

**REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, APRIL 1, 1997
MUNICIPAL ROOM - 305 MONROE STREET**

The Mayor and Board of Aldermen of the City of Clinton, Mississippi met in Regular Meeting on Tuesday, April 1, 1997, 7 P.M. at the Municipal Courtroom,, 305 Monroe Street.

WELCOME AND CALL TO ORDER - Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman DePriest followed by the Pledge of Allegiance to the Flag led by Alderman Todd.

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

RECOGNITIONS

Martha Hutson was recognized by the Mayor and Board of Aldermen for being chosen Mississippi Teacher of the Year.

AGENDA CHANGES

Item 7D under Planning and Zoning Items was removed from the agenda.

APPROVAL OF CONSENT AGENDA ITEMS A-P

MOTION made by Alderman Ferrell and **SECONDED** by Alderman Fisher to approve Consent Agenda Items A-P as listed on pages 517 of this Minute Book Y, noting that Consent Agenda Item C will serve to advertise favorably the opportunities, possibilities and resources of the City of Clinton. Quotes listed in Item P can be found in the office of the City Clerk. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF SPECIAL EXCEPTION FOR PUBLIC QUASI FACILITY FOR CLINTON COMMUNITY DEVELOPMENT FOUNDATIONAL CIVIC CENTER

Upon recommendation of the Planning and Zoning Board **MOTION** made by Alderman Touchton and **SECONDED** by Alderman DePriest to adopt that Resolution for Special Exception for Public Quasi facility for Clinton Community Development Foundational Civic Center as found on Pages 519-522 of this Minute Book Y. **MOTION CARRIED UNANIMOUSLY**

Before voting, Alderman Brabham stated that he served on the advisory board of the Cultural Arts Center and had talked to the City Attorney who does not see this as any conflict of interest and that he wanted to add his hearty support to the project.

APPROVAL OF SPECIAL EXCEPTION FOR CELLULAR TOWER IN C-2 ZONING

Alderman Lott excused himself because MCTA is subsidiary of Bell South, his employer.

MOTION made by Alderman Ferrell and **SECONDED** by Alderman Todd to adopt Resolution approving the Special Exception for MCTA to place a cellular tower in C-2 zoned area as found on Pages 523-526 of this Minute Book Y. **MOTION CARRIED UNANIMOUSLY**

Alderman Lott returned to the room at 7:20 P.M.

APPROVAL OF PRELIMINARY SITE PLAN REVIEW OF CEDAR GROVE SUBDIVISION

Upon recommendation of City Engineer Richard Broome, **MOTION** made by Alderman Brabham to approve Preliminary Site Plan for Cedar Grove Subdivision with provision that it be recorded on the plat that the City not be liable for maintenance or damages incurred by water erosion problems along the straight fence creek. **SECONDED** by Alderman Ferrell. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF PRELIMINARY SITE PLAN FOR SPRINGRIDGE PARK DRIVE

Upon recommendation of Planning and Zoning and City Engineer Richard Broome, **MOTION** made by Alderman Lott and **SECONDED** by Alderman Touchton to approve Preliminary Site Plan for Springridge Park Drive. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF LOW BID ON MACHINE AND TRUCK FOR HIGH PRESSURE CLEANING OF SEWER AND MANHOLES

Upon recommendation of Public Works Director Tim Rogers, **MOTION** made by Alderman Todd and **SECONDED** by Alderman Lott to award lowest and best bid for the combination sewer jet/vacuum truck to Empire Truck Sales for the amount of \$159,442.35. Bid Tabulation and Proof of Publication can be found on pages 527-529 of this Minute Book Y. **MOTION CARRIED UNANIMOUSLY**

Gene Dorsey with Truck Equipment Sales protested against the award of the bid stating that specifications were preferential to one manufacturer. He advised that only one person could have met the specifications.

APPROVAL OF CERTIFIED AUDIT REPORT FOR FISCAL YEAR ENDED 9-30-96

MOTION made by Alderman Touchton and **SECONDED** by Alderman Ferrell to approve the Certified Audit Report for Fiscal Year ended 9-30-96 as presented by Walter Murphy, Certified Public Accountant. Copy of said report may be found in the office of the City Clerk. Proof of Publication can be found on page 530 of this Minute Book Y. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF FACILITY RENTAL FEES FOR ALL CITY PARKS

Upon recommendation of Parks and Recreation Director David Freeman, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Todd to approve facility rental fees for all City Parks. Copy of rental fees may be found on pages 531-532 of this Minute Book Y.
MOTION CARRIED UNANIMOUSLY

AUTHORIZATION FOR CITY ATTORNEY TO PROCEED WITH ACQUIRING REMAINING PROPERTY SURVEYING PERMISSION FOR SOUTHSIDE WASTEWATER PROJECT

MOTION made by Alderman Touchton and **SECONDED** by Alderman Todd to authorize the City Attorney to proceed with acquiring remaining property surveying permission for Southside Wastewater Project **MOTION CARRIED UNANIMOUSLY**

ADJOURNMENT - 7:50 P.M.

There being no further business to discuss, **MOTION** made by Alderman DePriest and **SECONDED** by Alderman Todd to Recess until April 15, 1997. **MOTION CARRIED UNANIMOUSLY**

Copy of Agenda may be found on Pages 517-518 of this Minute Book Y.

APPROVED: Rosemary G. Aultman April 8, 1997
Rosemary G. Aultman, Mayor Date

ATTEST: Nelson Byrd April 8, 1997
Nelson Byrd, City Clerk Date

SEAL

RESOLUTION APPROVING DESIGNATION OF QUASI-PUBLIC
FACILITY FOR CLINTON COMMUNITY DEVELOPMENT FOUNDATION

Be it Resolved by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that:

Upon the request of the Clinton Community Development Foundation, Clinton, Mississippi, for a designation of the property described in Exhibit A attached as a public or quasi-public facility and the recommendation for approval of such designation by the Planning and Zoning Commission of the City of Clinton, said request is approved subject to the following conditions:

1. Ingress and egress to the property and proposed structure shall be located generally as shown in the proposed schematic site plan attached hereto as Exhibit B.
2. Off street parking shall be provided generally as shown on said site plan. (Exhibit B)
3. Approval of this request is granted subject to the property being used as a conference and cultural arts center by Clinton Community Development Foundation or its successors and generally in compliance with the site plan. (Exhibit B)
4. The use of the property as proposed is generally compatible with adjacent properties.
5. Except as modified by these conditions, the property shall be subject to all applicable ordinances and regulations.

6. This action certifies compliance with the special rules governing individual special exceptions and the applicable provisions of Section 2006(e) have been reviewed.

The forgoing Resolution, having been reduced to writing, Alderman TOUCHTON moved that said Resolution be adopted. Alderman DEPRIEST 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 Todd voted:	<u>Aye</u>
Alderman Fisher voted:	<u>Aye</u>
Alderman Touchton voted:	<u>Aye</u>
Alderman Lott voted:	<u>Aye</u>

Approved on the 15th day of April, 1997.

CITY OF CLINTON, MISSISSIPPI

Rosemary S. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Nelson Byrd
NELSON BYRD, City Clerk

A parcel of land situated in the Southwest Quarter (1/4) of Section 20, Township 6 North, Range 1 West, Clinton, Hinds County, Mississippi, and more particularly described as follows:

From the Northwest corner of Kentwood Subdivision, according to the plat on file in the office of Chancery Clerk of Hinds County, at Jackson, Mississippi, as recorded in Plat Book 19, at Page 18; thence run Westerly along the south line of Cynthia Road for a distance of 618.98 feet to the West line of abandoned Livingston Road and the Northeast corner of grantor's property; thence run North 88 degrees 22 minutes West along the South line of Cynthia Road for a distance of 645.42 feet to the East line of Russell property; thence run South 01 degrees 19 minutes West a distance 321.30 feet; thence run North 87 degrees 46 minutes West a distance of 146.20 feet; thence run South 03 degrees 08 minutes West a distance of 159.20 feet; thence run South 88 degrees 05 minutes East a distance of 161.20 feet to the East line of North Monroe Street; thence run South 00 degrees 40 minutes West a distance of 50.00 feet along the east line of said street; thence leave the East line of said street and run South 88 degrees 05 minutes East a distance of 160.00 feet to the TRUE POINT OF BEGINNING beginning the northeast corner of the subject parcel.

From the TRUE POINT OF BEGINNING, thence run South 00 degrees 40 minutes West a distance of 162.66 feet; thence run South 00 degrees 38 minutes 22 seconds West a distance of 78.38 feet; thence run South 00 degrees 40 minutes 00 seconds West a distance of 105.58 feet; thence run South 89 degrees 20 minutes East a distance of 232.00 feet; thence run South 00 degrees 40 minutes 00 seconds West a distance 162.00 feet; thence run North 70 degrees 29 minutes 00 seconds East a distance of 467.14 feet to the West right-of-way of the proposed Clinton Parkway; thence run along the west right-of-way of said Parkway the following seven (7) courses and distances:

North 06 degrees 43 minutes 58 seconds East 57.79 feet;
South 83 degrees 56 minutes 01 seconds East, 9.53 feet;
North 05 degrees 56 minutes 11 seconds East 38.54 feet;
South 83 degrees 56 minutes 01 seconds East, 5.18 feet North
05 degrees 06 minutes 11 seconds East, 209.20 feet; South 85
degrees 36 minutes 03 seconds East, 9.32 feet; North 02
degrees 18 minutes 54 seconds East, 29.29 feet to the
Northeast corner of the parcel; thence leave the proposed
right-of-way and run North 88 degrees 05 minutes 00 seconds
West a distance of 721.29 feet back to the TRUE POINT OF
BEGINNING, containing 6.25 acres, more or less.

(This property is located to the South of Cynthia Road (behind Stringer's Funeral Home), to the West of the Proposed North-South Parkway, and to the East of Residences to the South of the Intersection of Monroe Street and Cynthia Road, Clinton, Mississippi.)

EXHIBIT A

SCHEMATIC SITE PLAN "C"

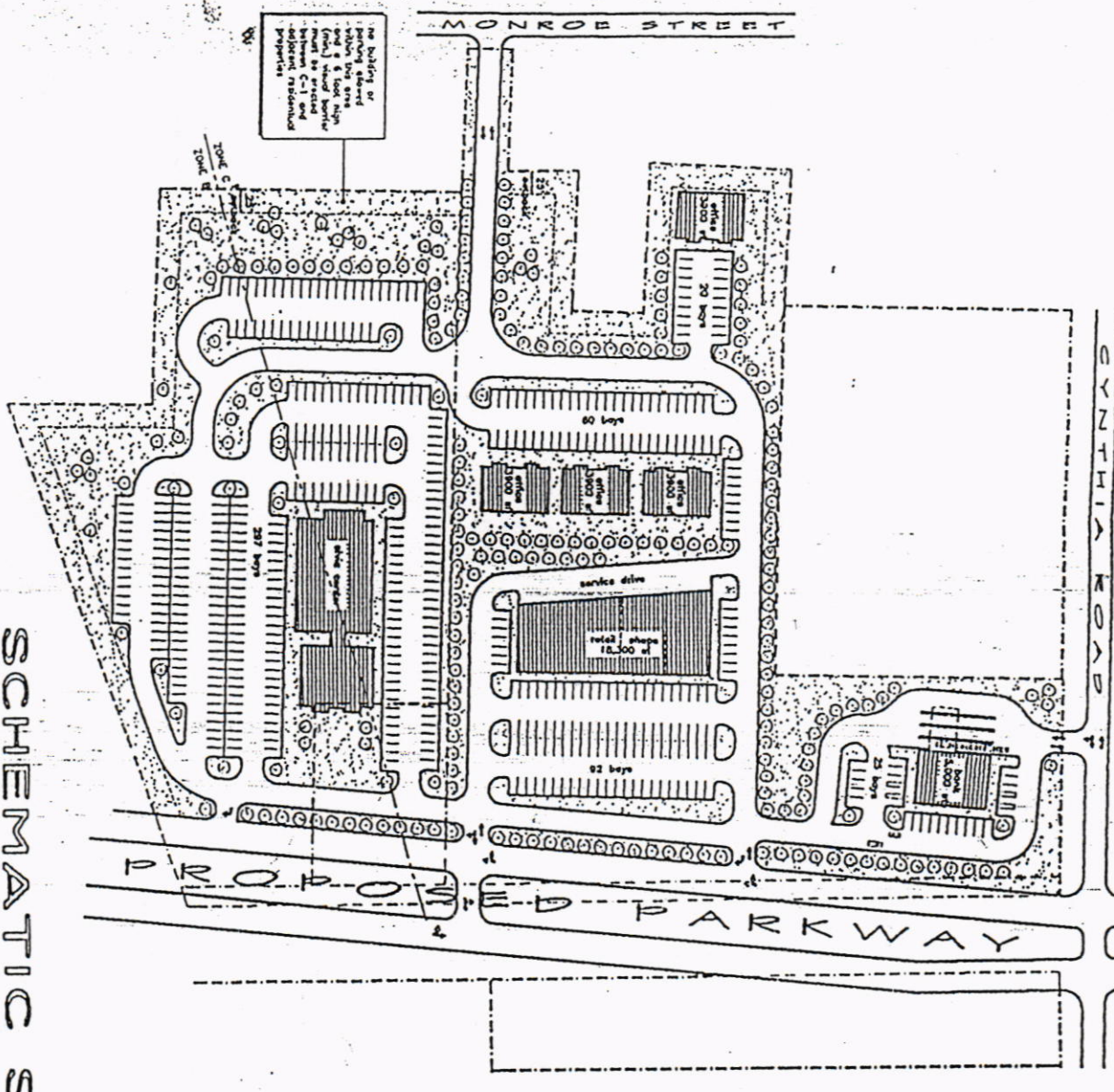


EXHIBIT B



C-1-C

Project

PROPOSED
CLINTON CIVIC CENTER

Project
Architect: WOOD
Project
Number: 05-111
Date:
Drawn by: P.B.

Revisions
1.
2.
3.
4.

These drawings are the
property of the architect
and are not to be used on
other projects or otherwise
without the consent of the
architect.

ARCHITECT
PLANNER
INTERIOR
JACKLIN &
NORTH STATE
JACKSON
3888-107
601744-88

**RESOLUTION APPROVING SPECIAL EXCEPTION UNDER §1002
FOR MCTA FOR PLACEMENT OF A CELLULAR TOWER**

Be it Resolved by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that:

Upon the request of the MCTA for a designation of the property described in Exhibit A attached as a special exception and the recommendation for approval of such designation by the Planning and Zoning Commission of the City of Clinton, said request is approved subject to the following conditions:

1. Ingress and egress to the property and proposed structure shall be located as shown in the proposed site plan on file in the Office of the City Engineer.
2. Approval of this request is granted subject to the property being used as a cellular tower site by MCTA or its successors and generally in compliance with the site plan.
3. The design and engineering of the tower structure shall be such that it will accommodate at least 2 additional equipment installations for cellular communication.
4. The tower structure will not exceed 180 feet in height and will be a monopole structure similar in construction and design to that shown in Exhibit B attached. There will be no more than a single tower structure located on the site.

5. The special exception has been approved based upon the representations of MCTA that no lights will be placed on the structure and that the FAA has confirmed that the proposed structure does not require warning lights.
6. The use of the property as proposed is generally compatible with adjacent properties.
7. Except as modified by these conditions, the property shall be subject to all applicable ordinances and regulations.
8. This action certifies compliance with the special rules governing individual special exceptions and the applicable provisions of Section 2006(e) have been reviewed.

The forgoing Resolution, having been reduced to writing, Alderman FERRELL moved that said Resolution be adopted. Alderman TODD 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 Todd voted:	<u>Aye</u>
Alderman Fisher voted:	<u>Aye</u>
Alderman Touchton voted:	<u>Aye</u>
Alderman Lott voted:	<u>Absent</u>

Approved on the 18th day of April, 1997.

CITY OF CLINTON, MISSISSIPPI

Rosemary G. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Nelson Byrd
NELSON BYRD, City Clerk

LEGAL DESCRIPTION
MC1006/CLINTON

Being situated in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, T6N-R1W, Clinton, Hinds County, Mississippi and being more particularly described as follows:

Commence at an old buggy axle marking the southwest corner of aforesaid Section 30 and run thence $N0^{\circ}22'22''W$, along the west boundary of said Section 30, 2653.43' to the southwest corner of the Ralph S. Abraham, Jr. property; as recorded in deedbook 2400 at page 706 of the chancery records of Hinds County, Mississippi and the point of beginning for the property herein described; continue thence $N0^{\circ}22'22''W$, along the west boundary of Section 30 and the west boundary of the said Abraham property, 50.00'; run thence $S89^{\circ}48'59''E$, parallel with the south boundary of the Abraham property, 50.00'; run thence $S0^{\circ}22'22''E$, parallel with the west boundary of Section 30, 50.00' to the south boundary of the Abraham property; run thence $N89^{\circ}48'59''W$, along the south boundary of the Abraham property, 50.00' to the point of beginning.

EXHIBIT A

EXHIBIT B

7B

104



526

I. Bid Opening Report

On March 19, 1997 at 10:00 a.m. sealed bids were opened at City Hall for the Combination Sewer Jet/Vacuum truck. Bids are as follows:

	<u>VENDOR</u>	<u>BASE BID</u>	<u>ALTERNATIVE #1</u>
A.	Covington Environmental Equip (Delivery: 30-120 days)	\$154,990.00 (Ford)	\$159,912.00 (Freightliner)
B.	Empire Truck Sales (Delivery: 75-80 days)	\$159,442.35 (Freightliner)	
C.	Truck Equipment Sales (Delivery: 85 days)	\$145,464.00 (Freightliner)	

II. Summary

A. Covington Environmental Equipment
Base Bid (Ford)

Two (2) deviations from specifications

Ford has only 18,000# front axle-specifications call for 20,000# front axle

Ford has only 900 CCA batteries-specifications call for 1500 CCA batteries

Alternative #1 (Freightliner):

Meets specifications with no deviations

B. Empire Truck Sales
Base Bid (Freightliner)

Meets specifications with no deviations

*Empire is also a local dealer with a service department open 7 days a week, 24 hours a day

C. Truck Equipment Sales
Base bid (Freightliner)

Does not meet specifications

At least eight (8) deviations from specifications

Bid Hot Dip Galvanize-specifications call for Corten Steel

Bid only 2 hydraulic latches-specifications call for 3 manual

Bid Aluminum tanks-specifications call for Polyethylene or Stainless Steel

Bid Opening Report
Summary continued...

Bid PD Blower-specifications call for three stage fan (Corten Steel)

Bid No Auxiliary Engine -specifications call for 110 HP turbo diesel engine

Bid Triplex Pump-specifications call for a quintuplex pump

Bid No support leg on hose reel -specifications call for a support leg on hose reel

Bid a High Pressure Spray Bar-This cannot work on this truck because it runs from a split-shaft P.T.O.

III. Recommendation

Due to the deviations noted above and the safety factor of increased visibility for the driver, the Public Works Department recommends the acceptance and purchase of the bid from EMPIRE Truck Sales in the amount of \$159,442.35.

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

**ADVERTISEMENT
FOR BIDS
CITY OF CLINTON
CLINTON, MS**

Notice is hereby given that the City of Clinton will receive written, sealed bids for the City of Clinton, for the purchase of a combination machine and truck for high pressure water cleaning of sanitary sewer or storm sewer drain lines, with air conveying vacuum system for the simultaneous removal of debris from the manhole until the hour of 10:00 A.M. Central Standard Time on March 19, 1997 at the office of the City Clerk, City Hall, 300 Jefferson Street, Clinton, Mississippi, 39056. Immediately thereafter bids will be opened and publicly read. Equipment should meet or be equal to the specifications that are available at the City Clerk's office, 300 Jefferson Street, Clinton, MS 39056. Phone Number (601) 924-5462, or the Public Works Department, 200 West Leake Street, Clinton, MS 39056. Phone Number (601) 924-2239. The City of Clinton reserves the right to reject any or all bids.

By /s/ Christine Walls
City Clerk Deputy
Approved /s/ Rosemary Aultman
Rosemary Aultman, Mayor
February 26, March 5, 1997

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

Amy Ham

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 February 26, March 5, 19 97

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Number of Lines/Words 44/176

Published 2 Times

Total \$ 24.88

Signed *Amy Ham*

Authorized Clerk
of The Clarion-Ledger

SWORN to and subscribed before me the 5 day of March, 19 97.

My Commission Expires:

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE.
MY COMMISSION EXPIRES: Nov. 8, 2000.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

Maie Miles
Notary Public

(SEAL)

Audit POP

CITY OF CLINTON
DEPARTMENT OF PARKS AND RECREATION

FACILITY USE FEES

As per amended from the recommendations of the Parks and Recreation Advisory Board from the minutes of November 12, 1996.

ADULT SOFTBALL FIELDS:

As said: To charge \$225.00 per field per day for softball tournaments for groups or individual which reside outside the city limits of Clinton. Clinton residents wishing to rent facilities to hold tournaments would be charged the present fee of \$75.00 per field per day.

Clinton residents, groups and corporations wishing to use facilities for non-tournament activities will be issued a waiver with a \$200.00 refundable deposit to be held for clean-up/damages. The deposit will be held at the discretion of the Director of Parks and Recreation.

YOUTH SPORTS FIELDS: (Baseball, Soccer and Softball)

As said: This fee will be to the discretion of the Director of Parks and Recreation to be determined by the event to be held. The fee shall not exceed \$50.00 per field per day. A \$200.00 refundable deposit can be warranted for clean-up. The deposit will be held at the discretion of the Director. NO youth sports facility will be rented during each respective sport season.

A sport season (beginning - ending) will be determined by the Director of Parks and Recreation and each respective sport association. Sport associations sponsoring or co-sponsoring an event during the sport season will be exempt from said statements.

RESERVATION FEES ON CITY PARK PAVILIONS:

As said: A fee of \$50.00 per pavilion for a maximum of four (4) hours for the use of any pavilion in the City, cleared through the Office of the Parks and Recreation Director. Adjoining facilities can be used at the discretion of the Director of Parks and Recreation.

REFUNDABLE DEPOSITS:

As said: A \$200.00 per facility be requested for damages to be refunded at the discretion of the Director of Parks and Recreation.

TOURNAMENTS:

As said: All sanctioned and non-sanctioned tournaments must be cleared through the Office of the Director of Parks and Recreation for approval.