

**ADJOURNED MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, DECEMBER 15, 1992 - 5 P.M.
MUNICIPAL COURTROOM**

The Mayor and Board of Aldermen of the City of Clinton met in Adjourned Meeting at 5 P.M., at the Municipal Courtroom, 200 Jefferson Street, pursuant to a Recess Order adopted by said Mayor and Board of Aldermen at their Regular Meeting of December 1, 1992, as found on Page 787 of this Minute Book V.

WELCOME AND CALL TO ORDER

Following the welcome and call to order, Mayor Billy Ray Smith reminded the aldermen and others present to call the Mayor's Office with addresses of those homes that they would like to nominate for the 1992 Mayor's Spirit of Christmas Awards.

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The Invocation was led by Mayor Smith followed by the Pledge of Allegiance to the Flag led by Alderman Keith Montgomery.

ROLL CALL - City Clerk Nelson Byrd

Present - O. C. George Ferrell - Alderman Ward 1
Edward Valente - Alderman Ward 2
Ben Todd - Alderman Ward 3
Keith Montgomery - Alderman Ward 4
Jean Johnson - Alderman Ward 5 - Arrived 5:15 p.m.
Sharbert Lott - Alderman Ward 6
Mayor Billy Ray Smith - Presiding

City Attorney William E. Spell
City Clerk Nelson Byrd

Absent - Willard Ryan - Alderman-at-Large

APPROVAL OF CONSENT AGENDA ITEMS A-L:

Upon request by Mayor Smith to add as Consent Agenda Item "L" \$2,244.95 to be paid to Interim Building Inspector Rice for his services, **MOTION** made by Alderman Lott and **SECONDED** by Alderman Valente to approve Consent Agenda Items A-L as found on page 818 of this Minute Book V. **MOTION CARRIED UNANIMOUSLY.** Alderman Johnson not present for voting. Consent Agenda Item A will serve to advertise favorably the resources, possibilities, and opportunities of the City of Clinton.

SELF-EVALUATION AND TRANSITION PLAN FOR ADA REQUIREMENTS APPROVED

MOTION made by Alderman Valente and **SECONDED** by Alderman Lott to approve in the current fiscal year that self-evaluation and transition plan proposed by CMPDD as found on pages 808-815 of this Minute Book V to meet ADA (American Disability Act) Requirements. **MOTION CARRIED UNANIMOUSLY.** Alderman Johnson not present for voting. Copy of said contract may be found on pages 820-828 of this Minute Book V.

APPROVAL OF LOW QUOTE FOR REMOVAL OF GASOLINE STORAGE TANKS ON SPRINGRIDGE ROAD

Four quotes were received on November 30, 1992, for the emergency removal of gasoline storage tanks in the ROW of the Springridge Road Widening Project with Riedel Environmental having the low quote of \$5,205.64. **MOTION** made by Alderman Valente and **SECONDED** by Alderman Todd to accept the low quote as stated above. **MOTION CARRIED UNANIMOUSLY.** Alderman Johnson not present for voting. Copy of Quote Tabulation may be found on page 816 of this Minute Book V.

AUTHORIZATION GRANTED TO ADVERTISE FOR SEWER REHAB

Public Works Director Alderman stated that the Board had previously approved the advertisement of sewer rehab for SOS Truckstop to Southwest Lagoon and Oakwood sewer but the City ran out of money and had not completed the work that now must be done and requested authorization to re-advertise said project. MOTION made by Alderman Ferrell and SECONDED by Alderman Todd to approve said advertisement. MOTION CARRIED UNANIMOUSLY. Alderman Johnson not present for voting.

RECLAMATION OF PATTON LAGOON

Public Works Director Alderman stated that there was confusion as to ownership of the Patton Lagoon; that he was unable to find if the land was ever transferred to the City; that the City had never had a permit to operate said lagoon; that said lagoon was operated by Clinton Industrial Park and that Mr. Thomas Berry shows on the plat as the owner of said property. MOTION made by Alderman Ferrell and SECONDED by Alderman Todd to grant authority to the Mayor to go to DEQ and get the necessary information for steps to proceed with reclamation of said Patton Lagoon including the determination of legal ownership of said property. MOTION CARRIED UNANIMOUSLY.

EROSION PROBLEM ON SPANISH MOSS SUBMITTED TO SCS

Regarding that erosion problem at 108 Spanish Moss Drive, it was noted that said area had been submitted to SCS (Soil Conservation Service) for additional funds along with a list of other ditches that need erosion work. NO BOARD ACTION.

INTERLOCAL AGREEMENT FOR COMPREHENSIVE PARKS PLAN

MOTION made by Alderman Valente and SECONDED by Alderman Ferrell authorizing negotiation and preparation of an Interlocal Agreement between the City of Clinton and Hinds County for a comprehensive parks plan with said agreement being drawn according to County form and standards (City Attorney Spell to submit in concert with Hinds County Board of Supervisors Attorney) first being approved by the Board of Supervisors and then the Board of Aldermen. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF RESOLUTION TO LEGISLATURE REGARDING MILITARY ACCUMULATED SERVICE

MOTION made by Alderman Todd and SECONDED by Alderman Johnson to approve that Resolution found on page 817 of this Minute Book V asking the Legislature to act upon military accumulated service for employees of fire and police departments to apply to retirement only if the disability and relief fund is actuarially sound with the addition to said resolution that "the City of Clinton introduced this bill last year but it didn't pass the Legislature and the City of Clinton is still interested in seeing this bill passed". MOTION CARRIED 5-0-1 with Alderman Montgomery casting a "present" vote.

AGENDA ITEMS 12 AND 13 SET ASIDE UNTIL THE NEXT BOARD MEETING

Upon request, agenda items 12 and 13, namely garbage/recycling contract and invitation for proposals; and School Board Lease for re-location of Briars Treatment Facility respectively, were set aside for discussion and action until the next Board Meeting. NO BOARD ACTION.

OTHER BUSINESS

A. Alderman Montgomery apprised the Board that a meeting was held

December 14, 1992, regarding the Melrose Erosion Project; easements are currently being signed but there is a property owner unwilling to sign an easement at this time.

B. At 7 p.m. tonight, a meeting will be held for Wickstead Sewer. Alderman Montgomery requested that the board proceed with this project and go to bid to find out what the exact cost will be.

C. Alderman Montgomery requested that the Board consider appointing Mr. Phil Fisher to fulfill the unexpired term of Keith Montgomery, Ward 4 Alderman, said office being vacated due to Alderman Montgomery's election to the Mississippi House of Representatives.

D. Alderman Montgomery thanked every member of the Board for allowing him to serve on the Board for the last eight years and pledged to work for Clinton now in the Legislature.

E. Alderman Montgomery requested the Board to re-examine its decision made at the last Board Meeting to terminate contracts with Anderson Engineers stating that preliminary study showed substantial additional cost would be borne to the taxpayer in getting a new engineer to take over said contracts, and then **Moved** to deliver to the Board of Aldermen by the second meeting in January 1993 the costs getting out of said contracts with Anderson Engineers to make sure taxpayers will not be hurt. **SECONDED** by Alderman Johnson. **ROLL CALL VOTE:** Alderman Lott - "aye", Alderman Johnson - "aye", Alderman Montgomery - "aye", Alderman Todd - "aye", Alderman Valente - "aye", Alderman Ferrell - "nay". **MOTION CARRIED 5-1.**

F. Jehu Brabham apprised the Board that the Clinton Beautification Committee will sponsor a Christmas Tree Recycling Program where residents may drop off their Christmas Trees at area businesses to be "chipped" and used for mulch in our City-wide tree-planting and beautification projects.

G. Dr. Valente apprising the Board that 80/20 matching grant monies are available from the Federal Highway Administration through the Mississippi Department of Transportation for transportation/sidewalk/bicyclerails/preservation/beautification projects with deadline for submitting application for funds being December 31, 1992, with City's portion if selected not being due until Sept. 30, 1994, **MOTION** made by Alderman Valente and **SECONDED** by Alderman Lott to authorize the development of a bicycle/sidewalk plan that will link schools and parks in the City with CMPDD to submit by December 31, 1992, to the Highway Department said application with the City of Clinton expecting to commit up to \$50,000.00 for its share in hopes of capturing a project worth up to \$250,000.00. **MOTION CARRIED UNANIMOUSLY.**

H. Alderman Ferrell apprised the Board that residents of San Carlos/Lorado Streets will be meeting this Thursday, 6 p.m., at the courtroom, to get easements signed to clean out the ditch between these two streets.

EXECUTIVE SESSION - 5:55 p.m.

MOTION made by Alderman Valente and **SECONDED** by Alderman Lott to consider going into Executive Session for the purpose of discussing litigation matters. **MOTION CARRIED 5-1** with Alderman Montgomery casting the "nay" vote.

MOTION made by Alderman Valente and **SECONDED** by Alderman Ferrell to go into Executive Session for the purpose of settlement discussions in the Martin vs. City of Clinton and Bradshaw vs. City of Clinton pending litigation matters in the U. S. District Court for the Southern District of Mississippi Jackson Division. **MOTION CARRIED 5-1** with Alderman Montgomery casting the "nay" vote.

Present for Executive Session were Mayor Smith, Aldermen Lott, Johnson, Montgomery, Todd, Valente, Ferrell, City Attorney Spell, Police Captain Wesley Reeves, City Clerk Byrd and Deputy Clerk Sessums.

Following said discussions, Alderman Montgomery MOVED to go back into OPEN SESSION. SECONDED by Alderman Valente. MOTION CARRIED UNANIMOUSLY.

MOTION made by Alderman Montgomery and SECONDED by Alderman Johnson that the City of Clinton will not ask the insurance carrier to settle out of court on the matter of the "Bradshaw" case. MOTION CARRIED 6-0 with Alderman Todd abstaining.

ADJOURNMENT - 6:05 P.M.

There being no further business to discuss, MOTION made by Alderman Montgomery and SECONDED by Alderman Johnson to adjourn. MOTION CARRIED UNANIMOUSLY.

Copy of Agenda may be found on Pages 818-819 of this Minute Book V.

APPROVED: Billy R. Smith 12-18-92
Billy Ray Smith, Mayor Date

ATTEST: Nelson Byrd 12-18-92
Nelson Byrd, City Clerk Date

SEAL



CENTRAL MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT

1170 LAKELAND DRIVE P.O. BOX 4935 JACKSON, MISSISSIPPI 39296-4935 (601) 981-1511 FAX: (601) 981-1515

6.
E. E. Jackson
President
James Wilson
Vice President
Hugh McGraw
Secretary-Treasurer
F. Clarke Holmes
Executive Director

December 1, 1992

Mayor Billy Ray Smith
City of Clinton
Post Office Box 156
Clinton, Mississippi 39056

Dear Mayor Smith:

RE: Proposal to Prepare ADA Transition Plan/
"Self Evaluation" and Community Facilities
Plan, Including a Parks and Recreation Plan

In accordance with your request, we are submitting herewith a proposal to develop a Parks and Recreation Plan for the City of Clinton. As you will recall, a Parks and Recreation Plan is one of the required elements of a Community Facilities Plan, which under the Mississippi Code must be prepared as one of the four legal foundations for a zoning ordinance. Therefore, we suggest that the Parks and Recreation Plan be developed as part of a Community Facilities Plan. In preparing the Parks and Recreation Plan element of the Community Facilities Plan, we will rely heavily on previously performed studies, including the recent one performed by Dr. Woodrow Marsh.

In conjunction with the preparation of a Community Facilities Plan, we suggest that the City proceed with a "Self Evaluation" of various policies and practices in order to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). This "Self Evaluation" must be completed by January 26, 1993. The ADA also requires preparation of a Transition Plan to schedule any improvements that are necessary to meet the accessibility requirements of the act. By performing the "Self Evaluation" and preparing the Transition Plan in early 1993 for the City, the District will begin to compile information needed for the Community Facilities Plan. This will accomplish two objectives:

1. It will comply with the ADA requirements, while at the same time providing some information needed for the Community Facilities Plan; and

Serving Local Governments: Copiah, Hinds, Madison, Rankin, Simpson, Warren and Yazoo Counties

6.
Mayor Billy Ray Smith
December 1, 1992
Page Two

2. It will demonstrate a "good faith effort" on the part of the City to comply with State law regarding the preparation of the fourth and final element of a Comprehensive Plan. By preparing and adopting a Community Facilities Plan, the City will avoid potential challenges to the new zoning ordinance on the basis of non-compliance with State law.

We propose to complete the ADA "Self Evaluation" by the January 26, 1993, deadline and to prepare the Transition Plan by March 31, 1993. We will delay the start of other activities relating to the Community Facilities Plan until sufficient funds can be programmed in the City's FY 1994 budget to accomplish this task; work will start on these other activities in October 1, 1993.

If you have any questions regarding this proposal or if you feel modifications are needed, please contact us.

Sincerely,



Larry T. Smith, AICP
Planning Director

Enclosure

PROPOSAL TO PREPARE A COMMUNITY FACILITIES PLAN FOR THE
CITY OF CLINTON, MISSISSIPPI

Section 17-1-19 of the Mississippi Code of 1972, Annotated, As Amended, states: "Zoning regulations shall be made in accordance with a comprehensive plan---." Section 17-1-1, as amended by the State Legislature in 1988, defines "comprehensive plan" as "---a statement of public policy for the physical development of the entire municipality or county adopted by resolution of the governing body---." The definition under Section 17-1-1 lists four elements that must be a part of the comprehensive plan: (1) Goals and Objectives for the long-range development of the municipality; (2) a Land Use Plan; (3) a Transportation Plan; and (4) a Community Facilities Plan. The City of Clinton has adopted by Resolution the first three of the elements of a Comprehensive Plan; only the Community Facilities Plan element remains to be prepared.

Section 17-1-1 of the Mississippi Code states that a Community Facilities Plans should serve as the basis for a Capital Improvements Program, including: "---housing; schools; parks and recreation; public buildings and facilities; and utilities and drainage."

The CMPDD proposes to prepare a Community Facilities Plan that will build upon the following:

- * adopted Goals and Objectives and Land Use Plan prepared by the District in 1989;
- * the "Olde Towne Clinton Preservation and Revitalization Study" and the "Vernon Road Neighborhood Study", performed by the District under a Community Development Block Grant during 1991;
- * the Municipal Facilities Location Study performed by JH&H Architects, Ltd. in 1985; and
- * the Comprehensive Parks Plan prepared by Dr. Woodrow Marsh in 1992; and
- * other studies performed in the past.

The Community Facilities Plan will include an inventory of all present facilities, and, based upon population forecasts for the service area of each type facility, projections as to future needs to the same year as the target date (year-2010) for the Land Use Plan. The recommendations of the Community Facilities Plan shall be expressed in terms of existing facilities to be retained, existing facilities to be modified, improved or relocated, and new facilities. The recommendations shall be based upon accepted location and space requirement standards for each facility. Interviews will be conducted with all City department directors to obtain their perspectives on present and future needs.

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Compliance with the Americans with Disabilities Act of 1990: In conjunction with the preparation of a Community Facilities Plan, the District will perform "Self Evaluation" of the Clinton's current policies and practices to identify and correct those that are inconsistent with the Americans with Disabilities Act of 1990 (ADA). Specifically, the District will examine 13 compliance factors listed in the ADA regulations. In accordance with the ADA, "State and local governments must take administrative steps in order to achieve compliance with the ADA. These include the preparation of a self evaluation by January 26, 1993." As part of this work, the District will prepare a Transition Plan, which must be developed by local governments that employ 50 or more persons. At a minimum, the Transition Plan must:

- * Identify physical obstacles in the local government's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- * Describe in detail the methods that will be used to make the facilities accessible;
- * Specify the schedule for taking the steps necessary to achieve compliance with ADA regulations and, if the time period of the Transition Plan is longer than one year, identify steps that will be taken during each year of the transition period; and
- * Indicate the local government official responsible for implementation of the plan.

Under the ADA, "structural modifications that are required for program accessibility should be made as expeditiously as possible, but no later than July 26, 1995."

Study Area: The Study Area for the Community Facilities Plan shall be the same as those used for the Land Use/ Thoroughfares Plan, specifically: Shaw Road and the proposed Shaw Road Extensions on the east; Mississippi Highway 18 on the south; Norell Road on the west; and Kickapoo Road on the north. These areas are considered to be within the City's twenty-year paths of growth.

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The Community Facilities Plan will consist of the five major elements:

1. Public Buildings and Facilities Element: The District shall conduct an inventory of all City buildings and facilities, including but not necessarily limited to, the following:

- * City Hall/ Civic Center: The adopted Goals and Objectives element of the Comprehensive Plan for Clinton established the goal "to promote development of Olde Towne Clinton as one of the major focal points of community life". One way to maintain that focus would be maintaining the location of City Hall in the Olde Towne area coupled with the multi-purpose Civic Center Complex recommended in the "Olde Towne Clinton Preservation and Revitalization Study".
- * Public Works Building and Facilities, including personnel needs, offices and equipment, such as trucks, asphalt spreaders, back-hoes, etc.
- * Police Department: Building, equipment and personnel needs will be analyzed in terms of accepted standards. Facilities to be analyzed include office and prisoner retention space needs, vehicle needs, and other equipment (such as communications, radar, etc.) needs. Personnel needs will also be projected.
- * Fire/ Rescue Department: Recommendations shall be made based upon Insurance Services Office (ISO) criteria used by the Mississippi State Ratings Bureau. Future needs for additional fire stations, equipment and personnel will be analyzed.
- * Libraries: Based upon population projections to the year-2010 and standards of the American Library Association, the future needs of the Clinton Library will be analyzed. Recommendations will be made as to shelving space, reader space, staff work space, etc. as well as expanded or new facility sites.

The District shall project the City's needs for public buildings and facilities for a twenty year period (1990-2010), based upon accepted standards and population projections. Potential sites for future public buildings shall be evaluated using standard site selection criteria. Cost estimates for proposed public buildings and facilities shall be prepared.

2. Utilities, Stormwater Drainage and Solid Waste Disposal:

- * Water and Sewer Systems: The District shall inventory all water and sewer facilities in the City and project the needed improvements to the the water/ sewer system to the year-2010 using accepted standards and population projections. The CMPDD shall work with the City Engineer to update and refine recommendations from the

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1985 computerized water system model with regard to updated population projections. Likewise, the CMPDD shall review the City Engineer's recommendations for the three basins previously studied with regard to sanitary sewerage system needs in the light of updated population projections.

- * Storm Drainage System: The District will work with the City Engineer with regard to develop a storm drainage plan considering anticipated development with each basin, based upon projected increases in stormwater runoff resulting from urban development (from the adopted Land Use Plan).
- * Solid Waste Disposal: Projections of future solid waste disposal needs will be developed, with the assumption that solid waste collection will continued to contracted to private providers.

3. Parks and Recreation:

The District shall conduct an inventory of all present parks and recreational facilities in the City and project Clinton's park and recreational needs to the year-2010. Instead of relying on solely on national standards that are often not appropriate for smaller cities, the District will conduct a survey of City's parks and recreation needs as perceived by the citizens of Clinton. It is anticipated that the survey will be distributed to randomly-selected water customers, similar to the Public Issues Questionnaire conducted in conjunction with the development of Goals and Objectives for the City. The City's needs will be analyzed for the following park classifications/ facilities:

- * Playlots
- * Neighborhood playgrounds
- * Neighborhood parks
- * Community playfields
- * Major community parks
- * Single/ special purpose facilities, such as baseball and softball diamonds, tennis courts, soccer fields, basketball courts, swimming pools, community centers, golf courses, jogging trails, etc.
- * Urban greenspace or open space
- * Regional parks

Cost estimates for all proposed parks and recreational facilities shall be prepared to the year-2010. The District will review the study performed by Dr. Woodrow Marsh in 1992 and recommend any modifications/ additions that are deemed necessary. Locations for parks/ recreational facilities shall be identified on maps to be contained in the Community Facilities Plan report.

4. Schools:

The District shall evaluate the school facility needs to the year-2010 of the Clinton Public School District in cooperation with the Superintendent of the School District for the study area defined in this proposal. Population projections by age group shall be the basis for projecting future needs, and accepted standards shall be applied in determining these needs. Potential future sites for schools and other facilities shall be identified. Cost estimates for these facilities shall also be produced.

5. Housing:

The District shall conduct an inventory of present housing in the study area and classify each structure according as to sound, deteriorating or dilapidated. Housing needs to the year-2010 shall be projected based upon population forecasts to that year. Recommendations shall be made for meeting the housing needs of the study area, including eliminating substandard housing units.

One of the objectives of the adopted Goals and Objectives element of the Comprehensive Plan is "---to consider the designation of certain areas of the City having substandard structural housing conditions as "redevelopment zones", eligible for State low interest rate bond money for development of better housing." Some candidate areas were recommended in the Goals and Objectives. The "Vernon Road Neighborhood Study" performed during 1991 by the District presented some recommendations for alleviating the substandard housing conditions of that neighborhood. However, there are other areas of the City with poor housing conditions that were not addressed in that study. This element of the Community Facilities Plan will focus on those areas.

PARTICIPATION BY THE DISTRICT IN PUBLIC HEARINGS: At least one public hearing is required by State law for the Community Facilities Plan, since the zoning ordinance must be based in part upon that element of an adopted COMPREHENSIVE PLAN. District personnel shall present their findings and recommendations at public hearings on the proposed Community Facilities Plan.

REPORTS: The CMPDD shall prepare a report containing findings and recommendations for each element constituting the Community Facilities Plan. Maps reflecting those findings and recommendations will be included. One hundred (100) copies of this report will be printed for distribution as the City determines. Separate reports will also be produced documenting the ADA "Self Evaluation" and containing the Transition Plan to meet accessibility requirements.

COST AND PHASING:

FY 1993:

"Self Evaluation" for Compliance with <u>ADA</u> :	
Complete by January 26, 1993.....	\$ 2,000
<u>Transition Plan</u> for Compliance with <u>ADA</u> Accessibility	
Requirments: Begin in January, 1993; Complete by March 31,	
1993.....	5,000
TOTAL, <u>ADA</u> Requirements Compliance.....	\$ 7,000

FY 1994:

<u>Community Facilities Plan</u> : Begin, October 1, 1993; Complete:	
September 30, 1994:	
Professional personnel time.....	\$12,000
Graphics personnel time.....	2,500
Local travel and printing-related	
costs.....	500
TOTAL.....	\$15,000

QUOTE TABULATION

PROJECT: REMOVAL OF UNDERGROUND GASOLINE STORAGE TANKS
SPRINGRIDGE ROAD

OWNER: CITY OF CLINTON, CLINTON, MS

ENGINEER: ANDERSON ENGINEERS, P.A.

BID DATE: NOVEMBER 30. 1992 2:00 P.M.
OFFICE OF CITY CLERK
CITY HALL
300 JEFFERSON STREET
CLINTON, MISSISSIPPI

CONTRACTOR

BASE BID

RIEDEL ENVIRONMENTAL

C.O.R.# _____

BID BOND _____

\$ 5,205.64

ETHERIDGE PETROLEUM EQUIPMENT

C.O.R.# _____

BID BOND _____

\$11,606.38

PETROLEUM INSTALLATION COMPANY, INC.

C.O.R.# _____

BID BOND _____

\$12,273.34

PETROLEUM TANK SPECIALISTS, INC.

C.O.R.# _____

BID BOND _____

\$ 6,150.00

This is to certify that the above quote amounts are a true and accurate tabulation of the construction quotes received on this project.

BY:

William C. Poole

William C. Poole

Anderson Engineers, P.A.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CLINTON, MISSISSIPPI
ENDORISING THE ADOPTION OF HOUSE BILL NO. _____

BEING AN ACT TO AMEND §21-29-139, MISSISSIPPI CODE OF 1972

WHEREAS, the City of Clinton, by Resolution dated April 17, 1974, evidenced its desire to take advantage of the privileges and benefits provided by House Bill No. 1884 of the 1974 Regular Session and afforded under §§21-29-101 through 21-29-151 of the Mississippi Code of 1972, as amended; and

WHEREAS, since that time, the City of Clinton has created and provided for the maintenance of a "Disability and Relief Fund for Firemen and Policemen of the City of Clinton"; and

WHEREAS, pursuant to §21-29-139 of the Mississippi Code of 1972, certain benefits are presently permitted for members of the police and fire departments protected under said plan with respect to military service rendered during World War II; and

WHEREAS, the City of Clinton desires to make similar benefits available to those veterans of the Vietnam Conflict era; and

WHEREAS, it is the opinion of the Mayor and Board of Aldermen that House Bill No. _____, a copy of which is attached hereto, would authorize similar benefits within the City of Clinton for those police and fire department personnel who served their country on active duty in the United States Armed Forces during World War II, the Korean Conflict, Cuban Crisis, Berlin Crisis and Vietnam Conflict;

WHEREAS, the Mayor and Board of Aldermen have previously passed a Resolution in support of the purposes set forth herein; and

WHEREAS, the legislation has not been enacted;

BE IT, THEREFORE, RESOLVED that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, do endorse and support the adoption of House Bill No. _____.

SO RESOLVED, this the 15th day of December, 1992.

Billy R Smith
BILLY RAY SMITH, MAYOR

ATTEST:

Nelson Byrd
NELSON BYRD, CITY CLERK

CMPDD CONTRACT NO. 319F23

CONTRACT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, entered into as of the 1ST day of December, 1992, by and between the CITY OF CLINTON, MISSISSIPPI, hereinafter called "the CITY" and the CENTRAL MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT, hereinafter called "the CMPDD", WITNESSETH THAT:

WHEREAS, the CITY desires to engage the CMPDD to render certain technical and professional services, hereinafter described.

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

1. Employment of the CMPDD

The CITY hereby agrees to engage the CMPDD; and the CMPDD hereby agrees to provide the services hereinafter set forth.

2. Scope of Services

The CMPDD shall provide the services described in Exhibit A, "Scope of Services", which is attached hereto and made a part hereof by reference.

3. Period of Performance

The CMPDD shall begin performance of the services specified under paragraph 2 of this Contract during the month of December, 1992. Unless an amendment to this Contract is approved by CITY granting an extension, all services shall be completed by the CMPDD by March 31, 1993.

4. Contribution of the CITY

As its contribution toward the performance of this Contract, the CITY hereby agrees to pay to the CMPDD the fixed amount of \$ 7,000.00. The CMPDD shall bill the CITY not more often than monthly as costs are incurred, and the CITY agrees to pay the amount shown on each invoice within 30 days of receipt of each invoice from the CMPDD.

5. Changes

This Contract may be altered from time to time with the approval of both parties. Such changes shall be incorporated into written amendments to this Contract.

6. Interest of Members of the CITY

No officer, member, or employee of the CITY who exercises any function or responsibilities in the review or approval of the undertaking or carrying out of this Contract shall participate in any decision which effects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly involved.

7. Cooperation of the CITY

The CITY hereby agrees that its officials and employees will cooperate with the CMPDD in the discharge of the CMPDD's responsibilities under this Contract and will be available for consultation at such times as may be mutually agreeable to all parties. The CITY shall make available to the CMPDD or its

designated agents all data, reports, records, maps or other information as are existing, available, and necessary for carrying out this Contract.

8. Products of This Contract

It is understood and acknowledged by the CITY that the CMPDD shall retain ownership of all products it develops as necessary to produce the items which the CMPDD is required to produce for the CITY under this Agreement. Such work products shall include, but shall not necessarily be limited to, computer disks, research materials, working papers and other internal documents. The CITY shall have full right and title to all products delivered to the CITY by the CMPDD under this Agreement.

IN WITNESS WHEREOF, the CITY and the CMPDD have executed this Contract
as of the 18th day of December, 1992.

ATTEST:

CITY OF CLINTON, MISSISSIPPI

Nelson Byrd

Nelson Byrd
City Clerk

Billy R Smith

Billy Ray Smith
Mayor

ATTEST:

CENTRAL MISSISSIPPI PLANNING AND
DEVELOPMENT DISTRICT

Dan L. Thompson

Dan L. Thompson
Director of Finance

F. Clarke Holmes

F. Clarke Holmes
Executive Director

CMPDD CONTRACT

NO. 319 F23

STATE OF MISSISSIPPI

CITY OF HINDS

Personally appeared before me, the undersigned individual in and for said County and State, the within named F. CLARKE HOLMES and DAN L. THOMPSON, who acknowledged to me that they are the Executive Director and Director of Finance of the Central Mississippi Planning and Development District, Incorporated, respectively, and that as such they did sign, execute and deliver the above and foregoing instrument, having affixed the corporate seal thereto, for the purposes therein stated, in the name of, for and on behalf of said corporation, they being first duly authorized so to do.

Given under my hand and official seal, this the 18th day of December, 1992.

Debbie Hancock

Debbie Hancock

Notary Public

My Commission Expires:

My Commission Expires Oct. 17, 1995

CMPDD CONTRACT

NO. _____

STATE OF MISSISSIPPI

COUNTY OF HINDS

Personally appeared before me, the undersigned individual in and for said County and State, the within named BILLY RAY SMITH and NELSON BYRD, who acknowledged to me that they are the Mayor and City Clerk of the City of Clinton, Mississippi, respectively, and that, as such, they did sign, execute and deliver the above and foregoing instrument, having affixed the City seal thereto, for the purposes therein stated, in the name of, for and on behalf of said City, they being first duly authorized so to do.

Given under my hand and official seal, this the 18th day of December, 1992.

Christine E. Walls

Notary Public

My Commission Expires:

My Commission Expires July 24, 1994



EXHIBIT A
SCOPE OF SERVICES

Compliance with the Americans with Disabilities Act of 1990: The CMPDD shall perform "Self Evaluation" of the Clinton's current policies and practices to identify and correct those that are inconsistent with the Americans with Disabilities Act of 1990 (ADA). Specifically, the CMPDD shall examine 13 compliance factors listed in the ADA regulations. In accordance with the ADA, "State and local governments must take administrative steps in order to achieve compliance with the ADA. These include the preparation of a self evaluation by January 26, 1993." The CMPDD shall also prepare a Transition Plan, which must be developed by local governments that employ 50 or more persons. At a minimum, the Transition Plan must:

- * Identify physical obstacles in the local government's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- * Describe in detail the methods that shall be used to make the facilities accessible;
- * Specify the schedule for taking the steps necessary to achieve compliance with ADA regulations and, if the time period of the Transition Plan is longer than one year, identify steps that shall be take during each year of the transition period; and

* Indicate the local government official responsible for implementation of the plan.

Under the ADA, "structural modifications that are required for program accessibility should be made as expeditiously as possible, but no later than July 26, 1995".

REPORTS:

The CMPDD shall prepare a shall prepare a report containing the results of the "Self Evaluation" of the Clinton's current policies and practices identifying those that are inconsistent with the Americans with Disabilities Act of 1990 (ADA), addressing 13 compliance factors listed in the ADA regulations; the report shall specify what actions will be taken to bring such policies and practices into compliance.

The CMPDD shall also prepare a Transition Plan describing how the City of Clinton will comply with ADA accessibility regulations by July 26, 1995.

Sufficient quantities of each report shall be produced by the CMPDD for distribution to interested persons:

COST AND PHASING:

"Self Evaluation" for Compliance with ADA:

Complete by January 26, 1993.....\$ 2,000

Transition Plan for Compliance with ADA Accessibility

Requirements: Begin in January, 1993; Complete by March 31,

1993..... 5,000

TOTAL, ADA Requirements Compliance.....\$ 7,000