

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 NOVEMBER 18, 2014 AT 6:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT MAYOR HAL MARX

ATTORNEY TOM TYNER

ALDERMEN BRAD AMACKER
 CRAIG BULLOCK
 DAVID CLAYTON
 TONY DUCKER
 WILLIAM KING
 CLINT MOORE
 STEVE STRINGER

OTHERS ADA MADISON
 ROCKY EATON
 VALERIE WILSON
 AND MANY OTHERS

MAYOR MARX DECLARED A QUORUM PRESENT AND DECLARED THE CITY COUNCIL IN SESSION.

THE INVOCATION WAS OFFERED BY TONY DUCKER

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR MARX PRESENTED THE AGENDA WITH THE FOLLOWING AMENDMENTS

BIDS & QUOTES

REQUEST TO ACCEPT BID FROM PUCKETT MACHINERY AND PUCKETT RENTS ON THE FOLLOWING EQUIPMENT

- BACKHOE
- SKID STEER W/CAB
- SKID STEER W/CANOPY
- MINI EXCAVATOR
- BULLDOZER

REQUEST TO ACCEPT LEASE PURCHASE AGREEMENT WITH REGIONS EQUIPMENT FINANCE FOR THE FOREGOING EQUIPMENT AT A RATE OF 1.89% FOR FIVE YEARS.

GENERAL BUSINESS

REQUEST ADJUSTMENT TO WATER SERVICES BILLED TO 319 OLD RICHTON RD IN THE AMOUNT OF \$95.00 AND SEWER SERVICES IN THE AMOUNT OF \$77.08.

REQUEST ADJUSTMENT TO WATER SERVICES BILLED TO 96 CORINTH RD IN THE AMOUNT OF \$945.00.

REQUEST TO ACCEPT DONATION OF A 2013 FORD EXPEDITION, VIN: 1FMJK1H59D3F24420, TO THE POLICE DEPT FROM MICHELLE FULLER.

THEREUPON, ALDERMAN KING MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLATYON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO APPROVE THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 4, 2014

THEREUPON, ALDERMAN KING MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 4, 2014 AS WRITTEN. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED FOR PUBLIC COMMENT.

THERE WAS NONE.

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING PROCLAMATION BY THE GOVERNOR DECLARING
THANKSGIVING, CHRISTMAS AND NEW YEAR HOLIDAYS

EXHIBIT "A"

PROCLAMATION

THEREUPON, ALDERMAN KING MADE A MOTION TO ADOPT THE FOREGOING PROCLAMATION SETTING THE
THANKSGIVING, CHRISTMAS AND NEW YEAR HOLIDAYS. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING BIDS ON STREET EQUIPMENT

EXHIBIT "B"

BID TAB

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE BIDS FROM PUCKETT MACHINERY AND
PUCKETT RENTS ON STREET EQUIPMENT. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING QUOTES ON LEASE PURCHASE AGREEMENT FOR
THE STREET EQUIPMENT

EXHIBIT "C"

QUOTES

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE QUOTE FROM REGIONS EQUIPMENT
FINANCE FOR A LEASE PURCHASE AGREEMENT ON STREET EQUIPMENT. ALDERMAN CLAYTON SECONDED
THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED ON LEANNE LIGHTSEY TO ADDRESS THE BOARD

THEREUPON, MS. LIGHTSEY INTRODUCED JUDGE M. MCPHAIL TO GIVE A COMMUNITY UPDATE ON EXCEL BY 5. JUDGE MCPHAIL ADDRESSED THE BOARD REGARDING THE EMPHASIS THAT EXCEL BY 5 HAS ON THE ROLE OF EARLY EDUCATION PROVIDERS. JUDGE MCPHAIL THANKED THE CITY FOR THEIR COMMITMENT AND FINANCIAL SUPPORT TO EXCEL BY 5.

WHEREAS, MAYOR MARX CALLED ON ROBERT BURGESS TO ADDRESS THE BOARD

THEREUPON, MR. BURGESS ADDRESSED THE BOARD REGARDING THE PETAL RIVER PARK. MR. BURGESS STATED THAT THE COMMITTEE IS CURRENTLY WORKING ON OBTAINING GRANTS AND DONATIONS TO HELP WITH THE FINANCIAL NEEDS OF THE PARK. CAMP SHELBY YOUTH CHALLENGE STUDENTS HAVE BEEN WORKING TO CLEAR LAND FOR BIKE TRAILS. THEY HAVE HAD A GREAT INTEREST FROM FAMILIES WITH SPECIAL NEEDS ABOUT ADA COMPLIANT TRAILS. THE COMMITTEE IS CURRENTLY WORKING ON A PROPOSAL TO SUBMIT TO THE BOARD.

WHEREAS, MAYOR MARX PRESENTED THE RESIGNATION OF GARY BOUNDS IN THE FIRE DEPT

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE RESIGNATION OF GARY BOUNDS IN THE FIRE DEPT EFFECTIVE NOVEMBER 8, 2014. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING PROOFS OF PUBLICATION

- AD FOR BIDS – STREET EQUIPMENT

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE PROOFS OF PUBLICATION FOR FILING. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO SET A CONDITIONAL USE HEARING FOR PROPERTY LOCATED AT 1012 S MAIN ST

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO SET A CONDITIONAL USE HEARING ON DEC 9, 2014 AT 6:00 P.M FOR PROPERTY LOCATED AT 1012 S MAIN ST. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR ADJUSTMENT TO WATER SERVICES BILLED TO 302 S GEORGE ST.

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE AN ADJUSTMENT IN THE AMOUNT OF \$258.00. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR AN ADJUSTMENT TO PENALTIES BILLED TO 117 LEEVILLE RD.

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE AN ADJUSTMENT TO PENALTIES BILLED TO 117 LEEVILLE RD IN THE AMOUNT OF \$150.00. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR ADJUSTMENT TO WATER SERVICES BILLED TO 615 CARTERVILLE RD

THEREUPON, ALDERMAN KING NOTED EVIDENCE OF A REPAIRED LEAK AND MADE A MOTION TO AUTHORIZE AN ADJUSTMENT IN THE AMOUNT OF \$26.50 TO WATER SERVICES BILLED TO 615 CARTERVILLE RD. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF OCTOBER 2014.

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO ACCEPT THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF OCTOBER 2014. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR ADJUSTMENT TO WATER AND SEWER SERVICES BILLED TO 319 OLD RICHTON RD

THEREUPON, ALDERMAN KING NOTED EVIDENCE OF A REPAIRED LEAK AND MADE A MOTION TO AUTHORIZE AN ADJUSTMENT IN THE AMOUNT OF \$95.00 TO WATER SERVICES AND \$77.08 TO SEWER SERVICES BILLED TO 319 OLD RICHTON RD. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR ADJUSTMENT TO WATER SERVICES BILLED TO 96 CORINTH RD

THEREUPON, ALDERMAN BULLOCK NOTED EVIDENCE OF A REPAIRED LEAK AND MADE A MOTION TO AUTHORIZE AN ADJUSTMENT IN THE AMOUNT OF \$945.00 TO WATER SERVICES BILLED TO 96 CORINTH RD. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE DONATION OF A 2013 FORD EXPEDITION FROM MICHELLE FULLER

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE DONATION OF A 2013 FORD EXPEDITION, VIN# 1FMJK1H59D3F24420, TO THE POLICE DEPT FROM MICHELLE FULLER. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR TIFFANY SHIVERS TO ATTEND BASIC TELECOMMUNICATOR'S COURSE IN ELLISVILLE, MS

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE TIFFANY SHIVERS TO ATTEND BASIC TELECOMMUNICATOR'S COURSE IN ELLISVILLE, MS ON JAN. 12-16, 2015 AT A COST OF \$395.00 + MILEAGE. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER PROMOTING HEATH BENSON

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL DEEM IT NECESSARY TO
PROMOTE HEATH BENSON IN THE FIRE DEPT

IT IS HEREBY ORDERED THAT HEATH BENSON
BE PROMOTED TO 1ST CLASS FIREFIGHTER
AT A RATE OF \$12.25 PER HOUR EFFECTIVE
NOVEMBER 26, 2014

SO ORDERED THIS THE 18TH DAY OF NOVEMBER

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN
CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER PROMOTING ANDREW KLEM

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL DEEM IT NECESSARY TO
PROMOTE ANDREW KLEM IN THE FIRE DEPT

IT IS HEREBY ORDERED THAT ANDREW KLEM
BE PROMOTED TO PROBATIONARY FIREFIGHTER
AT A RATE OF \$10.00 PER HOUR EFFECTIVE
NOVEMBER 26, 2014

SO ORDERED THIS THE 18TH DAY OF NOVEMBER

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN
BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER HIRING JASON MCNELLY

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN
DEEM IT NECESSARY TO HIRE A PART TIME OFFICER
IN THE POLICE DEPT

IT IS HEREBY ORDERED THAT JASON MCNELLY
BE HIRED AS PART TIME PATROL OFFICER AT
A RATE OF \$11.00 PER HOUR EFFECTIVE
NOVEMBER 26, 2014

SO ORDERED THIS THE 18TH DAY OF NOVEMBER 2014

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN
CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER HIRING KELLY FINLEY

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL DEEM IT NECESSARY TO
HIRE A PART TIME DISPATCHER IN THE POLICE DEPT

IT IS HEREBY ORDERED THAT KELLY FINLEY BE
HIRED AS PART TIME DISPATCHER AT A RATE OF
\$10.00 PER HOUR EFFECTIVE NOV. 26, 2014

SO ORDERED THIS THE 18TH DAY OF NOVEMBER 2014

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDINANCE AMENDING THE ZONING ORDINANCE
TO PROVIDE FOR REASONABLE ACCOMODATION PER ADA REQUIREMENTS

EXHIBIT "D"

ORDINANCE 1979 (42-A390)

THEREUPON, ALDERMAN KING MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN
AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO CLEAR THE ROOM TO SEE THE NEED FOR EXECUTIVE
SESSION.

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO CLEAR THE ROOM TO DETERMINE THE NEED FOR
EXECUTIVE SESSION. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO ENTER INTO EXECUTIVE SESSION. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

NO OFFICIAL ACTION WAS TAKEN DURING EXECUTIVE SESSION.

WHEREAS, MAYOR MARX ASKED FOR FURTHER PUBLIC COMMENT

THEREUPON, DAVID HELTON ADDRESSED THE BOARD WITH CONCERNS AS TO WHY PHEASANT RIDGE WAS NOT INCLUDED IN THE STREET OVERLAY AT AUTUMN RIDGE.

THEREUPON, ALDERMAN STRINGER STATED THAT WE WOULD HAVE THE CITY ENGINEER CHECK INTO THE COST OF PAVING PHEASANT RIDGE

THEREUPON, ALDERMAN KING MADE A MOTION TO ADJOURN THE REGULAR MEETING. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

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 ON NOVEMBER 18, 2014.



ATTEST

Melissa Martin

MELISSA MARTIN, CITY CLERK

Hal Marx

MAYOR HAL MARX

CITY OF PETAL
MINUTE BOOK 34
STATE OF MISSISSIPPI

Office of the Governor



PROCLAMATION

WHEREAS, pursuant to Miss. Code Ann. Section 3-3-7, Thanksgiving Day, Christmas Day and New Year's Day are declared legal holidays in the State of Mississippi; and

WHEREAS, during the Thanksgiving holiday and Christmas and New Year's season, many state employees will spend time with their families in Mississippi and in other states;

NOW, THEREFORE, I, Phil Bryant, Governor of the State of Mississippi, pursuant to the authority vested in me under the Constitution of the State of Mississippi and applicable statutes of the State of Mississippi, do hereby authorize the closing of all offices of the State of Mississippi on Thursday, November 27, 2014, in observance of THANKSGIVING DAY; on Thursday, December 25, 2014, in observance of CHRISTMAS DAY; and on Thursday, January 1, 2015, in observance of NEW YEAR'S DAY.

IN ADDITION, I hereby authorize the executive officers of all state agencies, in their discretion after considering the interests of the people of the State of Mississippi and the staffing needs of their respective agencies, to close all offices of the State of Mississippi on Friday, November 28, 2014, in further observance of the Thanksgiving holiday, on Wednesday, December 24, 2014, in further observance of Christmas and on Friday, January 2, 2015, in further observance of New Year's Day; and to staff their respective agencies as needed during the Thanksgiving holiday and Christmas and New Year's season.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

DONE in the City of Jackson, on the 23rd day of October in the year of our Lord, two thousand and fourteen, and of the Independence of the United States of America, the two hundred and thirty-ninth.

**PHIL BRYANT
GOVERNOR**



BY THE GOVERNOR

**C. DELBERT HOSEMANN, JR.
SECRETARY OF STATE**

CITY OF PETAL
MINUTE BOOK 34

VENDOR	MAKE/MODEL	BID AMOUNT
	EXHIBIT "B"	
PUCKETT MACHINERY	CAT 416F BACKHOE	\$ 79,735.00
SCOTT EQUIPMENT	VOLVO BL70BT4	\$ 82,560.00

VENDOR	MAKE/MODEL	BID AMOUNT
PUCKETT RENTS	CAT 289D CAB/AIR	\$ 59,440.40
PUCKETT RENTS	CAT 289D CANOPY	\$ 49,807.88
SCOTT EQUIPMENT	VOLVO MCT135C	\$ 59,798.00
PUCKETT RENTS	CAT 305E CR MINI EXCAVATOR	\$ 48,774.79

VENDOR	MAKE/MODEL	BID AMOUNT
PUCKETT MACHINERY	CAT D5KLG	\$ 131,881.00

EXHIBIT "C"

\$771,095.50 = 5 equal payments
beginning March 2015

November 17, 2014



Melissa-

ions is pleased to offer the following rate quote for your consideration. This rate quote is subject to
it approval.

Borrower: City of Petal

Lender: Regions

Amount: \$369,693.07

Purpose: Purchase of street equipment

Collateral: UCC on purchases equipment

Rate: 1.89%

Term: 5 annual payments of Principal and Interest with first payment due March 2015. Subsequent
payments each year after.

Subject to: Attorney Opinion Letter stating this transaction is Bank Qualified Tax Exempt.

Please let me know if you have questions.

Sincerely,

Todd Bradley

Regions Business Banking

601-268-5486

11/14/2014

City of Petal
P.O. Box 564
Petal, MS 39465

It is a pleasure to submit for your consideration the following proposal to provide lease-
purchase financing based on the terms and conditions set forth below.

- 1. Lessor: BancorpSouth Equipment Finance, a division of BancorpSouth Bank
- 2. Lessee: City of Petal
- 3. Equipment Description: Misc Equipment
- 4. Equipment Cost: \$369,693.07
- 5. Lease Term: 5 Years
- 6. Lease Payments: (These are approximate payment amounts. The actual payment will be determined at funding date.) Assumes deal closes December 2014
5 annual payments of \$77,655.39 w/ 1st payment March 2015 arrears
- 7. Lease Rate: 2.21%
- 8. Funding Date: This proposal is contingent upon the equipment being delivered and the lease funded prior to 12/31/2014. If the equipment is not delivered and the lease funded prior to 12/31/2014 this proposal is null and void. Any extension of the funding date must be in writing.
- 9. Purchase Option: Title is passed to Lessee at lease expiration for no further consideration

10. Non-appropriation/Termination: The lease provides that Lessee is to make reasonable efforts to obtain funds to satisfy the obligation in each fiscal year. However, the lease may be terminated without penalty in the event of non-appropriation. In such event, the Lessee agrees to provide an attorney's opinion confirming the events of non-appropriation and Lessee's exercise of diligence to obtain funds.

11. Bank Qualification: This lease-purchase financing shall be designated as a bank qualified tax-exempt transaction as per the 1986 Federal Tax Bill. This means that the Lessee's governing body will pass a resolution stating that it does not anticipate issuing more than \$10 million in General Obligation debt or other debt falling under the Tax Bill's definition of qualifying debt during the calendar year that the lease is funded.

12. Tax Status: This proposal is subject to the Lessee being qualified as a governmental entity or "political subdivision" within the meaning of Section 103(a) of the Internal Revenue Code of 1954 as amended, within the meaning of said Section. Lessee agrees to cooperate with Lessor in providing evidence as deemed necessary or desirable by Lessor to substantiate such tax status.

13. Net Lease: This will be a net lease transaction whereby maintenance, insurance, taxes (if applicable), compliance with laws and similar expenses shall be borne by Lessee.

14. Financial Statements: Complete and current financial statements must be submitted to Lessor for review and approval of Lessee creditworthiness.

15. Lease Documentation: This equipment lease-purchase package is subject to the mutual acceptance of lease-purchase documentation within a reasonable time period otherwise payments will be subject to market change.

If the foregoing is acceptable, please so indicate by signing this letter in the space provided below and returning it to BancorpSouth Equipment Finance. The proposal is subject to approval by BancorpSouth Equipment Finance's Credit Committee and to mutually acceptable terms, conditions and documentation.

This proposal expires as of the close of business on 12/31/2014. Extensions must be approved by the undersigned.

Any concerns or questions should be directed to Bob Lee at 1-800-222-1610.

Bob Lee
Municipal Finance Manager

ACKNOWLEDGMENT AND ACCEPTANCE

By _____
Title _____

Date _____

EXHIBIT "D"
CITY OF PETAL
ORDINANCE BOOK 4

ORDINANCE NUMBER 1979 (42-A390)

AN ORDINANCE CHANGING AND AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 1979 (42) OF THE CITY OF PETAL, MISSISSIPPI, AS AMENDED BY ORDINANCE NUMBERS 1979 (42-1) THROUGH 1979 (42-A389) SO AS TO CHANGE AND AMEND CERTAIN SECTIONS OF THE OFFICIAL ZONING ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI:

SECTION 1: The following articles of Ordinance 1979 (42) be amended as follows:

ARTICLE V. DEFINITIONS

5.23. Family.

One or more persons occupying a dwelling unit and living as a single housekeeping unit, not exceeding four (4) persons unless related by blood, marriage, or adoption, and not including a group occupying a hotel, club, boarding, lodging, fraternity, or sorority house; institution for human care; or other similar building. *Persons with disabilities, including residents of group homes, will not be excluded from the definition of "family" if the persons occupying the dwelling unit otherwise meet this definition, regardless of whether the group home is established or maintained as a for-profit or not-for-profit entity.*

Addition of the following definition:

5.32. Group Home.

A dwelling for a person or persons with disabilities as defined by the Fair Housing Act. The number of persons permitted to occupy a dwelling until shall not exceed four (4) persons unless related by blood, marriage or adoption and not including a group occupying a hotel, club, boarding, lodging, fraternity, or sorority house; institution for human care; or other similar building.

Renumeration of definitions beginning with

5.33. Home Occupation.

Through

5.79 Yard, Side.

ARTICLE XI. PLANNING COMMISSION

11.66 Request for Reasonable Accommodation: In order to make specific housing available to one or more individuals with disabilities, a disabled person or a person or provider acting on behalf of an individual with a disability (collectively "Applicant") may request a reasonable accommodation relating to the zoning ordinance. Whenever an Applicant has a disability or acts on behalf of an individual with a disability which entitles such Applicant to protection under the ADA or the Fair Housing Act, and the use and enjoyment of the structure requires deviation from this ordinance as a "reasonable accommodation," as defined by appropriate federal statutory authority or relevant case law in effect at the time, the Applicant shall address a request for a reasonable accommodation to the Building Department Director. The Applicant may make this request orally in person, or in writing. If requested by the Applicant, the Building

Department Director shall, in a timely manner, ^{EXHIBIT "D"} assist in obtaining information required by the city in filling out the application. The application shall be made by filling out a form, which the Building Department Director shall provide. The form shall contain:

- A. the current zoning for the property;*
- B. the name of the owner of the fee interest of the property (if other than the Applicant);*
- C. the nature of the disability that requires the reasonable accommodation. In the event that the specific individuals who are expected to reside at the property are not known to a provider in advance of making the application, the provider shall not be precluded from filing the application, but shall submit details describing the range of disabilities that prospective residents are expected to have to qualify for the housing. The provider shall notify the Building Department Director in the event the residents at the location are not within the range described. The Building Department Director shall then determine if an amended application and subsequent hearing is appropriate;*
- D. the specific type of accommodation requested by the Applicant. To the extent practicable, this portion should include information concerning the impact of the reasonable accommodation on the adjoining properties and area, the number of people who are expected to be availing themselves of the reasonable accommodation, the estimated number of people in an average week who will be necessary to provide services to the person(s) with disabilities at the property on an on-going basis, whether or not this type of reasonable accommodation is required to obtain a license from any state or county authority to operate, and any other information the Applicant thinks would assist in determining the reasonableness of the accommodation;*
- E. the Applicant should also note, if known, whether this accommodation requires any additional licensure from the city (e.g., business license);*
- F. whether the accommodation requested may be necessary to afford one or more persons with disabilities equal opportunity to use and enjoy a specific dwelling; and*
- G. a notice to Applicants providing that, should the information provided by the Applicant include medical information or records of the proposed resident(s), including records indicating the identity, medical condition, diagnosis or medical history of the proposed resident(s), the Applicant may, at the time of submitting such medical information, request the City, to the extent allowed by law, treat such medical information as confidential information of the Applicant and/or proposed resident(s).*

Within twenty (20) days of completion of the application, the Building Department Director shall make a written recommendation to the Planning Commission specifying the reasons why the request should be approved, modified or denied. Upon receipt of the Building Department Director's recommendation, the Planning Commission shall conduct a hearing on the request. Said hearing shall comply with public hearing conditions as stated in the Official Zoning Ordinance. In deciding whether to approve, modify or deny an application, the Planning Commission should take into account whether the requested accommodation would require a fundamental alteration to the city's zoning scheme, and whether the requested accommodation would impose undue financial or administrative burdens on the city. To protect the confidentiality of any medical information provided by the Applicant or contained in the application, the Planning Commission shall, to the extent allowed by law, enter into executive session to review and discuss said medical information. The non-confidential portion of the hearing shall be conducted in public. The Planning Commission shall issue a written decision specifying its grounds for granting, denying or modifying the application. After such hearing, the Planning Commission shall make its recommendation to the Mayor and Board of Aldermen which recommendation may be accepted or rejected by the Board, or may be accepted in part and rejected in part or may be sent back to the Planning Commission for further hearing.

In the event that the Building Department Director or the Planning Commission does not issue a decision as required by the timeframes specified herein and in other pertinent sections of the Ordinance, the application shall be decided upon by the Mayor and Board of Aldermen.

Upon approval of the application, whether ^{EXHIBIT "D"} modified or not, the Applicant shall be entitled to undertake said reasonable accommodation, and shall be entitled to any attendant licensure by the city that is outlined in the application as approved by the Mayor and Board of Aldermen. If a business license is required as part of the reasonable accommodation, the business license official shall issue said license upon approval of the accommodation.

The accommodation shall be in force and effect as long as the Applicant owns and/or resides in said structure. Said reasonable accommodation shall be limited to the number of people availing themselves of the reasonable accommodation as approved by the Mayor and Board of Aldermen. Further, should the number of people necessary to provide the reasonable accommodation at the property in an average week on an on-going basis materially increase from the number of people indicated in the application approved by the Mayor and Board of Aldermen, a new application for an accommodation will need to be made to the Building Department Director. If the structure is sold or otherwise changes ownership, the reasonable accommodation is not transferable to the new owner. It is the duty of the owner to notify the Building Department Director of this event. The city shall allow the new owner an opportunity to renew and/or modify the reasonable accommodation in accordance with this section. In the event that the reasonable accommodation is not renewed or modified within sixty (60) days from the date of change in ownership, the reasonable accommodation will lapse and the structure will have to comply with all requirements of this ordinance.

Nothing in this section will require the city to expend any funds to achieve a reasonable accommodation except and to the extent required by federal law.

ARTICLE XIV. LEGAL STATUS PROVISIONS.

14.30. Construction, Application and Enforcement Consistent With Federal Law

The provisions of this Ordinance shall in every instance be construed, applied and enforced in a manner consistent with applicable federal law, including, but not limited to, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (the Fair Housing Act), 42 U.S.C. §§ 3601-3619; and Title II of the Americans with Disabilities Act (the ADA), 42 U.S.C. §§ 12131-12134. Notwithstanding any other provision of this Ordinance to the contrary, the Building Department Director, Planning Commission Members, and other City officials with zoning-related responsibilities shall make reasonable accommodations in the rules, policies, and practices of their offices so that handicapped or disabled persons or a provider of housing for a handicapped or disabled persons are not discriminated against and are afforded an equal opportunity to use and enjoy the dwellings.

Renumeration:

14.40 Repeal of Conflicting Ordinance

14.50 Effective Date of Ordinance

SECTION 2. Except as hereby expressly changed and amended, the aforesaid Comprehensive Zoning Ordinance No. 1979 (42) of the City of Petal, Mississippi, shall be and remain in full force.

SECTION 3. That this Ordinance shall take effect and be in full force within thirty (30) days from and after its passage as provided by law. The foregoing Ordinance having been reduced to writing, the same was introduced and read, and a vote was taken thereon, first section by section and then upon the Ordinance as a whole with the following results:

Those present and voting "AYE" and in favor of the passage, adoption and approval of Sections 1, 2 and 3 of the foregoing Ordinance:

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER

ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

Those present and voting "NAY" or against the adoption of any section of the foregoing Ordinance:

NONE

Those present and voting "AYE" and in favor of the adoption of the foregoing Ordinance as a whole:

ALDERMAN BRAD AMACKER
ALDERMAN CRAIG BULLOCK
ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIAM KING
ALDERMAN CLINT MOORE
ALDERMAN STEVE STRINGER

Those present and voting "NAY" or against the adoption of the foregoing Ordinance as a whole:

NONE

WHEREUPON, the foregoing Ordinance be, and the same is hereby passed, adopted and approved on this the 18TH day of November 2014.



HAL MARX, MAYOR



ATTEST:



MELISSA MARTIN, CITY CLERK

PUBLISH 1 TIME:

THIS

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