

**REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, OCTOBER 3, 1995 - 7 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET**

The Mayor and Board of Aldermen of the City of Clinton, Mississippi, met in Regular Meeting on Tuesday, October 3, 1995, 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 Fisher followed by the Pledge of Allegiance to the Flag led by Alderman Touchton.

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
Mayor Rosemary Aultman - Presiding

City Attorney Ken Dreher
City Clerk Nelson Byrd

AGENDA CHANGES

Mayor Aultman added consent agenda item W - approval of the Municipal Compliance Questionnaire for 10-1-94/9-30-95, and item 15 - Authorization to enter into a contract with Sample & Associates, Inc. Discussion items 15, 16, & 17 became 16, 17, & 18, respectively.

APPROVAL OF CONSENT AGENDA AS AMENDED ITEMS A-W

MOTION made by Alderman Touchton and **SECONDED** by Alderman Fisher to approve Consent Agenda Items A-W as listed on pages 160-161 of this Minute Book X, noting that Consent Agenda Item G will serve to advertise favorably the opportunities, possibilities, and resources of the City of Clinton. Quotes listed in items Q & R are on file in the Office of the City Clerk. Copy of item W can be found on pages 162-168 of this Minute Book X. **MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF REZONING IN LAKESIDE PARK SUBDIVISION

Alderman Todd left the room at 7:05 P.M. due to a possible conflict of interest.

After comments from Attorneys David Bowers, representing the Hannah family requesting the rezoning, and Mel Breeden representing 38 Lakeside Subdivision homeowners in opposition, **MOTION** made by Alderman Lott and **SECONDED** by Alderman Ferrell to remand the recommendation back to Planning and Zoning for further consideration. **MOTION FAILED 4-2** with Aldermen Brabham, DePriest, Fisher, and Touchton voting "Nay" and Alderman Ferrell and Lott voting "Aye". **MOTION** made by Alderman Fisher and **SECONDED** by Alderman DePriest to accept the recommendation of Planning and Zoning to rezone Lot 1, Block A, Lakeside Park Subdivision from R-1 to C-1. **MOTION CARRIED 4-2** with Aldermen Brabham, DePriest, Fisher and Touchton voting "Aye" and Aldermen Ferrell and Lott voting "Nay". Copy of petition from homeowners in opposition can be found on pages 169-176 of this Minute Book X.

DENIAL OF VARIANCE AT 1465 EAST NORTHSIDE DRIVE

With no one present to speak to the issue, MOTION made by Alderman DePriest and SECONDED by Alderman Fisher to deny the variance on density requirements at 1465 East Northside Drive. MOTION CARRIED UNANIMOUSLY.

Alderman Todd returned to the meeting at 7:47 P.M.

REFRESHMENT BREAK HOSTED BY CLINTON MAIDS AND MATRONS CLUB

Mayor Aultman called for a fifteen minute recess at 7:47 p.m., in order to enjoy the delicious refreshments prepared by the Clinton Maids and Matrons Club.

MEETING RESUMES - 8:05 P.M.

Mayor Aultman called the meeting back to order at 8:05 p.m. to resume business and thanked the Maids and Matrons.

UNKEPT LOTS

NO BOARD ACTION was required on lot at corner of Springridge Road and Spanish Oak Drive because it had already been cleaned.

PUBLIC HEARING - TAX INCREMENT FINANCING PLAN - UNITED ARTISTS PROJECT

As shown by Proof of Publication on page 177 of this Minute Book X that a Public Hearing for the Tax Increment Financing Plan (United Artist Project) would be held, Mayor Aultman called said hearing to order at 8:06 p.m. with Mr. Larry Harris, attorney, to answer questions and discuss the project. After minimal discussion MOTION made by Alderman Touchton and SECONDED by Alderman Todd to adopt that resolution found on pages 178-180 of this Minute Book X to adopt the plan. MOTION CARRIED UNANIMOUSLY. MOTION made by Alderman Touchton and SECONDED by Alderman Fisher to adopt that contract with Mr. Jimmy Gouras found on Pages 181-183 of this Minute Book X to perform the scope of work necessary for this plan. MOTION CARRIED UNANIMOUSLY.

RESIDENCY REQUIREMENTS FOR EMPLOYEES EXPANDED

MOTION made by Alderman Brabham and SECONDED by Alderman Lott that Section 4.1 Residency Requirements of the Personnel Rules and Regulations be amended by deleting the words "Hinds County" as they appear in Section 4.1 and 4.1.3 and substituting the phrase "Jackson Metropolitan Area". MOTION CARRIED 6-1 with Alderman Ferrell casting the "Nay" vote.

INSURANCE PACKAGE FOR 1995-1996 GRANTED TO TITAN INDEMNITY

MOTION made by Alderman Ferrell and SECONDED by Alderman Todd to approve the insurance package as recommended by Insurance Agent of Record Sam Bryson of Bryson, Bailey and Allred, for general liability, auto, property, law enforcement, public officials errors and omissions, and public officials bonds as presented with a \$500,000.00 liability limit at a total cost of approximately \$186,079.00 by the Titan Indemnity Insurance Group covering October 5, 1995 - October 5, 1996. MOTION CARRIED UNANIMOUSLY. Copy of said insurance package is on file in the Office of the City Clerk.

ANGELIA LANE DRAINAGE BIDS REJECTED

As shown by proof of publication found on pages 184-185 and tabulations found on pages 186-188 of this Minute Book X that bids were properly received twice on this project, and after comments from City Engineer Richard Broome that all bids exceeded the budget, MOTION made by Alderman Todd and SECONDED by Alderman Lott to reject the bids. MOTION CARRIED UNANIMOUSLY.

PUBLICATION OF NOTICE TO INCREASE GARBAGE FEES APPROVAL

MOTION made by Alderman Todd and **SECONDED** by Alderman Touchman to advertise that notice of intent to increase garbage fees found on page 189 of this Minute Book X. **MOTION CARRIED UNANIMOUSLY.** Proof of Publication can be found on page 190 of this Minute Book X.

ANITA WRAY APPOINTED MUNICIPAL COURT CLERK

MOTION made by Alderman Fisher and **SECONDED** by Alderman Lott to appoint Anita Wray as Municipal Court Clerk. **MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF AGREEMENT WITH SAMPLE & ASSOCIATES

MOTION made by Alderman Ferrell and **SECONDED** by Alderman Brabham to enter into a contract with Sample & Associates for acquisition of right of way and relocation services with exact terms of the contract to be negotiated as found on pages 191-192 of this Minute Book X. **MOTION CARRIED UNANIMOUSLY.**

EXECUTIVE SESSION 8:31 P.M.

Upon the request of Mayor Aultman to consider Executive Session for the purpose of discussing personnel matters and litigation. **MOTION** made by Alderman Fisher and **SECONDED** by Alderman Touchton to consider entering Executive Session for the stated purpose. **MOTION CARRIED UNANIMOUSLY.**

MOTION made by Alderman Todd and **SECONDED** by Alderman Fisher to enter Executive Session for the stated purpose. **MOTION CARRIED UNANIMOUSLY.**

Present for Executive Session were Mayor Aultman; Aldermen Brabham, Ferrell, DePriest, Todd, Fisher, Touchton, and Lott; Attorneys Dreher and Spell.

MOTION made by Alderman Fisher and **SECONDED** by Alderman Todd to exit Executive Session at 9:32 P.M. **MOTION CARRIED UNANIMOUSLY.**

APPROVAL TO CHANGE PERFORMANCE PAY GRADE OF COMPTROLLER

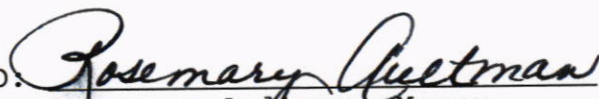
MOTION made by Alderman Fisher **SECONDED** by and Alderman Lott to approve the pay grade of comptroller to grade PM11 Step 6. **MOTION CARRIED UNANIMOUSLY.**

ADJOURNMENT - 9:33 P.M.

There being no further business to discuss, **MOTION** made by Alderman Fisher and **SECONDED** by Alderman Lott to Recess until October 17, 1995, 7 P.M. **MOTION CARRIED UNANIMOUSLY.**

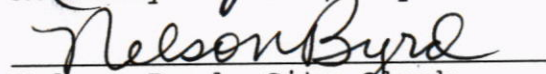
Copy of Agenda may be found on Pages 160-161 of this Minute Book X.

APPROVED:


Rosemary Aultman, Mayor

October 13, 1995
Date

ATTEST:


Nelson Byrd, City Clerk

October 13, 1995
Date

PETITION OBJECTING TO REZONING OF LOT 1, BLOCK A,
LAKESIDE PARK SUBDIVISION
OF CLINTON, MISSISSIPPI, FROM R1 TO C1

We, the undersigned residents and property owners of the Lakeside Park Subdivision in the City of Clinton, Mississippi, do hereby object to the rezoning of Lot 1, Block A, Lakeside Park Subdivision, Clinton, Mississippi, and request that the Mayor and Board of Alderman of the City of Clinton, Mississippi, deny the rezoning request of said property from R1, Residential to C1, Commercial:

SUNRISE DRIVE

Date	Name	Address
9/30/95	Robert B. Mullins	110 Sunrise Dr. ^{Clinton, Miss.}
9/30/95	Emily G. Mullins	110 Sunrise Dr. ^{Clinton, Miss.}
9/30/95	Merton E. Williams	108 Sunrise Dr.
9/30/95	Nell Williams	108 Sunrise, Dr.
9/30/95	Dorothy White	106 Sunrise Dr.
9/30/95	Agnes J. Crawford	102 Sunrise Dr.
9/30/95	Thos. M. Crawford	102 Sunrise Dr.
9/30/95	Jack R. Weathersby	107 Sunrise Dr. Clinton, MS.
9/30/95	Ethel Weathersby	107 Sunrise Dr. Clinton, MS.
9/30/95	Betty O. Mays	121 Sunrise Dr. Clinton, MS.
9-30-95	Dee Staifling	113 Sunrise Dr. Clinton, MS.
9/30/95	Annie Grace Thompson	117 Sunrise Dr. Clinton, MS.
9/30/95	Fluence Newton	119 Sunrise Dr. Clinton, MS.
9/30/95	Mickey Newton	119 Sunrise Dr. - Clinton, MS.
9/30/95	J. Dukes	104 Sunrise Dr. Clinton
9/30/95	William H. Whaley	111 Sunrise Dr. Clinton
9/30/95	Robert H. Mahaffey	111 Sunrise Dr. Clinton, MS.
10/1/95	Stephen Martinovich	101 Sunrise Dr. Clinton MS 39056-520
10/1/95	Denise P. Martinovich	101 Sunrise Drive
10/1/95	Jean E. Hawkins	109 Sunrise Dr. ^{Clinton, MS} 39056

PETITION OBJECTING TO REZONING OF LOT 1, BLOCK A,
LAKESIDE PARK SUBDIVISION
OF CLINTON, MISSISSIPPI, FROM R1 TO C1

We, the undersigned residents and property owners of the Lakeside Park Subdivision in the City of Clinton, Mississippi, do hereby object to the rezoning of Lot 1, Block A, Lakeside Park Subdivision, Clinton, Mississippi, and request that the Mayor and Board of Alderman of the City of Clinton, Mississippi, deny the rezoning request of said property from R1, Residential to C1, Commercial:

Sunrise Drive

[illegible]

PETITION OBJECTING TO REZONING OF LOT 1, BLOCK A,
LAKESIDE PARK SUBDIVISION
OF CLINTON, MISSISSIPPI, FROM R1 TO C1

We, the undersigned residents and property owners of the Lakeside Park Subdivision in the City of Clinton, Mississippi, do hereby object to the rezoning of Lot 1, Block A, Lakeside Park Subdivision, Clinton, Mississippi, and request that the Mayor and Board of Alderman of the City of Clinton, Mississippi, deny the rezoning request of said property from R1, Residential to C1, Commercial:

EAST LAKE DRIVE

[illegible]

PETITION OBJECTING TO REZONING OF LOT 1, BLOCK A,
LAKESIDE PARK SUBDIVISION
OF CLINTON, MISSISSIPPI, FROM R1 TO C1

We, the undersigned residents and property owners of the Lakeside Park Subdivision in the City of Clinton, Mississippi, do hereby object to the rezoning of Lot 1, Block A, Lakeside Park Subdivision, Clinton, Mississippi, and request that the Mayor and Board of Alderman of the City of Clinton, Mississippi, deny the rezoning request of said property from R1, Residential to C1, Commercial:

TWILIGHT DRIVE

[illegible]

PETITION OBJECTING TO REZONING OF LOT 1, BLOCK A,
LAKESIDE PARK SUBDIVISION
OF CLINTON, MISSISSIPPI, FROM R1 TO C1

We, the undersigned residents and property owners of the Lakeside Park Subdivision in the City of Clinton, Mississippi, do hereby object to the rezoning of Lot 1, Block A, Lakeside Park Subdivision, Clinton, Mississippi, and request that the Mayor and Board of Alderman of the City of Clinton, Mississippi, deny the rezoning request of said property from R1, Residential to C1, Commercial:

WEST LAKE DRIVE

[illegible]

PETITION OBJECTING TO REZONING OF LOT 1, BLOCK A,
LAKESIDE PARK SUBDIVISION
OF CLINTON, MISSISSIPPI, FROM R1 TO C1

We, the undersigned residents and property owners of the Lakeside Park Subdivision in the City of Clinton, Mississippi, do hereby object to the rezoning of Lot 1, Block A, Lakeside Park Subdivision, Clinton, Mississippi, and request that the Mayor and Board of Alderman of the City of Clinton, Mississippi, deny the rezoning request of said property from R1, Residential to C1, Commercial:

COLLEGE STREET

[illegible]

8 of 8

SUNSET DRIVE

176

PASTE AD HERE

Clinton News
Legals

499

NOTICE OF
PUBLIC HEARING
TAX INCREMENT
FINANCING PLAN
(UNITED ARTISTS
PROJECT)

Notice is hereby given that a public hearing will be held on Tuesday, October 3, 1995, at 7:00 P.M., in the Board Room at the Municipal Building and Police Station in Clinton, Mississippi, on a Tax Increment Financing Plan (United Artists Project) presented for consideration by The Mayor and Aldermen and requesting that the Tax Increment Financing Plan be approved and in compliance with the Tax Increment Financing Re-development Plan of 1995, City of Clinton, Mississippi, and further, to designate the project described in the Increment Financing Plan as appropriate for development and tax increment financing.

The general scope of the Tax Increment Financing Plan is a request on the part of the property owners of the United Artists Project site for the City to issue Tax Increment Financing Revenue Bonds, Notes, or other debt obligations in an amount not to exceed \$500,000 in order to provide funds necessary to construct various infrastructure improvements in connection with the Project, including but not limited to, construction of access roads into the project site, utilities, site and drainage improvements, and landscaping in connection with the construction of the Project. The Bonds, Notes, or other debt obligations will be secured solely by a pledge of a portion of the ad valorem tax revenues generated by the construction of the Project and will not be a general obligation of the City secured by the full faith and credit of the City or create any other pecuniary liability on the part of the City other than the pledge of ad valorem tax set forth above.

The Project will be located in the Southwest Quadrant of the Intersection of I-20 and Springridge Road and will consist of a building of approximately 30,000 square feet for use as a movie theater.

The City will exercise its authority under Chapter 45 of Title 21, Mississippi Code of 1972, as amended (the "Act") jointly with the Board of Supervisors of Hinds County, Mississippi, pursuant to an Interlocal Cooperation Agreement as authorized by Section 21-45-3 of the Act.

A copy of the Tax Increment Financing Plan (United Artists Project) and the Interlocal Cooperation Agreement is available for examination in the office of the City Clerk in the City Hall, Clinton, Mississippi.

Witness my signature and seal, this the 5th day of September, 1995.

THE MAYOR AND
ALDERMEN OF THE CITY
OF CLINTON, MISSISSIPPI
BY: /s/ Rosemary Aultman
ROSEMARY AULTMAN
MAYOR

(SEAL)
September 21, 1995

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PERSONALLY appeared before me, the undersigned notary public 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 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 September 21, 19 95

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Number of Lines 100/420

Published 1 Times

Total \$ 36.60

Signed Shirley Waits
Authorized Clerk
of The Clarion-Ledger

Sworn to and subscribed before me the 21 day of
September 19 95

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)

The City Clerk reported that pursuant to a resolution of The Mayor and Aldermen of the City of Clinton (the "City") calling for a public hearing to be held at 7:00 P.M. on TUES., 10-3, 1995, with respect to a "Tax Increment Financing Plan (United Artists Project)", he did cause a notice of the public hearing to be published in the *Clinton News*, a newspaper having a general circulation in the City on SEPT. 21, 1995, as evidenced by proof of publication on file in the office of the Clerk. The Mayor then called the meeting to order and the public hearing was duly convened. At that time, all present were given an opportunity to present oral and/or written comment on the Tax Increment Financing Plan. At the conclusion of the public hearing, Alderman Touchton, offered and moved the adoption of the following resolution:

**A RESOLUTION APPROVING THE ADOPTION AND
IMPLEMENTATION OF THE "TAX INCREMENT FINANCING PLAN
(UNITED ARTISTS PROJECT)".**

WHEREAS, under the power and authority granted by the Laws of the State of Mississippi and particularly under Chapter 45 of Title 21, Mississippi Code of 1972, as amended, the Mayor and Aldermen (the "Governing Body"), on SEPT. 5, 1995, did adopt a certain resolution entitled:

**RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY
OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY
FOR AND INVOKING THE AUTHORITY GRANTED TO
MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO
TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45
OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED,
DETERMINING THAT THE UNITED ARTISTS PROJECT IS A
PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING UNDER
THE LAWS OF THE STATE, THAT A PUBLIC HEARING BE
CONDUCTED IN CONNECTION WITH THE TAX INCREMENT
FINANCING PLAN, AND FOR RELATED PURPOSES.**

WHEREAS, as directed by the aforesaid resolution and as required by law, a notice of public hearing was published one (1) time in the *Clinton News*, a newspaper having a general circulation within the City of Clinton, Mississippi, and was so published in said newspaper on SEPT. 21, 1995, as evidenced by the publisher's proof of publication of the same heretofore presented to the Governing Body and filed with the Clerk;

WHEREAS, the Notice of Public Hearing generally described the Tax Increment Financing Plan (United Artists Project) and further called for a public hearing to be held at the Municipal Building and Police Department at 7:00 P.M. on TUES., OCT 3, 1995, in order for the general public to state or present their views on the Plan;

WHEREAS, at 7:00 P.M. on TUES., OCT 3, 1995, the public hearing was held and all in attendance were given an opportunity to state or present their oral and written

comments on the Tax Increment Financing Plan;

WHEREAS, there were no objections to the Tax Increment Financing Plan (United Artists Project), either oral or written, and those in attendance spoke in favor of adoption and implementation of the Financing Plan.

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

SECTION 1. That all of the findings of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared and adjudicated to be true and correct.

SECTION 2. That the Mayor and Aldermen of the City of Clinton, Mississippi, are now fully authorized and empowered under the provisions of Chapter 45 of Title 21, Mississippi Code of 1972, as amended, to adopt and implement the Tax Increment Financing Plan (United Artists Project) and do hereby adopt and approve such plan as presented in order to assist in the development of the proposed Project by issuing Tax Increment Financing Revenue Bonds, Notes, or other debt obligations jointly with Hinds County, Mississippi, in an amount not to exceed \$500,000 to finance the cost of various infrastructure improvements in connection with the Project.

SECTION 3. That the Tax Increment Revenue Bonds, Notes, or other debt obligations of the City shall be issued pursuant to further proceeding of the Mayor and Aldermen of the City.

Alderman Todd seconded the motion to adopt the foregoing resolution and after the same has been read and considered section by section and put to a roll call vote, the result was as follows:

Alderman Jehu H. Brabham
Alderman O.C. George Ferrell
Alderman Rodney W. DePriest
Alderman Ben L. Todd
Alderman Phil Fisher
Alderman Herb Touchton
Alderman Sharbert K. Lott

voted: AYE
voted: AYE
voted: AYE
voted: AYE
voted: AYE
voted: AYE
voted: AYE

The motion having received the affirmative vote of a majority of all of the members of the Board present, the Mayor declared the motion carried and the Resolution adopted on this the 3RD day of OCT., 1995.

THE CITY OF CLINTON, MISSISSIPPI

BY: Rosemary Aultman
MAYOR ROSEMARY AULTMAN

ATTEST:

Nelson Byrd
NELSON BYRD, CITY CLERK

September 12, 1995

Mayor and Aldermen
City of Clinton
P. O. Box 156
Clinton, MS 39060-0156

Gentlemen:

I agree to prepare a Tax Increment Financing Redevelopment Plan and a Tax Increment Financing Plan for the United Artists Project to be located in Clinton, Mississippi.

The Scope of Work will include the following activities:

A. **Tax Increment Financing Redevelopment Plan for the City of Clinton**

1. Preparation of a Tax Increment Financing Redevelopment Plan;
2. Review of the Tax Increment Financing Redevelopment Plan with Bond Counsel to secure a legal opinion as to its conformity with State law;
3. Meeting with the City Planning Commission for a planning review of the Tax Increment Financing Redevelopment Plan to insure conformity of the Redevelopment Plan with the City's overall Comprehensive Plan;
4. Preparation of necessary documents to authorize a public hearing for the consideration of approval of the Tax Increment Financing Redevelopment Plan and conducting the public hearing; and

JIMMY G. GOURAS

URBAN PLANNING CONSULTANTS, INC.

901 JACKSON STREET • P.O. BOX 1547 • VICKSBURG, MISSISSIPPI 39181-1547 • 601-638-7121 • FAX 601-638-5292

**Mayor and Aldermen
September 12, 1995
Page Two**

5. Preparation of the documents, i.e., resolution, necessary for the adoption of the Tax Increment Financing Redevelopment Plan.

The Scope of Work set forth above will be performed at a cost of \$5,000. Said costs shall be borne by the City of Clinton.

B. Tax Increment Financing Plan for the United Artists Project

The following items 1-4 shall be completed only after the City of Clinton has issued a written "Notice To Proceed" to Jimmy G. Gouras, Urban Planning Consultants, Inc.:

1. Preparation of the Tax Increment Financing Plan for the United Artists Project. The Plan will, among other things, describe the project to be constructed, the amount of TIF Bonds to be issued, the proposed use of those TIF funds, the amount of taxes to be pledged to service TIF debt, identify the property to be taxed, and identify the benefits to accrue to the City as a result of the TIF project;
2. Review of the Tax Increment Financing Plan with Bond Counsel to secure a legal opinion as to its conformity with State law;
3. Preparation of necessary documents to authorize a public hearing for consideration of approval of the Tax Increment Financing Plan for the United Artists Project and conducting the public hearing; and
4. Preparation of the documents necessary for adoption of the Tax Increment Financing Plan for the United Artists Project.

The scope of work set forth above in items B. 1-4 will be performed at a cost of \$7,500. Said costs shall be borne by the City of Clinton.

The TIF Redevelopment Plan and TIF Plan preparation costs are reimbursable from the TIF Bond issue. It is the intent of the City of Clinton to pay for the Plan preparation costs and to be reimbursed for said costs from the proceeds of the bond issue.

JIMMY G. GOURAS

URBAN PLANNING CONSULTANTS, INC.

901 JACKSON STREET • P.O. BOX 1547 • VICKSBURG, MISSISSIPPI 39181-1547 • 601-638-7121 • FAX 601-638-5292

Mayor and Aldermen
September 12, 1995
Page Three

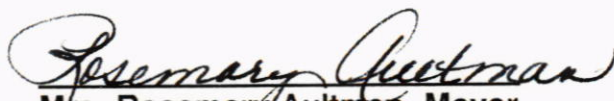
I look forward to working with you towards making this valuable economic development opportunity become a reality.

Sincerely,



Jimmy G. Gouras

Authorized and accepted by the Mayor and Aldermen of the City of Clinton, this the
3RD day of OCTOBER, 1995.



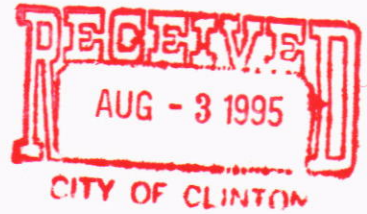
Mrs. Rosemary Aultman, Mayor

JIMMY G. GOURAS

URBAN PLANNING CONSULTANTS, INC.

901 JACKSON STREET • P.O. BOX 1547 • VICKSBURG, MISSISSIPPI 39181-1547 • 601-638-7121 • FAX 601-638-5292

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY



PASTE PROOF HERE

ADVERTISEMENT
FOR BIDS
CITY OF CLINTON
Clinton, Mississippi
NOTICE is hereby given that
City of Clinton will receive
written sealed bids for the
Angelia Lane Drainage Im-
provements until the hour of
2 o'clock p.m. local time, on
8-22-95 at the office of the
City Clerk, 300 Jefferson
Street, Clinton, Mississippi,
and immediately thereafter
bids will be opened and pub-
licly read.
The project involves the fol-
lowing:
Reshaping and paving ap-
proximately 250 LF of trap-
ezoidal ditch, erosion con-
trol, and fence removal and
reinstallation.
The contract time will be
thirty (30) calendar days.
Liquidated damages will be
\$50.00 per day.
Copies of the technical speci-
fications, together with Con-
tract Documents, may be ob-
tained from the office of Wil-
lford, Gearhart & Knight,
Inc., Engineers & Surveyors,
400 North Monroe Street,
P.O. Box 318, Clinton, Missis-
sippi 39060, 601-925-4444,
upon payment of \$25.00 for
each set, none of which is
refundable.
Bids received will be opened
at 2 p.m. on Aug. 22, and
considered by City of Clinton
thereafter. City of Clinton re-
serves the right to reject any
or all bids.
City of Clinton
by /s/ Nelson Byrd
Nelson Byrd, City Clerk
Approved by:
/s/ Rosemary Aultman
Rosemary Aultman, Mayor
July 24, 31, 1995

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 July 24, 19 95

Date July 31, 19 95

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Number of Lines/Words 52/204

Published 2 Times

Total \$ 28.52

Signed Shirley Waits
Authorized Clerk
of The Clarion-Ledger

SWORN to and subscribed before me the 31 day of July,
19 95.

My Commission Expires:

Maie Mills
Notary Public

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

(SEAL)

SEP 08 1995

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

Bid Notices 415

ADVERTISEMENT FOR BIDS
CITY OF CLINTON
 Clinton, Mississippi

NOTICE is hereby given the City of Clinton will receive sealed bids for the Angela Lane Drainage Improvements until the hour of 2:00 o'clock p.m. local time, on September 27, 1995, at the office of the City Clerk, 300 Jefferson Street, Clinton, Mississippi, and immediately thereafter bids will be opened and publicly read.

The project involves the following:

Furnish and install approximately 300 LF of 36" culvert pipe, ditching, erosion control fence removal and reinstallation.

The contract time will be thirty (30) calendar days. Liquidated damages will be \$50.00 per day.

Copies of the technical specifications, together with Contract Documents, may be obtained from the office of Wiliford, Gearhart & Knight, Inc., Engineers & Surveyors, 400 North Monroe Street, P.O. Box 318, Clinton, Monroe, Mississippi 39060, 601-925-4444, upon payment of \$50.00 for each set, none of which is refundable.

Bids received will be opened at 2:00 p.m. on September 27, 1995, and considered by City of Clinton thereafter. City of Clinton reserves the right to reject any or all bids.

City of Clinton
 by: Nelson Byrd, City Clerk
 Approved by: Rosemary Aultman, Mayor
 August 25, September 1, 1995

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 25, 1995

Date September 1, 1995

Date _____, 19____

Date _____, 19____

Date _____, 19____

Number of Lines/Words 51/201

Published 2 Times

Total \$ 27.13

Signed Shirley Waits

Authorized Clerk
 of The Clarion-Ledger

SWORN to and subscribed before me the 1 day of September, 1995.

My Commission Expires:

Marie Mills
 Notary Public

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

2ND BIDS ADV BY GEARHART
 REJECTED

(SEAL)

7P-55-B 12.
GEARHART TO ADV. FOR RE-BIDS
WITH SPEC. CHANGES

CLINTON, MISSISSIPPI 1995 SEWER IMPROVEMENTS

ANGELIA LANE DRAINAGE IMPROVEMENTS

BID OPENING AUGUST 22, 1995

New Bids to be
received 9-29-95

BIDDER	BID AMOUNT REJECTED
<i>Cert. No. 7487</i> Delta Constructors, Inc.	\$ 29,340.00
Bryant Construction Co., Inc.	\$ 28,640.00
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$

ANGELIA LANE DRAINAGE IMPROVEMENTS

BID OPENING SEPTEMBER 29, 1995

Attendance on Rear

[illegible]

Reject Bids

12

**CITY OF CLINTON
ANGELIA LANE DRAINAGE IMPROVEMENTS
METHOD 1 - BURIED PIPE**

ITEM DESCRIPTION	QUANTITY	UNITS	DELTA COINS. JACKSON, MS.		HEMPHILL CONS. JACKSON, MS.	
			UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
EXCAVATION (CUT)	1	LS	9000	\$9,000	20145	\$20,145
INLET STRUCTURE	1	LS	3000	\$3,000	2500	\$2,500
30" PE PIPE	200	LF	72	\$14,400	61	\$12,200
30" FES	1	EACH	800	\$800	1000	\$1,000
90LB RIPRAP W/GEOTEX	20	TON	80	\$1,600	71	\$1,420
TOTAL BASE BID:				\$28,800		\$37,265
ADD ALTERNATE 1A				\$1,700		\$1,000
ADD ALTERNATE 1B				\$10,000		\$3,000

METHOD 2 - PAVED DITCH

ITEM DESCRIPTION	QUANTITY	UNITS	DELTA CONS. JACKSON, MS.		HEMPHILL CONS. JACKSON, MS.	
			UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
EXCAVATION (CUT)	1	LS	9000	\$9,000	23120	\$23,120
CONCRETE PAVED DITCH	220	LF	70	\$15,400	53	\$11,660
90LB RIPRAP W/GEOTEX	20	TON	80	\$1,600	71	\$1,420
HEAD WALL AND TOE WALL	1	LS	5000	\$5,000	1500	\$1,500
TOTAL BASE BID:				\$31,000		\$37,700
ADD ALTERNATE 2A				\$1,700		\$1,000
ADD ALTERNATE 2B				\$10,000		\$3,000

THIS IS AN OFFICIAL AND CERTIFIED TABULATION OF BIDS
RECEIVED ON FRIDAY, SEPTEMBER 29, 1995, OPENED AND
READ AT 2:00 P.M. IN THE CITY OF CLINTON, CITY HALL
FOR THE ANGELIA LANE DRAINAGE IMPROVEMENTS.

Gregory A. Gearhart
GREGORY A. GEARHART, P.E. 8730
WILLIFORD, GEARHART & KNIGHT, INC.

10/2/95



NOTICE OF PROPOSED INCREASE IN
GARBAGE COLLECTION FEES

Due to a proposed increase in contracted garbage collection rates, the City of Clinton, Mississippi is proposing to increase its monthly garbage collection fees approximately 23%. Annual estimated revenues will increase approximately 23%. Said proposed increase is required in order to comply with Mississippi Code 21-19-1 and 2.

Publish in The Clinton News on October 5, 12 and 19 in NON-legal section using print no less than the size of eighteen point, surrounded by a one-fourth inch black border. PER 21-19-2(2)(c)

2 PROOFS TO NELSON BYRD (924-5462)

NOTICE OF PROPOSED INCREASE IN GARBAGE COLLECTION FEES

Due to a proposed increase in contracted garbage collection rates, the City of Clinton, Mississippi is proposing to increase its monthly garbage collection fees approximately 23%. Annual estimated revenues will increase approximately 23%. Said proposed increase is required in order to comply with Mississippi Code 21-19-1 and 2.

AGREEMENT

THIS AGREEMENT is entered into this the 11th day of October, 1995, by and between SAMPLE AND ASSOCIATES, INC., herein called the "Consultant", and CITY OF CLINTON, MISSISSIPPI, herein called the "City".

WITNESSETH THAT:

WHEREAS, the City has requested assistance in the acquisition of easements and right of way and the relocation of families and businesses in the implementation of community development projects; and

WHEREAS, the City desires to engage the Consultant to render professional services described below in the "Scope of Services" in connection with the acquisition and relocation services and the Consultant desires to provide said services.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. ~~EMPLOYMENT OF CONSULTANT~~

The City hereby agrees to employ the Consultant, and the Consultant hereby agrees to perform services as set forth hereinafter in the "Scope of Services" outlined below.

2. SCOPE OF SERVICES :

The Consultant shall do, perform, and carry out in a satisfactory and proper manner such work as the City determines is necessary in the acquisition of right of way and easements and the relocation of families and businesses. The City will provide the title work, survey, and partial releases in the acquisition process. All work by the Consultant shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 as amended by the Uniform Relocation Act Amendment of 1987.

3. COMPENSATION

As consideration for the performance of the Contract, the City agrees to pay the Consultant the following:

\$650 per parcel for the right of way and easement work. 50% payable when the offer is made and the balance payable when the right of way or easement is is closed or given to the Attorney for condemnation.

\$1600 per residential relocation case and \$1800 per business or non-profit relocation case.

These fees are valid for a period of one year from date of execution of this contract.

4. EQUAL OPPORTUNITY

The Consultant will not discriminate against any employee or applicant for employment because of race, religion, sex, color, or national origin. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, sex, color, or national origin.

5. TERMINATION FOR CONVENIENCE OF CITY

The City may terminate this Contract at any time by giving written notice to the Consultant of such termination and specifying the effective date thereof. Such written notice shall be furnished the Consultant at least thirty (30) days before the effective date of termination. In the event all finished or unfinished ~~documents and other materials as described above shall~~, at the option of the City, become its property. If the Contract is terminated by the City as provided herein, the Consultant shall be paid for all work completed up to the termination date.

6. TERMINATION FOR CONVENIENCE OF CONSULTANT

The Consultant may terminate this Contract at any time by giving written notice to the City of such termination and specifying the effective date thereof. Such written notice shall be furnished the City at least thirty (30) days before the effective date of termination. In the event of termination, all materials as described above shall become the property of the City. The Consultant shall be paid for all work completed up to the termination date.

IN WITNESS WHEREOF, the City and the CONSULTANT have executed this Agreement this the 17th day of October, 1995.

WITNESS:

Subby Lewis

SAMPLE AND ASSOCIATES, INC.

BY:

John Wood Sample
JOHN WOOD SAMPLE, PRESIDENT

CITY OF CLINTON, MISSISSIPPI

WITNESS:

Nelson Byrd
CITY CLERK

BY:

Rosemary J. Quetman
MAYOR

TOTAL P.02

MUNICIPAL COMPLIANCE QUESTIONNAIRE

INFORMATION

Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no," and, as a result, more information on this questionnaire may be required and/or separate workpapers may be needed.

1. Name and address of municipality: CITY OF CLINTON, MISSISSIPPI

2. List the date and population of the latest official U.S. Census or most recent official census:

21,847

3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).

JEHU BRABHAM, ALDERMAN-AT-LARGE

GEORGE FERRELL, ALDERMAN WARD 1

RODNEY DEPRIEST, ALDERMAN WARD 2

BEN L. TODD, ALDERMAN WARD 3

PHIL FISHER, ALDERMAN WARD 4

HERB TOUCHTON, ALDERMAN WARD 5

SHARBERT LOTT, ALDERMAN WARD 6

ROSEMARY AULTMAN, MAYOR

NELSON BYRD, CITY CLERK AND TAX COLLECTOR

KEN DREHER, CITY ATTORNEY

4. Period of time covered by this questionnaire:

From: OCTOBER 1, 1994

To: SEPTEMBER 30, 1995

5. Expiration date of current elected officials' term: JUNE 30, 1997

IV-A7

CITY OF CLINTON, MISSISSIPPI
(MUNICIPALITY)

Certification to Municipal Compliance Questionnaire

Year Ended September 30, 1995

We have reviewed all questions and responses as contained in this Municipal Compliance Questionnaire for the Municipality of CITY OF CLINTON, MISSISSIPPI and, to the best of our knowledge and belief, all responses are accurate.

Nelson Byrd
(City Clerk's Signature)

October 3, 1995
(Date)

Rosemary S. Rustman
(Mayor's Signature)

October 3, 1995
(Date)

Minute Book References:

Book Number _____

Page _____

(Clerk is to enter minute book references when questionnaire is accepted by board.)

IV-A8

MUNICIPAL COMPLIANCE QUESTIONNAIRE

ANSWER ALL QUESTIONS: Y - YES, N - NO, N/A - NOT APPLICABLE

PART I - GENERAL

1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) Y
2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27) Y
3. Are municipal records open to the public? (Section 25-61-5) Y
4. Are meetings of the board open to the public? (Section 25-41-5) Y
5. Are notices of special or recess meetings posted? (Section 25-41-13) Y
6. Are all required personnel covered by appropriate surety bonds?
 - Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter) Y
 - Municipal clerk (Section 21-15-38) Y
 - Deputy clerk (Section 21-15-23) Y
 - Chief of police (Section 21-21-1) Y
 - Deputy police (Section 45-5-9) (if hired under this law) N/A
7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19) Y
8. Are minutes of board meetings signed by the mayor or majority of the board within 22 days of the meeting? (Section 21-15-33) Y
9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53) Y
10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) Y

IV-A9

MUNICIPAL COMPLIANCE QUESTIONNAIRE

11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31) Y
12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? (Section 21-35-31 or 21-17-19) Y

PART II - CASH AND RELATED RECORDS

1. Where required, is a claims docket maintained? (Section 21-39-7) Y
2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9) Y
3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7) Y
4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13) Y
5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13) Y
6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9) Y
7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23) Y
8. Has the municipality held a public hearing and published its adopted budget? (Section 21-35-5) Y
9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25) Y

IV-A10

MUNICIPAL COMPLIANCE QUESTIONNAIRE

10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25) Y
11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) Y
12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) Y
13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) Y
14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) Y
15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) Y
16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution) -- Sections 21-19-45 through 21-19-59, etc.] Y
17. Are fixed assets property tagged and accounted for? (Section 7-7-211 - Municipal Audit and Accounting Guide) Y
18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y
19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) Y

PART III - PURCHASING AND RECEIVING

1. Are bids solicited for purchases, when required by law (written bids and advertising)? [Section 31-7-13(b) and (c)] Y
2. Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] Y

IV-A11

MUNICIPAL COMPLIANCE QUESTIONNAIRE

3. Are all one-source item and emergency purchases documented on the board's minutes? [Section 31-7-13(m) and (k)]
4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23)

Y

Y

PART IV - BONDS AND OTHER DEBT

1. Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303)
2. Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87)
3. Have the required trust funds been established for utility revenue bonds? (Section 21-27-65)
4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317)
5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5)

Y

Y

Y

Y

Y

PART V - TAXES AND OTHER RECEIPTS

1. Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167)
2. Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53)
3. Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63)
4. Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53)

Y

Y

Y

Y

IV-A12

MUNICIPAL COMPLIANCE QUESTIONNAIRE

5. Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321) Y
6. Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) Y
7. Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) Y
8. Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) Y
9. Has the municipality levied or appropriated not less than 1/4 mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39) Y
10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73) Y
11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21) Y
12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1) Y