REDUCE THE VISUAL APPEARANCE OF SEPARATION OF HISTORICAL ELEMENTS AND TO REDUCE THE POTENTIAL INCREASE IN NOISE LEVELS.
3. AS MUCH AS POSSIBLE OF THE BRICK PAVED STREETS WOULD BE SALVAGED AND WHERE NOT POSSIBLE, BRICKS REMOVED WOULD BE USED TO REPAIR OTHER BRICK PAVED STREETS OR USED TO ENHANCE ENTRANCES TO THE DISTRICT.
4. THE PROJECT WOULD BE DESIGNED AND CONSTRUCTED IN SUCH A MANNER AS TO AVOID IMPACTING THE OLD NATCHEZ TRACE SITE AND MINIMIZING THE IMPACT TO THE "BURNING EVENT" PORTION OF SITE 21-HI-740 AS MUCH AS PRACTICAL.

EXECUTION OF THIS MEMORANDUM OF AGREEMENT BY THE FEDERAL HIGHWAY ADMINISTRATION AND THE MISSISSIPPI SHPO; CONCURRENCE THEREIN BY MDOT AND THE CITY OF CLINTON, THE PROJECT SPONSOR, COMMITTING TO THE PLAN TO MINIMIZE AND MITIGATE ADVERSE IMPACTS; AND ITS SUBSEQUENT ACCEPTANCE BY THE COUNCIL IS EVIDENCE THAT THE FEDERAL HIGHWAY ADMINISTRATION HAS AFFORDED THE COUNCIL AN OPPORTUNITY TO COMMENT ON THE PROJECT AND ITS EFFECTS ON HISTORIC PROPERTIES, AND THAT THE FEDERAL HIGHWAY ADMINISTRATION HAS TAKEN INTO ACCOUNT THE EFFECTS OF THE UNDERTAKING ON HISTORIC PROPERTIES.



FEDERAL HIGHWAY ADMINISTRATION

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

MISSISSIPPI STATE HISTORIC PRESERVATION OFFICER:

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

CONCUR:

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

CITY OF CLINTON

BY: Rosemary S. Gultman

DATE: Sept. 19, 1996

ACCEPTED FOR THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

- (a) Act means the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470-470w-6.
- (b) Agency Official means the Federal agency head or a designee with authority over a specific undertaking, including any State or local government official who has been delegated legal responsibility for compliance with section 106 and section 110(f) in accordance with law.
- (c) Area of potential effects means the geographic area or areas within which an undertaking may cause changes in the character or use of historic properties, if any such properties exist.
- (d) Council means the Advisory Council on Historic Preservation or a Council member or employee designated to act for the Council.
- (e) Historic property means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register. This term includes, for the purposes of these regulations, artifacts, records, and remains that are related to and located within such properties.

The term eligible for inclusion in the National Register includes both properties formally determined as such by the Secretary of the Interior and all other properties that meet National Register listing criteria.
- (f) Indian lands means all lands under the jurisdiction or control of an Indian tribe.
- (g) Indian tribe means the governing body of any Indian tribe, band, nation, or other group that is recognized as an Indian tribe by the Secretary of the Interior and for which the United States holds land in trust or restricted status for that entity or its members. Such term also includes any Native village corporation, regional corporation, and Native Group established pursuant to the Alaska Native Claims Settlement Act, 43 U.S.C. 1701, et seq.
- (h) Interested person means those organizations and individuals that are concerned with the effects of an undertaking on historic properties.
- (i) Local government means a city, county, parish, township, municipality, borough, or other general purpose political subdivision of a State.
- (j) National Historic Landmark means a historic property that the Secretary of the Interior has designated a National Historic Landmark.
- (k) National Register means the National Register of Historic Places maintained by the Secretary of the Interior.
- (l) National Register Criteria means the criteria established by the Secretary of the Interior for use in evaluating the eligibility of properties for the National Register (36 CFR part 60).
- (m) Secretary means the Secretary of the Interior.
- (n) State Historic Preservation Officer means the official appointed or designated pursuant to section 101(b)(1) of the Act to administer the State historic preservation program or a representative designated to act for the State Historic Preservation Officer.
- (o) Undertaking means any project, activity, or program that can result in changes in the character or use of historic properties, if any such historic properties are located in the area of potential effects. The project, activity, or program must be under the direct or indirect jurisdiction of a Federal agency or licensed or assisted by a Federal agency. Undertakings include new and continuing projects, activities, or programs and any of their elements not previously considered under section 106.



DOCUMENTATION REQUIRED BY 800.8(b)

## II. Alternatives

### A. The No Build Alternative

The existing street network, which has been thoroughly described above, is not capable of handling the existing and future north-south traffic needs of Clinton. Through a study of existing engineering data, aerial mapping, field surveys, traffic surveys, and coordination with public officials, it was determined that the "No Build" Alternative was neither a feasible or prudent alternative.

### B. The Build Alternative

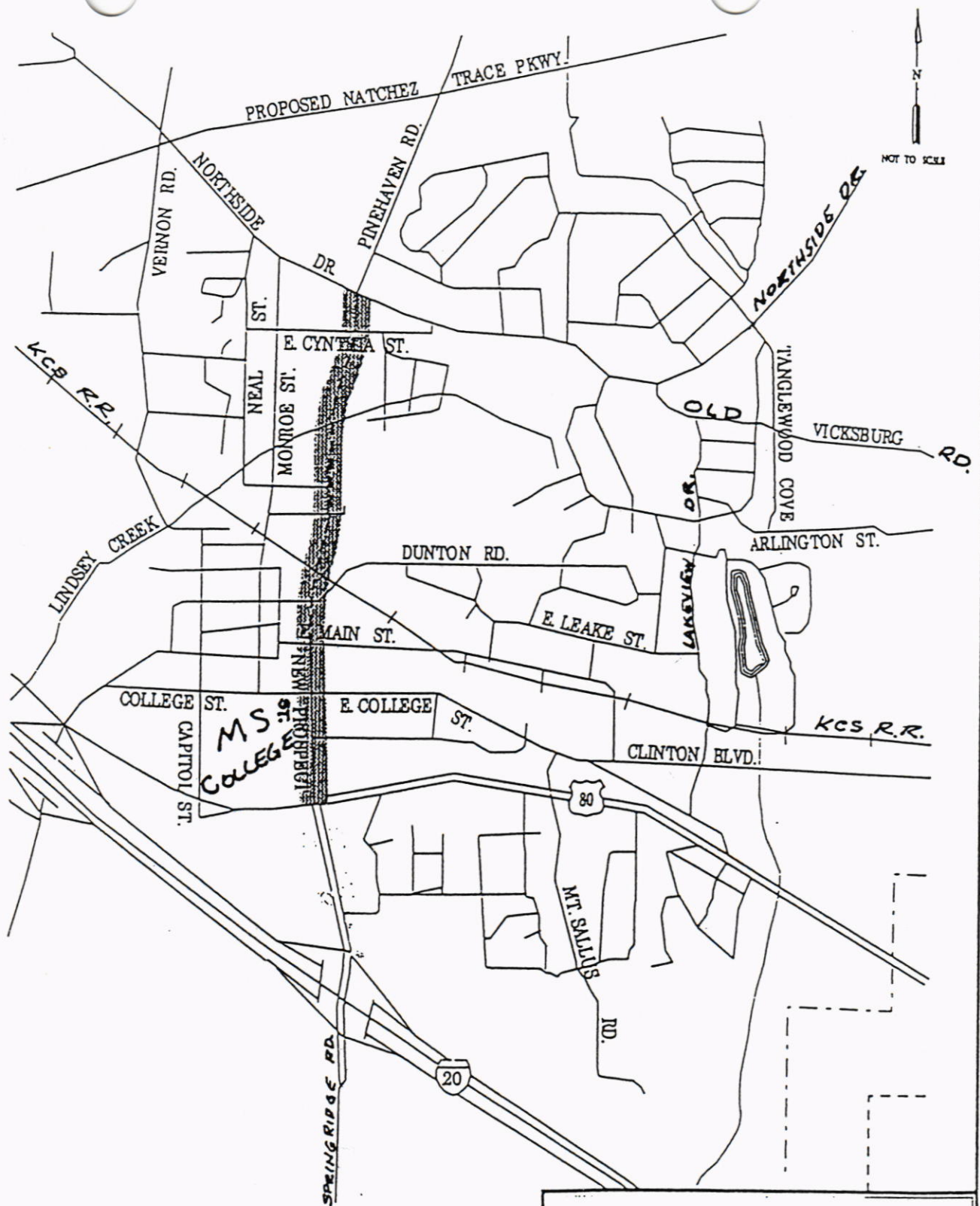
Four through lanes would be provided and the proposed roadway would begin at the US 80/Springridge Road intersection and end at the Northside Drive/Pinehaven intersection. Beginning at the southern terminus at US 80, the alignment would be northerly along New Prospect Street to East Main Street. The east curb line of the proposed roadway would match the existing east curb alignment on New Prospect Street and the widening would occur to the west. Between East Main Street and Cynthia Street, the proposed roadway would be constructed along new alignment. The overpass segment would begin approximately 143 m (468 ft) north of East main Street and extend in a northeasterly direction spanning East Leake Street and the Kansas City Southern Railroad. The total length of the overpass would be approximately 246 m (810 ft). The terminus of the overpass would be approximately 110 m (360 ft) south of the McRaven Street/Whitaker Street intersection. The alignment then continues northeasterly through the McRaven Street/Whitaker Street intersection to the unimproved Livingston Road right of way, continuing northerly to Cynthia Street. A 9.1 m (30 ft) buffer would be maintained between the east right of way line of the proposed roadway and the westerly boundary of Kentwood Subdivision where Oak Street ends. Oak Street would not be connected to the proposed roadway. The alignment then proceeds northerly along existing Pinehaven Road to the northern terminus of the project a Northside Drive.

Intersection improvements would be made at US 80, College Street, East Main Street, McRaven Street, Sproles Street, Cynthia Street, and Northside Drive.

The proposed alignment represents the most logical location for an arterial street to accommodate existing and future north-south traffic demands for the City of



Clinton. The south terminus would connect to a project recently completed by MDOT which improved the I-20/Springridge Road interchange and the Springridge Road connection to US 80. The City of Clinton has improved Springridge Road to a multi-lane facility south of the interchange through the developed areas of south-central Clinton. At the north terminus, Hinds County has plans to widen and overlay Pinehaven Road from Northside Drive to US 49. The new Clinton High School is located on Pinehaven Road. The Natchez Trace Parkway is proposing an interchange with Pinehaven Road. Construction along the proposed alignment would provide the missing link necessary to achieve route continuity between Springridge Road and Pinehaven Road. The proposed overpass spanning Kansas City Southern Railroad would prevent interruptions to traffic and emergency response vehicles along this north-south arterial.



LEGEND:

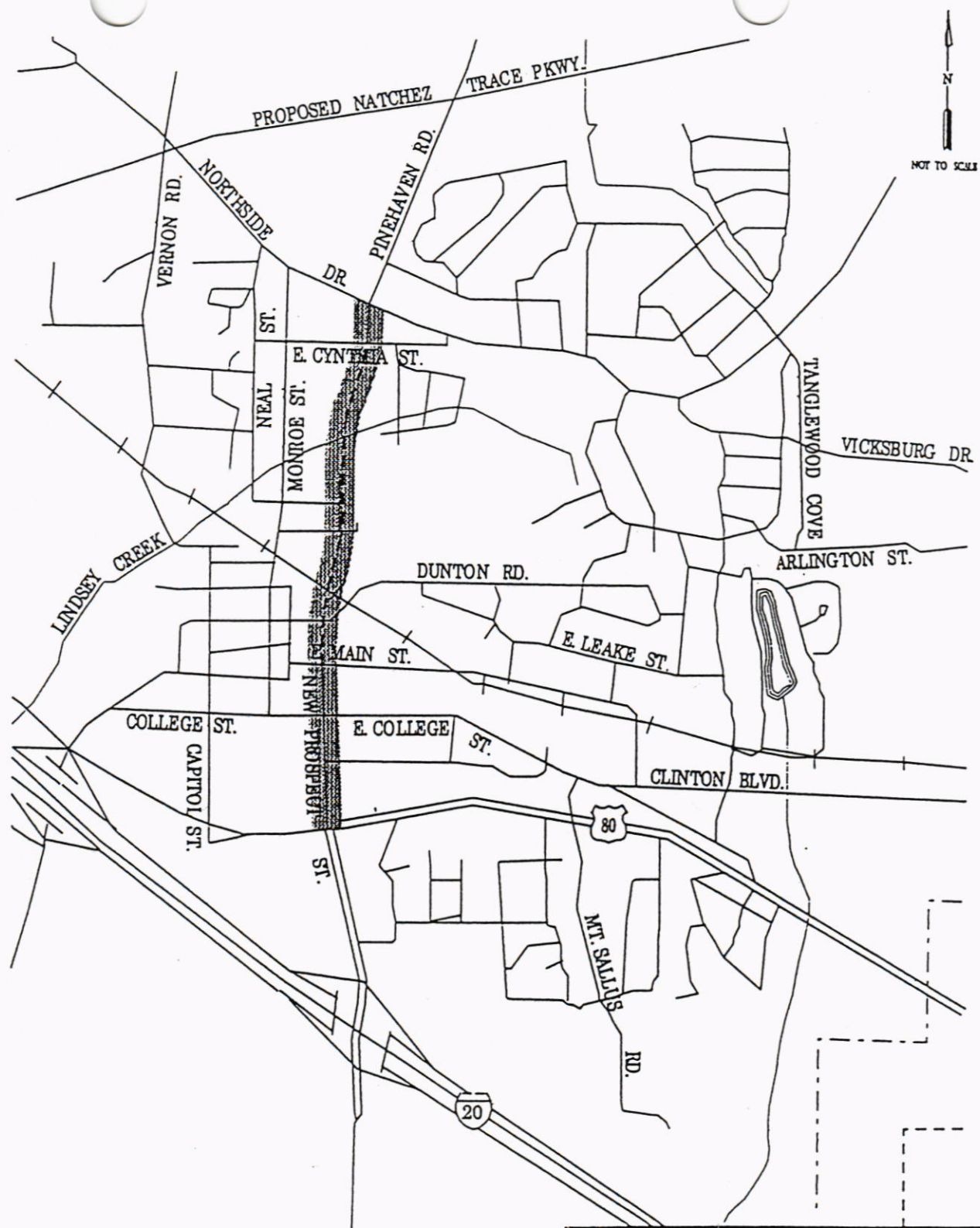


STUDY AREA

CLINTON PARKWAY  
LOCATION  
MAP

crdgnlclntclntdgn





**LEGEND:**



STUDY AREA

CLINTON PARKWAY NOISE STUDY

**STUDY AREA**

**PBS** POST, BUCKLEY, SCHUBERT & BERNGAN, INC.

FIGURE 1

andgnVolantVolintdgn



# Mississippi Department of Archives and History

Historic Preservation Division • Post Office Box 571 • Jackson, Mississippi 39205-0571  
Telephone 601-359-6940 • Fax 601-359-6955

July 29, 1996

Mr. Joe R. Clark  
ABMB Engineers, Inc.  
401 East Capitol Street, Suite 400  
Jackson, Mississippi 39201

Dear Mr. Clark:

RE: STP-7321(2)/ MDOT Project No. 497321-00-002-10; Proposed Clinton  
Parkway in Clinton, Hinds County

We have reviewed the July 1996 draft report of Hopkins and Associates and Weaver .  
and Associates entitled Historic Properties Assessment and Phase II Archaeological  
Testing for the above referenced undertaking. It is our opinion that the potential East  
Clinton Historic District appears to be eligible for listing in the National Register of  
Historic, that the Old Natchez Trace Site is eligible, that the Hillman College Site (22-Hi-  
740) is potentially eligible, and that the McRaven Street Site (22-Hi-739) is ineligible.

It is also our opinion that implementation of the aforementioned undertaking will have  
an adverse effect upon the potential East Clinton Historic District and that it has the  
potential for adversely affecting the Old Natchez Trace Site and the "burning event"  
portion of Site 22-Hi-740 located north of Leake Street. The conclusions and  
recommendations outlined on pages 42 to 44 can serve as possible "mitigating"  
stipulations in the Section 106 Memorandum of Agreement (MOA).

Execution of the aforementioned MOA by the Federal Highway Administration, the  
Mississippi State Historic Preservation Officer, and the Advisory Council on Historic  
Preservation, and implementation of its terms will evidence that the Section 106  
requirements have been met. We look forward to reviewing and commenting on a draft  
MOA. Your continued cooperation is appreciated.

Sincerely,

*Roger G. Walker*

Roger G. Walker  
Review and Compliance Officer  
cc: Clearinghouse for Federal Programs

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Department Director: Elbert R. Hilliard



## INTRODUCTION

The proposed Clinton Parkway project will cross the eastern edge of the pre-World War Two town limits of Clinton, largely resulting in the widening of the existing right-of-way of New Prospect Street from its southern terminus at U. S. Highway 80 north to its northern terminus at East Main Street (see Figure 1). The effected area contains several structures that were identified in the report by Archaeology Mississippi (Lauro 1995) as needing evaluation of their eligibility for listing as a historic district on the National Register of Historic Places.

As required by 36 CFR 800 of the National Historic Preservation Act of 1966, as amended, the planning for federally-assisted projects like the Clinton Parkway must consider whether properties eligible for listing upon the National Register will be effected by the project, and what, if any, impact the project will cause to those properties. If the project creates an effect considered to be adverse to the preservation of the historic properties, consideration must be given to lessening or eliminating that impact if the means are prudent and feasible. This report will explore the question of eligibility of the properties to be effected by the project, the potential impacts that may result, and the recommended means to mitigate those adverse effects.

### A. DETERMINATION OF ELIGIBILITY

Pursuant to its contract with ABMB Engineers, Inc., Hopkins & Associates conducted a cultural resources survey of the areas surrounding the right of way for the proposed parkway project on May 20 and 21. The survey confirmed the identification of a cohesive collection of thirty-three late-nineteenth and early-twentieth century residential and commercial structures which appear to meet National Register criteria for listing as a locally-significant historic district. In general terms, the potential district includes properties facing East Main Street between East Street and Landrum Street, and facing East College Street between New Prospect Street and Landrum Street (see Figure 2). For the purposes of this report, the potential district will be referred to as the "East Clinton Historic District".

#### Description of the East Clinton Historic District

The proposed East Clinton Historic District is composed of a small group of structures facing East College, Landrum, East Main and New Prospect streets which lie to the east of the original street grid of the City of Clinton, Hinds County, Mississippi. The district is roughly bound by the former site of Hillman College on the north and west, the Illinois Central Gulf Railroad on the northeast (originally the Alabama and Vicksburg Railroad), the Clinton Junior High School property on the southeast and south, and the grounds of Mississippi College on the southwest. The district is largely residential in character but also contains one historic commercial building constructed during its period of historic significance.

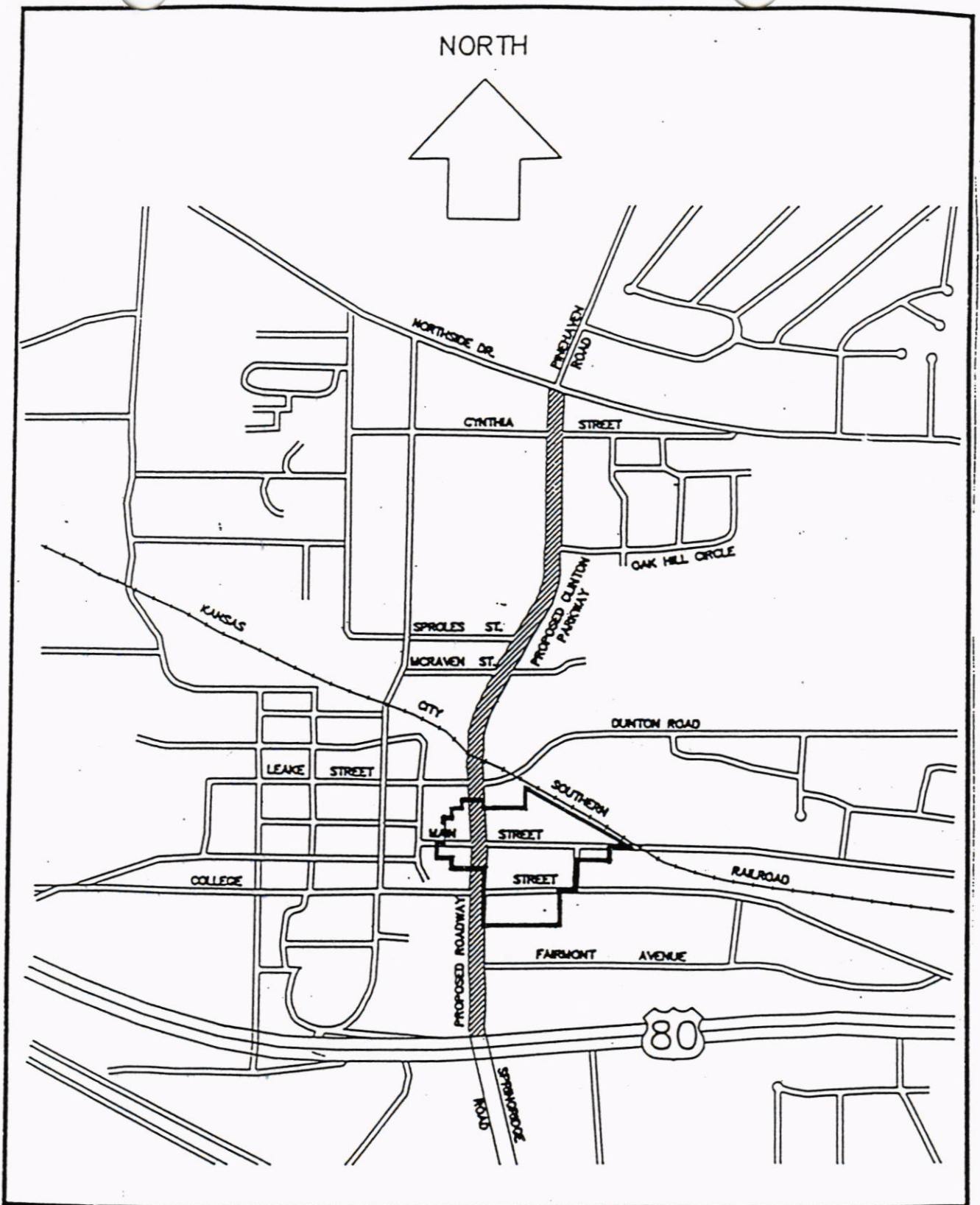


Figure 1. Proposed Parkway in relationship to East Clinton Historic District.



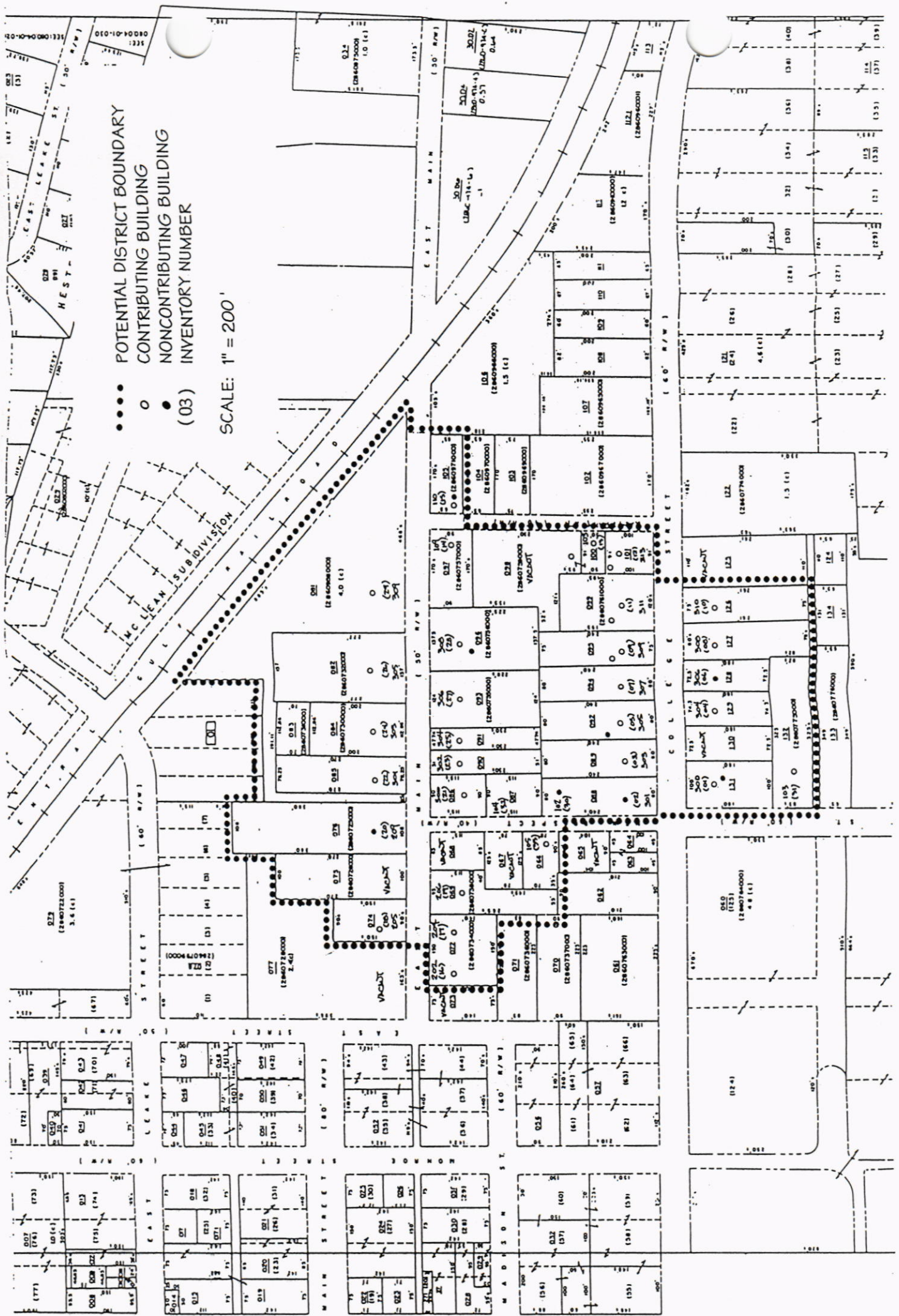


Figure 2. Map of Potential East Clinton Historic District.



The topography of the district is gently rolling in nature from the top of a low ridge on the north side of East Main Street to its low point in the line of East College Street. The portions of East Main Street and East College Street which lie in the district were both included in the original 1829 plan of the Town of Clinton, though the portion of Main Street east of East Street was then known as the "Jackson Road". Both New Prospect and Landrum streets were developed much later in time, perhaps as late as ca. 1900-05.

The four streets within the district also vary greatly in terms of their widths and streetscape characteristics. The portion of East Main to the west of New Prospect Street and the section of New Prospect Street between East Main and East College Street retain their brick paving, likely a part of the City's overall paving program of 1929 (Clinton News October 6, 1988). The other portions of streets in the district bear no evidence of having once been included in this paving program, and are instead paved with concrete or asphalt. Sidewalks were also not uniformly developed through the district. Sidewalks line both sides of East College Street, and the portion of East Main Street west of New Prospect. Single side sidewalks were developed along the west side of New Prospect Street, the north side of East Main to the east of New Prospect, and along the east side of Landrum Street. All sidewalks that do exist in the district are separated from the curb of the street by a narrow grassy strip of one to three feet in width.

Lot sizes and configurations within the district reflect a random pattern of historical, subdivision and re-subdivision that is quite different from the regular lot pattern in the core blocks of the original town plan. This random pattern created lots that range from as large as 4.0 acres to less than a quarter acre. Lots possess frontages ranging from 50 feet to approximately 470 feet, and depths ranging from 100 feet to more than 400 feet. Buildings constructed on these lots were placed in relatively close proximity to the street, with front yard set backs ranging from 10 feet to perhaps no more than 40 feet. Side yard setbacks vary widely due to the wider range of lot frontages, ranging from as little as 15 feet to more than 50 feet.

Buildings within the district are set within a varied landscape composed of public and private features. Many of the buildings in the district are set upon land terraces, though the original topography of the area did not make land terraces a uniform site treatment. The district is set with mature street trees of red oak, maple, pecan, hackberry and yellow poplar, among others, that deeply shade many of the houses and street edges. Yard trees include additional varieties of major trees, including magnolia, red gum and tupelo. Ornamental trees and shrubs include holly, crepe myrtle, dogwood, red bud, boxwood and privet. Flower and vegetable gardens are largely concentrated in rear or side yard areas, as opposed to front yards.

Buildings within the district were constructed over a seventy-year period beginning in ca. 1870 and lasting through ca. 1940. Single-family residential building types in the district include examples of center hall cottages, side hall townhouses, composite cottages, homestead houses, bungalows, Capes and English cottages. These buildings were detailed with features representing the Greek Revival, Queen Anne, Craftsman, Colonial Revival and Tudor Revival styles of architecture. Multi-family dwellings



found in the district include double-shotgun and quadruple plans detailed with Craftsman elements. The sole historic commercial building in the district is a well-preserved example of an extended canopy, drive-through service station, detailed with Spanish Revival influences.

An inventory of the proposed district follows. There are 31 buildings contained within the district which contribute to its architectural and historical character; their contributing character is identified with the notation (C). There are also 10 buildings within the district which do not contribute to its architectural and historical character either due to their construction following the period of historical significance for the district, or older buildings due to substantial alterations which have significantly compromised their historic architectural character. Buildings which do not contribute to the district are identified with the notation (NC). The general characteristics of the streetscape in the district also contribute to its historic character, and noted in the inventory as a single contributing site.

### Inventory of Properties

#### 01 300 East College Street (C)

One-story, eight-bay, glazed buff brick-veneered service station with Spanish Revival influence, built ca. 1925-30. Flat roof behind plain parapet with pantiled pent roofs. Undercut corner canopy supported by single brick pier. Exterior features storefronts with variations based upon a multi-light transom above single-light display windows, with a tile bulkhead. Pedestrian entrances feature a single-light door topped with a six-light transom; equipment bay has a four-panel, bead board double-leaf door.

Shed, ca. 1950. One-story, four-bay, shed roof, sheet metal roof, siding and doors. (NC)

#### 02 301 East College Street (NC)

One-story, eight-bay, brick veneered commercial strip building with Colonial Revival influence, built ca. 1975-80. Side gable roof with box cornice, covered with asphalt shingles. Undercut walkway supported by fluted metal columns. Windows are metal-frame, multi-light fixed sashes. Entrances contain multi-light metal doors flanked on one side with multi-light sidelights.

#### 03 303 East College Street (C)

One-story, four-bay, frame bungalow with Craftsman influence, built ca. 1925-30. Complex gable roof with exposed rafter tails and knee brace brackets, covered with asphalt shingles. Exterior wall surfaces have weatherboard siding. Windows are Craftsman 4/1 double-hung sashes, in pairs. Full-width, L-plan undercut porch supported by box columns on raised brick bases. Entrance has a multi-light door.

#### 04 304 East College Street (C)

One-story, three-bay brick-veneered modified Cape with Colonial Revival influence, built in ca. 1928. Complex gable roofs with box cornice and frieze, covered with asphalt



304 East College Street, continued:

shingles. Windows are 6/1 double-hung sashes, some in groups of three. Side, undercut one-bay porch supported by brick piers. Entrance contained in gable-front vestibule with a multi-light elliptical fan light above a multi-light door, flanked by 3/4 length multi-light sidelights. Myers House.

05 305 East College Street (C)

One-story, four-bay, frame bungalow with Craftsman influence, built ca. 1925-30. Side gable roof with a shed dormer and exposed and shaped rafter tails, covered with asphalt shingles. Exterior wall surfaces covered with weatherboard siding. Windows are 6/1 double-hung sashes, in pairs. Full-width undercut porch with gable front dormer, supported by wrought iron replacement posts. Center and side entrances contain multi-light doors; the center door is flanked with three-quarter length, multi-light sidelights.

Garage, ca. 1925-30, altered ca. 1970-75. One-story, two-bay, frame, gable roof covered with asphalt shingles, Masonite siding. (NC)

06 306 East College Street (NC)

One and one-half story, three-bay, frame bungalow with Craftsman influence, built 1928. Complex gable roof with hip-roofed airplane and plain projecting eaves, covered with asphalt shingles. Brick veneer added ca. 1980. Windows are Craftsman 4/1 double-hung sashes in pairs and groups of three. Partial width, gable-front porch supported by battered box columns on raised brick bases, with a closed brick balustrade. Entrance contains a multi-light door. Ratliff House.

07 307 East College Street (NC)

One and one-half story, three-bay, brick-veneered bungalow with Craftsman influence, built ca. 1925-30. Complex gable roof with exposed rafter tails and kneebrace brackets, covered with concrete shingles. Windows are Craftsman 4/1 double-hung sashes and 1/1 replacement metal sashes. Full-width undercut porch enclosed in ca. 1970-75; wall surfaces covered with asbestos shingles; side gable *porte cochère* supported with box columns on brick piers. Entrance contains a single-light replacement door with two single-light fixed sashes to one side.

08 308 East College Street (C)

One-story, three-bay, frame bungalow with Craftsman influence, built ca. 1925-30. Complex gable roof with gable-front dormer and exposed rafter tails, covered with asphalt shingles. Exterior wall surfaces covered with novelty siding. Windows are Craftsman 4/1 double-hung sashes, in pairs and groups of three. Full-width, gable-front porch and side gable *porte cochère*, supported by battered box columns on brick bases with a closed brick balustrade. Entrance contains a Craftsman multi-light door flanked by full-length Craftsman multi-light sidelights.



09 309 East College Street (C)

One-story, three-bay, frame bungalow with Craftsman influence, built ca. 1925. Complex gable roof with exposed rafter tails, covered with asphalt shingles. Exterior wall surfaces have novelty siding. Windows are multi-light casements in pairs or groups of three. partial-width, gable-front porch supported by battered box columns on brick bases with a closed brick balustrade. Entrance contains a single-light door. Robinson-McDonald House.

Garage, ca. 1925-30. One-story, one-bay, frame, gable-front roof with knee brace brackets and asphalt shingles, replacement overhead garage door. (C)

10 310 East College Street (C)

One-story, four-bay, brick-veneered English cottage with Tudor Revival influence, built ca. 1936. Complex gable roof with flush eaves, covered with concrete shingles. Windows are 6/6 double-hung sashes and multi-light diaper-patterned casements. Facade features a centered exterior chimney with a blind arch in the stack and a battered neck. One-bay, undercut side porch supported by brick piers. Entrance contained in a gable-front vestibule with an arched board and batten door. Macke-Davis House.

11 311 East College Street (C)

One-story, four-bay brick-veneered bungalow with Craftsman influence, built ca. 1925. Complex gable roof with exposed rafter tails, covered with asphalt shingles. Windows are Craftsman 4/1 double-hung sashes, some in pairs. Full-width, gable-front porch supported by battered box columns on brick bases; side gable porte cochère supported by brick piers. Entrance has a Craftsman multi-light door. Hester-Chambers House.

Garage/Quarters, ca. 1925-30. Two-story, two-bay, frame and brick-veneer, gable front roof covered with asphalt shingles, novelty siding, 4/4 double-hung sashes, bead-board cross-buck double-leaf garage door. (C)

12 313 East College Street (C)

One-story, five-bay, frame center hall cottage with Colonial Revival influence, built ca. 1925-30. Complex side gable roof with two gable-front dormers and box cornice, covered with asphalt shingles. Exterior wall surfaces covered with vinyl siding. Windows are 6/6 double-hung sashes. Gable-front pedimented portico supported by box columns with Doric capitals; side gable porte cochère supported by box columns. Entrance features an elliptical multi-light fan light above a Colonial Revival four-light, four-panel door flanked by 1/2 length, four-light sidelights.

Garage/quarters, ca. 1925-30. Two-story, three-bay, Gable-front roof covered with asphalt shingles, weatherboard siding, 1/1 double-hung sashes. (C)

13 103 Landrum Street (C)

One-story, four-bay, frame bungalow with Craftsman influence, built ca. 1925-30. Complex gable roof with plain projecting eaves, covered with asphalt shingles. Exterior walls covered with radius-edge weatherboard siding. Windows are Craftsman 3/1 and



103 Landrum Street, continued:

4/1 double-hung sashes, some in pairs and groups of four. Entrance contains a multi-light door.

Garage/quarters, ca. 1925-30. One-story, three-bay, frame gable roof with asphalt shingles, novelty siding. (C)

14 109 Landrum Street (C)

One-story, five-bay, frame bungalow with Craftsman influence, built ca. 1930-35. Complex hip and gable roof with exposed rafter tails and knee brace brackets, covered with asphalt shingles. Exterior walls covered with radius-edge weatherboard siding. Windows are Craftsman 4/1 double-hung sashes in pairs and groups of three. Partial-width, shed roofed porch supported by box columns on brick bases. Entrance has a single-light replacement door.

15 110 Landrum Street (C)

One-story, four-bay frame side wing Cape with Colonial Revival influence, built ca. 1935-40. Complex gable roof with plain projecting eaves, covered with asphalt shingles. Exterior walls covered with vinyl siding. Windows are 6/6 double-hung sashes. Partial-width gable front porch supported by turned posts. Entrance has a six-panel door.

Quarters, ca. 1935-40; altered ca. 1960. One-story, two-bay frame, gable roof with asphalt shingles, novelty siding, 2/2 metal frame replacement windows, solid replacement door. (NC)

16 202 East Main Street (C)

Two-story, four-bay frame and brick-veneered, four square quadruple with Craftsman influence, built ca. 1925-30; the second floor was apparently added ca. 1930-35. Complex hip and gable roof with exposed rafter tails, covered with asphalt shingles. Second floor walls covered with asbestos shingles. Windows are 6/6 and Craftsman 4/1 double-hung sashes. Two, one-bay, two-story gable-front porches supported by battered box columns. Front stair added to access second floor. Entrances contain Craftsman four-light, three-panel doors. Related to 204 East Main.

17 204 East Main Street (C)

Two-story, five-bay, brick-veneered four square quadruple with Craftsman influence, built ca. 1920-25. Complex hip and gable roof with exposed rafter tails, covered with concrete shingles. Windows are Craftsman 4/1 double-hung sashes. Two, one-bay, gable-front porches supported by battered box columns over brick piers. Entrance set in gable-front vestibule and contains a multi-light double-door.

18 205 East Main Street (C)

One-story, four-bay, frame English cottage with Tudor Revival influence, built ca. 1930. Complex gable roof with box cornice, covered with asphalt shingles. Exterior walls covered with novelty siding. Windows are Craftsman 5/1 double-hung sashes, some in



205 East Main Street, continued:

pairs and groups of three. Center-front chimney has a blind arched panel. One-bay, front and side gable-roofed porches supported by brick piers. Front and side entrances contain a multi-light door and a Craftsman four-light, three-panel door. James House.

19 206 East Main Street (C)

One-story, four-bay, frame composite cottage with Colonial Revival influence, built ca. 1910. Complex hip and gable roof with box cornice, covered with asphalt shingles. Exterior walls covered with weatherboard siding. Windows are 1/1 double-hung sashes, some in pairs. Partial-width, L-plan, hip-roofed porch supported columns with Doric capitals; side shed-roofed carport added ca. 1975-80. Entrance contains a single-light, three-panel door topped with a single-light transom. Stovall-Wallace House.

20 209 East Main Street (NC)

One and one-half story, seven-bay, frame ranch house with Minimal Traditional influence, built ca. 1950-55 with additions ca. 1965-70. Complex gable roof with box cornice, covered with asphalt shingles. Exterior walls covered with asbestos and artificial stucco siding. Windows are 6/6 double-hung sashes, 2/2 metal-frame replacement lights, and multi-light metal-frame casements. Entrance contains a multi-light, single-panel door flanked by multi-light, single-panel sidelights.

21 300 East Main Street (C)

One-story, three-bay, frame bungalow with Craftsman influence, built ca. 1925-30. Complex gable roofs with exposed rafter tails and knee brace brackets, covered with asphalt shingles. Exterior walls covered with radius-edge weatherboard siding. Windows are Craftsman 4/1 double-hung sashes. Partial-width, gable-front porch supported by battered box columns on brick bases. Entrance contains a Craftsman four-light, three-panel door.

22 301 East Main Street (C)

Two-story, five-bay, frame side hall townhouse with Greek Revival and Queen Anne influences, built ca. 1870-75 with side-front and rear additions and alterations ca. 1890-95 and ca. 1925-30. Complex gable roof with box cornice and cornice returns, covered with asphalt shingles. Exterior walls covered with weatherboard siding. Windows are 4/6, 4/4 and Craftsman 4/1 double-hung sashes. Partial width undercut porch supported by replacement box columns; the second level of the porch has been removed. Entrance contains a four-panel door topped with a four-light transom and flanked with 1/2 length, single-light sidelights.

23 302 East Main Street (C)

One-story, three-bay, frame center hall cottage with Queen Anne and added Craftsman influences, built ca. 1880-85 and altered ca. 1925-30. Gable roof with box cornice and cornice returns, covered with asphalt shingles. Exterior walls covered with weatherboard siding, with brick skirt added ca. 1980-85. Windows are 4/1 double hung sashes, some in pairs, and replacement 2/2 metal frame sashes and six-light metal casements. Full-width, shed-roofed porch supported by Queen Anne turned pilasters



302 East Main Street, continued:

and replacement brick piers added ca. 1980-85. Entrance contains a Queen Anne three panel, single-light, three panel door flanked by 1/2 length, three-light, single panel sidelights.

24 303 East Main Street (C)

One-story, four-bay, frame double shotgun with Craftsman influence, built ca. 1930-35. Gable-front roof with plain projecting eaves, covered with asphalt shingles. Side shed addition built ca. 1960-65. Exterior wall surfaces covered with asbestos shingles. Windows are 6/6 double-hung sashes. Full-width, hip-roofed porch supported by box columns. Entrances contain Craftsman four-light, three-panel doors.

25 304 East Main Street (C)

One-story, four-bay, frame double-shotgun with Craftsman influence, built ca. 1930-35 with modifications ca. 1975-80. Gable-front roof with jerkinhead and exposed rafter tails, covered with asphalt shingles. Exterior walls covered with exterior plywood sheathing. Windows are Craftsman 4/1 double-hung sashes. Full-width, gable-front porch supported by wrought iron replacement posts; side carport supported by box columns added ca. 1975-80. Entrance contains a three-light replacement door.

26 305 East Main Street (C)

One-story, three-bay, frame center hall cottage with Greek Revival and Italianate influences, built ca. 1884, with added two-bay wings ca. 1890-95. Complex gable roof with box cornice and cornice returns, covered with asphalt shingles. Exterior wall surfaces covered with weatherboard siding. Windows are 2/2 and 1/1 double-hung sashes, some in pairs. Partial-width, gable-front porch supported by pairs of fluted columns with Doric capitals. Entrance contains a six-panel door topped with a four-light transom and flanked with 1/2 length, three-light sidelights. Harvey House.

27 306 East Main Street (C)

One and one-half story, five-bay, frame center hall cottage with Italianate influence, built ca. 1884. Side gable roof with box cornice and shed dormer added ca. 1960-65, covered with asphalt shingles. Exterior walls covered with vinyl siding. Windows are 6/6 double-hung sashes. One-bay, gable-front porch supported by chamfered posts. Entrance has a six-panel door topped with a five light transom and flanked by 1/2 length three-light one-panel sidelights. Pettigrew House.

28 308 East Main Street (C)

One-story, four-bay, frame bungalow with Craftsman influence, built ca. 1928. Gable-front roof with exposed rafter tails and knee brace brackets, covered with asphalt shingles. Exterior walls have novelty siding. Windows are 9/1 double-hung sashes, some in pairs. Partial-width, elliptical-arched roof porch with projecting eaves and shaped rafter tails, supported by replacement box columns; side one-bay flat-roofed porch with projecting shaped rafter tails supported by box columns. Entrance contains a Craftsman four-light, two-panel door. Ashley House.



308 East Main Street, continued:

Garage, ca. 1970-75. One-story, two-bay, frame, gable roof with asphalt shingles, exterior plywood siding. (NC)

29 309 East Main Street (C)

Two-story, four-bay, frame modified homestead house with Queen Anne and Craftsman influence, built ca. 1900 and modified in ca. 1925-30. Complex hip and gable roof with box cornice, covered with asphalt shingles. Exterior walls have novelty siding. Windows are 2/2 and Craftsman 4/1 double-hung sashes. Two-story, partial-width, L-plan, hip-roofed porch supported by replacement posts; the second floor enclosed ca. 1925-30. Entrance contains a multi-light door topped with a two-light transom.

30 102 New Prospect Street (NC)

One-story, five-bay, brick-veneered ranch house with Colonial Revival influence, built ca. 1980-85. Hip roof with plain projecting eaves, covered with asphalt shingles. Windows are 9/6 metal frame sashes. Full-width, undercut gallery supported by columns with Doric capitals. Entrance contains a six-panel door flanked by full-length multi-light sidelights.

31 103 New Prospect Street (C)

One-story, four-bay, frame composite cottage with Queen Anne influence, built ca. 1910-15. Complex hip and gable roof with box cornice, covered with asphalt shingles. Exterior walls covered with novelty siding and asbestos shingles. Windows are 2/2 double-hung sashes. Full-width, double L-plan, hip roofed porch supported by simple wood posts with a turned spindle frieze. Entrance contains a single-light, multi-panel Queen Anne double door topped with a single-light transom.

32 104 New Prospect Street (NC)

One and one-half story, five-bay, frame Cape with Colonial Revival influence, built ca. 1930-35 and substantially altered with three-bay garage and brick veneer in ca. 1980-85. Complex gable roof with gable-front dormers and box cornice, covered with asphalt shingles. Windows are 6/6 double-hung sashes and eight-light casements. Entrance contained in gable-front vestibule and has a replacement multi-light door.

33 105 New Prospect Street (C)

One-story, three-bay, frame bungalow with Craftsman influence, built ca. 1925-30. Gable-front roof with plain eaves and knee brace brackets, covered with asphalt shingles. Exterior walls covered with asbestos siding. Windows are Craftsman 4/1 double-hung sashes, some in pairs and groups of three. Partial-width, gable-front porch supported by battered box columns on raised brick bases. Entrance contains a Craftsman four-light, one-panel door with modillion rail.

34 General Streetscape Characteristics

The district has notable characteristics in its streetscape and landscape which significantly contribute to its sense of place and setting; its patterns of land division and

General Streetscape Characteristics, continued:

street development also appear to reflect important historical events or trends in the public and private treatment of the district over time. These characteristics include public features such as the paving patterns and materials of the streets, the widths of the streets, the sidewalk pattern and its landscape strip, and the pattern of street trees within the right of way; private features include the varietal pattern of lot division, the pattern of front and side yard set backs, the siting of houses on land terraces, the placement of free-standing outbuildings, and the varietal use of major and ornamental trees to decorate the private landscape. These features are counted together as one contributing site. (C)



## Statement of Significance

The East Clinton Historic District is eligible for listing upon the National Register of Historic Places under Criterion C in the area of architecture as a locally-significant and well-preserved assemblage of residential and commercial buildings constructed between the period of ca. 1870 and ca. 1940.

There is scant documentary material available that can provide a sense of the development of the district over time, such as Sanborn Fire Insurance maps or published histories. The preparation of original research to create a document of the evolution of the district was beyond the scope and budget of this project. However, the buildings of the district are well-preserved enough to serve as a visible witness to trends and events in Clinton's history for the purposes of this assessment.

The properties contained in the district fall within three general periods of development: ca. 1870-1885; ca. 1900-15; and, ca. 1925-35. Each of these development periods appear to reflect general eras of economic growth in Clinton and in the surrounding region. The same periods of growth were reflected in the development programs of both major local colleges, namely Mississippi College (begun as Hampstead Academy in 1826) and Hillman College (begun as Central Female Institute in 1853), as well as in the development of residences and business properties throughout the Clinton community.

The earliest residences in the East Clinton Historic District were built in the 1870s and 1880s employing traditional floor plans surviving from the Antebellum era, much like many other smaller communities in Mississippi and the South in general. The center hall cottage plan type was employed in three of the four nineteenth century residences extant in the district, indicating the popularity that this traditional plan exerted among builders and property owners in the era. The center hall plan was ideally suited to the climate of the South and the need for cross-ventilation during the heat of the summer months, which was likely the most important factor in its selection for construction.

However, other factors must have influenced the design and construction of the residence at 301 East Main Street, a rare example of the side hall townhouse floor plan, though much altered in later years. In general, the townhouse plan is an urban type, commonly found only in Natchez and Vicksburg in the perspective of Mississippi's architectural heritage. The presence of this house type here may be the result of the long-standing ties between Clinton and Vicksburg, in greater part after the opening of the Clinton and Vicksburg Railroad in 1836 (American Association of University Women 1976:12).

The nineteenth century houses of the district also reveal an interesting aspect about the spread and evolution of architectural design trends in the South, particularly in areas outside of major population centers, i. e., that though architectural styles generally flourish and decline within specifically definable periods of history, the whims of individual expression provide exceptions to every rule. There are excellent



illustrations of this truth in the district, particularly evident in the houses at 301 East Main Street (built ca. 1870-75) and 305 East Main Street (built ca. 1884). Both of these houses are detailed with elements of the Greek Revival style, though it is generally accepted that the Greek Revival passed into stylistic oblivion by ca. 1860 to 1865. In spite of the country-wide popularity of the Italianate, Second Empire and Eastlake/Queen Anne styles at the time these two houses were built, the pervasiveness of the Greek Revival was strong enough to cause these houses to be built as neighbors with houses of more "up-to-date" tastes, such as the Italianate styling of 306 East Main Street and the Queen Anne details of 302 Main Street.

Beginning at the turn of the twentieth century, it is apparent that a new wave of prosperity was enjoyed by the Clinton community, lasting until the onset of World War One. With it came a new generation of homeowners who were apparently less deeply tied to the traditional house plans commonly adopted for construction in the generation before. Two important house types representative of this period were built within the East Clinton Historic District: the composite cottage plan, and its cousin, a version of the homestead house plan.

Both the composite cottage and the homestead house plans apparently emerged in the late-1870s, and they are closely associated with early examples of the Stick-style and Queen Anne design periods. In essence, the homestead house is the two-story version of the composite cottage plan; the only major difference between the two being the accommodation in plan for the location of the stair. Of the two types, the one-story composite cottage was by far the most commonly built in the South. Though both the homestead house and composite cottage plans are considered traditional house types, they reached a point of greatest popularity beginning in the last decade of the nineteenth century and continuing through the onset of World War One.

The earliest of these plan types built in the district is 309 East Main Street, a house built in ca. 1900 in a modified version of the homestead house plan. Though this house was altered in the 1920s, many of the basic components of the homestead plan are still evident, including its L-shaped porch and complex hip and gable roof. Within the next decade, this house was followed by the two composite cottages in the district, 206 East Main Street (ca. 1910), and 103 New Prospect Street (ca. 1910-15).

The third major wave of development in the East Clinton Historic District occurred largely over a decade and a half-long period between ca. 1925 and 1940. Of all principal buildings in the district today, two-thirds were built during this short period of time; almost half of the buildings built prior to this period were modified with additions or stylistic alterations carried out between ca. 1925 and ca. 1940. This explosion of development appears to have occurred not only because of an increased sense of prosperity in Clinton as a whole, but also as a result of the break-up of larger estate properties in and around the district beginning in ca. 1915.

The few map sources available suggest that East College Street east of New Prospect was little-developed prior to the establishment in 1915-1916 of the Clinton Public High



School on the site of the current Junior High School, adjacent to the district on the east end of East College Street. Indeed, a map of the Town of Clinton published as late as 1933 (Leadership Clinton 1993:31) suggests that the vast majority of the property in the district was contained within the boundaries of eight larger-estate sized parcels. This was clearly not the case, given the great number of houses developed on small lots in the district prior to 1933, and must therefore be considered an error on the part of the map maker. However, it does suggest the strong possibility that these larger parcels remained largely undeveloped until late in the nineteenth century, if not until after World War One.

By appearances, lots facing East College Street between New Prospect and Landrum streets did not become available for development prior to ca. 1925; the same appears true for lots along Landrum and northern New Prospect Street. The effect that resulted from these concurrent land divisions was that the developed streetscapes were relatively homogeneous in their architectural characteristics. On the other hand, the concurrent re-subdivision of larger lots along East Main Street resulted in infill development of residences between previously existing properties, making its streetscape one with many varied architectural characteristics.

The opportunity to develop lots in this portion of Clinton began during the height of popularity for the Craftsman-styled bungalow. Today, the East Clinton Historic District appears to have the highest concentration of bungalows than any other portion of the community. Other house types represented in the district include the English cottage, various forms of the Cape Cod or "Cape" cottage, and revived form of the center hall plan. Apart from single-family residences, the district also saw the development of multi-family housing and one commercial building during this period. The multi-family housing is manifested in forms of a lone double-shotgun cottage, and a pair of four-square quadruplex apartment buildings. These apartment buildings may have been developed to provide off-campus housing for the staff of Hillman College, which occupied a portion of the vacant site across East Main Street from the apartments.

The sole historic commercial building in the district is the former Ratcliff Motors building located at 300 East College Street at the corner of New Prospect. This well-preserved example of a corner-site, undercut canopy service station and automotive show room reflects the development of the automobile culture in the small towns of Mississippi, and the need to provide support services for the emerging traveling public who passed through the district on East College Street, the original alignment of U. S. Highway 80.

In the years since the close of its period of significance, the district has suffered few losses of integrity through the loss of buildings, and only a minor number of buildings have witnessed insensitive alterations. However, at its edges, the district has become more and more separated from the core historic area of Clinton, particularly due to demolition of residences on its western edge to create parking areas for the support of the First Baptist Church complex. The erosion of the district edges has actually heightened the district's sense of individual character and historical development.



There are other potentially-eligible historic resources in the vicinity of the project area, including the core campus of Mississippi College, the original sanctuary of First Baptist Church, and the original residential and commercial core of the Town of Clinton (roughly bounded by College Street on the south, Capitol Street on the west, Lawson Street on the north, and East Street on the east), along other individual properties in scattered areas of the city. "The Cedars" (405 East College Street) is the only structure in Clinton previously listed upon the National Register of Historic Places. Each of these resources has a distinctive character and they do not appear to be linked by proximity or by common history to the proposed East Clinton District. It does not appear that any of these additional resources will be effected directly by the proposed parkway project.



## B. ANALYSIS OF PROJECT IMPACTS

### Site-Specific Effects

The current alignment of the proposed parkway project will apparently pose a series of effects to the properties included within the East Clinton Historic District. These perceived effects include the following direct adverse impacts:

- construction of the project will result in the demolition of two properties contained in the district, one of which is a contributing property to the district's significance (105 New Prospect Street);
- construction of the project will alter the setting of the district by introducing a sense of separation between the body of the district and four contributing properties on the district's western edge, as well as by introducing modern parkway design features that are out of character with the residential scale of the district; and,
- construction of the project will result in the destruction of a one-block long section of the brick paving of New Prospect Street between East College and East Main streets, and a section of the brick paving of East Main Street at its intersection with New Prospect, measuring approximately 115' to 125' in length. Collateral damage to the surface of the brick paving of East Main Street outside of the project right of way can be expected to result from the movement of heavy construction equipment across its surface.

There are also indirect effects that can be expected to result from the project. These indirect impacts include:

- an increase in noise levels resulting from the introduction of increasing traffic volumes moving north-south through the district; and,
- the potential for an increase in local traffic volume moving east-west through the district along East College Street.

### Community-wide Effect on Historic Resources

There are adverse direct and indirect effects posed by the Clinton parkway project on the East Clinton Historic District. In the perspective of the size of the community it will serve, however, a roadway project of this scale can and will have far-reaching effects on historic resources outside of the immediate project area. In such cases, the effects posed by the project on historic properties in the larger community context should also be considered. The following effects can be foreseen as a result of this project:

- there will be a beneficial effect resulting from the relocation of the burden of north-south traffic movement through the historic core of Clinton from its current location on Monroe Street to the proposed Clinton Parkway; and,
- the project presents the opportunity to provide increased ease of access and egress from the entire historic core of Clinton, thus potentially increasing the desirability of its historic properties for redevelopment.



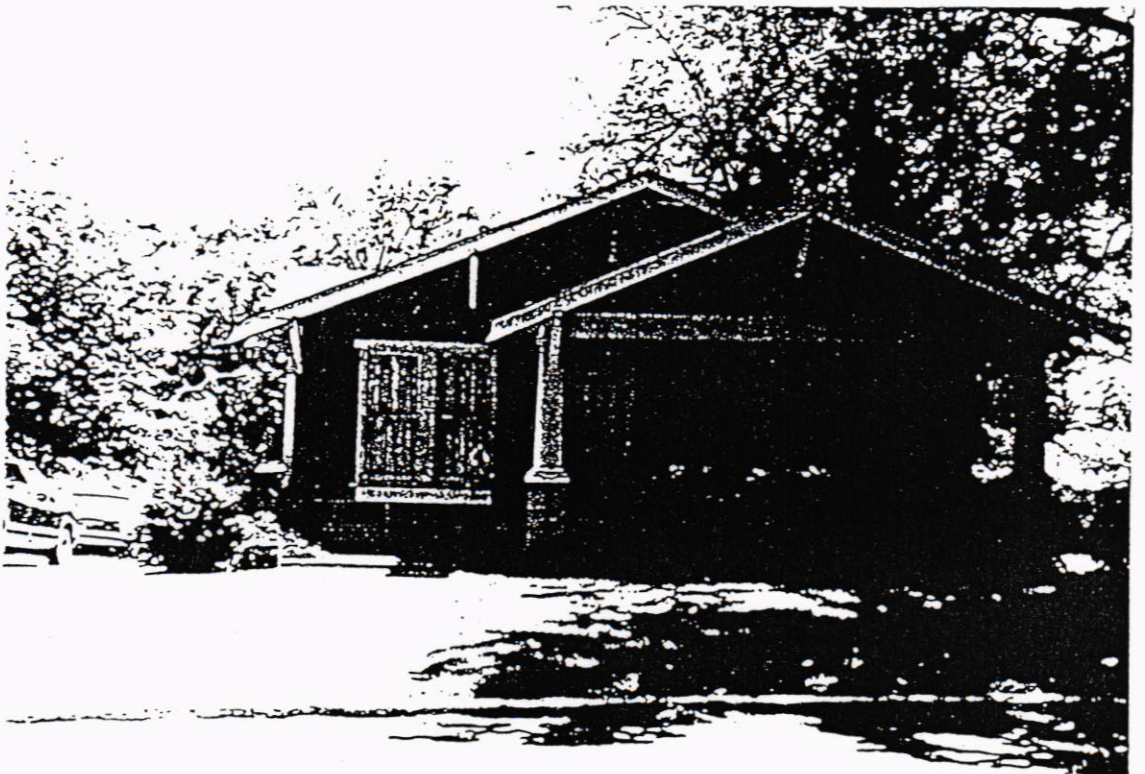
## Photographs of the Proposed East Clinton Historic District





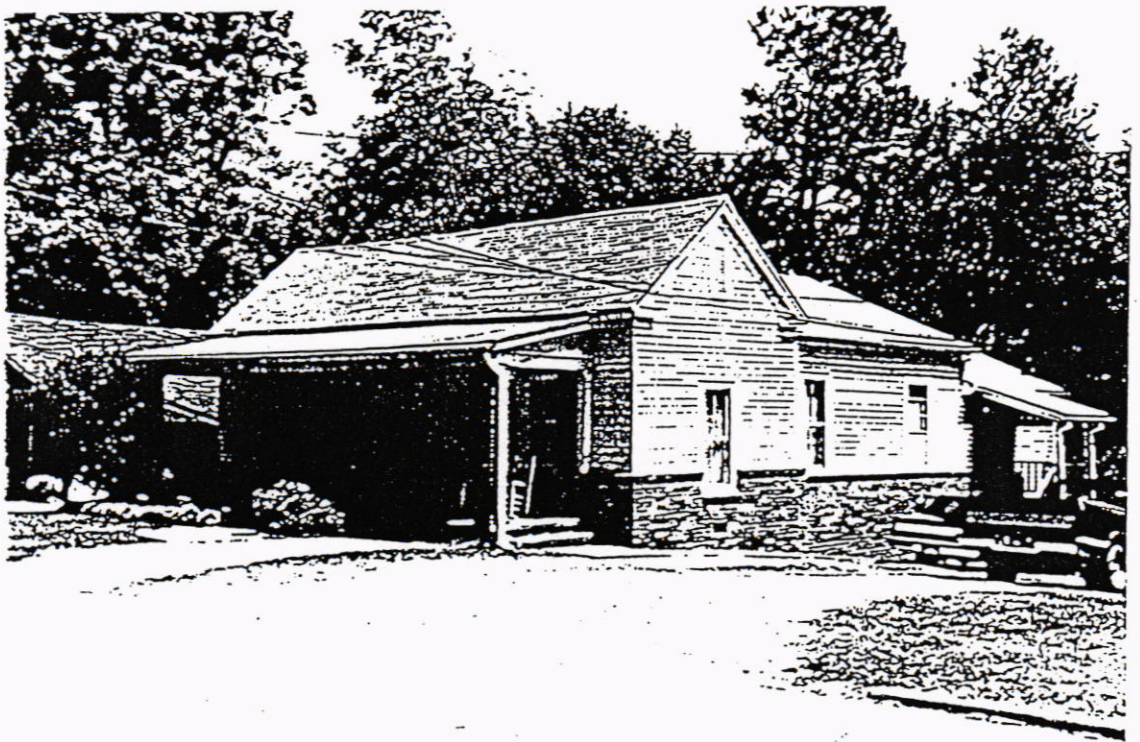
Top 206 East Main Street  
Bottom: Intersection of East Main St., looking south on New Prospect St.





Top: 209 East Main Street  
Bottom: 300 East Main Street





Top: 301 East Main Street  
Bottom: 302 East Main Street





Top: 204 East Main Street  
Bottom: 205 East Main Street





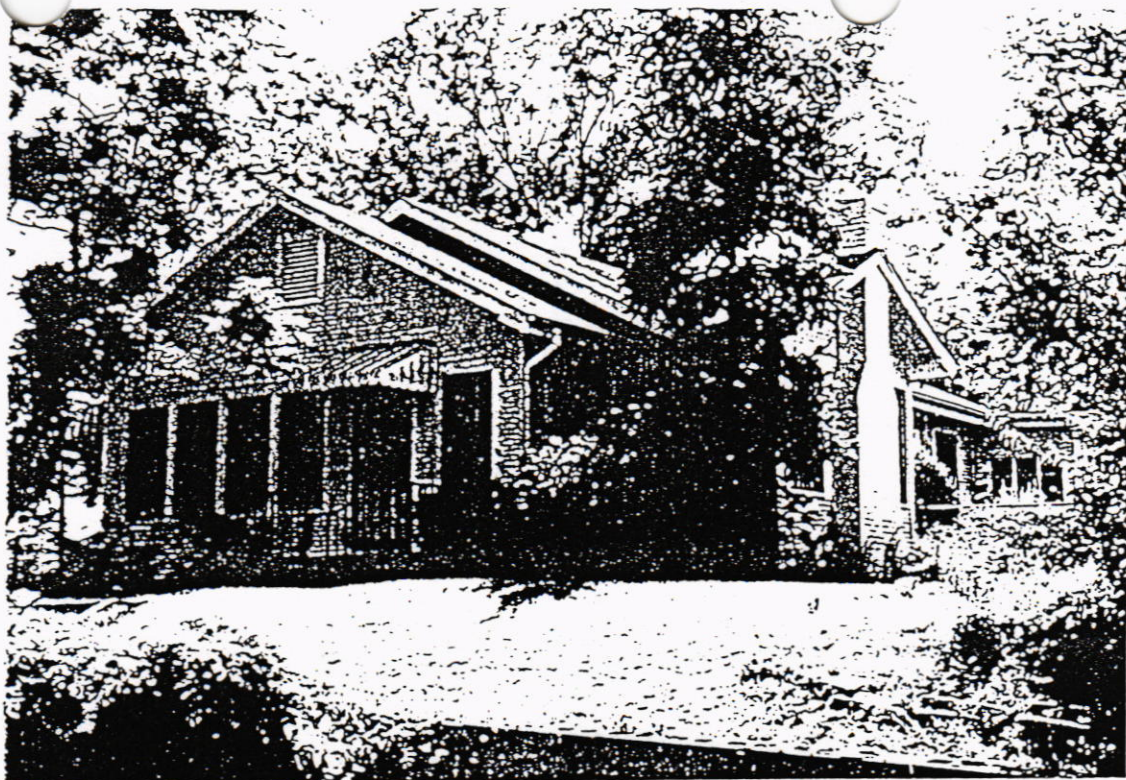
Top: 305 East Main Street  
Bottom: 306 East Main Street





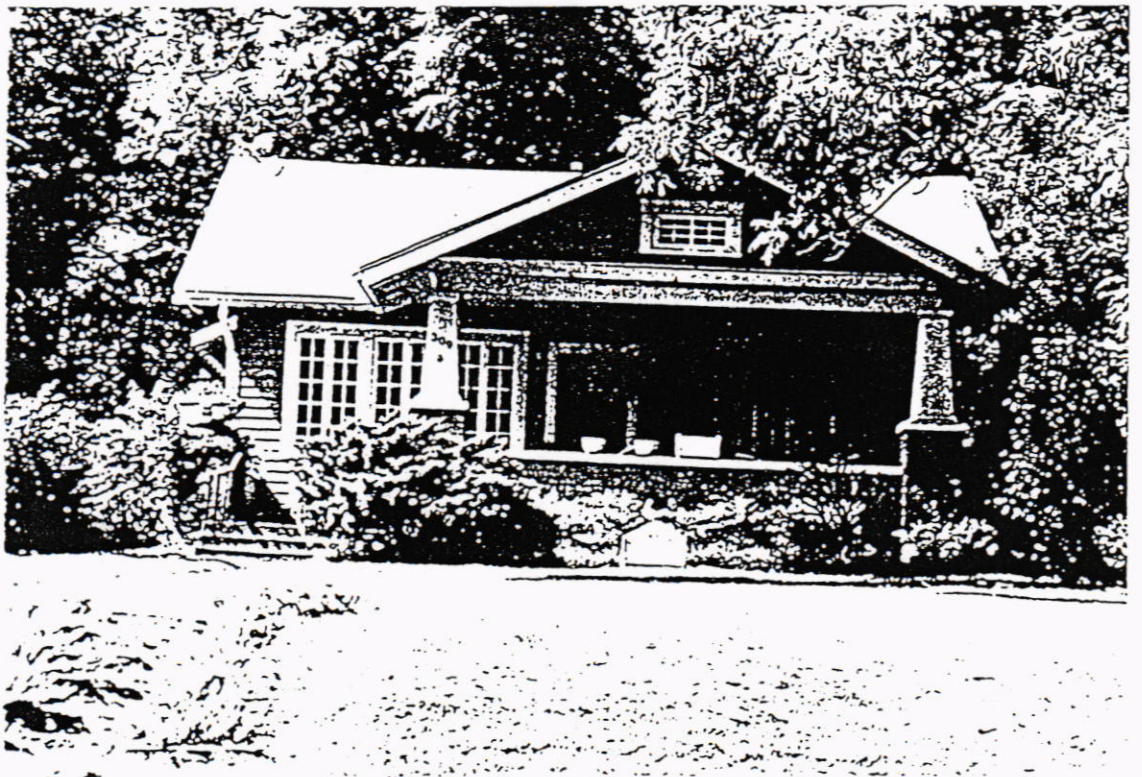
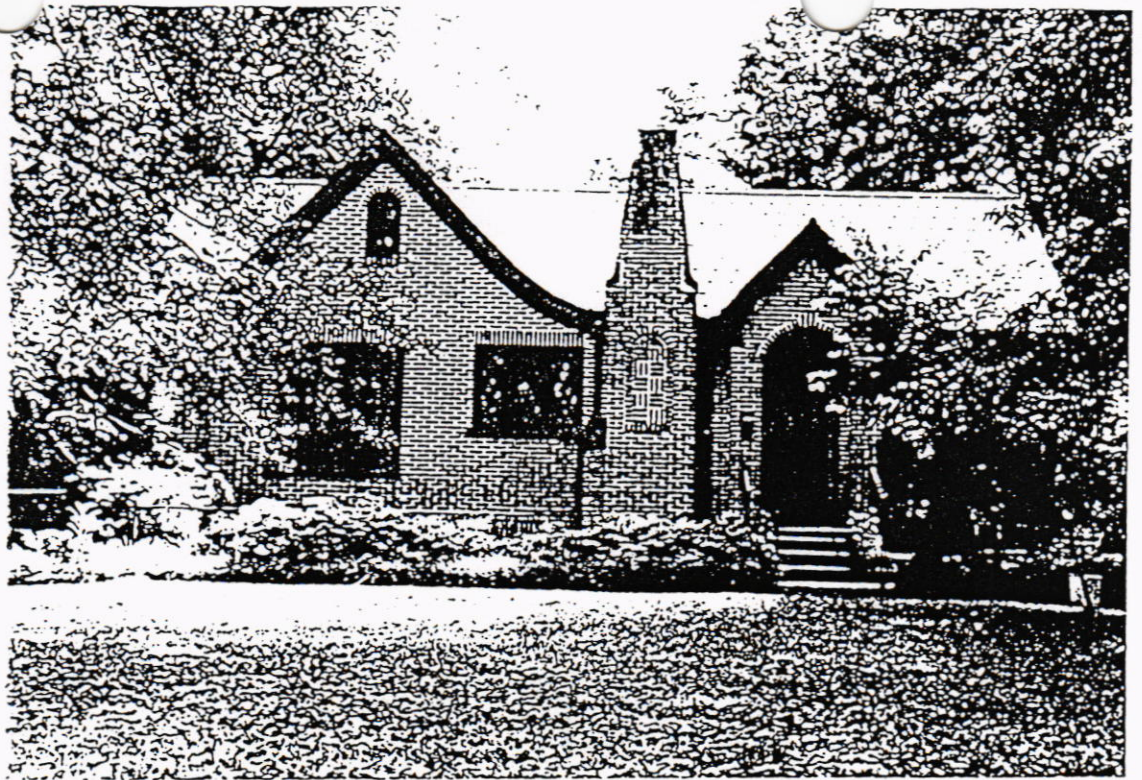
Top: 307 East Main Street  
Bottom: 109 Landrum Street





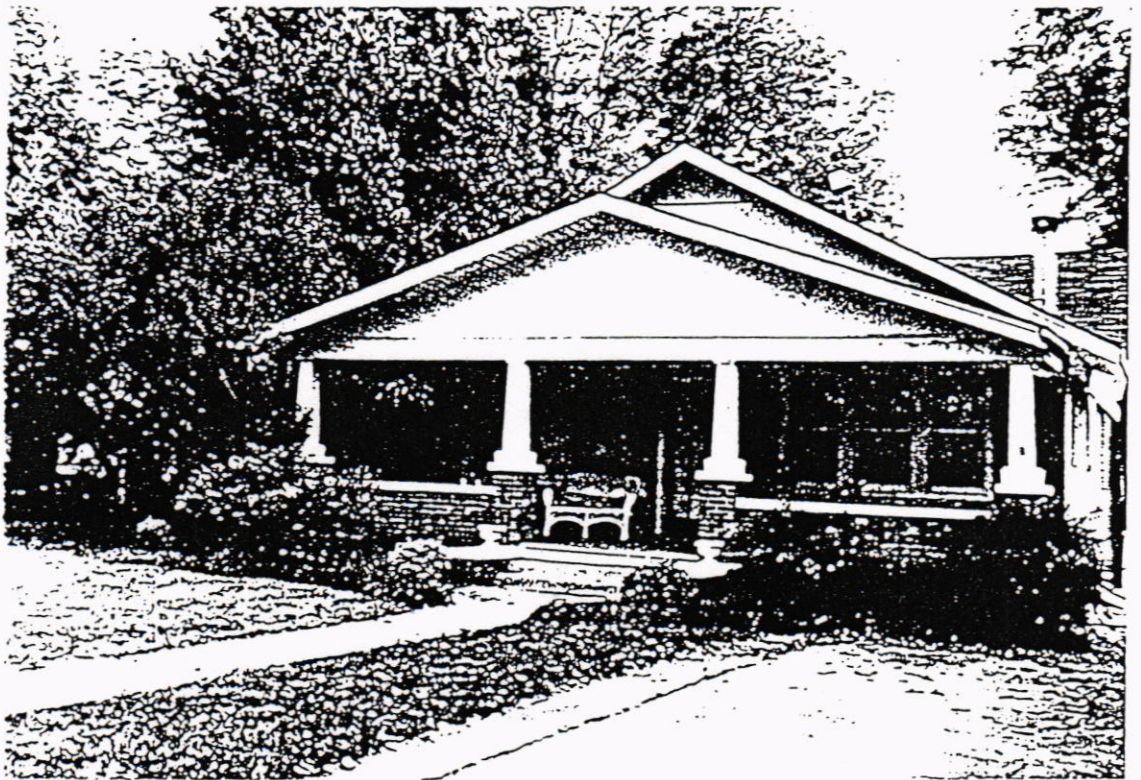
Top: 103 Landrum Street  
Bottom: 313 East College Street





Top: 310 East College Street  
Bottom: 309 East College Street





Top: 308 East College Street  
Bottom: 306 East College Street





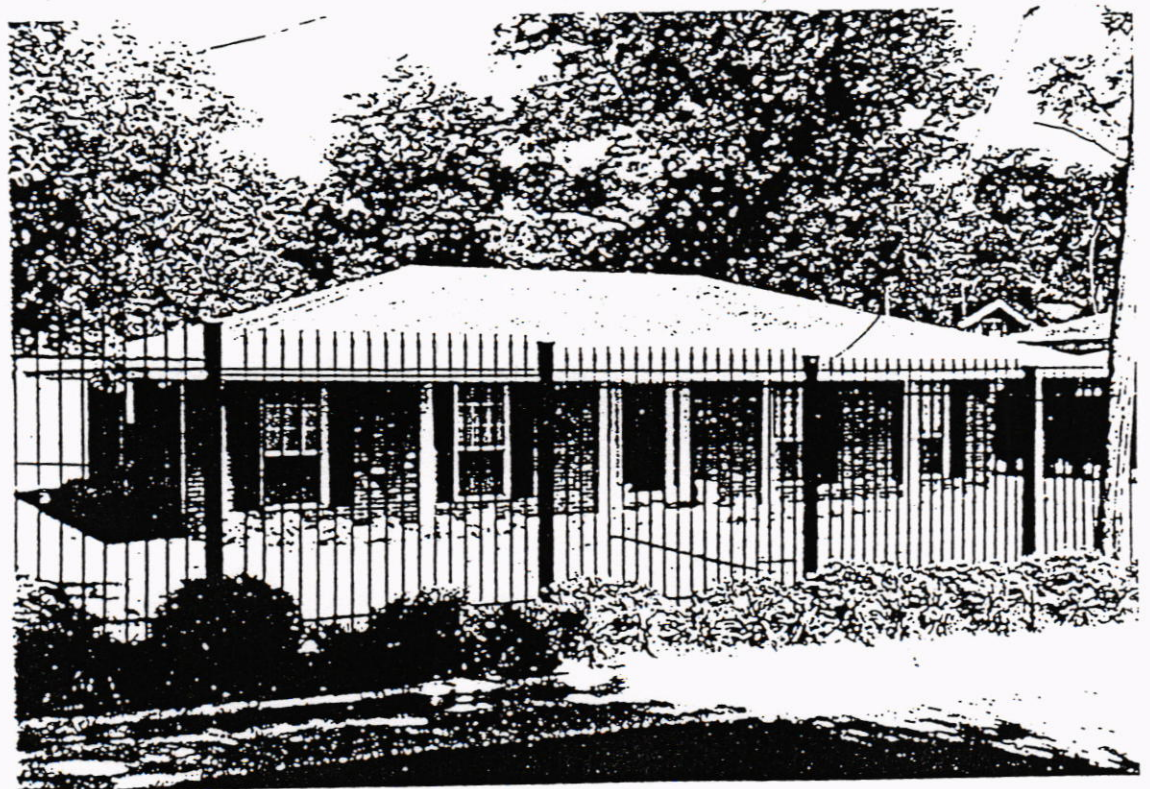
Top: 305 East College Street  
Bottom: 304 East College Street





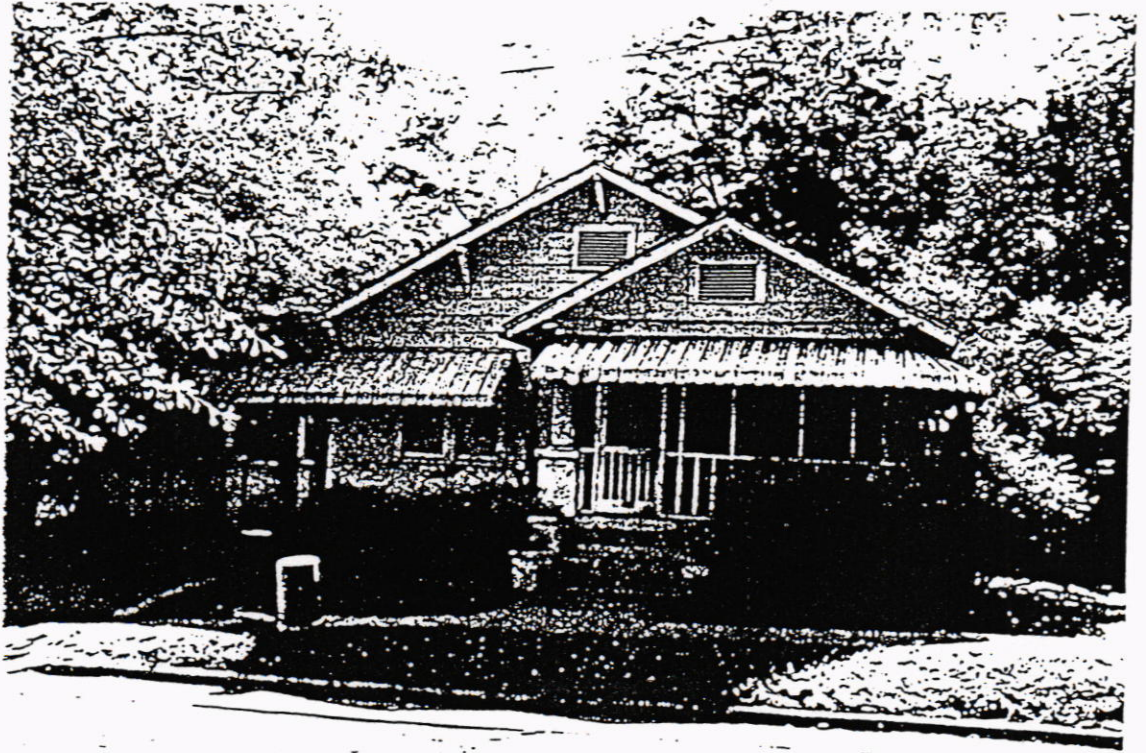
Top: 303 East College Street  
 Bottom: 300 East College Street





Top: 301 East College Street  
 Bottom: 102 New Prospect Street





Top: 104 New Prospect Street  
Bottom: 105 New Prospect Street



**MMA TELECOMMUNICATIONS CONSORTIUM  
Fee Determination Work Sheet**

August 1996

Municipality CLINTON

1990 Census Population (adjusted for annexation) 21,847

Telecommunications Contact Person NELSON BYRD  
Telephone/Fax Numbers 925 4605

**1996 FEE CALCULATION**

$$\frac{21,847}{1990 \text{ Adjusted Population}} \times .20/\text{person} = \frac{\$4,369.40}{\text{Total Fee*}}$$

Maximum Fee = \$17,500

Minimum Fee = \$500



**AN ORDINANCE DEFINING, REGULATING AND LICENSING  
TRANSIENT VENDORS, TRANSIENT BUSINESS AND TRAVELING  
PHOTOGRAPHERS; REQUIRING THE POSTING OF SURETY  
AND PENAL BONDS AND PROVIDING PENALTIES FOR  
THE VIOLATION THEREOF**

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WHEREAS, Section 21-19-35, Mississippi Code of 1972, as amended, provides that governing authorities of municipalities shall have the power to adopt reasonable ordinances for the regulation of transient vendors and traveling photographers, not inconsistent with the provisions of Mississippi Code Sections 75-85-1 through 75-85-19; and

WHEREAS, the Mayor and Board of Alderman of the City of Clinton, Mississippi, have determined that reasonable regulation of transient vendors, transient businesses and traveling photographers is necessary to promote the welfare and protect the interest of the residents of the municipality;

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

Section 1: As used in this Ordinance, the terms "transient vendors," "transient business", and "person", shall have the same definition and meaning as is set forth in Section 75-85-1 of the Mississippi Code of 1972, as amended. The term "traveling photographer" shall mean any person who conducts business as a photographer and who is also a transient vendor or transient business as defined herein.

Section 2: The provisions of this chapter shall not apply to:

- (a) Civic and nonprofit organizations or wholesale sales to retail merchants by commercial travelers;
- (b) Wholesale trade shows or conventions;
- (c) Sales of goods, wares, services or merchandise by sample, catalogue or brochure for future delivery;
- (d) Fairs and convention center activities conducted primarily for amusement or entertainment;
- (e) Any general sale, fair, circus, auction or bazaar sponsored by a church or religious organization;
- (f) Garage sales held on premises devoted to residential use;
- (g) Sales or repairs of crafts or sales or repairs of items made by hand by the person making the crafts or items;
- (h) Duly licensed flea markets operating from a fixed location;
- (i) Sales of agricultural, dairy, poultry, seafood or forest management products or services related to forest management or silvicultural activities, except nursery products, foliage plants or ornamental trees, sold at retail and not grown within Mississippi;
- (j) Sales of agricultural services.



A transient vendor not otherwise exempted from this chapter is not exempted from this chapter because of a temporary association with a local dealer, auctioneer, trader, contractor or merchant, or by conducting the transient business in connection with or in the name of any local dealer, auctioneer, trader, contractor or merchant.

Section 3: A transient vendor, transient business and traveling photographer may not transact business in the City of Clinton unless there has been compliance with all applicable provisions of Section 75-85-5, 75-85-7, 75-85-11, 75-85-13 and 75-85-15, Mississippi Code of 1972, Supplement, as provided for in this ordinance.

Section 4: Any transient vendor, transient business and traveling photographer who desires to transact business within the City of Clinton shall apply for and obtain a license issued by the municipal tax collector. In making application for said license, the applicant shall provide:

- (a) The name and permanent address of the vendor making the application;
- (b) A statement describing the kind of business to be conducted, the length of time for which the applicant desires to transact the business, and the proposed location of the business;
- (c) The name and permanent address of the applicant's registered agent or office; and
- (d) Proof that the applicant has acquired all other required City, County and State permits and licenses. Such proof shall include a Mississippi Sales Tax number and, if the transient vendor desires to transact business in a municipality, such number shall include such municipality's Sales Tax Diversion Code.

If the applicant is an association or corporation, the applicant must also include the names and addresses of the members of the association or the officers of the corporation. If the applicant is a corporation, the application must state the date of incorporation and the state in which it was incorporated. If the applicant is a corporation organized under the laws of another state, the applicant must state the date on which the corporation qualified to transact business as a foreign corporation in this state.

Section 5: The municipal tax collector shall maintain an alphabetical list of all transient vendors, transient businesses and traveling photographers in the City of Clinton and the names and addresses of their registered agents.

Section 6: Each applicant for a license under the provisions of this ordinance shall designate a registered agent on the license application. The registered agent must be a resident of the City of Clinton and shall be the agent on whom any process, notice or demand required or permitted by law to be served on the licensee may be served. The registered agent must agree in writing to act as the agent. The license applicant shall file a copy of the agreement with the license application.

If a transient vendor, transient business or traveling photographer who does business in the City of Clinton fails to have or to maintain a registered agent in the City of Clinton or if the designated registered agent cannot be found at the stated permanent address, the municipal tax collector is the agent of the transient vendor, transient business or traveling photographer for service or process, notices of demands. Service on the municipal tax collector is made by delivering to his office duplicate copies of the process, notice or demand. If such a process, notice or demand is served on the tax collector, he shall immediately forward one copy by registered or certified mail to the permanent address of the transient vendor, transient business or traveling photographer.



Section 7: Each applicant for a license under the provisions of this ordinance shall include a license fee of Two Hundred Fifty Dollars (\$250.00) with the application. Such fees shall be deposited in the general fund of the municipality. The applicant shall also execute a cash bond or a surety bond issued by a corporate surety authorized to do business in this state in an amount that is the lesser of either Two Thousand Dollars (\$2,000.00) or five percent (5%) of the wholesale value of any merchandise or service to be offered for sale by the applicant. The surety bond shall be issued in favor of the State and shall be conditioned upon payment of:

- (1) all taxes due from the applicant to the State or to any political subdivision of the State;
- (2) any fines assessed against the applicant or the applicant's agents or employees for a violation of this act; and
- (3) any judgment rendered against the applicant or the applicant's agents or employees in a cause of action commenced by a purchaser of merchandise or services not later than one year after the date the merchandise or services were sold by the applicant.

The transient vendor, transient business or traveling photographer shall maintain the bond during the period that business is conducted in the City of Clinton and for a period of one year after the termination of the business. After the transient vendor, transient business or traveling photographer furnishes satisfactory proof to the tax collector that the vendor has satisfied all claims of purchasers of merchandise from or services offered by the vendor and that all sales taxes and other applicable taxes have been paid, the bond shall be released.

Section 8: The municipal tax collector shall issue a license under this ordinance only if all requirements of this ordinance have been met. The license is not transferrable and expires ninety (90) days after the date of issuance.

A license may be renewed on payment of a Twenty Five Dollar (\$25.00) renewal fee and filing for a renewal with the municipal tax collector before the expiration of the current license. A license may be renewed only one (1) time after which a licensee must again purchase a new license pursuant to Section 6 of this ordinance.

Section 9: While transacting business, a transient vendor, transient business or traveling photographer shall post in a prominent place, so that they may clearly be seen by purchasers of the merchandise or services which he is offering, his state sales tax number, his vendor license number and a statement that he is required to give purchasers, at the time of payment, receipts for purchases that include sales tax. The posting required in this section shall be written in bold, legible letters and numbers not less than one inch in height. The transient vendor shall keep a running total of his sales.

Section 10: Any person who knowingly or intentionally operates a transient business without a valid license as provided by this ordinance or who knowingly or intentionally advertises, offers for sale, or sells any merchandise or services in violation of this article shall, upon conviction, be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than Five Hundred Dollars (\$500.00) or be imprisoned in the County Jail no more than six (6) months, or be fined and imprisoned. Such person may also be proceeded against by suit, and the tax collector may seize and sell any property of the person liable for the tax and penalty in the same manner as the property of tax and penalty in the same manner as property of tax payers delinquent for the payment of ad valorem taxes due on personal property and may be distrained and sold.

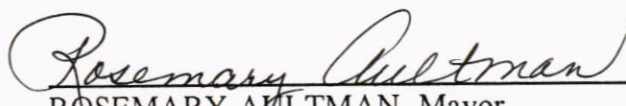
Section 11: This ordinance shall take effect and be in force from and after Nov. 1,  
1996.



Section 12: All ordinances or parts of ordinances in conflict with the provisions of this Article, be and the same are hereby repealed to the extent of such conflict.

SO ORDAINED by the Mayor and Board of Alderman of the City of Clinton, Mississippi,  
in the SEPTEMBER 17 1996 meeting held on SEPTEMBER 17, 1996.

APPROVED:

  
ROSEMARY AULTMAN, Mayor

ATTEST:

  
NELSON BYRD, City Clerk

TRANSVEN.ORD  
9/12/96



PASTE AD

(h) Only licensees flea markets operating from a fixed location;  
(i) Sales of agricultural, dairy, poultry, seafood or forest management products or services related to forest activities, except nursery products, foliage plants or ornamental trees, sold at retail and not grown within Mississippi;  
(j) Sales of agricultural services.

A transient vendor not otherwise exempted from this chapter is not exempted from this chapter because of a temporary association with a local dealer, auctioneer, trader, contractor or merchant, or by conducting the transient business in connection with or in the name of any local dealer, auctioneer, trader, contractor or merchant.

Section 3: A transient vendor, transient business and traveling photographer may not transact business in the City of Clinton unless there has been compliance with all applicable provisions of Section 75-85-7, 75-85-11, 75-85-13 and 75-85-17, Mississippi Code of 1972, Supplement, as provided for in this ordinance.

Section 4: Any transient vendor, transient business and traveling photographer who desires to transact business within the City of Clinton shall apply for and obtain a license issued by the municipal tax collector. In making application for said license, the applicant shall provide:

(a) The name and permanent address of the vendor making the application;  
(b) A statement describing the kind of business to be conducted, the length of time for which the applicant desires to transact the business, and the proposed location of the business;

(c) The name and permanent address of the applicant's registered agent or office; and  
(d) Proof that the applicant has all other acquired City, County and State permits and licenses. Such proof shall include a Mississippi Sales Tax number and, if the transient vendor desires to transact business in a municipality, such number shall include such municipality's Sales Tax Division Code.

If the applicant is an association or corporation, the applicant must also include the names and addresses of the members of the association or the officers of the corporation. If the applicant is a corporation, the application must state the date of incorporation and the state in which it was incorporated. If the applicant is a corporation organized under the laws of another state, the applicant must state the date on which the corporation qualified to transact business as a foreign corporation in this state.

Section 5: The municipal tax collector shall maintain an alphabetical list of all transient vendors, transient businesses and traveling photographers in the City of Clinton and the names and addresses of their registered agents.

Section 6: Each applicant for a license under the provisions of this ordinance shall designate a registered agent on the license application. The registered agent must be a resident of the City of Clinton and shall be the agent on whom any process, notice or demand required or permitted by law to be served on the licensee may be served. The registered agent must agree in writing to act as the agent. The licensee applicant shall file a copy of the agreement with the license application.

If a transient vendor, transient business or traveling photographer who does business in the City of Clinton fails to have or to maintain a registered agent in the City of Clinton or if the designated registered agent cannot be found at the stated permanent address, the municipal tax collector is the agent of the transient vendor, transient business or traveling photographer for service or process, notices or demands. Service on the municipal tax collector is made by delivering to his office duplicate copies of the process, notice or demand. If such a process, notice or demand is served on the tax collector, he shall immediately forward one copy by registered or certified mail to the permanent address of the transient vendor, transient business or traveling photographer.

Section 7: Each applicant for a license under the provisions of this ordinance shall include a license fee of Two Hundred Fifty Dollars (\$250.00) with the application. Such fees shall be deposited in the general fund of the municipality. The applicant shall also execute a cash bond or a surety bond issued by a corporate surety authorized to do business in this state in an amount that is the lesser of either Two Thousand Dollars (\$2,000.00) or five percent (5%) of the wholesale value of any merchandise or service to be offered for sale by the applicant. The surety bond shall be issued in favor of the State and shall be conditioned

upon payment of:

(1) all taxes due from the applicant to the State or to any political subdivision of the State;

(2) any fines assessed against the applicant or the applicant's agents or employees for a violation of this act; and

(3) any judgment rendered against the applicant or the applicant's agents or employees in a cause of action commenced by a purchaser of merchandise or services not later than one year after the date the merchandise or services were sold by the applicant.

The transient vendor, transient business or traveling photographer shall maintain the bond during the period that business is conducted in the City of Clinton and for a period of one year after the termination of the business.

After the transient vendor, transient business or traveling photographer furnishes satisfactory proof to the tax collector that the vendor has satisfied all claims of purchasers of merchandise from or services offered by the vendor and that all sales taxes and other applicable taxes have been paid, the bond shall be released.

Section 8: The municipal tax collector shall issue a license under this ordinance only if all requirements of this ordinance have been met. The license is not transferrable and expires ninety (90) days after the date of issuance.

A license may be renewed on payment of a Twenty Five Dollars (\$25.00) renewal fee and filing for a renewal with the municipal tax collector before the expiration of the current license. A license may be renewed only one (1) time after which a licensee must again purchase a new license pursuant to Section 6 of this ordinance.

Section 9: While transacting business, a transient vendor, transient business or traveling photographer shall post in a prominent place, so that they may clearly be seen by purchasers of the merchandise

of services which he is required to give purchasers, a sign the time payment, receipt for purchases that include sales tax. The posting required in this section shall be written in bold, legible letters and numbers not less than one inch in height. The transient vendor shall keep a running total of his sales.

Section 10: Any person who knowingly or intentionally operates a transient business without a valid license as provided by this ordinance or who knowingly or intentionally advertises, offers for sale, or sells any merchandise or services in violation of this article shall, upon conviction, be guilty of a misdemeanor and, upon conviction thereof, be fined not more than Five Hundred Dollars (\$500.00) or be imprisoned in the County Jail not more than six (6) months, or be fined and imprisoned. Such person may also be proceeded against by suit, and the tax collector may seize and sell any property of the person liable for the tax and penalty in the same manner as the property of tax payers delinquent for the payment of ad valorem taxes due on personal property and may be distrained and sold.

Section 11: This ordinance shall take effect and be in force from and after November 1st, 1996.

Section 12: All ordinances or parts of ordinances in conflict with the provisions of this Article, be and the same are hereby repealed to the extent of such conflict.

SO ORDAINED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, in the September 17, 1996 meeting held on September 17, 1996.

APPROVED:  
/s/ Rosemary Aultman  
ROSEMARY AULTMAN  
Mayor

ATTEST:  
/s/ Nelson Byrd  
NELSON BYRD, City Clerk  
October 3, 1996

## CLINTON MISSISSIPPI COUNTY

I, the undersigned notary

Waits

CLINTON NEWS, a weekly newspaper published in Sections 13-3-31 and 2, as amended, who, being a true copy of which is true and correct, issues of said newspaper as

3, 19 96

19

Date \_\_\_\_\_, 19 \_\_\_\_\_

Date \_\_\_\_\_, 19 \_\_\_\_\_

Date \_\_\_\_\_, 19 \_\_\_\_\_

Number of Lines 383/1656

Published 1 Times

Total \$ 134.48

Signed Shirley Waits  
Authorized Clerk  
of The Clinton News

Sworn to and subscribed before me the 3 day of  
October 19 96

Marie Mills  
Notary Public

My Commission Expires:  
NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: Nov. 8, 1996.  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

(Seal)

### AN ORDINANCE DEFINING, REGULATING AND LICENSING TRANSIENT VENDORS, TRANSIENT BUSINESS AND TRAVELING PHOTOGRAPHERS; REQUIRING THE POSTING OF SURETY AND PENAL BONDS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

WHEREAS, Section 21-19-35, Mississippi Code of 1972, as amended, provides that governing authorities of municipalities shall have the power to adopt reasonable ordinances for the regulation of transient vendors and traveling photographers, not inconsistent with the provisions of Mississippi Code Sections 75-85-1 through 75-85-19; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have determined that reasonable regulation of transient vendors, transient businesses and traveling photographers is necessary to promote the welfare and protect the interest of the residents of the municipality;

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

Section 1: As used in this Ordinance, the terms "transient vendors," "transient business," and "person" shall have the same definition and meaning as is set forth in Section 75-85-1 of the Mississippi Code of 1972, as amended. The term "traveling photographer" shall mean any person who conducts business as a photographer and who is also a transient vendor or transient business as defined herein.

Section 2: The provisions of this chapter shall not apply to:

- (a) Civic and nonprofit organizations or wholesale sales to retail merchants by commercial travelers;
- (b) Wholesale trade shows or conventions;
- (c) Sales of goods, wares, services or merchandise by sample, catalogue or brochure for future delivery;
- (d) Fairs and convention center activities conducted primarily for amusement or entertainment;
- (e) Any general sale, fair, circus, auction or bazaar sponsored by a church or religious organization;
- (f) Garage sales held on premises devoted to residential use;
- (g) Sales or repairs of crafts or sales or repairs of items made by hand by the person making the crafts or items;



A RESOLUTION OF THE CITY OF CLINTON  
TO AUTHORIZE THE MAYOR OF SAID CITY TO EXECUTE  
A TELECOMMUNICATIONS MANAGEMENT SERVICE AGREEMENT

WHEREAS, the City of CLINTON desires to regulate the provision of cable television services so as to assure the citizens of said City receive quality service;

WHEREAS, the Mississippi Municipal Association, Inc. has available a Telecommunications Consortium to assist the City in such regulation;

NOW THEREFORE BE IT RESOLVED, that the Mayor of the City of CLINTON is hereby authorized to execute a Telecommunications Management Service Agreement on behalf of the City, in substantially the same form as Appendix A which is attached to and made a part of this resolution.

RESOLVED by the Mayor and Board of Aldermen/City Council of the City of  
This 17 TH day of SEPTEMBER, 1996.

ATTEST:

By: Nelson Byrd  
City Clerk

Mayor: Rosemary G. Aultman  
City of: CLINTON

Board of Aldermen/City Council:

John Bradham

[Signature]

[Signature]

George Ferrell

Harold Kouchen

\_\_\_\_\_

(SEAL)



**APPENDIX A**



**AGREEMENT BETWEEN  
THE CITY OF CLINTON AND  
THE MISSISSIPPI MUNICIPAL ASSOCIATION  
FOR TELECOMMUNICATION MANAGEMENT SERVICES**

**WHEREAS**, the City of CLINTON ("City") desires to provide regulation and oversight of cable television, as well as other forms of television broadcast and other telecommunication services being provided to the citizens of said city;

**WHEREAS**, the Mississippi Municipal Association ("Association") has available a telecommunication consortium for cities to assist in cable franchise regulation and renewals, as well as other telecommunications issues; and,

**WHEREAS**, the City has a need for such telecommunication management services.

**THEREFORE**, the City and the Association agree as follows:

**Section 1. Services Provided.**

The Association agrees to provide, either directly or through its agents or subcontractors, the following services which are to be known as the MMA Telecommunication Consortium Services:

- (a) Cable television franchise management, as more fully described in Section 2 of this agreement.
- (b) Cable television franchise renewal services, as more fully described in Section 3 of this agreement.

**Section 2. Cable Franchise Management.**

Cable franchise management shall include:

- (a) Facilitating the City's compliance with the 1984 and 1992 Federal Cable Acts (Cable Communications Policy Act of 1984, P.L. 98-549 and Cable Television Consumer Protection and Competition Act of 1992, P.L. 102-385) and the rules of the Federal Communications Commission (FCC) governing rate regulation and other matters affecting municipal regulation of cable TV provider(s), to include, any additional regulations affecting cable services promulgated by the FCC as a result of the Telecommunications Act of 1996 ("the Act");
- (b) Facilitating the City's filing with the FCC to become a certified FCC cable rate regulator;
- (c) Regulating rates for basic service, equipment and installation, and performing rate analysis to determine compliance with the FCC rate regulations;



- (d) Recommending and developing customer service standards for cable operators which include establishing standards for:
  - (1) Office hours and telephone availability;
  - (2) Installations, outages and service calls;
  - (3) Communication between the cable system and subscriber, billing and refunds; and
  - (4) Other specific contractual and legal requirements imposed on the cable provider(s) during the terms of the cable franchise;
- (e) Developing public, educational and government access channels (PEG) to provide programming and community information; and
- (f) Developing alternative video, programming and data services for local governments, schools and institutions.

### **Section 3. Cable Franchise Renewal Service.**

Cable franchise renewal services shall include:

- (a) Evaluating the past performance of the cable provider(s) by conducting a franchise compliance audit to determine if the cable provider(s) has substantially complied with the material terms of the existing franchise and with applicable law;
- (b) Determining the future cable-related needs and interests of the City in the development and implementation of a community needs assessment;
- (c) Preparation by the Association of a request for proposal from potential cable providers, following completion of the compliance audit and community needs assessment;
- (d) Evaluation of the cable TV provider(s) proposal for a new franchise;
- (e) Preparation of a CATV franchise agreement for the City; and
- (f) Negotiation of a franchise agreement with the cable TV provider on behalf of the City, in exchange for the fees specified in Section 4(b).

### **Section 4. Telecommunications Act of 1996.**

Services related to the implementation and compliance with the Telecommunications Act of 1996 shall include:

- (a) Services regarding franchise fees, public-rights of way, local zoning, compliance with the



barriers to entry provisions of the Act, and compliance with FCC regulations and other requirements mandated by the Act;

- (b) Wireless Antenna Siting; and
- (c) Representation at the local, state and national level regarding these issues that may include direct participation in recommending and advocating legislative changes, participation in the rule making process at state and federal levels, and the initiation of legal action, if necessary.

#### **Section 5. Service Fee.**

21,847

- (a) The City agrees to pay a service fee to the Association equal to 0.20 cents per capita, per year, based on the 1990 Census. The service fee in the amount of \$4369.40 shall be paid by the City to the Association upon execution of this agreement on behalf of the City.
- (b) The Association shall be compensated for actual fees and expenses incurred from the use by the Association of consultants, attorneys, agents or other third parties in providing franchise agreement negotiation as specified in Section 3(f). Prior to commencing such negotiation, the Association shall provide a reasonable estimate of the costs to perform such negotiation. Whenever possible, the renewed franchise agreement shall require the cable provider to reimburse the City for the costs of obtaining the franchise renewal service specified in Section 3(f).

#### **Section 6. Other Services.**

In addition to the franchise management services, franchise renewal services, and telecommunications services outlined above, the City may obtain franchise fee payment auditing and technical compliance auditing of the cable provider from the Association, its agents, employees or subcontractors. The Mayor is authorized to execute an addendum or addenda to this agreement on behalf of the City to obtain such services; provided, however, the additional fee for each service shall not exceed \$10,000.

#### **Section 7. Effective Date and Termination.**

- (a) This agreement shall become effective upon the signature by the parties and may be terminated by either party by giving at least 60 days advance written notice to the other party prior to the effective date of termination. Such notices shall be mailed:
  - (1) If to the Association: Mississippi Municipal Association,  
Attention: Telecommunications Consortium Coordinator, 200 North State Street,  
Jackson, Mississippi 39201



(2) If to the City:

CITY OF CLINTON  
P.O. Box 156  
CLINTON, MS. 39060

(b) Upon termination, the City agrees to pay all monies owed to the Association for services provided through the effective date of such termination.

**Section 8. Hold Harmless and Indemnification.**

Each party shall bear the responsibility for liability for negligence, errors or omissions of its own officers, agents, employees or subcontractors in carrying out this agreement. The City holds harmless the Association for liability for the negligence of the City, its officers, agents, employees, or subcontractors arising out of this agreement. The Association holds harmless the City for the negligence of the Association, its officers, agents, employees, or subcontractors arising out of this agreement. In addition, the City designates the Association, its officers, agents, employees, and contractors as agents of the City for purposes of Section 635A of the Communications Act of 1934, as amended, and the applicable provisions of the Local Government Antitrust Act of 1984.

**Section 9. Amendments.**

This contract may be amended by future written agreements executed on behalf of the City and the Association.

**Section 10. Law Applicable.**

This agreement shall be construed under the laws of the State of Mississippi.

EXECUTED ON BEHALF OF THE CITY OF CLINTON on this 1ST day  
of OCTOBER, 1996.

ATTEST:

By Nelson Byrd  
City Clerk

(SEAL)

Mayor: Rosemary G. Quetman  
City of CLINTON

EXECUTED ON BEHALF OF THE  
MISSISSIPPI MUNICIPAL ASSOCIATION

By Jim Borsig  
Jim Borsig  
Executive Director  
Mississippi Municipal Association



## **EXECUTIVE SUMMARY**

### **MMA Telecommunications Consortium**

#### **Background**

The enactment of the federal Telecommunications Act of 1996 presents Mississippi's cities and towns with many new challenges and opportunities. Municipal officials will play a key, continuing role in defining parameters and setting policies to ensure that community needs are considered and protected as the information superhighway develops.

The federal Telecommunications Act of 1996 affects issues of historical importance to local governments, such as local ability to manage and receive compensation for the use of public rights-of-way, protection of local zoning and taxing authority, and cable rate deregulation as this act is fully implemented.

In April of 1996, the MMA began to organize to address the massive changes taking place in this industry. Meetings were held in April and May to discuss the need for our members to organize to share the costs and develop the expertise to confront this issue. A proposal was drafted and presented to those who attended the May meeting; it was then presented to the MMA Board of Directors for their approval in June. The organizational meeting of the telecommunications consortium was held during the annual conference.

#### **Membership**

Membership is open to all cities and towns who choose to join. The 1996 membership fee is based on a charge of twenty cents per person based on the 1990 census (as adjusted for annexations). The maximum fee is \$17,500 and the minimum fee is \$500. The 1996 fee and budget is a "best estimate" based on what is known today. If conditions warrant, this fee could rise.

All costs of the consortium will be paid by the members, unless specifically approved by the MMA Board of Directors.

#### **Plan of Work**

The consortium will employ a coordinator and pay part of a clerical position necessary to support the program. Other services, such as legal, engineering, accounting, lobbying, and related technical services would be provided to the consortium through outside professionals. The MMA General Counsel will provide primary legal services, but a Washington, D. C. based law firm specializing in telecommunications issues will also be retained. The development of the plan of work will be guided by a seven member advisory committee of consortium members; however, the final contractual authority rests with the MMA Board of Directors.



AN ORDINANCE DECLARING THAT BUILDING CONDITIONS  
OF THE CHARACTER DESCRIBED IN SECTION 43-35-103,  
MISSISSIPPI CODE OF 1972, AS AMENDED, EXIST  
WITHIN THE CITY OF CLINTON, MISSISSIPPI AND AUTHORIZING  
THE PREPARATION OF ORDINANCES TO RESPOND TO SUCH CONDITIONS

WHEREAS, Sections 43-35-101 through 43-35-117, Mississippi Code of 1972, as amended, provide the governing authorities of municipalities shall have the power to adopt reasonable ordinances relating to buildings within such municipality which are unfit for human habitation, use or occupancy; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have determined the existence and occupation of dwellings and other buildings in the City which are unfit for human habitation, use or occupancy and that such is inimical to the public welfare and injurious to the health, safety and morals of the citizens and that a public necessity exists for the repair or elimination of such buildings; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi have determined that building conditions of the character described in Section 43-35-103, Mississippi Code of 1972, as amended, exist within the City;

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

1. Pursuant to the provisions of Sections 43-35-101 through 43-35-177, Mississippi Code of 1972, as amended, the Mayor is authorized to prepare and present to the Board of Aldermen of the City of Clinton, Mississippi such ordinances as may be

655

104



necessary and reasonable to address the problems within the City of Clinton, Mississippi,  
as provided by statute.

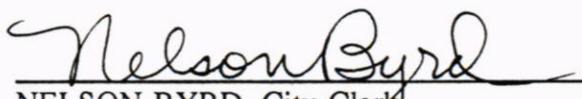
2. This ordinance shall be effective thirty (30) days from and after passage.

So ordained by the Mayor and Board of Aldermen of the City of Clinton,  
Mississippi on the 17th day of September, 1996.

Approved:

  
ROSEMARY AULTMAN, Mayor

ATTEST:

  
NELSON BYRD, City Clerk

BLDGCOND.ORD  
9/17/96-MMH



PASTE AD HERE

PROOF OF PUBLICATION  
THE STATE OF MISSISSIPPI  
HINDS COUNTY

Clinton News  
Legals

499

AN ORDINANCE  
DECLARING THAT BUILD-  
ING CONDITIONS OF THE  
CHARACTER DESCRIBED  
IN SECTION 43-35-103, MIS-  
SISSIPPI CODE OF 1972, AS  
AMENDED, EXIST WITHIN  
THE CITY OF CLINTON,  
MISSISSIPPI AND AUTHO-  
RIZING THE PREPARA-  
TION OF ORDINANCES TO  
RESPOND TO SUCH CON-  
DITIONS

WHEREAS, Section 43-35-  
101 through 43-35-117, Mis-  
sissippi Code of 1972, as  
amended, provide the gov-  
erning authorities of muni-  
cipalities shall have the power  
to adopt reasonable ordi-  
nances relating to buildings  
within such municipality  
which are unfit for human  
habitation, use or occupancy;  
and

WHEREAS, the Mayor and  
Board of Aldermen of the  
City of Clinton, Mississippi,  
have determined the exis-  
tence and occupation of  
dwellings and other buildings  
in the City which are unfit  
for human habitation, use or  
occupancy and that such is  
inimical to the public neces-  
sity exists for the repair or  
elimination of such buildings;  
and

WHEREAS, the Mayor and  
Board of Alderman of the  
City of Clinton, Mississippi  
have determined that building  
conditions of the character  
described in Section 43-35-  
103, Mississippi Code of 1972,  
amended, exist within the  
City;

BE IT ORDAINED by the  
Mayor and Board of Alder-  
man of the City of Clinton,  
Mississippi as follows:

1. Pursuant to the provisions  
of Sections 43-35-101 through  
43-35-117, Mississippi Code of  
1972, as amended, the Mayor  
is authorized to prepare and  
present to the Board of Al-  
derman of the City of Clinton,  
Mississippi such ordinances  
as may be necessary and  
reasonable to address the  
problems within the City of  
Clinton, Mississippi, as pro-  
vided by statute.

2. This ordinance shall be ef-  
fective thirty (30) days from  
and after passage. So or-  
dained by the Mayor and  
Board of Aldermen of the  
City of Clinton, Mississippi on  
the 17th day of September,  
1996.

Approved:  
/s/ Rosemary G. Aultman  
ROSEMARY AULTMAN,  
Mayor

ATTEST:  
/s/ Nelson Byrd  
NELSON BYRD, City Clerk  
October 3, 1996

PERSONALLY appeared before me, the undersigned notary  
public for Hinds County, Mississippi,

Shirley Waits

an authorized clerk of THE CLINTON NEWS, a weekly  
newspaper as defined and prescribed in Sections 13-3-31 and  
13-3-32, of Mississippi Code of 1972, as amended, who, being  
duly sworn, states that the notice, a true copy of which is  
hereto attached, appeared in the issues of said newspaper as  
follows:

Date October 3, 19 96

Date \_\_\_\_\_, 19 \_\_\_\_\_

Date \_\_\_\_\_, 19 \_\_\_\_\_

Date \_\_\_\_\_, 19 \_\_\_\_\_

Date \_\_\_\_\_, 19 \_\_\_\_\_

Number of Lines 80/302

Published 1 Times

Total \$ 26.16

Signed Shirley Waits  
Authorized Clerk  
of The Clinton News

Sworn to and subscribed before me the 3 day of  
October 19 96.

Maire Mills  
Notary Public

My Commission Expires:

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE.  
MY COMMISSION EXPIRES: Nov. 8, 1996.  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

(Seal)



**SPECIAL MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
WEDNESDAY, SEPTEMBER 25, 1996 - 12:00 P.M.  
MUNICIPAL ROOM - 305 MONROE STREET**

The Mayor and Board of Aldermen of the City of Clinton met in the Municipal Room, 305 Monroe Street, on Wednesday, September 25, 1996, 12:00 p.m. for a **SPECIAL MEETING** called by Mayor Rosemary Aultman for the purpose of discussing the item named in the original Notice of said special meeting as found on pages 108-112 of this Minute Book Y.

**WELCOME AND CALL TO ORDER** - Mayor Rosemary Aultman

**ROLL CALL** - City Clerk Nelson Byrd

Present - Jehu Brabham - Alderman-At-Large  
George Ferrell - Alderman Ward 1  
Rodney DePriest - Alderman Ward 2  
Ben Todd - Alderman Ward 3  
Phil Fisher - Alderman Ward 4  
Herb Touchton - Alderman Ward 5  
Sharbert Lott - Alderman Ward 6

City Attorney - Ken Dreher  
City Clerk - Nelson Byrd

**APPROVAL OF REZONING REQUEST OF 85.14 ACRES SOUTH OF I-20 FROM S-1 TO C-2**

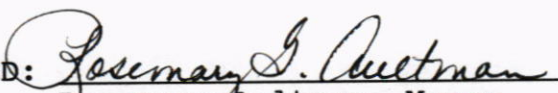
After noting unanimous recommendation from the City of Clinton Planning and Zoning Board, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Brabham to accept the recommendation of Planning and Zoning; to express appreciation to Dr. Todd, President of Mississippi College for the work he has done for the City of Clinton in this endeavor and move forward with the continued development of the property; and to adopt that ordinance with proof of publication found on pages 658-660 and 113-115 respectively of the City of Clinton Ordinance Book II and Minute Book Y that approves the rezoning of 85.14 acres from S-1 to C-2 located South of Interstate 20.

Before voting Alderman Brabham noted that if there was no opposition, in a sign of public endorsement for this project as a welcome addition to our community and to send a sign of welcome to "WORLD COM" and **MOVED** that the **MOTION BE MADE BY ACCLAMATION**. Motion **SECONDED** by Alderman Touchton and **CARRIED UNANIMOUSLY**.

**ADJOURNMENT - 12:04 P.M**

There being no further business to discuss, **MOTION** made by Alderman Todd and **SECONDED** by Alderman Fisher to adjourn. **MOTION CARRIED UNANIMOUSLY**.

APPROVED:

  
Rosemary Aultman, Mayor

September 26, 1996  
Date

ATTEST:

  
Nelson Byrd, City Clerk

September 26, 1996  
Date

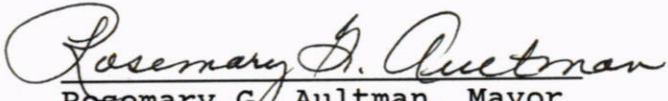
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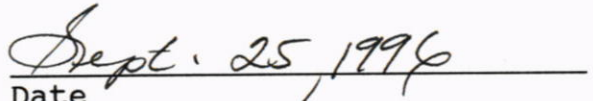


**NOTICE OF SPECIAL MEETING OF  
THE MAYOR AND BOARD OF ALDERMEN**

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 Aldermen pursuant to the provisions of Section 21-3-21 of the MS Code of 1972. Said Meeting shall be held at 12:00 p.m., September 25, 1996, in the Municipal Room located at 305 Monroe Street, for the purpose of discussing the following items.

1. Discussion/Action - Rezoning request from S-1 to C-2 on approximately 85.14 Acres located South of Interstate 20; and bordered on the East by Clinton Cinema 10; and bordered on the South by Countrywood of Trailwood Subdivision (Part 1); and bordered on the West by Clinton-Raymond Road.

  
Rosemary G. Aultman, Mayor

  
Date



# **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           |            |
|--------------------------|----------------|----------------|------------|
| 1) <u>K. Drake</u>       | <u>9-25-96</u> | <u>8:15 Am</u> | BY CPD #1  |
| 2) <u>Bill Slaughter</u> | <u>9-25-96</u> | <u>8:25 AM</u> | BY CPD #1  |
| 3) <u>Phil Smith</u>     | <u>9-25-96</u> | <u>8:59 AM</u> | BY CPD #13 |
| 4) <u>Phil Smith</u>     | <u>9/25/96</u> | <u>8:42</u>    | BY CPD #13 |
|                          |                |                |            |
|                          |                |                |            |
|                          |                |                |            |
|                          |                |                |            |
|                          |                |                |            |
|                          |                |                |            |

Witness my signature the the 21st day of May, 1996.



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 21st day of May, 1996.

\_\_\_\_\_  
Police Officer of the City of Clinton



**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             |
|-----------------------|----------------|------------------|
| <u>George Ferrell</u> | <u>9/25/96</u> | <u>8:25 A.M.</u> |
| <u>John [unclear]</u> | <u>9/25/96</u> | <u>8:42 A.M.</u> |
| _____                 | _____          | _____            |
| _____                 | _____          | _____            |
| _____                 | _____          | _____            |
| _____                 | _____          | _____            |
| _____                 | _____          | _____            |
| _____                 | _____          | _____            |
| _____                 | _____          | _____            |

Witness my signature the the 21st day of May, 1996.

Jon [unclear] 9/25/96  
Sgt. Marshall Lee 9/25/96  
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 21st day of May, 1996.

\_\_\_\_\_  
Police Officer of the City of Clinton



## 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.

TIME

8:35 AM

Witness my signature the the 21st day of May, 1996.

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.

TIME

Witness my signature this the 21st day of May, 1996.

Police Officer of the City of Clinton



**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

|                                                                                   |         |         |
|-----------------------------------------------------------------------------------|---------|---------|
|  | 9/25/96 | 8:30 AM |
| _____                                                                             | _____   | _____   |
| _____                                                                             | _____   | _____   |
| _____                                                                             | _____   | _____   |
| _____                                                                             | _____   | _____   |
| _____                                                                             | _____   | _____   |
| _____                                                                             | _____   | _____   |
| _____                                                                             | _____   | _____   |
| _____                                                                             | _____   | _____   |
| _____                                                                             | _____   | _____   |

Witness my signature the the 21st day of May, 1996.

  
\_\_\_\_\_  
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 21st day of May, 1996.

\_\_\_\_\_  
Police Officer of the City of Clinton



**AN ORDINANCE AMENDING THE ZONING MAP  
OF THE CITY OF CLINTON, MISSISSIPPI**

BE IT ORDAINED as follows:

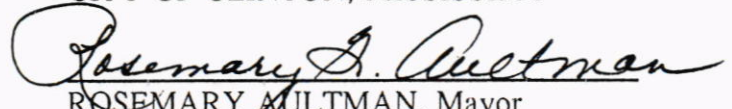
Upon the recommendation of the City of Clinton Planning and Zoning Board, to re-zone the property described in Exhibit "A" hereto from S-1 Educational Institutions District to C-2 Highway Commercial District and this Board finding that such amendment is necessary because of changing conditions within the City and new development patterns, said re-zoning is hereby approved and the zoning map of the City of Clinton, Mississippi, is hereby amended to provide that the land described in Exhibit "A" hereto be, and hereby is, zoned C-2 Highway Commercial District.

Alderman TOUCHTON moved that the foregoing Resolution be adopted.  
Alderman BRABHAM seconded. The vote was as follows:

|                          |            |
|--------------------------|------------|
| Alderman Brabham voted:  | <u>Aye</u> |
| Alderman Ferrell voted:  | <u>Aye</u> |
| Alderman Depriest voted: | <u>Aye</u> |
| Alderman Fisher voted:   | <u>Aye</u> |
| Alderman Touchton voted: | <u>Aye</u> |
| Alderman Lott voted:     | <u>Aye</u> |
| Alderman Todd voted:     | <u>Aye</u> |

Approved on the 25th day of September, 1996.

CITY OF CLINTON, MISSISSIPPI

  
ROSEMARY AULTMAN, Mayor

ATTEST:

  
NELSON BYRD, City Clerk

**EXHIBIT "A"**

A parcel of land situated in the Southeast Quarter (SE 1/4) and the Southwest Quarter (SW 1/4) of Section 30, Township 6 North, Range 1 West, City of Clinton, Hinds County, Mississippi, and being more particularly described as follows:

Begin at the Southeast corner of Section 30, Township 6 North, Range 1 West, marked by a found 1/2" iron rod;

Thence S 89° 45' 37" W, along the South line of said Section 30, and also the South line as described in a boundary line agreement as recorded in Deed Book 3500, Page 522 in the Office of the Chancery Clerk of Hinds County, Jackson, Mississippi, for distance of 1334.44 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 30, marked by a found 2" pipe, said point also being the Northeast corner of Countrywood of Trialwood Subdivision, Part I, as recorded in the Office of the Chancery Clerk of Hinds County;

Then N 89° 57' 19" W, along the South line of said Section 30, for a distance of 270.11 feet to a point, marked by a found 1" pipe;



Thence S 89° 15' 30" W, along the South line of said Section 30, for a distance of 1053.90 feet to the Southwest corner of the Southeast Quarter (SE 1/4), marked by a found 1/2" iron rod;

Thence S 01° 46' 18" W for a distance of 168.00 feet;

Thence S 89° 25' 05" W for a distance of 579.24 feet to a point on the East right-of-way line of Clinton-Raymond Road, having an 80 foot wide right-of-way, as it is now laid out and exists, October 7, 1993;

Thence along said East right-of-way the following;

N 41° 14' 39" E for a distance of 126.02 feet;  
N 26° 49' 06" E for a distance of 261.21 feet;  
N 25° 43' 49" E for a distance of 385.85 feet;  
N 23° 38' 21" E for a distance of 262.49 feet;  
N 18° 40' 47" E for a distance of 214.42 feet;  
N 13° 54' 43" E for a distance of 467.99 feet;  
N 12° 31' 56" E for a distance of 374.77 feet;  
S 78° 56' 30" E For a distance of 10.00 feet;  
N 11° 03' 30" E for a distance of 201.50 feet to a flare of the South right-of-way line of Interstate 20;

Thence along the South right-of-way line of said Interstate 20 the following;

N 71° 09' 25" E for a distance of 141.74 feet to a found concrete right-of-way monument, said point being 290 feet measured perpendicular from the centerline of said Interstate 20;  
S 65° 37' 52" E for a distance of 485.08 feet to a point 170 feet measured perpendicular from the centerline of said Interstate 20;  
S 51° 18' 30" E for a distance 760.78 feet to a point 170 feet measured perpendicular from the centerline of said Interstate 20;  
Thence along a curve to the left, having a radius of 17359.72 feet and an arc length of 544.55 feet for a chord bearing and distance of S 52° 12' 25" E, 544.53 feet to a point 170 feet measured perpendicular from the centerline of said Interstate 20;  
S 50° 46' 21" E for a distance of 303.52 feet to a point 185 feet measured perpendicular from the centerline of said Interstate 20;  
Thence along a curve to the left, having a radius of 17374.72 feet and an arc length of 755.37 feet for a chord being and distance of S 55° 21' 04" E, 755.31 feet to the East line of said Section 30, marked by a found 3/4" iron rod;

Thence, leaving said South right-of-way line S 00° 14' 20" E along said East line as described in said boundary line agreement as recorded in Deed Book 3500, Page 522, for a distance of 357.17 feet to the Point of Beginning, contain 3,708,696 square feet, 85.14 acres, more or less.

(This property is located to the South of Interstate 20; and bordered on the East by Clinton Cinema 10; and bordered on the South by Countrywood of Trialwood Subdivision (Part 1); and bordered on the West by Clinton-Raymond Road.)



PASTE AD HERE

PROOF OF PUBLICATION  
THE STATE OF MISSISSIPPI  
HINDS COUNTY

AN ORDINANCE AMENDING THE ZONING MAP OF  
THE CITY OF CLINTON, MISSISSIPPI  
BE IT ORDAINED as follows:  
Upon the recommendation of the City of Clinton Planning and  
Zoning Board, to re-zone the property described in Exhibit "A"  
hereto from S-1 Educational Institutions District to C-2 High-  
way Commercial District and this Board finding that such  
amendment is necessary because of changing conditions within  
the City and the new development patterns, said re-zoning is  
hereby approved and the zoning map of the City of Clinton,  
Mississippi, is hereby amended to provide that the land de-  
scribed in Exhibit "A" hereto be, and hereby is, zoned C-2  
Highway Commercial District.  
Alderman Touchton moved that the foregoing Resolution be  
adopted. Alderman Brabham seconded. The vote was as  
follows:  
Alderman Brabham voted: Aye  
Alderman Ferrell voted: Aye  
Alderman Depriest voted: Aye  
Alderman Fisher voted: Aye  
Alderman Touchton voted: Aye  
Alderman Lott voted: Aye  
Alderman Todd voted: Aye  
Approved on the 25th day of September, 1996.  
CITY OF CLINTON, MISSISSIPPI  
/s/ Rosemary G. Aultman  
ROSEMARY AULTMAN, Mayor

(SEAL)

ATTEST:

/s/ Nelson Byrd

NELSON BYRD, City Clerk

EXHIBIT "A"

A parcel of land situated in the Southeast Quarter (SE 1/4) and  
the Southwest Quarter (SW 1/4) of Section 30, Township 6  
North, Range 1 West, City of Clinton, Hinds County, Mississippi,  
and being more particularly described as follows:  
Begin at the Southeast corner of Section 30, Township 6 North,  
Range 1 West, marked by a found 1/2" iron rod;  
Thence S 89° 45' 37" W, along the South line of said Section 30,  
and also the South line as described in a boundary line agree-  
ment as recorded in Deed Book 3500, Page 522 in the Office of  
the Chancery Clerk of Hinds County, Jackson, Mississippi, for  
distance of 1334.44 feet to the Southeast corner of the Southwest  
Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said  
Section 30, marked by a found 2" pipe, said point also being the  
Northeast corner of Countrywood of Trialwood Subdivision,  
Part 1, as recorded in the Office of the Chancery Clerk of Hinds  
County;

Then N 89° 57' 19" W, along the South line of said Section 30, for  
a distance of 270.11 feet to a point, marked by a found 1" pipe;  
Thence S 89° 15' 30" W, along the South line of said Section 30,  
for a distance of 1053.90 feet to the Southwest corner of the  
Southeast Quarter (SE 1/4), marked by a found 1/2" iron rod;  
Thence S 01° 46' 18" W for a distance of 168.00 feet;  
Thence S 89° 25' 05" W for a distance of 579.24 feet to a point on  
the East right-of-way line of Clinton-Raymond Road, having an  
80 foot wide right-of-way, as it is now laid out and exists,  
October 7, 1993;

Thence along said East right-of-way line the following:

N 41° 14' 39" E for a distance of 126.02 feet;  
N 26° 49' 06" E for a distance of 261.21 feet;  
N 25° 43' 49" E for a distance of 385.85 feet;  
N 23° 38' 21" E for a distance of 262.49 feet;  
N 18° 40' 47" E for a distance of 214.42 feet;  
N 13° 54' 43" E for a distance of 467.99 feet;  
N 12° 31' 56" E for a distance of 374.77 feet;  
S 78° 56' 30" E for a distance of 10.00 feet;  
N 11° 03' 30" E for a distance of 201.50 feet to a flare of the  
South right-of-way line of Interstate 20;

Thence along the South right-of-way line of said Interstate 20

the following:  
N 71° 09' 25" E for a distance of 141.74 feet to a found concrete  
right-of-way monument, said point being 290 feet measured  
perpendicular from the centerline of said Interstate 20;  
S 65° 37' 52" E for a distance of 458.08 feet to a point 170 feet  
measured perpendicular from the centerline of said Interstate

20;  
S 51° 18' 30" E for a distance 760.78 feet to a point 170 feet  
measured perpendicular from the centerline of said Interstate

20;  
Thence along a curve to the left, having a radius of 17359.72 feet  
and an arc length of 544.55 feet for a chord bearing and distance  
of S 52° 12' 25" E, 544.53 feet to a point 170 feet measured  
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S 50° 46' 21" E for a distance of 303.52 feet to a point 185 feet  
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Thence along a curve to the left, having a radius of 17374.72 feet  
and an arc length of 755.37 feet for a chord bearing and distance  
of S 55° 21' 04" E, 755.31 feet to the East line of said Section 30,  
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Thence, leaving said South right-of-way line S 00° 14' 20" E  
along said East line as described in said boundary line agree-  
ment as recorded in Deed Book 3500, Page 522, for a distance of  
357.17 feet to the Point of Beginning, contain 3,708,696 square  
feet, 85.14 acres, more or less.

(This property is located to the South of Interstate 20; and  
bordered on the East by Clinton Cinema 10; and bordered on the  
South by Countrywood of Trialwood Subdivision (Part 1); and  
bordered on the West by Clinton-Raymond Road.)

October 3, 1996

PERSONALLY appeared before me, the undersigned notary  
public for Hinds County, Mississippi,

Shirley Waits

an authorized clerk of THE CLINTON NEWS, a weekly  
newspaper as defined and prescribed in Sections 13-3-31 and  
13-3-32, of Mississippi Code of 1972, as amended, who, being  
duly sworn, states that the notice, a true copy of which is  
hereto attached, appeared in the issues of said newspaper as  
follows:

Date October 3, 19 96

Date \_\_\_\_\_, 19 \_\_\_\_\_

Date \_\_\_\_\_, 19 \_\_\_\_\_

Date \_\_\_\_\_, 19 \_\_\_\_\_

Date \_\_\_\_\_, 19 \_\_\_\_\_

Number of Lines 100 X 2 Column/956

Published 1 Times

Total \$ 78.48

Signed Shirley Waits  
Authorized Clerk  
of The Clinton News

Sworn to and subscribed before me the 3 day of  
October, 19 96.

Maire Mills  
Notary Public

My Commission Expires:  
NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE.  
MY COMMISSION EXPIRES: Nov. 8, 1996.  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

(Seal)



**SPECIAL MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
MONDAY, SEPTEMBER 30, 1996 - 5:30 P.M.  
CITY HALL CONFERENCE ROOM - 300 JEFFERSON STREET**

The Mayor and Board of Aldermen of the City of Clinton met in the Municipal Room, 305 Monroe Street, on Monday, September 30, 1996, 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 pages 117-118 of this Minute Book Y.

**CALL TO ORDER** - Mayor Rosemary Aultman

Those in attendance were Mayor Rosemary Aultman - Presiding, Jehu Brabham - Alderman-At-Large, George Ferrell - Alderman Ward 1, Rodney DePriest - Alderman Ward 2, Ben Todd - Alderman Ward 3, Phil Fisher - Alderman Ward 4, Sharbert Lott - Alderman Ward 6, Deputy Clerk Donna Wilson, City Attorney Ken Dreher.

Absent - Alderman Ward 5 - Herb Touchton.

**APPROVAL OF 1995-1996 AMENDED BUDGETS**

**MOTION** made by Alderman Brabham and **SECONDED** by Alderman Lott to adopt final amendment of 1995-1996 Amended Budget found on pages 119-121 of this Minute Book Y. **MOTION CARRIED UNANIMOUSLY.**

**ADJOURNMENT 5:38 P.M.**

There being no further business to discuss, **MOTION** made by Alderman Lott and **SECONDED** by Alderman Todd to adjourn. **MOTION CARRIED UNANIMOUSLY.**

APPROVED: Rosemary G. Aultman  
Rosemary G. Aultman, Mayor

October 3, 1996  
Date

ATTEST: Nelson Byrd  
Nelson Byrd, City Clerk

October 3, 1996  
Date

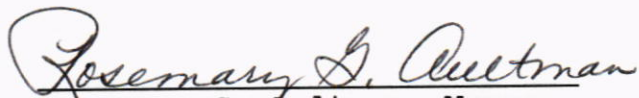
SEAL

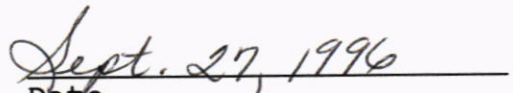


**NOTICE OF SPECIAL MEETING OF  
THE MAYOR AND BOARD OF ALDERMEN**

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 Aldermen pursuant to the provisions of Section 21-3-21 of the MS Code of 1972. Said Meeting shall be held at 5:30 p.m., September 30, 1996, in the City Hall Conference Room located at 300 Jefferson Street, for the purpose of discussing the following items:

1. Discussion/Action - Amended 1995-1996 Budgets.

  
Rosemary G. Aultman, Mayor

  
Date



# **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             |
|-------------------|----------------|------------------|
| <u>P. J. H.</u>   | <u>9/27/96</u> | <u>3:30 PM</u>   |
| <u>Paul H. H.</u> | <u>9/27/96</u> | <u>6:43 PM</u>   |
| <u>Paul H. H.</u> | <u>9/28/96</u> | <u>3:25</u>      |
| <u>Paul H. H.</u> | <u>9/28/96</u> | <u>4:00 PM</u>   |
| <u>Paul H. H.</u> | <u>9/28/96</u> | <u>6:45 PM</u>   |
| <u>Paul H. H.</u> | <u>9/28/96</u> | <u>7:01 PM</u>   |
| <u>Paul H. H.</u> | <u>9/28/96</u> | <u>8:30 P.M.</u> |
| <u>Paul H. H.</u> | <u>9/29/96</u> | <u>7:45 PM</u>   |

Witness my signature the the <sup>27TH</sup> ~~28TH~~ day of <sup>SEPT.</sup> ~~SEPT.~~, 1996.

Anthony C. Gibson  
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              |
|---------------------|----------------|-------------------|
| <u>JEAN BRABHAM</u> | <u>9-28-96</u> | <u>11:00 P.M.</u> |
| <u> </u>            | <u> </u>       | <u> </u>          |
| <u> </u>            | <u> </u>       | <u> </u>          |
| <u> </u>            | <u> </u>       | <u> </u>          |
| <u> </u>            | <u> </u>       | <u> </u>          |

Witness my signature this the <sup>28TH</sup> ~~28TH~~ day of <sup>SEPT.</sup> ~~SEPT.~~, 1996.

Dr. Michael Q.  
Police Officer of the City of Clinton



## GENERAL FUND (001)

Budget of Estimated Revenues and Expenditures  
For the Fiscal Year Ended September 30, 1996

|                                             | 1995-96<br>Budget as<br>Adopted | 1st<br>Amendment<br>Addition<br>(Reduction) | 1995-96<br>Budget as<br>Amended &<br>Adopted | 2nd<br>Amendment<br>Addition<br>(Reduction) | 1995-96<br>Amended<br>Budget as<br>Proposed |
|---------------------------------------------|---------------------------------|---------------------------------------------|----------------------------------------------|---------------------------------------------|---------------------------------------------|
| <b>REVENUES</b>                             |                                 |                                             |                                              |                                             |                                             |
| Licenses and permits                        | \$ 537,200                      | \$ 90,000                                   | \$ 627,200                                   | \$ 0                                        | \$ 627,200                                  |
| Intergovernmental revenues                  | 2,582,300                       | 50,010                                      | 2,632,310                                    | 20,000                                      | 2,652,310                                   |
| Charges for services                        | 3,050                           | 0                                           | 3,050                                        | 0                                           | 3,050                                       |
| Fines and forfeitures                       | 195,025                         | 35,000                                      | 230,025                                      | 0                                           | 230,025                                     |
| Interest earned                             | 28,000                          | 31,100                                      | 59,100                                       | 0                                           | 59,100                                      |
| Miscellaneous                               | 730,100                         | 33,998                                      | 764,098                                      | 0                                           | 764,098                                     |
| Total from all sources, other than taxation | 4,075,675                       | 240,108                                     | 4,315,783                                    | 20,000                                      | 4,335,783                                   |
| Beginning cash and investment balance       | 590,801                         | 215,657                                     | 806,458                                      | 0                                           | 806,458                                     |
| Total receipts other than ad valorem tax    | 4,666,476                       | 455,765                                     | 5,122,241                                    | 20,000                                      | 5,142,241                                   |
| Amount to be raised by ad valorem tax       | 2,796,005                       | 179,121                                     | 2,975,126                                    | 14,500                                      | 2,989,626                                   |
| Total Revenues From All Sources             | \$ 7,462,481                    | \$ 634,886                                  | \$ 8,097,367                                 | \$ 34,500                                   | \$ 8,131,867                                |

**EXPENDITURES**

## General Government:

|                                       |            |           |            |         |            |
|---------------------------------------|------------|-----------|------------|---------|------------|
| Administration (040):                 |            |           |            |         |            |
| Personal services                     | \$ 414,429 | \$ 22,582 | \$ 437,011 | \$ 0    | \$ 437,011 |
| Operating supplies                    | 32,300     | 500       | 32,800     | (1,200) | 31,600     |
| Other services and charges            | 136,240    | (16,582)  | 119,658    | 1,200   | 120,858    |
| Capital outlay                        | 13,000     | (6,500)   | 6,500      | 0       | 6,500      |
| Total administration                  | 595,969    | (0)       | 595,969    | 0       | 595,969    |
| Planning and zoning (090):            |            |           |            |         |            |
| Other services and charges            | 16,500     | (4,500)   | 12,000     | 6,000   | 18,000     |
| Total General Government Expenditures | 612,469    | (4,500)   | 607,969    | 6,000   | 613,969    |
| Public Safety:                        |            |           |            |         |            |
| Police (105):                         |            |           |            |         |            |
| Personal services                     | 1,442,853  | (51,773)  | 1,391,080  | 0       | 1,391,080  |
| Operating supplies                    | 124,194    | 3,550     | 127,744    | (5,000) | 122,744    |
| Other services and charges            | 167,430    | 3,477     | 170,907    | 0       | 170,907    |
| Capital outlay                        | 76,465     | 58,701    | 135,166    | (1,000) | 134,166    |
| Total police expenditures             | 1,810,942  | 13,955    | 1,824,897  | (6,000) | 1,818,897  |

CITY OF CLINTON  
 GENERAL FUND (001)  
 Budget of Estimated Revenues and Expenditures  
 For the Fiscal Year Ended September 30, 1997

|                                         | 1995-96<br>Budget as<br>Adopted | 1st<br>Amendment<br>Addition<br>(Reduction) | 1995-96<br>Budget as<br>Amended &<br>Adopted | 2nd<br>Amendment<br>Addition<br>(Reduction) | 1995-96<br>Amended<br>Budget as<br>Proposed |
|-----------------------------------------|---------------------------------|---------------------------------------------|----------------------------------------------|---------------------------------------------|---------------------------------------------|
| EXPENDITURES (Cont'd)                   |                                 |                                             |                                              |                                             |                                             |
| Public Safety:                          |                                 |                                             |                                              |                                             |                                             |
| Fire (160):                             |                                 |                                             |                                              |                                             |                                             |
| Personal services                       | \$ 1,377,645                    | \$ (11,610)                                 | \$ 1,366,035                                 | \$ (16,769)                                 | \$ 1,349,266                                |
| Operating supplies                      | 46,650                          | 5,752                                       | 52,402                                       | 7,265                                       | 59,667                                      |
| Other services and charges              | 177,140                         | 5,608                                       | 182,748                                      | 0                                           | 182,748                                     |
| Capital outlay                          | 23,000                          | 250                                         | 23,250                                       | 1,678                                       | 24,928                                      |
| Debt service                            | 32,540                          | 0                                           | 32,540                                       | 0                                           | 32,540                                      |
| Emergency medical services              | 6,348                           | 0                                           | 6,348                                        | 0                                           | 6,348                                       |
| Total fire expenditures                 | 1,663,323                       | (0)                                         | 1,663,323                                    | (7,826)                                     | 1,655,497                                   |
| Total Public Safety Expenditures        | 3,474,265                       | 13,955                                      | 3,488,220                                    | (13,826)                                    | 3,474,394                                   |
| Public Works:                           |                                 |                                             |                                              |                                             |                                             |
| Inspection (180):                       |                                 |                                             |                                              |                                             |                                             |
| Personal services                       | 41,763                          | 77                                          | 41,840                                       | 300                                         | 42,140                                      |
| Operating supplies                      | 1,000                           | 1,323                                       | 2,323                                        | (300)                                       | 2,023                                       |
| Other services and charges              | 10,760                          | (1,400)                                     | 9,360                                        | 0                                           | 9,360                                       |
| Capital outlay                          | 0                               | 0                                           | 0                                            | 3,500                                       | 3,500                                       |
| Total inspection expenditures           | 53,523                          | 0                                           | 53,523                                       | 3,500                                       | 57,023                                      |
| Street (215):                           |                                 |                                             |                                              |                                             |                                             |
| Personal services                       | 421,190                         | (35,447)                                    | 385,743                                      | (9,866)                                     | 375,877                                     |
| Operating supplies                      | 1,520,765                       | (153,340)                                   | 1,367,425                                    | 13,600                                      | 1,381,025                                   |
| Other services and charges              | 276,330                         | (10,722)                                    | 265,608                                      | 8,000                                       | 273,608                                     |
| Capital outlay                          | 33,500                          | 2,500                                       | 36,000                                       | 0                                           | 36,000                                      |
| Debt service                            | 12,075                          | (12,075)                                    | 0                                            | 0                                           | 0                                           |
| Total street expenditures               | 2,263,860                       | (209,084)                                   | 2,054,776                                    | 11,734                                      | 2,066,510                                   |
| Total Public Works Expenditures         | 2,317,383                       | (209,084)                                   | 2,108,299                                    | 15,234                                      | 2,123,533                                   |
| Culture and Recreation:                 |                                 |                                             |                                              |                                             |                                             |
| Parks and recreation (305):             |                                 |                                             |                                              |                                             |                                             |
| Personal services                       | 236,564                         | 143                                         | 236,707                                      | 2,000                                       | 238,707                                     |
| Operating supplies                      | 40,750                          | 0                                           | 40,750                                       | 1,067                                       | 41,817                                      |
| Other services and charges              | 56,250                          | (3,880)                                     | 52,370                                       | 3,700                                       | 56,070                                      |
| Parks repair and maintenance            | 58,500                          | 3,200                                       | 61,700                                       | 7,300                                       | 69,000                                      |
| Capital outlay                          | 49,900                          | 18,900                                      | 68,800                                       | 0                                           | 68,800                                      |
| Debt service                            | 14,513                          | 0                                           | 14,513                                       | 3,700                                       | 18,213                                      |
| Total parks and recreation expenditures | 456,477                         | 18,363                                      | 474,840                                      | 17,767                                      | 492,607                                     |



CITY OF CLINTON  
 GENERAL FUND (001)  
 Budget of Estimated Revenues and Expenditures  
 For the Fiscal Year Ended September 30, 1997

|                                           | 1995-96<br>Budget as<br>Adopted | 1st<br>Amendment<br>Addition<br>(Reduction) | 1995-96<br>Budget as<br>Amended &<br>Adopted | 2nd<br>Amendment<br>Addition<br>(Reduction) | 1995-96<br>Amended<br>Budget as<br>Proposed |
|-------------------------------------------|---------------------------------|---------------------------------------------|----------------------------------------------|---------------------------------------------|---------------------------------------------|
| EXPENDITURES (Cont'd)                     |                                 |                                             |                                              |                                             |                                             |
| -----                                     |                                 |                                             |                                              |                                             |                                             |
| Culture and Recreation:                   |                                 |                                             |                                              |                                             |                                             |
| Library (350):                            |                                 |                                             |                                              |                                             |                                             |
| Personal services                         | \$ 16,872                       | \$ (18)                                     | \$ 16,854                                    | \$ 700                                      | \$ 17,554                                   |
| Operating supplies                        | 5,300                           | 0                                           | 5,300                                        | (1,500)                                     | 3,800                                       |
| Other services and charges                | 4,300                           | (357)                                       | 3,943                                        | 800                                         | 4,743                                       |
| Capital outlay                            | 5,400                           | 0                                           | 5,400                                        | (2,500)                                     | 2,900                                       |
|                                           | -----                           |                                             |                                              |                                             |                                             |
| Total library expenditures                | 31,872                          | (375)                                       | 31,497                                       | (2,500)                                     | 28,997                                      |
|                                           | -----                           |                                             |                                              |                                             |                                             |
| Total Culture and Recreation Expenditures | 488,349                         | 17,988                                      | 506,337                                      | 15,267                                      | 521,604                                     |
|                                           | -----                           |                                             |                                              |                                             |                                             |
| Economic Development:                     |                                 |                                             |                                              |                                             |                                             |
| Operating supplies                        | 750                             | (250)                                       | 500                                          | 0                                           | 500                                         |
| Other services and charges                | 82,750                          | 1,050                                       | 83,800                                       | 0                                           | 83,800                                      |
| Capital outlay                            | 2,500                           | (800)                                       | 1,700                                        | 0                                           | 1,700                                       |
|                                           | -----                           |                                             |                                              |                                             |                                             |
| Total Economic Development Expenditures   | 86,000                          | 0                                           | 86,000                                       | 0                                           | 86,000                                      |
|                                           | -----                           |                                             |                                              |                                             |                                             |
| Transfers and Other Charges               | 72,785                          | 112,971                                     | 185,756                                      | 3,600                                       | 189,356                                     |
|                                           | -----                           |                                             |                                              |                                             |                                             |
| Total expenditures                        | 7,051,251                       | (68,670)                                    | 6,982,581                                    | 26,275                                      | 7,008,856                                   |
| Ending cash and investment balance        | 411,230                         | 703,556                                     | 1,114,786                                    | 8,225                                       | 1,123,011                                   |
|                                           | -----                           |                                             |                                              |                                             |                                             |
| Total Expenditures and Ending Balance     | \$ 7,462,481                    | \$ 634,886                                  | \$ 8,097,367                                 | \$ 34,500                                   | \$ 8,131,867                                |
|                                           | =====                           |                                             |                                              |                                             |                                             |