

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, APRIL 2, 2013 - 7:00 P.M.
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 Alderwoman Peace followed by the pledge of allegiance to the flag led by Alderman Morgan.

ROLL CALL City Clerk, Russell Wall

Present: Jehu Brabham – Alderman-at-Large
 Tony Hisaw – Alderman Ward 1
 Tony Greer – Alderman Ward 2
 William O Barnett – Alderman Ward 3
 Kathy Peace – Alderwoman Ward 4
 Mike Morgan – Alderman Ward 5

Absent: Mike Cashion – Alderman Ward 6

APPROVAL OF CONSENT AGENDA ITEMS A - T

MOTION made by Alderwoman Peace and **SECONDED** by Alderman Greer to approve the Consent Agenda Items A-T. Item C will serve to advertise favorably the opportunities, possibilities and resources of the City of Clinton. **MOTION CARRIED UNANIMOUSLY**

APPROVE A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI (I) AUTHORIZING AND APPROVING THE EXECUTION OF AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR THE SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013 OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED NINE MILLION TWO HUNDRED THOUSAND DOLLARS (\$9,200,000); (II) AUTHORIZING AND APPROVING THE ISSUANCE OF THE BONDS; (III) APPROVING THE FORM OF AND EXECUTION OF A BOND PURCHASE AGREEMENT FOR THE SALE OF THE BONDS TO PIPER JAFFRAY & CO., MEMPHIS, TENNESSEE; (IV) APPROVING AND AUTHORIZING THE FORM OF, EXECUTION AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING TO THE BONDS; (V) AUTHORIZING THE MAYOR OR CITY CLERK OF THE CITY TO PROVIDE A WRITTEN NOTIFICATION TO FIRST NATIONAL BANK OF CLARKSDALE, CLARKSDALE, MISSISSIPPI, OF THE ADVANCE REFUNDING OF

ALL OR A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2006, DATED JULY 1, 2006, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$3,870,000; (VI) AUTHORIZING THE MAYOR OR CITY CLERK OF THE CITY TO PROVIDE A WRITTEN NOTIFICATION TO TRUSTMARK NATIONAL BANK, JACKSON, MISSISSIPPI, OF THE PREPAYMENT OF ALL OR A PORTION OF THE OUTSTANDING PRINCIPAL INSTALLMENTS OF THE CITY'S \$7,750,000 PROMISSORY NOTE (CLINTON, MISSISSIPPI RECREATION FACILITIES AND MUNICIPAL BUILDINGS PROJECT), DATED NOVEMBER 1, 2004, SECURING A LOAN AGREEMENT DATED AS OF NOVEMBER 1, 2004, BY AND BETWEEN THE CITY AND THE MISSISSIPPI DEVELOPMENT BANK, EVIDENCING A LOAN BETWEEN THE CITY AND THE MISSISSIPPI DEVELOPMENT BANK AND THE CONTEMPERANEOUS ADVANCE REFUNDING AND REDEMPTION OF ALL OR A PORTION OF THE OUTSTANDING MISSISSIPPI DEVELOPMENT BANK SPECIAL OBLIGATION BONDS, SERIES 2004 (CLINTON, MISSISSIPPI RECREATION FACILITIES & MUNICIPAL BUILDING PROJECT), DATED NOVEMBER 1, 2004, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$7,750,000; (VII) AUTHORIZING THE MAYOR OR CITY CLERK OF THE CITY TO PROVIDE A WRITTEN NOTIFICATION TO MERCHANTS & FARMERS BANK, KOSCIUSKO, MISSISSIPPI, OF THE CURRENT REFUNDING OF ALL OR A PORTION OF THE MATURITIES OF THE CITY'S OUTSTANDING GENERAL OBLIGATION WATER AND SEWER SYSTEM BONDS, SERIES 1998, DATED MARCH 1, 1998, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$1,600,000; (VIII) APPROVING THE FORM OF AND EXECUTION OF AN ESCROW AGREEMENTS IN CONNECTION WITH THE REFUNDING OF THE REFUNDED 2006 BONDS AND THE REFUNDED 2004 BANK BONDS, AS EACH TERM IS DEFINED HEREIN; (IX) APPROVING THE EMPLOYMENT OF CERTAIN PROFESSIONALS IN CONNECTION WITH THE ISSUANCE OF THE BONDS; (X) APPROVING THE APPOINTMENT OF FIRST NATIONAL BANK OF CLARKSDALE, CLARKSDALE, MISSISSIPPI AS ESCROW AGENT UNDER THE ESCROW AGREEMENT FOR THE REFUNDED 2006 BONDS AND TRUSTMARK NATIONAL BANK AS ESCROW AGENT UNDER THE ESCROW AGREEMENT FOR THE REFUNDED 2004 BANK BONDS; AND (XI) FOR RELATED PURPOSES

Upon presentation by Butler, Snow, O'Mara, Stevens & Cannada, PLLC, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Greer the board approved a resolution of the Mayor and Board of Aldermen of the City of Clinton, Mississippi (i) authorizing and approving the execution of and distribution of a preliminary official statement for the sale of General Obligation Refunding Bonds, Series 2013 of the City in the principal amount of not to exceed nine million two hundred thousand dollars (\$9,200,000); (ii) authorizing and approving the issuance of the bonds; (iii) approving the form of and execution of a bond purchase agreement for the sale of the bonds to Piper Jaffray & Co., Memphis, Tennessee; (iv) approving and authorizing the form of, execution and distribution of an official statement pertaining to the bonds; (v) authorizing the Mayor or City Clerk of the City to provide a written notification to First National Bank of Clarksdale, Clarksdale, Mississippi, of the advance refunding of all or a portion of the City's outstanding General Obligation Bonds, Series 2006, dated July 1, 2006,

issued in the original principal amount of \$3,870,000; (vi) authorizing the Mayor or City Clerk of the City to provide a written notification to Trustmark National Bank, Jackson, Mississippi, of the prepayment of all or a portion of the outstanding principal installments of the City's \$7,750,000 promissory note (Clinton, Mississippi recreation facilities and municipal buildings project), dated November 1, 2004, securing a loan agreement dated as of November 1, 2004, by and between the City and the Mississippi Development Bank, evidencing a loan between the City and the Mississippi Development Bank and the contemporaneous advance refunding and redemption of all or a portion of the outstanding Mississippi Development Bank Special Obligation Bonds, Series 2004 (Clinton, Mississippi recreation facilities & municipal building project), dated November 1, 2004, issued in the original principal amount of \$7,750,000; (vii) authorizing the Mayor or City Clerk of the City to provide a written notification to Merchants & Farmers Bank, Kosciusko, Mississippi, of the current refunding of all or a portion of the maturities of the City's outstanding General Obligation Water and Sewer System Bonds, Series 1998, dated March 1, 1998, issued in the original principal amount of \$1,600,000; (viii) approving the form of and execution of an escrow agreements in connection with the refunding of the refunded 2006 bonds and the refunded 2004 bank bonds, as each term is defined herein; (ix) approving the employment of certain professionals in connection with the issuance of the bonds; (x) approving the appointment of First National Bank of Clarksdale, Clarksdale, Mississippi as escrow agent under the escrow agreement for the refunded 2006 bonds and Trustmark National Bank as escrow agent under the escrow agreement for the refunded 2004 bank bonds; and (xi) for related purposes. **MOTION CARRIED UNANIMOUSLY**

APPROVE A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013, OF THE CITY OF CLINTON, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED NINE MILLION TWO HUNDRED THOUSAND DOLLARS (\$9,200,000) TO RAISE MONEY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE (I) (A) ADVANCE REFUNDING OF CERTAIN OUTSTANDING MATURITIES OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2006, DATED JULY 1, 2006, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$3,870,000; (B) THE REFINANCE, PREPAYMENT AND ADVANCE REFUNDING OF THE CERTAIN OUTSTANDING PRINCIPAL INSTALLMENTS OF THE CITY'S PROMISSORY NOTE (CLINTON, MISSISSIPPI RECREATION FACILITIES AND MUNICIPAL BUILDINGS PROJECT), DATED NOVEMBER 1, 2004, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$7,750,000, SECURING A LOAN AGREEMENT, DATED AS OF NOVEMBER 1, 2004, BY AND BETWEEN THE CITY AND THE MISSISSIPPI DEVELOPMENT BANK, EVIDENCING A LOAN BETWEEN THE CITY AND THE MISSISSIPPI DEVELOPMENT BANK, AND THE SUBSEQUENT ADVANCE REFUNDING AND REDEMPTION OF CERTAIN OUTSTANDING MATURITIES OF THE \$7,750,000 MISSISSIPPI DEVELOPMENT BANK SPECIAL OBLIGATION BONDS, SERIES 2004 (CLINTON, MISSISSIPPI RECREATION FACILITIES AND MUNICIPAL BUILDINGS PROJECT), DATED AS OF NOVEMBER 1, 2004, ISSUED PURSUANT TO AN INDENTURE OF TRUST, DATED AS OF NOVEMBER 1, 2004, BY AND BETWEEN THE MISSISSIPPI DEVELOPMENT BANK AND TRUSTMARK NATIONAL BANK, JACKSON, MISSISSIPPI; AND (C) CURRENT REFUNDING OF

ALL OUTSTANDING MATURITIES OF THE CITY'S GENERAL OBLIGATION WATER AND SEWER SYSTEM BONDS, SERIES 1998, DATED MARCH 1, 1998, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$1,600,000, AND (II) PAYMENT OF COST OF ISSUANCE IN CONNECTION THEREWITH

Upon presentation by Butler, Snow, O'Mara, Stevens & Cannada, PLLC, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Morgan the board approved a resolution authorizing and directing the issuance of General Obligation Refunding Bonds, Series 2013, of the City of Clinton, Mississippi, in the principal amount of not to exceed nine million two hundred thousand dollars (\$9,200,000) to raise money for the purpose of providing funds for the (I) (a) advance refunding of certain outstanding maturities of the City's General Obligation Bonds, Series 2006, dated July 1, 2006, issued in the original principal amount of \$3,870,000; (b) the refinance, prepayment and advance refunding of the certain outstanding principal installments of the City's Promissory Note (Clinton, Mississippi recreation facilities and municipal buildings project), dated November 1, 2004, issued in the original principal amount of \$7,750,000, securing a loan agreement, dated as of November 1, 2004, by and between the City and the Mississippi Development Bank, evidencing a loan between the City and the Mississippi Development Bank, and the subsequent advance refunding and redemption of certain outstanding maturities of the \$7,750,000 Mississippi Development Bank Special Obligation Bonds, Series 2004 (Clinton, Mississippi recreation facilities and municipal buildings project), dated as of November 1, 2004, issued pursuant to an indenture of trust, dated as of November 1, 2004, by and between the Mississippi Development Bank and Trustmark National Bank, Jackson, Mississippi; and (c) current refunding of all outstanding maturities of the City's General Obligation Water and Sewer System Bonds, Series 1998, dated March 1, 1998, issued in the original principal amount of \$1,600,000, and (ii) payment of cost of issuance in connection therewith. **MOTION CARRIED UNANIMOUSLY**

APPROVE DECLARING NINE (9) CONFERENCE ROOM CHAIRS AS SURPLUS PROPERTY TO BE REMOVED FROM THE CITY INVENTORY AND DONATING THEM TO THE CLINTON CHAMBER OF COMMERCE (SEE ATTACHED LIST)

Upon Presentation by Russell Wall, City Clerk, **MOTION** made by Alderman Morgan and **SECONDED** by Alderwoman Peace the board approved declaring nine (9) conference room chairs as surplus property to be removed from the City Inventory and donating them to the Clinton Chamber of Commerce (See Attached List). **MOTION CARRIED UNANIMOUSLY**

APPROVE ACCEPTING ITEMS LISTED IN THE ATTACHED LIST FROM THE ABANDONED AND/OR UNCLAIMED POLICE DEPARTMENT EVIDENCE ROOM AFTER PROPER NOTIFICATION WAS MADE PER SECTION 21-39-21 OF THE MISSISSIPPI CODE ANNOTATED, AND FUTUREMORE APPROVE ACCEPTING SAID ITEMS AS CITY PROPERTY SO FINAL DISPOSITION CAN BE MADE IN ACCORDANCE WITH STATE LAW

Upon presentation by Mike Warren, Interim Police Chief, **MOTION** by Alderwoman Peace and **SECONDED** by Alderman Greer the board approved accepting items listed in the attached list from the abandoned and/or unclaimed Police Department evidence room after proper notification was made per Section 21-39-21 of the Mississippi Code Annotated, and furthermore approve accepting said items as City property so final disposition can be made in accordance with State Law. **MOTION CARRIED UNANIMOUSLY**

ACCEPT A DONATION FROM THE CLINTON BASEBALL ASSOCIATION OF \$1,500.00 FOR REMOVAL OF INFIELD LIP FOR A BASEBALL FIELD AND \$1,541.50 FOR A FENCE CROWN OF 250 FEET AND INSTALLATION FOR THE PARKS AND RECREATION DEPARTMENT

Upon presentation by Ray Holloway, Director of Parks and Recreation, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Barnett the board accepted a donation from the Clinton Baseball Association of \$1,500.00 for removal of Infield Lip for a baseball field and \$1,541.50 for a fence crown of 250 feet and installation for the Parks and Recreation Department. **MOTION CARRIED UNANIMOUSLY**

ACCEPT A DONATION FROM THE CLINTON GIRLS SOFTBALL ASSOCIATION OF \$2,171.00 FOR A ICE-O-MATIC ICE MACHINE FOR THE PARKS AND RECREATION DEPARTMENT

Upon presentation by Ray Holloway, Director of Parks and Recreation, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Brabham the board accepted a donation from the Clinton Girls Softball Association of \$2,171.00 for a Ice-O-Matic ice machine for the Parks and Recreation Department. **MOTION CARRIED UNANIMOUSLY**

ACCEPT A BID FROM WEEDPRO FOR \$17,700.00 AS BEING THE LOWEST AND BEST BID FOR HERBICIDE TREATMENT FOR THE CITY

Upon presentation by Mike Parker, Director of Public Works, **MOTION** made by Alderwoman Peace and **SECONDED** by Alderman Brabham the board accepted a bid from WeedPro for \$17,700.00 as being the lowest and best bid for Herbicide Treatment for the City. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE PURCHASE OF TWO (2) ZERO TURN MOWERS FROM REVELL HARDWARE AT STATE CONTRACT PRICE

Upon presentation by Mike Parker, Director of Public Works, **MOTION** made by Alderman Greer and **SECONDED** by Alderwoman Peace the board approved the purchase of two (2) zero turn mowers from Revell Hardware at State Contract price. **MOTION CARRIED UNANIMOUSLY**

ACCEPT A BID FROM ADCAMP, INC FOR \$48,375.00 AS BEING THE LOWEST AND BEST BID FOR PAVING OF SOUTHERN OAKS DRIVE IN THE CITY OF CLINTON, MISSISSIPPI

Upon presentation by Bill Owen, Consulting Engineer, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brabham the board accepted a bid from ADCAMP, Inc. for \$48,375.00 as being the lowest and best bid for paving of Southern Oaks Drive in the City of Clinton, Mississippi. **MOTION CARRIED UNANIMOUSLY**

AUTHORIZE THE MAYOR TO EXECUTE AN APPLICATION FOR A HIGHWAY SAFETY GRANT FOR \$62,500.00 WITH A MATCH OF \$12,500.00 FOR TRAFFIC CONTROL FOR THE CLINTON POLICE DEPARTMENT

Upon presentation by Mike Warren, Interim Police Chief, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Barnett the board authorized the Mayor to execute an application for a Highway Safety Grant for \$62,500.00 with a match of \$12,500.00 for traffic control for the Clinton Police Department. **MOTION CARRIED UNANIMOUSLY**

OTHER BUSINESS

Mark Bailey with Neel-Schafer gave the board an update on the construction of the Pinehaven Road Expansion project.

ADJOURN 7:25 P.M.

MOTION made by Alderman Brabham and **SECONDED** by Alderwoman Peace to adjourn until the next regular meeting of the Mayor and Board of Aldermen to be held April 16, 2013 at 7:00 p. m. **MOTION CARRIED UNANIMOUSLY**

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

April 3, 2013
Date

ATTEST: Russell L. Wall
Russell L. Wall, City Clerk

April 3, 2013
Date

