

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF
ALDERMEN
TUESDAY MARCH 1, 2016 – 7:00 P. M.
MUNICIPAL COURTROOM – 305 MONROE STREET**

WELCOME AND CALL TO ORDER Mayor Phil Fisher

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Barnett followed by the pledge of allegiance to the flag led by Alderman Cronin.

ROLL CALL City Clerk, Russell Wall

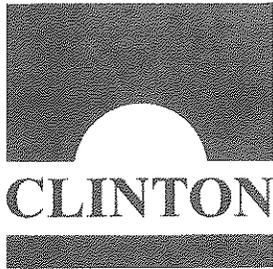
Present: Jehu Brabham – Alderman-at-Large
 David Ellis – Alderman Ward 1
 Jim Martin – Alderman Ward 2
 William O Barnett – Alderman Ward 3
 Greg Cronin – Alderman Ward 4
 Jan Cossitt – Alderwoman Ward 5
 Mike Cashion – Alderman Ward 6

RECOGNITIONS

The Mayor and the Board of Aldermen recognized the retiring Chief of Police Michael Warren for his thirty-four (34) years of service to the City of Clinton with a plaque.

APPROVAL OF CONSENT AGENDA ITEMS A – P

MOTION made by Alderman Cashion and **SECONDED** by Alderman Brabham to approve the Consent Agenda Items A-P. **MOTION CARRIED UNANIMOUSLY**



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DEPARTMENT HEAD REPORT

Marsha Barham, Director of the Visitor Center updated the board on the number of visitors to the Visitor Center as compared to last year. She stated that there was an increase of 18% in the number of visitors as compared to last year. Marsha also informed the board of three events to be hosted by the Visitor Center coming up in the next two months. These events are on March 18, 2016 Friday Nights at Milepost 89, on April 2, 2016 a program entitled the Living History of Champion Hill, and on April 29, 2016 an event honoring Sarah Dickey would be held with the uncovering a historical marker commemorating her life.

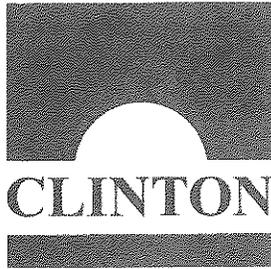
Michael Gill, Interim Police Chief updated the board on the active shooter exercise held at Morrison Heights Baptist Church on March 1, 2016.

BOARD OF ALDERMEN DISCUSSION AND REPORTS

There were no items from the Board of Aldermen.

MAYOR'S DISCUSSION AND REPORTS

APPROVE A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI (THE "CITY") AUTHORIZING AND APPROVING THE EXECUTION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR THE SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016 (THE "BONDS") TO RAISE MONEY TO PROVIDE FUNDS FOR THE ADVANCE REFUNDING OF ALL OR A PORTION OF OUTSTANDING MATURITIES OF THE CITY'S \$8,000,000 GENERAL OBLIGATION BONDS, SERIES 2008, DATED SEPTEMBER 1, 2008 (THE "BONDS"); AUTHORIZING AND APPROVING THE ISSUANCE OF THE BONDS; APPROVING THE FORM OF AND EXECUTION OF A BOND PURCHASE AGREEMENT FOR THE SALE OF THE BONDS; APPROVING AND AUTHORIZING THE FORM OF, EXECUTION AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING TO THE BONDS; AUTHORIZING THE MAYOR OR CITY CLERK OF THE CITY TO PROVIDE WRITTEN NOTIFICATION TO THE PEOPLES BANK, BILOXI, MISSISSIPPI, PAYING AGENT FOR THE 2008 BONDS, OF THE ADVANCE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING MATURITIES OF THE 2008 BONDS WITH THE FUNDS TO BE PROVIDED BY THE ISSUANCE OF THE BONDS, AND THE OPTIONAL



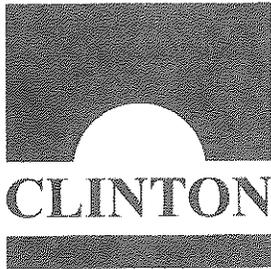
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REDEMPTION OF THE 2008 BONDS MATURING IN 2019 THROUGH 2028, BOTH INCLUSIVE, ON SEPTEMBER 1, 2008 AT PAR; AND FOR RELATED PURPOSES

Upon presentation by Troy Johnston, Butler Snow LLP, **MOTION** made by Alderman Ellis and **SECONDED** by Alderman Barnett the board approved a resolution of the Mayor and Board of Aldermen of the City of Clinton, Mississippi (The “City”) authorizing and approving the execution and distribution of a Preliminary Official Statement for the sale of General Obligation Refunding Bonds, Series 2016 (The “Bonds”) to raise money to provide funds for the advance refunding of all or a portion of outstanding maturities of the City’s \$8,000,000 General Obligation Bonds, Series 2008, dated September 1, 2008 (The “Bonds”); authorizing and approving the issuance of the Bonds; approving the form of and execution of a bond purchase agreement for the sale of the Bonds; approving and authorizing the form of, execution and distribution of an official statement pertaining to the Bonds; authorizing the Mayor or City Clerk of the City to provide written notification to the Peoples Bank, Biloxi, Mississippi, paying agent for the 2008 Bonds, of the advance refunding of all or a portion of the outstanding maturities of the 2008 Bonds with the funds to be provided by the issuance of the Bonds, and the optional redemption of the 2008 Bonds maturing in 2019 through 2028, both inclusive, on September 1, 2008 at par; and for related purposes. **MOTION CARRIED UNANIMOUSLY**

APPROVE A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016, OF THE CITY OF CLINTON, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION SIX HUNDRED THOUSAND DOLLARS (\$5,600,000) TO RAISE MONEY FOR THE PURPOSE OF ADVANCE REFUNDING ALL OR A PORTION OF CERTAIN OUTSTANDING MATURITIES OF THE CITY’S GENERAL OBLIGATION BONDS, SERIES 2008, DATED SEPTEMBER 1, 2008, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$8,000,000, AND PAYING THE COSTS OF SUCH BORROWING

Upon presentation by Troy Johnston, Butler Snow LLP, **MOTION** made by Alderman Ellis and **SECONDED** by Alderwoman Cossitt the board approved a resolution authorizing and directing the issuance of General Obligation Refunding Bonds, Series 2016, of the City of Clinton, Mississippi, in the principal amount of not to exceed five million six hundred thousand dollars (\$5,600,000) to raise money for the purpose of advance refunding all or a portion of certain outstanding maturities of the City’s General Obligation Bonds, Series 2008, dated September 1, 2008, issued in the original principal amount of \$8,000,000, and paying the costs of such borrowing. **MOTION CARRIED UNANIMOUSLY**



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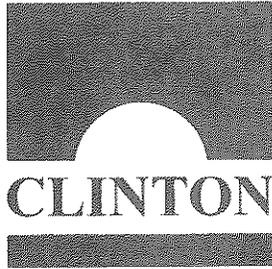
AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF CLINTON, MISSISSIPPI AND BUTLER SNOW LLP REGARDING EMPLOYMENT OF PROFESSIONALS IN CONNECTION WITH THE CITY'S ANNUAL CONTINUING DISCLOSURE FILING REQUIREMENT PURSUANT TO RULE 15C2-12

Upon presentation by Russell Wall, City Clerk, **MOTION** made by Alderwoman Cossitt and **SECONDED** by Alderman Martin the board authorized the Mayor to execute an agreement between the City of Clinton, Mississippi and Butler Snow LLP regarding employment of professionals in connection with the City's annual continuing disclosure filing requirement pursuant to rule 15C2-12. **MOTION CARRIED UNANIMOUSLY**

CONTINUATION OF HEARING TO DECLARE THE PROPERTIES LOCATED AT 110 AND 112 W. LEAKE STREET TO BE NUISANCE PROPERTIES

Before this item was voted on the following statements were made at the Public Hearing for these properties. Roy Edwards, Director of Community Development stated that the buildings were inspected on January 8, 2016 and it was determined that these properties in their present condition were in a state of uncleanness and constitute a menace to the public health and safety to the community. He also showed various pictures showing the state of uncleanness of the property. These pictures are made a part of these minutes. Also, much of the information concerning the state of the property came from sworn testimony under oath. Walter Wood, Attorney representing the trustee of these properties stated that the properties were sold on March 1, 2016 to Matthew Wiggins. He also stated that the notice should not be sent to the trust, The Mayor stated that if Matthew Wiggins became the owner of the property a new notice would be sent to Mr. Wiggins and that he would be given up to thirty (30) days to make repairs to the property. After these comments the Public Hearing was closed and the following motion was made.

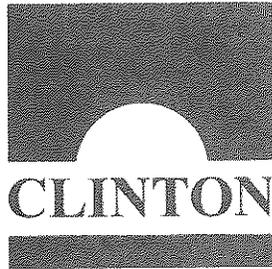
Upon presentation by Roy Edwards, Director of Community Development, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Cashion the board approved a resolution declaring the properties located at 110 and 112 W. Leake Street to be nuisance properties under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972 as amended, and other applicable statutes and ordinances. Alderman Martin left the meeting at 7:40 pm and returned to the meeting at 7:49 pm. Alderman Martin did not participate in the discussion of this item nor did he vote on this item **MOTION CARRIED UNANIMOUSLY**



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CONDITIONAL USE, CERTIFICATE OF APPROPRIATENESS AND DIMENSIONAL VARIANCES – THE MILL AT VERNON ROAD AND JEFFERSON STREET – CLINT AND DEAN FARRAR AND SITE PLAN, CERTIFICATE OF APPROPRIATENESS AND DIMENSIONAL VARIANCES – THE MILL AT VERON ROAD AND JEFFERSON STREET – SUBDIVISION – CLINT AND DEAN FARRAR – WARD 1

Before these items were voted on the following comments were made. Roy Edwards, Director of Community Development stated that the Historic Preservation Commission and the Planning and Zoning Commission recommended approval with the addition of two (2) parking spaces. Dean Farrar the developer was present to answer questions concerning the development. Mayor Fisher asked about the access to the four-plexes and the type of building materials that were to be used. Alderman Cronin asked about the railroad variance. He also felt that this was the type of development he envisioned being in the Olde Towne area. Alderman Martin was concerned about granting these variances. He felt that these variances may have been requested to squeeze extra units in the development to make the project economically feasible. He also felt that historically the board has not granted these variances. Alderman Cashion asked what the full occupancy of the development was and if they had considered drainage issues. He also asked what the developer would do if the variances were denied. Mr. Farrar stated that he would look at other locations and options. Alderman Brabham agreed with the statements of Alderman Cronin concerning the type of development in Olde Towne. He also felt this development would be good for the area. Alderman Ellis stated he was not in favor of granting the variances and the board should consider re-writing the variances rules for the Olde Towne area. He also said that he did not want to hold up this project. Furthermore, Alderman Ellis stated that the granting of variances should not be used to forward economic development in the Olde Towne area. After the discussion it was decided that the Conditional Use, Certificate of Appropriateness and Dimensional Variances for the four-plexes and the Site Plan, Certificate of Appropriateness and Dimensional Variances for the sub division should be voted on separately. The following motions were made.



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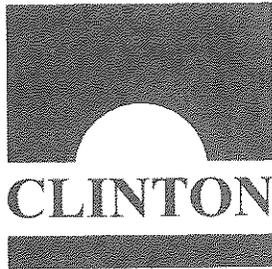
**CONDITIONAL USE, CERTIFICATE OF APPROPRIATENESS AND DIMENSIONAL
VARANCES – THE MILL AT VERNON ROAD AND JEFFERSON STREET – CLINT
AND DEAN FARRAR – WARD 1**

Upon presentation by Roy Edwards, Director of Community Development, **MOTION** made by Alderman Brabham and **SECONDED** by Alderwoman Cossitt the board approved the request by Clint and Dean Farrar for a Conditional Use, Certificate of Appropriateness and Dimensional Variances to build four-plexes to be located at Vernon Road and Jefferson Street in the City of Clinton, Mississippi. The Dimensional Variances requested have been made a part of these minutes. The Historical Preservation Commission and The Planning and Zoning Commission recommended approval. **THE MOTION WAS APPROVED BY A VOTE OF 4 TO 3. ALDERMAN BRABHAM, ALDERMAN BARNETT, ALDERMAN CRONIN, AND ALDERWOMAN COSSITT VOTED AYE. ALDERMAN ELLIS, ALDERMAN MARTIN, AND ALDERMAN CASHION VOTED NAY.**

Then the following motion was made.

**SITE PLAN, CERTIFICATE OF APPROPRIATENESS AND DIMENSIONAL
VARIANCES – THE MILL AT VERNON ROAD AND JEFFERSON STREET –
SUBDIVISION – CLINT AND DEAN FARRAR – WARD 1**

Upon presentation by Roy Edwards, Director of Community Development, **MOTION** made by Alderwoman Cossitt and **SECONDED** by Alderman Barnett the board approved the request by Clint and Dean Farrar for the Site Plan, Certificate of Appropriateness and Dimensional Variances for a Subdivision to be located at Vernon Road and Jefferson Street in the City of Clinton, Mississippi. The Dimensional Variances requested have been made a part of these minutes. The Historical Preservation Commission and the Planning and Zoning Commission recommended approval. **THE MOTION WAS APPROVED BY A VOTE OF 5 TO 2. ALDERMAN BRABHAM, ALDERMAN BARNETT, ALDERMAN CRONIN, ALDERWOMAN COSSITT, AND ALDERMAN CASHION VOTED AYE. ALDERMAN ELLIS AND ALDERMAN MARTIN VOTED NAY.**



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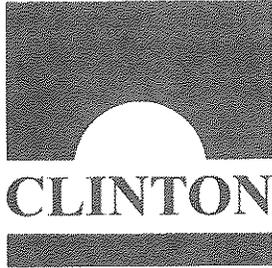
CONDITIONAL USE – CLINTON TINNIN ROAD – GRACE BAPTIST MISSION –
WARD 1

Before the vote on this item took place the following comments were made. Danny Bartlett Pastor of Grace Baptist Mission was present to answer any questions. Alderman Ellis stated that he had talked to the residents affected by this church and the residents did state they had some concerns, however they felt that the church had taken care of these concerns. Alderman Ellis did state that one resident still had concerns about the church locating in this neighborhood. Alderman Cronin stated that he felt the church had done everything in their power to meet all the concerns of their neighbors. After this discussion the following motion was made:

Upon presentation by Roy Edwards, Director of Community Development, **MOTION** made by Alderman Ellis and **SECONDED** by Alderman Brabham the board approved the request by Grace Baptist Mission for a conditional use to operate a church to be located at Clinton Tinnin Road in the City of Clinton, Mississippi. The board also approved that this conditional use was for this specific church and if the church closed any new persons wanting to use this site would have to come back to the board for approval. The Architectural Review Committee and The Planning and Zoning Commission recommended approval. **MOTION CARRIED**
UNANIMOUSLY

CONDITIONAL USE – 201 CLINTON CENTER DRIVE – PINELAKE CHURCH –
WARD 5

Before the vote on this item took place the following comments were made. Jason Barber representing the Pinelake Church stated that the reason for this move was because the church had out grown the space at their present facility. Alderman Brabham discussed his method for determining if this conditional use should be granted. He stated that he has used this method to be consistent in making these type of decisions. He felt that if the party requesting the conditional use has met all the legal requirements then he had no choice but to approve the request. Alderman Brabham further stated that he believed that Pinelake Church had met all of the legal requirements and should be granted their request. Alderman Cashion agreed with Alderman Brabham's comments. Alderman Cashion further stated that he had read on social media that the City had too many churches. Alderman Cashion further stated that he as a board member must follow the law and he felt he was on solid legal ground in approving this request. Alderwoman Cossitt stated she was grateful that someone was going to occupy the vacant building and she felt that those attending this church would spend money in Clinton which would assist in our economic development efforts. Alderman Martin stated that he agreed with



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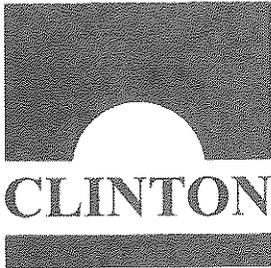
Alderman Brabham's comments. Alderman Cronin stated that he supported the motion. After this discussion the following motion was made:

**CONDITIONAL USE – 201 CLINTON CENTER DRIVE – PINELAKE CHURCH –
WARD 5**

Upon presentation by Roy Edwards, Director of Community Development, **MOTION** made by Alderman Ellis and **SECONDED** by Alderman Brabham the board approved the request by Pinelake Church for a conditional use to operate a church to be located at 201 Clinton Center Drive in the City of Clinton, Mississippi. The board also approved that this conditional use was for this specific church and if the church closed any new persons wanting to use this site would have to come back to the board for approval. The Architectural Review Committee and The Planning and Zoning Commission recommended approval. **MOTION CARRIED
UNANIMOUSLY**

**APPROVE THE ACCEPTANCE OF A PROPOSAL SUBMITTED BY EAGLE
CONSTRUCTION COMPANY AS BEING THE LOWEST AND BEST BID FOR THE
QUISENBERRY LIBRARY INTERIOR REPAIRS PROJECT AND FURTHERMORE
AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF
CLINTON, MISSISSIPPI AND JBHM ARCHITECTURE TO PROVIDE
PROFESSIONAL SERVICES RELATED TO THE QUISENBERRY LIBRARY
INTERIOR REPAIRS PROJECT**

Upon presentation by Roy Edwards, Director of Community Development, **MOTION** made by Alderman Cronin and **SECONDED** by Alderman Cashion the board approved the acceptance of a proposal submitted by Eagle Construction Company as being the lowest and best bid for the Quisenberry Library Interior Repairs Project and furthermore authorized the Mayor to execute a contract between the City of Clinton, Mississippi and JBHM Architecture to provide professional services related to the Quisenberry Library Interior Repairs Project. **MOTION CARRIED
UNANIMOUSLY**



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**AUTHORIZE THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES
AGREEMENT BETWEEN THE CITY OF CLINTON, MISSISSIPPI AND WGK, INC.
FOR THE PROVISION OF ENGINEERING SERVICES FOR THE CONTINENTAL
TIRE SEWER SYSTEM IMPROVEMENTS PROJECT**

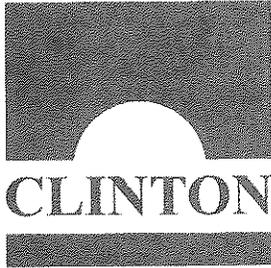
Upon presentation by Philip Fisher, Mayor, **MOTION** made by Alderwoman Cossitt and **SECONDED** by Alderman Brabham the board authorized the Mayor to execute a Professional Services Agreement between the City of Clinton, Mississippi and WGK, Inc. for the provision of engineering services for the Continental Tire Sewer System Improvements Project. **MOTION CARRIED UNANIMOUSLY**

**AUTHORIZE THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES
AGREEMENT BETWEEN THE CITY OF CLINTON, MISSISSIPPI AND WGK, INC.
FOR THE PROVISION OF ENGINEERING SERVICES FOR THE CONTINENTAL
TIRE WATER SYSTEM IMPROVEMENTS PROJECT**

Upon presentation by Philip Fisher, Mayor, **MOTION** made by Alderman Barnett and **SECONDED** by Alderwoman Cossitt the board authorized the Mayor to execute a Professional Services Agreement between the City of Clinton, Mississippi and WGK, Inc. for the provision of engineering services for the Continental Tire Water System Improvements Project. **MOTION CARRIED UNANIMOUSLY**

**AUTHORIZE THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES
AGREEMENT BETWEEN THE CITY OF CLINTON, MISSISSIPPI AND WGK, INC.
FOR THE PROVISION OF ENGINEERING SERVICES FOR THE CONTINENTAL
TIRE WATER WELL IMPROVEMENTS PROJECT**

Upon presentation by Philip Fisher, Mayor, **MOTION** made by Alderman Ellis and **SECONDED** by Alderman Brabham the board authorized the Mayor to execute a Professional Services Agreement between the City of Clinton, Mississippi and WGK, Inc. for the provision of engineering services for the Continental Tire Water Well Improvements Project. **MOTION CARRIED UNANIMOUSLY**



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AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF CLINTON, MISSISSIPPI AND POWER DMS RELATED TO THE PURCHASE OF SOFTWARE TO ASSIST THE POLICE DEPARTMENT IN GOING PAPERLESS

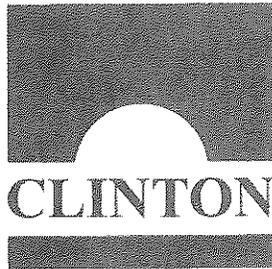
Upon presentation by Todd Peterson, Lieutenant with the Clinton Police Department, **MOTION** made by Alderman Ellis and **SECONDED** by Alderman Martin the board authorized the Mayor to execute a contract between the City of Clinton, Mississippi and Power DMS related to the purchase of software to assist the Police Department in going paperless. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE SALE OF TWO (2) SMITH & WESSON M&P .40CAL PISTOLS, AND THE SALE OF ONE (1) (SERIAL# DXC3532) TO RETIRING CHIEF MICHAEL J WARREN FOR \$1.00 AND THE SALE OF ONE (1) (SERIAL# DXC2035) TO RETIRING LIEUTENANT GLENN A. SIKES FOR \$1.00 AS AUTHORIZED BY MISSISSIPPI CODE SECTION 45-9-13

Upon presentation by Michael Gill, Interim Police Chief, **MOTION** made by Alderman Cashion and **SECONDED** by Alderman Barnett the board approved the sale of two (2) Smith & Wesson M&P .40 cal pistols, and the sale of one (1) (Serial# DXC3532) to retiring Chief Michael J Warren for \$1.00 and the sale of one (1) (Serial# DXC2035) to retiring Lieutenant Glenn A. Sikes for \$1.00 as authorized by Mississippi Code Section 45-9-13. **MOTION CARRIED UNANIMOUSLY**

AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF CLINTON, MISSISSIPPI AND RJ YOUNG REGARDING DOCUMENT/PRINTER SERVICES FOR THE CLINTON PARKS AND RECREATION DEPARTMENT

Upon presentation by Cole Smith, Director of Parks and Recreation, **MOTION** made by Alderman Ellis and **SECONDED** by Alderman Cashion the board authorized the Mayor to execute a contract between the City of Clinton, Mississippi and RJ Young regarding document/printer services for the Clinton Parks and Recreation Department. **MOTION CARRIED UNANIMOUSLY**



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DECLARE THE EQUIPMENT ON THE LIST INCLUDED WITH THE BOARD PACKAGE AS SURPLUS PROPERTY, AND FURTHERMORE AUTHORIZE THE SALE AND OR DESTRUCTION OF SAID PROPERTY

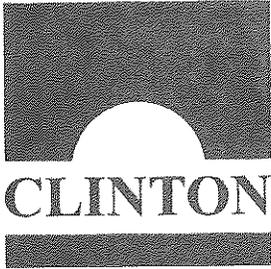
Upon presentation by Cole Smith, Director of Parks and Recreation, **MOTION** made by Alderman Ellis and **SECONDED** by Alderman Brabham the board declared the equipment on the list included with the board package as surplus property, and furthermore authorized the sale and/or destruction of said property. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE REQUEST TO ADVERTISE FOR BIDS FOR A STREET SWEEPER TRUCK FOR THE GARBAGE DEPARTMENT

Upon presentation by Dexter Shelby, Director of Public Works, **MOTION** made by Alderwoman Cossitt and **SECONDED** by Alderman Brabham the board approved the request to advertise for bids for a Street Sweeper Truck for the Garbage Department. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE ACCEPTANCE AND AWARD TO THE LOWEST AND BEST BIDDER LANE LINE, LLC IN THE AMOUNT OF \$61,209.50 FOR THE 2016 PAVEMENT MARKINGS IMPROVEMENTS PROJECT AND FURTHERMORE AUTHORIZE THE MAYOR TO EXECUTE THE BID PACKAGE DOCUMENTS AND CONTRACTS FOR THE PROJECT

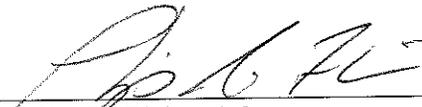
Upon presentation by Bill Owen, Consulting Engineer, **MOTION** made by Alderman Cronin and **SECONDED** by Alderman Cashion the board approved the acceptance and award to the lowest and best bidder Lane Line, LLC in the amount of \$61,209.50 for the 2016 Pavement Markings Improvements Project and furthermore authorized the Mayor to execute the Bid Package documents and contracts for the project. **MOTION CARRIED UNANIMOUSLY**



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ADJOURN 8:46 PM

MOTION made by Alderman Ellis and SECONDED by Alderman Brabham to adjourn until the next regular meeting of the Mayor and Board of Aldermen to be held March 15, 2016 at 7:00 pm. MOTION CARRIED UNANIMOUSLY

APPROVED: 
Philip R. Fisher, Mayor

3/10/16
Date

ATTEST: 
Russell L. Wall, City Clerk

3-10-16
Date

SEAL

