

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, AUGUST 1, 2006 7:00 P.M.
MUNICIPAL COURTROOM 305 MONROE STREET**

WELCOME AND CALL TO ORDER Mayor Rosemary Aultman

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
 Mike Morgan -Alderman Ward 5
 William Barnett -Alderman Ward 6

Absent: Phil Fisher -Alderman Ward 4

APPROVAL OF AGENDA ITEMS A-FF

MOTION made by Alderman Greer and **SECONDED** by Alderman Bishop to approve Consent Agenda Items A-FF. **MOTION CARRIED UNANIMOUSLY**

ACCEPTANCE OF FINAL PLAT FOR INDIAN TRAILS PART 10

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Bishop and **SECONDED** by Alderman Barnett to approve the final plat for Indian Trails Part 10. A copy of the plat is on file in the engineering office. **MOTION CARRIED UNANIMOUSLY**

CONSIDERATION OF BIDS FOR TRACEWAY PARK SOCCER FIELD 13 LIGHTING

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Morgan and **SECONDED** by Alderman Greer to reject all bids submitted for Traceway Park Soccer Field 13 Lighting. **MOTION CARRIED UNANIMOUSLY**

REQUEST TO ADVERTISE FOR THE PURCHASE OF A NEW GENERATOR FOR THE POLICE DEPARTMENT

Upon presentation by Mayor Aultman, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Bishop to approve the request to advertise for the purchase of a new generator for the police department. **MOTION CARRIED UNANIMOUSLY**

POLICE DEPARTMENT REQUEST AN EMERGENCY EXPENSE TO REPAIR THE ROOF OF THE POLICE DEPARTMENT

Upon presentation by Mayor Aultman, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Barnett to approve the police department request for an emergency expense in the amount of \$39,200.00 to Mid-Western Commercial Roofers, Inc. to repair the roof of the police department. **MOTION CARRIED UNANIMOUSLY**

APPOINTMENT OF MARGARET EDWARDS AS A DEPUTY CITY CLERK

Upon presentation by Russell Wall, City Clerk, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Morgan to approve the appointment of Margaret Edwards as a Deputy City Clerk. **MOTION CARRIED UNANIMOUSLY**

RE-AFFIRMING AUTHORIZING RESOLUTION WITH DATE CHANGE ON THE SPECIAL OBLIGATION BONDS, SERIES 2006

Upon presentation by Mayor Aultman, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Barnett to re-affirming authorizing resolution with date change on the Special Obligation Bonds, Series 2006. A copy of the resolution is attached. **MOTON CARRIED UNANIMOUSLY**

**RESOLUTION TO APPROVE ONE ADDITIONAL PAYMENT (13TH CHECK)
TO RETIREES OF THE CITY OF CLINTON FIRE AND POLICE DISABILITY
RELIEF FUND FOR 2006**

Upon presentation by Mayor Aultman, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Bishop to approve a resolution adding one additional payment (13th check) to the retirees of the City of Clinton Fire and Police Disability Relief Fund for 2006. A copy of the resolution is attached. **MOTION CARRIED UNANIMOUSLY**

OTHER BUSINESS

Attorney Nole Griffrida, representing Joy Woodard, spoke to the board asking them to consider rescinding the amendment to the animal control ordinance passed by the Mayor and Board of Aldermen at their regular meeting held on July 18, 2006.

ADJOURN 7:27 P.M.

MOTION made by Alderman Brabham and **SECONDED** by Alderman Hisaw to adjourn. **MOTION CARRIED UNANIMOUSLY**

APPROVED:	<u><i>Rosemary G. Aultman</i></u>	<u>8.9.06</u>
	Rosemary Aultman, Mayor	Date
ATTEST:	<u><i>Russell L. Wall</i></u>	<u>8-9-06</u>
	Russell L. Wall, City Clerk	Date



BOARD APPROVED

AUG 01 2006

CITY OF CLINTON AGENDA ITEM FACT SHEET

CITY OF CLINTON

BOARD MEETING DATE: August 1, 2006

AGENDA ITEM NO. 7

CONSENT AGENDA:

TO:

FOR:

ACCOUNT NO.:

INTRODUCED BY:

DISCUSSION/ACTION: Acceptance of final plat for Indian Trails Part 10

INTRODUCED BY: Richard L. Broome, P.E.

BOARD ACTION:

MOTION MADE BY: Bishop

SECONDED BY: Barnett

<u>VOTE CAST:</u>	<u>"AYE"</u>	<u>"NAY"</u>	<u>ACTION TAKEN:</u>
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Fisher	A		
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.

AUG 01 2006

CITY OF CLINTON AGENDA ITEM FACT SHEET **CITY OF CLINTON**

BOARD MEETING DATE: August 1, 2006

AGENDA ITEM NO. 8

CONSENT AGENDA: \$

TO:

FOR:

ACCOUNT NO.:

INTRODUCED BY: Richard L. Broome, P.E.

DISCUSSION/ACTION: Consideration of bids for Traceway Park Soccer Field 13 Lighting

INTRODUCED BY:

Reject all bidsBOARD ACTION:MOTION MADE BY: MorganSECONDED BY: Greer

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	☒	☐	
Hisaw	☒	☐	
Greer	☒	☐	
Bishop	☒	☐	
Fisher	☒	☐	
Morgan	☒	☐	
Barnett	☒	☐	
Mayor Aultman	☐	☐	

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ALFORD ENGINEERING, INC.

CONSULTING ENGINEERS

P.O. BOX 16621

5135 GALAXIE DRIVE, SUITE 401-D

TELEPHONE: (601) 362-7450

JACKSON, MISSISSIPPI 39236-6621

JACKSON, MISSISSIPPI 39206

FAX: (601) 366-5948

BOARD APPROVED

AUG 01 2006

CITY OF CLINTON**RECEIVED**

JUL 20 2006

CITY OF CLINTON
ENGINEERING DEPARTMENT

June 16, 2006

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

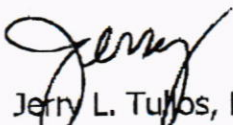
**RE: Lighting Field 13
Traceway Parks**

Dear Richard:

Enclosed is the Bid Tabulation from Chris Green for the bids opened June 8, 2006.

Please contact us if you have any questions.

Sincerely,

ALFORD ENGINEERING, INC.

Jerry L. Tullios, P.E.

JLT/ss

Enclosure

pc: Ray Holloway w/Enclosure

Jun 14 2006 7:40AM Andy Covington Engineerin 601 321 1921

P.1

**The
POWER
SOURCE, PLLC**
CONSULTING ENGINEERS

945 MADISON AVE. - MADISON, MS 39110
P: 601-605-4820 • F: 601-605-4875

TO: Mr. Jerry Tullos
FROM: Chris Green
SUBJECT: Traceway Park Lighting

FAX NUMBER: 601-366-5948

DATE: 14 June 2006

COMMENTS / MESSAGE:

NO. OF PAGES INCLUDING COVER: 2

The following page is the signed 'Official Bid Tabulation Form.'

BOARD APPROVED

AUG 01 2006

CITY OF CLINTON

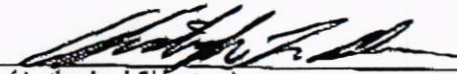
CERTIFIED BID TABULATION FORM

Page 1 of 1
BOARD APPROVED

Project #: 06026	Bid Date: JUNE 8, 2006	Time: 10:00 a.m.
Project Title: TRACEWAY PARK SOCCER FIELD 13 LIGHTING		AUG 01 2006
Institution/Agency: CITY OF CLINTON - CLINTON, MS		
Professional: THE POWER SOURCE, PLLC		CITY OF CLINTON

Contractors	Base Bid	Alternates
B & B ELECTRICAL & UTILITY CONTRAC Brandon, MS Certificate of Responsibility # 08767 5% Bid Security: Travelers Casualty... Addenda Received: (#1) (#) (#) (#) (#) Days: _____	\$ 118,000.00 CR Expires: 01-10-2007 Mechanical: _____ Electrical: _____	1. \$ 38,900.00 (+) 2. _____ 3. _____ 4. _____ 5. _____
KEYES ELECTRIC, INC. Laurel, MS Certificate of Responsibility # 07222 5% Bid Security: Travelers Casualty... Addenda Received: (#1) (#) (#) (#) (#) Days: _____	\$ 124,765.00 CR Expires: 01-10-2007 Mechanical: _____ Electrical: _____	1. \$ 19,485.00 (+) 2. _____ 3. _____ 4. _____ 5. _____
SOUTHERN ELECTRIC CORP. Flowood, MS Certificate of Responsibility # 09269 5% Bid Security: Barksdale Bonding Addenda Received: (#1) (#) (#) (#) (#) Days: _____	\$ 135,536.00 CR Expires: 7-12-2006 Mechanical: _____ Electrical: _____	1. \$ 23,620.00 (+) 2. _____ 3. _____ 4. _____ 5. _____
McINNIS ELECTRIC Jackson, MS Certificate of Responsibility # 03095 5% Bid Security: Ins. Co. of the West Addenda Received: (#1) (#) (#) (#) (#) Days: _____	\$ 160,980.00 CR Expires: 4-11-2007 Mechanical: _____ Electrical: _____	1. \$ 31,000.00 (+) 2. _____ 3. _____ 4. _____ 5. _____
LUBIN ENTERPRISE, INC. Memphis, TN Certificate of Responsibility # 09540 5% Bid Security: Liberty Mutual Addenda Received: (#1) (#) (#) (#) (#) Days: _____	\$ 190,779.00 CR Expires: 10-11-2006 Mechanical: _____ Electrical: _____	1. \$ 8,000.00 (+) 2. _____ 3. _____ 4. _____ 5. _____
 Certificate of Responsibility # _____ 5% Bid Security: _____ Addenda Received: (#) (#) (#) (#) (#) Days: _____	 CR Expires: _____ Mechanical: _____ Electrical: _____	1. _____ 2. _____ 3. _____ 4. _____ 5. _____

I certify that this is a correct tabulation of all bids received for this Project on the date stated above, (having checked the Contractor's name and certificate number with the Contractor's Board at www.nsboc.state.ms.us)


 (Authorized Signature)

6/14/2006
 (Date)

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: August 1, 2006

AGENDA ITEM NO. 9.

CONSENT AGENDA:

TO:

BOARD APPROVED

AUG 01 2006

FOR:

CITY OF CLINTON

ACCOUNT NO.:

INTRODUCED BY:

Don Byington

DISCUSSION/ACTION: Request to advertise for the purchase of a new generator for the police department.

INTRODUCED BY:

Maya

BOARD ACTION:

MOTION MADE BY:

Greer

SECONDED BY:

Bishop

VOTE CAST:

"AYE"

"NAY"

ACTION TAKEN:

Brabham

☒

☐

Hisaw

☒

☐

Greer

☒

☐

Bishop

☒

☐

Fisher

☒

☐

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.

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: August 1, 2006

AGENDA ITEM NO. 10.

CONSENT AGENDA:

TO:

BOARD APPROVED

FOR:

AUG 01 2006

ACCOUNT NO.:

CITY OF CLINTON

INTRODUCED BY:

DISCUSSION/ACTION: Police Department request an emergency expense to repair the roof of the police department building. See explanation and quotes attached.

INTRODUCED BY: DB Mayor

BOARD ACTION:

MOTION MADE BY: Greer

SECONDED BY: Barnett

VOTE CAST:

"AYE" "NAY"

ACTION TAKEN:

Brabham

✓

Hisaw

✓

Greer

✓

Bishop

✓

Fisher

A

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.

AUG 01 2006

The police department requests an emergency expense in the amount of \$39,200.00 to repair the roof of the police department building for the following reasons:

- The roof of the Police Department building has been damaged by a hailstorm. There has been noticeable leakage into the building creating problems ranging from discoloration of the drop ceiling panels to outright water leaking into the building.
- There has been water damage to the HVAC unit in the equipment room which caused an extra expense to the city. One can only assume that more damage to the building and the equipment in it will occur until the leakage problem has been corrected.
- Potential damage to E-911 or other equipment essential to emergency service to the city could cause delays or interruptions to emergency services of both the Police and Fire departments.

In a hasty attempt to curb the leakage, Tremco, a roofing contractor used by the Clinton School District, was contacted and subsequently paid \$1500.00 dollars to "patch" the roof. After further research into the building construction and roofing material, it was learned that the roof was made by Durolast Roofing, Inc. The Durolast Roofing representative for this area examined the roof, concurred with the hail damage assessment, and recommended two local installers. The original installer is no longer in business.

Proposal were solicited and received from the following roofing contractors:
(Copies of proposals are attached)

1. Tremco
2. Mid-Western Commercial Roofers, Inc.
3. Independent Roofing Systems

The lowest and best proposal was received from Mid-Western Commercial Roofers, Inc. for \$39,200.

The City's insurance carrier, St. Paul Travelers, has completed an assessment of the roof damage and a check has been received by the city in the amount of \$30,678.02. An additional payment of \$7,637.58 will be received upon completion of the repair. The policy has a \$1,000 deductible. The final cost to the city, provided the repair does not exceed the proposed cost, will be \$884.40

It is the recommendation of the Police Department that \$39,200.00 be immediately approved for Mid-Western Commercial Roofers, Inc. to complete the repair as soon as possible.



Mid-Western
Commercial Roofers, Inc.

BOARD APPROVED

AUG 01 2006

CITY OF CLINTON

7430 Hitt Road
P.O. Box 91147
Mobile, AL 36691
(251) 633-7004
Fax (251) 633-7555

1901 West 40th #426
P.O. Box 8216
Pine Bluff, AR 71611
(870) 535-4298
Fax (870) 535-0755

204 Reserve Drive
P.O. Box 581
Clinton, MS 39060
Phone & Fax
(601) 925-1773

2235 Irvin Cobb Drive
P.O. Box 2384
Paducah, KY 42002
(270) 443-6295
Fax (270) 442-5302

Captain Warren
Clinton Police Department
305 Monroe Street
Clinton, Mississippi 39056

March 14, 2006

Re: **Clinton Police Department Roofing Project**

As one of the country's **largest** applicators of the **Duro-Last Roofing system** and one of the highest **quality award winners** for Duro-Last, we are pleased to submit the following proposal:

1. Prepare existing roof for new application by cutting material at perimeter and at 10' intervals.
2. Mechanically fasten **1.5" EPS insulation** over existing roof to provide a rigid smooth surface for new roof.
3. Mechanically fasten a new **Duro-Last Roofing System** over EPS insulation.
4. Dispose of all debris on a daily basis in roll off containers.
5. Install **1.75" Fascia Bar with Cover** at perimeter.
6. Install Custom Curbs on roof top units.
7. Issue a **15 Year No Dollar Limit Warranty** covering **both labor and materials** for the full 15 year period.

Our proposal price is as follows:

\$39,200.00

Thank you for allowing us to present this proposal to you.

Sincerely,

Chuck Smith

Chuck Smith

Mid-Western Commercial Roofers, Inc.

204 Reserve Drive

Clinton, MS 39056

601-260-0129 Fax 601-925-1773

BOARD APPROVED

AUG 01 2006

Proposal / Contract



5090 McRaven Rd.
Jackson, MS 39204
Phone: (601) 922-4301
Fax: (601) 922-8602

CITY OF CLINTON

Customer's Name/Address	Date: June 6, 2006
CITY OF CLINTON	
305 MONROE ST.	
CLINTON, MS. 39056	
Attention:	
Phone/Fax: 601-924-5252	

Job Name: POLICE DEPARTMENT BUILDING
Job Address: 305 MONROE ST.
CLINTON, MS
Job Contact:
Job Phone/Fax:

Scope of Work:

- Cut and remove the existing Duro-last membrane down to the insulation.
- Install a new Duro-last membrane Roofing System over the existing insulation per the manufacturers specifications.
- Flash all pipes, penetrations, and walls in accordance with industry standards.
- Re-use the existing counter flashing at the parapet walls and terminate the membrane inside the gutter using a compression bar.
- Remove any roof related debris from the jobsite.
- Furnish the owner a 15 year Warranty upon the completion of an inspection made by the manufacture technical representative.

Total Amount: \$ 49,975.00

We Hereby Propose to furnish labor and materials complete in accordance with the above scope of work, for the sum of

With payment to be made as follows:
Upon completion

Terms and Conditions:

This proposal agreement is subject to the terms, conditions and instructions appearing on the face hereof and the attached page.

Warranty (in paragraph 7) ☐ Included ☐ excluded (check one).

Acceptance of Proposal

The above price, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined herein.

Date Accepted: _____
Rev 9/02

Independent Roofing Systems, Inc.
Authorized

Signature _____ Joe Naquin

Note: This Proposal may be withdrawn by us if not accepted within 30 days.

Customer's
Signature _____

Print Name _____ Title _____



Roofing and Building Maintenance Division

Bill Bass CDT
4193 Greens Crossing
Jackson, MS. 39213
601-624-2595
bill 1234@msn.com

BOARD APPROVED

AUG 01 2006

CITY OF CLINTON

Subject: Clinton Police Department Roof

Mr. Warren,

The membrane seems to have been damaged during a hail storm. Close inspection revealed small circular defects. These look to be where the large hail impacted on the membrane. Your roof is a Single Ply PVC membrane. They have a history of cracking issues in cold weather. The small circular cracks in the membrane have allowed water to infiltrate during large or prolonged rain events. The roof has these defects covering the entire surface. At this time only a few of the cracks are allowing water to enter. We can repair the areas currently leaking but it is likely that others will open up. The best approach is to apply a coating to this roof. Currently the membrane is in fair shape. These "impact areas" are the issue for long term performance. This roof can be saved if action is taken soon. If not you will continue to chase leaks. Eventually will have to remove the membrane, insulation plus install a new roofing and insulation system. The cost to replace this roof will be twice the cost of applying a restorative coating.

Budget

Repairs	\$ 1,500.00
Restoration(coating)	\$ 40-45K <i>10 yr Fix.</i>
Replacement	\$ 85-95K

Respectfully Submitted,

Bill Bass



ST. PAUL FIRE AND MARINE
INSURANCE COMPANY
Suite B200
1080 River Oaks Drive
Flowood, MS 39232
Telephone: (601) 936-8307
Fax: (601) 936-8297

June 20, 2006

City of Clinton, Police Department
C/O Captain Warren
305 Monroe Street
Clinton, MS 39056

BOARD APPROVED

AUG 01 2006

CITY OF CLINTON

RE: Tracking No.: ZV11965
Claimant: City Of Clinton
Insured: City Of Clinton
Claim No.: GP09313193 09T016
Date of Loss: September 4, 2005

Dear Captain Warren:

I have inspected the damages for hail as reported to the roof of the police department. The actual cash value of the loss has been calculated below. A copy of my estimate is attached. I have a total loss figure of \$39,315.60 less holdback depreciation of \$7,637.58 for an actual cash value loss of \$31,678.02 less the \$1,000 deductible for a claim of \$30,678.02 at the present time. I have ordered a check in that amount to be sent to your office. It should arrive in a few days.

Since you have a replacement cost policy, we will need a copy of the final bill to pay the depreciation withheld. Just call me when the roof is replaced or if you have any questions. You can collect up to the holdback of \$7,637.58 as per the attached estimate.

Sincerely,

ST. PAUL FIRE AND MARINE INSURANCE COMPANY
Robert L. Hewitt
Technical Spec, Property
Telephone: (601) 936-8307
Fax: (601) 936-8297
RHEWITT@STPAULTRAVELERS.COM

BOARD APPROVED

AUG 01 2006

CITY OF CLINTON

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: AUGUST 1, 2006

AGENDA ITEM NO. 11.

CONSENT AGENDA:

TO:.

FOR:

ACCOUNT NO:

INTRODUCED BY:

DISCUSSION/ACTION: Appointment of Margaret Edwards as a Deputy City Clerk

INTRODUCED BY: Russell Wall, City Clerk

BOARD ACTION:

MOTION MADE BY: Hisaw

SECONDED BY: Morgan

<u>VOTE CAST:</u>	<u>"AYE"</u>	<u>"NAY"</u>	<u>ACTION TAKEN:</u>
Brabham	✓	_____	_____
Hisaw	✓	_____	_____
Greer	✓	_____	_____
Bishop	✓	_____	_____
Fisher	A	_____	_____
Morgan	✓	_____	_____
Barnett	✓	_____	_____
Mayor Aultman	_____	_____	_____

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CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: AUGUST 1, 2006

AGENDA ITEM NO. 12.

CONSENT AGENDA:

TO:

BOARD APPROVED

FOR:

AUG 01 2006

ACCOUNT NO:

CITY OF CLINTON

INTRODUCED BY:

DISCUSSION/ACTION: Re-Affirming Authorizing Resolution with Date Change on the Special Obligation Bonds, Series 2006

INTRODUCED BY: Mayor Aultman

BOARD ACTION:

MOTION MADE BY: It is so

SECONDED BY: Kree

VOTE CAST:

“AYE” “NAY”

ACTION TAKEN:

Brabham

✓

Hisaw



Greer



Bishop

✓

Fisher

A

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.

BOARD APPROVED
AUG 01 2006

CITY OF CLINTON

The Mayor and Board of Aldermen of the City of Clinton, Mississippi (the "Governing Body" of the "City"), took up the matter of amending a Resolution approved by the Governing Body on June 20, 2006, to-wit:

RESOLUTION AUTHORIZING THE NEGOTIATION OR SOLICITATION OF PROPOSALS FOR THE SALE BY THE MISSISSIPPI DEVELOPMENT BANK OF ITS SPECIAL OBLIGATION BONDS, SERIES 2006 (CLINTON, MISSISSIPPI, CAPITAL IMPROVEMENTS PROJECT), IN THE PRINCIPAL AMOUNT OF SIX MILLION SIX HUNDRED THOUSAND DOLLARS (\$6,600,000) TO PROVIDE FUNDS FOR A LOAN BETWEEN THE CITY OF CLINTON, MISSISSIPPI, AND THE BANK PURSUANT TO A LOAN AGREEMENT BETWEEN THE CITY AND THE BANK SECURED BY A PROMISSORY NOTE (CLINTON, MISSISSIPPI, CAPITAL IMPROVEMENTS PROJECT) IN THE PRINCIPAL AMOUNT OF SIX MILLION SIX HUNDRED THOUSAND DOLLARS (\$6,600,000); APPROVING THE FORM OF AND EXECUTION OF, AS APPLICABLE, THE LOAN AGREEMENT, THE NOTE, THE INDENTURE OF TRUST, THE PRELIMINARY OFFICIAL STATEMENT, THE OFFICIAL FORM OF PROPOSAL AND THE TAX INTERCEPT AGREEMENT (the "Authorizing Resolution").

Alderman Hisaw then offered and moved the adoption of the following resolution:

RESOLUTION RE-AFFIRMING THE AUTHORIZING RESOLUTION OF THE CITY CONCERNING THE SALE BY THE MISSISSIPPI DEVELOPMENT BANK OF ITS SPECIAL OBLIGATION BONDS, SERIES 2006 (CLINTON, MISSISSIPPI, CAPITAL IMPROVEMENTS PROJECT), IN THE PRINCIPAL AMOUNT OF SIX MILLION SIX HUNDRED THOUSAND DOLLARS (\$6,600,000) TO PROVIDE FUNDS FOR A LOAN BETWEEN THE CITY OF CLINTON, MISSISSIPPI, AND THE BANK, AND CHANGING THE DATE OF THE BONDS AND THE BOND DOCUMENTS PREVIOUSLY APPROVED BY THE GOVERNING BODY OF THE CITY.

WHEREAS, the Governing Body of the City of Clinton, Mississippi acting for and on behalf of the City, is authorized under the provisions of Section 31-25-1 *et seq.*, Mississippi Code of 1972,

as amended (the "Act"), to borrow in such amounts as it may find necessary and proper for the purposes of providing funds necessary to design, erect, equip and furnish municipal buildings, to purchase land therefor, if any; to design and erect a public library and purchase land, if any, equipment and books therefor; to construct, improve and pave streets and purchase land therefor, if any; to construct and/or improve water works systems, water supply systems, sewage systems and sewerage disposal systems, and to purchase property, real and personal, therefor, if any; and for related purposes within the City.

WHEREAS, the Governing Body of the City, acting for and on behalf of the City, approved the Authorizing Resolution on June 20, 2006; and

WHEREAS, the documents as submitted to the Governing Body with the Authorizing Resolution were all to be dated as of July 1, 2006; and

WHEREAS, the sale of the Bonds has been delayed; and

WHEREAS, the Mayor and City Clerk should be given clear authority to approve any date changes required.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE GOVERNING BODY OF THE CITY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. This resolution is adopted pursuant to the Act.

SECTION 2. The Authorizing Resolution is hereby re-affirmed, with the exception that the Bonds shall be re-dated August 1, 2006 and the documents described in the Authorizing Resolution that were to be dated as of July 1, 2006 shall be dated as of August 1, 2006.

SECTION 3. The Mayor and City Clerk are hereby authorized and directed to execute and deliver each of the documents named in the Authorizing Resolution with such changes, insertions and omissions as may be approved by such officers, including any necessary date change, said execution being conclusive evidence of such approval.

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

Alderman Jehu W. Brabham	voted: <u>yes</u>
Alderman Tony Hisaw	voted: <u>yes</u>
Alderman Tony Greer	voted: <u>yes</u>
Alderman Mike Bishop	voted: <u>yes</u>
Alderman Phil Fisher	voted: <u>absent</u>
Alderman Mike Morgan	voted: <u>yes</u>
Alderman Bill Burnett	voted: <u>yes</u>

The motion having received the foregoing vote of the Governing Body, the Mayor declared the motion carried and the resolution adopted this the 1st day of August, 2006.

CITY OF CLINTON, MISSISSIPPI

By: Rosemary L. Aultman
Rosemary Aultman, Mayor

ATTEST:

Russell Wall
Russell Wall, City Clerk



AUG 01 2006

CITY OF CLINTON AGENDA ITEM FACT SHEET

CITY OF CLINTON

BOARD MEETING DATE: AUGUST 1, 2006

AGENDA ITEM NO. 13.

CONSENT AGENDA:

TO:

FOR:

ACCOUNT NO:

INTRODUCED BY:

DISCUSSION/ACTION: Resolution to Approve One Additional Payment (13th Check) to Retirees of the City of Clinton Fire and Police Disability Relief Fund for 2006

INTRODUCED BY: Russell Wall, City Clerk

BOARD ACTION:

MOTION MADE BY: Hisaw

SECONDED BY: Bishop

VOTE CAST:"AYE""NAY"ACTION TAKEN:

Brabham

✓

Hisaw

✓

Greer

✓

Bishop

✓

Fisher

A

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.

AUG 01 2006

AUG 01 2006

CITY OF CLINTON

**RESOLUTION TO APPROVE ONE ADDITIONAL PAYMENT (13TH CHECK)
TO RETIREES OF THE CITY OF CLINTON FIRE AND POLICE DISABILITY
RELIEF FUND FOR 2006**

WHEREAS, on October 16, 1990, a Resolution was adopted by the City of Clinton requesting the Mississippi Legislature to enact legislation to authorize the City of Clinton to establish the payment of one (1) additional payment per year from the monies accumulated in the Clinton Fire and Police Disability and Relief Fund to be paid directly to retired members of said Fund, or the beneficiaries thereof, who on December 1 of each year are receiving retirement allowance under Section 21-29-139 of the Mississippi Code of 1972. The amount shall be equal to the annual percentage change in each fiscal year of the consumer price index set by the United States government, not to exceed two and one-half percent (2 ½) of the annual retirement allowance, for each full fiscal year that the retired member or beneficiary has actually drawn retirement payments from the date of retirement or the passage of the Act, whichever is the later date; and

WHEREAS, the Mississippi Legislature approved such request in the form of House Bill 1542, approved by the Governor on April 9, 1991, authorizing the governing authorities of the City of Clinton to establish the payment of an additional payment each year to retired members of the Clinton Fire and Police Disability and Relief Fund based on the change in the consumer price index; to provide that payment of the additional payments shall not be established unless the disability and relief fund currently is actuarially sound and will remain actuarially sound if the additional payments are made; and for related purposes; and

WHEREAS, on March 4, 1997, a Resolution was adopted by the City of Clinton requesting the Mississippi Legislature to set the maximum amount of additional benefit payment (COLA) to retirees of the Fire and Police Disability and Relief Fund at a maximum of ten percent (10%) of the recipients' annual retirement allowance.

WHEREAS, the Mississippi Legislature approved such request in the form of House Bill No. 1919, approved by the Governor on April 10, 1997, setting the maximum of additional benefit payment (COLA) to retirees of the Fire and Police Disability and Relief Fund at a maximum of ten percent (10%) of the recipient's annual retirement allowance to provide that payment of the additional payments shall not be established unless the disability and relief fund currently is actuarially sound and will remain actuarially sound if the additional payments are made; and for related purposes; and

WHEREAS, the governing authorities wish to establish the additional payments authorized in House Bill no. 1542, as limited by House Bill No. 1919 and request the Board of Trustees of the Public Employees' Retirement System to make payments directly to the person authorized and entitled to receive the payments.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, that the City hereby authorize the payment of one (1) additional payment from the monies accumulated in the Clinton Fire and Police Disability and Relief Fund to retired members of such disability and relief fund or beneficiaries thereof who on December 1, 2004, are receiving a retirement allowance under Section 21-29-139, Mississippi Code of 1972. The amount of such payment shall be equal to the annual percentage change in each fiscal year of the consumer price index set by the United States government, not to exceed two and one-half (2 ½) of the annual retirement allowance for each full fiscal year after June 30, 1990, that the retired member or beneficiary has actually drawn retirement payments from the date of retirement and further limited to a maximum of ten percent (10%) of the annual retirement allowance for any year.

BE IT FURTHER RESOLVED that the governing authorities of the City of Clinton hereby request the Board of Trustees of the Public Employees' Retirement System to make payments directly to the person authorized and entitled to receive the payment in accordance with House Bill No. 1542 and House Bill No. 1919 for the calendar year 2006.

Alderman Hisaw moved that the foregoing Resolution be adopted. Alderman Bishop seconded the motion. The vote was as follows:

Alderman Brabham yes

Alderman Hisaw yes

Alderman Greer yes

Alderman Bishop yes

Alderman Fisher absent

Alderman Morgan yes

Alderman Barnett yes

Approved on the 1st day of August, 2006.

Rosemary G. Aultman
Rosemary G. Aultman, Mayor

ATTEST:

Russell L. Wall
Russell L. Wall, City Clerk

Seal:



14. Other Business

Attorney Nole Griffida representing Joy Woodard spoke to the board asking them to consider rescinding the amendment to the animal control ordinance passed by the Mayor and Board of Aldermen at their regular meeting held on July 18, 2006.