

**MINUTES OF A MEETING OF THE
MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF VIDALIA, LOUISIANA,
HELD ON TUESDAY, FEBRUARY 13, 2018 AT 6:00 P.M.
IN THE TOWN HALL MEETING ROOM**

The Mayor and Board of Aldermen of the Town of Vidalia, Louisiana, met, in regular session, in the Town Hall Meeting Room in Vidalia, Louisiana, on Tuesday, February 13, 2018, at 6:00 p.m.

There were present: Mayor Buz Craft, Aldermen Jon Betts, Tommy Probst, Tron McCoy, and Alderwoman Sabrina Dore'.

There was absent: Alderman Robert Gardner.

There were also present: Jay LaSyone, City Clerk; Debra Moak, City Accountant; City Attorney George C. Murray, Jr.; Executive Secretary to the Mayor, Pam Middleton; Bill Murray, City Manager; Police Chief, Joey Merrill; Johnny Evans, Fire Chief; and representatives of the press.

The meeting was opened by the reciting of the Pledge of Allegiance, and the invocation was given by Alderman Betts.

A quorum being present, the Mayor declared the Mayor and Board of Aldermen of the Town of Vidalia, Louisiana, to be duly convened, in regular session, as the governing authority of said municipality, and opened the meeting for the conduct of business.

After being reviewed, the typed minutes from the special meeting of November 20, 2017; the regular meeting of January 9, 2018; the special meeting of January 12, 2018; and the special meeting of January 23, 2018, were approved, with no changes. The motion for approval of the four sets of minutes was made by Alderwoman Dore', seconded by Alderman Probst, and unanimously carried by those present.

Agenda Item No. 1 was a report from the City's Accountants, Silas Simmons, LLP, presented by Mr. Wes Gore. Mr. Gore addressed the Board and reviewed the policies and procedures that go into compiling the annual audit of the financial statements of the Town of Vidalia. He then reviewed with the Board the February 13, 2018, letter to the Mayor and Board of Aldermen in much detail, addressing each one of the items as set forth in that letter. He then reviewed with the Board the executive summary of the audited financial statements, which was attached to the full audit. Wherever the audit called for any action on the part of the Town, he explained what is presently being done to satisfy the requirements. Following his presentation, the Mayor thanked Mr. Gore for his report.

Addressing Agenda Item No. 2, the Mayor called on City Accountant, Debra Moak, who presented the financial statement, being a summary of the actual revenues over expenditures as of December 31, 2017. As customary, she reviewed the summary sheets previously given to the Aldermen and advised that they were available for distribution. She also reported on the various positive and negative fund balances and concluded with a summary of the results. After a short question and answer period, the Mayor thanked her for her report.

Agenda Item No. 3 was the consideration of the following occupational license requests:

- (1) Bonita Road Assembly of God (trade name – Freedom Challenge, Bastrop, LA) by Michelle Broadway, Bookkeeper, for an occupational license at 1727 Carter Street,

Vidalia, LA, to be a Kettle Korn vendor. After a short discussion, a motion was made by Alderman Probst, seconded by Alderwoman Dore', and unanimously carried, to approve the issuance of the occupational license.

(2) Laurie Pinckney or Antionette Shields (trade name – A&L Suite Boutique) for an occupational license at 1642 Carter Street, Suite No. 5, Vidalia, LA, to sell retail apparel and a sweet shop. Mr. Laurie Pinckney appeared to speak in favor of granting the license. After he explained the nature of the business, a motion was made by Alderman McCoy, seconded by Alderwoman Dore', and unanimously carried, to approve the occupational license.

(3) Alicia Smith (trade name – Sweetie's Express) for an occupational license at 4004 Carter Street, Vidalia, LA, for a fast food restaurant serving hot dogs, chicken and burgers. After a short discussion, a motion was made by Alderwoman Dore', seconded by Alderman McCoy, and unanimously carried, to approve the occupational license.

Agenda Item No. 4 was the consideration of the following outdoor sign application:

Alicia Williams/Carrissa Jones for a 4 ft. x 12 ft. by 4 ft. outdoor sign for Sweetie's Express at 4004 Carter Street, Vidalia, LA. After considering the request, as well as the copies of the artwork showing the proposed sign, a motion was made by Alderwoman Dore', seconded by Alderman Probst, and unanimously carried, to grant the sign application.

Agenda Item No. 5 was the public hearing and adoption of the Ordinance authorizing the borrowing of \$2,500,000.00 by the City. The Mayor announced that the procedure is to have a public hearing on the matter and after the public hearing to have a discussion of the matter and after the discussion to have a Motion to adopt the Ordinance. Thereupon, on motion by Alderwoman Dore', seconded by Alderman McCoy, and unanimously carried by those present, the public hearing was opened. The Mayor again reminded those present and the Board of the need to adopt an Ordinance to authorize the borrowing and that this is just an extension of the prior issuance of Certificates of Indebtedness. There being no questions or comments by the audience, a motion was made by Alderman Probst, seconded by Alderman Betts, and unanimously carried by those present, to close the public hearing. There followed a brief discussion between the Mayor and the Board of the necessity for taking these actions. Concluding that discussion, a motion was made by Alderman Probst, seconded by Alderman Betts, and the vote thereon to adopt the Ordinance as introduced, and the vote thereon was as follows:

YEAS: Aldermen Probst, Betts, McCoy, and Alderwoman Dore'.

NAYS: NONE.

ABSTAINING: NONE.

ABSENT: Alderman Gardner.

Thereupon, the Mayor declared that the Ordinance was adopted.

(A COPY OF THIS ORDINANCE IS ATTACHED HERETO AND MADE A PART HEREOF)

Agenda Item No. 6 was a discussion of the disposition of Vidalia Police Department surplus vehicles. Police Chief Joey Merrill advised the Board that he has seven (7) police vehicles which he no longer needs and which are a burden to maintain and insure and that he would like to dispose of them. He discussed transferring one of the vehicles to the Convention Center for the use of the patrol officer out there and the others possibly could be given to the Towns of Ferriday, Clayton or

Ridgecrest. The Chief answered questions from the Board about the condition of the vehicles and why they are no longer needed. As a result of the discussion, the consensus was that the Chief will provide the Town with information concerning the condition of each of the vehicles so that they could then contact the local municipalities to see if they would like to obtain those vehicles, as there would need to be Cooperative Endeavor Agreements in the case of such transfers. Once the condition of the vehicles and information on the vehicles has been obtained, the Town will contact potential parties to make a determination of the exact disposition of those vehicles.

Agenda Item No. 7 was a request by the Chief of Police for Board approval for the hiring of a new officer for the Department. The Chief spoke on behalf of the Department on the need to hire a new officer and advised that he currently has 35 employees, 3 working each shift, 4 shifts a day. After further discussion with the Board members, on motion of Alderman McCoy, seconded by Alderwoman Dore', and unanimously carried, the Board approved the Chief's request for hiring a new officer for the Vidalia Police Department.

Addressing Agenda Item No. 8, the Mayor gave an overview of the proposal by the Louisiana Department of Transportation and Development for a street enhancement project which would alleviate truck traffic problems on Riverside and Wilson Streets and additionally would provide a bike path from the Upper Elementary School, by the levee, along the south side of Concordia Avenue to the Vidalia Elementary School. The Mayor had a power point presentation showing some of those enhancements and improvements for review by the public and the Aldermen. There followed an extended discussion of the need for the project and for the cost thereof, voicing concerns of pro and con for the new arrangements. Following the discussion, it was the consensus that the Mayor's Office will continue to discuss with the Louisiana Department of Transportation and would address the concerns of the citizens and Aldermen and would put the matter back on the agenda for the March regular meeting. City Manager, Bill Murray, told those present that he believed that the DOTD would like to have an indication of whether or not the Board wished the project to go forth, and in what form it should go forth, at the March meeting.

Agenda Item No. 9 was a discussion of what action may be necessary to change Vidalia's classification from a "CITY" to a "TOWN", which is based upon population. The Mayor reported that when a census indicates that the population has increased or decreased so as to require a change in the classification of the municipality, the governing authority should pass a resolution requesting the change and forward it to the Governor. The Governor would then investigate the matter and, if he found that the re-classification was warranted, he would issue a Proclamation correctly classifying the municipality, which would be transmitted to the Mayor. Thereafter, the Board of Aldermen would adopt an Ordinance changing the name of the municipality to reflect that new classification. The Mayor further explained that the Legislative Auditors have advised the Town of the need to correct the Town's classification. He further advised that his office has begun to search for the Ordinance and Proclamation where Vidalia was changed to a "CITY" but has not yet found it. He suggested that if the classification from "TOWN" to "CITY" had not been done properly in the past, then it would not be necessary now and the Town could just start using the word "TOWN" when new letterhead and decals for vehicles, etc. were obtained. He told the Board that he would keep them advised of his findings.

The Mayor then noted that all agenda items had been addressed and that he would entertain a motion to adjourn. At that point, Alderwoman Dore' advised the Mayor that she wished to add an agenda item in order to introduce an ordinance to set flat rates for electric usage. Alderman Probst made a motion to add the matter to the agenda, seconded by Alderman McCoy, and the vote thereon was as follows:

YEAS: Alderman Probst, Alderman McCoy and Alderwoman Dore'.

NAYS: Alderman Betts.

ABSENT: Alderman Gardner.

The Mayor, reminded the Board that a motion to add an agenda item must be passed by a unanimous vote and, since the vote was not unanimous, the motion failed.

THEREUPON, on motion by Alderwoman Dore', seconded by Alderman Probst, and unanimously carried, the meeting was adjourned.

JAY LASYONE, CITY CLERK

BUZ CRAFT, MAYOR

The following ordinance, having been previously introduced on January 9, 2018, and laid over with a public hearing held in connection therewith on this date, was offered for adoption, as amended, by Alderman Probst and seconded by Alderman Betts:

ORDINANCE

An ordinance authorizing the borrowing by the Town of Vidalia, State of Louisiana, of Two Million Five Hundred Thousand Dollars (\$2,500,000.00); providing for the payment thereof; establishing the rate of interest therefor; providing for a pledge and dedication of revenues of said town for security and payment thereof in principal and interest and other matters in connection therewith.

WHEREAS, Sections 745 through 748, inclusive, of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, authorize municipalities to pay their current expenses by anticipating their revenues for the year and to borrow money to pay such current expenses in anticipation of such revenues; and

WHEREAS, the Town of Vidalia, State of Louisiana (the "Town"), desires to borrow moneys to pay said current expenses and to dedicate and set aside revenues for the payment of the Certificates of Indebtedness issued under the provisions of the Act and this ordinance (the "Certificates"), which Certificates will fall due and be payable not later than March 1, 2019, together with interest thereon as provided herein; and

WHEREAS, this Mayor and Board of Aldermen has found and determined that the estimated revenues of the Town for the current fiscal year will be in excess of the amounts borrowed;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Vidalia, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Town, that:

SECTION 1. Subject to the approval of the State Bond Commission there is hereby authorized the borrowing of not exceeding Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the name of and on behalf of the Town to pay current expenses of the Town in anticipation of the revenues of the Town for the current year.

SECTION 2. In order to fund the aforementioned borrowing, the Town is authorized to issue, sell and deliver its Certificates of Indebtedness, Series 2018, in the principal amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00), payable as to both principal and interest on March 1, 2019, bearing interest at the rate of two and one-half per centum (2.50%) per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months), all in accordance with the provisions of the Act. Said Certificates may be issued in the form of a single fully registered Certificate of Indebtedness (the "Certificate") to be dated the date of delivery thereof, and the principal shall be advanced by the purchaser to the Town as requested by the Town.

The principal of the Certificate, upon maturity, or prepayment, together with the interest thereon, is payable in lawful money of the United States of America at the principal corporate office of the purchasing bank upon presentation and surrender thereof.

SECTION 3. The principal of and interest on the Certificate shall be secured by and payable from a pledge of all revenues accruing to the Town for the current year which are lawfully available for the payment thereof.

SECTION 4. This Governing Authority hereby accepts the offer of Concordia Bank & Trust Company (the “Purchaser”) for the purchase of the Certificate.

SECTION 5. The Mayor and the Clerk of the Town are hereby authorized, empowered and directed to execute the Certificate to represent said indebtedness. Said officers are further authorized and empowered to deliver the Certificate to the Purchaser upon the payment of the purchase price thereof, or the first advance thereof, and to take any other action and execute and deliver any other documents which may be required to accomplish the purpose of this ordinance. The Certificate shall be in such form as may be acceptable to the Purchaser and the issuer, upon advice of bond counsel, and shall be signed by the Mayor and the Clerk of the Issuer for, on behalf of and in the name of the Issuer.

SECTION 6. The principal of the Certificate is subject to prepayment at any time at the principal amount thereof advanced to the issuer plus accrued interest to the date of prepayment.

SECTION 7. The Issuer will at all times maintain a paying agent for the performance of the duties hereunder, with the Purchaser to be said paying agent.

SECTION 8. The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the “Code”), in order to establish, maintain and preserve the exclusion from “gross income” of interest on the Certificate under the Code. The Issuer further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Certificate or any other funds of the Town to be used directly or indirectly in any manner, the effect of which would be to cause the Certificate to be an “arbitrage bond” or would result in the inclusion of the interest on the Certificate in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Certificate proceeds or (ii) the failure to pay any required rebate or arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Certificate in a manner which would cause the Certificate to be a “private activity bond”.

The Certificate is designated as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code. In making this designation, the Issuer finds and determines that:

- (a) The Certificate is not a “private activity bond” within the meaning of the Code; and
- (b) The reasonably anticipated amount of qualified tax-exempt obligations which will be issued by the Issuer and all subordinate entities in calendar year 2018 does not exceed \$10,000,000.

The Mayor and the Clerk of the Issuer are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Section.

SECTION 9. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 10. It is recognized that the Issuer will not be required to comply with the continuing disclosure requirements described in the Rule 15c-2-12(b) of the Securities and Exchange Commission [17 CFR Sec240.15c2-12(b)], because:

(a) The Certificate is not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities, and

(b) The Certificate will be issued as a single fully registered Certificate in denomination in excess of \$100,000 and is being sold to only one financial institution (i.e., no more than thirty-five persons), which (i) has such knowledge and experience in financial and business matters that they are capable of evaluating the merits and risks of the prospective investment in the Certificate and (ii) is not purchasing the Certificate for more than one account or with a view to distributing the Certificate

SECTION 11. The ordinance shall become effective immediately upon its approval by the Mayor of the Town.

This ordinance having been submitted to a vote the vote thereon was as follows:

<u>Member</u>	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstaining</u>
Triand McCoy	<u>X</u>	_____	_____	_____
Thomas Probst	<u>X</u>	_____	_____	_____
Jon Betts	<u>X</u>	_____	_____	_____
Sabrina Dore	<u>X</u>	_____	_____	_____
Robert Gardner	_____	_____	<u>X</u>	_____

And the ordinance was adopted on this, the 13th day of February, 2018.

/s/ Jay LaSyone
 JAY LASYONE, CITY CLERK

Presented to Mayor on February 13, 2018, for action as evidenced by his signature:

Approved: /s/ Edwy "Buz" Craft

Disapproved: _____

Presented to the Clerk on February 13, 2018.