

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 SEPTEMBER 17, 1996 AT 7:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT

MAYOR JACK GAY

CITY ATTORNEY

VIC DUBOSE (IN MR. TYNER'S
ABSENCE)

ALDERMEN

RAYMOND C. BRANDLE
REUBEN CLEPPER
LEROY SCOTT
SHELBY TIMS

OTHERS PRESENT

LT. RODNEY JARRELL
AUBRA EVANS
DAN TOLBERT
MIKE SMITH
KEN WEST
JERRY CROWE
CARL EVANS
STEVE STRINGER

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

THE INVOCATION WAS OFFERED BY SHELBY TIMS.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING AMENDMENTS TO THE AGENDA:

ADD:

- VII. BIDS - D) QUOTES LAWN MOWER - RECREATION DEPARTMENT
- E) QUOTES CHLORINATOR - WATER DEPARTMENT

XIII. RESOLUTIONS - BUDGET AMENDMENT (FINAL)

XIV. MAYOR'S REPORT - AFTER SCHOOL ENRICHMENT PROGRAM

XVI. CONSIDERATION OF COMMITTEES, ETC.- CHANGE ROLL-OFF CONTRACT

DELETE:

X. GENERAL BUSINESS - # 14 RECOMMENDATION FOR SCHOOL BOARD

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN BRANDLE MADE A MOTION TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI OF SEPTEMBER 3, 1996 AS WRITTEN. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY CALLED FOR PUBLIC COMMENT.

THEREUPON, KEN WEST STATED THAT HE HAS A PROBLEM WITH THE METHOD THE CITY HAS OF INFORMING PROPERTY OWNERS OF CODE VIOLATIONS AND THE ENFORCEMENT OF THESE CODES. MR. WEST STATED THAT THE BUILDING INSPECTOR DID NOT REQUIRE THAT THE PARKING LOT OF THE COMMERCIAL BUILDING THAT HE BOUGHT TWO YEARS AGO BE PAVED. MR. WEST STATED THAT AFTER HE HAD A CHANGE OF TENANTS THE NEW TENANT WAS ADVISED THAT SHE WOULD NOT BE GIVEN A BUSINESS PERMIT UNTIL THE PARKING LOT WAS PAVED. MR. WEST STATED THAT HE WAS NOT GIVEN NOTICE BY THE CITY UNTIL JULY 30, 1996 AND HE IMMEDIATELY ASKED FOR AN EXTENSION UNTIL DECEMBER WHICH THE BOARD CHOSE NOT TO TAKE ANY ACTION ON. MR. WEST REQUESTED THAT THE BOARD RECONSIDER AND GIVE HIM UNTIL THE END OF DECEMBER TO PAVE THE PARKING LOT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO GIVE MR. WEST UNTIL THE END OF DECEMBER TO PAVE THE PARKING LOT OF HIS COMMERCIAL BUILDING AT THE CORNER OF SMITH STREET AND E. EIGHTH AVENUE. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, JERRY CROWE STATED THAT HE IS DISAPPOINTED AT THE ACTION OF THE BOARD AT THE LAST MEETING IN REPEALING THE ANNEXATION ORDINANCE. MR. CROWE STATED THAT THE BOARD SHOULD QUIT WASTING THE TAX PAYERS MONEY ON ANNEXATION STUDIES AND IF THEY ARE NOT GOING TO ACT ON THE ADVICE OF THESE EXPERTS. MR. CROWE STATED THAT IF THE BOARD "CAN'T STAND THE HEAT GET OUT OF THE KITCHEN" AND THAT THEY NEED TO RECONSIDER THE ANNEXATION ISSUE.

WHEREAS, MAYOR GAY PRESENTED THE QUOTATIONS FOR THE CONTRACT LABOR FOR THE SEWER LINE EXTENSION PROJECT ON KELLY ROSE LANE.

SEE EXHIBIT "A"

J W & R CONSTRUCTION \$ 7,150.00
P O BOX 327
LUCEDALE, MS. 39452

C. J. MORGAN CONSTRUCTION CO. \$ 10, 941.44
292 EATONVILLE ROAD
HATTIESBURG, MS. 39401

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE QUOTATION FROM J W & R CONSTRUCTION COMPANY. ALDERMAN BRANDLE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A QUOTATION FOR CONTRACT LABOR FOR THE REMOVAL AND INSTALLATION OF PUMPS NEEDING REPAIR IN THE LIFT STATIONS.

SEE EXHIBIT "B"

J W & R CONSTRUCTION CO. INC. \$4,000.00
P O BOX 327
LUCEDALE, MS. 39452

C. J. MORGAN, INC. \$5,800.00
292 EATONVILLE ROAD
HATTIESBURG, MS. 39401

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT J W & R CONSTRUCTION CO., INC. QUOTATION FOR THE REMOVAL AND INSTALLATION OF PUMPS NEEDING REPAIR IN THE LIFT STATIONS. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED QUOTATIONS FOR A LAWN MOWER FOR THE RECREATION DEPARTMENT.

SEE EXHIBIT "C"

LETTER - MIKE SMITH

UNDERWOOD'S SMALL ENGINE \$540.00
410 NEW RICHTON ROAD
PETAL, MS. 39465

HATTIESBURG OUTDOOR POWER EQUIPMENT \$425.00
510 BROADWAY DRIVE
HATTIESBURG, MS. 39465

UNDERWOOD'S SMALL ENGINE \$675.00
410 NEW RICHTON ROAD
PETAL, MS. 39465

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PURCHASE THE 6 H.P. ARINS THREE-IN-ONE MOWER FROM UNDERWOOD'S SMALL ENGINE AT A COST OF \$540.00. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE QUOTATIONS FOR ONE (1) REGAL
MODEL 210 GAS CHLORINATOR FOR THE WATER DEPARTMENT.

SEE EXHIBIT "D"

COAST CHLORINATOR & PUMP CO., INC.	\$1,416.00
P O BOX 6336	
BILOXI, MS. 39532	

LUCKETT PUMP P& WELL SERVICES, INC.	\$1,700.00
P O BOX 35	
DUBLIN, MS. 39789	

GULF STATES CHLORINATOR & PUMP, INC.	\$1,699.20
P O BOX 15275	
BATON ROUGE, LA 70895	

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PURCHASE THE
CHLORINATOR FROM COAST CHLORINATOR & PUMP CO., INC. ALDERMAN
CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY AND THE BOARD OF ALDERMEN INSTRUCTED THE
CITY INSPECTOR, DAN TOLBERT, WHEN INSPECTING BUSINESSES, TO SEND
NOTICES OF ANY VIOLATIONS TO THE PROPERTY OWNER, AS WELL AS THE
TENANT.

WHEREAS, PERCY SCARBROUGH ADDRESSED THE BOARD CONCERNING THE
PAVING OF HIS PARKING LOT AT THE USED CAR LOT. MR. SCARBROUGH
STATED THAT LAST OCTOBER HE WAS GIVEN A ONE YEAR EXTENSION TO PAVE
HIS PARKING LOT AT HIS USED CAR LOT ON HIGHWAY 11. MR. SCARBROUGH
STATED THAT HE WILL NEED TO ASK FOR ANOTHER 12 MONTH EXTENSION.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ALLOW MR.
SCARBROUGH ANOTHER 12 MONTHS TO PAVE HIS PARKING LOT. ALDERMAN
SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

ALDERMAN BRANDLE

WHEREAS, CARL EVANS ADDRESSED THE BOARD OF ALDERMEN STATING THAT AS A RESIDENT OF PETAL AND A BUSINESS PERSON IN PETAL THAT HE IS DISAPPOINTED THAT AFTER APPROXIMATELY ONE AND ONE-HALF (1 1/2) YEARS OF STUDIES AT A COST OF SOME \$28,863.00, THE BOARD REPEALED THE ORDINANCE FOR ANNEXATION JUST TWO (2) WEEKS AFTER ITS ADOPTION. MR. EVANS STATED THAT THE ALDERMEN BOWED TO PRESSURE FROM THE OPPONENTS OUTSIDE OF THE CITY AND SUPPORTED THE NON-RESIDENTS OF PETAL, WHICH WAS NOT IN THE BEST INTEREST OF THE CITIZENS OF PETAL. MR. EVANS ASKED THAT THE BOARD RECONSIDER THEIR VOTE AND MOVE FORWARD TOWARD ANNEXATION.

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

SEE EXHIBIT "E"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO MAKE THE QUESTIONNAIRE A PART OF THE MINUTES. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE GRANT APPLICATION FOR THE MISSISSIPPI MUNICIPAL CRIME PREVENTION PROGRAM.

SEE EXHIBIT "F"

GRANT APPLICATION

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE GRANT APPLICATION AND ASSURANCES. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM GENE MYATT FOR A TAX DEED TO PARCEL # 105 02102900 PURCHASED AT THE TAX SALE ON THE 29TH OF AUGUST, 1994.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ISSUE MR MYATT A TAX DEED TO THE AFOREMENTIONED PROPERTY. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE RECOMMENDATION FROM THE PETAL PLANNING COMMISSION THAT THE BOARD DENY THE REQUEST FROM MS. VIRGINIA BONE ON HER PROPERTY LOCATED ON HIGHWAY 42.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO DENY MS. VIRGINIA BONE'S REQUEST FOR A REZONING ON HER PROPERTY ON HIGHWAY 42. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE RECOMMENDATION FROM THE PETAL PLANNING COMMISSION THAT THE BOARD DENY THE REQUEST FROM MR. GEORGE HARDAGE ON HIS PROPERTY LOCATED ON HIGHWAY 42.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO DENY MR. GEORGE HARDAGE'S REQUEST FOR A REZONING ON HIS PROPERTY ON HIGHWAY 42. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE RECOMMENDATION FROM THE PETAL PLANNING COMMISSION THAT THE BOARD DENY THE REQUEST FROM MR. JIMMIE DALE ODOM ON HIS PROPERTY LOCATED ON HIGHWAY 42.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO DENY MR. JIMMIE DALE ODOM'S REQUEST FOR A REZONING ON HIS PROPERTY ON HIGHWAY 42. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE RECOMMENDATION FROM THE PLANNING COMMISSION FOR THE BOARD TO ACCEPT THE PROPOSED CHANGES IN THE SUBDIVISION REGULATIONS AS SUBMITTED BY CITY ENGINEER, RAYMOND DEARMAN.

SEE EXHIBIT "G"

LETTER RAYMOND DEARMAN

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE PROPOSED CHANGES IN THE SUBDIVISION REGULATIONS AS SUBMITTED BY RAYMOND DEARMAN, CITY ENGINEER. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM CITY INSPECTOR FOR THE CITY TO PAY JIMMY COSTON \$140.00 FOR INSPECTION DONE BETWEEN JUNE 19, 1996 AND SEPTEMBER 5, 1996.

SEE EXHIBIT "H"

LETTER - DAN TOLBERT

THEREUPON, ALDERMAN TIMS MADE A MOTION TO PAY MR. COSTON FOR THE INSPECTIONS DONE BETWEEN JUNE 19, 1996 AND SEPTEMBER 5, 1996. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE CITY'S CONTRACT FOR THE PURCHASE OF GASOLINE AND DIESEL EXPIRES ON OCTOBER 31, 1996.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR BIDS ON A ONE YEAR CONTRACT FOR THE PURCHASE OF GASOLINE AND DIESEL FOR THE CITY VEHICLES. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE REVENUES AND EXPENDITURES REPORT FOR THE MONTH OF AUGUST TO THE BOARD.

THEREUPON, ALDERMAN TIMS MADE A MOTION TO ACCEPT THE REVENUES AND EXPENDITURES REPORT. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE 1996 PETAL RECAP OF ASSESSED VALUES FOR THE CITY OF PETAL AND THE PETAL SEPARATE SCHOOL DISTRICT LAND ROLLS.

SEE EXHIBIT "I"

1996 PETAL RECAP OF ASSESSED VALUES

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT AND ADOPT FORREST COUNTY'S LAND ROLLS FOR THE CITY OF PETAL AND THE PETAL SEPARATE SCHOOL DISTRICT. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE RESOLUTION AUTHORIZING REPRESENTATIVES OF THE CITY OF PETAL TO ACQUIRE SURPLUS PROPERTY FROM THE STATE OF MISSISSIPPI OFFICE OF SURPLUS PROPERTY UNDER THE TERMS AND CONDITIONS SPECIFIED IN THE CERTIFICATIONS AND AGREEMENTS.

SEE EXHIBIT "J"

RESOLUTION
CERTIFICATION
AGREEMENTS

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION AND AUTHORIZE THE MAYOR TO EXECUTE THE CERTIFICATION AND AGREEMENT WITH THE MISSISSIPPI OFFICE OF SURPLUS PROPERTY. ALDERMAN BRANDLE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROOFS OF PUBLICATION TO THE BOARD:

- A) NOTICE TO INTERESTED PARTIES - HAMM CONTRACTORS
- B) ORDINANCE # 1996(87) REPEAL ANNEXATION ORDINANCE

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE CONTRACT BETWEEN THE CITY OF PETAL AND EAGLE WASTE FOR THE COLLECTION OF RESIDENTIAL AND SMALL BUSINESS GARBAGE.

SEE EXHIBIT "K"

CONTRACT

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT WITH EAGLE WASTE. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE SEMINAR REQUEST FOR AVA PICKETT TO ATTEND THE CERTIFICATION TRAINING PROGRAM IN HATTIESBURG OCTOBER 10 & 11, 1996.

THEREUPON, ALDERMAN TIMS MADE A MOTION TO AUTHORIZE MS. PICKETT TO ATTEND THE CERTIFICATION TRAINING PROGRAM. ALDERMAN BRANDLE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDERS INCREASING SALARIES EFFECTIVE OCTOBER 1, 1996 FOR CITY EMPLOYEES.

SEE EXHIBIT "L"

ORDERS

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ADOPT THE FOREGOING ORDERS INCREASING SALARIES FOR THE CITY EMPLOYEES EFFECTIVE OCTOBER 1, 1996. ALDERMAN BRANDLE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER INCREASING SHERRY BELIVEAU'S SALARY DUE TO THE SUCCESSFUL COMPLETION OF HER SIX (6) MONTH PROBATIONARY PERIOD.

SEE EXHIBIT "M"

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER APPOINTING SCOTT ROBERTS AS TRAINING OFFICER FOR THE FIRE DEPARTMENT EFFECTIVE OCTOBER 1, 1996.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO APPOINT A TRAINING OFFICER FOR THE FIRE DEPARTMENT.

IT IS HEREBY ORDERED THAT SCOTT ROBERTS BE APPOINTED AS TRAINING OFFICER IN THE FIRE DEPARTMENT AT A RATE OF \$75.00 PER MONTH EFFECTIVE OCTOBER 1, 1996.

SO ORDERED ON THIS THE 17TH DAY OF SEPTEMBER, A.D., 1996.

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING RESOLUTION FOR THE FINAL AMENDMENT OF THE 1995-96 BUDGET.

SEE EXHIBIT "N"

RESOLUTION

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED INFORMATION CONCERNING THE AFTER SCHOOL ENRICHMENT PROGRAM PROPOSED BY THE PETAL RECREATION DEPARTMENT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO TAKE THIS MATTER UNDER ADVISEMENT UNTIL THURSDAY, SEPTEMBER 19, 1996 AT 6:00 P.M. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
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 AUGUST.

WHEREAS, MAYOR GAY PRESENTED A QUOTATION FOR THE ROLL-OFF BOX SERVICE FOR TRASH PICK-UP AT THE CITY BARN.

SEE EXHIBIT "O"

WADE'S FRAC TANKS, INC.	ROLL-OFF RENTAL \$ 70.00 PER MO
P O DRAWER 399	TRANSPORTATION \$126.00 PER MO
ELLISVILLE, MS. 39437	DISPOSAL FEES \$ 10.00 PER MO

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO APPROVE THE QUOTATION FROM WADE'S FRAC TANKS, INC. EFFECTIVE JANUARY 1, 1997. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN TIMS MADE A MOTION THAT CONTRACTORS AT THE TIME THEY OBTAIN A BUILDING PERMIT BE REQUIRED TO PAY FOR A WATER TAP. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

THOSE PRESENT AND "ABSTAINING":

ALDERMAN RAYMOND C. BRANDLE

WHEREAS, MAYOR GAY CALLED FOR CITIZEN'S COMMENT.

THEREUPON, STEVE STRINGER STATED THAT THIS BOARD OF ALDERMEN REPRESENT THE MACEDONIA COMMUNITY. MR. STRINGER STATED THAT THE BOARD SHOULD TAKE INTO CONSIDERATION THAT THE PEOPLE INSIDE THE CITY VOTE FOR THEM AND THAT HE IS DISAPPOINTED THAT THE ALDERMEN BACKED DOWN ON THE ANNEXATION ISSUE.

THEREUPON, DON NORMAN STATED THAT GROWTH IS THE LIFELINE OF PETAL. MR. NORMAN STATED THAT HE IS NOT AGAINST THE MONEY SPENT FOR THE FEASIBILITY STUDY BUT HE IS OPPOSED TO THE BOARD BACKING DOWN TO THE OPPOSITION. MR. NORMAN CHALLENGED THE BOARD TO RECONSIDER THEIR ACTION OR THE CITY WILL BECOME STAGNANT.

THEREUPON, WAYNE SCARBROUGH STATED THAT THE BOARD SHOULD SPEAK FOR THE PEOPLE THEY REPRESENT. MR. SCARBROUGH STATED THAT THE GRASS IS GROWING ON THE SIDEWALKS AND THEY NEED TO BE TRIMMED. ALSO, MR. SCARBROUGH STATED THAT THE BOARD MEMBERS WHO ARE OVER 65 YEARS OF AGE AND DO NOT PAY TAXES SHOULD CONSIDER THIS AND EITHER ANNEX FOR THE GROWTH OF THE CITY OR CONTINUE TO PAY TAXES.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO RECESS UNTIL 6:00 P.M. ON THURSDAY SEPTEMBER 19, 1996. ALDERMAN TIMS SECONDED THE MOTION.

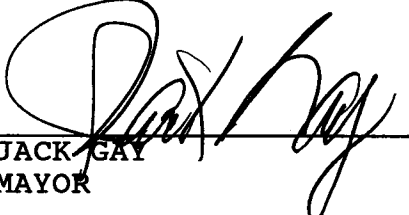
THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

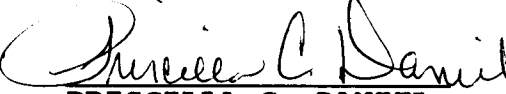
THEREBEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS RECESSED UNTIL THURSDAY, SEPTEMBER 19, 1996, AT 6:00 P.M. ON THIS THE 17TH DAY OF SEPTEMBER, A.D., 1996.



JACK GAY
MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL
CITY CLERK

EXHIBIT "A"

J. W. & R. CONSTRUCTION CO., INC.
P.O. Box 327 Lucedale, Ms. 39452
~~OFFICE 841-1142~~ HOME 947-4750

Project: City of Petal

Labor

Item No.	Item	Quantities	Material	Labor	Unit	Total
1	8" SDR 26 PVC	428 LF.		15.00		6,420.00
2	8 X 6 Tee Wye	2		15.00		30.00
3	Manhole 14/16	1		700.00		700.00
					Total	7,150.00

EXHIBIT "A"

P R O P O S A L

C. J. MORGAN, INC
292 EATONVILLE ROAD
HATTIESBURG, MS 39401

(601)544-3192
FAX (601)582-9055
96025.PRO

Proposal Submitted To: CITY OF PETAL

Date: SEPTEMBER 16, 1996

Address: P.O. BOX 564
PETAL, MS 39465

Phone: Job Name: SEWER LINE
Job Location: KELLY ROSE LANE

We hereby submit specifications and estimates for:

SEWER LINE INSTALLATION

LABOR ONLY	LS	\$ 10,941.44
MATERIALS ONLY	LS	2,632.00

We Propose hereby to furnish material and labor-complete in accordance with above specifications, for the sum of: AS PER ABOVE

Payment to be made as follows: UPON COMPLETION

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specification involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate.

Authorized Signature: C. J. Morgan
may be withdrawn by us if not accepted within 15 days.

Note: This proposal

Acceptance of Proposal:

Date of Acceptance:

EXHIBIT "B"

P R O P O S A L

C. J. MORGAN, INC
292 EATONVILLE ROAD
HATTIESBURG, MS 39401

(601)544-3192
FAX (601)582-9055
96026. PRO

Proposal Submitted To: CITY OF PETAL

Date: SEPTEMBER 16, 1996

Address: P.O. BOX 564
PETAL, MS 39465

Phone: Job Name: LIFT STATIONS
Job Location: VARIOUS LOCATIONS

We hereby submit specifications and estimates for:

LIFT OUT AND REINSTALL PUMPS AS PER INSPECTION W/RALPH:

LABOR ONLY

LS

\$5,800.00

NOTE: ABOVE QUOTE DOES NOT INCLUDE MATERIALS/ANY MATERIAL NEED FOR PROJECT TO
BE FURNISHED BY CITY OF PETAL, MS

We Propose hereby to furnish material and labor-complete in accordance with above
specifications, for the sum of: AS PER ABOVE

Payment to be made as follows: UPON COMPLETION

All material is guaranteed to be as specified. All work to be completed in a
workmanlike manner according to standard practices. Any alteration or deviation from
above specification involving extra costs will be executed only upon written orders,
and will become an extra charge over and above the estimate.

Authorized Signature: C. J. Morgan
may be withdrawn by us if not accepted within 15 days.

Note: This proposal

Acceptance of Proposal:

Date of Acceptance:

EXHIBIT "B"

J. W. & R. CONSTRUCTION CO., INC.
P.O. Box 327 Lucedale, Ms. 39452
~~OFFICE 947-5112~~ HOME 947-4750

September 17, 1996

City of Petal:

Remove 4" Pumps from Stations, Remove Piping and Electric,
Deliver to City Yard For 250.00 Each.

Four Pump Stations- 1,000.00

Replace same Pumps in stations 250.00 Each- 1,000.00

Remove 12" Pump from Station, Remove Piping and Electric,
Deliver to City Yard. 1,000.00

Replace the same in Pump Stations- 1,000.00

Total for Five Pump Stations- 4,000.00



Jimmie D. Pitts
Vice-President

EXHIBIT "C"

PETAL RECREATION DEPARTMENT

To: The Board of Alderman
Fm: Mike Smith, Recreation Director 

Re: Arins, Six Horsepower three-in-one Mower

The Petal Recreation Department has received quotes for a small finishing lawn mower. The recommended mower is the Arins, six horsepower three-in-one mower, model number 911063. The price for this mower is \$540.00 at Underwoods Small Engine in Petal. This mower meets the needs of the department, and is already in the budget for this year.

Specifications were a lawn mower with mulching and bagging capability, with a five to six horsepower engine, self-propelled.

EXHIBIT "C"

Underwood's Small Engines

410 New Richton Rd.

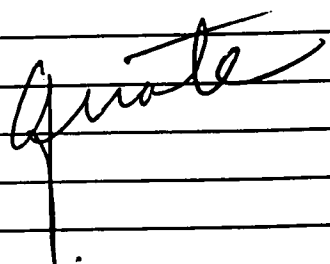
Petal, MS 39465

(601) 544-7424

(601) 544-7439

№ 2271

CUSTOMER'S ORDER NO.	PHONE	DATE 9/16/96
NAME Petrol Rec. Dept		
ADDRESS		

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RETD	PAID OUT	
QTY.	DESCRIPTION					PRICE	AMOUNT
1	Arms 911673					\$ 540.00	
	6hp Teckumseh						
	3' in ONE Mowers						
						TAX	
						TOTAL	

Thank You

EXHIBIT "C"

HATTIESBURG OUTDOOR POWER EQUIPMENT

510 Broadway Drive
HATTIESBURG, MS 39401
Phone 601-544-1730

Customer's Order No.		Date <u>9-16</u> 19 <u>96</u>		
Sold To <u>Petal Recreation Dept</u>				
Address		Phone		
Ship To				
Address				
SOLD BY	CASH	CHARGE	C.O.D. VIA <u>Quote</u>	
		<input type="checkbox"/> PREPAID <input type="checkbox"/> COLLECT		
✓	QUANTITY	DESCRIPTION	PRICE	AMOUNT
1	<u>5.4</u>	<u>Shaggy Sulf. P.</u>		<u>425.00</u>
2	<u>6 SPK/1</u>	<u>with Bag & Mulch Kit</u>		
3		<u>Model AP 21501</u>		
4				
5				
6	<u>1</u>	<u>Bowden Bush</u>		<u>344.08</u>
7		<u>Pp 500HK</u>		
8		<u>with Bag & Mulch</u>		
9				
10				
11				
12				
13				
14			TAX	<u>15.00</u>
15			TOTAL	<u>719.08</u>

All claims and returned goods MUST be accompanied by this bill.

004060 Rec'd By _____

GSD-204-3
PRINTED IN USA



Thank You

EXHIBIT "C"

Underwood's Small Engines

410 New Richton Rd.

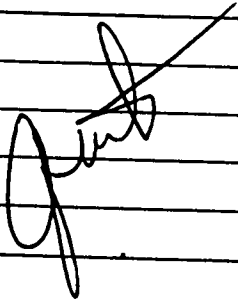
Petal, MS 39465

(601) 544-7424

(601) 544-7439

№ 2270

CUSTOMER'S ORDER NO.		PHONE	DATE
NAME			
ADDRESS			

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE RETD	PAID OUT	
QTY.	DESCRIPTION					PRICE	AMOUNT
1	LM 230SP KAWASAKI 5hp						675.00
	Side Driv						
	3 in ONE makers-						
						TAX	
						TOTAL	

By: _____

Thank You

EXHIBIT "D"

COAST CHLOR&PUMP

FAX 601-392-0553

PAGE 02

COAST CHLORINATOR & PUMP CO., INC.
P. O. Box 6336
15413 Lemoyne Blvd.
Biloxi, MS 39532
(601) 392-2085

Q U O T E: Q0000459

Quote Date: 09/10/96

Ordered BY: Ralph Eddlemon
Customer ID: 15250
PO No.:

Terms: Net 30

Expires: 12/09/96

Bill To:
Petal, City of
P.O. Box 405
Petal, Ms. 39465

Ship To:
Petal, City of
109 8th Ave.
Petal, Ms. 39465

Ordered	Item ID/Description	UOM	Price	Extension
1.00	03451 REGAL 210 Regal Model 210 Gas Chlorinator w/A-921 hi/low ejector. 25 ppd. List price: \$ 1770.00	each	1,416.00	1,416.00
4.00	03451 Y-275 Chlor/sulph Inlet Filter	each	10.00	40.00

Subtotal 1,456.00

Stephen S. Webbman

Total 1,456.00

Quote for Regal chlorinator.

EXHIBIT "D"

**LUCKETT
PUMP & WELL SERVICE, INC.**

P. O. BOX 35
DUBLIN, MS 38739

24 HOUR SERVICE
PHONE: 601-624-2398

September 11, 1996

City of Petal
P. O. Box 405
Petal, MS 39465

Attn.: Ralph Eddlemon

Subject: Chlorination equipment

Dear Mr. Eddlemon:

Luckett Pump & Well Service, Inc. is pleased to propose the following equipment.

(1) one Regal Model 210 Gas Chlorinator with an A-921 hi/low pressure ejector. 25ppd.
Net price each: \$1700.00.

(4) four Chlor./Sulph. Inlet Filters. Net price each: \$10.00.

Should you require further information, please advise.

Sincerely,

Faxed per Steven D. Luckett, President

Steven D. Luckett, President
Luckett Pump & Well Service, Inc.
P. O. Box 35
Dublin, MS 38739

**IRRIGATION*MUNICIPAL*DOMESTIC
SALES, SERVICE, AND REPAIR**

EXHIBIT "D"

9-11-1996 2:01PM FROM

GULF STATES
CHLORINATOR & PUMP, INC.
P.O. Box 15275
BATON ROUGE, LA 70895

(504) 753-7600

TO

CITY OF PETAL
P. O. BOX 405
PETAL, MS 39465

ATTN: MR. RALPH EDDLEMON

QUOTATION

1943

PLEASE INDICATE THE ABOVE NUMBER WHEN ORDERING

QUOTATION DATE	SALESPERSON
9/11/96	DAVID BLANK

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1	REGAL MODEL 210 GAS CHLORINATOR, 25PPD CAPACITY WITH HI/LOW EJECTOR		\$ 1,699.20
4	Y-275 FILTER	\$ 12.50	\$ 50.00

DELIVERY: 1-2 WEEKS

WE ARE PLEASED TO SUBMIT THE ABOVE QUOTATION FOR YOUR CONSIDERATION. SHOULD YOU PLACE AN ORDER, BE ASSURED IT WILL RECEIVE OUR PROMPT ATTENTION. THIS QUOTATION IS SUBJECT TO THE CONDITIONS PRINTED ON REVERSE SIDE, AND IS VALID FOR _____ DAYS. THEREAFTER IT IS SUBJECT TO CHANGE WITHOUT NOTICE.

BY David Blank ACCEPTED _____ DATE _____

SIGN AND RETURN YELLOW ACCEPTANCE COPY WHEN ORDERING.

Thank You!

EXHIBIT "E"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

INFORMATION

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
P O BOX 564
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).
ALDERMAN REUBEN CLEPPER 204 STARLANE DRIVE PETAL MS 39465 582-7356
ALDERMAN RAYMOND C BRANDLE 1806 OLD RICHTON ROAD PETAL MS 39465 544-7140
ALDERMAN WILLIAM H CAMPBELL 224 COCHRAN STREET PETAL MS 39465 584-6588
ALDERMAN SHELBY L TIMS 314 MARGARET AVENUE PETAL MS 39465 584-8380
ALDERMAN LEROY SCOTT 113 AZALEA AVENUE PETAL MS 39465 583-1519
MAYOR JACK GAY P O BOX 564 PETAL MS 39465 545-1776
CITY ATTORNEY TOM TYNER P O DRAWER 750 HATTIESBURG MS 39401 583-2671
CITY CLERK PRISCILLA C DANIEL 2122 OLD RICHTON ROAD PETAL MS 545-1776
4. Period of time covered by this questionnaire:
From: OCTOBER 1, 1995 To: SEPTEMBER 30, 1996
5. Expiration date of current elected officials' term: JULY 1, 1997

EXHIBIT "E"

CITY OF PETAL
(MUNICIPALITY)

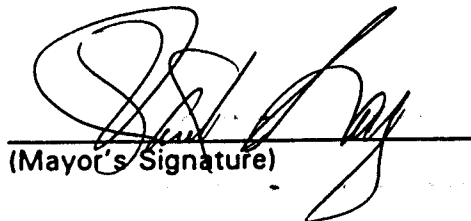
Certification to Municipal Compliance Questionnaire

Year Ended September 30, 1996

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.


(City Clerk's Signature)

SEPT. 18th 1996
(Date)


(Mayor's Signature)

SEPT. 18th 1996
(Date)

Minute Book References:

Book Number 16

Page 45

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

EXHIBIT "E"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

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) | <u>Y</u> |
| 2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27) | <u>Y</u> |
| 3. Are municipal records open to the public? (Section 25-61-5) | <u>Y</u> |
| 4. Are meetings of the board open to the public? (Section 25-41-5) | <u>Y</u> |
| 5. Are notices of special or recess meetings posted? (Section 25-41-13) | <u>Y</u> |
| 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) | <u>Y</u> |
| • Municipal clerk (Section 21-15-38) | <u>Y</u> |
| • Deputy clerk (Section 21-15-23) | <u>Y</u> |
| • Chief of police (Section 21-21-1) | <u>Y</u> |
| • Deputy police (Section 45-5-9) (if hired under this law) | <u>Y</u> |
| 7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19) | <u>Y</u> |
| 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) | <u>Y</u> |
| 9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53) | <u>Y</u> |
| 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) | <u>Y</u> |

EXHIBIT "E"

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)
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

Y

PART II - CASH AND RELATED RECORDS

1. Where required, is a claims docket maintained? (Section 21-39-7)
2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9)
3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7)
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)
5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13)
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)
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)
8. Has the municipality held a public hearing and published its adopted budget? (Section 21-35-5)
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

Y

Y

Y

Y

Y

Y

Y

Y

EXHIBIT "E"

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) | <u>Y</u> |
| 11. | Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) | <u>Y</u> |
| 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) | <u>Y</u> |
| 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) | <u>Y</u> |
| 14. | Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) | <u>Y</u> |
| 15. | Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) | <u>Y</u> |
| 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.] | <u>Y</u> |
| 17. | Are fixed assets property tagged and accounted for? (Section 7-7-211 - Municipal Audit and Accounting Guide) | <u>Y</u> |
| 18. | Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? | <u>Y</u> |
| 19. | Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) | <u>Y</u> |

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)] | <u>Y</u> |
| 2. | Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] | <u>Y</u> |

EXHIBIT "E"

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)]
4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23)

Y

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)
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)
3. Have the required trust funds been established for utility revenue bonds? (Section 21-27-65)
4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317)
5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5)

Y

Y

Y

Y

Y

PART V - TAXES AND OTHER RECEIPTS

1. Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167)
2. Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53)
3. Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63)
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

Y

BY AND THRU
THE COUNTY

Y

EXHIBIT "E"

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 "F"

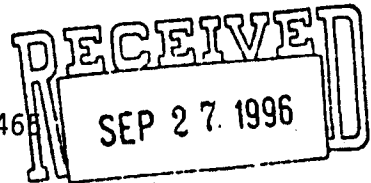
Funds Request Form

0000083190

FY 1997 MUNICIPALITIES CRIME PREVENTION PROGRAM

Name and Address of Incorporated Municipality:

CITY OF PETAL
P O BOX 564
PETAL MS 39468
FORREST



County:

Name and Telephone number of contact person:

JACK GAY (601) 545-1776

CORRECTIONAL OFFICE
B.F.G.A.
M.P.S.

Amount of funds requested: \$ 5,974.00

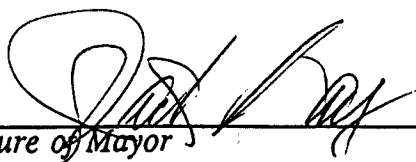
Describe the purpose(s) for which funds will be used:

THESE FUNDS WILL BE USED TO PURCHASE AND MAINTAIN A COMPUTER THAT MEETS THE
RENT N.C.I.C. AND M.J.I.C. REQUIREMENTS.

Describe the projected impact these funds will have in controlling or reducing crime in your
area: THESE FUNDS WILL ALLOW US TO CONTINUE ACCESSING THE N.C.I.C. PLUS THE M.J.I.C.

NETWORK. OUR CURRENT SYSTEM IS LEASED FROM THE HIGHWAY PATROL AND WILL NOT BE COMPATIBLE
AFTER THIS YEAR.

IN ORDER TO CONTINUE TO REDUCE AND CONTROL CRIME WE WILL NEED THE NEW SYSTEM SO WE MAY
BE ABLE TO ACCESS INFORMATION FROM OUR FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT
AGENCIES. WITHOUT THESE FUNDS WE WILL BE RETURNING TO THE DAYS OF THE SEVENTIES.


Signature of Mayor

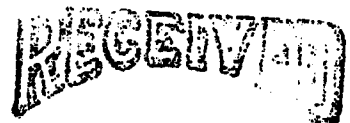
9/24/96
Date

Ch Rec'd
10-4-96

Approved:


Division of Public Safety Planning

9-26-96
Date



SEP 26 1996

PUBLIC SAFETY PLANNING

EXHIBIT "G"

SHOWS, DEARMAN & WAITS, INC.

CONSULTING ENGINEERS

P.O. BOX 1711, 301 SECOND AVENUE
HATTIESBURG, MISSISSIPPI 39403-1711

TELEPHONE 601-544-1821

FAX 601-544-0501

RAYMOND M. DEARMAN, P.E., R.L.S.
MICHAEL T. WAITS, P.E., R.L.S.
WILLIAM F. WAITS, P.E., R.L.S.

PAUL J. SHOWS (1996)

August 8, 1996

Mayor and Board of Aldermen
City Planning Commission
City of Petal
P. O. Box 564
Petal, MS 39465

Re: Subdivision Regulations
City of Petal

Gentlemen:

I have reviewed the proposed changes as for the above captioned and concur. They are as follows:

- 1) Section 202 Scope
202.02 Agree with the proposed change
- 2) Section 203 Definitions
203.01-16 Change two (2) or more lots to three (3) or more lots
203.01-17 Change official sub-committee of the Petal Planning Commission to "an official sub-committee made up of three (3) or more members of the Petal Planning Commission."
- 3) Section 300 Preapplication Conference
300 Change a preapplication conference should be held with an agent of the Planning Commission prior to preparation of the preliminary plat to "a preapplication conference shall be held with the subdivision review committee, the City Engineer, and the zoning administration prior to the preparation of the preliminary plat."

EXHIBIT "G"

City of Petal
August 8, 1996
Page 2.

301.03 Add "and the zoning administrator after "the City Engineer".

4) Section 401 Streets

401.01-02 Change all minimum ROW widths to 50 feet

401.-3 Delete entire section

401.04-01 Change collector width from 35' to 26'
Change local width from 26' to 20'
Change cul-de-sac width from 80' to 72'
Add curb and gutter width to be 27'

5) Section 402 Monuments

402.01 Change entire paragraph to read, "All monuments shall comply with the minimum standards for land surveying in the State of Mississippi as outlined by the Mississippi State Board of registration for professional engineers and land surveyors."

402.02 Delete

402.03 Change to 402.02

If I can furnish further information, please advise.

Sincerely,



Raymond M. Dearman, P.E., R.L.S.
City Engineer

RMD:rc

EXHIBIT "H"



CITY OF PETAL

POST OFFICE BOX 564
PETAL, MISSISSIPPI 39465
(601) 545-1776
Fax No. (601) 545-6685

JACK GAY
MAYOR

RAYMOND C. BRANDLE
WILLIAM H. CAMPBELL
REUBEN CLEPPER
LEROY SCOTT
SHELBY L. TIMS
ALDERMEN

PRISCILLA C. DANIEL
CITY CLERK

THOMAS W. TYNER
CITY ATTORNEY

September 17, 1996

To: Mayor and Board of Aldermen

Re: Inspections made by Jimmy Coston

It is my recommendation that Mr. Jimmy Coston be paid \$140.00 for inspections done between June 19, 1996 and September 5, 1996. They are as listed:

- | | | |
|-------------|----------------------------------|------------|
| 1. 6-19-96 | 81 Fairview Drive | power pole |
| 2. 6-20-96 | 113 Green Street | HVAC |
| 3. 6-20-96 | 313 Ford Drive | Service |
| 4. 6-21-96 | #17 Lowery's Trailer Park | |
| 5. 7-29-96 | #22 Forrest Gardens Trailer Park | |
| 6. 7-29-96 | #35 Forrest Gardens Trailer Park | |
| 7. 7-29-96 | 128 Walton Drive | Rough-in |
| 8. 7-29-96 | 168 Lynn Ray Road | Service |
| 9. 8-27-96 | 103 Ford Drive | Service |
| 10. 8-27-96 | 411 North Main | Service |
| 11. 8-28-96 | 110 Edwards | Service |
| 12. 9-3-96 | #17 Green's Trailer Park | |
| 13. 9-03-96 | 128 Walton Drive | Service |
| 14. 9-05-96 | #54 Forrest Gardens Trailer Park | |

Thanking you for your consideration in this matter.

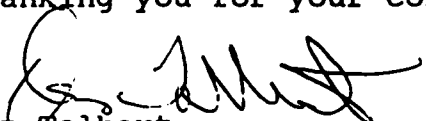

Dan Tolbert
Inspector

EXHIBIT "I"
CITY OF PETAL

POST OFFICE BOX 564
PETAL, MISSISSIPPI 39465
(601) 545-1776
Fax No. (601) 545-6685



JACK GAY
MAYOR

RAYMOND C. BRANDLE
WILLIAM H. CAMPBELL
REUBEN CLEPPER
LEROY SCOTT
SHELBY L. TIMS
ALDERMEN

PRISCILLA C. DANIEL
CITY CLERK

THOMAS W. TYNER
CITY ATTORNEY

September 13, 1996

TO: Mayor Jack Gay and
Board of Aldermen

FROM: Priscilla C. Daniel
City Clerk

Attached is a breakdown of the assessments for the 1996
landroll received from Forrest County this week.

It will be necessary, as required by law, for the city to
adopt the county's land roll.

1996 PETAL RECAP ASSESSED VALUES

CATEGORY	PETAL	PETAL SSD
MOTOR VECHILES	4,652,727	12,688,083
MOBILE HOMES	154,742	525,727
PUBLIC UTILITIES	3,967,978	6,337,013
REAL PROPERTY	14,749,822	33,120,028
PERSONAL PROP	4,354,369	9,515,822
GRAY ROLL		
CITY TAX ONLY	101,841	- 101,841
SCHOOL TAX ONLY	-2,922,241	
GRAND TOTAL	25,059,238	-62,288,514
HOMESTEAD	REGULAR	100% APPLICATIONS
Spec 4 a	455,136	4,681,691 3,935
GROWTH		
REAL PROPERTY	81,479	602,371
PERSONAL PROP	658,767	1,088,929
SCHOOL TAX ONLY	-317,158	
GRAND TOTAL	423,088	1,691,300

62,084,832

EXHIBIT "J"

MISSISSIPPI
ELIGIBILITY UPDATE QUESTIONNAIRE

OFFICE OF SURPLUS PROPERTY
P. O. BOX 5778, HIGHWAY 468
JACKSON, MS 39288-5778
(601) 939-2050

Federal Regulations require all donee eligibility records be updated on a regular basis. In order to continue participating in the Mississippi Office of Surplus Property program, please complete the following questionnaire and return within 15 days of receipt. All pages must be completed, or your application will be returned to you. Please attach requested information as stated in #5 below, if required. If this information in #5 is not received your account will be placed in an "INACTIVE" status.

This will also serve as a reminder that any and all property obtained through this program must be placed in use within 12 months and used exclusively by the eligible donee.

- (1) Has donee legal name, physical and/or mailing address changed? Yes _____ No X If yes, please list corrections _____

- (2) Has the function of your organization changed since your last update or approval application? Yes _____ No X If yes, please explain. _____

- (3) Have your operations changed in population serving, area serving or type programs? Yes _____ No X If yes please explain. _____

- (4) Please list all funding sources, use additional sheets if necessary (tax supported or public agency, grants and/or contributions, etc.) _____ tax supported _____

- (5) Please attach evidence of either approval, accreditation or licensing, if required, for one or more programs.
- (6) Have your property utilization abilities changed? Yes _____ No X If yes, please explain. _____

Your cooperation in the completion of the above and following pages is very much appreciated. Thank you for your continuing cooperation and patronage.

FOR SURPLUS PROPERTY USE ONLY

Date Approved _____

Signature _____

RESOLUTION

(Signature of Contact Person)

EXHIBIT "J"

NAME	TITLE	SIGNATURE
REUBEN WARRICK	STREET DEPT	
RALPH EDDLEMON	WATER DEPT	
AUBRA EVANS	FIRE CHIEF	
BILLY W MURPHY	POLICE CHIEF	
MIKE SMITH	RECREATION DEPT	
PRISCILLA C DANIEL	CITY CLERK	
JACK GAY	MAYOR	
DAN TOLBERT	INSPECTOR	

EXHIBIT "K"

CONTRACT

This Contract made and entered into this 17th day of September, 1996, by and between The City of Petal, Mississippi (hereinafter called "the City"), and EAGLE WASTE SYSTEMS INCORPORATED (hereinafter called "the Contractor"),

WITNESSETH:

WHEREAS, the Contractor submitted a Proposal to provide Residential and Specified Commercial Garbage Collection within the City; and

WHEREAS, the City accepted the Contractor's Proposal;

NOW, THEREFORE, in consideration of the following mutual agreements and covenants, it is understood and agreed by and between the parties hereto as follows:

I.

The Contractor is hereby granted the sole and exclusive franchise, license and privilege within the territorial jurisdiction of the City to provide Residential and Specified Commercial Garbage Collection services as specified and to perform the work called for and described in the Contract Documents.

The Contract Documents shall include the following documents, which are hereby expressly incorporated herein by reference as if fully set forth verbatim:

- i. The General Specifications
- ii. Resolution of the City ordering or authorizing the work and services contemplated herein
- iii. This instrument

II.

GENERAL SPECIFICATIONS

1.00 DEFINITIONS

- 1.01 Bags - Plastic sacks designed to store refuse with sufficient wall strength to maintain physical integrity when lifted by top. Total weight of a bag and its contents shall not exceed forty five pounds.
- 1.02 Bulky Waste - Stoves; refrigerators, freezers and air conditioning units which are de-energized of chlorofluorocarbons (CFCs); water tanks; washing machines; furniture

EXHIBIT "K"

and other waste materials other than Construction Debris, Dead Animals, Hazardous Waste or Stable Matter with weights or volumes greater than those allowed for Containers.

- 1.03 Bundle - Tree, shrub and brush trimmings or newspapers and magazines securely tied together forming an easily handled package not exceeding three feet in length or forty five pounds in weight.
- 1.04 City - City of Petal, Mississippi.
- 1.05 Construction Debris - Waste building materials resulting from construction, remodeling, repair or demolition operations.
- 1.06 Container - a receptacle with a capacity of greater than 20 gallons but less than 35 gallons constructed of plastic, metal or fiberglass, having handles of adequate strength for lifting and having a tight fitting lid capable of preventing entrance into the container by vectors. The mouth of a container shall have a diameter greater than or equal to that of the base. The weight to a container and its contents shall not exceed sixty pounds.
- 1.07 Contract Documents - The Request for Proposals, Instructions to Proponents, Contractor's Proposal, General Specifications and any addenda or changes to the foregoing documents agreed to by the City and the Contractor.
- 1.08 Contractor - The person, corporation or partnership performing residential refuse collection and disposal under contract with the City.
- 1.09 Dead Animals - Animals or portions thereof equal to or greater than ten pounds in weight that have expired from any cause, except those slaughtered or killed for human use or consumption.
- 1.10 Disposal Site - A refuse depository including but not limited to sanitary landfills, transfer stations, incinerators, and waste processing/separation centers licensed, permitted or approved by all governmental bodies and agencies having jurisdiction and requiring such licenses, permits or approvals to receive refuse and dead animals for processing or final disposal.
- 1.11 Garbage - Any and all dead animals of less than ten pounds in weight, except those slaughtered for human consumption; every accumulation of waste (animal, vegetable and/or other matter) that results from the preparation, processing, consumption, dealing in, handling, packing, canning, storage, transportation, decay or decomposition of meats, fish, fowl, birds, fruits, grains or other animal or vegetable matter (including, but not by way of limitation, used tin cans and other food

EXHIBIT "K"

containers; and all putrescible or easily decomposable animal or vegetable waste matter which is likely to attract flies or rodents); except (in all cases) any matter included in the definition of Bulky Waste, Construction Debris, Dead Animals, Hazardous Waste, Rubbish or Stable Matter.

- 1.12 Hazardous Waste - Waste, in any amount, which is defined, characterized or designated as hazardous by the United States Environmental Protection Agency or appropriate State agency by or pursuant to Federal or State law, or waste, in any amount, which is regulated under Federal or State law. For purposes of this Contract, the term Hazardous Waste shall also include motor oil, gasoline, paint and paint cans.
- 1.13 Producer - An occupant of a Residential Unit who generates Refuse and Residential Refuse.
- 1.14 Refuse - This term shall refer to Residential Refuse and Bulky Waste, Construction Debris and Stable Matter generated at a Residential or Specified Commercial Unit unless the context otherwise requires.
- 1.15 Residential Unit - A dwelling within the corporate limits of the city occupied by a person or group of persons comprising not more than a single family. A residential unit shall be deemed occupied when either water or domestic light and power services are being supplied thereto. A condominium dwelling, whether of single or multi-level construction, consisting of four or less contiguous or separate single-family dwelling units, shall be treated as separate and distinct residential units.
- 1.16 Specified Commercial Unit - A commercial establishment within the corporate limits of the City generating Refuse desiring curbside collection service as a Residential Unit.
- 1.17 Rubbish - All waste wood, wood products, tree trimmings, dead plants, weeds, leaves, dead trees or branches thereof, chips, shavings, sawdust, printed matter, paper, pasteboard, rags, straw, used and discarded mattresses, used and discarded clothing, used and discarded shoes and boots, combustible waste pulp and other products such as are used for packaging, or wrapping crockery and glass, ashes, cinders, floor sweepings, glass, mineral or metallic substances, and any and all other waste materials not included in the definition of Bulky Waste, Construction Debris, Dead Animals, Garbage, Hazardous Waste or Stable Matter.
- 1.18 Stable Matter - All manure and other waste matter normally accumulated in or about a stable, or any animal, livestock or poultry enclosure, and resulting from the keeping of animals, poultry or livestock.

EXHIBIT "K"

2.00 SCOPE OF WORK

- 2.01 Scope of Work - The work under this Contract shall consist of the items contained in the Proposal, including all the supervision, materials, equipment, labor and all other items necessary to complete said work in accordance with the Contract Documents. The work under this Contract does not include the collection of any increased volume resulting from a flood, hurricane or similar or different act of God over which the Contractor has no control. In the event of such a flood, hurricane or other act of God, the Contractor and the City will negotiate the payment to be made to the Contractor, if the Contractor and the City agree that such increased volume is to be handled by the Contractor. Further, if the City and the Contractor reach such agreement, then the City shall grant the Contractor variances in routes and schedules as deemed necessary by the Contractor.
- 2.02 Force Majeure - The Contractor shall not be liable for performance of this Contract if prevented from doing so by a condition or conditions beyond its control, including, without limitation, acts of God, strikes, lockouts, acts of public enemies, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, tornadoes, storms, floods, washouts and droughts. In case of storm or other disaster or other Acts of God where it is necessary for the Contractor to perform services beyond the scope of this Contract, the Contractor and the City] shall negotiate the amounts to be paid to the Contractor.

3.00 TYPES OF COLLECTION

3.01 Service Provided

1. Contractor shall provide curbside collection service for the collection of Residential Refuse to each Residential Unit two (2) times per week Monday through Friday. For the purposes of this contract no Saturday and/or Sunday collection permissible. Containers, Bags and Bundles shall be placed at curbside by 7:00 a.m. on the designated collection day. A maximum of six (6) units (bag, can or bundle combination) per household will be collected.
 2. The Contractor shall not provide for the collection from Residential Units of Unbundled Rubbish, Dead Animals in excess of ten (10) pounds, Construction Debris, Hazardous Waste and Stable Matter.
- 3.02 Location of Containers, Bags, Bundles and Bulky Item for Collection - Each Container, Bag, Bundle and Bulky Item shall be placed at curbside for collection. Curbside refers to that portion of right-of-way adjacent to paved or traveled City

EXHIBIT "K"

roadways (including alleys). Containers, Bags, Bundles and Bulky Item shall be placed as close to the roadway as practicable without interfering with or endangering the movement of vehicles or pedestrians. When construction work is being performed in the right-of-way, Containers, Bags, Bundles and Bulky Item shall be placed as close as practicable to an access point for the collection vehicle.

- 3.03 Contractor's Responsibilities - Contractor shall pick up and dispose of Refuse with a minimum of noise and disturbance to Residential Units on Monday through Friday. No work will be performed on Saturday or Sunday with the exception of make up days for Holiday considerations. Any materials spilled by the Contractor shall be picked up immediately by the Contractor.

4.00 OPERATION

- 4.01 Hours of Operation - Collection of Refuse shall not start before 7:00 a.m. or continue after 6:00 p.m. on the same day. Exceptions to collection hours shall be effected only upon the mutual agreement of the City and Contractor.

- 4.02 Routes of Collection - Collection routes shall be the sole discretion of the Contractor. Contractor shall submit a map designating the collection routes to the City for their approval, which approval shall not be unreasonably withheld. The Contractor may from time to time propose to City for approval, changes in routes or days of collection, which approval shall not be unreasonably withheld. Upon City's approval of the proposed changes, the Contractor shall promptly give written or published notice to the affected Residential Units with changes effective a minimum of two (2) weeks after notification.

- 4.03 Holidays - The following shall be holidays for purposes of this Contract:

New Year's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Christmas Day

Customers whose normal collection day falls on a holiday will be served either on the Saturday before or the Saturday after whichever is more appropriate. All Residential Units affected by a Holiday will be notified of the applicable day change by published notice at least two (2) weeks prior to any such change.

- 4.04 Complaints - All complaints shall be made directly to the Contractor and shall be given prompt and courteous attention. In the case of alleged missed scheduled

EXHIBIT "K"

collections, the Contractor shall investigate and, if such allegations are verified, shall arrange for the collection of the Refuse not collected within twenty four (24) hours after the complaint is received.

- 4.05 Collection Equipment - The Contractor shall provide an adequate number of vehicles for regular collection services. All vehicles and other equipment shall be kept in good repair, appearance, and in a sanitary condition at all times. Each vehicle shall have clearly visible on each side the vehicle number along with the identity and telephone number of the Contractor. The City reserves the right to inspect any piece of equipment used in the execution of this contract through its Police Department or other appropriate agency and upon that evaluation declare that piece of equipment acceptable for service. In the event a piece of equipment does not pass inspection, the Contractor will have twenty four (24) hours to facilitate repairs. In the event repairs cannot be facilitated within that period of time that particular piece of equipment failing inspection must be removed from the execution of the Contract. The City will find unacceptable any piece of equipment older than eight (8) years from date of purchase or exceeding a gross vehicle weight of 50,000 pounds.
- 4.06 Office - The Contractor shall maintain an office or such other facilities through which it can be contacted. It shall be equipped with sufficient telephones and shall have a responsible person in charge from 8:00 a.m. to 5:30 p.m. on regular collection days. The Contractor shall provide a local access or toll free phone number where the Contractor may be contacted. The Contractor shall also provide an emergency services number where a responsible person can be reached from 5:30 p.m. to 8:00 a.m.
- 4.07 Hauling - All Refuse hauled by the Contractor shall be so contained, tied or enclosed that leaking, spilling or blowing are prevented. Refer to Section 4.05 for equipment requirements.
- 4.08 Disposal - All Refuse shall be deposited in, but not limited to, sanitary landfills, transfer stations, incinerators and waste processing centers licensed, permitted or approved by the State of Mississippi, the Federal Government and owned by the Pine Belt Solid Waste Management Authority. For the purpose of this contract all collected garbage will utilize a facility owned by the Pine Belt Solid Waste Management Authority without exception.
- 4.09 Notification - The Contractor shall notify all Residents about complaint procedures, applicable regulations, days(s) for scheduled Refuse collection and any other approved route schedule changes to include Holiday notification.
- 4.10 Point of Contact - All dealings, contacts, etc., between the Contractor and the City shall be directed to the person or persons executing the Contract for the Contractor

EXHIBIT "K"

and the Mayor or City Attorney for the City.

5.00 COMPLIANCE WITH LAWS

- 5.01 Compliance with Laws - The Contractor shall conduct operations under this contract in compliance with all applicable laws.

6.00 EFFECTIVE DATE

- 6.01 Effective Date - This Contract shall be effective upon the execution of the Contract and performance of such Contract shall begin on October 1, 1996

7.00 NONDISCRIMINATION

- 7.01 Nondiscrimination - The Contractor shall not discriminate against any person because of race, sex, age, creed, color, religion, national origin, or disability as defined to be in compliance with Americans with Disability Act.

8.00 INDEMNITY

- 8.01 Indemnity - The Contractor will indemnify, save harmless and exempt the City, its officers, agents, servants, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, and attorneys' fees incident to any work done in the performance of this Contract arising out of willful or negligent act or omission of the Contractor, its officers, agents, servants and employees in the performance of this Contract; provided, however, that the Contractor shall not be liable for any suits, actions, legal proceedings, claims, demands, damages, costs, expenses and attorneys' fees arising out of the award of this Contract or a willful or negligent act or omission of the City, its officers, agents, servants and employees.

9.00 LICENSES AND TAXES

- 9.01 Licenses and Taxes - The Contractor shall obtain all licenses and permits and promptly pay all taxes required by the City.

10.00 TERM

10.01 Term

The Contract shall be for a three (3) year period beginning upon the commencement date of this contract and ending three (3) years thereafter. The City and the Contractor reserve the right, with a ninety (90) day written advance notification and through mutual agreement with

EXHIBIT "K"

the Contractor, to extend this Agreement for additional periods; length of period to be negotiated. Additionally, the City and the Contractor each maintain the option to cancel this contract with a ninety (90) day written notification to the other party.

11.00 INSURANCE

11.01 Types of Insurance - The Contractor shall at all times while this Contract shall be in force, secure and maintain insurance for Employer's Liability, Workmen's Compensation, Public Liability and Property Damage. Contractor shall furnish the City certificates or other evidence satisfactory to the City that such insurance is in force.

11.02 Limits of Insurance - Such policies shall be in no less than the following limits:

<i>Coverages</i>	<i>Limits of Liability</i>
Workmen's Compensation	Statutory
Employer's Liability	\$ 500,000
Bodily Injury Liability	\$ 500,000 each occurrence
Except Automobile	\$ 1,000,000 aggregate
Property Damage Liability	\$ 500,000 each occurrence
Except Automobile	\$ 500,000 aggregate
Automobile Bodily Injury Liability	\$ 500,000 each person
Automobile Property Damage Liability	\$ 500,000 each occurrence
Excess Umbrella Liability	\$1,000,000

11.03 Cancellation - No policy of insurance is acceptable to the City which can be canceled by the insurer in less than ten (10) days after the insured has received written notice of such cancellation.

11.04 City's Right to Pay Premium - Should Contractor fail to provide or maintain any of the above policies of insurance, the City may secure the same and deduct such premiums from any sums due Contractor.

11.05 City to Be Named As Additional Insured - On all policies of insurance obtained hereunder, the Contractor shall require that the City of Petal be named as an additional insured, furnishing appropriate certificate evidencing this fact.

EXHIBIT "K"

12.00 PERFORMANCE BOND

12.01 Performance Bond

1. The Contractor will be required to furnish a corporate surety bond as security for the performance of this Contract. Said surety bond must be in the amount equal to three (3) months of total annual proposal amount.
2. The premium for the bond described above shall be paid by the Contractor. A certificate from the surety showing that the bond premiums are paid in full shall accompany the bond.
3. The surety on the bond shall be a duly authorized corporate surety company authorized to do business in the State of Mississippi..
4. A cash bond in the amount equal to three (3) months of total annual proposal amount may be submitted to the City in lieu of a surety bond.

12.02 Power of Attorney - Attorneys-in-fact who sign performance bonds or contract bonds must file with each bond a certified and effectively dated copy of their power of attorney.

13.00 RELATIONSHIP OF CONTRACTOR TO THE CITY

13.01 Contractor is an Independent Contractor - Notwithstanding any provisions to the contrary, during all times, Contractor renders the services provided herein, Contractor shall be, and is an independent Contractor and except for the services agreed to be performed, shall not be under the direction, supervision or control of the City.

14.00 BASIS AND METHOD OF PAYMENT

14.01 Rates - For collection services required to be performed pursuant to the scope of work as detailed in the general specifications, the charges shall not exceed the rates as fixed by the signed Contractor's Proposal Form.

14.02 Contractor's Billing to the City - Contractor shall bill the City for services rendered at least five (5) days before the end of the month and the City shall pay the Contractor on or before the tenth (10th) day following the end of such month.

EXHIBIT "K"

14.03 Modification to Rates

1. The compensation payable to the Contractor for the second and subsequent years of the term hereof shall be adjusted upward or downward to reflect the change in the cost of doing business as measured by fluctuations in the Consumer Price Index (CPI), United States Average for all Items Portion, New Series, for Urban Wage Earners and Clerical Workers, published by the U.S. Department of Labor, Bureau of Labor Statistics for the preceding twelve (12) month contract period.
2. Should any tax, fee, levy, host fee, charge or surcharge be imposed by any governmental or regulatory agency, body or authority, on or with respect to any of the services provided herein, the Contractor upon justification shall pass these expenses on to the City in an equal amount.
3. Should the present disposal situation as provided by the Pine Belt Solid Waste Management Authority change as evidenced by increased tipping fees or longer haul distances, the Contractor upon justification shall be given the opportunity to negotiate an increased rate with the City. Conversely, should the present disposal situation change as evidenced by reduced tipping fees or shorter haul distances, the City upon justification shall be given the opportunity to negotiate a decreased rate with the Contractor.
4. In the event an agreement cannot be reached concerning any proposed new rate as caused for any reason except by the Consumer Price Index, then this Contract can be canceled by either party with ninety (90) days written notice.

15.00 TRANSFERABILITY OF CONTRACT

- 15.01 Transferability of Contract - Other than by operation of law, no assignment of the Contract or any right accruing under this Contract shall be made in whole or in part by the Contractor without the express written consent of the City, which consent shall not be unreasonably withheld; in the event of an assignment, the assignee shall assume the liability of the Contractor.

EXHIBIT "K"

16.00 OWNERSHIP

- 16.01 Ownership of Refuse - Title to Refuse collected by the Contractor shall pass to the Contractor when placed in its collection vehicle or removed by the Contractor from the owner's premises, which ever occurs earlier.

III.

REFORMATION/SEVERABILITY

In the event that any provision or portion thereof of this Contract is found to be invalid or unenforceable, then such provision or portion thereof shall be reformed in accordance with the applicable laws. The invalidity or unenforceability of any provision or portion of this Contract shall not affect the validity or enforceability of any other provision or portion of this Contract.

IV.

NOTICES

Notices required for any purpose in this Contract shall be addressed and sent by certified United States mail to a contracting party as specified below, which designated address may be changed from time to time by written notice sent by Certified U.S. Mail as provided herein.

City: Jack Gay, Mayor
City Hall
City of Petal
Petal, Mississippi 39465

Contractor: Carl L. Scott, President
Eagle Waste Systems Incorporated
3 Salinas Avenue
Petal, Mississippi 39465

with a copy to: Glenn L. White
Counsel for Contractor
Holmes & White, PLLC
Post Office Box 662
601 New Richton Road
Petal, Mississippi 39465

EXHIBIT "K"

V.

ENTIRE AGREEMENT/MODIFICATION

This Contract constitutes the entire agreement and understanding between the parties hereto and its terms shall not be modified or amended in any respect except upon mutual written agreement by the parties.

VI.

GOVERNING LAW

This Contract shall be governed by the laws of the State of Mississippi in all respects.

IN WITNESS WHEREOF, we, the contracting parties, by our duly authorized agents, have executed this Contract in duplicate original on the day and in the year first above mentioned.

City of Petal, Mississippi

By: [Signature]
Mayor

Eagle Waste Systems Incorporated

By: [Signature]
President

Sworn to and subscribed before me on this the 25th day of Sept., 1996, a Notary Public in and for the County of Tarrant, State of Mississippi.

Ava C Pinkett

Notary Public

My commission expires: My Commission Expires August 12, 1998

ORDER

PAGE 95

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to increase the pay scale for George Gunter, Municipal Court Judge,

IT IS THEREFORE ORDERED that the new pay scale for George Gunter shall be at the rate of pay of \$9,200.00 annually and shall become effective October 1st, 1996.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of September, A.D., 1996.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO INCREASE THE CIVIC CENTER COORDINATOR PAY SCALE.

IT IS HEREBY ORDERED THAT HILDA R. PYRON, THE CIVIC CENTER COORDINATOR RATE OF PAY BE INCREASED TO \$15,580.00 ANNUALLY.

IT IS FURTHER ORDERED THAT THIS PAY SCALE SHALL BECOME EFFECTIVE OCTOBER 1, 1996.

SO ORDERED BY THE MAYOR AND BOARD OF ALDERMEN, OF THE CITY OF PETAL, MISSISSIPPI ON THIS THE 17TH DAY OF SEPTEMBER, A.D., 1996.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to increase the pay scale for James K. Dukes, City Prosecutor.

IT IS THEREFORE ORDERED that the new pay scale for James K. Dukes shall be at the rate of pay of \$7,200.00 annually, effective October 1st, 1996.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 17th day of September, A.D., 1996.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to increase the pay scale for Elizabeth Brewer, Court Clerk.

IT IS THEREFORE ORDERED that the new pay scale for Elizabeth Brewer shall be at the rate of pay of \$18,110.00, effective October 1st, 1996.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of September, A.D., 1996.

CITY OF PETAL
MINUTE BOOK 16

PAGE 96

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, ~~deem it~~ ^{EXHIBIT "L"} necessary to increase the pay scale for the following employees in the Solid Waste Department.

IT IS THEREFORE ORDERED that the new pay scale for the Solid Waste Department employees shall read as follows, to wit:

Jeffrey Esters	\$6.25	per hour
----------------	--------	----------

IT IS FURTHER ORDERED that this pay scale shall become effective October 1, 1996, until further orders of the Mayor and Board of Aldermen.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 17th day of September, A.D., 1996.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to increase the pay scale for the following employees in the Street Department.

IT IS THEREFORE ORDERED that the new pay scale for the Street Department employees shall read as follows, to wit:

Frank Sellers	\$7.74	per hour
Cardic Blackwell	\$6.25	per hour
Billy J. Parker	\$7.59	per hour
Reuben Warrick, Jr.	\$10.17	per hour
Johnathan White	\$6.75	per hour
Chris Trawick	\$6.25	per hour
Scott Sherman	\$6.25	per hour
Harrison Singleton	\$6.25	per hour

IT IS FURTHER ORDERED that this pay scale shall become effective October 1st, 1996, until further orders of the Mayor and Board of Aldermen.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 17th day of September, A.D., 1996.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to increase the pay scale for the Policemen in the Petal Police Department.

IT IS THEREFORE ORDERED that the new pay scale for this Department shall read as follows:

	CHIEF OF POLICE	\$27,650.00	annually
	CAPTAIN	\$22,900.00	annually
\$9.64hr	LIEUTENANT	\$21,564.00	annually
\$9.41	SARGENT	\$21,030.02	annually
\$9.17	PATROLMAN 1st class	\$20,495.00	annually
\$8.93	PATROLMAN 2nd class	\$19,959.32	annually
\$8.45	PATROLMAN 3rd class	\$18,890.48	annually
\$7.79	PATROLMAN 4TH class	\$17,411.17	annually
\$10.06	METRO AGENT	\$22,500.00	annually

IT IS FURTHER ORDERED that this pay scale shall become effective October 1st, 1996.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 17th day of September, A.D., 1996.

CITY OF PETAL
MINUTE BOOK 16

WHEREAS the Mayor and Board of Aldermen of the City of PETAL, MISSISSIPPI, deem it necessary to increase the pay scale for the dispatchers in the Police Department.

IT IS THEREFORE ORDERED that the new pay scale for the dispatchers read as follows:

HEAD DISPATCHER	\$7.411 PER HOUR
1ST CLASS	\$6.959 PER HOUR
2ND CLASS	\$6.711 PER HOUR
3RD CLASS	\$6.561 PER HOUR
RECRUIT	\$6.082 PER HOUR

IT IS FURTHER ORDERED that this pay scale shall become effective October 1, 1996.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of Sept., A.D., 1996.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to increase the pay scale for Michelle Jackson, Animal Warden.

IT IS THEREFORE ORDERED that Michelle Jackson rate of pay be increased to \$6.25 per hour to be effective OCTOBER 1, 1996, until further orders of the Mayor and Board of Aldermen.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of September, A.D., 1996.

ORDER

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi deem it necessary to increase the pay scale for Clarence Sanford in the Water Department.

IT IS THEREFORE ORDERED that Clarence Sanford be paid at a rate of pay of \$13,000.00 annually effective October 1st, 1996 until further orders of the Mayor and Board of Aldermen.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of September, A.D., 1996.

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to increase the pay scale for the following employees in the Water and Sewer Department.

**CITY OF PETAL
MINUTE BOOK 16
EXHIBIT "L"**

IT IS THEREFORE ORDERED that the new pay scale for the following Water and Sewer Department employees read as follows:

C. Breland	\$18,400.00	per year
R. Eddlemon	\$10.403	per hour
E. Kitchens	\$7.672	per hour
G. Fogle	\$6.25	per hour
K. Cooley	\$6.00	per hour
W. Swilley	\$6.17	per hour
J. Dickerson	\$7.99	per hour
J. Ishee	\$15,500	per year

IT IS FURTHER ORDERED that this pay scale shall become effective October 1st, 1996.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 17th day of September, A.D., 1996.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi deem it necessary to increase the pay scale for Barbara Russell in the Recreation Department.

IT IS THEREFORE ORDERED that Barbara Russell's rate of pay be increased to \$5.74 per hour effective October 1, 1996.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of September, A.D. , 1996.

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to increase the pay scale for the City of Petal's Firemen as follows:

RECRUIT date of hire	\$6.796	PER HOUR
3RD CLASS FIREMAN beginning 2nd year	\$7.402	PER HOUR
2ND CLASS FIREMAN beginning 3rd year	\$7.812	PER HOUR
1ST CLASS FIREMAN beginning 4th year	\$7.947	PER HOUR
STEP 1	\$8.007	PER HOUR
STEP 2	\$8.067	PER HOUR
STEP 3	\$8.127	PER HOUR
2ND LT beginning 5th year	\$8.218	PER HOUR
1ST LT beginning 7th year	\$8.488	PER HOUR
CAPTAIN beginning 10th year	\$8.894	PER HOUR
FIRE DEPT COORDINATOR	\$9.91	PER HOUR
FIRE CHIEF	\$26,650	ANNUALLY

IT IS THEREFORE ORDERED that this pay scale become effective October 1st, 1996 until further orders of the Mayor and Board of Aldermen.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 17th day of September, A.D., 1996.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi deem it necessary to increase the pay scale for Priscilla C. Daniel, City Clerk, Tax Collector and Voter Registrar.

IT IS THEREFORE ORDERED that the new pay scale for Priscilla C. Daniel shall be at the rate of pay of \$28,150.00 annually.

IT IS THEREFORE ORDERED that this pay scale become effective October 1st, 1996.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of September, A.D., 1996.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to increase the pay scale for Thomas W. Tyner, City Attorney.

IT IS THEREFORE ORDERED that the pay scale for Thomas W. Tyner shall be at the rate of pay of \$11,200.00 annually.

IT IS FURTHER ORDERED that his pay scale become effective October 1st, 1996.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of September, A.D., 1996.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO INCREASE THE SALARY OF THE CITY BUILDING INSPECTOR.

IT IS HEREBY ORDERED THAT THE SALARY OF THE BUILDING INSPECTOR, DAN TOLBERT, BE INCREASED TO \$24,050.00 PER YEAR EFFECTIVE OCTOBER 1ST, 1996, UNTIL FURTHER ORDERS OF THE BOARD.

SO ORDERED ON THIS THE 17TH DAY OF SEPTEMBER, 1996.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi deem it necessary to increase the pay scale for Cross Guards.

IT IS THEREFORE ORDERED that the new scale of Cross-Guards be at a rate of \$4.75 per hour effective October 1, 1996.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of September, A.D., 1996.

~~CITY~~ OF PETAL
MINUTE BOOK 16

PAGE 100

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, ^{EXHIBIT "L"} deem it necessary to increase the pay scale for Ava C. Pickett, Mayor's Secretary.

IT IS THEREFORE ORDERED that the new pay scale for Ava C. Pickett shall be at the rate of pay of \$16,792.48 annually, and shall be effective October 1st, 1996, and until further orders of the Mayor and Board of Aldermen.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of September, A.D. , 1996.

EXHIBIT "M"

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY DUE TO THE COMPLETION OF HER SIX (6) MONTH PROBATIONARY PERIOD TO INCREASE THE SALARY OF SHERRY BELIEVEAU, ACCOUNTING CLERK IN THE FINANCIAL DEPARTMENT.

IT IS HEREBY ORDERED THAT SHERRY BELIEVEAU'S SALARY BE INCREASED TO A RATE OF \$14,500.00 PER YEAR EFFECTIVE SEPTEMBER 25, 1996.

SO ORDERED ON THIS THE 17TH DAY OF SEPTEMBER, A.D. , 1996.

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

That pursuant to Section 21-35-25 of the Mississippi
Code of 1972, annotated and amended, the year commencing October
1, 1995 and ending September 30, 1996 requires amending and

WHEREAS, by Section 21-35-25, the Mayor and Board of
Aldermen do hereby amend the 1995-96 fiscal budget as follows:

<u>FUND</u>	<u>INCREASE (DECREASE) BUDGET</u>	<u>REASON</u>
<u>EXPENDITURES - GENERAL FUND</u>		
ANIMAL CONTROL	(\$ 945.00)	Decreased due to improper budget code; increase equipment repairs
STREET DEPARTMENT	\$3,245.00	Increase due to improper budget code; increase in supplies
RECREATION DEPARTMENT	\$1,000.00	Increase in equipment repairs & maintenance

WHEREAS, upon adoption, the City Clerk will cause this
Resolution to be published if required by Section 21-35-25.

Those present and voting "AYE" and in favor of the
passage adoption and approval of the foregoing Resolution:

Alderman Raymond Brandle
Alderman Reuben Clepper
Alderman Leroy Scott
Alderman Shelby Tims

Those present and voting "NAY" or against the adoption
of the Resolution.

None

Whereas, the foregoing Resolution was duly passed,
adopted and approved on this the 17th day of September, A.D.,
1996.

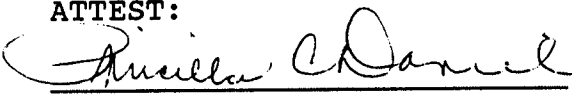
CITY OF PETAL, MISSISSIPPI

BY:

JACK GAY
MAYOR

(SEAL)

ATTEST:


PRISCILLA C. DANIEL
CITY CLERK

PUBLISH: September 23, 1996

EXHIBIT "O"

02/28/1984 08:07 FROM

TO 1-601-545-6685

P.02

W

Wade's Frac Tanks, Inc.

Home Office
P. O. Drawer 399
Billeville, MS 39437
Phone (601) 649-1817
FAX (601) 477-8290

P. O. Box 77878
Baton Rouge, LA 70879-7878
Phone (504) 753-5636

September 16, 1990

Attn: Mayor Jack Gay, Jr.
City of Petal
P. O. Box 564
Petal, MS. 39465

Dear Mayor Gay:

Please accept this as our quote for roll-off box service:

Roll-off Box Rental	\$70.00 per month	*
Transportation	\$126.00 each	
Disposal fees	\$10.00 per ton	

We specialize in same day service. Disposal charges based on construction debris only. Household garbage, tires, paint cans, caulking tubes, etc., will be charged out accordingly.

Thank you for allowing us to quote on this job for you. If we can be of any further assistance to you on this job, please do not hesitate to contact us.

Sincerely,

WADE'S FRAC TANKS, INC.

Kenneth Fitzgerald
Kenneth Fitzgerald

BE IT REMEMBERED THAT THERE WAS CALLED TO ORDER THE RECESSED MEETING OF SEPTEMBER 17, 1996 AT 6:00 P.M. ON THE 19TH DAY OF SEPTEMBER 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	MIKE SMITH AUBRA EVANS Q.T. CONWAY

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

WHEREAS, MAYOR GAY PRESENTED THE AGREEMENT BETWEEN THE PETAL SCHOOL DISTRICT AND THE CITY OF PETAL FOR THE USE OF THE W. L. SMITH SCHOOL FACILITIES FOR THE PETAL RECREATION AFTER SCHOOL ENRICHMENT PROGRAM.

SEE EXHIBIT "A"

AGREEMENT

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

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING QUOTATIONS FOR 16 - 48" MANHOLE RISERS WITH RINGS AND 2 BOOTS FOR 8" PVC PIPE FOR THE KELLY ROSE LANE SEWER PROJECT.

SEE EXHIBIT "B"

CHOCTAW, INC	\$1,050.40
P O BOX 16987	
HATTIESBURG, MS.	

CUSTOM PRECAST PRODUCTS, INC.	1,065.00
P O DRAWER 242	
LUMBERTON, MS. 39455	

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT CHOCTAW, INC. LOW QUOTE FOR THE SEWER SUPPLIES FOR THE KELLY ROSE LANE PROJECT. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING QUOTATIONS FOR 429' OF GASKETED SEWER PIPE AND TWO (2) TEES FOR THE KELLY ROSE LANE SEWER PROJECT.

SEE EXHIBIT "C"

CENTRAL PIPE SUPPLY, INC.	\$1,230.71
101 WARE RD	
PEARL, MS. 39208	

JOHN CELLINI SALES	\$1,316.30
156 OLD RAWLS SPRINGS RD	
HATTIESBURG, MS. 39402	

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT CENTRAL PIPE SUPPLY'S LOW QUOTE FOR THE SEWER SUPPLIES FOR THE KELLY ROSE LANE PROJECT. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN WILLIAM 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 APPOINTMENT TO THE PETAL SCHOOL BOARD OF TRUSTEES.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO APPOINT SYLVIA TRUITT TO FILL THE UNEXPIRED TERM, WHICH EXPIRES IN MARCH OF 1998, OF THE POST VACATED BY THE RESIGNATION OF CHRIS RAMSEY ON THE PETAL SCHOOL BOARD OF TRUSTEES. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE
ALDERMAN WILLIAM 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. ALDERMAN TIMS SECONDED THE MOTION.

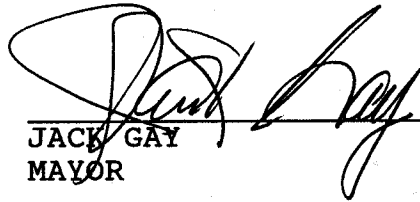
THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

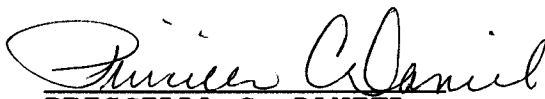
THEREBEING NO FURTHER BUSINESS, THE REGULAR RECESSED MEETING
OF THE MAYOR AND BOARD OF ALDERMEN OF SEPTEMBER 17, 1996 WAS
ADJOURNED ON THIS THE 19TH DAY OF SEPTEMBER, A.D., 1996
THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI,



JACK GAY
MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL
CITY CLERK

EXHIBIT "A"

OCCUPANCY AGREEMENT

THIS AGREEMENT, made and entered into by and between the Petal Municipal Separate School District, with added territories, hereinafter referred to as "Landlord" and the City of Petal, a Municipal Corporation, hereinafter referred to as "Tenant" do hereby covenant and agree as follows, to-wit:

1.

That the Tenant wishes to fund, staff, organize, direct, and administer an after school program for certain designated school age children through the Tenant's recreation department.

2.

That Tenant does not have adequate facilities to conduct such programs, and desires to use and occupy certain premises belonging to Landlord and presently designated as W. L. Smith Elementary School.

3.

That Tenant has and maintains liability insurance for all programs sponsored by it through the recreation department which liability insurance will be in full force and effect during the time and upon the premises occupied and utilized by Tenant for conduct of its after school recreation program.

4.

That the employees of the Tenant will organize, administer, and direct the program without supervision, direction, or administration provided by Landlord; it being fully understood,

EXHIBIT "A"

that Landlord is only providing the facility at which the program will be conducted, and assumes no responsibility for the conduct or administration of such programs.

5.

That by furnishing and permitting occupancy of its school building, W. L. Smith Elementary School, the Landlord does not assume any liability for any accidents occurring to the participants in the program administered and directed by the Tenant nor are the employees of the Tenant administering and directing said programs to be considered agents, servants, or employees of the Landlord.

6.

It is fully agreed and understood between Landlord and Tenant that Landlord has no legal obligation nor liability to any participant in the activities sponsored by the Tenant, but is merely furnishing occupancy of premises as a courtesy and to assist Tenant in enhancement of its recreational program.

7.

Landlord reserves the right to designate the area or areas at the W. L. Smith Elementary School, which may be used, utilized, and occupied by Tenant, for its recreational programs, and the dates and times when such occupancy may be permitted.

8.

Landlord reserves the right to cancel the Tenant's permission to use, and occupy the designated premises upon ten (10) days written notice to the Mayor of the City of Petal.

WITNESS THE SIGNATURE of the parties by and through their

EXHIBIT "A"

09/17/86 09:28 1601 584 4700

PETAL SCHOOLS

0004

authorized representatives, on this, the _____ day of
_____, 1996.

PETAL MUNICIPAL SEPARATE SCHOOL
DISTRICT, WITH ADDED TERRITORIES,
LANDLORD

BY: _____

CITY OF PETAL, A MUNICIPAL CORPORATION,
TENANT

BY: _____

EXHIBIT "B"



September 18, 1996

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

QUOTATION

16'	48" Manhole Riser	@ 44.90 per ft	= \$ 718.40
1	48" Manhole Bottom w/6" Overhang		80.00
2	Boots for 8" PVC Pipe	@ 38.00 ec	= 76.00
1	Traffic Rated Ring & Cover		<u>176.00</u>
TOTAL			\$1,050.40

Prices are F.O.B. Hattiesburg Plant and includes steps and joint material.

Thank you for considering Choctaw, Inc. for your concrete pipe needs.

Sincerely,

CHOCTAW ,INC.

F. Charles Phillips
Sales Representative

FCP/sw

EXHIBIT "B"

FROM : CUSTOM PRECAST PRODUCTS INC

PHONE NO. : 601+796+8539

Sep. 17 1996 11:19AM P2

CP
Custom Precast Products, Inc.

P.O. Drawer 242 • Lumberton, MS 39455 • (601) 796-8531

SEPTEMBER 17, 1996
B-96-S-481-M

TO: WATER & SEWER DEPARTMENT
119 W. 8 TH AVE.
PETAL, MS. 39465

RE: SEWER REHAB PETAL, MS

Gentlemen,

We propose to furnish the following materials and services on the above reference project:

16 VF. 48" DIA. PRECAST MANHOLE WITH STEPS, 2 - 8" BOOTS
EXTENDED BASE AND RING & COVER
(NO COATING) @ \$ 1065.00..... \$ 1,065.00

THE ABOVE PRICES ARE SUBJECT TO THE FOLLOWING CONDITIONS

1. THE ABOVE PRICES ARE F.O.B. TRUCK JOB SITE (unloaded by contractor).
2. PRICES ARE GOOD FOR 30 DAYS FROM THE ABOVE DATE.
3. NO APPLICABLE TAXES ARE INCLUDED.
4. QUANTITIES ARE ESTIMATED ONLY. ALL PRICES BASED ON A PER EACH BASIS.
5. CONTRACTOR ASSUMES RESPONSIBILITY FOR SETTING INTO EXCAVATION.
6. TERMS ARE NET 30 DAYS. PAST DUE ACCOUNTS ARE SUBJECT TO A LATE CHARGE OF 1 1/2% NOT TO EXCEED 18% ANNUALLY. IF THE ACCOUNT IS PLACED IN THE HANDS OF AN ATTORNEY FOR COLLECTION, THE PURCHASER IS LIABLE FOR ALL LEGAL COSTS.

WE ARE LOOKING FORWARD TO THE OPPORTUNITY OF WORKING WITH
YOU ON THIS PROJECT.

Approved by: _____

Title: _____

Sincerely,

Billy W. Livingston

Billy W. Livingston
Sales Manager

EXHIBIT "C"

CENTRAL PIPE SUPPLY, INC.
PIPE/VALVES/FITTINGS

101 WARE RD. PEARL, MS 39208
P.O. BOX 8946
JACKSON, MS. 39284-8946
(601) 939-3322
WATS 1-800-844-7700
FAX (601) 932-8944

**3998 RUNWAY ROAD
P.O. BOX 18940
MEMPHIS, TENNESSEE 38181-0940
(901) 365-1260
WATS 1-800-888-7448
FAX (901) 363-5571**

To City of Olathe Your No. _____
Olathe, MS Project Red
Date Required FAX 5745-6685

[illegible]

ing date.

The above prices are F.O.B.

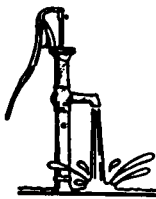
Terms:

We thank you for the opportunity of serving you and trust we may have the pleasure again.

CENTRAL PIPE SUPPLY

By

EXHIBIT "C"



**Water Meters
Repair Clamps
Brass Serv Material
Valves & Hydrants**

John Cellini Sales

Water Works & Industrial Supplies

156 Old Rawls Springs Rd. • Hattiesburg, MS 39402
(601) 268-7463

Meter Boxes
C.I. MJ & Flg. Fittings
PVC Pipes & Fittings
Steel Pipes & Fittings

City of Astal

Quotation
9/17/96

[illegible]

Appreciate the opportunity of guests
on this requirement.

John Cellini