

Therebeing no further business, the regular meeting of the Mayor and Board of Aldermen was recessed until April 29, 1985 at 7:30 P.M., on this the 16th day of April, A.D., 1985.

Sidney O. Smith

SIDNEY O. SMITH, MAYOR

(SEAL)

(ATTEST)

Priscilla C. Daniel

PRISCILLA C. DANIEL, CITY CLERK

BE IT REMEMBERED, that there was begun and held the recessed meeting of April 16, 1985 on April 29, 1985, at 7:30 P.M., in the Board Room of said City.

- Those present: Mayor Sidney O. Smith
- City Attorney Thomas W. Tynner
- Aldermen: W. E. Boutwell
W. H. Campbell
Michael Lewis
Bobby Runnels
Leroy Scott
- Others present: J. C. Hahn
Ronald Stringer
and others

The Mayor declared a quorum present and declared the City Council in session. WHEREAS, Mayor Smith called for public comment.

THEREUPON, J. C. Hahn addressed the Board concerning certain areas in the city that will not be included in the sewer improvement project.

THEREUPON, Alderman Lewis stated that a definite time for service could not be given for these approximately 300 homes but upon completion of the contracted sewer improvement project it is projected that the additional houses can be added by our city crews at a minimum cost.

THEREUPON, Douglas Brown stated that he is for this project but he would like to see the engineering plan.

THEREUPON, Alderman Lewis stated that it is the plans of the Board to hold a public meeting on May 14th and all of the engineering plans will be available at that meeting.

WHEREAS, Alderman Lewis made a motion finding that prior to 7:30 P.M., on this date there have been no written protest filed and that the publication of the intent to issue the bonds was had and that 7:30 P.M. having arrived there have been no petitions filed protesting the issuance of the bonds. Alderman Scott seconded the motion.

- Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Michael Lewis
Leroy Scott
Bobby Runnels

Those present and voiting "NAY": None

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WHEREAS, City Attorney Thomas Tyner presented the following resolution declaring the intent to issue the bonds in the amount of \$2.5 million.

The Mayor and Board of Aldermen of the City of Petal, Mississippi, took up for consideration the matter of issuing general obligation sewer bonds of said municipality in the maximum principal amount of \$2,500,000. After a discussion of the subject, Alderman Lewis offered and moved the adoption of the following resolution:

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION SEWER BONDS OF SAID MUNICIPALITY IN THE MAXIMUM PRINCIPAL AMOUNT OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) TO RAISE MONEY FOR THE PURPOSE OF ESTABLISHING SANITARY OR SEWERAGE SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME, WITHIN AND FOR THE MUNICIPALITY; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi (the "Governing Body" of the "Municipality"), acting for and on behalf of the Municipality, hereby finds, determines, adjudicates and declares as follows:

1. It is necessary and in the public interest to issue general obligation sewer bonds of the Municipality in the maximum principal amount of Two Million Five Hundred Thousand Dollars (\$2,500,000) to raise money for the purpose of establishing sanitary or sewerage systems, and repairing, improving and extending the same, within and for the Municipality.

2. The assessed value of all taxable property within the Municipality, according to the last completed assessment for taxation, is Twenty Four Million Seven Hundred Nineteen Thousand Four Hundred Forty-Seven Dollars (\$24,719,447); the Municipality has outstanding bonded indebtedness subject to the ten percent (10%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, in the amount of One Hundred Thirty-Six Thousand Dollars (\$136,000), and outstanding bonded and floating geographical limits of the Municipality.

SECTION 2. The Governing Body proposes to direct the issuance of the Bonds in the amount, for the purpose and secured as aforesaid at a meeting of the Governing Body to be held at its regular meeting place in the City Hall of the Municipality at 7:30 o'clock P.M. on May 23, 1985, or at some meeting held subsequent thereto. If ten percent (10%) of the qualified electors of the Municipality, or fifteen hundred (1500), whichever is the lesser, shall file a written protest with the Clerk of the Municipality against the issuance of such Bonds on or before the aforesaid date and hour, then the Bonds shall not be issued unless authorized at an election on the question of the issuance of such Bonds to be called and held as provided by law. If no protest be filed, then such Bonds may be issued without an election on the question of the issuance thereof at any time within a period of two (2) years after the date above specified.

SECTION 3. This resolution shall be published once a week for at least three (3) consecutive weeks in the Hattiesburg American, Forrest County, Mississippi, a newspaper having a general circulation in the Municipality (no newspaper being published in the Municipality) and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972. The first publication of this resolution shall be made not less than twenty-one (21) days prior to the date fixed herein for the issuance of the Bonds, and the last publication shall be made not more than seven (7) days prior to such date. In addition, this resolution shall be posted for at least twenty-one (21) days preceding the date fixed herein for the issuance of the Bonds at three (3) public places in the Municipality.

SECTION 4. The Clerk of the Municipality is hereby directed

indebtedness subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972 (which amount includes the sum set forth above subject to the 10% debt limit), in the amount of One Hundred Seventy-Eight Thousand Dollars (\$178,000); the issuance of the bonds hereinafter proposed to be issued, when added to the outstanding bonded indebtedness of the Municipality, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid ten percent (10%) debt limit, of more than ten percent (10%) of the assessed value of taxable property within the Municipality, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, in excess of fifteen percent (15%) of the assessed value of taxable property within the Municipality and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the Municipality.

3. The Municipality is authorized by Sections 21-33-301 to 21-33-329, Mississippi Code of 1972, to issue the bonds hereinafter proposed to be issued for the purpose hereinafter set forth, for which purpose there are no other available funds on hand.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY AS FOLLOWS:

SECTION 1. The Governing Body hereby declares its intention to issue general obligation sewer bonds of the Municipality in the maximum principal amount of Two Million Five Hundred Thousand Dollars (\$2,500,000) (the "Bonds") to raise money for the purpose of establishing sanitary or sewerage systems, and repairing, improving and extending the same, within and for the Municipality. The Bonds will be general obligations of the Municipality 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

with the Governing Body a certificate setting forth the dates on which and the locations at which the resolution was posted.

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

Alderman W. E. Boutwell	voted: <u>Yea</u>
Alderman W. H. Campbell	voted: <u>Yea</u>
Alderman Michael V. Lewis	voted: <u>Yea</u>
Alderman Bobby W. Runnels	voted: <u>Yea</u>
Alderman Leroy Scott	voted: <u>Yea</u>

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this the 29th day of April, 1985.

Thomas Tyner
Mayor

ATTEST:

Thomas Tyner
City Clerk

Publish May 2, 9, 16, 1985

THEREUPON, Alderman Lewis made a motion to adopt the foregoing resolution.
Alderman Runnels seconded the motion.

Those present and voting "AYE": W.E. Boutwell
 W.H. Campbell
 Michael Lewis
 Bobby Runnels
 Leroy Scott

Those present and voting "NAY": None

WHEREAS, Mayor Smith presented the following Proof of publication:

- 1) Resolution - Intent to issue \$2.5 million bonds

THEREUPON, Alderman Boutwell made a motion that the foregoing Proof of Publication be accepted and filed. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell
 W. H. Campbell
 Michael Lewis
 Bobby Runnels
 Leroy scott

Those present and voting "NAY": None

WHEREAS, Mayor Smith presented the following zoning change requests for a hearing date.

- 1) Kaiser Runnels
- 2) Marshall B. Hatten

THEREUPON, Alderman Lewis made a motion to set the hearing dates for June 11, 1985. Mr. Runnels will be held at 7:00 P.M., and Marshall B. Hatten's at 7:30 P.M. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell
 W. H. Campbell
 Michael Lewis
 Bobby Runnels
 Leroy Scott

Those present and voting "NAY": None

WHEREAS, the City Clerk presented the following order requesting the cancellation of the tax sale of parcel #62980001 sold 4-1-85.

O R D E R

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to delete from the land sale the following parcel #62980001 in the name of Donald Butler sold on 4-1-85 to College Investment in the amount of \$301.45 for reason of clerical error.

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi deem it necessary to refund the money collected on the foregoing parcel and do hereby authorize the City Clerk to issue a warrant for this refund.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 29th day of April, 1985.

THEREUPON, Alderman Boutwell made a motion to adopt the foregoing order canceling the tax sale and authorize the City Clerk to refund the purchase at tax sale. Alderman Scott seconded the motion.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Michael Lewis
Bobby Runnels
Leroy Scott

Those present and voting "NAY": None

WHEREAS, Alderman Boutwell made a motion to adopt the following order hiring Ishmael Stanley Temple as Patrolman 4th Class effective 5-12-85 at a rate of pay of \$13,197.04 annually. Alderman Runnels seconded the motion.

O R D E R

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, do find it necessary to hire a patrolman in the Police Department.

IT IS THEREFORE ORDERED, that Ishmael Stanley Temple be, and he is hereby employed as Patrolman 4th Class at an annual salary of \$13,197.04, to serve from 5-12-85, until further orders of the Mayor and Board of Aldermen of the City of Petal, Mississippi.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 29th day of April, 1985.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Michael Lewis
Bobby Runnels
Leroy Scott

Those present and voting "NAY": None

(Alderman Lewis left meeting)

WHEREAS, Alderman Scott made a motion to authorize the City Clerk to advertise for bids for an air compressor for the Fire Department. Alderman Runnels seconded the motion.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Bobby Runnels
Leroy Scott

Those present and voting "NAY": None

THEREUPON, Alderman Runnels made a motion to adjourn. Alderman Scott seconded the motion.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Bobby Runnels
Leroy Scott

Those present and voting "NAY": None

Therebeing no further business, the regular recessed meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi was adjourned on this the 29th day of April, A.D., 1985.


MAYOR SIDNEY O. SMITH

(SEAL)

(ATTEST)


PRISCILLA C. DANIEL, CITY CLERK