

UNITED STATES OF AMERICA

STATE OF MISSISSIPPI

COUNTY OF LAFAYETTE

CITY OF OXFORD

REGULAR MEETING

February 6, 2007

6:00 p.m.

CALL TO ORDER:

The meeting of the Mayor and Board of Aldermen of the City of Oxford, Mississippi, was called to order by Mayor Howorth at 6:00 p.m. on Tuesday, February 6, 2007, in the courtroom of City Hall when and where the following were present:

Richard Howorth - Mayor
 Pat Patterson – Alderman Ward I
 E.O. Oliver – Alderman Ward II
 Janice Antonow – Alderman Ward III
 Ulysses Howell – Alderman Ward IV
 Preston Taylor – Alderman Ward V
 Jon Fisher – Alderman Ward VI
 Dr. Bill Baker- Alderman At-Large

Mayo Mallette PLLC – Of Counsel
 Lisa Carwyle – City Clerk
 Tim Akers- Director of Planning
 David Bennett – Director of Public Works
 Randy Barber – Director of Building Dept
 Lynn Robbins – Superintendent of Elec Dept
 Al Hope – Personnel Director
 Jerry Johnson – Chief of Fire Dept
 Steve Bramlett– Chief Oxford Police Dept
 Hugh Stump – Director of OCC
 Randy Russell – Superintendent of Sanitation
 Billy Lamb – Supt of Building & Grounds
 Kleb Johnson – Director of Parks & Rec

AGENDA:

It was moved by Alderman Howell, seconded by Alderman Antonow to adopt the agenda for the meeting. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

MAYOR’S STATE OF THE
 CITY:

State of the City

February 6, 2007

For this Mayor and Board of Aldermen each year seems busier than the previous one. While growth has slowed for first time in four years, it has changed only slightly, and much of the city’s resources continue to be directed in the effort to catch up with and manage growth and development.

The annexation plan approved in Chancery Court is the fruit of years of meetings and discussions among city officials and countless citizens. The way that this initiative was received, almost entirely without resistance, reflects well on our citizens’ ability to engage in civic participation and communicate with city officials.

The death of Officer Robert Langley has been yet another reminder that “the culture of alcohol” remains a problem in this City, and that we have more work to do if we are to continue to be proud of Oxford as a city that emphasizes public safety.

The passage of the smoking ban ordinance, and its widespread acceptance, demonstrate a positive attitude toward public health, and we thank the many citizens for their engagement in this matter.

We finally have reached the beginning of the end of the city and county’s long-time recreation dilemma. Regardless how one may feel about the particulars of this resolution, OPC and the City are moving forward with the construction of a new facility that all will be welcome to use.

The many businesses and businesspeople in Oxford obviously contribute to Oxford’s success. For instance, four Oxford-Lafayette County women -- Betsy Alloway, Vickie Cook, Vicki Sneed, and Christy Knapp -- recently were named to the list of the Top Fifty Mississippi Businesswomen of the year.

Tonight I want to single out three volunteer groups that have made significant progress in the past year and will become more important to this community in the future.

The Pathway Committee, led by Mike Mossing and about eight regular volunteers, assisted by City Planner Tim Akers and meeting informally over the past two years, has assumed leadership in making Oxford and Lafayette County a place that better accommodates pedestrians and bicycles. Soon I will ask the board of aldermen to approve an ordinance that establishes a Pathway Commission, much like the Tree Board, to formalize the status of this group and its relationship to the city. As we work to enhance Oxford as a sustainable community -- something that eventually, and sooner rather than later, shall occur as a matter of necessity -- pedestrian and bicycle access will become more important.

LOU - HOME formed as a non-profit corporation this past year, with representatives from various stakeholder groups, including the City, the County, and the University, and will present information at a public meeting this spring. This group's charge is to increase affordable housing in our area, another critically necessary element of sustainability.

Finally, we commend the many volunteers who have worked to create Oxford Medical Ministries Clinic, which soon will be able to provide health care to a growing population of uninsured people.

The city’s general fund budget for FY 2006 – 07 is approximately \$16 million. The two municipal enterprise fund budgets are \$6.2 million for Oxford Water & Sewer, with 31 employees, and \$15.5 million and a staff of 38 for Oxford Electric Department. The total number of employees included in the general fund budget is 275. Additional employees with the Tourism Council and Oxford Housing Authority bring the total of all city employees, excluding the school system, to 362.

This board works very hard to extend services without raising taxes, or, in this case, increasing payroll dollars, something very difficult to do in the climate of growth in which we find ourselves. Over the past five years total number of employees has increased 12%, a number that this board considers high; however, by comparison, sales tax revenue increased in the same period over 28%, food and beverage tax nearly 50%, assessed valuation over 50%, and construction volume over 400%.

Often I have said that, in addition to the significant presence of the University of Mississippi, this community’s three most critical ingredients are public education, healthcare, and public safety.

The Oxford Separate School District continues to excel and progress. The facility

expansion program is under execution, with Della Davidson School on schedule to open in the fall, as capital improvements and expansions continue at the High School, where there is focus on improving graduation and drop-out rates. All schools perform as level 4s or 5s, and news of stabilized funding from the State is a relief to this board, which two years ago was very concerned about increased local funding. The Oxford Separate School District current budget is \$37 million, with 462 teachers and staff serving 3,279 students this year.

This board appreciates the work Baptist Memorial Hospital North Mississippi and its staff performs for Oxford, and the progress they continue to make, including their work in establishing a School of Nursing at the University of Mississippi campus this past year. The number of births at our hospital grew by 10% this year, to a record 1,019. Emergency room admissions are almost the same as the previous year, while the number of physicians on staff has grown to 117. Administrator Zach Chandler reports that cardiovascular and neurological services will be expanded in the coming year.

In discussing public safety it first must be said that firefighters and police officers always accept a risk to their own safety in order to protect us citizens, and for this our gratitude is not quantifiable. The crime rate here remains less than half the national average, and the relatively few violent crimes experienced here in 2006 were fewer than those the previous year. The victim of the one Oxford murder in 2006 was Officer Robert Langley, which immediately brings to mind our number one community problem, the "culture of alcohol."

This past fall the board authorized a substantial amount of overtime pay in the Police Department, specifically for additional force on weekends deployed in the vicinity of alcohol-licensed establishments. Officer Langley's death occurred October 21, after which the ABC and additional law enforcement personnel exerted far greater attention and support in this area than normal. Fourth-quarter 2006 statistics in alcohol-related offense categories are remarkable.

Fourth-quarter public drunk arrests rose 250% from the same period in 2005. Fourth quarter arrests for minor-in-possession totaled 178, a 600% increase over the previous year. These numbers portray the relationship between arrests and increased enforcement, of course. The most important statistic in the area of alcohol-related offenses is, of course, the number of DUIs, and in this same period when, again, there was much more law enforcement activity, DUIs *decreased* by almost 60%, which illustrates the extent to which drivers got the message about drinking and not getting behind the wheel. How much this decrease is due to fear of legal consequences and how much is in awareness and consideration of the loss of Officer Langley's life, and the importance of safety, we can't really know.

As we look at the Chancellor's Alcohol Task Force findings and recommendations, I am convinced more than ever that it is the City's job to apply more resources to law enforcement. One task force recommendation is to deny minors access to establishments that serve alcohol after 10 p.m. We have considered this previously, and are considering it anew. As all establishments that serve alcohol must also technically qualify as restaurants, enforcing this curfew law would mean denying non-drinking minors access to eating in many restaurants after 10 p.m., and depriving many presumably "innocent" restaurants food revenue from a substantial market segment of students and other young people.

Before we attempt a restaurant curfew law -- perhaps in conjunction with a curfew law -- we should do everything we can to enforce the law *all the time*. Since we are currently doing all we can with existing resources, what I am asking the board to do, either as soon as possible or in the coming budget year, is hire additional law enforcement officers whose primary if not sole responsibility will be to enhance alcohol-related enforcement and education. The metro-narcotics division currently has five officers dedicated solely to dealing with area drug problems. We have specially assigned housing officers and specially assigned school resource officers.

In the last three months of 2006 there were 457 alcohol-related arrests -- an annualized average of 1 for every 7 citizens in Oxford. Since this community's problems appear more related to alcohol problems than they are drug problems, I ask the board to authorize the employment of additional officers or otherwise dedicate an increased deployment of law enforcement that may work in a similar manner to, perhaps the same unit with, metro-narcotics

officers -- under cover, in uniform, or whatever it takes to deter minors' access to alcohol, and beef up DUI enforcement.

We are going to draft an ordinance that requires an individual to register for purchase or lease of beer kegs, creating liability for those who buy kegs and serve minors or create other legal infractions or public safety hazards.

We are going to seek to establish, by ordinance, a threshold of tolerance for those businesses on whose grounds and under whose control repeated instances of alcohol-related arrests occur or originate. Some businesses seem to continue to fail to accept responsibility for these problems. Unless there is change, this community and its elected governing authority, one way or another, will find a way that these businesses can not operate here.

We can theorize all we want how 18 year olds used to drink legally, or how 18 year olds can vote and die in wars. We can blame the federal government for requiring people to be over 21 to drink legally -- and then fail to accept responsibility for, or provide funding for, enforcement of that law. We can blame the Tax Commission or ABC for regulating the alcohol business in such a way that licensees with prolific violations somehow never seem to lose those licenses. We can blame the internet for the creation of sophisticated fake IDs. But, when it's all said and done, it is this city's job to enforce the law, and that is simply what, to the best of our ability, we will do.

In 2006 Oxford Fire Department made a record 772 inspections and hosted 1,850 different young people who visited the station and learned about fire prevention. The department answered 742 calls, of which 298, or 40%, were to the University campus.

In 2007 the City will move forward with plans to build a new fire station in West Oxford. A five-year plan has station No. 1 relocating to a new facility at Molly Barr and Price Street, with a fourth station in East Oxford in the vicinity of Rivers Hill.

The Solid Waste Department operated without general fund support for the second consecutive year, and recycling has expanded its curbside pickup effort. Amberlyn Liles reports that at the current rate we will have curbside city-wide by 2010. Cardboard collection has increased due to more bin locations, and businesses need to increase drop offs of all recyclables, especially paper. Oxford Recycling had revenues of \$70,000 in 2006, a 17% increase over 2005 attributable to increased volume, increased revenue from recyclables and considerably greater savings from tipping fees.

We have met with County officials to discuss sanitation service transition, and currently plan for a complete change-over May 1, with commercial accounts to change as contracts expire over the year.

The Electric Department is preparing to assume solid waste billing services for newly annexed areas. OED had a 4% increase in customers, consistent with recent years, and a 10% plant increase, a difference that, according to Lynn Robbins, reflects many system improvements over the year, notably the downtown underground project, which now has a completion date of March.

Water and sewer expansion for many years has been our most reliable indicator of growth in the area. New water meters expanded by 9% per year the past three years in a row, and in 2006 slowed to 6.8%, which is still a very high growth rate. Over the past five years new meter installations increased by 50%.

In 2006 the Public Works Department completed construction on the following projects:

- Burney Branch Phase I Sewer rehab and upgrade (\$1.4 million)
- Burney Branch Phase II " " " " (\$550,000)
- Anderson Rd. Sewer Pumping upgrade, with 3 miles of force main serving west Oxford (\$1.6 million)
- Design of Wastewater Treatment Plant expansion

- Near completion of Tyler Ave. Sewer rehab (\$212,000)
- College Hill Rd. bridge (\$350,000)

2007 projects scheduled:

- Burney Branch Sewer rehab north of Univ. Ave to Sisk (\$1.4 million)
- Univ. Ave. Sewer rehab from Bramlett Blvd. to S. 14th St. (\$900,000)
- Begin construction of 6.5 mgd Wastewater Treatment Plant (\$9 million)
- Complete construction of Pathway project Phase I (\$1 million)
- Initiate construction of Pathway project Phase II (\$750,000)
- Install ITS Traffic Management Center (\$150,000)
- Washington Ave.-McElroy Rd.-College Hill water line (\$340,000)\
- Anderson Rd. Water plant generators installation (\$300,000)
- N. 16th St. cemetery sidewalk to Sisk (\$100,000)
- Country Club Rd sidewalk, Jackson to Lamar Park (\$TBD)
- street resurfacing (\$500,000)
- traffic signal installation Price/Molly Barr (\$85,000)
- numerous small projects
- South Lamar roundabouts at Hwy 6 bridge, 3-laning bridge to Elliott Dr. (\$975,000)
- Additional lane on Univ. Ave. at S. 18th St. (\$900,000)

We continue to work with our legislative delegation in Jackson as well as, most recently, Governor Barbour's staff, to encourage MDOT to advance the improvement of our community's two most dangerous intersections, the Jackson/Hwy 6 and Hwy 6/Hwy 7 interchanges. Perhaps some progress may be made, but citizens in Oxford and Lafayette County have grown weary of hearing of MDOT plans to do something here.

Other recent bad news is the removal of scheduled earmarks -- due to change in Washington -- for three major Oxford projects: funding support for the wastewater treatment plant, capital funding for a proposed bus facility as part of the city's public transit project, and a portion of engineering costs for Toby Tubby Parkway, together totalling about \$1.4 million. We will work to find a way to replace this support and move forward with the projects.

The Oxford Park Commission completed three major projects in 2006 -- the new Oxford Skate Park, which opened in February and recently won the Bo Phillips design award from the Mississippi Recreation and Parks Association, whose annual meeting was held here in Oxford; the resurfacing of tennis courts at the John Leslie Tennis Complex; and the renovation of the Activity Center, finished in August.

In 2007 OPC plans to reconstruct the four tennis courts at Avent Park, paint the interior and exterior of the Activity Center, and begin construction of the new recreational facility on Old Sardis Road. Interviews soon will be conducted of candidates for the new position of the new facility's Planning and Marketing Director. This position will serve as point person for planning the new facility and working closely with both OPC and the Tourism Council, communicating with the City and County schools, to see that the facility meets our community's needs, ensure that we are properly courting the burgeoning industry of sports tournaments, and market the facility in such a way, as Tupelo recently has, to take advantage of whatever opportunities there may be for local commercial and institutional support. This board has budgeted \$5.3 million for this facility, and wishes, in the best interests of the Oxford-Lafayette community, for the facility to provide maximum use and be the best facility it possibly can be.

We commend the Tourism Council and the Tourism staff for making strides in 2006. Their numbers are very impressive. Food and beverage tax is up 11% from last year. When I saw that hotel and motel tax revenue was up 21% -- remember, this is the year *after* the Katrina influx -- I wondered what was behind that. Double Decker was down in attendance last year, and there were no new hotels built in 2006, so I called Hugh Stump to ask him what OTC attributes this increase to. His answer, of course, was OTC itself, specifically, the Oxford Conference Center. I laughed, but have to admit that must be it. OCC revenue in 2006 was \$365,440, up 56%, bringing a total of 31,000 attendees, who used a confirmed number of 2,543 hotel rooms. Alderman Patterson's white elephant has got a tan, folks.

LOU - HOME, as reported previously, continues to work on one of our community's most vexing issues, affordable housing. Dramatic real estate and housing inflation, fueled by an unprecedented demand for second-home condominiums in the area, have made it difficult and in many cases impossible for middle-income families to purchase traditional middle-income homes. Many area large employers report that approximately 50% of employees live outside Lafayette County. The lack of affordable housing impairs job growth in the largest job sector, the service industry, hampering local economic development, and, due to increased commuting traffic, compounding infrastructure needs. Meanwhile global trends such as climate change and the declines and disruptions in oil and other energy-related industries create a hastening need for more local sustainable development. Urban design here, however, when it needs to contract, instead is sprawling. Federal and state law need to make possible for local communities incentives and requirements for sustainable development that do not now sufficiently exist.

2006 was another record year in construction volume in Oxford, with projects totaling \$95 million in volume, well over four times the amount five years ago (\$22 million). The City soon will hire a code enforcement officer, meaning this department (now two departments) has grown from three employees to seven in five years. Aldermen and citizens -- who have been inconvenienced and annoyed by traffic and parking problems as a result of downtown development -- perhaps will be mollified to note that, from those builders who use city streets and public parking spaces for staging construction, the city collected \$24,922 in revenue -- money that can and will be dedicated to create more parking and/or subsidize public transit. In the coming year Building Director Randy Barber has assured me that we will regulate the issuance of permits in the CBD to mitigate the degree of chaos we have experienced this year with traffic, parking, and safety conditions. He also has promised a higher degree of general supervision and dogged erosion control and enforcement on all construction projects, as we are all sick and tired of dust in the neighborhood, mud in the streets, and uncontained construction debris and litter.

I commend the board for its progress toward historic preservation this year, although the almost total loss of 13th Street is a low point. I urge the Historic Preservation Commission to continue to form districts, using the 1999 Hopkins survey to help define areas in the Conservation Overlay District. Due to the continuing demand for housing close to the square, unfortunately we likely are going to see more demolitions before this work is finished. The pending demolition of the Marti Stark property, yet another project that is largely dedicated to residential use in the Central Business District, along with the 13th Street development, which will feature parking on the entire ground floor of the Central Business District, demonstrate that we are not sufficiently protecting our community's most precious asset -- this historic downtown square area -- and I ask the Planning Commission, if it must grant exceptions in the Central Business District for residential use, once again to be judicious in these variance requests, and ask the City Planner to look at ways -- if we must have these new developments in our historic downtown -- to prevent this valuable commercial property from being given over to cars, many for their absentee owners.

City Planner Tim Akers' plans for 2007 include updating the Land Development Code, including the Landscape Ordinance to address tree canopy loss; begin managing a fee-based downtown parking system; continue implementing the pathways plan; developing an affordable housing strategy; and designating remaining areas recommended by Hopkins Associates as historic districts.

CONCLUSION

The city's platter is full for 2007. Executing annexation is at the top of the list of all objectives, and it must be reiterated that annexation is a gradual process, taking five years to implement improvements. But we will do our best to provide municipal services in this most difficult -- difficult because there is no new tax revenue -- first year.

We aim to have a downtown parking system fully planned and perhaps in place in 2007. All are encouraged to attend the public meeting Thursday at 5:00 p.m.

The probable loss of federal funding support for the LOU public transit grant very likely

will mean having to postpone grant application for another year. There is small hope things might change, but at this time it appears the City, County, and University will have to regroup to find funds for capital costs.

The City perhaps will begin to consider additional annexation with an eye toward 2008 or 2009 for another proposal, when we'll know how well we have dealt with the current annexation.

We will continue to dedicate resources on those things that have made Oxford a great city – education, recreation, and public safety – as we strive to enhance other important areas – infrastructure development, planning, and historic preservation.

Again I thank the capable and hard-working employees that serve our city, these aldermen who give attention and integrity to Oxford governance, and the many citizens who always do their part – and make sure that we do ours – at a high level of engagement and civility.

MINUTES: It was moved by Alderman Antonow, seconded by Alderman Fisher to approve the minutes of the regular meeting on January 16, 2007. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

ACCOUNTS: It was moved by Alderman Baker, seconded by Alderman Howell to authorize approval of all City accounts. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

NO PROTEST RESOLUTION: It was moved by Alderman Baker, seconded by Alderman Antonow to adopt the following no protest resolution for nine million dollars in general obligation bonds. All the aldermen voting aye, Mayor Howorth declared the motion carried.

There came on for consideration the matter of the issuance of general obligation bonds of the City of Oxford, Mississippi and, after a discussion of the subject matter, Alderman Bill Baker offered and moved the adoption of the following resolution:

RESOLUTION FINDING AND DETERMINING THAT THE NOTICE OF RESOLUTION EVIDENCING INTENT TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY OF OXFORD, MISSISSIPPI WAS DULY PUBLISHED AS REQUIRED BY LAW AND THAT NO WRITTEN PROTEST OR OTHER OBJECTION OF ANY KIND OR CHARACTER AGAINST THE ISSUANCE OF SAID BONDS HAS BEEN FILED BY QUALIFIED ELECTORS OF THE CITY OF OXFORD, MISSISSIPPI; AUTHORIZING AND DIRECTING THE ISSUANCE OF SAID BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED NINE MILLION DOLLARS (\$9,000,000) TO RAISE MONEY FOR THE PURPOSE OF ESTABLISHING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME, AND CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES AND PURCHASING LAND THEREFOR AND PURCHASING LAND FOR PARKS AND PUBLIC PLAYGROUNDS AND IMPROVING, EQUIPPING AND ADORNING THE SAME, INCLUDING THE CONSTRUCTING, REPAIRING AND EQUIPPING OF RECREATIONAL FACILITIES; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen of the City of Oxford, Mississippi (the "Governing Body"), acting for and on behalf of the City of Oxford, Mississippi (the "City") are authorized by Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended (the "Act") to issue bonds for the purposes set forth therein, including, but not limited to, (a) establishing sanitary, storm, drainage or sewerage systems, and repairing, improving and extending the same, (b) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities and purchasing land therefor, and (c) purchasing land for parks, cemeteries and public playgrounds and improving, equipping and adorning the same, including the constructing, repairing and equipping of swimming pools and other recreational facilities; and

WHEREAS, the Governing Body adopted a resolution on January 2, 2007 (the "Intent Resolution"), declaring its intention to issue general obligation bonds of the City (the "Bonds") in an aggregate principal amount of not to exceed Nine Million Dollars (\$9,000,000) in accordance with the Act to raise money for the purpose of (a) establishing sanitary, storm, drainage or sewerage systems, and repairing, improving and extending the same, (b) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities and purchasing land therefor, and (c) purchasing land for parks and public playgrounds and improving, equipping and adorning the same, including the constructing, repairing and equipping of recreational facilities (collectively, the "Project"); and

WHEREAS, the assessed value of all taxable property within the City, according to the last completed assessment for taxation, is One Hundred Seventy-Eight Million Four Hundred Eighty-Eight Thousand Dollars (\$178,488,000) and the City has outstanding bonded indebtedness as subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended, in the amount of Nine Million Nine Hundred Forty-Five Thousand Dollars (\$9,945,000), and outstanding bonded and floating indebtedness as subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303 of the Act (which amount includes the sum set forth above subject to the fifteen percent (15%) debt limit), in the amount of Nine Million Nine Hundred Forty-Five Thousand Dollars (\$9,945,000); and

WHEREAS, the issuance of the City's general obligation bonds as hereinafter set forth to be issued, pursuant to the Act, when added to the outstanding bonded indebtedness of the City, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of all taxable property within the City, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of all taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City; and

WHEREAS, there has been no increase in said bonded and floating general obligation indebtedness of the City since April 19, 2005; and

WHEREAS, as required by the Intent Resolution and Section 21-33-307 of the Act, a Notice of Resolution Evidencing Intent to Issue General Obligation Bonds of the City of Oxford, Mississippi (the "Notice of Resolution") was published in *The Oxford Eagle*, a newspaper published in and having a general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, on January 12, 19 and 26 and February 2, 2007, said publication being for at least three (3) consecutive weeks, with the first publication of the Notice of Resolution being made not less than twenty-one (21) days prior to February 6, 2007 and the last publication being made not more than seven (7) days prior to such date; and

WHEREAS a proof of publication of the Notice of Resolution is attached hereto as Exhibit A; and

WHEREAS, as of the hour of 6:00 p.m. on February 6, 2007, no qualified elector of the City had filed a written protest or objection of any kind or character against the issuance of the Bonds with the Clerk of the City or any member of the Governing Body; and

WHEREAS, at the hour of 6:00 p.m. on February 6, 2007, at the usual meeting place of the Governing Body, in the City Hall located at 107 Courthouse Square in the City, all persons present or represented by counsel or otherwise were given the opportunity to be heard concerning the issuance of the Bonds and the purposes for which the Bonds will be issued and no protest or objection of any kind or character against the issuance of the Bonds or the purposes for which they are to be issued was presented; and

WHEREAS, the Governing Body is now authorized and empowered by the provisions of the Act to issue the Bonds without an election on the question thereof and is authorized to issue the Bonds registered as to principal and interest in the form and manner provided for by the Act and Sections 31-21-1 through 31-21-7, Mississippi Code of 1972, as amended; and

WHEREAS, the issuance of the Bonds does not exceed any statutory or constitutional limitation; and

WHEREAS, there are no other available funds on hand or from regular sources of income for such purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF OXFORD, MISSISSIPPI, ACTING FOR AND ON BEHALF OF SAID CITY, AS FOLLOWS:

SECTION 1. Each and all of the facts and findings set forth in the premises clauses of this resolution are hereby found and determined to be true and accurate and are incorporated herein by this reference thereto as though set forth again in words and figures.

SECTION 2. The Governing Body does hereby find and determine that, as required by Section 21-33-307 of the Act and the Intent Resolution, the Notice of Resolution was published in *The Oxford Eagle*, a newspaper published in and having a general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, on January 12, 19, 26 and February 2, 2007, said publication being for at least three (3) consecutive weeks, with the first publication of the Notice of Resolution being made not less than twenty-one (21) days prior to February 6, 2007 and the last publication being made not more than seven (7) days prior to such date.

SECTION 3. The proof of publication of the Notice of Resolution is hereby accepted.

SECTION 4. The Governing Body does further find and determine that as of the hour of 6:00 p.m. on February 6, 2007, (a) no qualified elector of the City had filed a written protest or objection of any kind or character against the issuance of the Bonds with the City or any member of the Governing Body, and (b) all persons present or represented by counsel or otherwise were given the opportunity to be heard concerning the issuance of the Bonds and the purposes for which the Bonds will be issued and no protestor objection of any kind or character against the issuance of the Bonds or the purposes for which they are to be issued was presented.

SECTION 5. Pursuant to the provisions of the Act and specifically Section 21-33-307, the Governing Body is now authorized and empowered to issue the Bonds on behalf of the City without an election on the question of the issuance thereof at anytime within a period of two (2) years after the date of the adoption of this resolution.

SECTION 6. The Governing Body does hereby find and declare that the sale and issuance of the Bonds in an aggregate principal amount of not to exceed Nine Million Dollars (\$9,000,000) for the purpose of providing financing for the Project is necessary and advisable and conforms to the Act.

SECTION 7. The Bonds will be sold and issued pursuant to subsequent resolutions of the Governing Body, may be issued in one or more series and will 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 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.

SECTION 8. Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, is hereby selected to serve as bond counsel in connection with the sale and issuance of the Bonds.

SECTION 9. Mayo Mallette PLLC is hereby selected to serve as counsel to the City in connection with the sale and issuance of the Bonds.

SECTION 10. Government Consultants, Inc. is hereby selected to serve as Financial Advisor in connection with the sale and issuance of the Bonds.

SECTION 11. All acts and doings of the officers and members of the Governing Body which are in conformity with the purposes and intents of this resolution and in furtherance of the sale and issuance of the Bonds, shall be, and the same hereby are, in all respects approved and confirmed.

SECTION 12. All resolutions or parts thereof in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 13. This resolution shall become effective immediately upon the adoption hereof.

SECTION 14. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

Alderman Janice Antonow seconded the motion to adopt the foregoing resolution, and the question being put to a role call vote, the result was as follows:

Alderman Pat Patterson voted:	Aye
Alderman E.O. Oliver voted:	Aye
Alderwoman Janice Antonow voted:	Aye
Alderman Coach Howell voted:	Aye
Alderman Preston E. Taylor voted:	Aye
Alderman Jon Fisher voted:	Aye
Alderman Bill Baker voted:	Aye

The motion having received the affirmative vote of a majority of the members of the Governing Body present, being a quorum of said Governing Body, the Mayor declared the motion carried and the resolution adopted this the 6th day of February, 2007.

EXHIBIT A
PROOF OF PUBLICATION

INTENT RESOLUTION: It was moved by Alderman Baker, seconded by Alderman Patterson to adopt the following intent resolution for two million, eight hundred thousand in water and sewer revenue bonds. All the aldermen voting aye, Mayor Howorth declared the motion carried.

There came on for consideration the matter of the issuance of combined water and sewer revenue bonds of the City of Oxford, Mississippi and, after a discussion of the subject matter, Alderman Bill Baker offered and moved the adoption of the following resolution:

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF OXFORD, MISSISSIPPI TO ISSUE COMBINED WATER AND SEWER SYSTEM REVENUE BONDS OF SAID CITY IN A TOTAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWO MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$2,800,000) FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, REPAIRING AND EXTENDING THE COMBINED WATER AND SEWER SYSTEM OF SAID CITY; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen (the "Board") of the City of Oxford, Mississippi (the "City") is authorized under the provisions of Sections 21-27-11 *et seq.*, Mississippi Code of 1972, as amended (the "Act"), to issue revenue bonds of the City in such amounts as it may find necessary and proper and for the purposes set forth in the Act, including, but not limited to, the acquisition, construction, enlargement, improvement, repair and/or extension of the City's combined waterworks and sewage system (the "System"); and

WHEREAS, the Board finds and determines that it is necessary and proper for the City to acquire, construct, enlarge, improve, repair and/or extend the System (the "Project") which Project is to be done substantially in accordance with plans and specifications prepared by competent engineers employed by the City and approved by the Board; and

WHEREAS, the Board has caused an estimate to be made of the cost of the Project by competent engineers employed by the City from which estimate the Board finds and determines that the contemplated costs thereof will not exceed Two Million Eight Hundred Thousand Dollars (\$2,800,000); and

WHEREAS, the Board has determined that the Project and the costs thereof are economically feasible and would be in the best interests of the citizens of the City; and

WHEREAS, it is necessary and advisable and in the best interest of the City for the Board, acting for and on behalf of the City, to issue combined water and sewer system revenue bonds of the City pursuant to the provisions of the Act in order to finance the costs of the Project; and

WHEREAS, the City reasonably expects that it will incur expenditures in connection with the Project prior to the issuance of such combined water and sewer system revenue bonds for which it will advance its internal funds and for which it intends to reimburse itself from the proceeds of said revenue bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF OXFORD, MISSISSIPPI, ACTING FOR AND ON BEHALF OF SAID CITY, AS FOLLOWS:

SECTION 1. Pursuant to the Act, the Board, acting for and on behalf of the City, does hereby declare its intention to sell and issue Combined Water and Sewer System Revenue Bonds of the City in a total aggregate principal amount not to exceed Two Million Eight Hundred Thousand and No/100ths Dollars (\$2,800,000) (the "Bonds").

SECTION 2. The Bonds are to be issued for the purpose of financing the costs of the acquisition, construction, enlargement, improvement, repair and/or extension of the System and to pay the costs incident to the sale and issuance of the Bonds.

SECTION 3. The principal of and interest on the Bonds shall be payable over a period not to exceed twenty-five (25) years solely from revenues derived and to be derived from the operation of the System. The Bonds shall not constitute an indebtedness of the City within the meaning of any statutory or charter restriction, limitation, or provision, and the taxing power of the City will not be pledged to the payment of the Bonds, but the same, together with the interest thereon, shall be payable solely from revenues derived and to be derived from the operation of the System.

SECTION 4. Unless a protest in writing signed by not less than twenty percent (20%) of the qualified electors of the City objecting to and protesting against the issuance of the Bonds is filed with the Board at City Hall located at 107 Courthouse Square in the City on or before 6:00 p.m. on March 6, 2007, which date shall be more than ten (10) days after the date of the last publication of this resolution, the Board will provide for the issuance of the Bonds at said time or at some meeting or meetings subsequent thereto. If such objection and protest is filed on or before said date and hour, the question of the issuance of the Bonds shall be submitted to an election to be held as provided in Section 21-27-43, Mississippi Code of 1972, as amended.

SECTION 5. This resolution shall be published once a week for at least three consecutive weeks in *The Oxford Eagle*, a newspaper published in and having general circulation in the City and qualified under the provisions of the laws of the State of Mississippi, and the last publication of this resolution shall be more than ten (10) days prior to the date hereinabove set forth in Section 4 as the deadline for the filing of any objection or protest.

SECTION 6. The City Clerk of the City is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of publication of this resolution and have the same before the Board on the day and hour hereinabove set forth.

SECTION 7. The City hereby declares its official intent to reimburse itself from the proceeds of the Bonds for expenses incurred with respect to the Project subsequent to the date of this resolution. This resolution is intended as a declaration of official intent under Treasury Regulation 1.150-2. The Bonds will not exceed an aggregate principal amount of Two Million Eight Hundred Thousand and No/100ths Dollars (\$2,800,000).

SECTION 8. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

Alderman Pat Patterson seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Alderman Pat Patterson voted:	Aye
Alderman E.O. Oliver voted:	Aye
Alderman Janice Antonow voted:	Aye
Alderman Coach Howell voted:	Aye
Alderman Preston E. Taylor voted:	Aye
Alderman Jon Fisher voted:	Aye
Alderman Bill Baker voted:	Aye

The motion having received the affirmative vote of a majority of the members of the Board present, being a quorum of said Board, the Mayor declared the motion carried and the resolution adopted this 6th day of February, 2007.

RESOLUTION FOR
RSVP BUS:

It was moved by Alderman Patterson, seconded by Alderman Howell to adopt the following resolution authorizing the grant application for a RSVP bus, pending counsel's review and approval. All the aldermen voting aye, Mayor Howorth declared the motion carried.

SAFE ROUTES TO
SCHOOL:

Mike Mossing came before the Mayor and Board of Aldermen to request their approval to submit a grant application to MDOT for their Safe Routes to School grant. He stated at this time the committee would be requesting \$150,000.00 grant.

It was moved by Alderman Patterson, seconded by Alderman Antonow to authorize the grant proposal to MDOT for the Safe Routes to School. Mayor Howorth and counsel will approve the final application. All the aldermen voting aye, Mayor Howorth declared the motion carried.

ANNEXATION:

It was moved by Alderman Baker, seconded by Alderman Howell to authorize Mayo/Malette to seek an Attorney General Opinion for the effective date of annexation. All the aldermen voting aye, Mayor Howorth declared the motion carried.

CABLE SERVICES
AUDIT:

It was moved by Alderman Baker, seconded by Alderman Antonow to authorize Mayor Howorth to execute the contract for cable technical services audit as per Local Government Services Recommendation. The cost of the audit will not exceed \$9,500.00. All the aldermen voting aye, Mayor Howorth declared the motion carried.

FUTURE LAND USE MAP:

This was the second reading and public hearing on the proposed amendment to the future land use map of the comprehensive plan for the annexed area. There was no comment made from the public. The third reading and vote will be at the next board meeting.

ZONING MAP:

This was the second reading and public hearing on the amendment to the official zoning map for the annexed area. There was no comment made from the public. The third reading and vote will be at the next board meeting.

ANNOUNCEMENT:

A public meeting will be held on Thursday, February 8, 2007 at 5:00 p.m. for the presentation of a Downtown Parking Program.

HISTORIC PRESERVATION
DISTRICT FORMATION
PROCESS:

This was the second reading and public hearing on the amendment to Section 223 of the Land Development Code, which would take the Planning Commission out of the Historic Preservation District formation process. There was no comment

made from the public. The third reading and vote will be at the next board meeting.

**AGRICULTURAL ZONED
HUNTING:**

This was the first reading of a proposed ordinance which would allow hunting on a one hundred acre parcel of land that was zoned agricultural. It was discussed whether or not the ordinance would allow target practice and only hunting with a shot gun. The public hearing will be at the next board meeting.

**RESIDENTIAL BUILDING
INSPECTION COURSE:**

It was moved by Alderman Baker, seconded by Alderman Patterson to authorize a building inspector to attend Residential Building Inspection Course on March 21-23, 2007 in Pearl, MS with a cost of \$875.00. All the aldermen voting aye, Mayor Howorth declared the motion carried.

**WOODLAND HILLS
WATER SYSTEM:**

It was moved by Alderman Howell, seconded by Alderman Fisher to authorize counsel to draft and file a petition with the Public Service Commission. This is in regards to the purchase of the Woodland Hills Water System. All the aldermen voting aye, Mayor Howorth declared the motion carried.

OXFORD COMMONS:

It was moved by Alderman Fisher, seconded by Alderman Taylor to approve the final plat for Oxford Commons. All the aldermen voting aye, Mayor Howorth declared the motion carried.

WINDSOR FALLS:

It was moved by Alderman Antonow, seconded by Alderman Baker to authorize the maintenance of water, sewer, and streets for Windsor Falls Subdivision Phase IA. All the aldermen voting aye, Mayor Howorth declared the motion carried.

MS ENGINEERING SOCIETY:

It was moved by Alderman Fisher, seconded by Alderman Taylor to authorize Bart Robinson to attend the MS Engineering Society meeting in Jackson, MS on February 25-27, 2007 with a cost of \$477.00. All the aldermen voting aye, Mayor Howorth declared the motion carried.

SOLID WASTE TRUCK:

It was moved by Alderman Baker, seconded by Alderman Taylor to authorize purchase of truck on state contract. This is for the weed and grass department within Solid Waste. It is to replace a 1994 truck and the cost is \$18,705.00. All the aldermen voting aye, Mayor Howorth declared the motion carried.

CONTRACT LABOR:

It was moved by Alderman Patterson, seconded by Alderman Howell to authorize the advertisement for contract labor in the Electric Department. All the aldermen voting aye, Mayor Howorth declared the motion carried.

**ELECTRIC DEPARTMENT
TRUCK:**

It was moved by Alderman Howell, seconded by Alderman Fisher to authorize the advertisement of bids for an electric hybrid truck for the Electric Department. All the aldermen voting aye, Mayor Howorth declared the motion carried.

BILLING SYSTEM:

It was moved by Alderman Patterson, seconded by Alderman Antonow to authorize the advertisement for proposals for a new billing system for the Electric Department. All the aldermen voting aye, Mayor Howorth declared the motion carried.

**BUILDING AND GROUNDS
TRUCKS:**

It was moved by Alderman Howell, seconded by Alderman Baker to authorize the purchase of a ½ ton truck on state contract and a one ton truck on state contract. This is for the Building and Grounds Department. The cost is \$13,757.00 for the half ton truck and a total of \$19,623.00 for the one ton truck plus the dump bed. All the aldermen voting aye, Mayor Howorth declared the motion carried.

SPANISH FOR DISPATCHERS:

It was moved by Alderman Patterson, seconded by Alderman Howell to authorize two dispatchers to attend Spanish for Dispatchers on March 5-6, 2007 at the OPD Training Facility with a cost of \$590.00, which will be reimbursed. All the aldermen voting aye, Mayor Howorth declared the motion carried.

**TERRORIST CALLS
DISPATCH WORKSHOP:**

It was moved by Alderman Fisher, seconded by Alderman Antonow to authorize one dispatcher to attend Terrorist Calls Dispatch Workshop on February 9, 2007 in Louisville, MS with a cost of \$195.00, to be reimbursed. All the aldermen voting aye, Mayor Howorth declared the motion carried.

INTERNS:

It was moved by Alderman Patterson, seconded by Alderman Howell to authorize Laura Gehring, Van E. Stewart, Jonathan Prewitt, Chad Smith and Drew Feldman as interns with the Police Department. All the aldermen voting aye, Mayor Howorth declared the motion carried.

**DOCUMENTATION AND
INVESTIGATIVE REPORT WRITING
AND COURTROOM TESTIMONY:**

It was moved by Alderman Patterson, seconded by Alderman Howell to authorize four narcotic officers to attend Documentation and Investigative Report Writing and Courtroom Testimony on February 26-28, 2007 in Montgomery, AL with a cost of \$1,059.00, plus fuel. All the aldermen voting aye, Mayor Howorth declared the motion carried.

ACCIDENT RECONSTRUCTION:

It was moved by Alderman Antonow, seconded by Alderman Howell to authorize two officers to attend Accident Reconstruction Level I and II on February 13 – March 9, 2007 in Hattiesburg, MS with a cost

of \$2,527.20. All the aldermen voting aye, Mayor Howorth declared the motion carried.

POLICY CHANGE:

It was moved by Alderman Patterson, seconded by Alderman Antonow to authorize the policy change in the Police Department which would require anyone who is arrested for an alcohol or drug offense to stay for four hours before posting bond. All the aldermen voting aye, Mayor Howorth declared the motion carried.

FIREFIGHTER ASSISTANCE PROGRAM:

It was moved by Alderman Patterson, seconded by Alderman Baker to authorize Matthew Bandermann, Wesley Anderson, Matthew Hinkle, and Edward Mounce as firefighters with the firefighter assistance program. All the aldermen voting aye, Mayor Howorth declared the motion carried.

FOURTH OF JULY:

It was moved by Alderman Howell, seconded by Alderman Baker to authorize Jerry Johnson to order the fireworks. All the aldermen voting aye, Mayor Howorth declared the motion carried.

ANNUAL CLERK ASSOCIATION MEETING:

It was moved by Alderman Baker, seconded by Alderman Patterson to authorize the City Clerk to attend the Annual Municipal Clerk Association Meeting in Biloxi, MS on March 21-23, 2007 with a cost of \$600.00. All the aldermen voting aye, Mayor Howorth declared the motion carried.

DEPUTY COURT CLERK:

It was moved by Alderman Patterson, seconded by Alderman Howell to authorize the advertisement for a full time deputy court collections clerk. All the aldermen voting aye, Mayor Howorth declared the motion carried.

LABORER:

It was moved by Alderman Antonow, seconded by Alderman Taylor to authorize the employment of Zekiel Boyd as a laborer in the Solid Waste Department with a salary of \$19,286.65. All the aldermen voting aye, Mayor Howorth declared the motion carried.

ENGINEERING TECHNICIAN:

It was moved by Alderman Baker, seconded by Alderman Patterson to authorize the internal advertisement for an Engineering Technician for the Electric Department. All the aldermen voting aye, Mayor Howorth declared the motion carried.

ADJOURN:

It was moved by Alderman Fisher, seconded by Alderman Antonow to adjourn the meeting sine-die. All the aldermen present voting aye, Mayor Howorth declared the motion carried.