ADJOURNED MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, MAY 21, 1991 - 7 P.M.
A. E. WOOD MEMORIAL LIBRARY

The Mayor and Board of Aldermen of the City of Clinton met in Adjourned Meeting at 7 P.M., at the A. E. Wood Memorial Library, 111 Clinton Boulevard, pursuant to a Recess Order adopted by said Mayor and Board of Aldermen at their Regular Meeting of May 7, 1991, as found on Page 621 of this Minute Book U.

WELCOME AND CALL TO ORDER - Mayor Billy Ray Smith

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The Invocation was led by Col. Paul Cassibry followed by the Pledge of Allegiance to the Flag led by Alderman Sharbert Lott.

ROLL CALL - City Clerk Nelson Byrd

Present - Willard Ryan - Alderman-at-Large
O. C. George Ferrell - Alderman Ward 1
Edward Valente - Alderman Ward 2
Ronnie Chappell - Alderman Ward 3
Keith Montgomery - Alderman Ward 4
Sharbert Lott - Alderman Ward 6
Mayor Billy Ray Smith - Presiding

City Attorney William E. Spell
City Clerk Nelson Byrd

Absent - Jean Johnson - Alderman Ward 5

APPROVAL OF CONSENT AGENDA ITEMS A-N:

A. $85.00 ad in MS High School All-Star Soccer Game Program - July 20, 1991, in Clinton (Adm.)
B. $799.74 to Kossen Equip., Inc., to repair standby generator at Fire Station #1 (Fire)
C. $700.00 to Sun-Belt Diesel, Inc., to replace clutch in Mack Engine #2 (Fire)
D. $2,800.00 low quote to BES General Contractors, Inc., for installing CD Siren on City property south of Royal Oak (Fire)
E. $311.85 to CDE Communications, Inc., for one-year maintenance contract on telephone system ending 5-31-92 (Fire)
F. $163.20 to Service America Corp. for meal ticket and $338.00 for airfare (to be refunded by Fed. Gov't) for Jimmy Carver to attend National Fire Academy June 10-21, 1991 (Fire)
G. $789.00 to Albert Robinson for C-6 truck engine and repair (P&R)
H. $617.06 to Forestry Suppliers, Inc., for 12 rolls 3" detectable tape with print (City of Clinton) to locate water lines (PWD)
I. $560.00 and $1,060.00 to Capweld for 20 cyl. of chlorine for water treatment (PWD)
J. $816.00 to Central Pipe Supply, Inc., for 24 bronze badger 3/4" meters (PWD)
K. $690.03 and $819.57 to APAC-MS, Inc., for purchase of asphalt for street repairs (PWD)
L. $850.00 to Xerox Corp. for low quote (State price) for fax machine for Public Works Dept. (PWD)
M. $1,185.00 to Harcros Chemicals, Inc., for 1500 lbs. of sodium fluoride for water treatment (PWD)
N. $1,299.00 to Central Pipe Supply, Inc., for supplies needed for emergency change over of water lines on Springridge Rd. (PWD)

The Board having found as fact that said advertisement or dues in Consent Agenda Item A will serve to advertise favorably the opportunities, possibilities, and resources of the City of Clinton, MOTION made by Alderman Valente and SECONDED by Alderman Chappell to approve Consent Agenda Items A-N as listed above. MOTION CARRIED UNANIMOUSLY. Quotes and contracts listed in items D and L are on file in the Office of the City Clerk.

APPEAL DENIED FOR SPECIAL EXCEPTION TO MATTIE DURANT FOR CHILD CARE FACILITY AT 511 HATHAWAY DRIVE

As shown in the City of Clinton Planning and Zoning Minutes of 3-26-91 that consideration of a request for a special exception to allow a child care facility at 511 Hathaway Drive requested by Mattie Durant was dismissed without prejudice, an appeal was heard wherein Mrs. Durant stated reasons why she wanted said special exception. Opposition to the appeal was voiced by Sid Spiro, President of Easthaven Homeowners Association, on behalf of the Association, who unanimously voted against the request by letter to the Planning and Zoning Board. Opposition was also voiced by Robert Shelton who presented a copy of a Resolution signed by the Officers and Board Members of Easthaven Neighborhood Association, Inc., and the Restrictive Covenant of Clinton East, Inc., as found on respectively on Pages 664 and 665-667 of this Minute Book U. Following testimony from both sides, MOTION made by Alderman Lott and SECONDED by Alderman Chappell to deny the request for special exception at 511 Hathway Drive. MOTION CARRIED 5-1 with Alderman Ferrell voting "nay". Proof of Publication that said hearing was properly published may be found on Page 668 of this Minute Book U.

APPEAL GRANTED FOR M. L. WILSON TO PLACE MOBILE HOME ON SHORT WARRENTON

Following testimony that the City of Clinton Planning and Zoning Board dismissed without prejudice on 3-26-91 an application by M. L. Wilson to place a mobile home on Short Warrenton road, and that no one has opposed said request, MOTION made by Alderman Ferrell and SECONDED by Alderman Valente to grant said special exception allowing Mr. Wilson to place a mobile home on Short Warrenton Road. MOTION CARRIED UNANIMOUSLY. Mr. Wilson assured the Board that any drainage or flooding problem in said area should not affect the specific location where the trailer will be located. Proof of Publication that said hearing was properly published may be found on Page 669 of this Minute Book U.

RESOLUTION ADOPTED AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS FOR PARKS AND RECREATION IMPROVEMENTS

Following comments and recommendation by Mr. Jim Young, Bond Counsel for the City of Clinton, MOTION made by Alderman Valente and SECONDED by Alderman Ferrell to adopt that bond authority Resolution found on Pages 670-697 of this Minute Book U to issue Parks & Recreation Bonds in the amount of $850,000 payable over 10 years. MOTION CARRIED UNANIMOUSLY. Bids are to be opened on 6-4-91, 7 P.M. with closing tentatively set for 6-18-91.

BFI CONTRACT AND ADDENDUM FOR GARBAGE REMOVAL AND RECYCLING DELAYED

Following discussion by BFI representative Dan Dubose, City Attorney Bill Spell, and the Board on differences in an addendum to the BFI Recycling Contract and a previous resolution adopted by the City, MOTION made by Alderman Valente and SECONDED by Alderman Chappell to reconsider said addendum item at the next regular meeting on 6-4-91. MOTION CARRIED UNANIMOUSLY. Mayor Smith is to call a working meeting to discuss details of garbage/recycling concerns prior to next Board Meeting. It was noted that Mr. DuBose stated that BFI would guarantee the same price for garbage pick-up until October 1992 if the City accepted the 3-year recycling/garbage contract as written.

NEW POLICE/COURTROOM FACILITY CONSTRUCTION PLANS TO BE DISCUSSED FURTHER AT NEXT BOARD MEETING ON JUNE 4, 1991

Following presentation and recommendation by Architect Al Usry for an 11,000 sq. ft. police/courtroom facility including site work at an estimated total cost of $860,000 which is over the total amount budgeted, MOTION made by Alderman Montgomery and SECONDED by Alderman Ryan to move discussion of this matter to the June 4, 1991, meeting and further discuss this matter at the called working meeting. MOTION CARRIED UNANIMOUSLY. Copy of preliminary design is on file in the Office of the City Clerk.

SCHOOL BOARD APPRAISAL FOR PARKS AND RECREATION LAND LAID ON TABLE

Upon recommendation of Mayor Smith for the Board to wait for receipt of a letter from the School Board President requesting a future meeting of City Representatives, School Board Representatives and the Attorneys for both to discuss the matter of appraisal of approximately 47.13 acres of school property on north side of Northside Drive proposed to be used for parks & recreational purposes, MOTION made by Alderman Chappell and SECONDED by Alderman Ryan to so move and lay said matter on the table. MOTION CARRIED UNANIMOUSLY.

RESOLUTION APPROVED FOR SET-ASIDE POLICY FOR PURCHASE OF COMMODITIES FROM MINORITY BUSINESSES

Following discussion of the advantages of minority business set-asides, MOTION made by Alderman Ferrell and SECONDED by Alderman Chappell to approve that Resolution found on Pages 698-699 of this Minute Book U establishing a 15% set-aside policy for purchases by the City from minority businesses as provided by Section 31-7-13, Mississippi Code of 1972, as amended during the 1991 Regular Legislative Session by House Bill 1306, effective 7-1-91. MOTION CARRIED UNANIMOUSLY.

DEDICATED UTILITY EASEMENT ACCEPTED FROM MADISON DEVELOPMENT COMPANY

Upon recommendation of Public Works Director Alderman, MOTION made by Alderman Valente and SECONDED by Alderman Chappell to accept upon the recommendation of the Public Works Director a dedicated utility easement from Madison Development Co., with proper information as to what is located underground, its construction and exact locations without any exceptional conditions. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF LOW BID FOR CONSTRUCTION OF 4' X 8' BOX CULVERT ON NEAL STREET

As shown by Proof of Publication found on Page 700 of this Minute Book U that sealed bids would be received for construction of a 4' X 8' box culvert on Neal Street, said bids were received and opened in the Office of the Mayor on May 16, 1991, with copy of Bid Tabulation found on Pages 701-702 of this Minute Book U. MOTION made by Alderman Montgomery and SECONDED by Alderman Valente to approve the low bid of Delta Constructors in the amount of $46,730.00. MOTION CARRIED UNANIMOUSLY. Notice of Award may be found on Page 703 of this Minute Book U.

ADOPTION OF REVISED COPY OF PAGE 2 OF AGREED ORDER SCHEDULE OF COMPLIANCE FROM BUREAU OF POLLUTION CONTROL FOR CLINTON INDUSTRIAL PARK

Upon recommendation of City Engineer Terry Anderson, MOTION made by Alderman Montgomery and SECONDED by Alderman Valente to adopt that Agreed Order with revisions for the Clinton Industrial Park with the MS Dept. of Environmental Quality as found on Page 704 of this Minute Book U. MOTION

CARRIED 5-1 with Alderman Ferrell voting "nay".

OTHER BUSINESS

CAR CARE CLINIC - NORTHSIDE DRIVE - TO BE ISSUED LETTER OF VIOLATION

Noting that Ernie Johnson's Car Care Clinic on Northside Drive is in violation of City Zoning Ordinance by not having vehicles to be repaired within an enclosed building in C-1 zoning, the Public Works Department was directed to send a letter to Mr. Johnson stating that he is not in compliance and if later necessary to cite Mr. Johnson for said violation. NO BOARD ACTION taken.

PATEL RE-ZONING ORDINANCE DISCUSSED

Alderman Valente, after reviewing that re-zoning Ordinance that was delivered to City Hall the day after the Board Meeting as found on Pages 625-631 of this Minute Book U granting a rezoning to Raman K. Patel for a motel on Springridge Road, having found opposition with several items listed in said ordinance, MOVED to have the City Clerk review the tape of said meeting and revise if necessary the ordinance granting said rezoning application so that it reflects the original motion as made by Alderman Montgomery. MOTION DIED FOR LACK OF A SECOND.

TRAFFIC COUNT REQUESTED AT CASCADES/NORTHSIDE DRIVE INTERSECTION

MOTION made by Alderman Montgomery and SECONDED by Alderman Chappell requesting a traffic count at the intersection of Cascades/Northside Drive to determine the need of a traffic light at said location as requested by several residents. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT -10:21 P.M.

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

Copy of Agenda may be found on Pages 705-706 of this Minute Book U.

APPROVED: Billy R Smith — 5-31-91
Billy Ray Smith, Mayor — Date

ATTEST: Nelson Byrd, City Clerk — 5-31-91
Nelson Byrd, City Clerk — Date

SEAL

EASTHAVEN NEIGHBORHOOD ASSOCIATION, INC.
RESOLUTION
OPPOSING EXCEPTIONS TO ZONING LAWS AND REGULATIONS

WHEREAS, Easthaven Neighborhood Association, Inc., is organized for the purpose of preserving the residential quality of the neighborhood and for protecting the property rights inherent in the purchase of R-1 property--namely: the right to a quiet and peaceful enjoyment of the property and assurances of merchantability of title as residential property, and

WHEREAS, a request for a special exception is before the Clinton Planning and Zoning Board to use residential property classified as R-1, single residential, so that a private home in this neighborhood may be used as a day-care facility, and

WHEREAS, we feel the granting of such an exception would diminish the quality of life of our neighborhood, be an encroachment on the private property of rights of homeowners, and have a potential adverse effect on the merchantability of homes in the neighborhood,

NOW, THEREFORE BE IT RESOLVED, that we the undersigned homeowners in the Easthaven Subdivision and/or members of the Easthaven Neighborhood Association, do hereby go on record as OPPOSING the granting of any exception to zoning regulations relative to the establishment of day-care centers in private homes in this neighborhood or any other such use of residential property that would have an adverse effect on the quality of life enjoyed by homeowners in the area.

WITNESS OUR SIGNATURES on this the 18th day of March, 1991.

Robert Shelton, President	102 Easthaven Dr.
Todd Phillips V-P	106 Anis Court
Elna Mangiapill, Secretary	209 William Drive
Faye McGuffee, Treasurer	211 Lynn Lane
Paul Mucko	204 William DR
William A Stephens	101 Sonya Cove
Sharbert K. Foll	306 Church St.
Robert H Drayer	304 Patio Place
Johnnie Ruth Dudson	106 Mansion Drive
Mark Williams	110 Annis Court
Karen Freeman	508 Church

The above signatures are the signatures of ALL the officers and board members of the Easthaven Neighborhood Association, Inc., Clinton, MS.

Easthaven III

BOOK 2382 PAGE 74

RESTRICTIVE COVENANTS

WHEREAS, the undersigned, CLINTON EAST, INC., the owner of a certain tract of land lying in the West One-Half (W½) of the Southeast Quarter (SE¼) of Section 28, Township 6 North, Range 1 West, of the First Judicial District of Hinds County, Mississippi, and have caused the same to be platted and subdivided into a subdivision known as "EASTHAVEN SUBDIVISION, PART III" and more particularly described as follows, to wit:

> Beginning at the southeast corner of Lot 232 of Easthaven Subdivision, Part II, a subdivision in Section 28 Township 6 North, Range 1 West, Hinds County, Mississippi, according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Hinds County, Mississippi, in Plat Book 26, Page 22, reference to which is hereby made in aid of and as a part of this description, said point being further located as being 693.3 feet north of and 609.5 feet east of the southeast corner of the Southwest Quarter (SW¼) of Section 28, Township 6 North, Range 1 West, Hinds County, Mississippi; run thence along the east line of said Easthaven Subdivision, Part II, as follows:
>
> North 26 degrees 53 minutes east for 180.3 feet, north 62 degrees 44 minutes west for 38.6 feet, north 34 degrees 19 minutes east for 129.7 feet, north 13 degrees 09 minutes east for 141.7 feet, south 69 degrees 13 minutes east for 46.4 feet, north 22 degrees 13 minutes east for 50.0 feet to a point; run thence, leaving said east line of Easthaven subdivision, Part II, south 66 degrees 18 minutes east for 782.2 feet to a point; run thence south 23 degrees 15 minutes west for 218.6 feet to a point; run thence south 26 degrees 39 minutes west for 175.6 feet to a point; run thence south 27 degrees 23 minutes west for 50.0 feet to a point; run thence south 29 degrees 34 minutes west for 137.5 feet to a point; run thence north 60 degrees 26 minutes west for 776.0 feet to the point of beginning; containing 9.9 acres, more or less.

NOW THEREFORE, in consideration of the premises, CLINTON EAST, INC., does hereby covenant and agree with all purchasers and future owners respecting said lots in said "EASTHAVEN SUBDIVISION, PART III," that said lots shall be and are hereby made and declared subject to the following restrictions and covenants, to wit:

1. LAND USE AND BUILDING TYPE: No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two (2) stories in height and a private attached garage for not less than nor more than two (2) automobiles.

2. DWELLING COST, QUALITY AND SIZE: No dwelling shall be permitted on any lot at a cost of less than $35,000.00 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenants to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 1700 square feet for a one-story dwelling, nor less than 2000 square feet for a dwelling of more than one story.

3. BUILDING LOCATION: No building shall be located on any lot nearer than 25 feet to the front lot line, or nearer than 5 feet to any side lot line, nor nearer than 25 feet to any rear line, nor nearer than 25 feet to any side street line. For the purposes of this covenant, eaves, steps, and open porches shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

25'- front.
5'- side.
25'- rear.
25'- side street.

4. FRONTAL LOCATION: Every residence shall face the street and be placed parallel to the front lot line, except corner lots.

5. EASEMENTS: Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.

6. NUISANCES: No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

7. TEMPORARY STRUCTURES: No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence either temporary or permanently.

8. LOT DIVISION: No lot in this subdivision shall be subdivided.

9. No livestock, except household pets, shall be kept or allowed on any lot.

10. No fence shall be erected or permitted to remain on any lot between the front of the dwelling and the street.

11. OUTSIDE UTILITIES: There shall be no surface toilets or privies erected or maintained upon the above described lots.

12. TERM: These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

13. ENFORCEMENT: Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violations or to recover damages.

14. SEVERABILITY: Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

15. FENCING: A solid wooden fence with a minimum height of six feet shall be constructed on the South side of lot numbers 301, 302, 303, 304, 305, 306, and 307. The pattern used must be that which is first constructed in order that the appearance might be that of a continuous fence with the pickets on the South side of the framework thereof. Said fence to be constructed prior to the closing of sale of residences built on each of these lots.

16. WALKS: A concrete walk four feet in width shall be constructed by the builder five feet from the back of the curb on all lots.

PASTE AD HERE

NOTICE OF
ZONING HEARING

NOTICE IS HEREBY GIVEN TO THOSE PARTIES IN INTEREST THAT THERE WILL BE A HEARING ON MAY 21, 1991 at 7:30 P.M., AT THE A.E. MEMORIAL LIBRARY, 111 CLINTON BLVD, CLINTON, MISSISSIPPI, FOR THE PURPOSE OF DETERMINING WHETHER OR NOT A SPECIAL EXCEPTION SHALL BE ALLOWED ON THE FOLLOWING DESCRIBED PROPERTY LOCATED IN THE CITY OF CLINTON, MISSISSIPPI:
CHILD CARE FACILITY LOCATED AT 511 HATHAWAY DRIVE

APPROVED
/s/ Billy R. Smith
BILLY RAY SMITH,
MAYOR OF CLINTON, MS
(SEAL)

ATTEST
/s/ Nelson Byrd
NELSON BYRD,
CITY CLERK

April 25, 1991

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PERSONALLY appeared before me, the undersigned notary public for Hinds County, Mississippi,

Debbie Swinnen,

an authorized clerk of THE CLINTON NEWS, a weekly newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

Date April 25, 19 91

Date ______, 19 ___

Date ______, 19 ___

Date ______, 19 ___

Date ______, 19 ___

Number of Lines 32

Published 1 Times

Total $ 12.24

Signed Debbie Swinnen
Authorized Clerk
of The Clinton News

Sworn to and subscribed before me the 25th day of April 19 91.

Janet Boatner
Notary Public

My Commission Expires:
My Commission Expires Nov. 17, 1992

(Seal)

PASTE AD HERE

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ZONING HEARING
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A parcel of land located in Section 19, Township 6 North, Range 1 West, Hinds County, Mississippi, more particularly described as follows:
Commence at the northeast corner of Lot 60 of Roxborough Park of Woodmoor, Park Four, according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Hinds County in Plat Book 33, Page 15, reference to which is hereby made in aid of and as
part of this description; run
thence South 88 degrees 34
minutes East for a distance
of 71.2 feet to an iron pin on
the west side of a gravel
drive; run thence South 00
degrees 54 minutes East
along the side of said gravel
road for 224.6 feet to an iron
pin marking the point of be-
ginning of the parcel herein
described; continue thence
South 00 degrees 54 minutes
East for 140.22 feet to a
point; run thence North 82
degrees 26 minutes East for
108.87 feet to an iron pin; run
thence North 84 degrees 44
minutes East for 132.51 feet
to an iron pin; run thence
North 57 degrees 21 minutes
West for 236.8 feet to an iron
pin; run thence South 71 de-
grees 46 minutes West for
44.9 feet to the point of be-
ginning, and containing 0.47
acre, more or less.

APPROVED
/s/ Billy R. Smith
BILLY RAY SMITH,
MAYOR OF CLINTON, MS
(SEAL)

ATTEST
/s/ Nelson Byrd
NELSON BYRD,
CITY CLERK

April 25, 1991

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Date April 25, 19 91

Date ______, 19 ___

Date ______, 19 ___

Date ______, 19 ___

Date ______, 19 ___

Number of Lines 71

Published 1 Times

Total $ 24.72

Signed Debbie Swinnen
Authorized Clerk
of The Clinton News

Sworn to and subscribed before me the 25th day of

April 19 91.

Janet Boatner
Notary Public

My Commission Expires:

My Commission Expires Nov. 17, 1992

(Seal)

8

There came on for consideration by the Board of Aldermen of the City of Clinton, Mississippi, the matter of the issuance of general obligation bonds of the City of Clinton in the principal amount of Eight Hundred Fifty Thousand and No/100 Dollars ($850,000.00). After a discussion of the subject, Alderman VALENTE offered and moved the adoption of the following resolution:

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF CLINTON IN THE PRINCIPAL AMOUNT OF EIGHT HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($850,000.00) TO BORROW MONEY FOR THE PURPOSE OF PAYING THE COSTS OF PURCHASING, CONSTRUCTING, IMPROVING AND EQUIPPING VARIOUS PARKS WITHIN THE CITY OF CLINTON, PERFORMING RELATED CONSTRUCTION AND WORK TO EFFECTUATE THE PROJECT, AND PAYING THE COST OF SUCH BORROWING, AT AN APPROXIMATE COST OF $850,000.00; PRESCRIBING THE FORM AND INCIDENTS OF SAID BONDS; MAKING PROVISION FOR THE SECURITY AND PAYMENT THEREOF; PROVIDING FOR THE SALE OF SAID BONDS; AND MAKING PROVISIONS FOR MAINTAINING THE TAX-EXEMPT STATUS OF THE BONDS.

WHEREAS, the Board of Aldermen (the "Board") of the City of Clinton (the "City"), acting for and on behalf of the City does hereby find, determine, adjudicate and declare as follows:

1. (a) In addition to any words and terms elsewhere defined herein, the following words and terms shall have the following meanings, unless some other meaning is plainly intended:

"Act" shall mean Sections 21-33-301 through 21-33-329, Mississippi Code of 1972, as amended.

"Board" shall mean the Board of Aldermen of the City of Clinton, Mississippi.

"Bond" or "Bonds" shall mean the General Obligation Bonds, Series 1991, of the City authorized and directed to be issued in this resolution.

"Bond Counsel" shall mean the law firm of Brunini, Grantham, Grower & Hewes, P. O. Drawer 119, Jackson, Mississippi 39205.

"Bond Fund" shall mean the fund of the City provided for in Section 12 hereof.

"Bond Resolution" shall mean this resolution.

"Clerk" shall mean the City Clerk of the City.

"Code" shall mean the Internal Revenue Code of 1986, as amended, supplemented or superseded.

"Construction Fund" shall mean the construction fund of the City provided for in Section 13 hereof.

"Mayor" shall mean the Mayor of the City of Clinton, Mississippi.

"Notice" shall mean the Notice of Bond Sale set out in Section 18 hereof.

"Paying Agent" shall mean any bank, trust company or other institution hereafter designated by the Board to make payments of the principal and interest on the Bonds, and to serve as registrar and transfer agent for the registration of owners of the Bonds, and for the performance of other duties as may be herein or hereafter specified by the Board.

"Person" shall mean an individual, partnership, corporation, trust or unincorporated organization and a government or agency or political subdivision thereof.

"President" shall mean the President of the Board.

"Project" shall mean purchasing, constructing, improving and equipping various parks within the City of Clinton, performing construction and work necessary or desirable to effectuate the project, and paying the cost of such borrowing.

"Purchaser" shall mean the successful bidder for the Bonds, to be hereafter designated by the Board.

"Record Date" shall mean, as to interest payments, the fifteenth day of the month preceding the dates set for payment of interest on the Bonds and, as to payments of principal, the fifteenth day of the month preceding the maturity date thereof.

"Record Date Registered Owner" shall mean the registered owner as of the Record Date.

"Registered Owner" shall mean the Person whose name shall appear in the registration records of the City maintained by the Paying Agent.

(b) Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Unless the context shall otherwise indicate, words and terms herein defined shall be equally applicable to the plural as well as the singular form of any of such words and terms.

2. Heretofore, on the 11th day of September, 1990, the Board adopted a resolution entitled "A RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS OF SAID MUNICIPALITY IN THE MAXIMUM PRINCIPAL AMOUNT OF EIGHT HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($850,000.00) TO RAISE MONEY FOR THE PURPOSE OF PAYING THE COSTS OF PURCHASING, CONSTRUCTING, IMPROVING AND EQUIPPING VARIOUS PARKS WITHIN THE CITY OF CLINTON, PERFORMING RELATED CONSTRUCTION AND WORK TO EFFECTUATE THE PROJECT, AND PAYING THE COST OF SUCH BORROWING, AT A TOTAL PROJECT COST ESTIMATED TO BE APPROXIMATELY EQUAL TO THE MAXIMUM PRINCIPAL AMOUNT OF THE BONDS AUTHORIZED HEREIN; ADJUDICATING NO FUNDS ARE AVAILABLE TO THE CITY OF CLINTON, MISSISSIPPI FOR SUCH PURPOSES; AND PROVIDING FOR THE CALLING AND HOLDING OF AN ELECTION THEREON," wherein the Board found, determined and adjudicated that it is necessary that bonds of the City be issued in the amount and for the purpose set forth therein, provided that the issuance of the bonds obtained the required voter approval in a bond referendum scheduled for November 6, 1990.

3. WHEREAS, on December 4, 1990, the Board adopted a resolution finding and determining that at least three-fifths (3/5) of the qualified voters voting in the special election approved the issuance of the bonds and determining that, as allowed by the Act, such bonds would be issued at a later date, within two years from the date of the special election authorizing the bond issue.

4. The Board has determined that the City should now proceed to issue its bonds and that the Board is now fully authorized pursuant to the Act to issue bonds of the City in the amount and for the purposes hereinafter set forth and is authorized to issue bonds registered as to principal and interest in the form and manner hereinafter provided for by Sections 31-21-1 through 31-21-7, Mississippi Code of 1972.

5. The assessed value of the taxable property within the City, according to the last completed assessment for taxation, is $78,256,215; that the assessed value of all taxable property within according to the assessment for taxation upon which taxes were levied for the City's fiscal year ending September 30, 1984 was $70,399,087; that the City presently has outstanding bonded indebtedness subject to the fifteen or ten percent (15% or 10%) debt limite prescribed by Section 21-33-303, Mississippi Code of 1972, as amended, in the amount of $4,965,000 and outstanding bonded and floating indebtedness subject to the twenty or fifteen percent (20% or 15%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended (which amount includes the sum set forth above subject to the fifteen or ten percent (15% or 10%) debt limit), in the amount of $4,965,000; that the Bonds proposed to be issued, when added to the outstanding bonded indebtedness of the City, will not result in bonded indebtedness of the City, exclusive of indebtedness not subject to the aforesaid fifteen or ten percent (15% or 10%) debt limit, in excess of either fifteen percent (15%) of the assessed value of taxable property within the City according to the last completed assessment for taxation or ten percent (10%) of the assessment upon which taxes were levied for the City's fiscal year ending September 30, 1984, whichever is greater and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty or fifteen percent (20% or 15%) debt limit, in excess of either twenty percent (20%) of the assessed value of taxable property within the City according to the last completed assessment for taxation, or fifteen percent (15%) of the assessment upon which taxes were levied for the City's fiscal year ending September 30, 1984, whichever is greater; and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City.

6. That the machinery and equipment proposed to be purchased with part of the proceeds of the Bonds, shall have an expected useful life in excess of ten years, provided however, that machinery and equipment proposed to be purchased hereunder shall not include motor vehicles weighing less than twelve thousand (12,000) pounds.

7. The Bonds are not private activity bonds as such term is defined in Section 141 of the Code, and the Board does not reasonably anticipate that the City, or any other subordinate entities thereof will issue more than $10,000,000 of qualified tax-exempt obligations (other than private activity bonds) in calendar year 1991. It is necessary and in the best interest of the City to designate the Bonds as

qualified tax-exempt obligations within the meaning of Section 265(b)(3) of the Code.

8. The Code provides that noncompliance with the provisions thereof may cause interest on obligations to become taxable retroactive to the initial date of issuance, and provides that the tax-exempt status of interest on obligations such as the Bonds is contingent on a number of future actions by the City. It is necessary and in the best interest of the City to make certain covenants pertaining to the exemption of the interest on the Bonds from federal income taxes since such exemption may depend, in part, upon continuing compliance by the City with certain requirements of the Code.

9. It has now become necessary to make provision for the preparation, execution, issuance and sale of the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Board, acting for and on behalf of the City, as follows:

SECTION 1. Resolution a Contract. In consideration of the purchase and acceptance of any and all of the Bonds by the Registered Owners thereof, this Bond Resolution shall constitute a contract between the City and the Registered Owners from time to time of the Bonds. The pledge made herein and the covenants and agreements herein set forth to be performed on behalf of the City shall be for the equal benefit, protection and security of the Registered Owners of any and all of the Bonds, all of which, regardless of the time or times of their authentication and delivery or maturity, shall be of equal rank without preference, priority or distinction.

SECTION 2. Bonds Authorized. The Bonds are hereby authorized and ordered to be prepared and issued in the principal amount of Eight Hundred Fifty Thousand and No/100 Dollars ($850,000.00) to provide funds for the Project, as authorized by the Act.

SECTION 3. Details of Bonds.

(a) Payments of interest on the Bonds shall be made to the Record Date Registered Owner, and payments of principal shall be made upon presentation and surrender thereof at the principal office of the Paying Agent to the Record Date Registered Owner in lawful money of the United States of America.

(b) The Bonds shall be registered as to both principal and interest; shall be dated June 1, 1991; shall be issued in the denomination of $5,000.00 each, or integral multiples thereof up to the amount of a single maturity; shall be numbered from one upward in the order of issuance; shall bear interest from the date thereof at the rate or rates specified by further order of the Board, payable on June 1, 1992 and semiannually thereafter on June 1 and December 1 of each year; and shall mature and become due and payable, without option of prior payment, on June 1, in the years and in the principal amounts as follows:

YEAR	AMOUNT	YEAR	AMOUNT
1992	$ 65,000	1997	$ 85,000
1993	$ 65,000	1998	$ 95,000
1994	$ 70,000	1999	$100,000
1995	$ 75,000	2000	$105,000
1996	$ 80,000	2001	$110,000

SECTION 4. Registration, Execution, Authentication and Delivery of Bonds.

(a) When the Bonds shall have been validated and executed as herein provided, they shall be registered as an obligation of the City in the office of the Clerk in a book maintained for that purpose, and the Clerk shall cause to be imprinted upon the reverse side of each of the Bonds, over his facsimile signature and a facsimile seal, his certificate in substantially the form set out in Section 6.

(b) The Bonds shall be executed by the manual or facsimile signature of the Mayor and countersigned by the manual or facsimile signature of the Clerk, with the facsimile seal of the City imprinted or affixed thereto; provided, however, all signatures and seals appearing on the Bonds, other than the signature of an authorized officer of the Paying Agent hereinafter provided for, may be facsimile and shall have the same force and effect as if manually signed or impressed. In case any official of the City whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such official before the delivery or reissuance thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such official had remained in office until delivery or reissuance.

(c) The Bonds shall be delivered to the Purchaser upon payment of the purchase price therefor in accordance with the terms and conditions of their sale and award, together with a complete certified transcript of the proceedings had and done in the matter of the authorization, issuance, sale and validation of the Bonds, and the final, unqualified approving opinion of Bond Counsel, which opinion shall be imprinted on the reverse of each of the Bonds.

(d) Prior to or simultaneously with the delivery by the Paying Agent of any of the Bonds, the City shall file with the Paying Agent:

(i) a copy, certified by the Clerk, of the transcript of proceedings of the Board in connection with the authorization, issuance, sale and validation of the Bonds;

(ii) an authorization to the Paying Agent, signed by the President, to authenticate and deliver the Bonds to the Purchaser.

(e) The Paying Agent shall authenticate the Bonds and deliver them to the Purchaser thereof upon payment of the purchase price of the Bonds to the City.

(f) Certificates, blank as to denomination, rate of interest, date of maturity and CUSIP number and sufficient in quantity in the judgment of the City to meet the reasonable transfer and reissuance needs on the Bonds, shall be printed and delivered to the Paying Agent in generally-accepted format, and held by the Paying Agent until needed for transfer or reissuance, whereupon the Paying Agent shall imprint the appropriate information as to denomination, rate of interest, date of maturity and CUSIP number prior to the registration, authentication and delivery thereof to the transferee holder. The Paying Agent is hereby authorized upon the approval of the Board to have printed from time to time as necessary additional certificates bearing the facsimile seal of the City and facsimile signatures of the persons who were the officials of the Board as of the date of original issue of the Bonds.

SECTION 5. Paying Agent.

(a) A Paying Agent for the Bonds, which shall serve as paying agent, registrar and transfer agent, shall be designated by further order of the Board.

(b) So long as any of the Bonds shall remain outstanding, the City shall maintain with the Paying Agent records for the registration and transfer of the Bonds. The Paying Agent is hereby appointed registrar for the Bonds, in which capacity the Paying Agent shall register in such records and permit to be transferred thereon, under such reasonable regulations as may be prescribed, any Bond entitled to registration or transfer.

(c) The City shall pay or reimburse the Paying Agent for reasonable fees for the performance of the services normally rendered and the incurring of normal expenses reasonably and necessarily paid as are customarily paid to paying agents, transfer agents and bond registrars, subject to agreement between the City and the Paying Agent. Fees and reimbursements for extraordinary services and expenses, so long as not occasioned by the negligence, misconduct or willful default of the Paying Agent, shall be made by the City on a case-by-case basis, subject, where not prevented by emergency or other exigent circumstances, to the prior written approval of the Board.

(d) (i) A Paying Agent may at any time resign and be discharged of its duties and obligations of Paying Agent by giving at least sixty (60) days written notice to the City, and may be removed as Paying Agent at any time by resolution of the Board delivered to the Paying Agent. The resolution shall specify the date on which such removal shall take effect and the name and address of the successor Paying Agent, and shall be transmitted to the Paying Agent being removed within a reasonable time prior to the effective date thereof. Provided, however, that no resignation or removal of a Paying Agent shall become effective until a successor Paying Agent has been appointed pursuant to the Bond Resolution.

(ii) Upon receiving notice of the resignation of a Paying Agent, the City shall promptly appoint a successor Paying Agent by resolution of the Board. Any appointment of a successor Paying Agent shall become effective upon acceptance of appointment by the successor Paying Agent. If no successor Paying Agent shall have been so appointed and have accepted appointment within thirty (30) days after the notice of resignation, the resigning Paying Agent may petition any court of competent jurisdiction for the appointment of a successor Paying Agent, which court may thereupon, after such notice as it may deem appropriate, appoint a successor Paying Agent.

(iii) In the event of a change of Paying Agents, the predecessor Paying Agent shall cease to be custodian of any funds held pursuant to this Bond Resolution in connection with its role as such Paying Agent, and the successor Paying Agent shall become such custodian; provided, however, that before any such delivery is required to be made, all fees, advances and expenses of the retiring or removed Paying Agent shall be fully paid. Every predecessor Paying Agent shall deliver to its successor Paying Agent all books of account, registration records, lists of Registered Owners and all other records, documents and instruments relating to its duties as such Paying Agent.

(iv) Any successor Paying Agent appointed under the provisions hereof shall be a bank, trust company or national banking association having Federal Deposit Insurance Corporation insurance of its accounts, duly authorized to exercise corporate trust powers and subject to examination by and in good standing with the federal and/or state regulatory authorities under the jurisdiction of which it falls.

(v) Every successor Paying Agent appointed hereunder shall execute, acknowledge and deliver to its predecessor Paying Agent and to the City an instrument in writing accepting such appointment hereunder, and thereupon such successor Paying Agent, without any further act, shall become fully vested with all the rights, immunities and powers, and be subject to all the duties and obligations, of its predecessor.

(vi) Should any transfer, assignment or instrument in writing be required by any successor Paying Agent from the City to more fully and certainly vest in such successor Paying Agent the estates, rights, powers and duties hereby vested or intended to be vested in the predecessor Paying Agent, any such transfer, assignment and written instruments shall, on request, be executed, acknowledged and delivered by the City.

(vii) The City will provide any successor Paying Agent with certified copies of all resolutions, orders and other proceedings adopted by the Board relating to the Bonds.

(viii) All duties and obligations imposed hereby on a Paying Agent or successor Paying Agent shall terminate upon the accomplishment of all duties, obligations and responsibilities imposed by law or required to be performed by this Bond Resolution.

(e) Any corporation or association into which a Paying Agent may be converted or merged, or with which it may be consolidated or to which it may sell or transfer its assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, shall be and become successor Paying Agent hereunder and vested with all the powers, discretions, immunities, privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed or conveyance on the part of either the City or the successor Paying Agent, anything herein to the contrary notwithstanding, provided only that such successor Paying Agent shall be satisfactory to the City and eligible under the provisions of Section 5(d)(v) hereof.

SECTION 6. Form of Bonds. The Bonds shall be in substantially the following form, with such appropriate variations, omissions and insertions as are permitted or required by this Bond Resolution or by further action of the Board:

UNITED STATES OF AMERICA
STATE OF MISSISSIPPI
CITY OF CLINTON
GENERAL OBLIGATION BOND
SERIES 1991

NO. ____________ $_____________

Rate of Interest	Maturity Date	Date of Original Issue	CUSIP
		6/01/91	

Registered Owner:

Principal Amount:

The City of Clinton, Mississippi (the "City"), a body politic existing under the Constitution and laws of the State of Mississippi, acknowledges itself to owe and for value received, promises to pay in lawful money of the United States of America to the registered owner identified above, upon the presentation and surrender of this Bond at the principal office of ______________________________, or its successor, as paying agent (the "Paying Agent") for the General Obligation Bonds, Series 1991, of the City (the "Bonds"), on the maturity date identified above, the principal amount identified above. Payment of the principal amount of this Bond shall be made to the registered owner hereof who shall appear in the registration records of the City maintained by the Paying Agent, which will also serve as registrar and transfer agent for the Bonds, as of the fifteenth day of the calendar month preceding the maturity date hereof.

The City further promises to pay interest on such principal amount from the date of this Bond or from the most recent interest payment date to which interest has been paid at the rate of interest per annum set forth above on June 1, 1992, and semiannually thereafter on June 1 and December 1 of each year, until said principal sum is paid, to the registered owner hereof who shall appear in the registration records of the City maintained by the Paying Agent as of the fifteenth day of the calendar month preceding the applicable interest payment date.

Payments of principal and interest on this Bond shall be made by check or draft mailed to such registered owner at his address as it appears on such registration records. The registered owner hereof may change such address by written notice to the Paying Agent by certified mail, return receipt requested, or such other method as may be subsequently prescribed by the Paying Agent, such notice to be received by the Paying Agent not later than the fifteenth day of the calendar month preceding the applicable principal or interest payment date.

This Bond is one of a series of bonds of like date of original issue, tenor and effect, except as to denomination, number, rate of interest and date of maturity, issued in the aggregate authorized amount of Eight Hundred Fifty Thousand and No/100 Dollars ($850,000.00) to raise money for the purpose of paying the costs of purchasing, constructing, improving and equipping various parks within the City of Clinton.

This Bond is issued under the authority of the Constitution and statutes of the State of Mississippi, including Section 21-33-301, Mississippi Code of 1972, and by the further authority of proceedings duly had by the Board of Aldermen of the City, including a resolution adopted on May 21, 1991 authorizing the issuance of the Bonds (the "Bond Resolution").

The Bonds are registered as to both principal and interest. The Bonds are to be issued or reissued in the denomination of $5,000.00 each, or integral multiples thereof up to the amount of a single maturity.

This Bond may be transferred or exchanged by the registered owner hereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent, but only in the manner, subject to the limitations in the Bond Resolution, and upon surrender and cancellation of this Bond. Upon such transfer or exchange, a new bond or bonds of like aggregate principal amount in authorized denominations of the same maturity will be issued.

The City and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

The Bonds are and will continue to be payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate or amount upon all the taxable property within the geographical limits of the City. The Board of Aldermen of the City will levy annually a special tax upon all taxable property within the geographical limits of the City adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Resolution until the certificate of registration and authentication hereon shall have been signed by the Paying Agent.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all conditions, acts and things required by law to exist, to have happened and to have been performed precedent to and in the issuance of the Bonds, in order to make the same legal and binding general obligations of the City, according to the terms thereof, do exist, have happened and have been performed in regular and due time, form and manner as required by law. For the performance in apt time and manner of every official act herein required, and for the prompt payment of this Bond, both principal and interest, the full faith and credit of the City are hereby irrevocably pledged.

IN WITNESS WHEREOF, the City has caused this Bond to be executed in its name and on its behalf by the manual or facsimile signature of its Mayor under the facsimile seal of the City, and attested to by the manual or facsimile signature of its City Clerk, which said facsimile signatures said officials adopt as and for their own proper signatures, all as of the first day of June, 1991.

City of Clinton, Mississippi

By: ______________________________
Mayor of the City of Clinton

COUNTERSIGNED:

____
City Clerk of the City of Clinton

(Facsimile Seal)

There shall be printed in the lower left portion on the face of the Bonds a registration and authentication certificate in substantially the following form:

CERTIFICATE OF REGISTRATION
AND AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned Bond Resolution and is one of the General Obligation Bonds, Series 1991, of the City of Clinton, Mississippi.

____
as Paying Agent

By: ____________________________
Authorized Officer

Date of Registration
and Authentication: ___________

There shall be printed on the reverse of the Bonds a registration and validation certificate and an assignment form in substantially the following form:

REGISTRATION AND VALIDATION CERTIFICATE

STATE OF MISSISSIPPI
COUNTY OF HINDS

I, the undersigned City Clerk of the City of Clinton, Mississippi, do hereby certify that the within Bond has been duly registered by me as an obligation of the City of Clinton, Mississippi, pursuant to law in a book kept in my office for that purpose, and has been validated and confirmed by Decree of the Chancery Court of Hinds County, Mississippi, rendered on the _____ day of June, 1991.

(Facsimile Signature)
Secretary, Board of Aldermen,
Clinton, Mississippi

(Facsimile Seal)

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto ____

____
(Name and address of Assignee)
the within Bond and does hereby irrevocably constitute and appoint ______________________ as the registrar and transfer agent to transfer the said Bond on the records kept for registration thereof with full power of substitution in the premises.

Signature guaranteed:

____
(Bank, Trust Company or Paying Agent)

By: ______________________________
Authorized Officer

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without any alteration whatever.

Date of Assignment: ______________________

Social Security Number
or Tax Identification
Number of Assignee: ______________________

SECTION 7. Mutilated, Destroyed, Lost or Stolen Bonds. In case any Bond shall become mutilated, destroyed, lost or stolen, the City shall, if not then prohibited by law, cause to be authenticated and delivered a new Bond of like date, number, maturity and tenor in exchange and substitution for and upon cancellation of such mutilated bond, or in lieu of and in substitution for such Bond destroyed, lost or stolen, upon the Registered Owner's paying the reasonable expenses and charges of the City in connection therewith, and in case of a bond destroyed, lost or stolen, his filing with the City or Paying Agent evidence satisfactory to it or them that such bond was destroyed, lost or stolen, and of his ownership thereof, and furnishing the City or Paying Agent with such security or indemnity as may be required by law and by them to save each of them harmless from all risks, however remote.

SECTION 8. Security for Bonds. For the purpose of effectuating and providing for the payment of the principal of and interest on the Bonds as the same shall respectively mature and accrue, there shall be levied by the Board of Aldermen of the City, pursuant to the requirements of Miss. Code Ann. § 21-33-313, a direct, continuing tax upon all of the taxable property within the geographical limits of the City, adequate and sufficient, after allowance shall have been made for the expenses of collection and delinquencies in the payment of taxes, to produce sums required for the payment of the principal of and the interest on the Bonds. Closing on the Bonds shall be contingent on the levy of the tax. Said tax shall be extended upon the tax rolls and collected in the same manner and at the same time as other taxes of the City are collected, and the rate of the tax which shall be so extended shall be sufficient in each year fully to produce the sums required as aforesaid, without limitation as to time, rate or amount. The avails of said tax are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same shall respectively mature and accrue. Should there be a failure in any year to comply with the requirements of this section, such failure shall not impair the right of the Registered Owners of any of the Bonds in any subsequent year to have adequate taxes levied and collected to meet the obligations of the Bonds, both as to principal and interest.

SECTION 9. Certificate of Registration and Authentication. Only such of the Bonds as shall have been endorsed thereon a certificate of registration and authentication in substantially the form hereinabove set forth, duly executed by the Paying Agent, shall be entitled to the rights, benefits and security of this Bond Resolution. No Bond shall be valid or obligatory for any purpose unless and until such certificate of registration and authentication shall have been duly executed by the Paying Agent, which executed certificate shall be conclusive evidence of registration, authentication and delivery under this Bond Resolution. The Paying Agent's certificate of registration and authentication on any Bond shall be deemed to have been duly executed if manually signed by an authorized officer of the Paying Agent, but it shall not be necessary that the same officer sign said certificate on all of the Bonds that may be issued hereunder at any one time.

SECTION 10. Registered Owner.

(a) In the event the Purchaser shall fail to designate the names, addresses and social security or tax identification numbers of the Registered Owners of the Bonds within thirty (30) days of the date of sale, or at such other later date as may be designated by the City, one Bond registered in the name of the Purchaser may be issued in the full amount for each maturity. Ownership of the Bonds shall be in the Purchaser until the initial Registered Owner has made timely payment and, upon request of the Purchaser within a reasonable time of the initial delivery of the Bonds, the Paying Agent shall re-register any such Bond upon its records in the name of the Registered Owner to be designated by the Purchaser in the event timely payment has not been made by the initial Registered Owner.

(b) Except as hereinabove provided, the person in whose name any Bond shall be registered in the records of the City maintained by the Paying Agent may be deemed the absolute owner thereof for all purposes, and payment of or on account of the principal of or interest on any Bond shall be made only to or upon the order of the Registered Owner thereof, or his legal representative, but such registration may be changed as hereinafter provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

SECTION 11. Transfer of Bonds.

(a) Each Bond shall be transferable only in the records of the City, upon surrender thereof at the office of the Paying Agent, together with a written instrument of transfer satisfactory to the Paying Agent duly authorized in writing. Upon the transfer of any Bond, the City, acting through its Paying Agent, shall issue in the name of the transferee a new Bond or bonds of the same aggregate principal amount and maturity and rate of interest as the surrendered Bond or Bonds.

(b) In all cases in which the privilege of transferring Bonds is exercised, the Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Bond Resolution.

SECTION 12. Bond Fund.

(a) The City shall maintain with a qualified depository of the City a fund in the name of the City for the payment of the principal of and interest on the Bonds and the payment of Paying Agents' fees in connection therewith (the "Bond Fund"). There shall be deposited into the Bond Fund as and when received:

(i) the accrued interest and premium, if any, received upon delivery of the Bonds;

(ii) the avails of any of the ad valorem taxes levied and collected pursuant to Section 8 hereof;

(iii) any income received from the investment of monies in the Bond Fund; and

(iv) any other funds available to the City which may be lawfully used for payment of the principal of and interest on the Bonds, and which may be directed to be deposited into the Bond Fund, including any balance of Bond proceeds remaining in the Construction Fund after the purpose for which such bonds were issued shall have been accomplished.

(b) As long as any principal of and interest on the Bonds remains outstanding, the City shall withdraw from the Bond Fund sufficient monies to make the payments herein provided for and transfer same to the account of the Paying Agent in time to reach said Paying Agent at least five (5) days prior to the date on which said interest or principal and interest shall become due.

SECTION 13. Application of Proceeds of Bonds. From the principal proceeds received upon the sale of the Bonds there shall be first paid the costs, fees and expenses incurred by the City in connection with the authorization, issuance, sale, validation and delivery of the Bonds. The remaining principal proceeds received upon the sale of the Bonds shall be deposited with a qualified depository of the City in a special fund, hereby created, in the name of the City designated the "Construction Fund", and shall be held and disbursed for the Project, as authorized by the Act.

SECTION 14. Payment of Principal and Interest.

(a) Payment of principal on the Bonds shall be made, upon presentation and surrender of the Bonds at the principal office of the Paying Agent, to the Record Date Registered Owner thereof whose name shall appear in the registration records of the City maintained by the Paying Agent as of the Record Date.

(b) Payment of each installment of interest on the Bonds shall be made to the Record Date Registered Owner thereof. Interest shall be payable in the aforesaid manner irrespective of any transfer or exchange of such Bond subsequent to the Record Date and prior to the due date of the interest.

(c) Principal of and interest on the Bonds shall be paid by check or draft mailed to Registered Owners at the addresses appearing in the registration records of the Paying Agent. Any such address may be changed by written notice from the Registered Owner to the Paying Agent by certified mail, return receipt requested, or such other method as may be subsequently prescribed by the Paying Agent, such notice to be received by the Paying Agent not later than the fifteenth day of the calendar month preceding the applicable principal or interest payment date to be effective as of such date.

SECTION 15. Validation. The Bonds shall be submitted to validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, and to that end the Clerk is hereby directed to make up a transcript of all legal papers and proceedings relating to the Bonds and to certify and forward the same to the State's Bond Attorney for the institution of validation proceedings.

SECTION 16. Contest. It is specifically provided, notwithstanding the dates set out in this Bond Resolution for the date of the Bonds and the payment dates for principal and interest, that if the delivery of the Bonds is delayed by a contest of the validation of the Bonds or otherwise and the initial Purchaser shall decline to take delivery of the Bonds, then the Bonds may be reoffered for sale. In such event, all principal maturities may be adjusted so that such maturities will fall due in the same amounts and intervals as herein provided, but beginning one (1) year from the actual date of the Bonds as provided by the subsequent resolution directing the offer for sale thereof, and continuing through the _____________ (_____th) year from such actual date of the Bonds. The interest payments may also be adjusted accordingly, with interest payments due semiannually, commencing one (1) year from such actual date of the Bonds. After the validation of the Bonds, no amendment, revision or supplement contemplated by this section shall be cause for the resubmission of the proceedings for the issuance of the Bonds, as amended, revised or supplemented, to any further validation proceedings, it being the intent of this Bond Resolution that any such amendments, revisions or supplements be covered by the initial validation proceeding.

SECTION 17. Public Sale. The Bonds shall be offered for sale on sealed bids at a meeting of the Board to be held at the place, and on the date and at the hour specified and upon the terms and conditions set out in the notice in Section 18 hereof. On or before said date and hour, such sealed bids must be filed with the Clerk at the place specified in the notice. The Board reserves the right to reject any and all bids submitted, and if all bids are rejected, to sell the Bonds at a private sale at any time within sixty (60) days after the date advertised for the receipt of bids, at a price not less than the highest bid which shall have been received at the advertised sale.

In no event shall the Bonds be issued at a rate of interest in excess of that allowed in the notice and the Bonds shall in all other respects comply with the requirements of the Act.

SECTION 18. Notice of Bond Sale. As required by Section 31-19-25, Mississippi Code of 1972, the Clerk is hereby authorized and directed to give the notice by publishing an advertisement at least two (2) times in The Clarion-Ledger, a newspaper published in Hinds County and of general circulation in the City, the first publication thereof to be made at least ten (10) days preceding the date fixed herein for the receipt of bids. The notice shall be in substantially the following form:

NOTICE OF BOND SALE

$850,000.00
CITY OF CLINTON, MISSISSIPPI
GENERAL OBLIGATION BONDS
SERIES 1991

NOTICE IS HEREBY GIVEN that the Board of Aldermen (the "Board") of the City of Clinton, Mississippi (the "City") acting for and on behalf of the City, will receive sealed bids in its regular meeting place in the A. E. Wood Memorial Library, 111 Clinton Boulevard, Clinton, Mississippi, until the hour of 7:00 P.M. (local time) on Tuesday, June 4, 1991, at which time said bids will be publicly opened and read for the purchase in its entirety, at not less than par and accrued interest to the date of delivery thereof, of an issue of Eight Hundred Fifty Thousand and No/100 Dollars ($850,000.00) General Obligation Bonds, Series 1991, of the City (the "Bonds").

THE BONDS: The Bonds will be dated and bear interest from June 1, 1991; will be delivered in definitive form as registered bonds; will be in the denomination of $5,000.00 each, or integral multiples thereof up to the amount of a single issuance; will be payable as to principal at a bank or trust company to be named by the Board in the manner herein-after provided; and will bear interest, payable on June 1, 1992, and semiannually thereafter on June 1 and December 1 of each year, at the rate or rates offered by the successful bidder in its bid in accordance with this Notice of Bond Sale.

The Bonds have been designated as qualified tax exempt obligations of the City for purposes of Section 265 (b)(3) of the Internal Revenue Code of 1986, as amended.

MATURITIES: The Bonds will mature serially, without option of prior payment as set forth below, on June 1 in each of the years and amounts as follows:

YEAR	AMOUNT	YEAR	AMOUNT
1992	$ 65,000	1997	$ 85,000
1993	$ 65,000	1998	$ 95,000
1994	$ 70,000	1999	$100,000
1995	$ 75,000	2000	$105,000
1996	$ 80,000	2001	$110,000

AUTHORITY AND SECURITY: The Bonds will be issued pursuant to the provisions of Sections 21-33-301 et seq. of the Mississippi Code of 1972 (the "Act"), and shall be general obligations of the City payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct, unlimited and continuing tax to be levied annually, without limitation as to time, rate or amount upon the taxable property within the geographical limits of the City. The Board of Aldermen of Clinton will levy annually the special tax upon all taxable property within the geographical limits of the City in an amount adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same fall due. Closing on the Bonds shall be contingent upon the levy of this tax.

PURPOSE: The Bonds are being issued to provide funds for the purpose of paying the costs of purchasing, constructing, improving and equipping various parks and related facilities in the City, as further described in a resolution adopted by the Board on May 21, 1991.

FORM OF BIDS: Bids should be addressed to the Board of Aldermen of the City of Clinton and delivered to the Board of Aldermen at its aforementioned regular meeting place, should be plainly marked "Bid for General Obligation Bonds, Series 1991, of the City of Clinton", and should be filed with the Secretary of the Board of Aldermen of the City on or prior to the date and hour hereinabove named. All bids should be submitted substantially in the form prepared by the City, copies of which may be obtained from the Secretary of the Board of Aldermen of the City at the address shown below.

INTEREST RATE AND BID RESTRICTIONS: The Bonds shall not bear a greater overall maximum interest rate to maturity than eleven percent (11%) per annum, nor shall the interest rate for any one maturity exceed eleven percent (11%) per annum. No Bond shall bear more than one (1) rate of interest; each Bond shall bear interest from its date to 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; and the lowest interest rate specified shall not be less than seventy percent (70%) of the highest interest rate specified. Each interest rate specified in any bid must be a multiple 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.

GOOD FAITH DEPOSIT: Each bid must 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 Board of Aldermen of the City of Clinton in the amount of Seventeen Thousand and No/100 Dollars ($17,000.00) as a guaranty that the bidder will carry out its contract and purchase the Bonds if its bid be accepted. All checks of unsuccessful bidders will be returned immediately on award of the Bonds. The amount of the good faith check submitted by the successful bidder shall be deposited by the City and applied against the purchase price of the Bonds. If the successful bidder fails to purchase the Bonds pursuant to its bid and contract, then the amount of such good faith check shall be retained by the City as liquidated damages for such failure. No interest will be allowed to the successful bidder on the amount of the good faith deposit.

AWARD OF BONDS: The award, if any, will be made to the bidder complying with the terms of sale and offering to purchase the Bonds at the lowest net interest cost to the City, which shall be determined by computing the aggregate interest on the Bonds over the life of the issue at the rate or rates of interest specified by the bidder, less premium offered, if any. It is requested that each bid be accompanied by a statement of the net interest cost (computed to six decimal places), but such statement will not be considered a part of the bid. All bids shall remain firm for four (4) hours after the time specified for the opening of bids, and an award of the Bonds, or rejection of bids, will be made by the Board within said period of time.

RIGHT OF REJECTION, CANCELLATION: The Board reserves the right to reject any or all bids submitted, as well as to waive any irregularity or informality in any bid. The successful bidder shall have the right, at its option, to cancel its agreement to purchase the Bonds if the Bonds are not tendered for delivery within sixty (60) days from the date of sale thereof, and in such event the Board shall return to said bidder its good faith deposit. The Board shall have the right, at its option, to cancel its agreement to sell the Bonds if within five (5) days after the tender of the Bonds for delivery the successful bidder shall not have accepted delivery of and paid for the Bonds, and in such event the Board shall retain the successful bidder's good faith deposit as liquidated damages as hereinabove provided.

PAYING AGENT, TRANSFER AGENT, AND REGISTRAR: The City shall designate a bank or trust company located within the State of Mississippi to serve as paying agent (the "Paying Agent") for the Bonds. The Paying Agent shall be subject to change by order of the Board under the conditions and in the manner provided in the Bond Resolution under which the Bonds are issued. Both principal of and interest on the Bonds will be payable by check or draft mailed to registered owners of the Bonds as of the fifteenth day of the month preceding the maturity date for such principal or interest payment at the addresses appearing in the registration records of the City maintained by the Paying Agent. The Bonds will be transferable only upon the books of the Paying Agent, and payment of principal at maturity shall be conditioned on the proper presentation and surrender of the Bonds to the Paying Agent.

DELIVERY: The successful bidder must designate within thirty (30) days of the date of sale, or at such other later date as may be designated by the Board, the names and addresses of the registered owners of the Bonds and the denominations in which the Bonds of each maturity are to be issued. If the successful bidder fails to submit such information within 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 Bonds will be delivered at a place to be designated by the Purchaser and without cost to the Purchaser, and payment therefor shall be made in immediately available funds.

CUSIP NUMBERS: It is anticipated that CUSIP identification numbers will be printed on the Bonds unless specifically declined by the Purchaser, but 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.

LEGAL OPINION; CLOSING DOCUMENTS: The Bonds are offered subject to the unqualified approval of the legality thereof by Brunini, Grantham, Grower & Hewes, Jackson, Mississippi, Bond Counsel. In the opinion of Brunini, Grantham, Grower & Hewes, interest on the Bonds is not includable in gross income for federal income tax purposes and is exempt from Mississippi income taxes under existing laws, regulations, rulings and judicial decisions with such exceptions as shall be required by the Internal Revenue Code of 1986. The Bonds have been designated as "qualified tax-exempt obligations" of the City within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. A copy of the opinion of Bond Counsel, which will be printed on the back of each Bond, together with the usual closing documents, including a non-litigation certificate dated the date of delivery of the Bonds, evidencing that no litigation is pending in any way affecting the legality of the Bonds or the taxes to be levied for the payment of the principal thereof and interest thereon, and a transcript of the proceedings relating to the Bonds will be delivered to the successful bidder without charge. The City will pay for all legal fees and will pay for the printing and validation of the Bonds.

INFORMATION FROM PURCHASER: The purchaser must certify to the City the initial offering price to the public (excluding bond houses, brokers and other intermediaries) of each maturity of the Bonds at which a substantial amount of Bonds of that maturity were sold, to enable the City to compute the yield on the Bonds for federal arbitrage law purposes.

FURTHER INFORMATION: The City has prepared a Preliminary Official Statement which it deems for the purposes of S.E.C. Rule 15c2-12, to be final and complete as of this date except for the omission of the offering prices, interest rates, and any other terms of the Bonds depending on such matters, and the identity of the underwriters, subject to revision, amendment and completion in a final Official Statement. The City will publish an Official Statement in substantially the same form as the Preliminary Official Statement subject to minor additions, deletions and revisions as required to complete the Preliminary Official Statement. The City will furnish up to 80 copies of the Official Statement to the successful bidder of the Bonds without charge within seven (7) business days after the award of the bid. The successful bidder must notify the Mayor of the City in writing within four (4) business days of the award if the bidder requires additional copies of the Official Statement to comply with applicable regulations. The Cost for such additional copies will be paid by the successful bidder requesting such copies. The successful bidder shall be required to supply to the City the necessary pricing information and any underwriter identification determined by the City to be necessary for the Official Statement within forty-eight (48) hours after the award of the Bonds.

Further information with respect to the Bonds may be obtained from the Office of the Mayor of the City of Clinton, P. O. Box 156, Clinton, Mississippi 39060.

By order of the Board of Aldermen of the City of Clinton, Mississippi, on the 21st day of May, 1991.

/s/ Nelson Byrd
City Clerk, City of Clinton

SECTION 19. Publisher's Affidavit. The Clerk shall obtain from the publisher of the aforesaid newspaper the customary publisher's affidavit proving publication of the notice for the time and in the manner required by law, and such proof of publication shall be filed in the Clerk's office and exhibited before the Board at the hour and date aforesaid.

SECTION 20. Bonds Not Arbitrage Bonds. The Board covenants and certifies to and for the benefit of the owners of the Bonds that it will neither take any action nor omit to take any action nor make any investment or use of the proceeds from the issue and sale of the Bonds, including amounts treated as proceeds, if any, which will cause the Bonds to be classified as arbitrage bonds within the meaning of Section 148 of the Code, and any regulations thereunder as such may be applicable to the Bonds, at the time of such action, investment or use.

SECTION 21. Tax-Exempt Status. The Board covenants that it will take such action as is necessary and within its power to maintain the tax-exempt status of interest on the Bonds under the provisions of the Code and any regulations as such may be applicable to the Bonds.

SECTION 22. Designation of Bonds. The Bonds are hereby designated as a portion of the maximum of $10,000,000 of qualified tax-exempt obligations to be issued by the City during the 1991 calendar year, within the meaning and for the purposes of Section 265(b)(3) of the Code.

SECTION 23. Rebate Required. The City shall make or cause to be made any calculations with respect to any rebates payable to the United States required by the Code or any successor thereto and shall support such calculations with a letter from independent certified public accountants verifying the accuracy of such calculations. If, pursuant to such calculations, any amount is to be set aside for potential rebate to the United States, the City will establish a Rebate Fund and within said fund a Rebate Income Account and Rebate Principal Account in accordance with the Code or any successor thereto and any income earned on investments of amounts in the Rebate Fund will be deposited immediately upon receipt thereof in the Rebate Income Account.

SECTION 24. Calculation of Rebate. On or before the first day of each Bond Year, the City shall make or cause to be made the computation of the Rebate Deposit. The Rebate Deposit is hereby defined as the excess of (a) the aggregate amount earned for the period from the date of issue of the

Bonds to the computation date on all obligations in which any moneys in the funds and accounts are invested (the "Nonpurpose Obligations"), over (b) the amount that would have been earned for such period if the yield on the Nonpurpose Obligations had been equal to the yield on the Bonds. If a deposit to the Rebate Principal Account is required as a result of such computation, the City shall make such deposit. If a withdrawal from the Rebate Principal Account is permitted as a result of such computation, the municipality shall withdraw such amount and deposit the same in the Bond Fund for the benefit of the City. Records of the determinations required by this Section must be retained until six (6) years after the Bonds are no longer outstanding. As used herein the term Bond Year shall mean the one (1) year period beginning after the expiration of the preceding bond year of such issue. The first Bond Year of an issue begins on the date of the issue and ends one (1) year later.

SECTION 25. Remittal of Rebate. Not later than thirty (30) days after the end of the fifth year after the date of issuance of the Bonds and every five (5) years thereafter, the City shall pay to the United States ninety percent (90%) of the amount required to be on deposit in the Rebate Principal Account as of such payment date and ninety percent (90%) of the amount on deposit in the Rebate Income Account as of such payment date. Not later than thirty (30) days after the final retirement of the Bonds, the City shall pay to the United States one hundred percent (100%) of the balance remaining in the Rebate Fund. Each payment required to be paid to the United States pursuant to this Section shall be filed with the Internal Revenue Service Center, Philadelphia, Pennsylvania 19255. The City shall provide with such payment a copy of the information reporting form originally filed with respect to the Bonds and a statement summarizing the determination of the amount to be paid to the United States.

SECTION 26. Conflicting Proceedings Repealed. All orders, resolutions or proceedings of this Board in conflict with any provision hereof shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict. For cause, this Bond Resolution shall become effective upon the adoption hereof.

Board Member FERRELL seconded the motion to adopt the foregoing resolution and, the question being put to a roll call vote, the result was as follows:

Alderman O. C. George Ferrell	Voted:	AYE
Alderman Edward J. Valente	Voted:	AYE
Alderman Ronnie Chappell	Voted:	AYE
Alderman Keith N. Montgomery	Voted:	AYE
Alderman Jean W. Johnson	Voted:	ABSENT
Alderman Sharbert K. Lott	Voted:	AYE
Alderman-at-Large Willard A. Ryan	Voted:	AYE

The motion having received the affirmative vote of a majority of the members present, the Mayor of the City of Clinton, Mississippi, declared the motion carried and the resolution adopted on this the 21st day of May, 1991.

Billy R Smith

Mayor of the City of Clinton

ATTEST:

Nelson Byrd

City Clerk of the City of Clinton

RESOLUTION

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have heretofore expressed the desire and intent to establish a set aside policy for the purchase of commodities from minority businesses; and

WHEREAS, the Mississippi Legislature, through the enactment of House Bill No. 1306 during the 1991 Regular Legislative Session, has amended the State Public Purchase Law to create a mechanism whereby municipalities may set aside twenty percent (20%) of their anticipated annual expenditures for the purchase of commodities from minority businesses; and

WHEREAS, the City of Clinton, the second largest city in Hinds County, Mississippi, should be on the forefront of fostering and encouraging economic parity in the purchase of its commodities;

NOW, THEREFORE, BE IT RESOLVED that, pursuant to and in accordance with the authority vested by §31-7-13 of the Mississippi Code of 1972, as amended during the 1991 Regular Legislative Session, the governing authority of the City of Clinton, Mississippi, hereby establishes a fifteen percent (15%) set aside policy for purchases by the City which shall require that fifteen percent (15%) of such purchases shall be from minority businesses as provided by §31-7-13, Mississippi Code of 1972, as amended during the 1991 Regular Legislative Session, and that the City Department of Purchasing is hereby directed to create appropriate procedures to insure the fulfillment of this goal in compliance with the State purchasing regulations.

BE IT FURTHER RESOLVED that all entities and agencies doing business with the City of Clinton, Mississippi, are hereby directed and required to comply with the policy set out herein.

Alderman Ferrell moved that the foregoing Resolution be adopted. Alderman Chappell seconded. The vote was as follows:

Alderman Ryan voted: "YES"

Alderman Ferrell voted: "YES"

Alderman Valente voted: "YES"

Alderman Chappell voted: "YES"

Alderman Montgomery voted: "YES"

Alderman Johnson voted: ABSENT

Alderman Lott voted: "YES"

APPROVED on the 21ST day of MAY, 1991.

Billy R Smith

BILLY RAY SMITH, MAYOR

ATTEST:

Nelson Byrd

NELSON BYRD, CITY CLERK

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PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

ADVERTISEMENT
FOR BIDS

Sealed bids for construction of a double 4 x 8 Box Culvert in Clinton, Mississippi, will be received by the Mayor and Board of Aldermen, 300 Jefferson Street, in the Mayor's office, Clinton, Mississippi, until 2:00 P.M. local time on May 16, 1991, and immediately thereafter will be opened and publicly read.

The work involved in this project includes all materials and labor in drainage structure construction operation. All work will be performed as shown on the plans and described in the specifications. All documents required for bidding purposes, including specifications, may be obtained from Anderson Engineers, P.A., P.O. Box 254, Clinton, Mississippi, 39060. A non-refundable deposit of $30.00 is required at the time of request for plans and specifications. A copy of the specifications may be examined at the office of the Project Engineers, located at 541 Highway 80 West, Suite B, Clinton, Mississippi; Clinton Public Works Department, Clinton, Mississippi, and the AGC, ABC and F. W. Dodge plan rooms in Jackson, Mississippi.

Bid preparation will be in accordance with the Instructions to Bidders bound in the Specifications. The City of Clinton reserves the right to waive irregularities and to reject any or all bids.

City of Clinton, Mississippi
By: /s/ Nelson Byrd
Nelson Byrd
City Clerk

Approved by: Billy Ray Smith
Mayor

April 25, May 1, 1991

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

Debbie Swinnen,

an authorized clerk of THE CLARION-LEDGER, a daily newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

Date April 25, 19 91

Date May 1, 19 91

Date ______, 19___

Date ______, 19___

Date ______, 19___

Number of Lines 54

Published 2 Times

Total $ 30.08

Signed Debbie Swinnen
Authorized Clerk
of The Clarion-Ledger

SWORN to and subscribed before me the 1st day of May,

19 91.

Janet Boatner
Notary Public

My Commission Expires:
My Commission Expires Nov. 17, 1992

(Seal)

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BID TABULATION

PROJECT: CONSTRUCTION OF A DOUBLE 4 X 8 BOX CULVERT, NEAL AVENUE

OWNER: CITY OF CLINTON, CLINTON, MS

ENGINEER: ANDERSON ENGINEERS, P.A.

BID DATE: MAY 16, 1991 2:00 P.M.
MAYOR'S OFFICE, 300 JEFFERSON STREET
CLINTON, MISSISSIPPI

CONTRACTOR	BASE BID
DENNIS A. BAKER, INC. C.O.R.# 5383 BID BOND	$77,300.00
HEMPHILL CONSTRUCTION COMPANY, INC. C.O.R.# 2449 BID BOND	$54,912.00
BELK CONSTRUCTION CORP. C.O.R.# 3300 BID BOND	$47,936.00
VAUGHAN CONSTRUCTION, INC. C.O.R.# 1035 BID BOND	$64,765.00
~~G & L CONTRACTORS, INC.~~ ~~C.O.R.#~~ ~~BID BOND~~	
BLURTON BANKS & ASSOCIATES, INC. C.O.R.# 4885 BID BOND	$64,571.00

SATTERFIELD CONSTRUCTION, INC.
C.O.R.# 5666 $60,122.00
BID BOND

DICKERSON & BOWEN CONTRACTORS
C.O.R.# 12 $69,351.49
BID BOND

DELTA CONSTRUCTORS, INC.
C.O.R.# 7487 $46,730.00
BID BOND

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

BY: Terry L. Anderson
Terry L. Anderson, P.E.
Anderson Engineers, P.A.

NOTICE OF AWARD

DATE: May 16, 1991 PROJECT NO.: 100C2212

TO: Delta Constructors, Inc. PROJECT: City of Clinton

P. O. Box 9545 Neal Street Box Culvert

Jackson, MS 39286

CONTRACT FOR: Construction of a double 4' X 8' reinforced concrete box culvert

You are notified that your Bid dated May 16, 1991 for the above Contract has been considered. You are the apparent successful bidder and have been awarded a contract for the removal of existing corrugated metal drainage pipes and construction of a double 4' X 8' concrete box culvert and drainage improvements in Clinton, Mississippi.

The Contract Price is Forty Six Thousand Seven Hundred Thirty & no/100 Dollars ($46,730.00).

Three copies of each of the proposed Contract Documents (except Drawings) accompany this Notice of Award.

You must comply with the following conditions precedent within fifteen (15) days of the date of this Notice of Award, that is by May 31, 1991.

1. You must deliver to the OWNER three (3) fully executed counterparts of the Agreement including all the Contract Documents. Each of the Contract Documents must bear your signature on page 00500-1.
2. You must deliver with the executed Agreement to the Performance and Payment Bonds specified in the Instructions to Bidders and the General Conditions (paragraph 7.5). These Bonds shall be in the form as shown in Section 00600 of the Contract.
3. Provide certificates of insurance as required.

Failure to comply with these conditions within the time specified will entitle OWNER to consider your bid abandoned, to annul this Notice of Award and to declare your Bid Security forfeited.

Within ten (10) days after you comply with those conditions, OWNER will return to you one fully signed counterpart of the Agreement with the Contract Documents attached.

City of Clinton, MS
(Owner)

By: Bettye R. Smith
(Authorized Signature)

Mayor
(Title)

B. Respondent further understands and agrees that, as part of the above referenced settlement, respondent shall comply with the following:

(1) Schedule of Compliance

a. On or before June 1, 1991, Respondent shall initiate design of the proposed plant.

b. On or before August 15, 1991, Respondent shall submit completed plans and specifications to the Office of Pollution Control.

c. On or before October 1, 1991, Respondent shall begin construction of proposed .35 MGD plant.

d. On or before March 31, 1992, Respondent shall complete construction of proposed .35 MGD plant.

(2) a. Respondent shall comply with the following discharge limits beginning May 1, 1991 and lasting until May 31, 1992:

Parameters	Daily Avg (mg/l)	Daily Max(mg/l)	Measurement Frequency	Sample Type
Flow	--	0.20	5 days/week	Instantaneous
BOD_5	24	48	Twice/month	24-Hr Composite
Total Suspended Solids	89	178	Twice/month	24-Hr Composite
Ammonia-Nitrogen	4	6	Twice/month	Grab
Dissolved Oxygen	Not less than 5.0 mg/l		Twice/month	Grab
Coliform	200/100 ml	400/100 ml	Once/month	Grab

Analysis of samples shall conform to regulations published pursuant to Section 304(h) of the Federal Water Pollution Control Act, as amended. Results of analysis shall be submitted once/month.

Monitoring results obtained during previous month shall be summarized and reported on the discharge monitoring report form (EPA No. 3320-1).

(3) The Respondent shall not allow any further connections to its wastewater treatment/collection system until at such time the improvements to the wastewater treatment system are completed.

3.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Section 49-17-31 of the Mississippi Code Annotated (Supp. 1989), and that it has made an informed waiver of that right.

NOTICE OF SPECIAL MEETING OF

THE MAYOR AND BOARD OF ALDERMEN

I, the undersigned, Mayor Billy Ray Smith, Mayor of the City of Clinton, Mississippi, do hereby call a SPECIAL MEETING of the Mayor and Board of Aldermen pursuant to the provisions of Section 21-3-21 of the MS Code of 1972. Said Meeting shall be held at 6:00 P.M., May 28, 1991, in the City Courtroom located at 200 Jefferson Street, for the purpose having a working meeting to discuss the following items:

1. Recycling and garbage pick-up for the City

2. Cost factor involved with proposed construction of new police facility

3. Comments on relocation of Briars Treatment Facility

Billy R Smith
Billy Ray Smith, Mayor

24 MAY 91
Date

Meeting Postphoned indefinitely. Items above are on agenda as 9, 10, 11 at next Board Meeting. (6-4-91)
Nelson Byrd, City Clerk