

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI AT 7:00 P.M. ON SEPTEMBER 16, 1997 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	CAPTAIN RODNEY JARRELL FIRE CHIEF AUBRA EVANS MIKE SMITH GEORGE GUNTER AND OTHERS

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

THE INVOCATION WAS OFFERED BY LEROY SCOTT.

WHEREAS, MAYOR GAY PRESENTED THE AGENDA.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE AGENDA AS PRESENTED. 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, ALDERMAN ROWELL MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 2, 1997, THE MINUTES OF THE BUDGET HEARING OF SEPTEMBER 2, 1997 AND THE MINUTES OF THE RECESSED MEETING OF SEPTEMBER 16, 1997 BE ACCEPTED AS WRITTEN. 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 CALLED FOR PUBLIC COMMENT.

THEREUPON, MUNICIPAL JUDGE GEORGE GUNTER REQUESTED THAT THE BOARD CONSIDER THE APPOINTMENT OF A PUBLIC DEFENDER FOR THE MUNICIPAL COURT. JUDGE GUNTER STATED THAT PRESENTLY THE COURT IS APPOINTING PUBLIC DEFENDERS ON A PER CASE BASIS AND PAYING \$200. PER CASE AND THAT THE CITY HAS PAID MORE THAN \$6,000. SO FAR THIS BUDGET YEAR. JUDGE GUNTER STATED THAT HE HAS TWO ATTORNEYS INTERESTED IN THE POSITION AND THAT HE WOULD LIKE FOR THE BOARD TO MEET WITH THESE CANDIDATES BEFORE THEY MAKE AN APPOINTMENT.

THEREUPON, MAYOR GAY ASKED JUDGE GUNTER TO SET UP A MEETING WITH THE CANDIDATES AND NOTIFY THE ALDERMEN OF THE DATE.

WHEREAS, MAYOR GAY PRESENTED THE WASTEWATER TREATMENT CONTRACT BETWEEN THE CITY OF PETAL AND THE CITY OF HATTIESBURG.

SEE EXHIBIT "A"

SEWER TREATMENT CONTRACT

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE FOREGOING CONTRACT. 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

THOSE PRESENT AND VOTING "NAY":

NONE

THOSE PRESENT AND ABSTAINING:

ALDERMAN LEROY SCOTT

WHEREAS, MAYOR GAY STATED THAT THE TERM CONTRACT FOR SUPPLYING GASOLINE AND DIESEL FUEL TO THE CITY WILL END OCTOBER 31, 1997.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR BIDS FOR GASOLINE TO BE FURNISHED AT THE PUMPS WITH COMPLETE RECORDS FOR THE USAGE BY VEHICLE AND DRIVER AND DIESEL TO BE FURNISHED IN BULK. 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 PROOFS OF PUBLICATION TO THE BOARD:

- A) ORDINANCE 1988 (73-G)
- B) ORDINANCE 1984 (57-D)
- C) ORDINANCE 1991 (75-A-2)
- D) VARIANCE HEARING - WANDA CULPEPPER
- E) NOTICE OF PUBLIC HEARING - 1998 BUDGET
- F) SOLID WASTE FUND REVENUE AND EXPENDITURES
- G) ORDINANCE 1979 (44-I) AMEND GARBAGE ORDINANCE
- H) GARBAGE/RUBBISH COLLECTION FEES NOTICE

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT THE FOREGOING PROOFS OF PUBLICATION BE ACCEPTED AND FILED. 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 REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF AUGUST.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ACCEPT THE REVENUE AND EXPENDITURE REPORT. 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 A TRAVEL REQUEST FOR AUBRA EVANS TO ATTEND THE FIRE SERVICE LEADERSHIP CONFERENCE IN OXFORD, MS. ON OCTOBER 21-23, 1997.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AUTHORIZE CHIEF EVANS TO ATTEND THE FIRE SERVICE LEADERSHIP CONFERENCE. 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 TRAVEL REQUEST FOR SGT FEDRICK AND OFFICER KING TO ATTEND A SEMINAR ON SEPTEMBER 24 - 26, 1997 ON DIVERSIFIED CRIMINAL INVESTIGATION TECHNIQUES.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AUTHORIZE SGT FEDRICK AND OFFICER KING TO ATTEND THE SEMINAR AND TO PAY THEIR EXPENSES. 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 ORDERS SETTING SALARY INCREASES:

SEE EXHIBIT "B"

ANIMAL WARDEN
BUILDING INSPECTOR
CITY ATTORNEY
CITY CLERK
MAYOR'S SECRETARY - DEPUTY CITY CLERK
SOLID WASTE DEPARTMENT
ACCOUNTING CLERK - FINANCIAL DEPARTMENT
WATER DEPARTMENT
FIRE DEPARTMENT
STREET DEPARTMENT
POLICE DISPATCHERS
POLICE OFFICERS
CITY PROSECUTOR
CITY JUDGE
CIVIC CENTER COORDINATOR

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING ORDERS. 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 ADOPTING RULE XVI. POLYGRAPH POLICY AS AN AMENDMENT TO THE PERSONNEL RULES AND REGULATIONS OF THE CITY OF PETAL, MISSISSIPPI.

SEE EXHIBIT "C"

ORDER ADOPTING POLYGRAPH PROCEDURES

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE FOREGOING ORDER. 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 ORDERS PROMOTION OFFICER ANTHONY BRYANT AND OFFICER WILLIAM KING TO OFFICER 1ST CLASS EFFECTIVE OCTOBER 12, 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 MURPHY AND THE COMPLETION OF THE REQUIREMENTS TO PROMOTE OFFICER ANTHONY BRYANT TO OFFICER 1ST CLASS.

IT IS HEREBY ORDERED THAT OFFICER BRYANT'S SALARY BE INCREASED TO \$21,000.00 ANNUALLY EFFECTIVE OCTOBER 12, 1997.

SO ORDERED ON THIS THE 16TH DAY OF SEPTEMBER, A.D., 1997.

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

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 MURPHY AND THE COMPLETION OF THE REQUIREMENTS TO PROMOTE OFFICER WILLIAM KING TO OFFICER 1ST CLASS.

IT IS HEREBY ORDERED THAT OFFICER KING'S SALARY BE INCREASED TO \$ 21,000.00 ANNUALLY EFFECTIVE OCTOBER 12, 1997.

SO ORDERED ON THIS THE 16TH DAY OF SEPTEMBER, A.D., 1997.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING ORDER. 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 THE FOLLOWING AGREEMENT BETWEEN THE CITY OF PETAL AND THE AMERICAN RED CROSS ESTABLISHING THE DESIGNATION AND USE OF THE CIVIC CENTER AS A DISASTER SHELTER.

SEE EXHIBIT "D"

AGREEMENT

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE MAYOR GAY TO EXECUTE THE AGREEMENT. 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 PRIVILEGE LICENSE REPORT FOR THE MONTH OF AUGUST TO THE BOARD.

WHEREAS, CITY ATTORNEY THOMAS W. TYNER STATED THAT HE WOULD LIKE TO DISCUSS LITIGATION INVOLVING THE CITY OF PETAL'S ZONING ORDINANCE.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO CLEAR THE ROOM TO DETERMINE IF AN EXECUTIVE SESSION IS NEEDED. 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 REOPENED THE MEETING.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS LITIGATION INVOLVING THE CITY'S ZONING ORDINANCE. 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

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION. 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

THERE WAS NO ACTION TAKEN IN EXECUTIVE SESSION.

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING QUOTATIONS FOR THE LABOR INVOLVED IN EXTENDING THE SEWER LINE AT HIGHWAY 42 AND CAMERON STREET.

SEE EXHIBIT "E"

COASTAL PIPING, INC. P O BOX 706 LUCEDALE, MS. 39452	\$6,955.20
C. J. MORGAN, INC. 292 EATONVILLE ROAD HATTIESBURG, MS. 39401	\$5,500.00
MYERS UNDERGROUND UTILITIES, INC. 50 FRIEND ROAD HATTIESBURG, MS. 39402	\$11,646.00 - 1,500.00 10,146.00

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ACCEPT THE LOWEST QUOTATION FOR THE SEWER LINE EXTENSION FROM C.J. MORGAN, INC. 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

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

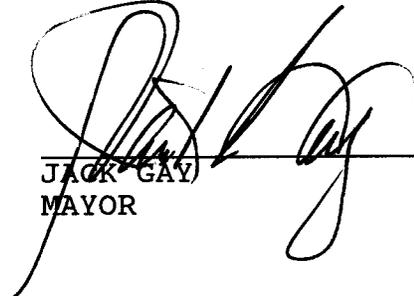
THOSE PRESENT AND VOTING "AYE":

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

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 16TH DAY OF SEPTEMBER, A.D., 1997.



JACK GAY
MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL
CITY CLERK

EXHIBIT "A"

STATE OF MISSISSIPPI)
COUNTY OF FORREST)

CONTRACT AND AGREEMENT

WHEREAS, the City of Hattiesburg and the City of Petal, both being municipal corporations, on the 25th day of August, 1985, at Minute Book 1985-3, pages 291-293, entered into a contract and agreement whereby the City of Hattiesburg agreed to receive and process the sewage from the City of Petal, through facilities maintained and constructed by the City of Petal, at an agreed upon price; and

WHEREAS, the City of Hattiesburg and the City of Petal, on the 8th day of April, 1986, at Minute Book 1986-2, pages 33-36, amended said contract and agreement in order to comply with the requirements of the Bureau of Pollution Control; and

WHEREAS, the City of Hattiesburg and the City of Petal, on the 21st day of February, 1989, at Minute Book 1989-1, pages 480-483, again amended said contract and agreement to authorize the City of Petal to collect sewer from outside its city limits and deliver for treatment by the City of Hattiesburg with prior approval, and requiring prior approval for any and all industrial wastes accepted by the City of Hattiesburg; and

WHEREAS, the City of Hattiesburg and the City of Petal, on the 22nd day of December, 1992, at Minute Book 1992-5, pages 308-310, amended said contract and agreement to receive and process the sewage collected by the City of Petal through facilities maintained by the City of Petal; and

WHEREAS, the construction phase of the City of Petal's sewage collection and transportation system has been completed and their sewage is now transported to the City of Hattiesburg for processing; and

WHEREAS, the City of Hattiesburg has been designated by the federal government, and/or its operating divisions, and the State of Mississippi, and/or its operating divisions, as the regional authority for treatment of sewage; and

WHEREAS, both the City of Hattiesburg and the City of Petal, find and believe that it is in the best interest of their respective municipalities, and in the citizens thereof, for the parties to enter into a contract and agreement whereby the City of Hattiesburg may receive and process sewage collected by the City of Petal, through facilities maintained by the City of Petal, at an agreed upon price, the parties do hereby contract and agree as follows, to-wit:

I.

That this contract and agreement will be effective from and after the first day of October, 1997, and all previous contracts and/or agreements are hereby null and void.

EXHIBIT "A"
II.

That the City of Petal will maintain and operate a sewage collection and transportation system to deliver sewage from the City of Petal's system to the City of Hattiesburg, at a point on the Hattiesburg side of the Leaf River designated by the City of Hattiesburg and will maintain and operate appropriate engineering standards and requirements, and also appropriate standards and requirements of the State of Mississippi, and its agencies, and the United States Government, and its agencies, and will maintain said collection and transportation system to transport said sewage to a point at the Hattiesburg waste water treatment facility designated by the City of Hattiesburg.

III.

That the City of Petal, Mississippi, will bear all costs and expense of the collection and transportation of sewage to that certain point at the City of Hattiesburg sewage collection system designated by the City of Hattiesburg.

IV.

That it is understood and agreed by the City of Petal and the City of Hattiesburg that the actual cost to be imposed on the City of Petal for the processing of sewage transported to the City of Hattiesburg by the City of Petal is not subject to easy calculation, but the parties agree that the cost shall be determined by taking the annual operation and maintenance cost for the waste water treatment facility of the City of Hattiesburg, deducting therefrom any cost not directly related to the treatment of sewage, said cost to be determined by the City of Hattiesburg and agreed upon by the City of Petal on an annual basis and dividing the same by the annual discharge per thousand gallons per year.

Further, the City of Petal does hereby agree to establish and maintain a special fund for capital expenditures with regard to Petal's share of the improvements and unusual maintenance to the waste water treatment facilities of the City of Hattiesburg to be funded by the City of Petal at a rate of three and one-half cents (.035) per thousand of gallons delivered by the City of Petal to the waste treatment facilities of the City of Hattiesburg. The City of Petal does hereby further agree to provide an annual accounting of said capital expenditures fund to the City of Hattiesburg. Said capital expenditure fund shall be reviewed annually to determine adequacy and the need for adjustments to said fund. It is currently agreed and understood that the City of Petal will pay to the City of Hattiesburg the sum of nineteen cents (.19) per thousand of gallons of sewage delivered by the City of Petal to the waste water treatment facilities of the City of Hattiesburg.

Further, it is agreed that the City of Petal's share of expenses regarding the improvement and unusual maintenance of the waste water treatment facilities of the City of Hattiesburg shall be assessed by the City of Hattiesburg to the City of Petal based on the amount of discharge of sewage from the City of Petal to the total discharge of the City of Hattiesburg's waste water treatment facility.

EXHIBIT "A"
V.

The charges to be imposed by the City of Hattiesburg, as set forth in the paragraph precedent shall be determined by calculating the metered flow of the sewage transported by the City of Petal to the City of Hattiesburg, with the City of Petal furnishing, installing, operating and maintaining at a point where the sewage will leave the City of Petal's transportation and collection system and enter the City of Hattiesburg's waste water treatment facility, the necessary equipment and devices for measuring properly all sewage and other waste waters to be discharged into the City of Hattiesburg's waste water treatment facility from the City of Petal's transportation and collection system.

It is agreed and understood that each municipality shall have ready access to such metering equipment at all reasonable times for inspection and examination and that said metering equipment shall be calibrated by the City of Petal on an annual basis and certification of the same provided to the City of Hattiesburg. All readings of the meters shall be entered upon the books and records maintained by the respective municipalities and/or by any designated third party.

VI.

It is agreed and understood by the City of Hattiesburg and the City of Petal that the charges for the services provided by the City of Hattiesburg to the City of Petal can be re-negotiated on an annual basis, and it is further agreed and understood that the terms and provisions of this contract and agreement can be amended, changed, deleted or otherwise altered by the respective parties to the contract and agreement on an annual basis, to take into consideration any change in circumstances found by the governing authorities of either municipality.

VII.

It is agreed and understood by the parties that upon receipt of the calibrated statement for monthly flow, the City of Hattiesburg will submit to the City of Petal an invoice for the number of gallons received by the Hattiesburg waste water treatment facility from the City of Petal collection and transportation system, and that payment of the same will be made by the City of Petal to the City of Hattiesburg within fifteen (15) days thereafter.

VIII.

It is agreed and understood that the City of Petal will gain the City of Hattiesburg's approval prior to accepting any industrial discharge or sewer from areas outside the City of Petal, and that the City of Hattiesburg may require technical information to include appropriate regulatory permits and/or approval prior to issuing its decision on the request.

IX.

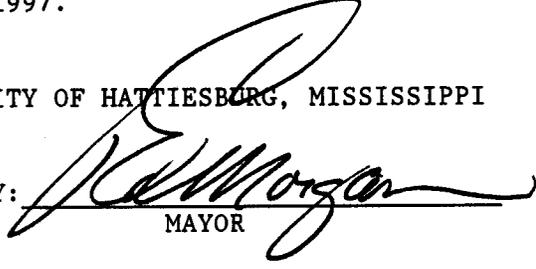
It is further agreed and understood that any other necessary and appropriate agreements required by the State of Mississippi, and/or its operating divisions, or the federal government, and/or its operating divisions, necessary and appropriate to be made in order to permit transportation of sewage and operation of the waste water treatment facility by the City of Hattiesburg at the least amount of cost to the respective municipalities shall be duly and properly acted and agreed upon.

EXHIBIT "A"

WITNESS THE SIGNATURES of the parties on duplicate originals, on this
the 16th day of September, A.D., 1997.

CITY OF HATTIESBURG, MISSISSIPPI

BY:

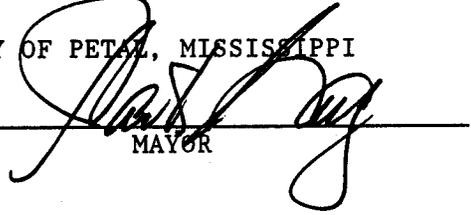

MAYOR

ATTEST:


CITY CLERK

CITY OF PETAL, MISSISSIPPI

BY:


MAYOR

ATTEST:


CITY CLERK

EXHIBIT "B"

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, 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 \$8,500.00 annually, and shall be effective October 1st, 1997, 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 16th day of September, A.D., 1997.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY

TO INCREASE THE SALARY OF SHERRY BELIVEAU, ACCOUNTING CLERK IN THE FINANCIAL DEPARTMENT.

IT IS HEREBY ORDERED THAT SHERRY BELIVEAU'S SALARY BE INCREASED TO A RATE OF \$16,500.00 PER YEAR EFFECTIVE OCTOBER 1, 1997.

SO ORDERED ON THIS THE 16TH DAY OF SEPTEMBER, A.D., 1997.

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 of 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 \$6.50 per h

IT IS FURTHER ORDERED that this pay scale shall become effective October 1, 1997, 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 16th day of September, A.D., 1997.

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 \$30,000.00 annually.

IT IS THEREFORE ORDERED that this pay scale become effective October 1st, 1997.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 16th day of September, A.D., 1997.

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 \$12,200.00 annually.

IT IS FURTHER ORDERED that his pay scale become effective October 1st, 1997.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 16th day of September, A.D., 1997.

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 \$25,000.00 PER YEAR EFFECTIVE OCTOBER 1ST, 1997, UNTIL FURTHER ORDERS OF THE BOARD.

SO ORDERED ON THIS THE 16TH DAY OF SEPTEMBER, 1997.

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 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:

Billy J. Parker	\$8.00	per hour
Reuben Warrick, Jr.	\$10.50	per hour
Johnathan White	\$7.10	per hour
Scott Sherman	\$6.75	per hour

IT IS FURTHER ORDERED that this pay scale shall become effective October 1st, 1997, 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 16th day of September, A.D. 1997.

ORDER

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	\$7.016	PER HOUR
3RD CLASS FIREMAN beginning 2nd year	\$7.622	PER HOUR
2ND CLASS FIREMAN beginning 3rd year	\$8.032	PER HOUR
1ST CLASS FIREMAN beginning 4th year	\$8.167	PER HOUR
STEP 1	\$8.227	PER HOUR
STEP 2	\$8.287	PER HOUR
STEP 3	\$8.347	PER HOUR
2ND LT beginning 5th year	\$8.438	PER HOUR
1ST LT beginning 7th year	\$8.708	PER HOUR
CAPTAIN beginning 10th year	\$9.114	PER HOUR
FIRE DEPT COORDINATOR	\$10.17	PER HOUR
FIRE CHIEF	\$27,200	ANNUALLY

IT IS THEREFORE ORDERED that this pay scale become effective October 1st, 1997 until further orders of the Mayor and Board of Aldermen.

SO ORDERED by the Mayor and Board of Aldermen of City of Petal, Mississippi on this the 16th day of September, A.D., 1997.

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 Water and Sewer Department.

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

C. Breland	\$20,000.00	per year
R. Eddlemon	\$11.00	per hour
E. Kitchens	\$7.95	per hour
W. Swilley	\$6.50	per hour
J. Dickerson	\$8.50	per hour
J. Ishee	\$17.00	per year

IT IS FURTHER ORDERED that this pay scale shall become effective October 1st, 1997.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 16th day of September, A.D., 1997.

ORDER

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.

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

HEAD DISPATCHER	\$7.75	PER HOUR
1ST CLASS	\$7.25	PER HOUR
2ND CLASS	\$7.00	PER HOUR
3RD CLASS	\$6.75	PER HOUR
RECRUIT	\$6.50	PER HOUR

IT IS FURTHER ORDERED that this pay scale shall become effective October 1, 1997.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 16th day of Sept., A.D., 1997.

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 the Department shall read as follows:

CHIEF OF POLICE	\$28,500.00	annually
DEPUTY CHIEF	\$24,000.00	annually
LIEUTENANT	\$23,000.00	annually
SARGENT	\$22,000.00	annually
PATROLMAN 1st class	\$21,000.00	annually
PATROLMAN 2nd class	\$20,000.00	annually
PATROLMAN 3rd class	\$19,000.00	annually
PATROLMAN 4TH class	\$18,000.00	annually
METRO AGENT	\$22,500.00	annually

IT IS FURTHER ORDERED that this pay scale shall become effective October 1st, 1997.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 16th day of September, A.D., 1997.

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. Dukas, City Prosecutor.

IT IS THEREFORE ORDERED that the new pay scale for James K. Dukas shall be at the rate of pay of \$7,500.00 annually, effective October 1st, 1997.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 16th day of September, A.D., 1997.

EXHIBIT "B"

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 \$6.50 per hour to be effective OCTOBER 1, 1997, 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 16th day of September, A.D., 1997.

ORDER

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 \$9,540.00 annually and shall become effective October 1st, 1997.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 16th day of September, A.D., 1997.

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 \$16,120.00 ANNUALLY.

IT IS FURTHER ORDERED THAT THIS PAY SCALE SHALL BECOME EFFECTIVE OCTOBER 1, 1997.

SO ORDERED BY THE MAYOR AND BOARD OF ALDERMEN , OF THE CITY OF PETAL, MISSISSIPPI ON THIS THE 16TH DAY OF SEPTEMBER, A.D., 1997.

EXHIBIT "C"

ORDER ADOPTING POLYGRAPH PROCEDURES

The Mayor and Board of Aldermen of the City of Petal, Mississippi, do hereby adopt, approve, and promulgate the following addition to the "Personnel Rules and Regulations" of the City of Petal, Mississippi, as follows, to-wit:

RULE XVI. POLYGRAPH POLICY

1. PURPOSE:

This order establishes requirements for all employees of the City of Petal, Mississippi, and future employees to submit to polygraph examinations relating to their employment; as a condition of employment; and/or as a condition for continued employment.

2. POLICY:

All employees of the City of Petal, Mississippi, both present and future, are required to perform their assigned duties and responsibilities effectively, satisfactorily, and efficiently while protecting the safety of the public and the safety of their fellow city employees. It is the intent of this policy to promote professional conduct and competence among employees of the City of Petal while safeguarding the interest of those fellow employees and the interest of the general public.

3. PROCEDURE

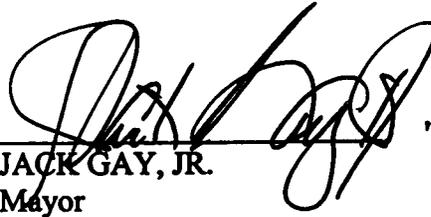
A. All employees of the City of Petal shall submit to a polygraph examination when ordered to do so by the Mayor and/or the Board of Aldermen, in any intradepartmental inquiry into alleged violations of laws, city rules, regulations, and policies, or as a condition for employment.

EXHIBIT "C"

B. The results of a polygraph examination ordered by the Mayor and/or the Board of Aldermen may not be used in any criminal proceeding. These tests are intended for administrative use only, are confidential in nature, and may only be disseminated to those persons who serve in a "need to know" capacity. However, results of a polygraph examination may be used in all administrative proceedings, personnel appeals, or any civil actions resulting therefrom.

The above and foregoing addition or amendment to the personnel rules and regulations of the City of Petal, Mississippi, shall be effective from and after the 16th day of September, A. D., 1997.

SO ORDERED BY THE MAYOR AND BOARD OF ALDERMEN on this, the 16th day of September, A. D., 1997.


JACK GAY, JR.
Mayor

ATTEST:

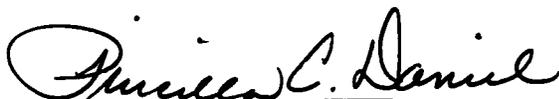

PRISCILLA DANIEL,
City Clerk

EXHIBIT "D"

AGREEMENT FOR THE USE OF FACILITIES

This agreement is made and entered into between the governing board of CITY OF PETAL of FORREST County, state of MISSISSIPPI and the South Central Mississippi Chapter of the American Red Cross.

RECITALS

Pursuant to the terms of federal statutes, the Red Cross provides emergency services in behalf of individuals and families who are victims of disaster. CITY OF PETAL is authorized to permit the Red Cross to use PETAL CIVIC CENTER's buildings, grounds, and equipment for mass care shelters required in the conduct of Red Cross Disaster Services activities, and wishes to cooperate with the Red Cross for such purposes.

The parties hereto mutually desire to reach an understanding that will result in making the aforesaid facilities of PETAL CIVIC CENTER available to the Red Cross for the aforesaid use. Now, therefore, it is mutually agreed between the parties as follows:

1. CITY OF PETAL agrees that, after meeting its responsibilities to pupils/parishioners/members/clients, it will permit, to the extent of its ability and upon request by the Red Cross, the use of its physical facilities by the Red Cross as mass shelters for the victims of disasters, and peacetime radiological emergencies/nuclear accidents when applicable.
2. The American Red Cross agrees that it shall exercise reasonable care in the conduct of its activities in such facilities and further agrees to replace or reimburse CITY OF PETAL for any foods or supplies that may be used by the Red Cross in the conduct of its relief activities in said mass shelters.

In witness thereof, the governing board of the CITY OF PETAL has caused this agreement to be executed by the President of its governing board, and the American Red Cross has caused this agreement to be executed by the South Central Mississippi Chapter, said agreement to become effective and operative upon the fixing of the last signature hereto.

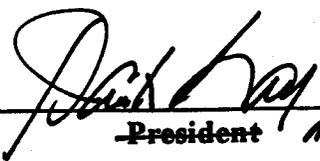
Signatures to the Agreement:

Chairman or Director

SOUTH CENTRAL MS

Chapter/Red Cross Unit

Date



President MAYOR

City of Petal

School District/Church/Other Organization

9/17/97

Date

EXHIBIT "D"

SHELTER RESOURCE FOR TIME OF DISASTER

PLACE PETAL CIVIC CENTER PREPARED BY Jack GUY

DATE 9/17/97

A. SHELTER

1. Location (part of town, area, etc.) _____

2. Person with key 24 hrs. a day HILDA PYRON

Telephone No. H- 5445858 W- 5822672 Pager _____

3. Mailing Address P.O. Box 564 Petal

4. Type and condition NO CHANGE
(construction and floor plan)

5. Person authorizing use CITY PETAL - BOARD OF ALDERMEN

6. Custodian HAROLD HUFFMAN Phone 5822672
Address _____

7. Maximum sleeping capacity (40 sq. ft. per person) NO CHANGE

8. Water (number of outlets) NO CHANGE

9. Other utilities: Elec. NO CHANGE Gas Auxiliary power

10. Toilet Facilities: No. stools NO CHANGE No. urinals
No. washbasins 2 No. showers

11. Type of heating system NO CHANGE

12. Available for Red Cross use in disaster? YES.

B. FEEDING FACILITIES NO CHANGE

1. Kitchen

a. Stoves: No _____ Size _____ Fuel _____

b. Refrigeration: No. _____ Type _____ Size _____

c. Cooking utensils _____

2. Meal capacity of kitchen (with present equipment)

3. Maximum seating capacity of feeding area _____
Are tables and chairs for maximum feeding now in building? _____

4. Number of persons in organized feeding group? _____
(Church, fire auxiliary, cafeteria staff, etc.) _____

C. COMMENTS _____

EXHIBIT "E"

<p>FROM</p> <p style="text-align: center;">Proposal</p> <p style="text-align: center;">Myers Underground Utilities, Inc. 50 Friend Rd. Hattiesburg, MS 39402 Ph. 264-8409</p>	<p>Proposal No. 1</p> <p>Sheet No. 1</p> <p>Date Sept. 15. 97</p>
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Proposal Submitted To	Work To Be Performed At
<p>Name <u>City Of Petal</u></p> <p>Street <u>119 W. 8th Ave.</u></p> <p>City <u>Petal</u></p> <p>State <u>MS</u> <u>39465</u></p> <p>Telephone Number _____</p>	<p>Street <u>Cameron St.</u></p> <p>City <u>Petal</u> State <u>MS</u></p> <p>Date of Plans <u>9-3-97</u></p> <p>Architect <u>Shows Dearman & Waits</u></p>

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of

Qty.		
1	7.5' Manhole, coated with steps	\$1,440.00
1	3.25' " " " " " "	1,205.00
453'	8" Sewer pipe @ 17.00	7,701.00
40'	8" DIP " " @ 25.00	1,000.00
2	8 x 6 Sewer Tee @ 40.00	80.00
20'	6" Sewer Pipe @ 11.00	220.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of Eleven thousand, six hundred forty six dollars & No/100 Dollars (\$11,646.00).

with payments to be made as follows:
Monthly on completed work or upon completion

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by Myers Underground Utilities, Inc.

Respectfully submitted Myers Underground Utilities, Inc.

Per *Rayton G. Myers*

Note — This proposal may be withdrawn by us if not accepted within 30 days

ACCEPTANCE OF PROPOSAL

...e above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Accepted _____ Signature _____

Date _____ Signature _____

EXHIBIT "E"

P R O P O S A L

C. J. MORGAN, INC
292 EATONVILLE ROAD
HATTIESBURG, MS 39401
97022PRU
(601)544-3192
FAX (601)582-9055

Proposal Submitted To: CITY OF PETAL

Date: SEPTEMBER 9, 1997

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

Phone:

Job Name: SEWER EXTENTION

Job Location:

We hereby submit specifications and estimates for:

INSTALLATION OF SEWER EXTENSION IN VICINITY OF CAMERON STREET

LABOR ONLY

LS

5,500.00

NOTE: QUOTE DOES NOT INCLUDE CONTRACTORS TAX OR BOND
IF APPLICABLE IT WILL BE ADDED AT INVOICING

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 Note: This proposal may be withdrawn by us if not accepted within 15 days.

Acceptance of Proposal: _____
Date of Acceptance: _____

EXHIBIT "E"

Pre-Consumer Content • 10% Post-Consumer Content

Proposal

Page No.

of

Pages



COASTAL PIPING, INC.
P.O. Box 706
LUCEDALE, MS 39452
Office & FAX (601) 947-4830
(601) 947-8465

PROPOSAL SUBMITTED TO CITY OF PETAL		PHONE	DATE 9-11-97
STREET P.O. Box 564		JOB NAME SEWER	
CITY, STATE AND ZIP CODE PETAL MS 39465		JOB LOCATION CAMERON ST.	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

			TOTAL
M.H. 7.5 FT. DEEP	1 -	800. ⁰⁰ EA.	800. ⁰⁰
M.H. 3.25 FT. DEEP	1 -	400. ⁰⁰ EA.	400. ⁰⁰
8" P.V.C. SEWER PIPE	453 L.F.	10. ⁰⁰ L.F. =	4,530. ⁰⁰
D.I. PIPE	40 L.F.	20. ⁰⁰ L.F. =	800. ⁰⁰
8x6 TEES	2 EA	15. ⁰⁰ EA. =	30. ⁰⁰
6" P.V.C. SEWER SER. PIPE	20 L.F.	8. ⁰⁰ L.F. =	160. ⁰⁰
TOTAL			6,720. ⁰⁰
3.5% TAX			235.20
TOTAL OF BID			6,955. ²⁰

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

Within 30 DAYS AFTER COMPLETION dollars (\$ _____).

Payment to be made as follows:

City to furnish all materials

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 specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

Robert J. Felt

Note: This proposal may be withdrawn by us if not accepted within **30** days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

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