

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON MAY 21, 2019 AT 6:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT	MAYOR PRO TEMP STEVE STRINGER
ATTORNEY	ROCKY EATON
ALDERMEN	CRAIG BULLOCK DAVID CLAYTON TONY DUCKER WILLIAM KING
OTHERS	ADA MADISON VALERIE WILSON OTHERS

MAYOR PRO TEMP STRINGER DECLARED A QUORUM PRESENT AND DECLARED THE CITY COUNCIL IN SESSION.

THE INVOCATION WAS OFFERED BY CRAIG BULLOCK

THE PLEDGE OF ALLEGIANCE WAS RECITED, LED BY BOY SCOUT ANSON CHENNAULT.

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED THE AGENDA

THEREUPON, ALDERMAN KING MADE A MOTION TO ADOPT THE FOREGOING AGENDA. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED THE MINUTES FROM THE REGULAR MEETING OF MAY 7, 2019

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MAY 7, 2019 AS WRITTEN. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER CALLED FOR PUBLIC COMMENT.

THEREUPON, CYNTHIA WARREN, 15 OLIVER LANE ADDRESSED THE BOARD REGARDING HER WATER BILL. SHE HAS A BALANCE OF OVER \$3,000 AND THE WATER DEPT HAS VOIDED HER HARDSHIP DUE TO NON-PAYMENT AND DISCONNECTED HER WATER. SHE WOULD LIKE TO BE PUT ON A NEW HARDSHIP PLAN. A FRIEND WITH MS. WARREN OFFERED TO PAY \$100.00 TODAY AND TO MAKE SURE THE BILL IS PAID MONTHLY. ALDERMAN DUCKER MADE A MOTION TO TURN THE WATER BACK ON UPON PAYMENT OF \$125.00 AND TO SET UP A NEW HARDSHIP AGREEMENT FOR MS. WARREN PROMISING TO PAY THE CURRENT BILL PLUS \$50.00 EACH MONTH. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, MARY CRABTREE, 216 S GEORGE ST, ADDRESSED THE BOARD REGARDING HER WATER BILL. SHE HAS A BALANCE OF OVER \$1,000 AND THE WATER DEPT HAS VOIDED HER HARDSHIP DUE TO NON-PAYMENT AND DISCONNECTED HER WATER. SHE WOULD LIKE TO BE PUT ON A NEW HARDSHIP PLAN.

ALDERMAN BULLOCK MADE A MOTION TO TURN THE WATER BACK ON UPON PAYMENT OF \$200.00 AND SET UP A NEW HARDSHIP AGREEMENT FOR MS. CRABTREE PROMISING TO PAY \$200.00 MONTHLY. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, MALCOLM BURCH ADDRESSED THE BOARD TO ANNOUNCE HIS CANDIDACY FOR FORREST COUNTY TAX COLLECTOR.

THEREUPON, JANET HARRINGTON, 48 COUNTRY PARK CIRCLE, ADDRESSED THE BOARD REGARDING A REQUEST FOR A LEAK ADJUSTMENT. MS. HARRINGTON PRESENTED PROOF OF A REPAIRED LEAK. ALDERMAN DUCKER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADJUST WATER SERVICES BILLED TO 48 COUNTRY PARK CIRCLE PER POLICY RECOMMENDATIONS. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ANSON CHENNAULT ADDRESSED THE BOARD REQUESTING APPROVAL OF HIS EAGLE SCOUT PROJECT. MR. CHENNAULT WOULD LIKE TO COORDINATE A "FLAG RETIREMENT DRIVE" IN THE CITY OF PETAL. ALDERMAN KING STATED HE THOUGHT THIS WAS A VERY GOOD IDEA AND A WAY TO TEACH CITIZENS OF THE PROPER AND RESPECTFUL WAY TO DISPOSE OF RETIRED FLAGS. ALDERMAN KING MADE A MOTION TO APPROVE THE EAGLE SCOUT PROJECT AS A BENEFIT TO THE CITY OF PETAL AND ITS RESIDENTS. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALEXIS DIXON ADDRESS THE BOARD REGARDING RENTAL OF THE CIVIC CENTER. DUE TO MISCOMMUNICATION BETWEEN CITY HALL AND CIVIC CENTER PERSONNEL, MS. DIXON DID NOT GET FULL USE OF THE CENTER. SHE WOULD LIKE TO HAVE PART OF HER RENTAL FEES REFUNDED. ALDERMAN KING MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND MS. DIXON \$200 IN RENTAL FEES. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, CAROLYN JORDAN ADDRESS THE BOARD REGARDING THE DITCH ON SHORT SOUTH ST. ALSO, THE INTERSECTION AT W 7TH AVE AND S GEORGE ST NEEDS TO BE CUT.

THEREUPON, PATRICIA JENKINS, 104 BRENTWOOD DR, ADDRESSED THE BOARD REGARDING DRAINAGE ON HER STREET.

THEREUPON, LONNIE HERNDON, 101 GREEN'S CREEK DR, ADDRESSED THE BOARD REGARDING HIS WATER BILL. HE HAS A BALANCE OF OVER \$1,000 AND THE WATER DEPT HAS VOIDED HIS HARDSHIP DUE TO NON-PAYMENT AND DISCONNECTED HIS WATER. HE WISHES TO BE PLACED ON A NEW HARDSHIP AGREEMENT. ALDERMAN KING MADE A MOTION TO TURN THE WATER BACK ON UPON RECEIPT OF \$100.00 PAYMENT AND TO SET UP A NEW HARDSHIP AGREEMENT WITH MR. HERNDON PROMISING TO PAY \$150.00 PER MONTH. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, JAMES HOPKINS, 1108 OLD RICHTON RD ADDRESSED THE BOARD REGARDING HIS WATER BILL. HE HAS A BALANCE OF OVER \$1000. THE WATER DEPT HAS VOIDED HIS HARDSHIP DUE TO NON-PAYMENT AND DISCONNECTED HIS WATER. HE WISHES TO HAVE A NEW HARDSHIP AGREEMENT. ALDERMAN CLAYTON MADE A MOTION TO TURN THE WATER BACK ON UPON RECEIPT OF \$120.00 AND TO SET UP A NEW HARDSHIP AGREEMENT. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED THE FOLLOWING RESOLUTION NAMING VOTING DELEGATES FOR MML CONVENTION

EXHIBIT "A"

RESOLUTION

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO NAME MAYOR HAL MARX AND ALDERMAN STEVE STRINGER AS VOTING DELEGATES FOR THE CITY OF PETAL AT 2019 MML CONVENTION. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED A REQUEST TO SPONSOR THE STAR BANGLED CELEBRATION.

THEREUPON, ALDERMAN KING MADE A MOTION TO SPONSOR THE STAR BANGLED CELEBRATION IN THE AMOUNT OF \$6,000.00. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED A REQUEST TO ADOPT THE CITY OF PETAL COMPREHENSIVE PLAN

THEREUPON, ALDERMAN KING MADE A MOTION TO TABLE THE REQUEST. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER NOTED THAT FAIRLEY CONSTRUCTION HAS WITHDRAWN THEIR REQUEST TO BUILD FIVE (5) HOUSES WITHOUT FOLLOWING SUBDIVISION REGULATIONS.

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED A REQUEST TO PURCHASE AN AD IN THE PETAL BAND BOOSTERS PROGRAM

THEREUPON, ALDERMAN DUCKER MADE A MOTION TO PURCHASE AN AD IN THE PETAL BAND BOOSTERS PROGRAM IN THE AMOUNT OF \$125.00. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED A REQUEST TO WAIVE HARD SURFACE DRIVEWAY REQUIREMENT FOR NEW CONSTRUCTION AT 41 BRANDEN LANE

THEREUPON, ALDERMAN DUCKER MADE A MOTION TO WAIVE THE HARD SURFACE DRIVEWAY REQUIREMENT FOR NEW CONSTRUCTION AT 41 BRANDEN LANE, BUT REQUIRE A 10FT HARD SURFACE APRON ADJOINING BRANDEN LANE. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF APRIL 2019

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF APRIL 2019. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED THE FOLLOWING PROOFS OF PUBLICATION

- 2018 DRINKING WATER QUALITY REPORT

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE FOREGOING PROOF OF PUBLICATION FOR FILING. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED THE RESIGNATION OF RHONDA SMITH IN THE POLICE DEPT

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE RESIGNATION OF RHONDA SMITH IN THE POLICE DEPT EFFECTIVE IMMEDIATELY. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON

ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED THE CONTRACT FOR AUCTION SERVICES WITH JEFF MARTIN AUCTIONEERS

EXHIBIT "B"

CONTRACT

THEREUPON, ALDERMAN KING MADE A MOTION TO APPROVE THE CONTRACT WITH JEFF MARTIN AUCTIONEERS FOR AUCTION SERVICES THROUGH JULY 1, 2020. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED A REQUEST TO TRANSFER ONE (1) 4'X8' ALUMINUM TOOL TRAY AND SLIDE OUT FROM THE FIRE DEPT TO THE PUBLIC WORKS DEPARTMENT

THEREUPON, ALDERMAN KING MADE A MOTION TO APPROVE THE TRANSFER OF ONE (1) 4'X8' ALUMINUM TOOL TRAY AND SLIDE OUT FROM THE FIRE DEPT TO THE PUBLIC WORKS DEPARTMENT. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED THE REVENUE & EXPENDITURES REPORT FOR THE MONTH OF APRIL 2019.

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE REVENUE & EXPENDITURES REPORT FOR THE MONTH OF APRIL 2019. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED THE FOLLOWING ORDER HIRING PATRICK DICKERSON FULL TIME IN THE POLICE DEPT

ORDER

WHEREAS THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL DEEM IT NECESSARY TO
HIRE A FULL TIME POLICE OFFICER

IT IS HEREBY ORDERED THAT PATRICK DICKERSON
BE HIRED FULL TIME AS 1ST CLASS PATROL AT A
RATE OF \$17.1223 PER HOUR EFFECTIVE MAY 22, 2019

SO ORDERED THIS THE 21ST DAY OF MAY 2019

THEREUPON, ALDERMAN KING MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO TEMP STRINGER PRESENTED A REQUEST FOR EXECUTIVE SESSION

THEREUPON, ALDERMAN DUCKER MADE A MOTION TO CLEAR THE ROOM TO SEE THE NEED FOR EXECUTIVE SESSION. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN DUCKER MADE A MOTION TO ENTER INTO EXECUTIVE SESSION. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN DUCKER MADE A MOTION TO ADJOURN EXECUTIVE SESSION. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

NO OFFICIAL ACTION WAS TAKEN IN EXECUTIVE SESSION.

THEREUPON, ALDERMAN KING MADE A MOTION TO ADJOURN THE REGULAR MEETING OF MAY 21, 2019. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

THERE BEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED.




MAYOR PRO TEMP STEVE STRINGER

EXHIBIT "A"

RESOLUTION

RESOLUTION APPOINTING
MISSISSIPPI MUNICIPAL LEAGUE
2019 VOTING DELEGATES
FOR THE CITY/TOWN OF PETAL

WHEREAS, the Mississippi Municipal League amended the bylaws of the association to provide for a ballot election, to be conducted by the officers of the Mississippi Municipal Clerks and Collectors Association, to be held each year at the summer convention, to elect a Second Vice President from the Northern District; and

WHEREAS, the amended bylaws require the Board of Alderman of the City of Petal to designate in its minutes the voting delegate and one alternate to cast the vote for each member municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF PETAL

In accordance with the bylaws of the Mississippi Municipal League, the voting delegate(s) for the 2019 Mississippi Municipal League election to be held at the annual convention on June 25th with a run-off (if necessary) on June 26th, 2019 are as follows:

Voting Delegate: Hal Marx, Mayor
First Alternate: Steve Stringer, Alderman

That public interest and necessity requiring same, this Resolution shall become effective upon passage.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Alderman Clayton, seconded by Alderman King, and was adopted by the following vote, to-wit:

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING

THOSE PRESENT AND VOTING "NAY"

NONE

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the 21st day of May 2019.

ATTEST:


CITY CLERK

APPROVED:


MAYOR PRO TEM

TERMS AND CONDITIONS

AUCTION AGREEMENT
JEFF MARTIN AUCTIONEERS, INC.

2236 Hwy 49 Brooklyn, MS 39425
601-450-6200 | 601-450-4980 (fax)

PATRICK VALKENBURG

1. GENERAL

- a. This Agreement is entered into by and between Seller, as set forth on page 1 of this agreement, and Jeff Martin Auctioneers, Inc. ("Auctioneer").
b. Seller hereby retains, authorizes, and directs Auctioneer to arrange for and to conduct a public auction of the items of property described in Schedule A or items delivered to auction location not listed in Schedule A (herein referred to as the "Property").

2. SELLER'S WARRANTIES AND REPRESENTATIONS

Seller hereby represents and warrants as follows:

- a. The Property is accurately and completely described.
b. Unless otherwise specified, the odometer and hour meter readings (if applicable) on all the Property is correct.
c. Seller is the legal owner of the Property with full right and authority to sell such Property.
d. A complete and accurate list of all parties having any claim or lien on or against the Property consigned by seller is disclosed to Auctioneer prior to sale.
e. Auctioneer is acting as agent for Seller only.

3. ADDITIONAL DUTIES OF SELLER

Failure on the part of the Seller to abide by any of the Seller's Duties including but not limited to the duties listed in Item 2. Above, will be considered a breach of this agreement and will give the Auctioneer, at its sole discretion the right to remove some or all Property from the auction and collect from Seller any and all applicable fees.

- a. Seller or seller representative shall be present at the Auction Location on the Auction Date to represent the Property.
b. Seller shall maintain insurance against loss and/or damage to the Property.
c. Seller assumes responsibility for all repairs, improvements, cleaning and/or painting of the Property until Property is sold at auction.
d. In the event all or a portion of the Property is not sold at auction as provided herein, Seller shall remove unsold Property from the Auction Location within ten (10) days of the Auction Date.
e. In the event any property does not sale I give auctioneer permission to advertise and market for a retail sale either by auctioneer or any auctioneer owned retail entity under same terms of this contract or verbally agreed upon at time of sale.

Notice Auctioneer is not liable for any damages that occur to seller due decals including but not limited to logos, decals, license plates, D.O.T numbers or documents left on property sold at auction. Seller is STRONGLY ENCOURAGED to remove all logos and identifying marks from items before selling at auction.

mm Initial

4. AUCTIONEER'S DUTIES

- a. Auctioneer shall arrange for, advertise, and conduct a public auction sale of the Property at the Auction Location and Auction Date indicated on the reverse side.
b. Unless otherwise specified herein, Auctioneer shall pay all cost and expenses of advertising, auctioning, clerking, and cashiering incurred in connection with conducting the auction sale.

5. INDEMNIFICATION OF AUCTIONEER

Seller hereby agrees to indemnify and hold harmless Auctioneer against all suits, actions, costs, or charges, including but not limited to attorney's fees, arising from or relating to the sale, storage or servicing of the Property including, but not limited to, any false or incorrect representations or warranties contained herein or for any breach of the Seller's obligations herein, including inaccuracies in the description of Property or the condition of Property.

6. MISCELLANEOUS

- a. This agreement, which may be amended in writing only signed by the parties, represents the entire agreement between Auctioneer and Seller, and takes the place of all prior agreements.
b. GOVERNING LAW - This agreement shall be interpreted in accordance with and governed by the laws of the state of Mississippi, to include, but not limited to, the Uniform Commercial Code, as adopted in Mississippi.
c. ARBITRATION AND VENUE - Except as noted in Item 6. Above, any controversy or claim arising out of or relating to this agreement or any breach thereof shall be settled by binding arbitration in accordance with the Mississippi Uniform Arbitration Laws and shall be instituted and maintained in Forrest County, Mississippi.
d. Seller agrees to pay all costs, including, but not limited to, attorney fees, incurred by Auctioneer should any action need be taken by Auctioneer to enforce the terms of this agreement.
e. By accepting these terms and conditions you are granting Jeff Martin Auctioneers, Inc permission to send you promotional materials via direct mail, email, telephone call and/or text message.

7. Additional Terms:

mm Initial

Terms agreed to By Jeff Martin Auctioneers, Inc.

mm Initial Date: 5/22/19
Terms agreed to By Seller

SELLER (To appear on check): CITY OF PETAL (referred to as "Seller" herein)
Contact Person MELISSA MARTIN Fed. ID# or Resale Certificate #
Address: PO BOX 564
City, State, Zip: PETAL, MS 39465
Phone: (601) 545-1776 Fax: (601) 545-6685 Email: MELISSA@CITYOFPETAL.COM
Annual Contract: YES/NO - Year Effective 1/2019 expires: 7/01/2020 +1 day
Auction Date: 5/11/2019 Auction Location: 2236 HWY 49 BROOKLYN, MS 39425

Seller hereby retains, authorizes, and directs Jeff Martin Auctioneers, Inc. (hereinafter referred to as Auctioneer) to arrange for and to conduct a public auction of property listed on Schedule A attached hereto or items brought to auction location by seller and consigned with auction staff. It is expressly agreed and understood that the items listed therein will be and are subject to the Terms and Conditions as noted hereon (including the Terms and Conditions on page 2 of this form.)

TERMS OF SALE AND AUCTION COMMISSION

- a. Seller agrees that each piece of Property listed on Schedule A will be offered for sale at the specified Auction Date and Auction Location in accordance with the Auctioneer's usual practices and procedures.
b. Auctioneer will collect a buyer's premium on each item from the buyer. Amount to be charged for buyer's premium is auctioneers' decision.
c. Seller agrees to pay Auctioneer for its services commission(s) as follows:
1. 10.000% of sales price per item of Property selling above \$0.00.

MM Initial

EXHIBIT 4
CITY OF PETAL
MINUTE BOOK 37

- In addition to other commissions due Auctioneer, there will be a \$100.00 title fee for any title not delivered to Auctioneer in accordance with set forth herein.
d. Seller agrees to give Auctioneer power of attorney to sign Seller's name on the title to the Property should a sale of the Property occur.
e. Auctioneer will pay Seller net proceeds on or before 21 banking days after the auction proceeds are collected and liens are released.
f. Seller shall deliver & offer for sale each & every piece of Property to the Auction Location on or before auction deadline set for each auction, along with all documentation including titles and bills of sale, evidencing Seller's title and ownership in the Property.

These Terms of Sale and Auction Commission are in addition to and to be read as part of the Terms and Conditions found on page two of this agreement.

Seller acknowledges that it has read, understood, and agrees to abide by all Terms and Conditions in this agreement.

By Jeff Martin Auctioneers, Inc. Date:
By Seller Date: 5/22/19