

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 OCTOBER 21, 1997 AT 7:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT	MAYOR JACK GAY
CITY ATTORNEY	THOMAS W. TYNER
ALDERMEN	WILLIE W. HINTON CHARLES E. HOLBROOK ROBERT F. LANGFORD DONALD H. ROWELL LEROY SCOTT
OTHERS PRESENT	MIKE SMITH CHIEF WAYNE MURPHY FIRE CHIEF AUBRA EVANS DAN TOLBERT LINDA SIMON AND OTHERS

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

THE INVOCATION WAS OFFERED BY WILLIE W. HINTON.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

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

ADD:

X. GENERAL BUSINESS

14. ACCEPTANCE OF WATER SYSTEM - NORTHRIDGE SUB
15. KEITH BRADDOCK LETTER OF RESIGNATION
16. REQUEST FOR REIMBURSEMENT FOR SEWER CLEAN-OUT BY GARY MORROW

XIII. RESOLUTIONS

1. PROCLAMATION FOR RED RIBBON WEEK OCTOBER 25-31, 1997

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN ROWELL MADE A MOTION TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF OCTOBER 7, 1997 AND THE PUBLIC HEARING HELD OCTOBER 7, 1997 AS WRITTEN. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN
LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY CALLED FOR PUBLIC COMMENT BUT THERE WAS NONE.

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING QUOTES FOR THE DESK PANELS AT CITY HALL.

DISCOUNT OFFICE SYSTEMS	\$3,100.76
215 BROADWAY DRIVE	
HATTIESBURG, MS. 39401	

BUSINESS WORKS	3,548.90
111 BROADWAY DRIVE	
HATTIESBURG, MS. 39401	

THEREUPON, ALDERMAN ROWELL MADE A MOTION THAT THE QUOTATION FROM DISCOUNT OFFICE SUPPLY BE ACCEPTED. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING LIST OF STREETS TO BE PAVED:

SEE EXHIBIT "A"

MAYOR'S LIST OF STREETS

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO PAVE THE FOREGOING STREETS AT THE PROJECTED COST OF \$79,129.50. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY RECOMMENDED THAT THE BOARD ACCEPT THE FIRM BID FOR GASOLINE AT THE PUMP FROM FUELMAN, INC. RECEIVED AT THE MEETING OF OCTOBER 7, 1997.

THEREUPON, ALDERMAN ROWELL MADE A MOTION THAT THE BID FOR GASOLINE AT THE PUMP BE AWARDED TO FUELMAN, INC. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY RECOMMENDED THAT THE BID FOR THE PURCHASE OF DIESEL FUEL IN BULK, RECEIVED AT THE OCTOBER 7, 1997 MEETING BE ACCEPTED FROM PINE BELT OIL, INC.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AWARD THE BID FOR THE PURCHASE OF DIESEL FUEL IN BULK TO PINE BELT OIL, INC. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE PRIORITIZED LIST FOR THE USE OF THE ELDERLY AND/OR HANDICAPPED CITIZENS BUS.

SEE EXHIBIT "B"

PRIORITIZED LIST

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT ITEM NUMBERS 1, 2, & 3 AND TO TAKE ITEM # 4 UNDER ADVISEMENT. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, LINDA SIMON ADDRESSED THE BOARD CONCERNING A TIRE SAFETY PRODUCT.

THEREUPON, MAYOR GAY REQUESTED THAT SHE MEET WITH THE DEPARTMENT HEADS INDIVIDUALLY AND THEY COULD DECIDE WHETHER OR NOT TO PURCHASE THE PRODUCT.

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROOFS OF PUBLICATION:

- A) PUBLIC NOTICE - DR. BARBARA MAULDIN VARIANCE
- B) ZONING HEARING - JACK BURT
- C) LEGAL - PROFESSIONAL SERVICES CDBG
- D) ZONING HEARING - HELEN SMITH - FORREST GARDENS TRAILER PARK

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A LETTER OF RESIGNATION FROM JIMMY BROWN, A MEMBER OF THE BOARD OF ZONING APPEALS.

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT ALDERMEN HINTON HAS RECOMMENDED THAT RANDY SPEARS FILL MR. BROWN'S UNEXPIRED TERM ON THE BOARD OF ZONING APPEALS.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO APPOINT RANDY SPEARS TO FILL THE UNEXPIRED TERM UNTIL JULY 1999. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE CITY HAS RECEIVED A REQUEST FROM MERRITT TAX SERVICES, INC. FOR TAX DEEDS ON THE FOLLOWING PARCELS OF LAND:

- 1) 119B 2070 03005300 ASSESSED IN THE NAME OF MICHAEL COX
- 2) 105D 02209900 ASSESSED IN THE NAME OF ELIJAH NORWOOD

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ISSUE THE TAX DEEDS UPON RECEIPT OF THE COST FROM MERRITT TAX SERVICES. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE GROUND LEASE FOR THE PROPERTY OWNED BY MRS. MARTHA HAMILTON ON FAIRCHILD DRIVE.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE LEASE AND TO PAY MRS. HAMILTON \$1,000. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE MUNICIPAL COMPLIANCE QUESTIONNAIRE AS REQUIRED BY THE STATE AUDITORS OFFICE.

SEE EXHIBIT "C"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT THE MUNICIPAL COMPLIANCE QUESTIONNAIRE BE ACCEPTED AND MADE A PART OF THE MINUTES. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A DRAINAGE EASEMENT FROM HUB SOUTH MEDICAL GROUP.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE EASEMENT FROM HUB SOUTH MEDICAL GROUP AND TO PAY THEN THE \$10.00 FOR THE EASEMENT. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM FIRE CHIEF AUBRA EVANS FOR THE CITY TO ADVERTISE FOR 15 SETS OF TURN OUT GEAR.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR 15 SETS OF TURN OUT GEAR. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM POLICE CHIEF WAYNE MURPHY TO PURCHASE A 1998 FORD CROWN VICTORIA ON THE STATE CONTRACT BID PRICE OF \$19,299.00 PLUS \$1,175.00 FOR THE EXTENDED WARRANTY.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE THE PURCHASE OF A 1998 FORD CROWN VICTORIA AT THE STATE CONTRACTOR BID PRICE OF \$19,299.00 PLUS \$1,175.00 FOR THE EXTENDED WARRANTY. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM CHIEF MURPHY TO PURCHASE MOBILE LOW BAND RADIO FOR THE DETECTIVES AT A COST OF \$870.12.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO PURCHASE THE MOBILE LOW BAND RADIO FROM COMMERCIAL COMMUNICATIONS AT A COST OF \$870.12. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A LETTER OF RESIGNATION FROM JEFFREY ESTES FROM THE STREET DEPARTMENT EFFECTIVE OCTOBER 30, 1997.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT JEFFREY ESTES RESIGNATION. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE REVENUES AND EXPENDITURES REPORT FOR THE MONTH OF SEPTEMBER.

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT THE REVENUE AND EXPENDITURE REPORT BE ACCEPTED. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE APPROVAL FROM THE STATE HEALTH DEPARTMENT AND THE CITY'S ENGINEER, RAYMOND DEARMAN, OF THE WATER SYSTEM IN THE NORTH RIDGE SUBDIVISION.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE WATER SYSTEM IN THE NORTH RIDGE SUBDIVISION PHASE 2, LOTS 1-16. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE LETTER OF RESIGNATION FROM KEITH BRADDOCK, ASSISTANT DIRECTOR OF THE RECREATION DEPARTMENT EFFECTIVE OCTOBER 31, 1997.

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING LETTER FROM GARY MORROW REQUESTING THAT THE CITY REFUND HIM FOR PLUMBER'S FEES HE PAID TO CLEAN OUT A BLOCKAGE THAT TURNED OUT TO BE IN THE CITY'S LINES.

SEE EXHIBIT "D"

LETTER - GARY MORROW

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO REFUND MR. MORROW \$181.90 IF DETERMINED THAT SEWER PROBLEM ORIGINATED IN CITY'S LINE. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER PROMOTING SCOTT ROBERTS TO FIRE FIGHTER 1ST CLASS EFFECTIVE OCTOBER 23, 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 CHIEF EVANS AND THE COMPLETION OF THE REQUIREMENTS TO PROMOTE SCOTT ROBERTS TO FIREMAN 1ST CLASS.

IT IS HEREBY ORDERED THAT SCOTT ROBERT'S PAY BE INCREASED TO THE RATE OF \$8.167 PER HOUR EFFECTIVE OCTOBER 23, 1997.

SO ORDERED ON THIS THE 21ST DAY OF OCTOBER, A.D. 1997.

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDINANCE REGULATING ADULT ENTERTAINMENT.

SEE EXHIBIT "E"

ORDINANCE 1997 (91)

AN ORDINANCE PROHIBITING ANY COMMERCIAL ESTABLISHMENT FROM ENGAGING IN OR FEATURING CERTAIN SEXUALLY ORIENTED ADULT ENTERTAINMENT, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR RELATED PURPOSES

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A PROCLAMATION DESIGNATING OCTOBER 25, 1997 THROUGH OCTOBER 31, 1997 AS RED RIBBON WEEK.

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF SEPTEMBER, 1997.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ADJOURN. ALDERMAN HINTON SECONDED THE MOTION.

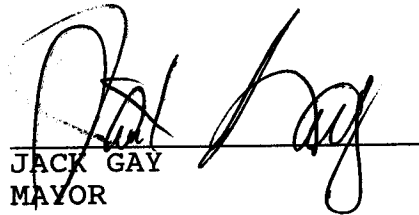
THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

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 ADJOURNED ON THIS THE 21ST DAY OF OCTOBER A.D., 1997.



JACK GAY
MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL
CITY CLERK

EXHIBIT "A"

October 20, 1997

To: Board of Aldermen

From: Jack Gay, Mayor

Subject: Recommendation of streets to be overlaid

I am recommending the following streets to be overlaid:

	Estimated Cost
1. Old Richton Road (from Greens Crk Ch. to Hilltop Dr)	\$7,102.00
2. Old Corinth Road (from Hwy 42 to Hillcrest, cost to include improvements needed for drainage)	\$35,748.00
3. Williams Street	\$8,408.00
4. Ark Lane (from Old Richton Rd to Thompson Blvd)	\$3,517.50
5. Ark Lane (from Thompson Blvd to King Blvd)	\$8,777.00
6. King Blvd (from Ark Lane to Arkwood)	\$11,155.50
7. Arkwood (from King Blvd to end)	\$4,422.00

TOTAL	\$79,129.50

Thanks for your consideration

EXHIBIT "B"

CITY OF PETAL RECREATION DEPARTMENT

ELDERLY AND/OR HANDICAPPED CITIZENS TRANSPORTATION SYSTEM

CO-SPONSORED BY SOUTHERN MS. PLANNING AND DEVELOPMENT DISTRICT

PRIORITIZE USE OF BUS

- 1ST PRIORITY** - TRANSPORTATION OF ELDERLY AND/OR HANDICAPPED PERSONS TO NECESSARY DESTINATIONS (i.e. NUTRITION SITES, DOCTORS, TO VOTE, PHARMACIES)
- 2ND PRIORITY** - TRANSPORTATION OF ELDERLY AND/OR HANDICAPPED PERSONS TO OTHER DESTINATIONS (i.e. MALLS, GROCERY STORES, OTHER ERRANDS)
- 3RD PRIORITY** - TRANSPORTATION OF ELDERLY AND/OR HANDICAPPED PERSONS FOR RECREATIONAL OR LEISURE PURPOSES. THIS MUST BE DONE ON FRIDAY ONLY. GROUPS OF THIS CATEGORY MAY USE THE BUS ONCE A QUARTER ON A FIRST COME FIRST SERVE BASIS ONLY!
- 4TH PRIORITY** - AFTER THE NEEDS OF THESE GROUPS HAVE BEEN ADDRESSED, THE VEHICLE MAY BE USED FOR TRANSPORTATION OF OTHER MEMBERS OF THE GENERAL PUBLIC, ON A SPACE AVAILABLE BASIS ONLY, IF SUCH A USE IS INCIDENTAL TO THE PRIMARY PURPOSES OF THE VEHICLE AND DOES NOT INTERFERE WITH THE USE OF THE VEHICLE BY ELDERLY AND/OR HANDICAPPED PERSONS.

THESE LOCAL RULES ARE IN CONFORMITY WITH THE AUTHORIZED USAGE GUIDE LINES SET FORTH BY THE SOUTHERN MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT. THESE GUIDE LINES WILL BE IMPLEMENTED BY THE PETAL RECREATION DIRECTOR PER AUTHORIZATION FROM THE BOARD OF ALDERMAN.

EXHIBIT "C"

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.

- Name and address of municipality: CITY OF PETAL
119 WEST 8TH AVENUE PETAL, MS 39465
- List the date and population of the latest official U.S. Census or most recent official census:
1990- 7883
- Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).
WILLIE HINTON - ALDERMAN - 201 BENNETT STREET PETAL, MS 39465 (601) 544-6619
DON H ROWELL - ALDERMAN - 100 STARLANE DRIVE PETAL, MS 39465 (601) 545-2393
ROBERT LANGFORD - ALDERMAN - 110 WEST 7TH AVENUE PETAL, MS 39465 (601) 544-6971
GENE HOLBROOK - ALDERMAN - 204 SUN CIRCLE PETAL, MS 39465 (601) 544-3659
LEROY SCOTT - ALDERMAN - 112 AZALEA AVENUE PETAL, MS 39465 (601) 543-1519
MAYOR JACK GAY P O BOX 564 PETAL, MS 39465 (601) 545-1776
PRISCILLA C. DANIEL CITY CLERK P O BOX 564 PETAL, MS 39465 (601) 545-1776
THOMAS TYNER, CITY ATTORNEY, P O DRAWER 750 MATTHEWSBURG MS 39403 (601) 543-2671
- Period of time covered by this questionnaire:
From: 10-1-96 To: 9-30-97
- Expiration date of current elected officials' term: JULY 2001

CITY OF PETAL
(MUNICIPALITY)

Certification to Municipal Compliance Questionnaire

Year Ended September 30, 19 97

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)


(Mayor's Signature)

10/21/97
(Date)

10/21/97
(Date)

Minute Book References:

Book Number 17
Page 5

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

MUNICIPAL COMPLIANCE QUESTIONNAIRE

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

PART I - GENERAL

- Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) Y
- Do all municipal vehicles have public license plates and proper markings? (Sections 26-1-87 and 27-19-27) Y
- Are municipal records open to the public? (Section 26-41-6) Y
- Are meetings of the board open to the public? (Section 26-41-6) Y
- Are notices of special or recess meetings posted? (Section 26-41-13) Y
- 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 21-3-6 for Code Charter) Y
 - Municipal clerk (Section 21-15-36) Y
 - Deputy clerk (Section 21-15-23) Y
 - Chief of police (Section 21-21-1) Y
 - Deputy police (Section 48-6-6) (if hired under this law) Y
- Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-18) Y
- Are minutes of board meetings signed by the mayor or majority of the board within 60 days of the meeting? (Section 21-15-33) Y
- Has the municipality complied with the nepotism law in its employment practices? (Section 26-1-53) Y
- 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 26-4-105) Y

MUNICIPAL COMPLIANCE QUESTIONNAIRE

EXHIBIT "C"

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

IV-A10

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)
11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11)
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)
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)
14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-383)
15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323)
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.)
17. Are fixed assets property tagged and accounted for? (Section 7-7-211 - Municipal Audit and Accounting Guide)
18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41?
19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41)

Y

Y

Y

Y

Y

Y

Y

Y

Y

PART III - PURCHASING AND RECEIVING

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

Y

Y

IV-A11

EXHIBIT "C"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

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

PART IV - BONDS AND OTHER DEBT

1. Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) Y
2. Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) Y
3. Have the required trust funds been established for utility revenue bonds? (Section 21-27-85) Y
4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) Y
5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) Y

PART V - TAXES AND OTHER RECEIPTS

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

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) Y
6. Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) Y
7. Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) Y
8. Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) Y
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) Y
10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73) Y
11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21) Y
12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1) Y

EXHIBIT "D"

204 East Cherry Drive
Petal, MS 39465
October 21, 1997

City of Petal
Mayor & Board of Aldermen
Petal, MS 39465

Dear Sirs,

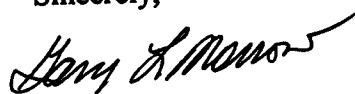
On September 27, 1997, we had a major sewer back-up at our home. Monday, September 29, 1997, Fred D. Saul Plumbing came to clean our drain. He told us at the time that our drain was very clear for such an old house. At 238 feet he found the blockage and things were better. Last Wednesday, October 15, 1997, our problem returned and on Friday, October 17, 1997, Mr. Saul returned. Upon his recommendation, we called the city to see if possibly this problem was on the city sewer line because of the distance of the blockage from our house.

Let me commend the city for their immediate response to our call. The quick response of these men enabled them to work with Mr. Saul and determine exactly where the problem is.

Since it has been determined that, in fact, the blockage is in the city sewer line, we have enclosed our two bills from Mr. Saul. We would appreciate your consideration in helping defray this expense.

We are still having problems with our sewer bubbling and understand that this problem is to be corrected very soon. Thank you for your consideration in these matters.

Sincerely,



Gary L. Morrow

**CITY OF PETAL
EXHIBIT "E"**

ORDINANCE 1997 (91)

**AN ORDINANCE PROHIBITING ANY COMMERCIAL ESTABLISHMENT FROM
ENGAGING IN OR FEATURING CERTAIN SEXUALLY ORIENTED ADULT
ENTERTAINMENT, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND
FOR RELATED PURPOSES.**

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, have an important and vital governmental interest in the prevention of crime, the maintenance of property values, the preserving of the quality of neighborhoods, the protection of minors, the protection of the elderly, and promotion of the general public health, welfare, morals and safety of the City of Petal and its citizens; and

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, are authorized by the laws of the State of Mississippi to enact and enforce ordinances which promote the health, welfare, morals, safety, and well being of the City of Petal and its citizens; and

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi do find and adjudicate upon reliable information and upon careful consideration that there does presently exist certain adult entertainment within the State of Mississippi, such as nude dancers, entertainers, performers, or other individuals, who, for commercial gain, dance, perform, model or demonstrate while displaying or exposing "specified anatomical areas" or engage in "specified sexual activities", "straddle dancing", or erotic touching of customers; and

WHEREAS, the Mayor and Board of Aldermen of the City of Petal do find and adjudicate that sexually oriented commercial establishments such as those referred to herein promote and increase criminal activities, disrupt the peace and order of the community, affect the quality of the life of the community, reduce property values of the area surrounding such establishments, encourage and attract prostitution and sexual permissiveness, adversely affect the perception of the community's reputation as a good and wholesome location for the family, and contribute to the moral degradation of the community; and

WHEREAS, it is the finding and opinion of the Mayor and Board of Aldermen of the City of Petal, Mississippi, based upon reliable information, that in order to preserve and safeguard the health, welfare, community moral standards, property values, and the general welfare of the citizens, businesses and neighborhoods of the City of Petal, it is advisable for the City to prohibit establishments which allow or promote sexually oriented activities as herein referred to; and

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, being charged with the duty to protect the health, welfare, safety and well being of its citizens, and the city as a whole, is vested by law with the power to promulgate regulations and ordinances which promote the health, welfare and safety of its citizens; and

WHEREAS, in the course of considering this ordinance, the Mayor and Board of Aldermen of the City of Petal have reviewed and have been advised of the experiences and studies of other local governments, previous court precedents, summaries of land use studies in connection with the secondary effects of sexually oriented adult businesses, and upon the personal general knowledge of the members of the Board of Aldermen and the Mayor of the City of Petal, Mississippi, concerning the general effects of such commercial establishments;

EXHIBIT "E"

NOW, THEREFORE, IT IS ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, as follows, to-wit:

SECTION 1. The provisions of this ordinance shall apply to all areas within the legal jurisdiction of the City of Petal, Mississippi.

SECTION 2. The following phrases or words shall have the meanings or definitions set forth herein:

A. "Commercial Establishments" means any location or place of business where a business enterprise is operated for the general public or a private group, if fees are charged.

B. "Employee" means a person who performs any service on the premises of a commercial establishment as herein defined on a full-time, part-time, contract basis, or independent basis, whether or not the person is specifically designated as an employee, independent contractor, agent, or otherwise, and whether or not the person is paid a salary, wage, tips, or other compensation by the operator or patrons of said business; "Employee" does not include a person exclusively on the premises for the repair or maintenance of the premises or for the delivery of goods to the premises, nor does "Employee" include a person exclusively on the premises as a patron or customer.

C. "Specified Anatomical Areas" means any of the following areas of the human body less than completely or opaquely covered;

(a) human genitals or pubic region; (b) the entire cleft of the male or female buttocks. (Attire which is insufficient to comply with this requirement includes, but is not limited to G-strings, T-backs, and thongs);

(c) that portion of the human female breast below a point immediately above the top of the areola, which includes the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not exposed;

(d) human male genitals in a discernible turgid state, even if completely and opaquely covered.

D. "Specified Sexual Activities" are described as follows:

1. Human genitals in a state of sexual stimulation or arousal; or

2. Acts of or simulated anilingus, bestiality, buggery, cunnilingus, coprophagy, coprophilia, fellation, flagellation, masochism, masturbation, necrophilia, pederasty, pedophilia, sadism, sadomasochism, sapphism, sexual intercourse, sodomy, urolagnia or zoerasty; or

3. Fondling or other erotic touching of human genitals, pubic region, buttock, anus or female breast, whether covered or uncovered; or

4. Excretory functions as part of or in connection with any of the activities set forth in subsections 1 through 3 of this definition.

E. "Straddle Dance" means a table dance, lap dance, face dance, or couch dance, and shall include any of the following acts:

1. The use by an employee of any part of his or her body to touch the genital or pubic area of a person while at the commercial establishment, regardless of whether the touch occurs while the employee is displaying or exposing any specified anatomical area or whether the touch or touching is direct or through a medium;

EXHIBIT "E"

2. The straddling of the legs of an employee over any part of the body of a person at the commercial establishment, regardless of whether there is a touch or touching.

SECTION 3. It shall be unlawful for any owner or employee of a commercial establishment to:

- A. To expose to public view "specified anatomical areas" or any simulation thereof,
- B. To engage in any "specified sexual activities" or any simulation thereof;
- C. To perform a "straddle dance"

SECTION 4. Any violation of any provision of this Ordinance shall be a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding six (6) months or both. Each day any such violation occurs shall constitute a separate offense.

SECTION 5. In addition to the penalties previously provided in SECTION 4., any condition caused or permitted to exist in violation of any provision of this Ordinance shall be subject to appropriate civil action, including, but not limited to, the declaration of a public nuisance, injunctive relief, abatement, damages or other sanctions in any court of competent jurisdiction.

SECTION 6. It is declared to be the legislative intent of the Mayor and Board of Aldermen that if any section, sentence, clause, or provision of this ordinance is declared void, unconstitutional, invalid, or unenforceable, for any reason, such portion or provisions or the application of the enforceability thereof shall be separate and severable from this ordinance and the remaining portion or provisions of this ordinance and all applications and the appropriate enforcement thereof, shall not be affected, and shall be interpreted, if necessary, so as to give a meaning consistent with the purpose and intent of this Ordinance.

SECTION 7. This Ordinance shall take effect and be in full force 30 days from and after its passage.

The above and foregoing Ordinance having been reduced to writing, the same was read and voted upon, first section by section and then upon the Ordinance as a whole.

Those present and voting "Aye" and in favor of the passage, adoption, and approval of Sections 1, 2, 3, 4, 5, 6, and 7 of the foregoing Ordinance:

Alderman Willie W. Hinton
Alderman Charles E. Holbrook
Alderman Robert F. Langford
Alderman Donald H. Rowell
Alderman Leroy Scott

Those present and voting "Nay" or against any of said Sections of the foregoing Ordinance:

None

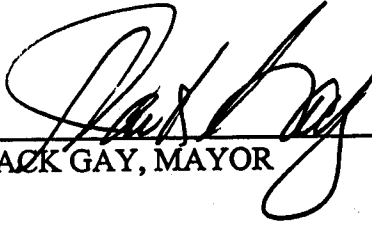
Those present and voting "Aye" and in favor of the passage, adoption and approval of the Ordinance as a whole:

Alderman Willie W. Hinton
Alderman Charles E. Holbrook
Alderman Robert F. Langford
Alderman Donald H. Rowell
Alderman Leroy Scott

Those present and voting "Nay" or against the passage, adoption and approval of
EXHIBIT "E"
the Ordinance as a whole:

None


WHEREFORE, the foregoing Ordinance was duly passed, adopted, and approved
on this, the 21 of October, A. D., 1997.



JACK GAY, MAYOR

(SEAL)

Attest:



PRISCILLA C. DANIEL, City Clerk

THIS

PAGE

LEFT

BLANK

INTENTIONALLY