

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 ON MARCH 1, 1994 AT 7:00 P.M. 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
BOBBY W. RUNNELS
LEROY SCOTT

OTHERS PRESENT

JESSE EASLEY
CHARLES KILPATRICK
DARLENE RUNNELS
JOE BEDWELL
CHIEF AUBRA EVANS
CHIEF WAYNE MURPHY

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

THE INVOCATION WAS OFFERED BY BOBBY W. RUNNELS

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, ALDERMAN BRANDLE MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 15, 1994 BE ACCEPTED AS WRITTEN. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY CALLED FOR PUBLIC COMMENT.

THEREUPON, JESSE EASLEY, RESIDENT OF HYLAND DRIVE, STATED THAT BECAUSE OF NEIGHBORS REPAIRING RACE CARS AND OTHERS OPERATING COMMERCIAL AUTO REPAIR SHOPS IN THEIR GARAGES HIS NEIGHBORHOOD HAS BECOME SO NOISY AN UNSIGHTLY THAT IT IS A NUISANCE TO HIM AND THE OTHER NEIGHBORS AND THEY WOULD LIKE FOR THE CITY TO TAKE CARE OF THE SITUATION.

THEREUPON, CHARLES KILPATRICK STATED THAT THE FUMES FROM THE GAS AND CARBURETOR CLEANER ARE SO STRONG AT HIS HOUSE, SINCE THE NEIGHBOR'S SHOP IS ABOUT 12 FEET FROM HIS PATIO, HE CANNOT SIT OUT ON THE PATIO.

THEREUPON, DARLENE REYNOLDS STATED THAT HER SONS OWN THE RACE CAR IN QUESTION AND THAT IT HAS BEEN BROKEN DOWN SINCE NOVEMBER UNTIL THE LAST FEW DAYS AND IT WAS CRANKED IN THE CLOSED GARAGE THEN. MS. REYNOLDS STATED THAT THE CAR WOULD NOT HAVE TO BE CRANKED AT ALL IF HER NEIGHBOR HAD ALLOWED THEM TO POUR A DRIVE-WAY INTO THEIR BACK YARD SO THAT THE TRAILER FOR THE CAR COULD BE BACKED UP TO THE SHOP.

THEREUPON, MAYOR GAY STATED THAT THE CITIZENS WILL HAVE TO ADDRESS THE NOISE PROBLEM BY SIGNING AN AFFIDAVIT AGAINST THEIR NEIGHBORS FOR VIOLATION OF THE CITY NOISE ORDINANCE. MAYOR GAY STATED THAT THE CITY CAN ADDRESS THE PROBLEM OF THE COMMERCIAL BUSINESS BEING OPERATED AS A NON-CONFORMING USE IN A RESIDENTIAL ZONE AS A VIOLATION OF THE CITY'S ZONING ORDINANCE.

WHEREAS, JOE BEDWELL STATED THAT HE WOULD LIKE TO REINFORCE HIS REQUEST FOR THE CITY TO PASS A NO SMOKING ORDINANCE FOR GROCERY STORES AND OTHER PUBLIC PLACES THAT THE PUBLIC MUST USE. MR. BEDWELL STATED THAT HE HAS TALKED TO THE GROCERY STORE MANAGERS AND THEY HAVE SAID THAT THEY WOULD ENFORCE THE ORDINANCE IF THE CITY WOULD ADOPT.

THEREUPON, MAYOR GAY STATED THAT THE CITY MIGHT CONSIDER SUCH AN ORDINANCE IF THE GROCERY STORES WOULD REQUEST AN ORDINANCE BANNING SMOKING IN THEIR STORES.

WHEREAS, MAYOR GAY PRESENTED THE WRITTEN QUOTATIONS FOR A PLASTIC PIPE LOCATOR FOR THE WATER DEPARTMENT.

SEE EXHIBIT 'A'

CONSOLIDATED PIPE AND SUPPLY 2845 METER ROAD JACKSON, MS. 39204	PVC PIPE LOCATOR WATER MTR TRANS FIRE PLUG TRANS	\$ 1,025.00 449.00 449.00 <hr/> \$ 1,923.00
UTILITY SUPPLY OF AMERICA P O BOX 1186 NORTHBROOK, ILL 60062	PVC PIPE LOCATOR WATER MTR TRANS FIRE PLUG TRANS	\$ 1,025.00 450.00 450.00 <hr/> \$ 1,925.00
RICHARD ST PE COMPANY P O BOX 24428 NEW ORLEANS, LA. 70184	PVC PIPE LOCATOR WATER MTR TRANS FIRE PLUG TRANS	\$ 1,091.00 493.00 493.00 <hr/> \$ 2,077.00

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO PURCHASE THE PIPE LOCATOR FROM THE LOWEST BIDDER, CONSOLIDATED PIPE AND SUPPLY IN THE AMOUNT OF \$1,923.00. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE WATER DEPARTMENT IS IN NEED OF A NEW UTILITY AND MAINTENANCE PICK-UP TRUCK AND THAT THE STATE CONTRACT OFFERS A 1994 GMC SONOMA FOR \$9,741.23.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO PURCHASE THE 1994 GMC SONOMA FOR \$9,741.23. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, CHIEF WAYNE MURPHY REQUESTED PERMISSION TO PURCHASE TWO (2) M21 45 WATT MOBILE RADIOS AT THE STATE CONTRACT BID PRICE OF \$598.40 EACH.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO PURCHASE TWO (2) M21 45 WATT MOBILE RADIOS FROM COMMERCIAL COMMUNICATIONS AT A COST OF \$598.40 EACH. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MR. PAUL WILLIAMS ADDRESSED THE BOARD CONCERNING HIS PLANS TO HOLD A BLUES FESTIVAL IN PETAL ON MAY 14, 1994 AT THE PETAL FAIRGROUNDS. MR. WILLIAMS STATED THAT HE WOULD LIKE TO SERVE FREE BEER AT THE FESTIVAL TO INCREASE THE ATTENDANCE, BUT THAT HE UNDERSTOOD THAT THE CITY'S OPEN CONTAINER ORDINANCE WOULD PROHIBIT THE SERVING OF BEER IN THE OPEN. MR. WILLIAMS REQUESTED THAT THE BOARD RESCIND THE ORDINANCE FOR THE ONE DAY OF HIS FESTIVAL.

THEREUPON, MAYOR GAY STATED THAT IT IS THE CONSENSUS OF THIS BOARD THAT THEY WILL NOT RESCIND THE ORDINANCE, BUT THAT THE CITY WILL SUPPORT MR. WILLIAMS EFFORTS TO HOLD A FESTIVAL WITHOUT THE SALE OR SERVING OF BEER IN OPEN CONTAINERS.

WHEREAS, MAYOR GAY PRESENTED A LETTER OF RESIGNATION FROM MR. JOE DEAN FROM THE WARD 11 POSITION ON THE PLANNING COMMISSION.

THEREUPON, ALDERMAN CAMPBELL MADE A MOTION TO ACCEPT MR DEAN'S RESIGNATION. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST TO INCREASE THE PETTY CASH FOR THE RECREATION DEPARTMENT FROM \$50.00 TO \$100.00 BUT UPON RECOMMENDATION OF THE RECREATION DIRECTOR HE WOULD RECOMMEND THE INCREASE TO \$75.00.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO INCREASE THE PETTY CASH FOR THE RECREATION TO \$75.00. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED ESTIMATE # 1 FOR THE SEWER REVOLVING FUND (SRF) PROJECT TO C.J. MORGAN COMPANY IN THE AMOUNT OF \$53,953.20.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO PAY C.J. MORGAN COMPANY \$53,953.20 FOR ESTIMATE #1. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A STATEMENT FROM SHOWS, DEARMAN & WAITS FOR ENGINEERING SERVICES ON THE SRF PROJECT IN THE AMOUNT OF \$5,523.75.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO PAY SHOWS, DEARMAN AND WAITS, INC. \$5,523.75 FOR ENGINEERING SERVICES ON THE SRF PROJECT. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT, AS PREVIOUSLY APPROVED, HE HAS EXECUTED THE REQUEST FOR REIMBURSEMENT FOR THE CONSTRUCTION PROJECT UNDER THE MISSISSIPPI STATE REVOLVING FUND LOAN PROGRAM IN THE AMOUNT OF \$97,026.45, WHICH REPRESENTS THE FOLLOWING

ESTIMATE # 1 (C.J. MORGAN)	\$53,953.20
SHOWS, DEARMAN & WAITS	5,523.75
REIMBURSEMENT FOR 201 FACILITY	<u>37,549.50</u>
	\$97,026.45

THEREUPON, ALDERMAN CLEPPER MADE A MOTION CONCURRING WITH THE MAYOR'S APPROVAL OF THE REQUEST FOR REIMBURSEMENT. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED INVOICE # 401562 IN THE AMOUNT OF \$793.51 WHICH REPRESENTS TECHNICAL SERVICES BY NEEL-SCHAFFER, INC. FOR THE PETAL URBAN FORESTRY PROGRAM.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PAY NEEL-SCHAFFER, INC. \$793.51. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT IT WILL BE NECESSARY TO ADVERTISE THE NOTICE FOR TWO PUBLIC HEARINGS TO BE HELD IN CONJUNCTION WITH THE APPLICATION FOR GOVERNOR'S OFFICE OF FEDERAL-STATE PROGRAMS, DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG).

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO ADVERTISE THE NOTICE OF PUBLIC HEARINGS TO BE HELD ON MARCH 15, 1994 AND MARCH 22, 1994 AT 5:00 P.M. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING AGREEMENT BETWEEN THE CITY OF PETAL AND NEEL-SCHAFFER, INC. FOR THE PROFESSIONAL SERVICES REQUIRED FOR APPLICATION PREPARATION OF THE CITY OF PETAL'S 1994 CDBG APPLICATION.

SEE EXHIBIT "B"

AGREEMENT BETWEEN OWNER AND CONSULTANT
FOR PROFESSIONAL SERVICES

THEREUPON, ALDERMAN CAMPBELL MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE FOREGOING AGREEMENT. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROCLAMATION PROCLAIMING MARCH AND APRIL, 1994 AS "LITTER CONTROL, CLEAN-UP MONTHS".

SEE EXHIBIT "C"

PROCLAMATION

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO ADOPT THE FOREGOING PROCLAMATION. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED ESTIMATE # 6 FOR MAPLES CONSTRUCTION COMPANY IN THE AMOUNT OF \$24,302.70 FOR THE MULTI-PURPOSE CENTER.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION THAT TO PAY MAPLES CONSTRUCTION CO.. \$24,302.70 FOR ESTIMATE #6. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED CLAIMS #28153 - 28539 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS.

THEREUPON, ALDERMAN CAMPBELL MADE A MOTION TO PAY CLAIMS #28153-28539 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY REQUESTED PERMISSION FOR THE CITY CLERK TO SEND IN THE REGISTRATION AND OBTAIN RESERVATIONS FOR THE CITY OFFICIALS ATTENDING THE MISSISSIPPI MUNICIPAL ASSOCIATION CONVENTION JUNE, 26 - JUNE 30, 1994.

THEREUPON, ALDERMAN CAMPBELL MADE A MOTION TO AUTHORIZE THE CITY CLERK TO HANDLE THE REGISTRATION AND RESERVATION FOR THOSE CITY OFFICIALS ATTENDING THE MMA CONVENTION. ALDERMAN BRANDLE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING RESOLUTION:

SEE EXHIBIT "D"

RESOLUTION OF THE BOARD OF ALDERMEN OF PETAL
(i) DESIGNATING A REPRESENTATIVE FOR THE
PURPOSE OF ENTERING INTO AN AGREEMENT TO
TERMINATE AN INTERLOCAL COOPERATION AGREEMENT;
(ii) TERMINATING THE PARTICIPATION OF PETAL IN
SUCH AGREEMENT; AND FOR RELATED PURPOSES.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH DEPOSIT GUARANTY NATIONAL BANK.

SEE EXHIBIT "E"

RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN
EQUIPMENT LEASE-PURCHASE AGREEMENT WITH DEPOSIT GUARANTY
NATIONAL BANK FOR THE PURPOSE OF LEASE-PURCHASING CERTAIN
EQUIPMENT

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ADOPT THE
FOREGOING RESOLUTION APPROVING THE LEASE-PURCHASE AGREEMENT FOR THE
POLICE CAR WITH DEPOSIT GUARANTY NATIONAL BANK. ALDERMAN CAMPBELL
SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING RESOLUTION
AUTHORIZING THE FILING OF THE APPLICATION FOR THE CDBG.

SEE EXHIBIT "F"

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION
WITH THE STATE OF MISSISSIPPI, DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT FOR A SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT UNDER THE HOUSING AND COMMUNITY
DEVELOPMENT ACT OF 1974, AS AMENDED

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ADOPT THE
FOREGOING RESOLUTION. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED SEWER EASEMENTS FROM MARY DEAN
MEADOR AND PATRICIA J. LOWE.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE
EASEMENTS AND TO PAY MS. MEADOR AND MS. LOWE \$10.00 EACH. ALDERMAN
CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, THOMAS TYNER, CITY ATTORNEY, STATED THAT IN THE PROCESS OF OBTAINING A CERTAIN EASEMENT FROM ROBERT AND GLORIA SULLIVAN THE WRONG LEGAL DESCRIPTION WAS USED WHICH PUT THE EASEMENT ACROSS A PARCEL OF LAND NOT OWNED BY THE SULLIVANS. MR. TYNER STATED THAT IN ORDER TO CORRECT THIS PROBLEM THE MAYOR SHOULD BE AUTHORIZED TO EXECUTE AN ACKNOWLEDGEMENT AND DICLAIMER OF ANY INTEREST IN CERTAIN REAL PROPERTY.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE AN ACKNOWLEDGMENT AND DISCLAIMER OF INTEREST IN CERTAIN REAL PROPERTY TO CORRECT THE ERRONEOUS DEED. ALDERMAN BRANDLE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE CITY HAS BEEN ADVISED BY THE PRINCIPAL AT W. L. SMITH ELEMENTARY SCHOOL THAT JIMMY LEE JONES HAS RESIGNED FROM THE W.L. SMITH SCHOOL AND THEREFORE WILL NOT BE PERFORMING THE DUTIES OF CROSS GUARD.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO FIND THAT MR JONES HAS VACATED HIS POSITION AS CROSS GUARD AT THE W.L. SMITH ELEMENTARY SCHOOL. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT BEVERLY STEVENS, A TEACHER'S AIDE AT W. L. SMITH HAS BEEN RECOMMENDED FOR THE POSITION OF CROSS GUARD BY THE PRINCIPAL.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ADOPT THE FOLLOWING ORDER HIRING BEVERLY STEVENS AS CROSS GUARD AT A RATE OF \$4.25 PER HOUR EFFECTIVE MARCH 2, 1994. ALDERMAN RUNNELS SECONDED THE MOTION.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, DUE TO THE RESIGNATION OF JIMMIE LEE JONE, CROSS GUARD, DO HEREBY DEEM IT NECESSARY TO HIRE A CROSS GUARD FOR THE W. L. SMITH ELEMENTARY SCHOOL.

IT IS HEREBY ORDERED THAT BEVERLY STEVENS BE HIRED AS CROSS GUARD EFFECTIVE MARCH 2, 1994 AT A RATE OF \$4.25 PER HOUR.

SO ORDERED ON THIS THE 1ST DAY OF MARCH, A.D.,
1994.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM THE FORREST COUNTY BOARD ATTORNEY, JEFF HOLLIMON, REQUESTING THE USE OF THE NEW PETAL MULTI-PURPOSE CENTER, WHEN COMPLETED, AS A VOTING PLACE SINCE THE LIBRARY AT W.L. SMITH SCHOOL HAS BEEN CONVERTED INTO CLASSROOMS THERE IS NO CONVENIENT PLACE TO VOTE WHILE SCHOOL IS IN SESSION. MR. HOLLIMON STATED THAT IN ORDER TO MOVE THE VOTING PLACE A FORMAL SUBMISSION TO THE U. S. DEPARTMENT OF JUSTICE FOR PRECLEARANCE UNDER THE CIVIL RIGHTS ACT, AND IN ORDER TO PROCEED, THE CITY WILL NEED TO ENTER A RESOLUTION GRANTING THE COUNTY PERMISSION AN AUTHORITY TO USE THE PETAL COMMUNITY CENTER AS A VOTING PLACE FOR ALL ELECTIONS.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION AUTHORIZING THE USE OF THE PETAL COMMUNITY CENTER, UPON COMPLETION, AS A VOTING PLACE FOR ALL FUTURE ELECTIONS AND TO SUBMIT TO THE JUSTICE DEPARTMENT ON BEHALF OF THE CITY A REQUEST FOR PRECLEARANCE TO CHANGE THE CITY'S VOTING PLACE TO THE COMMUNITY CENTER ALSO. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
ALDERMAN BOBBY W RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C BRANDLE
ALDERMAN W H CAMPBELL
ALDERMAN REUBEN CLEPPER
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 1ST DAY OF MARCH, A.D., 1994.



JACK GAY
MAYOR

(SEAL)

ATTEST:


PRISCILLA C. DANIEL
CITY CLERK

EXHIBIT "A"



UTILITY - QUOTATION		2845 METER ROAD JACKSON, MISSISSIPPI 39204		Bill to:
CITY OF PETAL	Date:	2-25-94	F.O.B.:	
	Del.:			
	Terms:			
	Eng:			
ATTENTION: MR. RALPH EDDLEMON		SUBJECT:		

ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	EXTENSION
	1	RD 5000 RX PAL RECEIVER, HEADPHONE, DISC. TRANSmitter, HARD CASE VIDEO PVC PIPE LOCATOR	1025.00	
	1	WATER METER TRANSMITTER PAK 10/5 2008B	449.00	
	1	FIRE PLOG TRANSMITTER PAL 10/5 2008A	449.00	

All quantities and materials listed are our interpretation of the specifications and are not guaranteed. Standard materials are listed by that of the manufacturer only. All quantities are subject to correction of material waste and variations and are subject to change without notice. Changes of material cost of other items beyond our control, in all cases will apply.

SUB-TOTAL
LESS CASH DISCOUNT
TOTAL

Page 1 of 1

By: *Michael O'Meara*
Title: *Sales*

UTILITY SUPPLY OF AMERICA
3995 Commercial Avenue
P.O. Box 1188
Northbrook, Illinois 60062
TEL: (708) 291-7000 • FAX (708) 272-8914
1-800-548-1234

QUOTATION

QUOTE NO. 002774
PAGE 1
DATE 02/25/94

SHIP TO: TEMP
Petal City Of W & WW Dept.
119 W. 8th Avenue
PO Box 564
Petal, MS 39465-0564

BILL TO: QUOTE

REFERENCE NUMBER	EXPIRES	SLIP	TERMS	WH	FREIGHT	SHIP VIA
2/25/94 RALPH	03/31/94	SMB	2%/10; Net 30	01	PREPAID	UPS

QUOTED BY	SMB	QUOTED TO	DESCRIPTION	QUANTITY	UNIT	PRICE	PER	EXTENSION
		RALPH EDDLEMON						
31315			Water Pipe Locator (Rover for PVC, A/C, Transite)		EA	1025.00	EA	1025.00
31318			Hydrant Pulse Transmitter Pack for PVC, A/C and Transite Pipe		EA	450.00	EA	450.00
31321			Water Meter Pulse Transmitter (with accessories)		EA	450.00	EA	450.00

MERCHANDISE	MISCELLANEOUS	TAX	FREIGHT	TOTAL
1925.00	.00	.00	15.00	1940.00

Please Use Our Quote on PO's etc.



December 14, 1993

QUOTATION TO:
City of Petal
Petal, Mississippi
Attention: Ralph Eddlemon
RE: RD-500 Plastic Water Pipe Locator

Gentlemen:
We wish to quote on the following:
One (1) RD-500 Receiver Pak.....\$ 1,091.00
One (1) RD-500 Sprinkler Pak.....\$ 441.00
One (1) RD-500 Water Meter Pak.....\$ 493.00
One (1) RD-500 Fire Hydrant Pak.....\$ 493.00
The above prices do not include freight or any applicable taxes.

Yours truly,
Robert St. Pe
Robert St. Pe

\$ 2077.00

EXHIBIT "B"

AGREEMENT BETWEEN OWNER AND CONSULTANT
FOR PROFESSIONAL SERVICES

This is an agreement made on March 1, 1994, between the City of Petal, Post Office Box 564, Petal, Mississippi 39465, (OWNER) and Neel-Schaffer, Inc., Post Office Box 982, Hattiesburg, Mississippi 39403-0982 (CONSULTANT).

OWNER and CONSULTANT agree:

A. SCOPE OF SERVICES

CONSULTANT shall perform professional services as stated in Exhibit A which is attached to and made a part of this agreement. These services are in connection with the preparation of a 1994 CDBG Application.

B. COMPENSATION

OWNER shall compensate CONSULTANT a lump sum of \$5,000.00 when services are completed.

C. PERIOD OF SERVICES

The services to be provided shall be completed and said application submitted to the Department of Economic and Community Development no later than April 18, 1994.

D. OTHER PROVISIONS

- 1. This agreement is subject to the following special provisions, which are attached to and made a part of this Agreement:

Exhibit A, Scope of Services
Exhibit B, Standard HUD Contractual Clauses

- 2. This Agreement, consisting of Pages One (1) to Five (5), inclusive, together with the Exhibits identified above, constitute the entire agreement between OWNER and CONSULTANT and supersede all prior written and oral understandings. This Agreement and said Exhibits may only be amended, supplemented, modified or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties below have executed this Agreement as of the day and year first written above.

OWNER: City of Petal

CONSULTANT: Neel-Schaffer, Inc.

BY: [Signature]
Jack Gay, Mayor

BY: [Signature]
Randall L. Meador, Vice President

ATTEST: [Signature]

ATTEST: [Signature]

STATE OF MISSISSIPPI

Office of the Governor



*A Proclamation
by the
Governor*

Whereas, the State of Mississippi is rich in natural resources that enhance our existence by making our surroundings more enjoyable and more beautiful; and

Whereas, all citizens should work together to keep our environment clean and should be willing to do their part to preserve clean air, fresh water and the beauties of nature; and,

*Whereas, the elimination of litter and trash from our environment is one of the important goals of **KEEP MISSISSIPPI BEAUTIFUL**. Every community and every citizen should be involved in litter control and clean-up efforts in Mississippi; and*

Whereas, citizens of all ages should be aware of the problems caused by litter and an unclean, unsafe environment:

Now, Therefore, I, Kirk Fordice, Governor of the State of Mississippi, do hereby proclaim the months of March and April, 1994,

LITTER CONTROL, CLEAN-UP MONTHS

*in Mississippi and encourage our citizens to join in by helping to beautify our towns, communities, cities, and State. During March and April, let us begin to work together to really **KEEP MISSISSIPPI BEAUTIFUL**.*



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

DONE at the Capitol, in the City of Jackson, this 24th day of January, in the year of our Lord, nineteen hundred and ninety-four, and of the United States of America, the two hundred and eighteenth.

Kirk Fordice
GOVERNOR

BY THE GOVERNOR

Dina M. Moore
SECRETARY OF STATE

EXHIBIT "D"

Alderman Clepper moved the adoption of the following resolution:

RESOLUTION OF THE BOARD OF ALDERMEN OF PETAL
(i) DESIGNATING A REPRESENTATIVE FOR THE PURPOSE OF ENTERING INTO AN AGREEMENT TO TERMINATE AN INTERLOCAL COOPERATION AGREEMENT;
(ii) TERMINATING THE PARTICIPATION OF PETAL IN SUCH AGREEMENT; AND FOR RELATED PURPOSES.

WHEREAS the cities of Hattiesburg, Laurel, and Petal, together with Covington, Jones, Lamar, and Perry Counties (the Parties), previously entered into an Interlocal Cooperation Agreement (Agreement) pursuant to the provisions of the Interlocal Cooperation Act of 1974, Mississippi Code Annotated SS 17-13-1 to - 17 (Supp. 1993), a copy of which is spread upon the minutes of this body at book 12, page 314, for the purposes described therein; and

WHEREAS the said Agreement provides that "[u]pon termination in writing by the Parties this Agreement shall be completely terminated" and that "[a]ny one Party can terminate its participation in this Agreement by giving written notice to all other Parties"; and

WHEREAS it is the desire of The Board of Aldermen of The City of Petal to terminate the participation of The City of Petal in the Agreement and for all the Parties to completely terminate the Agreement in writing;

THEREFORE, BE IT RESOLVED by The Board of Aldermen of The City of Petal that

- (1) the above referenced Interlocal Cooperation Agreement should be terminated;
- (2) ~~Alderman~~ Mayor Jack Gay is hereby duly appointed as the designated representative of The City of Petal for the purpose of entering into an agreement terminating said Interlocal Cooperation Agreement;
- (3) Regardless of whether the parties mutually agree to completely terminate the Interlocal Cooperation Agreement, The Board of Aldermen hereby terminates the participation of The City of Petal therein and instructs the clerk of this body to send a copy of this resolution to each of the other Parties thereto as notice of such termination of participation.

Alderman Campbell seconded the motion to adopt the foregoing resolution, and the vote thereupon was as follows:

Alderman <u>Raymond Beadle</u>	voted:	<u>YEA</u>
Alderman <u>William H. Campbell</u>	voted:	<u>YEA</u>
Alderman <u>Reuben Clepper</u>	voted:	<u>YEA</u>
Alderman <u>Bobby W. Runnels</u>	voted:	<u>YEA</u>
Alderman <u>Leroy Scott</u>	voted:	<u>YEA</u>

The motion having received the foregoing vote of the Governing Body, the Mayor declared the motion carried and the resolution duly adopted, this the 1st day of March, 1994.

The City of Petal, Mississippi

By: Jack Gay
Mayor

Reuben C. Daniel
Clerk

WHEREAS, the Mayor and the Board of Aldermen (the "Governing Body") of the City of Petal, MS (the "Lessee"), acting for and on behalf of the Lessee hereby finds, determines and adjudicates **EXHIBIT "E"**

1. The Lessee desires to enter into an Equipment Lease-Purchase Agreement with the Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" (the "Agreement") with Deposit Guaranty National Bank (the "Lessor") for the purpose of presently purchasing the equipment as described therein for the total cost specified therein (collectively the "Equipment") and to purchase such other equipment from time to time in the future upon appropriate approval;
2. The Lessee is authorized pursuant to the laws of the State of Mississippi to acquire the Equipment by lease-purchase agreement and pay interest thereon by contract;
3. It is in the best interest of the residents served by Lessee that the Lessee acquire the Equipment pursuant to and in accordance with the terms of the Agreement; and
4. It is necessary for the Lessee to approve and authorize the Agreement.
5. The Lessee desires to designate the Agreement as a qualified tax-exempt obligation of Lessee for purposes of Section 265(b) (3) of the Internal Revenue Code of 1986 (the "Code").

NOW, THEREFORE, BE IT RESOLVED by this Governing Body for and on behalf of the Lessee as follows:

Section 1. The Agreement and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" by and between the Lessor and the Lessee is hereby approved and Jack Gay, Mayor (the "Authorized officer") is hereby authorized and directed to execute said Agreement on behalf of the Lessee.

Section 2. The Agreement is being issued in calendar year 1993.

Section 3. Neither any portion of the gross proceeds of the Agreement nor the Equipment identified to the Agreement shall be used (directly or indirectly) in a trade or business carried on by any person other than a governmental unit, except for such use as a member of the general public.

Section 4. No portion of the rental payments identified in the Agreement (a) is secured, directly or indirectly, by property used or to be used in a trade or business carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to Lessee) in respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a governmental unit.

Section 5. No portion of the gross proceeds of the Agreement are used (directly or indirectly) to make or finance loans to persons other than governmental units.

Section 6. Lessee hereby designates the Agreement as a qualified tax-exempt obligation for purposes of Section 265(b) of the Code.

Section 7. Lessee reasonably anticipates that the total amount of tax-exempt obligations (other than private activity bonds) to be issued by Lessee during calendar year 1994 will not exceed \$10,000,000.

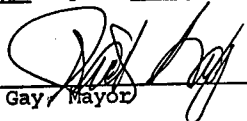
Section 8. For purposes of this resolution, the amount of tax-exempt obligations stated as either issued or designated as qualified tax-exempt obligations includes tax-exempt obligations issued by the entity from which Lessee derives its issuing authority, all entities deriving their issuing authority from Lessee or by an entity subject to substantial control by Lessee, or the entity from which Lessee derives its issuing authority, as provided in Section 265(b) (3) (E) of the Code.

Section 9. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Lessee to do all things necessary in furtherance of the obligations of the Lessee pursuant to the Agreement, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

Following the reading of the foregoing resolution, Alderman Campbell seconded the motion for its adoption. The Mayor put the question to a roll call vote and the result was as follows:

<u>Alderman Brandle</u>	Voted: <u>YEA</u>
<u>Alderman Campbell</u>	Voted: <u>YEA</u>
<u>Alderman Clepper</u>	Voted: <u>YEA</u>
<u>Alderman Runnels</u>	Voted: <u>YEA</u>
<u>Alderman Scott</u>	Voted: <u>YEA</u>

The motion having received the affirmative vote of all members present, the Mayor declared the motion carried and the resolution adopted, this the 1st day of March, 1994.


Jack Gay, Mayor

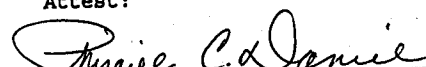
Attest:


EXHIBIT "F"

RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE STATE OF MISSISSIPPI, DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED.

WHEREAS, the State of Mississippi is authorized to make grants for Community Development projects by authority of the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the Act requires the preparation of a Community Development Needs Assessment and the adoption of such Assessment by the governing body of the applicant; and

WHEREAS, receipt by the applicant of such federal assistance will require the certification of certain assurances to the Act;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Petal, Mississippi:

1. That Mayor Jack Gay, being the chief executive officer of the City of Petal is authorized to execute and file an application for Small Cities Community Development Block Grant Funds on behalf of the City of Petal with the State of Mississippi, Department of Economic and Community Development to aid in the financing of community development improvements.
2. That the Community Development Needs Assessment with Assurances will be on file in the office of the City Clerk upon submission to the State and is hereby adopted as the official Community Development Needs Assessment for the City of Petal for the Small Cities Program.
3. That Jack Gay, Mayor for the City of Petal, Mississippi, is authorized to furnish on behalf of the City, such additional information as the State of Mississippi, Department of Economic and Community Development may require in connection with the grant application or the project.
4. That Jack Gay, being the Chief Executive Officer of the City of Petal is authorized to execute those documents and agreements that may be required to accept and implement this grant, if awarded.

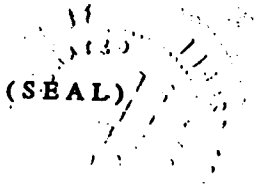
This, the 1st day of March, A.D., 1994.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Alderman Reuben Clepper, seconded by Alderman W. H. Campbell, and was adopted by the following vote, to wit:

YEAS:
Alderman Raymond C. Brandle
Alderman W. H. Campbell
Alderman Reuben Clepper
Alderman Bobby W. Runnels
Alderman Leroy Scott

NAYS:

The Mayor thereby declared the motion carried and the Resolution adopted, on this the 1st day of March, A.D., 1994.



ATTEST:

ADOPTED

Theresa C. Davis
CITY CLERK

Jack Gay
MAYOR