CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, AUGUST 5, 2008 - 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
- Mike Bishop – Alderman Ward 3
- Kathy Peace – Alderwoman Ward 4
- Mike Morgan – Alderman Ward 5
- William Barnett – Alderman Ward 6

APPROVAL OF CONSENT AGENDA ITEMS A-II

MOTION made by Alderman Greer and **SECONDED** by Alderman Brabham to approve the Consent Agenda Items A-II. Items D, E and F will serve to advertise favorably the opportunities, possibilities and resources of the City of Clinton. **MOTION CARRIED UNANIMOUSLY**

EXTERIOR RENOVATIONS IN OLDE TOWNE CLINTON – 501 JEFFERSON STREET

Upon presentation by Tammie Roberson, Compliance Officer, **MOTION** made by Alderman Morgan and **SECONDED** by Alderman Barnett the board approved the exterior renovations in Olde Towne Clinton at 501 Jefferson Street. The Planning and Zoning Commission and the Clinton Historical Commission recommended approval. The exterior renovation application is on file at the Community Development Department. **MOTION CARRIED UNANIMOUSLY**

CONDITIONAL USE TO OPERATE A VEHICLE (SCOOTER) SALES BUSINESS AT 313 CLINTON BOULEVARD

Upon presentation by Tammie Roberson, Compliance Officer, **MOTION** made by Alderman Brabham and **SECONDED** by Alderwoman Peace the board approved a resolution approving a conditional use to operate a vehicle (Scooter) sales business at 313 Clinton Boulevard. The conditional use was granted subject to the following conditions: (1) No more than two scooters be displayed outside, and (2) Outside displayed scooters must be adjacent to the building. The Planning and Zoning Commission recommended approval. A copy of the resolution is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF A RESOLUTION TO DIRECT THE SALE OF GENERAL OBLIGATION BONDS, SERIES 2008, OF THE CITY OF CLINTON, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF EIGHT MILLION DOLLARS ($8,000,000)

Upon presentation by Ken Dreher, City Attorney, **MOTION** made by Alderman Greer and **SECONDED** by Alderwoman Peace the board approved a resolution to direct the sale of General Obligation Bonds, Series 2008, of the City of Clinton, Mississippi, in the principal amount of eight million dollars ($8,000,000). A copy of the resolution is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF TWO (2) RESOLUTIONS AUTHORIZING AND APPROVING THE MAYOR TO EXECUTE TWO (2) LEASE-PURCHASE AGREEMENTS WITH BANCORPSOUTH EQUIPMENT FINANCE FOR TWO (2) RUBBER TIRE BACKHOE'S WITH A LEASE RATE OF 3.17% FOR FIVE (5) YEARS FOR EACH BACKHOE

Upon presentation by Russell Wall, City Clerk, **MOTION** made by Alderwoman Peace and **SECONDED** by Alderman Barnett the board approved two (2) resolutions authorizing and approving the Mayor to execute two (2) lease-purchase agreements with BancorpSouth Equipment Finance for two (2) Rubber Tire Backhoe's with a lease rate of 3.17% for five (5) years for each backhoe. A copy of the resolutions is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

ACCEPTANCE OF A DONATION IN THE AMOUNT OF $1,000.00 GIVEN BY NEIL KING STATE FARM INSURANCE TO PURCHASE FIRE PREVENTION MATERIALS

Upon presentation by Barry Burnside, Fire Chief, **MOTION** made by Alderman Bishop and **SECONDED** by Alderman Barnett the board approved the acceptance of a donation in the amount of $1,000.00 given by Neil King State Farm Insurance to purchase fire prevention materials. **MOTION CARRIED UNANIMOUSLY**

ACCEPTANCE OF BID FROM LAWS CONSTRUCTION FOR THE CONSTRUCTION OF THE QUISENBERRY LIBRARY

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Greer the board approved accepting the bid from Laws Construction for the construction of the Quisenberry Library for the base bid of $6,525,000, the Alternate 1 for $85,000 and the Alternate 2 for $146,000 for a total bid of $6,756,000 as being the lowest and best bid. Furthermore, the board made the acceptance contingent upon the City receiving the $8,000,000 from the General Obligation Bonds to be issued. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF SUPPLEMENTAL AGREEMENT NO. 1 FOR PHASE 3 PRELIMINARY/FINAL DESIGN AND RIGHT-OF-WAY APPRAISAL/ACQUISITION SERVICES TO THE AGREEMENT FOR ENGINEERING SERVICES BY AND BETWEEN THE CITY OF CLINTON AND NEEL-SCHAFFER, INC. – NORTHSIDE DRIVE CORRIDOR PROJECT

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Bishop and **SECONDED** by Alderwoman Peace the board approved the supplemental agreement No. 1 for Phase 3 Preliminary/Final design and right-of-way Appraisal/Acquisition services to the agreement for engineering services by and between the City of Clinton and Neel-Schaffer, Inc. – Northside Drive Corridor Project. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF SUMMARY CHANGE ORDER FOR THE 2008 STREET IMPROVEMENT PROGRAM

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Barnett the board approved the summary change order for the 2008 street improvement program. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 7: 33 P.M.

MOTION made by Alderman Brabham and **SECONDED** by Alderman Bishop to adjourn until the next regular meeting of the Mayor and Board of Aldermen to be held on August 19, 2008 at 7:00 pm. **MOTION CARRIED UNANIMOUSLY**

APPROVED: Rosemary G. Aultman

Rosemary G. Aultman, Mayor

8-7-2008

Date

ATTEST: Russell L Wall

Russell L. Wall, City Clerk

8-7-2008

Date

CITY OF CLINTON OFFICIAL SEAL MISSISSIPPI

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: August 5, 2008 AGENDA ITEM NO. 7A

CONSENT AGENDA:

TO:
FOR:
ACCT. NO :

DISCUSSION/ACTION: Exterior renovations in Olde Towne Clinton
501 Jefferson Street
Mark Ford

INTRODUCED BY: Tammie Roberson TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other: ______
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION: Planning and Zoning recommends approval.
Clinton Historical Commission recommends approval.

BOARD ACTION: MOTION MADE BY: Morgan

SECONDED BY: Barnett

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

PLANNING AND ZONING COMMISSION
Clinton, Mississippi
Tuesday, July 22, 2008
7:00 P.M.
Municipal Courtroom
305 Monroe Street

Minutes

Present: Jim Martin, Bettye King, Mark Williams, Ottowa Carter, Pat Smith, Ryan Tracy and city representatives Ken Dreher-City Attorney and Tammie Roberson-Compliance Officer.

CALL TO ORDER
Commission chairman Jim Martin called the meeting to order at 7:00pm.

CONSIDERATION AND APPROVAL OF JUNE 24, 2008 MINUTES.
MOTION to approve the Minutes of the June 24, 2008 commission meeting was made by Bettye King. SECOND by Ryan Tracy. MOTION carried UNANIMOUSLY.

NEW CONSIDERATIONS

Request for a conditional use to operate a vehicle (motorcycles) sales business at 313 Clinton Boulevard. Representatives present: James Crawford and Billy Lancaster

Mr. Crawford is requesting a condition use to operate a vehicle (motorcycle) sales business at 313 Clinton Boulevard. (Previous tenant was Tobacco Town). It is zoned C2-General Commercial which allows vehicle sales as a conditional use. A vehicle is defined in the Clinton zoning ordinance as any device for carrying passengers, goods, or equipment, usually moving on wheels. The motorcycles/scooters that will be sold will require license plates and registration with the State Tax Commission. There will be no on-site repair or servicing of the motorcycles/scooters.

Mr. Lancaster added that the type he proposes to sell is the small (50cc up to 250cc) motor scooters. They will carry only one person. He will sell only new scooters and they will be displayed inside. He plans to carry an inventory of about twelve.

Jim Martin asked if there would be any outside displays. Mr. Lancaster answered for all practical purposes the scooters would be inside only unless there was one that was "featured".

Bettye King where potential buyers would be allowed to test drive the scooter. Mr. Lancaster replied they would be allowed to drive the scooters on-site due to the liability.

Pat Smith asked if these type scooters are allowed on streets. Mr. Lancaster replied the smaller 50cc were not allowed on any federally funded highway. The larger ones have to be tagged and titled through State Tax Commission.

Mark Williams asked what manufacturer he was looking into. Mr. Lancaster replied primarily the Chinese.

Jim asked if there would be any building renovations. Mr. Lancaster replied only interior renovations would be done.

Ryan Tracy stated that he is President of Main Street and this location is inside the Main Street venue. Main Street's goal is to enhance the aesthetics of this area as well as the merchants. He feels this type of business would fit into the goals of Main Street as long as the displays were limited to be adjacent to the building and a limited number of scooters were outside.

Mark Williams state there would be only sales, no service done at this location. Mr. Lancaster replied that some manufacturers would recommend another site for any repairs that would need to be done.

A public hearing was held.

Mark Ford, co-chairman of the Main Street Design Committee, stated that even though there is a used car lot and tire store in the area, he would encourage Mr. Lancaster not to fall in line with the existing businesses and maybe look into the Main Street for possible grant money for exterior renovations. Mr. Lancaster replied he may consider this as finances would allow.

Jim Martin inquired as to the number of scooters that would be in inventory. Mr. Lancaster replied around twelve.

Jim Martin also asked if the outside display of the scooters would be on the sidewalk. Mr. Lancaster replied they would be displayed in the parking lot.

Ryan Tracy stated there would be only one to two scooters displayed. Mr. Lancaster stated could be as many as eight.

MOTION was made by Ryan Tracy to recommend to the Mayor and Board of Aldermen that approval for the request for a conditional use to operate a vehicle (motorcycles) sales business at 313 Clinton Boulevard be granted but no more than two scooters be displayed outside adjacent to the building at any one time. **SECOND** by Bettye King. **MOTION** carried **UNANIMOUSLY**.

<u>Exterior renovations to 501 Jefferson Street in Olde Towne Clinton</u>. Representative present Mark Ford.

Mark Ford and Tim McCartney own the property at 501 Jefferson Street in Olde Towne Clinton. They are asking for approval to paint the exterior of the house. Historical Preservation Commission recommends approval.

MOTION was made by Bettye King to recommend to the Mayor and Board of Aldermen that approval for the exterior renovations to 501 Jefferson Street in Olde Towne Clinton be granted. **SECOND** by Pat Smith. **MOTION** carried **UNANIMOUSLY**.

OTHER BUSINESS
There was no other business to discuss.

NEXT MEETING
The next meeting will be held on Tuesday, August 26, 2008 beginning at 7:00pm.

ADJOURNMENT
MOTION was made by Mark Williams to adjourn. SECOND by Ottowa Carter.
MOTION carried UNANIMOUSLY.

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: August 5, 2008 AGENDA ITEM NO. 7B

CONSENT AGENDA:

TO:
FOR:
ACCT. NO :

DISCUSSION/ACTION: Conditional use to operate at vehicle (motorcycle) sales business
313 Clinton Boulevard
John Crawford and Billy Lancaster

accept Planning & Zoning Board.

INTRODUCED BY: Tammie Roberson TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other: ______
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION: Planning and Zoning recommends approval.

BOARD ACTION: MOTION MADE BY: Brabham

SECONDED BY: Peace

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

RESOLUTION APPROVING A CONDITIONAL USE FOR JOHN CRAWFORD AND BILLY LANCASTER TO OPERATE A VEHICLE (SCOOTER) SALES BUSINESS AT 313 CLINTON BOULEVARD, CLINTON, MISSISSIPPI

WHEREAS, John Crawford , did file a request for a conditional use for the property located at 313 Clinton Boulevard to operate a vehicle (scooter) sales business at 313 Clinton Boulevard; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Clinton were accomplished and a public hearing was held on June 24, 2008, as required; and,

WHEREAS, the Planning and Zoning Commission upon conclusion of the public hearing on June 24, 2008, adopted a motion to approve the request for a conditional use and that the motion be forwarded to the next meeting of the Mayor and Board of Aldermen for their consideration.

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinances; and

WHEREAS, the Mayor and Board of Aldermen are fully familiar with the request and the area involved in the request; and

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the request of John Crawford and Billy Lancaster for a Conditional Use of the property located at 313 Clinton Boulevard to operate a vehicle (scooter) sales business and hereby granted and such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.

2. The recommendation of the Planning and Zoning Commission is advisory in nature.

3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the conditional use.

4. The requested designation meets the definitions of a Conditional Use of the Zoning Ordinance.

5. The Conditional-Use will promote the general welfare of the City of Clinton and will not adversely affect adjacent property. Future projects within the designation area will remain subject to the Zoning Ordinance and approval of site plans or other matter will allow the City to continue to monitor the area.

6. The Mayor and Board of Aldermen find that Section 402 of the <u>Zoning Ordinances</u> has been complied with and that the requirements of Section 2405.01 of the <u>Zoning Ordinances</u> are satisfied based upon the presentation of the applicants and the site plan presented to the Planning Commission and to the Mayor and Board of Aldermen.

7. The granting of this conditional-use does not relieve the requested from compliance with any applicable law, court order, covenants or contracts.

8. The Conditional Use is granted subject to the following conditions:

    a. No more than two scooters be displayed outside.

    b. Outside displayed scooters must be adjacent to the building.

The foregoing Resolution, having been reduced to writing, Alderman BRABHAM moved that said Resolution be adopted. ~~Alderman~~ ALDERWOMAN PEACE seconded. The vote was as follows:

Alderman Brabham voted: AYE

Alderman Hisaw voted: AYE

Alderman Greer voted: AYE

Alderman Bishop voted: AYE

Alderwoman Peace: AYE

Alderman Morgan voted: AYE

Alderman Barnett voted: AYE

Whereupon the Mayor declared the Motion carried and the ordinance approved and adopted.

The foregoing ordinance was approved this the 5th day of August 2008.

CITY OF CLINTON

BY: Rosemary D. Aultman
Rosemary Aultman, Mayor

ATTEST: Russell Wall
Russell Wall, City Clerk

CITY OF CLINTON OFFICIAL SEAL MISSISSIPPI

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: August 5, 2008 AGENDA ITEM NO. 8

CONSENT AGENDA: TO:

FOR:

ACCOUNT NO:

INTRODUCED BY:

DISCUSSION/ACTION: Approval of a resolution to direct the sale of General Obligation Bonds, Series 2008, of the City of Clinton, Mississippi, in the principal amount of eight million dollars ($8,000,000)

INTRODUCED BY: Demery ~~Grubbs, Government~~ Consultants, Inc.
Ken Archer, City Attorney

BOARD ACTION: MOTION MADE BY: Greer

SECONDED BY: Peace

VOTE CAST: TAKEN:	"AYE"	"NAY"	ACTION
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.

The Mayor and Board of Aldermen (the "Governing Body") took up for consideration the matter of the sale of the General Obligation Bonds, Series 2008, of the City of Clinton, Mississippi (the "City"), in the principal amount of Eight Million Dollars ($8,000,000). After a full discussion of the matter, Alderman GREER offered and moved the adoption of the following resolution.

RESOLUTION TO DIRECT THE SALE OF GENERAL OBLIGATION BONDS, SERIES 2008, OF THE CITY OF CLINTON, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF EIGHT MILLION DOLLARS ($8,000,000)

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY AS FOLLOWS:

SECTION 1. That the General Obligation Bonds, Series 2008, of the City of Clinton, Mississippi (the "City"), in the principal amount of Eight Million Dollars ($8,000,000) (the "Bonds"), shall be offered for sale to the highest bidder therefor on Tuesday, the 19th day of August, 2008. The Bonds will consist of $8,000,000 principal amount issued pursuant to authority granted by Section 21-33-301 *et seq.*, Mississippi Code of 1972, as amended, and heretofore authorized by this Governing Body on July 1, 2008.

SECTION 2. That the Bonds for the City of Clinton, Mississippi, shall be sold on August 19, 2008, by sealed bids to be filed with the Clerk of the City at the Clerk's office at the City Hall in the City of Clinton, Mississippi, at or before the hour of 4:00 o'clock p.m. at which time the Clerk shall publicly open and read all such bids received. Such bids shall be presented to the Governing Body at the hour of 7:00 o'clock p.m. at which time the sale of the Bonds will be awarded to the successful bidder on the aforesaid date. Each bid shall be accompanied by a cashier's check, certified check or exchange, issued or certified by a bank located in the State of Mississippi, payable to the City of Clinton, Mississippi, in the amount of One Hundred Sixty Thousand Dollars ($160,000), as a guaranty that the bidder will carry out its contract if its bid be accepted. If a successful bidder fails to purchase bonds pursuant to its bid and contract, the amount of such good faith check shall be retained by the Governing Body, on behalf of the City, as liquidated damages for such failure. The Governing Body reserves the right to reject any or all bids, and if all bids are rejected, to sell the Bonds at private sale at any time within sixty (60) days after the date advertised for the receipt of bids, at a price not more than the lowest bid which shall have been received pursuant to the advertisement for such bids as provided for hereinafter.

SECTION 3. That bidders for the Bonds shall be requested to designate in their bids the price they will pay for the Bonds bearing interest at a rate or rates to be designated in their bids; provided, that all bids shall conform to the terms relating to interest rates and otherwise as contained in the form of Notice of Bond Sale set forth in Section 4 hereof.

SECTION 4. That, as required by the provisions of Section 31-19-25, Mississippi Code of 1972, as amended, the Clerk shall be and he is hereby authorized and directed to give notice of the sale of the Bonds by publication two (2) times, on August 8 and 15, 2008, in *The Clarion-Ledger*, a newspaper having general circulation within the City, the first publication being made at least ten (10) days preceding the date set for the reception of bids and that such notice shall be in substantially the following form:

NOTICE OF BOND SALE

$8,000,000 GENERAL OBLIGATION BONDS
SERIES 2008

CITY OF CLINTON, MISSISSIPPI

Sealed proposals for the bond issue will be received pursuant to this notice. The issue is for the City of Clinton, Mississippi (the "City"). The issue will be in the principal amount of Eight Million Dollars ($8,000,000).

Sealed proposals will be received by the Mayor and Board of Aldermen (the "Governing Body") at the office of the City Clerk of Clinton, Mississippi, located in the City Hall, 300 Jefferson Street, Clinton, Mississippi, until the hour of 4:00 o'clock p.m. on Tuesday, August 19, 2008, at which time the Clerk will publicly open and read all such bids received. At the hour of 7:00 o'clock p.m. all such bids shall be presented to the Governing Body for the purchase, at not less than par and accrued interest, of the above referenced bonds of the City, as amended.

The issue will consist of $8,000,000 general obligation bonds for public improvements as authorized by the Governing Body on July 1, 2008, and will be issued pursuant to Sections 21-33-301 *et seq.*, Mississippi Code of 1972.

The bonds shall be fully registered without coupons, bear a date of September 1, 2008, be of the denomination of Five Thousand Dollars ($5,000) each or any integral multiple thereof not to exceed the principal amount of bonds maturing in each respective year, shall mature and be payable on September 1 of each year commencing on September 1, 2009, and shall bear interest at a rate or rates to be determined pursuant to sale of said bonds, payable semi-annually on March 1 and September 1 in each year commencing on September 1, 2009. Both principal of and interest on said bonds will be payable at a bank within the State of Mississippi, to be designated as hereinafter provided.

The bonds shall mature serially in each of the years, as follows:

YEAR (Sept. 1)	PRINCIPAL AMOUNT
2009	250,000
2010	260,000
2011	275,000
2012	285,000
2013	300,000
2014	320,000
2015	335,000
2016	345,000
2017	360,000

2018	380,000
2019	395,000
2020	415,000
2021	435,000
2022	455,000
2023	475,000
2024	495,000
2025	520,000
2026	545,000
2027	570,000
2028	585,000

Bonds maturing on September 1, 2019, and thereafter are subject to redemption prior to their stated maturity, either in whole or in part, in inverse order of maturity and by lot within maturity on September 1, 2018, or on the first day of any month thereafter, at par plus accrued interest to the date of redemption upon giving the registered owners of the Bonds thirty (30) days' prior written notice of such redemption.

Bidders for said bonds are requested to designate in their bids the price they will pay for bonds bearing interest at a rate or rates to be designated in their bids for the bonds. No bond shall bear more than one rate of interest; each bond shall bear interest from its stated maturity date at the interest rate specified in the bid; all bonds of the same maturity shall bear the same rate of interest from date to maturity; the lowest interest rate specified for any bond shall not be less than seventy percent (70%) of the highest interest rate specified for any bonds; and the interest rate appearing on any bond shall not exceed eleven percent (11%). Each interest rate specified in any bid must be in multiples of one-eighth of one percent (1/8 of 1%) or one-tenth of one percent (1/10 of 1%), and a zero rate of interest cannot be named.

The bonds will be general obligations of the City, will be secured by the full, faith, credit and taxing power of the City, and will be paid by a special tax levy upon all taxable property within the City, in an amount which shall be sufficient to pay the principal and interest on the bonds as each respectively becomes due.

The Bonds will be designated as "Qualified Tax-Exempt Obligations" as described in Section 265(b)(3) of the Internal Revenue Code of 1986.

The City will covenant in its bond resolution that pursuant to Rule 15c2-12, as amended, the City will deliver or cause to be delivered, commencing with the fiscal year of the City ending September 30, 2008, to each person requesting same, (i) financial information relating to the City, including audited financial statements of the City, and (ii) to the "nationally recognized municipal securities information repository," within the meaning of Rule 15c2-12, and certain other entities described in Rule 15c2-12 (said repositories and other entities are collectively referred to as the "Repositories"), notice of any material events relating to the Bonds and the City, if the City deems such events to be material as set forth under Rule 15c2-12, as amended. If applicable, anyone requesting information under the continuing disclosure requirements of Rule 15c2-12, as amended, should contact the City Clerk, City Hall, 300 Jefferson Street, Clinton, Mississippi, Telephone Number (601) 924-5474.

The City is in full compliance with its prior continuing reporting obligations with respect to the requirements set forth in SEC Rule 15c2-12.

Proposals for the bonds should be plainly marked *"Proposal for the City of Clinton, Mississippi, General Obligation Bonds - Series 2008."*

Proposals should be addressed to the Board of Mayor and Board of Aldermen of the City of Clinton, Mississippi, c/o City Clerk, City Hall, 300 Jefferson Street, Clinton, Mississippi 39056, and should be filed with the City Clerk on or prior to the date and hour hereinabove named. Each bid must be accompanied by a cashier's check, certified check, or exchange, payable to the City of Clinton, Mississippi, issued or certified by a bank located in the State of Mississippi, in the amount of One Hundred Sixty Thousand Dollars ($160,000), as a guaranty that the bidder will carry out his contract and purchase the bonds if his bid be accepted. If the successful bidder fails to purchase the bonds pursuant to his bid and contract, the amount of such good faith check shall be retained by the Governing Body as liquidated damages and shall be paid into the treasury of the City.

The successful bidder may designate a bank or trust company located within the State of Mississippi to serve as paying, transfer and registration agent (the "Paying Agent," "Transfer Agent" and "Registration Agent") for the bonds within forty-eight (48) hours of the date of sale of the bonds, subject to the approval of the City. The City's approval of such designated bank or trust company shall be contingent on a determination as to the willingness and ability of such designated bank or trust company to perform the duties as registration agent, transfer agent and paying agent for the bonds and on the satisfactory negotiation of service fees.

The successful bidder for the bond issue must deliver to such designated bank(s) or trust company(s) within twenty (20) days of the date of sale, or at such other later date as may be designated by the City, the names, addresses and Social Security or tax identification numbers of the registered owners of the bonds and the denominations in which the bonds of each maturity are to be issued. If a successful bidder fails to submit such information to such designated bank(s) or trust company(s) by the required time, one bond may be issued for each maturity in the full amount maturing on that date registered in the name of the successful bidder.

The Governing Body reserves the right to reject any or all bids.

The bonds are offered subject to the unqualified approval of the legality thereof by the law firm of Harris Jernigan & Geno, PLLC, Ridgeland, Mississippi. The City will pay the legal fees and will pay for the printing and validation of the bonds. Delivery of the bonds will be made to the purchaser(s) on or about September 19, 2008, at a place to be designated by the purchaser(s) and without cost to the purchaser(s).

It is anticipated that CUSIP identification numbers will be printed on the bonds unless specifically declined by the purchaser. Neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the bonds shall be paid by the City; the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchaser.

Offering material other than that provided in the preliminary Official Statement regarding the financial condition of the City, and other related additional information may be obtained from Russell L. Wall, City Clerk, 300 Jefferson Street, Clinton, Mississippi 39056, Telephone (601) 924-5462 or Harris Jernigan & Geno, PLLC, Post Office Box 3380, Ridgeland, Mississippi 39158-3380, Telephone: (601) 427-0048 (ask for Larry Harris, Kay Valentine, or Jackie Swan).

This the 5th day of August, 2008.

/s/ Russell L. Wall
CITY CLERK, CLINTON, MISSISSIPPI

PLEASE PUBLISH THIS NOTICE OF SALE ONLY ON:

August 8 and 15, 2008 in *The Clarion-Ledger.*

SECTION 5. That the Clerk of the City shall obtain from the publisher of the aforesaid newspaper the customary publisher's affidavit proving publication of said notice for the time and in the manner required by law, and such proof of publication shall be filed in the Clerk's office.

ALDERWOMAN
~~Alderman~~ PEACE seconded the motion to adopt the foregoing Resolution, and the vote thereupon was as follows:

Alderman Jehu W. Brabham	voted: AYE
Alderman Tony Hisaw	voted: AYE
Alderman Tony Greer	voted: AYE
Alderman Mike Bishop	voted: AYE
Alderwoman Kathy Peace	voted: AYE
Alderman Mike Morgan	voted: AYE
Alderman Bill Barnett	voted: AYE

The motion having received the foregoing vote of the Governing Body, the Mayor declared the motion carried and the resolution adopted this the 5th day of August, 2008.

CITY OF CLINTON, MISSISSIPPI

By: Rosemary G. Aultman
Rosemary G. Aultman, Mayor

ATTEST:

Russell L. Wall
Russell L. Wall, City Clerk

PLEASE PUBLISH THE <u>NOTICE OF SALE</u> ONLY ON:

August 8 and 15, 2008 in *The Clarion-Ledger.*

CITY OF CLINTON OFFICIAL SEAL MISSISSIPPI

CC8434-12

CITY OF CLINTON AGENDA ITEM FACT SHEET1

BOARD MEETING DATE: August 5, 2008
AGENDA ITEM NO.:

10

CONSENT AGENDA: TO:

FOR:

ACCOUNT NO.: 001-160-
INTRODUCED BY: [signature]
Chief J. Barry Burnside

DISCUSSION/ACTION – Donation for $1,000.00 given by Neil King State Farm Insurance to purchase fire prevention materials.
INTRODUCED BY – Chief Barry Burnside

BOARD ACTION:

MOTION MADE BY: Bishop

SECONDED BY: Barnett

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE GIVES THE CLERK TIME TO PREPARE THE AGENDA AND ALSO TO COPY THE AGENDA. PLEASE REMEMBER ALL OF THIS TAKES SOME TIME AND THIS IS WHY WE HAVE THIS DEADLINE. THANKS.

ACKNOWLEDGMENT OF CONTRIBUTION

Please complete ALL sections. **Internal Use Only:**
(Corporate Communications & External Relations)

PART A.

The CLINTON FIRE Dept CLINTON, MS.
(name of organization as filed, no abbreviations) (city) (state)

acknowledges the receipt of State Farm Mutual Automobile Insurance Company's charitable contribution of $1,000.00 which was received on 7-22-08.
(amount) (date)

PART B. **(Our records indicate that $1,000.00 is a charitable gift to your non-profit organization. Was any portion of this contribution a direct, tangible benefit back to State Farm®? For example: booth, table, or advertising. Please verify below.)**

Were any goods or services provided to State Farm in consideration of this contribution?

X No

_____ Yes (if yes, on the line below, give a description and the value of the goods or services)

______________________________ $__________

PART C.

Please indicate whether your organization is qualified or non-qualified as described in IRC Section 501c3. See note below.

_____ Qualified _____ Non-Qualified _____ N/A or Other: Specify__________

Note: In general, an organization qualifies under section 501c3 if it is organized and operated exclusively for religious, charitable, scientific, literary or educational purposes, or to foster national or international amateur sports competition, or for the prevention of cruelty to children or animals. An organization seeking recognition of exempt status under section 501c3 must file Form 1023 with the district director for the IRS district in which the organization is located.

PART D.

By signing below, I hereby agree that the above statements are correct regarding the amount and receipt of the contribution, the value of goods or services provided, and the organization's status according to Section 501c3.

X Barry Burnside Chief
Name (printed) Title

X [signature] 7-22-08
Signature Date

CLINTON FIRE DEPARTMENT
Clinton, MS
Alabama-Mississippi file

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY
3 State Farm Plaza
Bloomington IL 61791-0001

1002504257
56-1544/441

Date July 02, 2008 **Pay Amount** $1,000.00***

[Pa]y

****ONE THOUSAND AND XX / 100 DOLLAR****

To The Order Of

CLINTON FIRE DEPT
1234 CLINTON RAYMOND RD
CLINTON, MS 39056

CHAIRMAN

®

TREASURER

VOID IF GREEN COLORED BACKGROUND IS MISSING

JPMORGAN CHASE BANK, N.A.
Columbus, OH 43271-0201

COMPANY LOGOS APPEAR ON BACK. HOLD AT 45° ANGLE FOR VIEWING

⑈1002504257⑈ ⑆044115443⑆ 627120348⑈

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: August 5, 2008 AGENDA ITEM NO. 11

CONSENT AGENDA: TO:

FOR:

ACCT. NO.

DISCUSSION/ACTION: Acceptance of bid from Laws Construction for the construction of the Quisenberry Library. base bid & alt 1 & 2 6,756,000 contingent on receipt of bond proceeds

INTRODUCED BY: Richard L. Broome, City Engineer TELEPHONE: 601-925-6102

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other:
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION:

BOARD ACTION: MOTION MADE BY: Brabham

SECONDED BY: Greer

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

JBHM P.A.
www.jbhm.com

JACKSON OFFICE
308 East Pearl Street, Ste. 300
Jackson Mississippi 39201

601 352 2699
FAX 601 352 2693
EMAIL info@jbhm.com

July 29, 2008

Mr. Richard Broome, P.E.
City of Clinton
P. O. Box 156
Clinton, MS 39060-0156

QUISENBERRY LIBRARY – CONTRACT AWARD (JBHM #04055A)

Dear Richard:

After careful review of the submitted bids and subsequent meetings with the City, JBHM recommends the Quisenberry Library construction contract be awarded to Laws Construction. The award should include the following:

Base Bid	$6,525,000
Alternate 1	$ 85,000
Alternate 2	$ 146,000
Total Award	$6,756,000

It is our understanding the contract award is contingent upon the City's ability to obtain the necessary funding and approval by the Board. Please advise should you have any questions or comments regarding this matter.

Sincerely,

Mark S Pipper

Mark S. Pipper

Put Bids on Agenda

~~wait for fax~~

cc: Mayor Rosemary Aultman (City of Clinton)
Richard McNeel / Melissa Edwards / Diana Key (.
JBHM #04055A.01

ARCHITECTURE
PLANNING
LANDSCAPE ARCHITECTURE
INTERIOR DESIGN
GRAPHIC DESIGN
PROGRAM MANAGEMENT

MISSISSIPPI
Biloxi
Columbus
Jackson
Tupelo

TENNESSEE
Memphis

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: August 5, 2008 AGENDA ITEM NO. 12

CONSENT AGENDA: TO:

FOR:

ACCT. NO.

DISCUSSION/ACTION: Supplemental Agrement No. 1 for Phase 3 Preliminary/Final Design and Right-of-Way Appraisal/Acquisition Services to the Agreement for Engineering Services By and Between the City of Clinton and Neel-Schaffer, Inc. – Northside Drive Corridor Project

INTRODUCED BY: Richard L. Broome, City Engineer TELEPHONE: 601-925-6102

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other:
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION:

BOARD ACTION: MOTION MADE BY: Bishop

SECONDED BY: Peace

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

SUPPLEMENTAL AGREEMENT NO. 1 FOR PHASE 3 PRELIMINARY/FINAL DESIGN AND RIGHT-OF-WAY APPRAISAL/ACQUISITION SERVICES TO THE AGREEMENT FOR ENGINEERING SERVICES BY AND BETWEEN THE CITY OF CLINTON, MISSISSIPPI AND NEEL-SCHAFFER, INC.

PINEHAVEN DRIVE FROM NORTHSIDE DRIVE TO BERRY DRIVE AND NORTHSIDE DRIVE ADJACENT TO PINEHAVEN DRIVE; NORTHSIDE DRIVE AT NEW LIBRARY ENTRANCE

WHEREAS, on the 5th of January, 2001, the City of Clinton, Mississippi (OWNER) and Neel-Schaffer, Inc. (ENGINEER) entered into an agreement for engineering services for the conceptual plans, environmental documentation, design, right-of-way appraisals/acquisitions, and construction engineering services for the Northside Drive Corridor project (PROJECT); and

WHEREAS, on the 22nd of March, 2006, the OWNER approved proceeding with the Phase 3, Preliminary Engineering and Final Contract Plans (which includes right-of-way appraisals and acquisition services), Project Advertisement, Bid Letting, and Award of Contract for Pinehaven Drive from Northside Drive to Berry Drive and Northside Drive adjacent to Pinehaven Drive and Northside Drive at the new library entrance; and

WHEREAS, the ENGINEER has determined that additional work is required on the project to include approximately 880 feet of retaining wall and to extend drainage improvements from Pinehaven Drive behind the Exxon Station and Clinton Body Shop under Northside Drive, requiring additional survey and modifications to plats and descriptions and appraisals for these parcels; and

NOW, THEREFORE, it is by and between the parties that said agreement date, March 22, 2006, shall be hereby amended as follows:

Compensation: The OWNER will increase the maximum fee to the ENGINEER to the amount shown below. The basis for this fee is attached.

Agreement	Amount
Original Agreement	$471,017.96
Supplemental Agreement No. 1	$53,602.50
Revised Total amount	**$524,620.46**

IN WITNESS WHEREOF, the OWNER, and the ENGINEER, acting herein by their duly authorized representatives have hereunto set their hands this day and year.

OWNER: CITY OF CLINTON, MS

Rosemary G. Aultman

Mayor Rosemary Aultman

DATE: 8.7.2008

ATTEST: Kenneth L Wall

City Clerk

CITY OF CLINTON OFFICIAL SEAL MISSISSIPPI

ENGINEER: NEEL-SCHAFFER, INC.

Mark G Bailey

Mark G. Bailey, P.E., Vice President

DATE: 7-23-08

ATTEST: [illegible]

Vice President

EXHIBIT 1
Supplemental Agreement No 1
Northside Drive Corridor
Pinehaven Dr from Northside Dr to Berry Rd.
Clinton, Mississippi

LABOR ESTIMATE - ROADWAY

BASIC SERVICES, Preliminary Engineering and Final Contract Plans, Advertising and Bidding

Task No.	Task	Officer	Senior Engineer	Project Engineer	Designer	Technician	Clerical	Total
2.2	Final Contract Plans							
2.2.1	Retaining Walls	8	60	100	80	0	4	252
	Drainage plans around Exxon Station	8	0	60	60	0	4	132
	Revise opinion of construction costs	0	2	8	4	0	0	14
	TOTAL - FINAL CONTRACT PLANS	16	62	168	144	0	8	398

EXHIBIT E-2

Northside Drive Corridor
Pinehaven Dr from Northside Dr to Berry Rd.
Clinton, Mississippi

ENGINEERING AND RIGHT OF WAY SERVICES COST ESTIMATE
BASIC SERVICES, Preliminary Engineering and Final Contract Plans, Advertising and Bidding
Plus Subconsultants Work beyond Basic Services

CLASSIFICATION	ESTIMATED LABOR (HR)	ESTIMATED LABOR RATE	COSTS
Officer	16	$ 54.00	$ 864.00
Senior Engineer	62	$ 45.00	$ 2,790.00
Project Engineer	168	$ 32.00	$ 5,376.00
Designer	144	$ 26.00	$ 3,744.00
Technician	0	$ 23.88	$ -
Administrative Assistant	8	$ 20.00	$ 160.00

Total Direct Labor Cost		$ 12,934.00
Labor Mark Up (Overhead and Profit)		$ 25,868.00
Direct Expenses		
Reproductions	$ 800.00	
Copies, Exhibits, Supplies	$ 100.00	
Telephone	$ -	
Mileage 100 x $0.505/ mile	$ 50.50	
TOTAL DIRECT EXPENSES		$ 950.50
Subtotal - Roadway Plans		$ 39,752.50
Right of Way Procurement/Relocation Services (Right of Way Technologies Inc.)		$ 2,000.00
Survey (Maptech, Inc)-Additional Design Survey		$ 7,850.00
Survey (Maptech, Inc)- Property Plat and Descriptions, staking for appraisels		$ 4,000.00
Subtotal - Other services		$ 13,850.00
TOTAL ENGINEERING AND RIGHT OF WAY FEE		**$ 53,602.50**

**SUPPLEMENTAL AGREEMENT NO. 1 FOR PHASE 3
PRELIMINARY/FINAL DESIGN AND RIGHT-OF-WAY
APPRAISAL/ACQUISITION SERVICES TO THE
AGREEMENT FOR ENGINEERING SERVICES
BY AND BETWEEN THE CITY OF CLINTON, MISSISSIPPI
AND NEEL-SCHAFFER, INC.**

**PINEHAVEN DRIVE FROM NORTHSIDE DRIVE TO BERRY DRIVE
AND NORTHSIDE DRIVE ADJACENT TO PINEHAVEN DRIVE;
NORTHSIDE DRIVE AT NEW LIBRARY ENTRANCE**

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IN WITNESS WHEREOF, the OWNER, and the ENGINEER, acting herein by their duly authorized representatives have hereunto set their hands this day and year.

OWNER: CITY OF CLINTON, MS	**ENGINEER: NEEL-SCHAFFER, INC.**
Rosemary G. Aultman	Mark G. Bailey
Mayor Rosemary Aultman	Mark G. Bailey, P.E., Vice President
DATE: 8.7.08	**DATE:** 7-23-08
ATTEST: Russell Wall	**ATTEST:** [illegible]
City Clerk	**Vice President**

CITY OF CLINTON OFFICIAL SEAL MISSISSIPPI

EXHIBIT 1

Supplemental Agreement No 1
Northside Drive Corridor
Pinehaven Dr from Northside Dr to Berry Rd.
Clinton, Mississippi

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BASIC SERVICES, Preliminary Engineering and Final Contract Plans, Advertising and Bidding

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Northside Drive Corridor
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BASIC SERVICES, Preliminary Engineering and Final Contract Plans, Advertising and Bidding
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Subtotal - Other services		$ 13,850.00
TOTAL ENGINEERING AND RIGHT OF WAY FEE		**$ 53,602.50**

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: August 5, 2008 AGENDA ITEM NO. 13

CONSENT AGENDA: TO:

FOR:

ACCT. NO.

DISCUSSION/ACTION: Summary Change Order for 2008 Street Improvements Program

INTRODUCED BY: Richard L. Broome, City Engineer TELEPHONE: 601-925-6102

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other:
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY: Brabham

SECONDED BY: Barnett

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

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Summary Change Order

Project: 2008 Streets Improvements Program
Owner: City of Clinton, MS
Contractor: Adcamp, Inc.

Item	Original Quantity	Item Unit	Unit Price	Add/Delete	Final Quanity	Total Price
Surface Course	5,840	Tons	$57.74	1,201.91	7,041.91	$406,599.88
Base Failure Repair	200	Tons	$57.74	-6.57	193.43	$11,168.65
Cold Milling	31,071	Square Yards	$0.90	-2,825.00	28,246	$25,421.40
Skip Yellow	5,000	Feet	$0.33	4,622.00	9,622	$3,175.26
Continuous White	17,200	Feet	$0.23	-210.00	16,990	$3,907.70
Continuous Yellow	11,470	Feet	$0.23	33,090.00	44,560	$10,248.80
Baseball Alley	521	Tons	$57.74	-72.67	498.33	$28,773.57
Additional Work: Stonegate Material and Haul Only - installed by City of Clinton						
Haul Material	0	Tons	$4.00	159.98	159.98	$639.92
Asphalt Base Material	0	Tons	$44.00	159.98	159.98	$7,039.12
Sub Grade Prep	Lump Sum		Lump Sum	500.00		$500.00

Final Contract Amount **$497,474.30**

Recommended By: ______________________ Date __________

Contractor's Approval ______________________ Date __________

Owner's Approval Rosemary G. Aultman Date 8-7-2008