

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 P.M. ON DECEMBER 20, 1994 IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT	MAYOR JACK GAY
CITY ATTORNEY	THOMAS W TYNER
ALDERMEN	RAYMOND C. BRANDLE WILLIAM H. CAMPBELL REUBEN CLEPPER LEROY SCOTT SHELBY TIMS
OTHERS PRESENT	JERRY CROWE JEFFREY HOLLIMON JAMES GLADDEN GEORGE FAIR DAN TOLBERT WESLEY HUGHES AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY RAYMOND C. BRANDLE.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, ALDERMAN BRANDLE MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF DECEMBER 6, 1994 BE ACCEPTED AS WRITTEN. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY CALLED FOR PUBLIC COMMENT.

THEREUPON, JERRY CROWE ADDRESSED THE BOARD CONCERNING THE FOLLOWING MATTERS: FIRE DEPARTMENT FIRST RESPONDERS; PERSONNEL COMMITTEE; SHOP PETAL FIRST; PAY ORDINANCE FOR THE MAYOR'S AND BOARD'S SALARIES; AND THE PINE BELT REGIONAL SOLID WASTE AUTHORITY.

WHEREAS, JEFFREY HOLLIMON STATED THAT HE HAD A REPORT TO THE BOARD CONCERNING THE PENDING LITIGATION WITH THE GAS STORAGE FACILITIES.

THEREUPON, ALDERMAN CAMPBELL MADE A MOTION TO CLEAR THE ROOM TO DETERMINE IF THERE IS A NEED FOR AN EXECUTIVE SESSION. ALDERMAN BRANDLE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

THEREUPON, THE MEETING WAS REOPENED AND A MOTION MADE BY ALDERMAN CLEPPER TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE PENDING LITIGATION WITH THE GAS STORAGE FACILITIES AND THE PENDING LITIGATION CONCERNING THE GARDEN PLACE SUBDIVISION. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT NO ACTION WAS TAKEN DURING THE EXECUTIVE SESSION.

WHEREAS, MAYOR GAY STATED THAT H. C. CLEARMAN HAS REQUESTED THAT THE CITY ISSUE TWO (2) BUILDING PERMITS FOR THE GARDEN PLACE SUBDIVISION.

THEREUPON, THE BOARD WAS ADVISED BY DAN TOLBERT, BUILDING INSPECTOR, THAT THE TWO (2) APPLICATIONS FOR BUILDING PERMITS WERE INCOMPLETE, THEREFORE, THE MATTER OF THE ISSUANCE OF THE PERMITS WAS NOT CONSIDERED.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO TABLE THE MATTER UNTIL THE NEXT BOARD MEETING. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT CHARLENE FAGAN HAS PRESENTED AN INGRESS AND EGRESS PLAN FOR TRAFFIC AT THE CHILD CARE CENTER SHE PROPOSES TO OPEN ON SOUTH MAIN STREET, AS REQUESTED BY THE BOARD, AND HAS REQUESTED THAT THE BOARD GRANT HER AN EXCEPTION AS AUTHORIZED BY THE AMENDED ORDINANCE, ALLOWING CHILD CARE CENTERS IN C-2 ZONES.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO GRANT CHARLENE FAGAN APPROVAL FOR A DAY CARE CENTER AT 611 SOUTH MAIN STREET PURSUANT TO SECTION 6.063 OF ZONING ORDINANCE 1979(42) AS AMENDED. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT JERRINE WILSON OWNER OF GOD AND COUNTRY FASHIONS IS NO LONGER MANUFACTURING CLOTHING. MAYOR GAY STATED THAT IN ORDER FOR HER TO CONTINUE TO RECEIVE HER TAX EXEMPTION SHE MUST BE MANUFACTURING.

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT, AFTER PROPER NOTIFICATION HAVING BEEN MADE, THE TAX EXEMPTION FOR JERRINE WILSON DBA GOD AND COUNTRY FASHION BE WITHDRAWN EFFECTIVE DECEMBER 31, 1994. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT BECAUSE OF THE MANNER IN WHICH THE SEWER LINE ON CENTRAL AVENUE WAS REHABED WITH INSTITUFORM IT IS NOT FEASIBLE TO TAP THE LINE FOR SERVICE TO PAUL CRANE'S BUILDING ON THE OLD DAVID COX TRAILER SALES LOT LOCATION. MAYOR GAY STATED THAT IT WILL BE NECESSARY TO RUN AN 8" FROM SOUTH GEORGE TO PROPERTY LINE OF PAUL CRANE ALONG EASEMENT.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO AUTHORIZE THE SEWER DEPARTMENT TO RUN THE 8" SEWER LINE. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE SEWER EASEMENT FROM DAVID M. COX.

THEREUPON, ALDERMAN CAMPBELL MADE A MOTION TO ACCEPT THE SEWER EASEMENT FROM DAVID M. COX AND PAY HIM \$10.00 FOR THE EASEMENT. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE TWO WRITTEN QUOTATIONS FOR THE 8" SEWER PIPE.

SEE EXHIBIT "A"

CENTRAL PIPE SUPPLY, INC. 403' @ \$2.29 PER FT = \$922.87  
P O BOX 8946  
JACKSON, MS. 39284

DIXIE WHOLESALE WATERWORKS 403' @ \$2.47 PER FT = \$995.41  
P O BOX 48  
LOUISVILLE, MS. 39339

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE QUOTE FROM CENTRAL PIPE SUPPLY, INC. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A LIST OF CONTRACTOR'S AVAILABLE FOR THE 1994 HOME PROGRAM.

THEREUPON, DAN TOLBERT, CITY INSPECTOR, REQUESTED THAT THE BOARD TABLE THE APPROVAL OF THE CONTRACTOR'S LIST DUE TO A NEW STATE STATUTE THAT WILL REQUIRE LICENSING OF BUILDING CONTRACTORS.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO TAKE THE MATTER UNDER ADVISEMENT. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE MUNICIPAL COMPLIANCE QUESTIONNAIRE TO THE BOARD.

THEREUPON, ALDERMAN TIMS MADE A MOTION TO ACCEPT THE MUNICIPAL COMPLIANCE QUESTIONNAIRE AND TO ENTER IT UPON THE MINUTES. ALDERMAN CAMPBELL SECONDED THE MOTION.

EXHIBIT "B"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED INVOICE NUMBER 411581 IN THE AMOUNT OF \$1,800 FROM NEEL-SCHAFFER, INC. WHICH REPRESENTS 10% COMPLETION OF THE 1994 CDBG GENERAL ADMINISTRATION.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PAY NEEL-SCHAFFER, INC. \$1,800.00. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE REVENUE AND EXPENDITURES REPORT FOR THE MONTH OF NOVEMBER TO THE BOARD.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO ACCEPT THE REVENUES AND EXPENDITURES REPORT. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE GROUND LEASE ON THE PROPERTY LOCATED ON HIGHWAY 11 AND OWNED BY VICTORIA TOUSSAINT IS UP FOR RENEWAL.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO PAY VICTORIA TOUSSAINT \$25.00 FOR THE GROUND LEASE ON HER PROPERTY LOCATED ON HIGHWAY 11. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

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

A) NOTICE TO BIDDERS FOR ADDITIONAL BANK DEPOSITORIES

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY REQUESTED THE WISHES OF THE BOARD CONCERNING THE MISSISSIPPI MUNICIPAL ASSOCIATION'S MID-WINTER CONFERENCE JANUARY 25-26, 1994 IN JACKSON, MISSISSIPPI.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE THE CITY OFFICIALS AND THE CITY CLERK TO ATTEND THE MMA MID-WINTER CONFERENCE JANUARY 25-26, 1995, IN JACKSON AND TO PAY THEIR EXPENSES. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE CITY HAS RECEIVED A TOTAL OF \$1,250 FROM THE LOCAL BANKS TO BE USED FOR THE SIGN AT THE PETAL CIVIC CENTER AND LIBRARY. MAYOR GAY STATED THAT THE LIBRARY BOARD HAS APPROXIMATELY \$2,000 THAT CAN BE USED FOR THIS PROJECT; THEREFORE HE WOULD LIKE FOR THE BOARD TO CONSIDER AUTHORIZING APPROXIMATELY \$1000.00 - \$1500.00 TO COMPLETE THE AMOUNT NEEDED FOR THE PURCHASE OF THE SIGN.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ALLOCATE THE APPROXIMATELY \$1000.00/\$1500.00 AND TO AUTHORIZE THE MAYOR TO PROCEED WITH THE PROCEDURES TO PURCHASE THE SIGN FOR THE CIVIC CENTER AND LIBRARY. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF NOVEMBER.

WHEREAS, MAYOR GAY PRESENTED THE PROPOSAL FROM COMPOST TURF FARMS, INC. TO DISPOSE OF THE CITY'S YARD WASTE AT A COST OF \$7.50 PER TON.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ENTER INTO A CONTRACT FOR A PERIOD OF ONE YEAR FOR COMPOST TURF FARMS, INC. TO DISPOSE OF THE CITY'S YARD WASTE ON AN AS NEED BASIS. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDINANCE ADOPTING SECTION 27-27-1, ARTICLES 1 AND 3 OF THE MISSISSIPPI CODE OF 1972 AS THE SLOT AMUSEMENT AND VENDING MACHINE ORDINANCE FOR THE CITY OF PETAL.

SEE EXHIBIT "C"

**ORDINANCE NUMBER 1994 (83)**

OF THE CITY OF PETAL, MISSISSIPPI  
AN ORDINANCE ADOPTING SECTION  
27-27-1, ARTICLES 1 AND 3, et seq.,  
OF THE MISSISSIPPI CODE OF 1972,  
ANNOTATED AND AMENDED, AS THE SLOT  
AMUSEMENT AND VENDING MACHINE  
ORDINANCE FOR THE CITY OF PETAL,  
REPEALING ORDINANCE NUMBER 1974(9)

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED PROPOSALS FROM THE MISSISSIPPI MUNICIPAL LIABILITY PLAN AND FROM ROSS, KING, WALKER INSURANCE FOR THE CITY'S LIABILITY INSURANCE. THE QUOTES WERE AS FOLLOWS:

MISSISSIPPI LIABILITY PLAN 600 EAST AMITE STREET JACKSON, MS. 39202	\$60,282.00 WITH NO DEDUCTIBLE
ROSS KING WALKER, INC. 614 W PINE STREET HATTIESBURG, MS. 39402-5069	\$58,248.00 WITH \$2,500 DEDUCTIBLE PER CLAIMANT

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO PURCHASE THE CITY'S LIABILITY INSURANCE FROM THE MISSISSIPPI LIABILITY PLAN, BECAUSE THE DIFFERENCE IN THE PREMIUMS IS \$2,034.00 AND THE CLAIMS ON THE LAW ENFORCEMENT LIABILITY AND THE ERRORS AND OMISSIONS WILL BE A DEDUCTIBLE OF \$2,500 PER CLAIMANT WHICH WOULD WIPE OUT THE SAVINGS BETWEEN THE PLANS WITH ONLY ONE DEDUCTIBLE. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ADJOURN. ALDERMAN TIMS SECONDED THE MOTION.

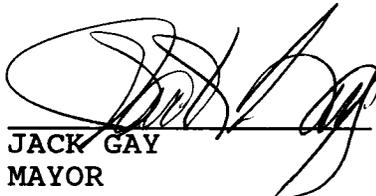
THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

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 20TH DAY OF DECEMBER, A.D., 1994.

  
\_\_\_\_\_  
JACK GAY  
MAYOR

(SEAL)

ATTEST:

  
\_\_\_\_\_  
PRISCILLA C. DANIEL  
CITY CLERK



INFORMATION

**EXHIBIT "B"**

Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no," and, as a result, more information on this questionnaire may be required and/or separate workpapers may be needed.

1. Name and address of municipality: City of Petal  
119 West 8th Avenue Petal, MS 39465
2. List the date and population of the latest official U.S. Census or most recent official census:  
7883
3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).
 

<u>Mayor Jack Gay</u>	<u>P O Box 564</u>	<u>Petal, MS</u>	<u>545-1776</u>
<u>Alderman Reuben Clepper</u>	<u>204 Starlane Drive</u>	<u>Petal, MS</u>	<u>582-7356</u>
<u>Alderman Raymond Brandle</u>	<u>1806 Old Richton Road</u>	<u>Petal, MS</u>	<u>544-7140</u>
<u>Alderman William Campbell</u>	<u>224 Cochran Street</u>	<u>Petal, MS</u>	<u>584-6588</u>
<u>Alderman Shelby Tims</u>	<u>314 Margaret Avenue</u>	<u>Petal, MS</u>	<u>584-8380</u>
<u>Alderman Leroy Scott</u>	<u>113 Azalea Drive</u>	<u>Petal, MS</u>	<u>583-1519</u>
<u>City Clerk Priscilla C. Daniel</u>	<u>P O Box 564</u>	<u>Petal, MS</u>	<u>545-1776</u>
<u>City Attorney Tom Tyner</u>	<u>P O Drawer 750</u>	<u>Hattiesburg, MS</u>	<u>39401 583-2671</u>
4. Period of time covered by this questionnaire:  
From: 10-1-93 To: 9-30-94
5. Expiration date of current elected officials' term: July 1997

IV-A7

Petal  
(MUNICIPALITY)

Certification to Municipal Compliance Questionnaire

Year Ended September 30, 1994

We have reviewed all questions and responses as contained in this Municipal Compliance Questionnaire for the Municipality of Petal, and, to the best of our knowledge and belief, all responses are accurate.

[Signature]  
(City Clerk's Signature)

[Signature]  
(Mayor's Signature)

12/22/94  
(Date)

12/24/94  
(Date)

Minute Book References:

Book Number \_\_\_\_\_

Page \_\_\_\_\_

(Clerk is to enter minute book references when questionnaire is accepted by board.)

MUNICIPAL COMPLIANCE QUESTIONNAIRE  
EXHIBIT "B"

ANSWER ALL QUESTIONS: Y - YES, N - NO, N/A - NOT APPLICABLE

PART I - GENERAL

- |   |   |
|---|---|
| 1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13)   | Y |
| 2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27)  | Y |
| 3. Are municipal records open to the public? (Section 25-61-5)  | Y |
| 4. Are meetings of the board open to the public? (Section 25-41-5)  | Y |
| 5. Are notices of special or recess meetings posted? (Section 25-41-13)   | Y |
| 6. Are all required personnel covered by appropriate surety bonds?  |   |
| • Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter)  | Y |
| • Municipal clerk (Section 21-15-38)  | Y |
| • Deputy clerk (Section 21-15-23)   | Y |
| • Chief of police (Section 21-21-1)   | Y |
| • Deputy police (Section 45-5-9) (if hired under this law)  | Y |
| 7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19)  | Y |
| 8. Are minutes of board meetings signed by the mayor or majority of the board within 30 days of the meeting? (Section 21-15-33)   | Y |
| 9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53)   | Y |
| 10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) | Y |

IV-A9

MUNICIPAL COMPLIANCE QUESTIONNAIRE

- |  |   |
|--|---|
| 11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31) | Y |
| 12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? (Section 21-35-31 or 21-17-19)   | Y |

PART II - CASH AND RELATED RECORDS

- |   |   |
|---|---|
| 1. Where required, is a claims docket maintained? (Section 21-39-7)   | Y |
| 2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9)  | Y |
| 3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7)                                    | Y |
| 4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13)       | Y |
| 5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13)  | Y |
| 6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9)    | Y |
| 7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23) | Y |
| 8. Has the municipality held a public hearing and published its adopted budget? (Section 21-35-5)   | Y |
| 9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25)            | Y |

**EXHIBIT D - HB 11**  
MUNICIPAL COMPLIANCE QUESTIONNAIRE

10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25) Y
11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) Y
12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) Y
13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) Y
14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) Y
15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) Y
16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution) -- Sections 21-19-45 through 21-19-59, etc.] Y
17. Are fixed assets property tagged and accounted for? (Section 7-7-211 - Municipal Audit and Accounting Guide) Y
18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y
19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) Y

**PART III - PURCHASING AND RECEIVING**

1. Are bids solicited for purchases, when required by law (written bids and advertising)? (Section 31-7-13(b) and (c)) Y
2. Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] Y

IV-A11

MUNICIPAL COMPLIANCE QUESTIONNAIRE

3. Are all one-source item and emergency purchases documented on the board's minutes? (Section 31-7-13(m) and (k)) Y
4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23) Y

**PART IV - BONDS AND OTHER DEBT**

1. Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) Y
2. Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) Y
3. Have the required trust funds been established for utility revenue bonds? (Section 21-27-65) Y
4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) Y
5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) Y

**PART V - TAXES AND OTHER RECEIPTS**

1. Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167) Y
2. Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53) Y
3. Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63) Y
4. Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53) Y

IV-A12

EXHIBIT "B"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

- |     |   |          |
|-----|---|----------|
| 5.  | Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321)  | <u>Y</u> |
| 6.  | Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5)   | <u>Y</u> |
| 7.  | Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1)   | <u>Y</u> |
| 8.  | Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37)   | <u>Y</u> |
| 9.  | Has the municipality levied or appropriated not less than 1/4 mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39) | <u>Y</u> |
| 10. | Are state-imposed court assessments collected and settled monthly? (Section 99-19-73)   | <u>Y</u> |
| 11. | Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21)  | <u>Y</u> |
| 12. | Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1)  | <u>Y</u> |

EXHIBIT "C"

ORDINANCE NO. 1994 (83)

OF THE CITY OF PETAL, MISSISSIPPI  
AN ORDINANCE ADOPTING SECTION  
27-27-1, ARTICLES 1 AND 3,  
et. seq., OF THE MISSISSIPPI CODE  
OF 1972, ANNOTATED AND AMENDED, AS  
THE SLOT AMUSEMENT AND VENDING  
MACHINE ORDINANCE FOR THE CITY OF  
PETAL, REPEALING ORDINANCE NUMBER  
1974 (9)

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

SECTION 1. That Section 27-27-1, Articles 1 and  
3, et. seq., of the Mississippi Code of 1972, as  
annotated and amended be and is hereby adopted, and all  
said included sections in Section 27 and any and all  
amendments thereto, shall constitute the Slot Amusement  
and Vending Machine Ordinance of the City of Petal,  
Mississippi, a Municipal Corporation, and the said act  
is hereby adopted and approved in its entirety.

SECTION 2. That Ordinance Number 1974 (9),  
adopted and approved on October 15, 1974, is hereby  
repealed.

SECTION 3. If any of the provisions of this  
ordinance, or the application thereof to any person or  
circumstances, are held to be invalid or  
unconstitutional, either as to any section, paragraph,  
sentence, or clause hereof, the remainder of this  
ordinance, and the application thereof, shall not be  
affected thereby.

SECTION 4. This ordinance shall take effect and  
be in force from and after January 1, 1995.

The foregoing Ordinance having been reduced to  
writing, the same was introduced and read and a vote  
was taken thereon, first section by section, then upon  
the Ordinance as a whole with the following results:

Those present and voting "Yea" and in favor of

EXHIBIT "C"

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

Those present and voting "NAY":

NONE

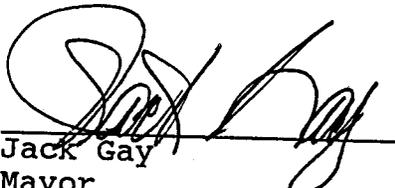
Those present and voting "Yea" and in favor of  
the adoption of the foregoing Ordinance as a whole:

ALDERMAN RAYMOND C BRANDLE  
ALDERMAN W H CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

Those present and voting "NAY":

NONE

WHEREUPON, the foregoing Ordinance be , and the  
same is hereby passed, adopted and approved on this the  
20th day of December, A. D., 1994.

  
\_\_\_\_\_  
Jack Gay  
Mayor

(SEAL)

ATTEST:

  
\_\_\_\_\_  
Priscilla C. Daniel  
City Clerk

publish one time: December 28, 1994

THIS

PAGE

LEFT

BLANK

INTENTIONALLY