

BE IT REMEMBERED THAT THERE IS BEGUN AND HELD THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON TUESDAY MARCH 18, 1997 AT 7:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT	MAYOR JACK GAY
CITY ATTORNEY	THOMAS W. TYNER
ALDERMEN	RAYMOND C. BRANDLE WILLIAM H. CAMPBELL JOE C. MCMURRY LEROY SCOTT SHELBY TIMS
OTHERS PRESENT	MIKE SMITH CHIEF WAYNE MURPHY CHIEF AUBRA EVANS DAN TOLBERT JERRY CROWE JOHN WINDSOR AND OTHERS

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

THE INVOCATION WAS OFFERED BY THOMAS W TYNER.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

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

ADDITIONS

X. GENERAL BUSINESS

7. REFUND JOHN MOONEY \$27.50 FOR TRAILER PERMIT

8. SALARY ADJUSTMENTS - DALE NUTTING AND SCOTT SHERMAN

XIII. RESOLUTIONS

B. RESOLUTION AUTHORIZING & APPROVING EXECUTION OF EQUIPMENT LEASE

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN BRANDLE MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF MARCH 4, 1997 BE ACCEPTED AS WRITTEN. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY CALLED FOR PUBLIC COMMENT.

THEREUPON, JERRY CROWE ADDRESSED THE BOARD CONCERNING THE CITY'S SUBDIVISION REGULATIONS, BEAUTIFICATION OF PETAL, WATER DEPARTMENT TRUST FUND AND THE ORDINANCE FOR THE REMOVAL OF JUNK CARS.

WHEREAS, MAYOR GAY REQUESTED THE WISHES OF THE BOARD CONCERNING THE ORDINANCE FOR LOGGING AND HOSE MOVING PERMITS.

THEREUPON, ALDERMAN SCOTT REQUESTED THAT A WORK SESSION BE SET UP TO STUDY THIS ORDINANCE.

WHEREAS, MAYOR GAY REQUESTED THE WISHES OF THE BOARD CONCERNING THE PLANNING COMMISSIONS RECOMMENDATION THAT THE BOARD DENY EDWARD P. KING'S ZONING CHANGE REQUEST.

THEREUPON, ALDERMAN CAMPBELL MADE A MOTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION AND TO DENY THE ZONING CHANGE REQUEST.

THE MOTION DIED FOR A LACK OF A SECOND.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO TAKE THE ZONING CHANGE REQUEST OF EDWARD P. KING UNDER ADVISEMENT AND TO MEET WITH THE PLANNING COMMISSION CONCERNING THIS REQUEST ON MARCH 25, 1997 AT 7:15 P.M. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, JOHN E. WINDSOR, SPECTRUM GROUP, INC., ADDRESSED THE BOARD CONCERNING THE POSSIBILITY OF THE CITY ESTABLISHING A WEB SITE ON THE INTERNET TO ADVERTISE THE CITY OF PETAL.

THEREUPON, MAYOR GAY REQUESTED THAT MR. WINDSOR PREPARE A PROPOSAL WITH COST AND RETURN IT TO THE BOARD FOR CONSIDERATION DURING THE BUDGET PROCESS.

WHEREAS, MAYOR GAY PRESENTED AN ORDER FOR FORFEITURE OF PROPERTY ON A 1990 HONDA ACCORD EX, VIN 1HGCB7664LA166808 FOR USE BY THE METRO NARCOTICS OFFICER AS AN UNMARKED CAR.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO ACCEPT THE 1990 HONDA ACCORD EX, VIN 1HGCB7664LA166808 FOR USE BY THE METRO NARCOTICS OFFICER AS AN UNMARKED CAR. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED AN AGREEMENT BETWEEN THE CITY OF PETAL AND NIKKI COKER TO PROVIDE THE SENIOR AEROBIC CLASSES FOR THE CITY.

SEE EXHIBIT "A"

AGREEMENT - NIKKI COKER

THEREUPON, ALDERMAN MCMURRY MADE A MOTION THAT THE AGREEMENT BETWEEN THE CITY OF PETAL AND NIKKI COKER BE APPROVED AND FURTHER THAT THE AGREEMENT BETWEEN THE CITY OF PETAL AND THE BODY FLEX FITNESS CENTER BE CANCELLED. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE SOFTBALL OFFICIALS HAVE REQUESTED THAT THEY BE PAID ON A BI-WEEKLY BASIS INSTEAD OF A MONTHLY BASIS.

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT UPON THE PRESENTATION OF AN INVOICE FROM THE SOFTBALL OFFICIALS AND THE APPROVAL OF THAT INVOICE BY THE RECREATION DIRECTOR THAT THE SOFTBALL OFFICIALS BE PAID ON A BI-WEEKLY BASIS. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROOFS OF PUBLICATION:

- A) PUBLIC HEARING - BLOCK AD CDBG 1997 PROJECT
- B) PUBLIC NOTICE - ZONING REQUEST BRENDA P. MADDEN

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE REVENUES AND EXPENDITURES TO THE BOARD.

THEREUPON, ALDERMAN TIMS MADE A MOTION THAT THE REVENUES AND EXPENDITURES FOR THE MONTH OF FEBRUARY BE ACCEPTED. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FOR A REFUND OF \$27.50 FOR A TRAILER PERMIT FROM JOHN MOONEY.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO REFUND MR MOONEY \$27.50 FOR A TRAILER PERMIT SINCE THERE WAS NO INSPECTION MADE. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER TO INCREASE DALE NUTTING'S SALARY TO \$6.50 PER HOUR EFFECTIVE MARCH 27, 1997.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY DUE TO THE RECOMMENDATION BY STREET SUPERINTENDENT REUBEN WARRICK AND WITH THE ADDED RESPONSIBILITIES SINCE THE RESIGNATION OF FRANK SELLERS TO INCREASE DALE NUTTING'S SALARY TO \$6.50 PER HOUR.

IT IS HEREBY ORDERED THAT DALE NUTTING'S PAY BE INCREASED TO THE RATE OF \$6.50 PER HOUR EFFECTIVE MARCH 27, 1997.

SO ORDERED ON THIS THE 18TH DAY OF MARCH, A.D., 1997.

THEREUPON, ALDERMAN TIMS MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER INCREASING SCOTT SHERMAN'S SALARY.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY DUE TO THE RECOMMENDATION BY STREET SUPERINTENDENT REUBEN WARRICK AND WITH THE ADDED RESPONSIBILITIES OF EQUIPMENT OPERATOR TO INCREASE SCOTT SHERMAN'S SALARY TO \$6.50 PER HOUR.

IT IS HEREBY ORDERED THAT SCOTT SHERMAN'S PAY BE INCREASED TO THE RATE OF \$6.50 PER HOUR EFFECTIVE MARCH 27, 1997.

SO ORDERED ON THIS THE 18TH DAY OF MARCH, A.D., 1997.

THEREUPON, ALDERMAN TIMS MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FOR AVA PICKETT, DEPUTY CITY CLERK, TO ATTEND THE CERTIFICATION TRAINING PROGRAM APRIL 24 & 25, 1997 IN HATTIESBURG, MS.

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FOR GARRY FOGLE TO ATTEND THE WATER SUPPLY SHORT COURSE IN STARKVILLE, MS ON MAY 19-23, 1997.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE MR. FOGLE TO ATTEND THE WATER COURSE. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FOR ANTHONY BRYANT AND ROY JOHNSON TO ATTEND A TWO DAY TRAINING SEMINAR PROVIDED BY THE MISSISSIPPI BUREAU OF NARCOTICS ON MARCH 26-27, 1997 IN LAUREL, MS.

THEREUPON, ALDERMAN TIMS MADE A MOTION TO AUTHORIZE ANTHONY BRYANT AND ROY JOHNSON TO ATTEND THE TRAINING SEMINAR IN LAUREL. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER HIRING RUSSELL CAMERON AS A PART-TIME RECREATION EMPLOYEE.

**ORDER**

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE A PART-TIME EMPLOYEE IN THE RECREATION DEPARTMENT.

IT IS HEREBY ORDERED THAT RUSSELL D. CAMERON BE HIRED AS A PART-TIME EMPLOYEE IN THE RECREATION DEPARTMENT AT A RATE OF \$5.50 PER HOUR EFFECTIVE MARCH 19, 1997.

SO ORDERED ON THIS THE 18TH DAY OF MARCH, A.D. 1997.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ADOPT THE FOREGOING ORDER HIRING RUSSELL D. CAMERON AS A PART-TIME EMPLOYEE IN THE RECREATION DEPARTMENT. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING RESOLUTION COMMITTING THE MATCHING FUNDS FOR THE CDBG PROJECT.

SEE EXHIBIT "B"

RESOLUTION AUTHORIZING THE COMMITMENT OF FUNDS TO BE LEVERAGED WITH THE CITY OF PETAL APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS SUBMITTED TO THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION COMMITTING \$100,000 IN CITY FUNDS FOR THE PUBLIC FACILITIES PROJECT. THEREUPON, ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING RESOLUTION FOR THE LEASE-PURCHASE AGREEMENT WITH FIRST CONTINENTAL LEASING.

SEE EXHIBIT "C"

RESOLUTION AUTHORIZING AND APPROVING EXECUTION  
OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH  
FIRST CONTINENTAL LEASING, A DIVISION OF BANK OF  
MISSISSIPPI FOR THE PURPOSE OF LEASE-PURCHASING  
CERTAIN EQUIPMENT

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE PRIVILEGE LICENSE REPORT FOR FEBRUARY 1997 TO THE BOARD.

WHEREAS, ALDERMAN SCOTT MADE A MOTION TO SET THE HEARING FOR THE AMENDMENTS OF THE ZONING ORDINANCE WHICH PERTAINS TO MOBILE HOMES IN THE CITY OF PETAL ON APRIL 22, 1997 AT 7:00 P.M. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
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.

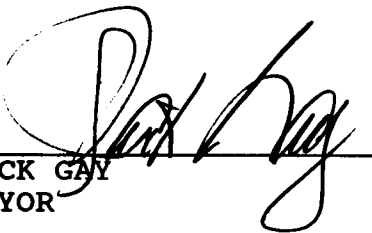
THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN JOE C. MCMURRY, SR.  
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, MS. WAS  
ADJOURNED ON THIS THE 18TH DAY OF MARCH, A.D., 1997.



JACK GAY  
MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL  
CITY CLERK



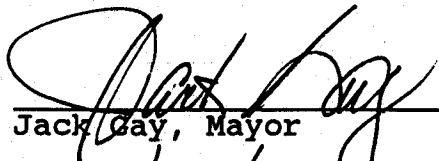
EXHIBIT "A"


AN AGREEMENT BETWEEN THE CITY OF PETAL (RECREATION DEPARTMENT)  
AND NIKKI COKER

Nikki Coker will conduct aerobic classes, maximum of (3) three times weekly, at a cost of \$15.00 per session. The classes will be held at the Petal Civic Center for any mature adult that has an interest. The time will be coordinated with the director of the center.

The City of Petal agrees to pay Nikki Coker upon receipt of a statement and preferable on a monthly basis, that amount submitted for classes conducted. Statements must be received by the 25th of the month in order for payment to be prepared and sent to vendor by the 10th of the following month.

Termination of this agreement will be upon a (30) thirty day written notice by either party.

  
\_\_\_\_\_  
Jack Gay, Mayor  
3/21/97 Date

  
\_\_\_\_\_  
Nikki Coker Instructor  
3/21/97 Date

RESOLUTION  
EXHIBIT "B"

**RESOLUTION AUTHORIZING THE COMMITMENT OF FUNDS TO BE LEVERAGED WITH THE CITY OF PETAL APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS SUBMITTED TO THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT.**

WHEREAS, the City of Petal, Mississippi has authorized the Mayor to commit \$100,000.00 of funds to leverage with Community Development Block Grant funds requested in the 1997 Community Development Block Grant Application; and

WHEREAS, an application has been prepared in accordance with the program guidelines, requirements and policies adopted by the Department of Economic and Community Development; and

WHEREAS, the activities detailed in the application have been fully considered and discussed by the Mayor and Board of Aldermen;

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

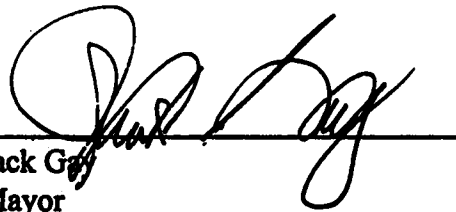
SECTION I: That the City of Petal, Mississippi, has authorized the commitment of the following:

1. That \$100,000.00 in cash be committed toward the Public Facilities project involving sewer improvements.
2. That the total \$100,000.00 of local commitment be leveraged as match for \$100,000.00 of Community Development Block Grant funds for a total project cost of \$200,000.00.

SECTION II: That this resolution shall take effect and be in full force and effect on and after its adoption.

PASSED AND ADOPTED at the March 18, 1997 meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi.

APPROVED:

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

Attest:


  
\_\_\_\_\_  
Priscilla Daniel  
City Clerk

EXHIBIT "C"

**RESOLUTION AUTHORIZING AND APPROVING EXECUTION  
OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH  
FIRST CONTINENTAL LEASING, A DIVISION OF BANK OF MISSISSIPPI  
FOR THE PURPOSE OF LEASE-PURCHASING CERTAIN EQUIPMENT**

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

1. The Lessee desires to enter into an Equipment Lease-Purchase Agreement with the Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" (the "Agreement") with First Continental Leasing, a division of Bank of Mississippi (the "Lessor") for the purpose of presently purchasing the equipment as described therein for the total cost specified therein (collectively the "Equipment") and to purchase such other equipment from time to time in the future upon appropriate approval;
2. The Lessee is authorized pursuant to Section 31-7-13(e) of the Mississippi Code of 1972, as amended, to acquire equipment and furniture by Lease-Purchase agreement and pay interest thereon by contract for a term not to exceed 5 years;
3. It is in the best interest of the residents served by Lessee that the Lessee acquire the Equipment pursuant to and in accordance with the terms of the Agreement; and
4. It is necessary for the Lessee to approve and authorize the Agreement.
5. The Lessee desires to designate the Agreement as a qualified tax-exempt obligation of Lessee for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986 (the "Code").

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

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

Section 2. The Agreement is being issued in calendar year 1997.

Section 3. Neither any portion of the gross proceeds of the Agreement nor the Equipment identified to the Agreement shall be used (directly or indirectly) in a trade or business carried on

EXHIBIT "C"

by any person other than a governmental unit, except for such use as a member of the general public.

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

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

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

Section 7. In calendar year 1997, Lessee has designated \$ -0- of tax-exempt obligations (including the Agreement) as qualified tax-exempt obligations. Including the Agreement herein so designated, Lessee will not designate more than \$10,000,000 of obligations issued during calendar year 1997 as qualified tax-exempt obligations.

Section 8. Lessee reasonably anticipates that the total amount of tax-exempt obligations (other than private activity bonds) to be issued by Lessee during calendar year 1997 will not exceed \$10,000,000.

Section 9. For purposes of this resolution, the amount of Tax-exempt obligations stated as either issued or designated as qualified tax-exempt obligations includes tax-exempt obligations issued by all entities deriving their issuing authority from Lessee or by an entity subject to substantial control by Lessee, as provided in Section 265(b)(3)(E) of the Code.

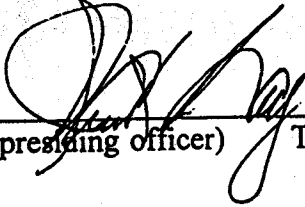
Section 10. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Lessee to do all things necessary in furtherance of the obligations of the Lessee pursuant to the Agreement, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

EXHIBIT "C"

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

<u>Alderman Brandle</u>	Voted: <u>Yes</u>
<u>Alderman Campbell</u>	Voted: <u>Yes</u>
<u>Alderman McMurry</u>	Voted: <u>Yes</u>
<u>Alderman Scott</u>	Voted: <u>Yes</u>
<u>Alderman Tims</u>	Voted: <u>Yes</u>

The motion having received the affirmative vote of all members present, the Mayor declared the motion carried and the resolution adopted this the 18th day of March, 19 97.

  
\_\_\_\_\_  
(presiding officer) Title

ATTEST:



(SEAL)

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INTENTIONALLY