

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI AT 7:00 PM ON APRIL 2, 1991 IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT	MAYOR JACK GAY, JR.
CITY ATTORNEY	THOMAS W TYNER
ALDERMEN	REUBEN CLEPPER JERRY CROWE DONALD H ROWELL BOBBY W RUNNELS LEROY SCOTT
OTHERS PRESENT	AUBRA EVANS RAYMOND DEARMAN RANDY MEADOR NELSON LUCIUS DAVID DIAZ-BARRIGA AND OTHERS

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

THE INVOCATION WAS OFFERED BY BOBBY RUNNELS.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, ALDERMAN ROWELL MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF MARCH 19, 1991 BE ACCEPTED AS WRITTEN. ALDERMAN CROWE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, THE HOUR OF 7:00 PM HAVING ARRIVED, THE MAYOR AND BOARD OF ALDERMEN PROCEEDED TO PUBLICLY OPEN AND READ THE SEALED BIDS FOR THE INTEREST RATE ON THE \$85,000. NEGOTIABLE NOTES TO BE ISSUED TO REFUND THE \$150,000 G.O. BONDS SERIES 1982. THE BIDS READ AS FOLLOWS TO-WIT:

BANK OF MISSISSIPPI 6.60 %

TRUSTMARK NATIONAL BANK 7.70%

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE BANK OF MISSISSIPPI'S BID OF 6.60 % FOR THE INTEREST RATE ON THE \$85,000 NEGOTIABLE NOTES. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, FIRE CHIEF AUBRA EVANS REQUESTED THAT THE BOARD ADVERTISE FOR BIDS FOR ADDITIONAL TURNOUT GEAR FOR THE FIRE DEPARTMENT DUE TO AN INCREASE IN THE MANPOWER OF THE VOLUNTEERS. THE FOLLOWING IS A LIST OF THE ITEMS:

SEE EXHIBIT "A"

LIST OF SUPPLIES

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE TURNOUT GEAR UPON RECEIPT OF THE SPECIFICATIONS. ALDERMAN CROWE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, NELSON LUCIUS AND DAVID DIAZ-BARRIGA OF NEEL-SCHAFFER, INC. PRESENTED THE RESULTS OF THE RECYCLING SURVEY CONDUCTED BY THEIR FIRM TO DETERMINE THE INTEREST OF THE CITIZENS OF PETAL IN A RECYCLING PROGRAM. MR. DIAZ-BARRIGA STATED THAT 94% OF THE RESPONDENTS INTERVIEWED EXPRESSED THAT THEY WOULD BE WILLING TO PARTICIPATE IN A CITY-WIDE RECYCLING PROGRAM AND OF THOSE WILLING TO RECYCLE, 98% (92% OF ALL RESPONDENTS) SUPPORTED THE DEVELOPMENT OF A CURBSIDE RECYCLING PROGRAM.

SEE EXHIBIT "B"

RECYCLING PROGRAM DEVELOPMENT PUBLIC SURVEY

THEREUPON, MR DIAZ-BARRIGA STATED THAT THERE ARE SOME MATCHING GRANT FUNDS AVAILABLE THROUGH CDBG ENERGY AND TRANSPORTATION WITH A MAXIMUM \$25,000 MATCHING GRANT AVAILABLE FOR EQUIPMENT AND UPSTART FUNDS FOR A RECYCLING PROGRAM.

THEREUPON, ALDERMAN ROWELL MADE A MOTION THAT NEEL-SCHAFFER, INC. AND THE CITY CLERK WORK TOGETHER TO APPLY FOR FUNDING FOR A CURBSIDE RECYCLING PROGRAM. ALDERMAN CROWE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MICHAEL MULLIN OF GFS PRESENTED A SEISMIC SURVEY TO THE BOARD AND EXPLAINED THE PLANS OF HIS COMPANY TO DO TESTING ON PRIVATE PROPERTY IN THE CITY OF PETAL AND REQUESTED PERMISSION TO PROCEED WITH THE PROJECT.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE PERMISSION PERMIT ALLOWING GFS TO PROCEED WITH THE PROJECT UPON RECEIPT OF A CERTIFICATE OF INSURANCE IN THE AMOUNT OF \$1,000,000. FROM GFS TO THE CITY. ALDERMAN CROWE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

- ALDERMAN REUBEN CLEPPER
- ALDERMAN JERRY CROWE
- ALDERMAN DONALD H ROWELL
- ALDERMAN BOBBY W RUNNELS
- ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT RAYMOND DEARMAN, CITY ENGINEER, HAS COMPLETED THE PLANS FOR THE CDBG SEWER REHAB PROJECT.

THEREUPON, RAYMOND DEARMAN PRESENTED THE COMPLETED PLANS AND STATED THAT AFTER REVIEW AND APPROVAL BY THE BUREAU OF POLLUTION CONTROL THE CITY CAN EXPECT TO BE READY TO ADVERTISE FOR BIDS ON THE PROJECT AROUND THE FIRST OF MAY.

WHEREAS, MAYOR GAY PRESENTED THE CONTRACT DOCUMENTS BETWEEN THE CITY OF PETAL AND SHOWS AND DEARMAN, INC. FOR THE ENGINEERING SERVICES FOR THE CDBG SEWER REHAB PROJECT.

THEREUPON, ALDERMAN ROWELL MADE A MOTION THAT THE MAYOR BE AUTHORIZED TO EXECUTE THE CONTRACTS WITH SHOWS AND DEARMAN, INC. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

- ALDERMAN REUBEN CLEPPER
- ALDERMAN JERRY CROWE
- ALDERMAN DONALD H ROWELL
- ALDERMAN BOBBY W RUNNELS
- ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A STATEMENT FROM SHOWS AND DEARMAN, INC. FOR THE PREPARATION OF THE PLANS FOR THE CDBG PROJECT IN THE AMOUNT OF \$47,892.00.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO PAY THE \$47,892.00 FROM THE SEWER CONSTRUCTION FUND. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

- ALDERMAN REUBEN CLEPPER
- ALDERMAN JERRY CROWE
- ALDERMAN DONALD H ROWELL
- ALDERMAN BOBBY W RUNNELS
- ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THE FOLLOWING LETTER WAS RECEIVED FROM FRANK D. MONTAGUE, JR., ATTORNEY FOR THE BOARD OF TRUSTEES OF THE LIBRARY OF HATTIESBURG, PETAL, AND FORREST COUNTY CONCERNING THE TITLE TO THE PROPERTY BEING ACQUIRED FOR THE PROPOSED NEW LIBRARY SITE AND THE MAYOR REQUESTED THE WISHES OF THE BOARD CONCERNING THE MANNER OF TAKING TITLE TO THE PROPERTIES FOR THE LIBRARY SITE.

SEE EXHIBIT "C"

LETTER FROM MONTAGUE, PITTMAN, ROGERS & SCHWARTZ

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO HAVE THE CITY OF PETAL INCLUDED IN THE TITLE TO THE PROPERTIES COMPRISING THE PROPOSED NEW LIBRARY SITE. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM NEEL-SCHAFFER, INC. THAT THE FINAL PAYMENT OF \$1,000 BE MADE TO KEN S TEMPLE ON RENTAL REHAB PROJECT NUMBER 0068000395.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION THAT THE CITY MAKE THE FINAL PAYMENT OF \$1,000 TO KEN S TEMPLE. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING LEGALLY BINDING AGREEMENT BETWEEN THE CITY OF PETAL, MISSISSIPPI AND WILLIS A. BOND A PARTICIPANT IN THE CITY OF PETAL RENTAL REHABILITATION PROGRAM.

SEE EXHIBIT "D"

AGREEMENT BETWEEN CITY OF PETAL AND WILLIS A BOND

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT. ALDERMAN CROWE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT IT WILL BE NECESSARY FOR THE CITY TO DESIGNATE AN AGENCY MANUAL COORDINATOR IN ORDER TO COMPLY WITH THE GRANT AGREEMENT #0-1135-112-PF-01, SPECIAL CONDITIONS II C FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO DESIGNATE JEFF LOFTUS, PROJECT ADMINISTRATOR, AS AGENCY MANUAL COORDINATOR. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

- ALDERMAN REUBEN CLEPPER
- ALDERMAN JERRY CROWE
- ALDERMAN DONALD H ROWELL
- ALDERMAN BOBBY W RUNNELS
- ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROOF OF PUBLICATION TO THE BOARD.

- A) NOTICE OF SALE OF NEGOTIABLE NOTES IN THE AMOUNT OF \$85,000. BY THE CITY OF PETAL, MISSISSIPPI

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT THE FOREGOING PROOF OF PUBLICATION BE ACCEPTED AND FILED. ALDERMAN CROWE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

- ALDERMAN REUBEN CLEPPER
- ALDERMAN JERRY CROWE
- ALDERMAN DONALD H ROWELL
- ALDERMAN BOBBY W RUNNELS
- ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING LETTER OF RESIGNATION FROM ROBERT FRIEND, CROSSING GUARD AT THE W L SMITH ELEMENTARY EFFECTIVE MARCH 25, 1991.

SEE EXHIBIT "E"

LETTER OF RESIGNATION - ROBERT FRIEND

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO ACCEPT ROBERT FRIEND'S LETTER OF RESIGNATION EFFECTIVE MARCH 25, 1991. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

- ALDERMAN REUBEN CLEPPER
- ALDERMAN JERRY CROWE
- ALDERMAN DONALD H ROWELL
- ALDERMAN BOBBY W RUNNELS
- ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING LIST OF SURPLUS EQUIPMENT WHICH THE CITY NEEDS TO DISPOSE OF.

SEE EXHIBIT "F"

LIST OF SURPLUS EQUIPMENT

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR THE SALE OF THE FOREGOING EQUIPMENT AT A PUBLIC AUCTION TO BE HELD ON MAY 18, 1991. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE CONTRACT BETWEEN THE CITY OF PETAL AND DON DURHAM AUCTIONEERS.

SEE EXHIBIT "G"

CONTRACT WITH DON DURHAM AUCTIONEERS

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE FOREGOING CONTRACT WITH DON DURHAM AUCTIONEERS TO CONDUCT THE PUBLIC AUCTION ON MAY 18, 1991. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED CLAIMS *16277 - *16800 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO PAY CLAIMS *16277-16800 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A TRAVEL REQUEST TO ATTEND THE MISSISSIPPI INDUSTRIAL DEVELOPMENT COUNCIL SPRING CONFERENCE ON MAY 8 - 10, 1991 IN JACKSON, MISSISSIPPI.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE THE MAYOR TO ATTEND THE MIDC SPRING CONFERENCE IN MAY AND TO PAY HIS EXPENSES. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A LETTER FROM THE NATIONAL MANAGEMENT ASSOCIATION REQUESTING THAT THE CITY PROCLAIM THE WEEK OF JUNE 3 - 7, 1991 AS MANAGEMENT WEEK IN PETALUMA.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PROCLAIM THE WEEK OF JUNE 3 - 7, 1991 AS MANAGEMENT WEEK IN PETALUMA. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE WEEK OF APRIL 1 - 5, 1991 IS COMMUNITY DEVELOPMENT BLOCK GRANT WEEK.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PROCLAIM THE WEEK OF APRIL 1 - 5, 1991 AS COMMUNITY DEVELOPMENT BLOCK GRANT WEEK IN PETALUMA. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT PURSUANT TO THE HEARING HELD AT 6:00 PM ON THIS DATE FOR OTIS BERRY THE FOLLOWING MOTION WAS MADE CONCERNING MR BERRY'S EMPLOYMENT WITH THE CITY.

ALDERMAN ROWELL MADE A MOTION THAT BASED UPON THE EVIDENCE PRESENTED THAT OTIS BERRY'S RESIGNATION BE REFUSED AND THAT HE BE DISCHARGED EFFECTIVE DECEMBER 21, 1990 FOR HIS MISCONDUCT IN TAKING GAS FROM THE CITY OWNED VEHICLE ON DECEMBER 21, 1990. ALDERMAN CROWE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT PURSUANT TO THE HEARING HELD AT 6:30 PM ON THIS DATE FOR ROBERT SMITH THE FOLLOWING MOTION WAS MADE CONCERNING MR SMITH'S EMPLOYMENT WITH THE CITY.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO CONCUR WITH MR STEVENS ACTION PLACING MR SMITH ON LEAVE WITHOUT PAY AND TO TERMINATE ROBERT SMITH'S EMPLOYMENT WITH THE CITY OF PETAL, MISSISSIPPI FOR WILLFUL MISCONDUCT EFFECTIVE APRIL 2, 1991. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING AMENDMENT TO THE AGREEMENT WITH NEEL-SCHAFFER, INC. FOR PROFESSIONAL SERVICES DATED AUGUST 21, 1990 TO INCREASE THE CONTRACT PRICE OF \$2,500 TO \$4,698 FOR THE MODIFICATION OF THE 1989 RENTAL REHABILITATION PROGRAM DATED JANUARY 29, 1991.

SEE EXHIBIT "H"

AMENDMENT TO AGREEMENT

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE FOREGOING AMENDMENT. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FOR A TAX SALE CANCELLATION ON PARCEL NUMBER 117-05750025-058.00 IN THE NAME OF GEORGE LEWELLYN FOR THE 1988 TAXES SOLD ON APRIL 3, 1989 TO THE CITY OF PETAL BECAUSE OF DOUBLE ASSESSMENT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE THE TAX SALE CANCELLATION FOR THE 1988 TAXES ON PARCEL * 117-05750025-058.00 IN THE NAME OF GEORGE LEWELLYN SOLD ON APRIL 3, 1989 TO THE CITY OF PETAL. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER HIRING MELVIN ALEXANDER AS A CROSSING GUARD AT W L SMITH ELEMENTARY SCHOOL EFFECTIVE MARCH 25, 1991 AT A RATE OF \$4.14 PER HOUR.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN DO HEREBY DEEM IT NECESSARY DUE TO THE RESIGNATION OF ROBERT FRIEND TO HIRE A CROSSING GUARD AT W L SMITH ELEMENTARY SCHOOL.

IT IS HEREBY ORDERED THAT MELVIN ALEXANDER IS HIRED AS A CROSS GUARD AT W L SMITH ELEMENTARY SCHOOL EFFECTIVE MARCH 25, 1991 AT A RATE OF \$4.14 PER HOUR.

SO ORDERED ON THIS THE 2ND DAY OF APRIL, A.D., 1991.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING ORDER HIRING MELVIN ALEXANDER AS A CROSS GUARD. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT PURSUANT TO THE FAIR LABOR STANDARDS ACT AND THE INCREASE OF MINIMUM WAGE TO \$4.25 PER HOUR HOURLY RATE OF THE SCHOOL CROSS GUARDS SHOULD BE INCREASED TO \$4.25 PER HOUR EFFECTIVE APRIL 1, 1991.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO INCREASE THE HOURLY RATE OF PAY FOR THE SCHOOL CROSS GUARDS DUE TO AN INCREASE IN THE MINIMUM WAGE.

IT IS SO ORDERED THAT THE HOURLY RATE OF PAY FOR MELVIN ALEXANDER AND EUGENE SMITH BE AND ARE HEREBY INCREASED TO \$4.25 PER HOUR EFFECTIVE APRIL 1, 1991

SO ORDERED ON THIS THE 2ND DAY OF APRIL, A.D., 1991.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING ORDER INCREASING THE RATE OF PAY FOR THE CROSS GUARDS. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED ORDINANCE 1986 (68D) TO CHANGE THE SEWER RATE SCHEDULE FOR THE FOUR MONTHS OF JUNE, JULY, AUGUST AND SEPTEMBER OF 1991.

SEE EXHIBIT "I"

ORDINANCE 1986 (68D)

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING RESOLUTION TO THE BOARD:

SEE EXHIBIT "J"

RESOLUTION CERTIFYING TO THE MISSISSIPPI DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT THAT THE CITY OF PETAL COMPLIES WITH PUBLIC LAW 101-144

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY REQUESTED THE WISHES OF THE BOARD CONCERNING THE PURCHASE OF A STRIPPING MACHINE FOR THE STREET DEPARTMENT.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION FOR THE MAYOR TO PREPARE SPECIFICATIONS FOR THE EQUIPMENT AND UPON RECEIPT OF THE SPECIFICATIONS THE CITY CLERK IS AUTHORIZED TO ADVERTISE FOR BIDS FOR THE STRIPPING MACHINE. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, CITY ATTORNEY, THOMAS W TYNER REQUESTED THAT THE BOARD AUTHORIZE THE CITY CLERK TO SEND A CERTIFIED COPY OF THE MINUTES OF THE HEARING HELD FOR OTIS BERRY TO RONNIE PEVEY, APPEALS REFEREE FOR THE MISSISSIPPI EMPLOYMENT SECURITY COMMISSION AND TO REQUEST THAT HE EFFECT SUCH APPEAL AS NECESSARY TO PUT ASIDE HIS PREVIOUS DECISION ALLOWING MR BERRY TO RECEIVE UNEMPLOYMENT BENEFITS.

THEREUPON, ALDERMAN CROWE MADE A MOTION TO AUTHORIZE THE CITY CLERK TO SEND THE AFOREMENTIONED INFORMATION TO MR PEVEY AND REQUEST THAT HE TAKE THE NECESSARY ACTIONS TO PUT ASIDE HIS PREVIOUS DECISION. ALDERMAN SCOTT SECONDED THE MOTION.

APR 1991

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN 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":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN DONALD H ROWELL
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

THEREBEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE
MAYOR AND BOARD OF ALDERMEN WAS ADJOURNED ON THIS THE 2ND DAY OF
APRIL, A.D., 1991.



JACK GAY
MAYOR

(SEAL)

ATTEST:


PRISCILLA C. DANIEL
CITY CLERK

EXHIBIT "A"

April 2, 1991

Mayor & Board Of Alderman
City of Petal

Gentlemen,

Due to a increase in the departments manpower it has become necessary for me to request new turnout gear for these men. The gear will consist of 12 items each.

12 Coats meeting NFPA standards Yellow in color

12 Pants meeting NFPA standards Yellow in color

10 Helmets meeting NFPA standards W/Ratchet head gear, with long face shields, Yellow in color.

1 Helmet same as above but White in color

1 Helmet same as above but Red in color

12 Short PBI hoods NFPA standards

12 Pair Fireman VIII Gloves or equal to NFPA standards

12 Pair of NFPA standards Knee Boots

ARUBA EVANS

SURVEY ANALYSIS

EXHIBIT "B"

In August of 1990, the City of Petal took its first step towards an organized approach to recycling. The move to recycle was spear-headed by the actions of local Cub Scout troops. The initial result of this effort was the placing of a centrally located recyclables "drop-off" center in the city. This drop-off center was operated by volunteers and opened each Saturday.

The public readily accepted the new center and participation in the recycling center was appreciable. In the first few months of operation the center collected one 18-wheeler trailer truck load of recyclable materials per month. In the months to follow participation in the program increased and by the fifth month the Cub Scouts found themselves with two trailer-loads of recyclable materials per month, and an increasing public interest.

As public interest increased City Hall soon experienced inquires as to the City's role in recycling. City officials responded and on Thursday March 14, Mayor Gay along with Petal's City Council met with representatives from Neel-Schaffer, Inc. to discuss recycling in Petal.

During this meeting Mayor Gay and the City Council elected to take a positive step in the direction of city-wide recycling by choosing to survey Petal's residents in an effort to gather more in-depth information regarding the public's feelings about recycling.

At the conclusion of the meeting Petal City Officials asked Neel-Schaffer, Inc. to assist in developing and conducting the survey. The first step in conducting the survey was to introduce the survey to the public. On Tuesday March 19, the City of Petal held a press conference at which Mayor Gay informed the public of the upcoming survey. The press conference, an attempt to elicit a higher percentage of responses, was covered by two television stations and the local press.

In developing the survey Neel Schaffer, Inc. collaborated with Dr. Janice DuBien, Professor of Statistics at Mississippi State University. With the assistance of Dr. DuBien a decision was made to conduct the survey by telephone because this method was the most economical means to collect enough responses to provide results within a $\pm 5\%$ confidence level.

The survey questions were formulated so that the respondent was asked a series of questions designed to collect information needed to assist in developing a recycling program for Petal. Appendix A

NEEL-SCHAFER, INC.
 ENGINEERS - PLANNERS

3

contains a copy of the survey introduction and pertinent definitions used by interviewers. Appendix B contains a copy of the actual survey used for the Petal study.

Paramount to the success of any recycling program is participation by the public. Therefore, the very first question of the survey is an inquiry into the public's interest in having a program.

Question 1 reads, "Would you be willing to participate in a city-wide recycling program?" The results being:

- 35% were strongly willing to participate in a recycling program,
- 59% were willing to participate in a recycling program,
- 6% were unwilling to participate in a recycling program.

Overall this represents that 94% of the public would be willing to participate in a recycling program.

Question 2 is designed to investigate the type of program the 94% who will recycle would like to have. During the preliminary discussion between Petal City Officials and Neel-Schaffer staff convenience to the public was identified as an issue of paramount importance to the success of a recycling program.

In consideration of the need to provide the public with a reasonably convenient means of recycling, city leaders felt if it were to be convenient on a city-wide basis, the program should be a curbside recycling program. A curbside recycling program as defined for this project is a recycling program that uses a collection system similar to the one currently used for garbage pickup in Petal, the City would, on a regular weekly basis, collect the recyclables put-out at the street by residents.

Question 2 reads, "Would you be willing to participate in a curbside recycling program?" The results to Question 2 are:

- 98% would be willing participate in a curbside program,
- 2% would not be willing to participate in a curbside program.

Question 3 was developed to gain insight into the respondents opinion on the chances of the recycling program's being successful.

Question 3 reads, "do you believe most of your neighbors would participate in a curbside recycling program?" The results of Question 3 are:

- 59% believed their neighbors would participate,
 EXHIBIT "B"
 4% believed their neighbors would not participate,
 37% did not know if their neighbors would or would not participate.

Overall this represents that the public believed that participation in a recycling program would be broad-based, and while 37% felt they could not speak for their neighbors only 4% discounted the possibility of their neighbors participation.

Question 3 was also intended to detect any bias by the respondent to give an answer he/she felt the interviewer was looking for. The very low percentage (4%) who did not believe their neighbors would participate indicates this type of bias is minimal.

Question 4 investigates the extent to which the residents would like to recycle.

Question 4 reads, "What types of materials would you like to see recycled?" The results to Question 4 are:

- 95% of the people who would recycle would like to recycle newspaper,
 93% of the people who would recycle would like to recycle aluminum,
 92% of the people who would recycle would like to recycle glass,
 91% of the people who would recycle would like to recycle vegetable cans/tin,
 94% of the people who would recycle would like to recycle milk jugs & plastic soft drink bottles.

The consistency between the percentages pertaining to each type of material is striking (a range of only 4 percentage points). This consistency is reflective of what was a general "I would like to recycle whatever we can" attitude displayed by respondents. These high across-the-board percentages represent an interest in a complete recycling program.

NEEL-SCHAFER, INC.
 ENGINEERS - PLANNERS

5

Question 5 addresses the issue of the number of containers that should be used, a matter generally assumed to relate to convenience.

Question 5 asks, "If Petal established a curbside recycling program, how many containers for recyclables should be used?" The results to Question 5 are:

- 37% of those questioned preferred one container for all recyclable materials,
 57% of those questioned preferred one container for each recyclable material,
 6% of those questioned responded that they did not know.

The results of Question 5 are interesting in that the majority (57%) of the people chose not what they perceived would be most convenient to themselves (a one-container system), but what they thought would be best for the program. This sentiment was commonly set forth by those who selected the multiple container system. However, many respondents who did prefer the one-container system cited convenience as the reason.

The question of what type of container to use will likely be one of the more debated. However, because of the healthy percentage of people who would likely practice source separation the city may elect to use a compartmentalized container, thus allowing for the materials to be in their most refined form following pickup.

One solution may be to use a trailer comprised of several compartments for the various types of recyclable materials. The size requirement for each compartment may vary according to the quantity of each type of material collected, therefore, an adjustable trailer, one that facilitates adjustments of compartment size would be most advantageous--especially during the start-up stage of the program and to counteract future variances in public recycling habits.

Question 6 addressed the issue of paying for the containers.

Question 6 asks, "Should Petal City Officials purchase the recycling containers for residents and provide them free of charge, or sell them to residents?" The results of Question 6 are:

- 50% of the respondents felt the city should provide the containers free of charge,

38% of the respondents stated they should sell the container(s) to householders.

12% of the respondents stated they did not know.

Many of the individuals who felt that the city should pay for the containers made reference to the effect that, since they were willing to put forth the effort to recycle the city should purchase the containers. As if saying, the city should do its share to. Many interviewees who responded that the city should sell the containers to residents noted that if the city provided them free of charge it would later recover the cost by increasing taxes. Several of the people who responded with "I don't know" seemed to think--government is just to complicated for me.

Question 7 sought information regarding the price individuals would be willing to pay for their household's recycling container.

Question 7 reads, "If you were to make a one-time purchase of your recycling container from the city, how much would you be willing to spend?" The statistics generated by question 7 are:

- 9% said they would not purchase a container from the city,
- 31% said they would be willing to spend \$5.00,
- 15% said they would be willing to spend \$7.50,
- 35% said they would be willing to spend \$10.00,
- 10% said they did not know.

One interesting result of the question is that the plurality of the respondents (35%) said they would pay the largest amount of money set forth. Two reasons for this were stated by many who responded \$10.00: (1) that it would be "a one-time purchase; and (2) that they wanted a "good quality" container. The next highest percentage of respondents (31%) said they would pay the least amount possible (\$5.00).

It is interesting to note that only 9% of the people interviewed responded that they would not pay the city for a container.

Question 8 attempted to discern whether or not the household would be willing to pay for a recycling program on an ongoing basis.

Question 8 reads, "If Petal established a curbside recycling program, would you be willing to pay to cover the cost of recycling?" The results of the responses are:

NEEL-SCHAFFER, INC.
ENGINEERS - PLANNERS

7

- 59% stated they would be willing to help pay to have a city-wide recycling program,
- 41% stated they would not be willing to help pay to have a city-wide recycling program.

The issue of paying for a recycling program may be the most difficult to settle. Although the majority of the households who would participate in a curb-side program (59%) stated they would be willing to help cover the cost of recycling, the fact that a high percentage (41%) said they would not could jeopardize the success of the program. Because, the number of households who would not help cover the cost of a program in addition to the respondents who answered "unwilling" (to recycle) to Question 1 leaves only 55% who would participate in and help pay for a recycling program.

Question 9 addresses the amount this 55% would pay for the program.

Question 9 reads, "How much would you be willing to pay for the recycling program?" The results to Question 9 are:

- 67% of those willing to pay would pay \$1-\$2 a month,
- 29% of those willing to pay would pay \$3-\$5 a month,
- 4% of those willing to pay would pay \$6-\$8 a month.

The relevance of the issue of cost is exemplified by the results of Question 9. Of the 55% willing to participate in and help pay for a city-wide recycling program, 67% would be willing to pay only up to \$2.00 per month.

Question 10 raised the possibility of altering the city's current waste disposal system to promote recycling.

Question 10 asks, "If switching to once-a-week garbage and once-a-week pickup for recyclables was necessary for the success of the recycling program, would you be willing to make the change?" The results are:

- 90% of those willing to participate in and help cover the cost of recycling would be willing to make the change,
- 10% of those willing to participate in and help cover the cost of recycling would not be willing to make the change.

NEEL-SCHAFFER, INC.
ENGINEERS - PLANNERS

EXHIBIT "B"

Question 11 essentially posed the same question as Question 10, except it was asked of the 41% who would like to recycle but would be unwilling to incur any cost to do so.

Question 11 reads, "If switching to once-a-week garbage and once-a-week recycling pick-up helped to eliminate any additional cost for recycling, would you participate?" The results to question 11 are:

- 83% of those willing to recycle but unwilling to pay for a program would be willing to make the change,
- 12% of those willing to recycle but unwilling to pay for a program would not be willing to make the change,
- 5% said they did not know.

The results of Question 11, when combined with the results of Question 10 show that a strong majority (81%) of the total (350) respondent households would be willing to change to once-a-week garbage pickup to facilitate recycling.

Of the 11% (35 households) willing to recycle (including both those willing to help cover the cost and those unwilling to help cover the cost of recycling) but unwilling to change to a one-day-a-week garbage one-day-a-week recyclables program, several cited having a large family as the reason for their decision. This poses a separate issue to be addressed by city leaders, who by solving the problem may secure the participation of some of the greatest recyclables producing households. One solution may be to provide large families (five or more members) with an additional outside storage container.

Question 12 was asked of those twenty-two (6% of total) respondents who answered "C" "unwilling" to Question 1.

Question 12 asks, "Why would you not participate in a recycling program?" The results to Question 12 are:

- 13% of those unwilling to recycle are unwilling because they do not want to pay for recycling,
- 32% of those unwilling to recycle are unwilling because it is too inconvenient,
- 23% of those unwilling to recycle are unwilling because they see no need to recycle,
- 32% of those unwilling to recycle don't know why.

NEEL-SCHAFER, INC.
ECONOMIC PLANNERS

Question 13 was asked of the five households who would participate in a recycling program, but not in a curbside program. The question was meant to offer the selection of an alternative type of recycling program. While 60% (3 of the 5) said they would participate in a drop-off recycling program, the actual percentage of households that would participate in a drop-off type program is unknown because of the high percentage of households who would participate in a curbside recycling program.

502 10A9

MONTAGUE, PITTMAN, ROGERS & SCHWARTZ

A PROFESSIONAL ASSOCIATION

ATTORNEYS AND COUNSELLORS AT LAW
EXHIBIT C
525 MAIN BUILDING

POST OFFICE DRAWER 1975

HATTIESBURG, MISSISSIPPI 39403-1975

REGINALD A. GRAY, JR. (1919-1979)
FRANK D. MONTAGUE, JR.
JAMES C. PITTMAN, JR.
F. DOUGLAS MONTAGUE, III
ROBERT L. ROGERS, JR.
THOMAS E. SCHWARTZ
BARBARA BOND PARKER
BRIAN A. MONTAGUE*
BOB W. PITTMAN, JR.

*ALSO ADMITTED IN THE
DISTRICT OF COLUMBIA

TELEPHONE
(601) 544-1234

FACSIMILE
(601) 544-1276

March 26, 1991

Honorable Lynn Cartlidge, President
Forrest County Board of Supervisors
P. O. Box 1310
Hattiesburg, MS 39403

Honorable Ed Morgan, Mayor
City of Hattiesburg
P. O. Box 1898
Hattiesburg, MS 39403

✓ Honorable Jack Gay, Mayor
City of Petal
119 W. 8th Avenue
Petal, MS 39465

RE: The Library of Hattiesburg, Petal and Forrest County

Gentlemen:

As you have been previously advised, the Library of Hattiesburg, Petal and Forrest County has arranged to acquire the tract which is the major portion of the proposed new library site.

Attached are copies of my letter of February 11, 1991, to the Attorney General and the Attorney General's reply dated March 25, 1991.

While the Attorney General's opinion reflects some misinformation about the existence of separate library boards of trustees, it does permit of a conclusion that title to the property may be taken in the names of the three governing bodies as tenants in common or in the name or one or more of such governing bodies.

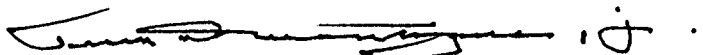
MONTAGUE, PITTMAN, ROGERS & SCHWARTZ

Page 2

I suggest that, for reasons of public understanding and support, consideration may be given to taking title in the names of the three governing bodies as tenants in common. Please advise at your earliest convenience your instructions concerning the manner of taking title to the properties comprising the proposed new library site.

With best regards, I am

Sincerely,



Frank D. Montague, Jr.

FDMjr:ms
Enclosures

cc: (w/enclosures)
Dr. Fred E. Tatum, Chairman
Ms. Pamela Pridgen, Director

EXHIBIT "D"
LEGALLY BINDING AGREEMENT
CITY OF PETAL
RENTAL REHABILITATION PROGRAM

This agreement is between the City of Petal, Mississippi, Post Office Box 564, Petal, Mississippi 39465 (the "City") and

Willis A. Bond, 405 Ford Drive, Petal, Mississippi 39465

("the undersigned").

For value received, the undersigned promises to pay the City of Petal a sum equal to the amount loaned to the undersigned through the City of Petal's Rental Rehabilitation Program, such sum not to exceed \$ 7,500. A ten percent (10%) portion of said principal will be forgiven on an annual basis provided the following conditions are met.

By participating in the City's Rental Rehabilitation Program and receiving the financial benefit of the loan, the undersigned agrees to the following conditions:

1. That there will be no conversion of project housing units to condominium ownership or any form of cooperative assistance, and that there will be no discrimination against prospective tenants on the basis of their receipt of or eligibility for housing assistance under any federal, state or local program; both of the above conditions to be in effect for a period of ten (10) years from the date of completion of the rehabilitated unit(s).
2. That the undersigned will perform or have performed the work necessary to bring the project unit(s) into compliance with applicable City codes, and, that in order to receive the loan funds, such work will be done to the satisfaction of the City of Petal, requirements of the HUD Housing Quality Standards, and the State of Mississippi's department of Community Development. In so agreeing, the undersigned also agrees to provide written documentation of all costs and/or labor expended in performing such work. Failure to provide such sufficient documentation will adversely affect the loan amount the owner would receive. By signing this agreement, the undersigned understands that the loan amount must be matched dollar-for-dollar by the undersigned, with the maximum loan amount not to exceed \$ 7,500, unless otherwise approved by the State of Mississippi's Department of Community Development.
3. Prior to receipt of any Rental Rehabilitation loan funds by the undersigned, work performed will be inspected and approved by the City and written documentation of expenses provided to the City by the undersigned. Upon completion of all work to be performed a final inspection will be made by the City, the Mississippi Regional Public Housing Authority, and the State, and upon approval of the above entities, final release of loan funds will be made to the undersigned, subject to the other conditions of this and other agreements. "Progress payments" may be made to the owner at, for example, the half-way point of a project rehabilitation, provided the terms of this condition are met.
4. If the undersigned does not complete the project rehabilitation on the unit(s), any Rental Rehabilitation loan funds the undersigned has received will become due and payable in full. The deadline for completion of project(s) is April 25, 1991, unless an extension is granted by the City. Requests for extensions must be made in writing and received by the City by May 15, 1991. Work on projects must commence within 90 days after the Pre-rehabilitation Report is filed by the City with HUD.
5. The City's Tenant Assistance Policy will be followed by the undersigned in the event of displacement of a tenant; and, affirmative marketing of vacancies will be done if applicable.
6. Building permits will be obtained from the City through the established procedure.
7. No lead-based paint will be used in the rehabilitation of units; federal regulations concerning this matter will be followed.
8. By signing this agreement, undersigned states that he/she has title to the property to be rehabilitated, and, that, in the event the undersigned sells or conveys the property, the new owner must agree to comply with the terms of the Rental Rehabilitation agreements. Failure to obtain this agreement from the new owner, and with the concurrence of the City, will result in the remaining portion of the loan becoming due and payable in full by the undersigned.
9. The undersigned will keep and maintain books, records and other documents relating directly to the receipt and disbursement of Rental Rehabilitation funds, and any duly authorized representative of the Governor's Office of Federal-State Programs, Department of

EXHIBIT "D"

Community Development, the U.S. Department of Housing and Urban Development (HUD) and/or the Comptroller General of the United States shall, at all reasonable times, have access to and the right to inspect, copy, audit, and examine all such books, records and any other documents of the undersigned, and have access to any portion of the project in which the undersigned is involved, until the completion of all close-out procedures respecting the City's Rental Rehabilitation grant and the final settlement and conclusion of all issues arising out of this grant.

- 10. The undersigned agrees to maintain the housing units listed below in a safe, decent, and sanitary condition throughout the term of this agreement. Failure to do so and subsequent failure to correct condition(s) can result in repayment of the remaining balance of the loan from that point in the term of the agreement.
- 11. The undersigned agrees that rents for the units listed below will be and remain generally affordable to lower income families. Failure to maintain rents affordable to lower income families may jeopardize the opportunity for the undersigned to participate in any subsequent or further Rental Rehabilitation projects.
- 12. At the time the project is completed, the City and the undersigned shall execute a promissory note for the loan to be secured by a deed of trust filed for record for the loan amount, said promissory note to be for a period of ten (10) years.
- 13. Failure by the undersigned to adhere to the above conditions will result in the City requiring the undersigned to repay the loan. If all conditions are met, the loan is forgiven at the rate of ten percent (10%) per year.

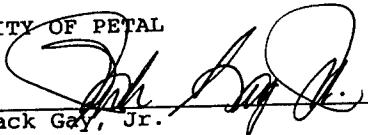
The property or properties to be rehabilitated by the undersigned are as follows:

One (1) three-bedroom single-family unit, located at 201 Mamie Street

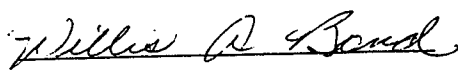
in Petal, Mississippi.

AGREED to, this date, by

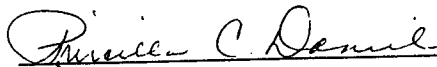
CITY OF PETAL


Jack Gay, Jr.
Mayor

UNDERSIGNED/OWNER



Attest:



Attest:

4/2/91
Date

_____ Date

EXHIBIT "E"

I Robert Friend hereby
resign as crossing guard for
W. L. Smith Elem.

3-25-91

Robert Friend

EXHIBIT "F"

POLICE DEPARTMENT:

ONE (1) 1979 CHRYSLER NEW YORKER VIN #TP42K9A152228

ONE (1) 1982 TOYOTA COROLLA VIN #JT2TE7553C0792272

ONE (1) HEAVY DUTY GENERATOR 60KW-75 KVA WEIGHT 4600 LBS SERIAL #PU728/G4-031
GENERATOR SET, DED, 60HZ, 120/208 V, 3 PHASE, 4 WIRE-240/416 V, 3 PHASE, 4
WIRE, 240 V.3 PHASE

FIRE DEPARTMENT:

ONE (1) KEE 22" LAWN MOWER PROPERTY #01390 SERIAL #15582

ONE (1) 1964 CHEVROLET 1/2 TON TRUCK SERIAL #0020571893678 PROPERTY #1376

STREET DEPARTMENT:

1 1979 DODGE D-10 SN D 14DE95244518 TAG#M5880

BLACK AND DECKER 22" HEDGE TRIMMER PROPERTY #00137

ECHO TRIMMER SN0009961 MODEL RM 303B PROPERTY #00645

STRIPPING MACHINE-NEW STRIPE-PROPERTY #00684 AND #00714

PORTA POWER BLACK HAWK JACK SNA447948 MODEL P76

EXHIBIT "H"

AMENDMENT TO AGREEMENT

The Agreement for Professional Services dated August 21, 1990, between the City of Petal, Mississippi (OWNER) and Neel-Schaffer, Inc. (CONSULTANT) is hereby amended as follows:

In addition to the original contract price of Two Thousand Five Hundred Dollars (\$2,500) for Basic Services Rendered under Section 5.1, OWNER shall pay CONSULTANT an additional Lump Sum Fee of Two Thousand One Hundred Ninety-Eight Dollars (\$2,198.00) which increase the contract for administrative services to Four Thousand Six Hundred Ninety-Eight Dollars (\$4,698) for the modification of the 1989 Rental Rehabilitation Program dated January 29, 1991.

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment on this 2ND day of APRIL, 1991.

OWNER: City of Petal
Petal, Mississippi

CONSULTANT: Neel-Schaffer, Inc.
Hattiesburg, Mississippi

By: [Signature]
Jack Gay
Mayor

By: [Signature]
Randall L. Meador
Vice President

ATTEST: [Signature] WITNESS: [Signature]

EXHIBIT "I"

ORDINANCE NUMBER 1986 (68D)
AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE 1986 68 C
OF THE CITY OF PETAL, MISSISSIPPI, SO AS TO CHANGE THE
SEWER RATE SCHEDULE FOR THE FOUR MONTHS OF JUNE, JULY,
AUGUST , AND SEPTEMBER OF 1991

BE IT ORDAINED by the Mayor and Board of Aldermen of
the City of Petal, Mississippi as follows:

SECTION 1. Section 2 of Ordinance Number 1986 (68)
as originally adopted on November 18, 1989 is hereby
amended to read as follows, to wit: 2.2 The sewer rate
schedule for the herein named four months; June, July,
August and September, of the summer of 1991 shall be
determined by the average of the past twelve (12) months
of billing. This rate schedule change will cease at the
end of September, 1990, and the heretofor used rate
schedule, Section 2.1. will again be effective.

SECTION 2. Validity

2.1 All Ordinances or parts of ordinances in
conflict herewith are hereby repealed.

2.2. The invalidity of any section, clause, sentence,
or provision of this ordinance shall not affect the
validity of any other part of this ordinance which can be
given effect without such invalid part.

SECTION 3. Ordinance in Force

This ordinance shall be in full force and effect
from and after its approval and passage.

SECTION 4. Ratification

The above ordinance was first reduced to writing and
read and considered by sections at the regular April 2,
1991, public meeting of the Mayor and Board of Aldermen
and on motion duly made for the adoption of said
ordinance and seconded, a vote was taken as follows:

Those present and voting "AYE":

Alderman Reuben Clepper
Alderman Jerry Crowe
Alderman Donald H. Rowell
Alderman Bobby W. Runnels
Alderman Leroy Scott

Those present and voting "NAY":

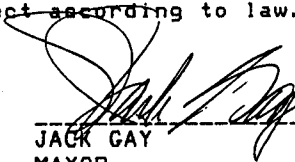
None

EXHIBIT "I"

CITY OF PETAL
ORDINANCE BOOK 2

PAGE 36

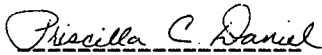
THEREUPON the Mayor declared the Ordinance duly adopted on this the 2nd day of April, 1991, and declared same to be in full force and effect according to law.



JACK GAY
MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL
CITY CLERK ^{ENO}

EXHIBIT "J"

RESOLUTION

RESOLUTION CERTIFYING TO THE MISSISSIPPI DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT THAT THE CITY OF PETAL COMPLIES WITH PUBLIC LAW 101-144.

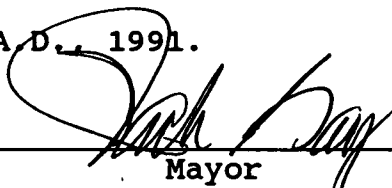
Whereas, the City of Petal has been awarded a 1990 Community Development Block Grant, project #0-1135-112-Pf-01; and

Whereas, the City of Petal must comply with Special Condition II E of the Grant Agreement with the Department of Economic & Community Development;

Now, Therefore, Be it Resolved by the City of Petal, Mississippi:

1. That the City of Petal has adopted a policy to prohibit the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.
2. That Mayor Jack Gay, being the chief executive officer of the City of Petal, is authorized to adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.

This is the 2nd day of April, A.D., 1991.



Mayor

Attest: