

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON SEPTEMBER 5, 2000 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 LEROY SCOTT
OTHERS PRESENT	CHIEF RODNEY JARRELL CAPTAIN ROY JOHNSON NETTIE FARRIS DEBORAH REYNOLDS DAN TOLBERT 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 FOLLOWING AMENDMENTS TO THE AGENDA:

- X. GENERAL BUSINESS
  - 6. CHANGE TO TERMINATION OF JIMMY JONES EFFECTIVE 8/21/00.
  - 12 A. APPROVE SEWER EXTENTION QUOTES FROM C. J. MORGAN FOR SEWER EXTENSIONS ON PARKER STREET AND STARLANE DR.
  - 14. REQUEST TO HIRE LARRY LANGFORD AS A PART-TIME DISPATCH

XII. ORDERS & ORDINANCES

- 5. TRANSFER MICHAEL BLOUNT TO 3<sup>RD</sup> CLASS FROM METRO
- 6. TRANSFER KEN BULLOCK FROM PATROL TO METRO

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE MINUTES OF THE REGULAR MEETING OF AUGUST 15, 2000, THE PUBLIC HEARING HELD AT 6:30 P.M. ON AUGUST 15, 2000 ON THE CARPENTER PROPERTY AND ON THE BUDGET HEARING HELD AUGUST 29, 2000 AT 6:00 P.M.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ADOPT THE FOREGOING MINUTES AS WRITTEN. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY CALLED FOR PUBLIC COMMENT.

THEREUPON, A.W. SELLERS STATED THAT HE HAS TRASH AT HIS HOUSE THAT THE STREET DEPARTMENT WILL NOT PICK UP THEREFORE HE IS GOING TO BURN THE TRASH IN THE STREET.

WHEREAS, MAYOR GAY STATED THAT THE ELECTION OF THE MAYOR PRO-TEM IS NECESSARY.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO APPOINT ALDERMAN LANGFORD TO THE POSITION OF MAYOR PRO-TEM TO SERVE UNTIL JULY OF 2001. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON  
ALDERMAN CHARLES E. HOLBROOK  
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

ALDERMAN ROBERT F. LANGFORD

WHEREAS, MAYOR GAY STATED THAT PURSUANT TO THE PUBLIC HEARING HELD AT 6:30 P.M. ON THE REGINA SHOEMAKER PROPERTY AT 206 BARRON STREET, HE WOULD RECOMMEND THAT THE BOARD ADOPT A RESOLUTION AUTHORIZING THE STREET DEPARTMENT TO CLEAN HER PROPERTY AND TO CHARGE THE COST OF THE CLEAN-UP AS A LIEN ON HER PROPERTY TAXES.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ADOPT THE FOLLOWING RESOLUTION AUTHORIZING THE STREET DEPARTMENT TO PROCEED WITH THE CLEAN-UP OF REGINA SHOEMAKER'S PROPERTY AND THE CHARGE THE COSTS AS A LIEN TO HER PROPERTY. ALDERMAN SCOTT SECONDED THE MOTION.

SEE EXHIBIT "A"

RESOLUTION

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROOF OF PUBLICATION TO THE BOARD.

A) NOTICE OF PUBLIC HEARING FOR BUDGET 2000-2001

THEREUPON, ALDERMAN LANGFORD MADE A MOTION THAT THE FOREGOING PROOF OF PUBLICATION BE ACCEPTED AND FILED. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE RECOMMENDATION FROM THE PLANNING COMMISSION TO GRANT THE ZONING CHANGE REQUEST FROM JO ANN WARD TO CHANGE HER PROPERTY AT 200 CORINTH ROAD TO C-1.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ADOPT THE FOLLOWING ORDINANCE AMENDING THE CITY OF PETAL'S ZONING ORDINANCE. ALDERMAN SCOTT SECONDED THE MOTION.

SEE EXHIBIT "B"

ORDINANCE 1979 (42-A-110)

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROPOSAL FROM WRIGHT & KING, CPA TO PROVIDE AUDIT SERVICES TO THE CITY OF PETAL FOR THE FY 1999-2000.

SEE EXHIBIT "C"

PROPOSAL

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ACCEPT THE PROPOSAL FROM WRIGHT AND KING. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A LETTER OF RESIGNATION FROM BOBBIE HERRING FROM THE TREE BOARD EFFECTIVE SEPTEMBER 1, 2000.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT MRS. HERRING'S RESIGNATION WITH REGRETS. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY STATED THAT JIMMY JONES, GROUNDSKEEPER, FAILED TO APPEAR FOR WORK AND DID NOT NOTIFY ANYONE OF THE CAUSE FOR HIS ABSENCE, THEREFORE, HE WOULD RECOMMEND THAT MR. JONES BE TERMINATED EFFECTIVE AUGUST 21, 2000.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO TERMINATE JIMMY JONES EMPLOYMENT WITH THE CITY FOR FAILURE TO REPORT TO WORK EFFECTIVE AUGUST 21, 2000. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A LETTER OF RESIGNATION FROM JEFFREY WILLIAMS IN THE STREET DEPARTMENT EFFECTIVE AUGUST 21, 2000.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ACCEPT MR. WILLIAMS LETTER. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING AMENDED CONTRACT BETWEEN THE CITY OF PETAL AND THE PETAL SCHOOL DISTRICT FOR THE SENIOR CITIZENS MEALS.

SEE EXHIBIT "D"

AMENDED CONTRACT

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT BETWEEN THE CITY OF PETAL AND THE PETAL SCHOOL DISTRICT FOR THE SENIOR CITIZEN MEALS. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM THE POLICE DEPARTMENT TO APPLY FOR A LAW ENFORCEMENT BLOCK GRANT IN THE AMOUNT OF \$6,500.

THEREUPON ALDERMAN HOLBROOK MADE A MOTION FOR THE POLICE CHIEF TO COMPLETE THE APPLICATION AND BRING THE APPLICATION BACK BEFORE THE BOARD FOR APPROVAL. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE AGREEMENT BETWEEN THE CITY OF PETAL AND FORREST COUNTY FOR THE HOUSING OF THE CITY PRISONERS AT THE COUNTY JAIL COMPLEX.

SEE EXHIBIT "E"

AGREEMENT

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



THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING LETTER FROM THE CORP OF ENGINEERS CONCERNING THE FLOODING ALONG GREEN'S CREEK FOR ACKNOWLEDGEMENT.

SEE EXHIBIT "F"

LETTER

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ACKNOWLEDGE THE RECEIPT OF THE LETTER FROM THE CORP OF ENGINEERS. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY STATED THAT IT IS NECESSARY TO TRANSFER FUNDS IN THE AMOUNT OF \$20,000 FROM THE WATER R & E TO THE SEWER R & E MAYOR GAY STATED THAT THESE FUNDS HAVE BEEN BUDGETED FOR THE PAYMENT OF A GENERATOR, BUT THE EQUIPMENT WILL NOT ARRIVE BEFORE OCTOBER 1, 2000 AND THE CITY HAS NEED FOR THOSE FUNDS FOR SEWER EXTENSIONS.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO AUTHORIZE THE TRANSFER OF THE \$20,000 FROM THE WATER R & E TO THE SEWER R & E. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, MAYOR GAY PRESENTED THE FOLLOWING QUOTATIONS FROM C.J. MORGAN BASED ON HIS TERM CONTRACT WITH THE CITY FOR SEWER LINE EXTENSIONS.

SEE EXHIBIT "G"

QUOTATIONS - C.J. MORGAN

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ACCEPT THE QUOTATIONS FROM C.J. MORGAN. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED CLAIMS #58564-59012 FOR THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PAY CLAIMS #58564-59012 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM THE POLICE CHIEF TO HIRE LARRY LANGFORD AS A PART-TIME DISPATCHER.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE FOLLOWING ORDER HIRING MR. LANGFORD WITH THE STIPULATION THAT MR. LANGFORD NOT BE ALLOWED TO WORK THE POSITION BY HIMSELF UNTIL HE HAS BEEN CERTIFIED AT THE 40 HOUR TRAINING IN HATTIESBURG. ALDERMAN HOLBROOK SECONDED THE MOTION.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN DO HEREBY DEEM IT NECESSARY TO HIRE LARRY LANGFORD AS A PART-TIME DISPATCHER.

IT IS HEREBY ORDERED THAT LARRY LANGFORD IS HIRED AS A DISPATCHER AT A RATE OF \$6.50 PER HOUR EFFECTIVE IMMEDIATELY.

SO ORDERED ON THIS THE 5<sup>TH</sup> DAY OF SEPTEMBER, AD, 2000.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON  
ALDERMAN CHARLES E. HOLBROOK  
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

THOSE PRESENT AND ABSTAINING

ALDERMAN ROBERT F LANGFORD

WHEREAS, MAYOR GAY PRESENTED A REQUEST TO ATTEND THE EXECUTIVE COMMITTEE MEETING FOR THE MISSISSIPPI MUNICIPAL LEAGUE ON SEPTEMBER 14, 2000 AND SEPTEMBER 15, 2000 IN PHILADELPHIA, MS.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION AUTHORIZING THE MAYOR TO ATTEND THE EXECUTIVE COMMITTEE MEETING. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON  
ALDERMAN CHARLES E. HOLBROOK

ALDERMAN ROBERT F. LANGFORD  
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FOR A PAY INCREASE FOR DONALD ALAN CANNON ON HIS ANNIVERSARY TO A RATE OF \$6.75 PER HOUR EFFECTIVE SEPTEMBER 9, 2000.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN DO HEREBY DEEM IT NECESSARY, DUE TO HIS ANNIVERSARY WITH THE CITY, TO INCREASE DONALD ALAN CANNON'S PAY WITH THE CITY.

IT IS HEREBY ORDERED THAT DONALD ALAN CANNON'S PAY BE INCREASED TO \$6.75 PER HOUR EFFECTIVE SEPTEMBER 9, 2000.

SO ORDERED ON THIS THE 5<sup>TH</sup> DAY OF SEPTEMBER, AD, 2000.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDINANCE PROVIDING FOR ADDITIONAL COMPENSATION FOR THE MAYOR AND BOARD OF ALDERMEN.

SEE EXHIBIT "H"

ORDINANCE 1988 (73-J)

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

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER TRANSFERRING POLICE OFFICER SHAWN ELLIS TO DETECTIVE EFFECTIVE OCTOBER 1, 2000.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO TRANSFER AN OFFICER INTO THE DETECTIVE POSITION IN THE POLICE DEPARTMENT.

IT IS HEREBY ORDERED THAT SHAWN ELLIS BE TRANSFERRED INTO THE POSITION OF DETECTIVE AT A RATE OF \$24,100.00 EFFECTIVE OCTOBER 1, 2000.

SO ORDERED ON THIS THE 5<sup>TH</sup> DAY OF SEPTEMBER, AD, 2000.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON

ALDERMAN CHARLES E. HOLBROOK  
ALDERMAN ROBERT F. LANGFORD  
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER HIRING  
MICHAEL SHAWN NAPPER AS A 4<sup>TH</sup> CLASS POLICE OFFICER.

ORDER

WHEREAS, THE MAYOR AND BOARD OF  
ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI  
DO HEREBY DEEM IT NECESSARY TO HIRE AN  
ADDITIONAL POLICE OFFICER.

IT IS HEREBY ORDERED THAT MICHAEL  
SHAWN NAPPER BE HIRED AS PATROLMAN 4<sup>TH</sup>  
CLASS AT A RATE OF \$ 19,100.00 ANNUALLY  
EFFECTIVE SEPTEMBER 10, 2000.

SO ORDERED ON THIS THE 5<sup>TH</sup> DAY OF  
SEPTEMBER, 2000.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A RECOMMENDATION FROM CHIEF RODNEY  
JARRELL TO TRANSFER MICHAEL BLOUNT FROM THE METRO NARCOTIC TASK FORCE  
BACK TO 3<sup>RD</sup> CLASS PATROLMAN.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ADOPT THE FOLLOWING  
ORDER TRANSFERRING OFFICER BLOUNT BACK TO 3<sup>RD</sup> CLASS PATROLMAN. ALDERMAN  
SCOTT SECONDED THE MOTION.

ORDER

WHEREAS, THE MAYOR AND BOARD OF  
ALDERMEN OF THE CITY OF PETAL, UPON THE  
RECOMMENDATION OF CHIEF JARRELL, DO HEREBY  
DEEM IT NECESSARY TO TRANSFER MICHAEL BLOUNT  
FROM METRO NARCOTIC TASK FORCE BACK TO OFFICER  
3<sup>RD</sup> CLASS.

IT IS HEREBY ORDERED THAT MICHAEL BLOUNT  
BE TRANSFERRED BACK TO OFFICER 3<sup>RD</sup> CLASS AT A  
RATE OF \$20,100.00 ANNUALLY EFFECTIVE SEPTEMBER  
8, 2000.

SO ORDERED ON THIS THE 5<sup>TH</sup> DAY OF SEPTEMBER,  
AD, 2000.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A RECOMMENDATION FROM CHIEF JARRELL  
TO TRANSFER KEN BULLOCK FROM THE POSITION OF SARGEANT BACK TO THE METRO  
NARCOTICS TASK FORCE.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ADOPT THE FOLLOWING  
ORDER TRANSFERRING OFFICER BULLOCK. ALDERMAN SCOTT SECONDED THE MOTION.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL DO HEREBY DEEM IT NECESSARY, UPON THE RECOMMENDATION OF CHIEF JARRELL, TO TRANSFER SGT BULLOCK BACK TO THE METRO NARCOTICS TASK FORCE.

IT IS HEREBY ORDERED THAT SGT KEN BULLOCK BE TRANSFERRED TO METRO NARCOTICS TASK FORCE EFFECTIVE SEPTEMBER 8, 2000 AT A RATE OF \$23,600.00 ANNUALLY.

SO ORDERED ON THIS THE 5<sup>TH</sup> DAY OF SEPTEMBER, AD, 2000.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING RESOLUTION PERTAINING TO THE LEASE PURCHASE AGREEMENT BETWEEN THE CITY OF PETAL AND HANCOCK BANK.

SEE EXHIBIT "I"

RESOLUTION

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

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING RESOLUTION CONCERNING THE TAX INCREMENT FINANCE BETWEEN THE CITY OF PETAL AND THE PROPOSED WALMART SUPERCENTER.

SEE EXHIBIT "J"

RESOLUTION

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE RESOLUTION PERTAINING TO THE TRANSFER OF THE CABLE TELEVISION FRANCHISE FROM CAT PARTNERSHIP TO COMCAST HATTIESBURG HOLDING COMPANY, INC.

SEE EXHIBIT "K"

RESOLUTION

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

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, CITY ATTORNEY THOMAS W. TYNER REQUESTED AND EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO CLEAR THE ROOM TO DETERMINE IF AN EXECUTIVE SESSION IS REQUIRED. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

MAYOR GAY REOPENED THE MEETING, AS IT WAS DETERMINED THAT AN EXECUTIVE SESSION WOULD NOT BE REQUIRED.

WHEREAS, MR. TYNER STATED THAT THE CITY WILL BE REQUIRED TO HAVE THE FINAL LEGAL DESCRIPTION FOR THE NEWLY DEFINED CITY LIMITS AFTER THE JUDGE'S FINAL ORDER IS FILED.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO AUTHORIZE SHOWS, DEARMAN AND WAITS TO PREPARE THE FINAL LEGAL DESCRIPTION FOR THE CITY OF PETAL. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO RECESS THIS MEETING UNTIL SEPTEMBER 12, 2000 AT 5:30 P.M. ALDERMAN HINTON SECONDED THE MOTION.

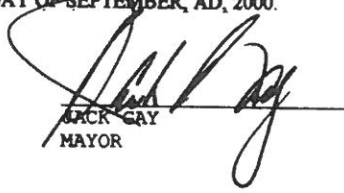
THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON  
ALDERMAN CHARLES E. HOLBROOK  
ALDERMAN ROBERT F. LANGFORD  
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 WAS RECESSED UNTIL 5:30 P.M. ON  
SEPTEMBER 12, 2000 ON THIS THE 5<sup>TH</sup> DAY OF SEPTEMBER, AD, 2000.

  
\_\_\_\_\_  
JACK GAY  
MAYOR

(SEAL)

ATTEST:

  
\_\_\_\_\_  
PRISCILLA C. DANIEL  
CITY CLERK

EXHIBIT "A"

RESOLUTION

RESOLUTION FINDING AND DETERMINING THAT THE PROPERTY LOCATED AT 206 BARRON STREET IN PETAL, MISSISSIPPI AND OWNED BY REGINA SHOEMAKER IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY

WHEREAS, DUE AND PROPER NOTICE HAS BEEN GIVEN TO THE OWNER OF THE PROPERTY LOCATED AT 206 BARRON STREET IN PETAL, MISSISSIPPI OF A HEARING CONDUCTED BEFORE THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL TO DETERMINE THAT SAID PROPERTY NEEDS TO BE BROUGHT UP TO THE CITY'S CODE.

WHEREAS, SAID HEARING HAVING BEEN DULY AND PROPERLY HELD AND EVIDENCE HAVING BEEN PRESENTED, ALL IN CONFORMANCE WITH SECTION 21-19-11 OF THE MISSISSIPPI CODE OF 1972 AS AMENDED;

NOW THEREFORE, BE IT RESOLVED,

SECTION 1:

THAT THE PROPERTY LOCATED AT 206 BARRON STREET IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY.

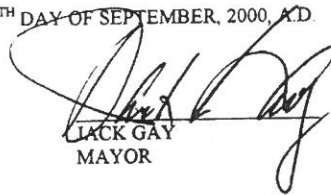
SECTION 2:

THAT IF THE OWNER OF SAID PROPERTY HAS NOT BROUGHT THE PROPERTY UP TO COMPLIANCE WITHIN 30 DAYS FROM THIS RECEIPT, THE CITY OF PETAL SHALL, BY THE USE OF MUNICIPAL EMPLOYEES OR BY CONTRACT, PROCEED TO REMOVE THE VIOLATION BY EXERCISING ITS RIGHTS UNDER THE "CLEANING OF PRIVATE PROPERTY" SECTION OF THE MISSISSIPPI CODE 21-19-11.

SECTION 3:

THAT ALL COST INCURRED BY THE MUNICIPALITY, IF ANY, PLUS PENALTY, IF ANY, SHALL BECOME AS ASSESSMENT AGAINST SAID PROPERTY, ALL AUTHORIZED AND PERMITTED PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE OF 1972, AS AMENDED.

SO RESOLVED, ON THIS THE 5<sup>TH</sup> DAY OF SEPTEMBER, 2000, A.D.

  
JACK GAY  
MAYOR

(SEAL)



EXHIBIT "B"

ORDINANCE NUMBER 1979 (42-A110)

AN ORDINANCE CHANGING AND AMENDING THE COMPREHENSIVE ZONING ORDINANCE NUMBER 1979 (42) OF THE CITY OF PETAL, MISSISSIPPI, AS AMENDED BY ORDINANCE NUMBERS 1979 (42-1) THROUGH 1979 (42-A109) SO AS TO CHANGE THE ZONING CLASSIFICATION OF SAID SECTIONS OF CERTAIN LAND IN SAID CITY FROM R-2 ( LOW MEDIUM DENSITY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL DISTRICT)

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI:

SECTION 1. THAT THE COMPREHENSIVE ZONING DISTRICT MAP, ADOPTED AS PART OF THE COMPREHENSIVE ZONING ORDINANCE NUMBER 1979 (42) OF THE CITY OF PETAL, MISSISSIPPI, AS AMENDED BY ORDINANCE NUMBERS 1979 (42-1) THROUGH 1979 (42-A109) BE AND THE SAME IS HEREBY CHANGED AND AMENDED AS PER PETITION FILED IN CONNECTION THEREWITH SO THAT THE LAND DESCRIBED AS LISTED BELOW. CHANGE OF CURRENT ZONING CLASSIFICATION FROM R-2 (LOW MEDIUM DENSITY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL DISTRICT).

SAID LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW, TO WIT:

LOTS 19 AND 20, BLOCK 1 OF PETAL HEIGHTS SURVEY

SECTION 2. EXCEPT AS HEREBY EXPRESSLY CHANGED AND AMENDED, THE AFORESAID COMPREHENSIVE ZONING ORDINANCE NUMBER 1979 (42) OF THE CITY OF PETAL, MISSISSIPPI, AS AMENDED BY ORDINANCE NUMBERS 1979 (42-A109) SHALL BE AND REMAIN IN FULL FORCE AND FORM AS ADOPTED ON SEPTEMBER 5, 2000.

SECTION 3. THAT THIS ORDINANCE TAKES EFFECT AND BE IN FULL FORCE FROM AND AFTER ITS PASSAGE AS PROVIDED BY LAW.

THE FOREGOING ORDINANCE HAVING BEEN REDUCED TO WRITING, THE SAME WAS INTRODUCED AND READ, AND A VOTE WAS TAKEN THEREON, FIRST SECTION BY SECTION AND THEN UPON THE ORDINANCE AS WHOLE WITH THE FOLLOWING RESULTS:

THOSE PRESENT AND VOTING "AYE" AND IN FAVOR OF THE PASSAGE, ADOPTION AND APPROVAL OF SECTIONS 1, 2, AND 3 OF THE FOREGOING ORDINANCE:

ALDERMAN WILLIE HINTON  
ALDERMAN CHARLES HOLBROOK  
ALDERMAN ROBERT LANGFORD  
ALDERMAN LEROY SCOTT

EXHIBIT "B"

THOSE PRESENT AND VOTING "NAY" OR AGAINST THE ADOPTION OF ANY SECTION OF THE FOREGOING ORDINANCE

NONE

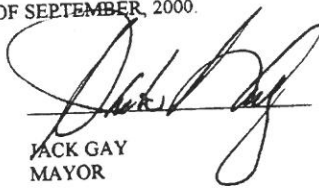
THOSE PRESENT AND VOTING "AYE" AND IN FAVOR OF THE ADOPTION OF THE FOREGOING ORDINANCE AS A WHOLE:

ALDERMAN WILLIE HINTON  
ALDERMAN CHARLES HOLBROOK  
ALDERMAN ROBERT LANGFORD  
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY" OR AGAINST THE ADOPTION OF THE FOREGOING ORDINANCE AS A WHOLE:

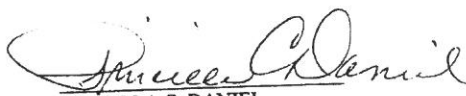
NONE

WHEREUPON, THE FOREGOING ORDINANCE BE, AND THE SAME IS HEREBY PASSED,  
ADOPTED AND APPROVED ON THIS THE 5TH DAY OF SEPTEMBER, 2000.

  
\_\_\_\_\_  
JACK GAY  
MAYOR

(SEAL)

ATTEST:

  
\_\_\_\_\_  
PRISCILLA C. DANIEL  
CITY CLERK

PUBLISH : September 15, 2000

EXHIBIT "C"

**Wright, King and Company, P.A.**

*Certified Public Accountants*  
#10 Plaza Drive  
P. O. Box 16433  
Hattiesburg, MS 39402  
(601) 268-3135 (601) 261-3922 - Fax

Douglas A. King, CPA  
Willoughby C. Wright, CPA  
Marcia N. Wright, CPA  
-----  
Ann Scott Henderson, CPA  
Samantha J. Kirschbaum, CPA

Members  
Mississippi Society of  
Certified Public Accountants  
American Institute of  
Certified Public Accountants

August 15, 2000

Mayor Jack Gay  
Board of Aldermen  
City of Petal  
Post Office Box 564  
Petal, Mississippi 39465

Dear Mayor Gay:

We are requesting that the Board of Aldermen give formal approval of our proposal to provide audit services for the City of Petal for the year ended September 30, 2000. Our audit will be conducted in accordance with the requirements stipulated by the State Department of Audit and our fees will not exceed \$8,000 for the City of Petal and \$6,500 for the Water and Sewer System.

We appreciate the opportunity to serve the City of Petal and would be happy to meet with you to discuss this proposal.

Sincerely,

WRIGHT, KING, & COMPANY, P.A.

  
Willoughby C. Wright, CPA

Enclosure: Peer Review

EXHIBIT "D"

AGREEMENT FOR FOOD SERVICE

This agreement is made and entered into by and between:  
THE PETAL SCHOOL DISTRICT  
AND  
THE CITY OF PETAL

The PETAL SCHOOL DISTRICT agrees to the following regulations for serving lunches to SENIOR CITIZENS of Petal, and the CITY OF PETAL further agrees to the following regulations for reimbursement and payment for said SENIOR CITIZENS lunches.

The aforementioned regulations are as follows:

SENIOR CITIZENS meals will be served on Wednesday and Friday of each school session week except on specified school holidays. Said meals will be served by W L Smith Elementary School cafeteria staff.

SENIOR CITIZENS meals will be served by the PETAL SCHOOL DISTRICT beginning promptly at 10:00 a.m. on said days and those SENIOR CITIZENS participating will be completed with their meals before student serving time at 10:45 a.m. SENIOR CITIZENS participating will be responsible for picking up their lunch trays at the service line and taking the lunch trays to the dish room window upon completion of their meals.

SENIOR CITIZENS menus will be the same as those served to the students of the PETAL SCHOOL DISTRICT. Said meals will meet the requirements as to nutritive value and content pursuant to the provisions of the Child and Adult Food Care Program Regulations.

SENIOR CITIZENS participating who wish to bring a guest (grandchildren, children, etc...) will be responsible for paying for said lunches directly to the Food Service Cashier. These extra lunches will not be included in the total count for billing the CITY OF PETAL.

THE PETAL SCHOOL DISTRICT will submit a monthly billing to the CITY OF PETAL for the total number of SENIOR CITIZENS meals served during the specified month. A meal count will be conducted at the point of service of each meal. The rate for reimbursement to the PETAL SCHOOL DISTRICT is set at Two Dollars and Fifty cents (\$2.50) per SENIOR CITIZEN meal served. The CITY OF PETAL will pay one dollar and fifty cents (\$1.50) and each SENIOR CITIZEN will pay one dollar (1.00) per SENIOR CITIZEN meal. The CITY OF PETAL will reimburse the PETAL SCHOOL DISTRICT in accordance with said billed statement within ten (10) working days upon receipt of said statement of payment.

This agreement shall be effective from October 1, 2000 until May 25, 2001; it may be terminated by either party if at least 30 days notice is given in writing prior to the date of termination.

This agreement is witnessed and agreed upon by:

  
\_\_\_\_\_  
PETAL SCHOOL OFFICIAL

  
\_\_\_\_\_  
CITY OF PETAL OFFICIAL

Superintendent \_\_\_\_\_  
Title Date

Mayor \_\_\_\_\_  
Title Date 9/6/2000

STATE OF MISSISSIPPI  
COUNTY OF FORREST

EXHIBIT "E"

AGREEMENT

**WHEREAS**, heretofore the Governing Authorities of Forrest County and the City of Petal wish to enter into a written agreement for the housing of Petal City prisoners in the Forrest County Regional Jail and other community based correctional facilities; and

**NOW, THEREFORE, IT IS HEREBY AGREED** by and between Forrest County and the City of Petal as follows:

1.

Forrest County, through the Forrest County Sheriff's Department, shall continue to operate, maintain and supervise all community based adult correctional facilities, which include at this time the Forrest County Regional Jail and the Forrest County Sheriff's Department Work Center.

2.

The City of Petal shall continue to incarcerate and house its adult prisoners in one or more of the community based correctional facilities operated by Forrest County

3.

A "City Prisoner" is defined for the purposes of this Agreement as any individual who is incarcerated in a community based correctional facility operated by Forrest County, Mississippi, pursuant to an arrest by City of Petal police officers upon a misdemeanor charge or upon a felony charge pending the filing of a Court Order binding the defendant over for action by the Grand Jury where the alleged offense occurred within the corporate limits of the City of Petal.

4.

The classification, inter-facility assignment, and situs of detention, with respect to any "City Prisoner" shall be vested solely in the Forrest County Sheriff's Department, but City prisoners who may be eligible for assignment to a prisoner work crew shall be assigned solely to a City work crew.

5.

In the event of severe overcrowding or some other emergency, as determined by the Sheriff of Forrest County or his representative, "City Prisoners" confined on minor, non-violent crimes may be released early, without bond, or on his/her own recognizance pending appearance in the Municipal Court of the City of Petal. When practical, notification prior to release will be made to the City Police Department and input will be solicited and received on a case by case basis as to why an individual should not be released due to overcrowding or other emergency, but the **final** determination regarding release due to overcrowding or other emergency situation will be made by the Sheriff of Forrest County or his representative. Once release has been decided, the City Court Clerk shall be notified.

6.

EXHIBIT "E"

The City of Petal shall deliver to Forrest County Regional Jail any prisoners to be incarcerated and housed as a "City Prisoner" and such person so delivered shall be received, incarcerated and housed in one of the Forrest County facilities as may be designated by the Sheriff or his representative, providing said person is in an acceptable medical condition as determined by the Sheriff or his designee and has been properly charged. In the event of assignment to a detention facility other than the Forrest County Jail after booking, the prisoner shall be transported by the Sheriff's Department.

7.

The City of Petal shall pay all medical costs and expenses of any "City Prisoner" requiring medical or dental services, pursuant to § 47-1-57 and §47-1-59 of the Mississippi Code of 1972, as amended. These medical/dental expenses shall be billed directly to the City of Petal. Other medical supplies furnished and dispensed by the Sheriff's Department to a City prisoner pursuant to the directions and authority of a licensed medical person or jail nurse shall be billed by the County with an itemization of supplies and services provided.

8.

The City of Petal will provide transportation and security for any "City Prisoner" who requires medical/dental attention from a local hospital, dental office or clinic and will pay for the cost of emergency medical transportation (ambulance) when reasonable and necessary to protect the safety and well-being of such prisoner.

9.

In consideration of the housing of "City Prisoners" in one or more of the community based correctional facilities operated by Forrest County, the City of Petal agrees:

- a. To pay monthly to Forrest County as billed by the Sheriff computed on a per prisoner per day basis, with the day of booking to be charged at the full day rate and with 12:00 o'clock noon being the daily head-count time for determining charges for any subsequent days. For purposes of computing charges for prisoner days, a day shall run from 12:00 noon to 12:00 noon the next day. The daily rate shall be as follows:
  - (1) For City prisoners arrested and booked as the result of an offense allegedly committed in the City of Petal - \$20.00 per prisoner per day.
- b. To pay the medical costs of "City Prisoners" as set forth in Paragraphs 7 and 8 of this Agreement;

10.

By the execution of this Agreement, the City of Petal does not assume any liability for the operation of any community based correctional facility operated by Forrest County or the Forrest County Sheriff's Department with respect to any claims that anyone may have which arise solely out of the operation of a correctional facility rather than as a result of some action or inaction on the part of the City of Petal or its agents, servants or employees.

EXHIBIT "E"

11.

The parties agree to enter into any other joint, cooperative program or project which may be contemplated in the future which may be mutually beneficial to the parties and which would further accomplish the goals and purposes of this Agreement.

12.

This Agreement may be terminated by either Forrest County or the City of Petal by the adoption of an appropriate Order by the governing authority more than 90 days prior to October 1 of the next year. In such event, this Agreement shall be of no further force and effect from the end of the fiscal year in which the Order of termination is adopted, unless both governing authorities agree on the earlier termination.

13.

This Agreement shall take effect immediately upon the date finally approved and executed by both parties, and shall continue in force for a period of one (1) year, unless altered or modified by agreement or unless earlier terminated as hereinabove provided. Alterations or modifications to this agreement must be made by or before September 1 for proper budgeting purposes for the next fiscal year.

14.

This Agreement shall be reviewed periodically during the year by the County as to the cost of housing prisoners and the average number of city prisoners housed per day to determine whether the daily charge rate should be renegotiated for the remainder of the year.

WITNESS THE SIGNATURES of Forrest County and the City of Petal by and through their respective and duly authorized representatives.

FORREST COUNTY, MISSISSIPPI

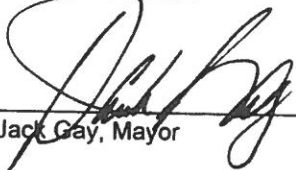
By: \_\_\_\_\_  
Lynn Carlidge, President  
Board of Supervisors

Date signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk

CITY OF PETAL

By:  \_\_\_\_\_  
Jack Gay, Mayor

Date signed: \_\_\_\_\_

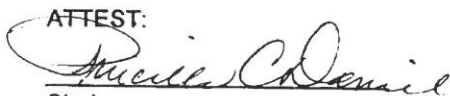
ATTEST:  
  
Clerk

EXHIBIT "F"



**DEPARTMENT OF THE ARMY**  
MOBILE DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 2288  
MOBILE, ALABAMA 36628-0001

August 14, 2000

REPLY TO  
ATTENTION OF:

Plan Development and Floodplain  
Management Team  
Planning and Environmental Division

Honorable Jack Gay  
Mayor, City of Petal  
Post Office Box 564  
Petal, Mississippi 39465

Dear Mayor Gay:

In July 1998, the U.S. Army Corps of Engineers, Mobile District (Corps), initiated a study of the flooding problems along Greens Creek in the City of Petal. This study has been conducted under the authority of Section 205 of the Flood Control Act of 1948, as amended, to determine the extent of the problem area and the likelihood of developing a feasible measure for flood damage reduction.

Prior to this current study, from 1982 until 1992, the Corps conducted flood damage reduction studies along Greens Creek also under the authority of Section 205. A plan to provide flood damage reduction was developed that included levee construction and bridge modification to provide flood protection from both Greens Creek and the Leaf River. During the project design, it was found that a railroad embankment that was considered for part of the levee protection was constructed of material not suitable for levee construction. Additional construction to compensate for this condition increased the project cost such that the project would not be economically feasible. After further coordination with local officials we concluded that no other economically justified measure for flood damage reduction could be formulated for the area at that time and the project was terminated.

During the current study, we have attempted to determine if conditions have changed within the drainage basin and problem area such that there might now be a feasible measure for flood damage reduction. We have determined that the hydrology of the drainage basin and that the area and amount of damages have remained practically unchanged. The only significant change within the area is the proposed construction of the relocated Highway 42 that will cross Greens Creek in three places.



EXHIBIT "F"

-2-

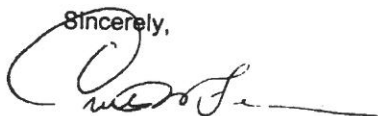
It appears that the construction of this roadway and its crossings of Greens Creek could provide an opportunity to construct a diversion channel as part of the highway construction. Additional study beyond the scope of our current study would be necessary to support this conclusion. The additional study effort would have to be cost shared between the Corps and the City.

Based on discussions held with you and representatives of the Corps and the Mississippi Department of Transportation (MDOT) about the inclusion of a diversion channel with the highway construction, a requirement placed on the City would be the acquisition of right-of-way for the diversion channel. You have expressed that the City of Petal does not have the financial resources to acquire the right-of-way that would be needed to construct a diversion channel or to participate in a cost shared study with the Corps.

In light of our discussions, we have attempted to identify what other measures could be considered for Federal participation. Regrettably, we have been unable to formulate any other measures that may produce an economically feasible project for Federal participation. If you feel that there are any additional measures that we should consider for which the City would also have the financial resources to act as the non-Federal sponsor, please notify us by September 15, 2000. If we do not hear from you, we plan to terminate further study on Greens Creek by the end of September.

If you have any questions concerning the above information, please contact the Project Manager, Mr. Joseph Paine at (334) 694-3832 or by e-mail at joseph.w.paine@sam.usace.army.mil.

Sincerely,



Curtis M. Flakes  
Chief, Planning and Environmental  
Division

Copy Furnished:

Pat Harrison Waterway District  
Post Office Drawer 1509  
Hattiesburg, Mississippi 39403-1509



EXHIBIT "H"

ORDINANCE 1988 (73-I)

AN ORDINANCE AMENDING ORDINANCE 1988 (73-I), TO  
PROVIDE FOR ADDITIONAL COMPENSATION FOR THE  
MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF  
PETAL, MISSISSIPPI

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF PETAL, MISSISSIPPI:

SECTION 1: Ordinance 1988 (73-I ) is hereby amended  
as follows, any Ordinances inconsistent with that adopted  
herein being repealed specifically and by implication:

SECTION 2: COMPENSATION OF THE MAYOR

The Mayor of the City of Petal, Mississippi shall  
be paid compensation for the performance of his official  
duties at the rate of \$37,200.00 annually.

Section 3: COMPENSATION OF ALDERMEN

The Aldermen of the City of Petal, Mississippi shall  
Be paid compensation for the performance of their official  
duties at the rate of \$8,200.00 annually.

SECTION 4: EFFECTIVE DATE

The above and foregoing Ordinance shall take effect  
and be in full force from and after thirty (30) days from  
the date of its adoption and approval.

The above and foregoing Ordinance amending  
Ordinance 1988 (73-I) and for related purposes, having  
been reduced to writing, the same was introduced and read  
and a vote was taken thereon, first section by section and  
then upon the foregoing Ordinance as a whole, with the  
following results:

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

Alderman Hinton  
Alderman Holbrook  
Alderman Langford  
Alderman Scott

EXHIBIT "H"

Those present and voting "Nay" or against the passage, adoption and approval of Sections 1, 2, and 3 of the foregoing Ordinance:

None


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

Alderman Hinton  
Alderman Holbrook  
Alderman Langford  
Alderman Scott

Those present and voting "Nay" or against the adoption of the foregoing Ordinance as a whole:

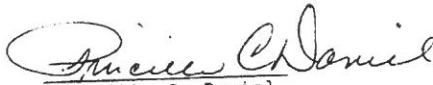
None

Whereupon, the foregoing Ordinance be, and the same is hereby passed, adopted, and approved on this, the 5th day of September, AD, 2000.

  
\_\_\_\_\_  
Jack Gray  
Mayor

(SEAL)

Attest:

  
\_\_\_\_\_  
Priscilla C. Daniel  
City Clerk

Publish (1) time: AS SOON AS POSSIBLE

EXHIBIT "T"

EXHIBIT "A"

BOARD MEMBER Lacey Scott moved the adoption of the following resolution and order

A RESOLUTION OF THE CITY OF PETAL FINDING THAT IT IS NECESSARY TO ACQUIRE EQUIPMENT FOR GOVERNMENTAL OR PROPRIETARY PURPOSES AUTHORIZED BY LAW FINDING THAT IT WOULD BE IN THE PUBLIC INTEREST TO ACQUIRE SUCH EQUIPMENT UNDER THE TERMS OF A LEASE PURCHASE AGREEMENT RATHER THAN PURCHASING SUCH EQUIPMENT OF CASH OR BY THE ISSUANCE OF EQUIPMENT NOTES FINDING THAT THE HANCOCK BANK GULFPORT MISSISSIPPI HAS OFFERED TO ACQUIRE SUCH EQUIPMENT AND TO LEASE SUCH EQUIPMENT TO CITY OF PETAL FINDING THAT SUCH PROPOSAL IS IN THE INTEREST OF SUCH CITY OF PETAL AND AUTHORIZING THE MAYOR, CITY OF PETAL AND CITY CLERK, CITY OF PETAL DIRECTING CITY OF PETAL TO EXECUTE A LEASE AGREEMENT PURCHASE WITH THE HANCOCK BANK TO THE END THAT SUCH EQUIPMENT SHALL BE ACQUIRED BY SUCH BANK AND LEASED TO CITY OF PETAL SUCH ON THE TERMS AND CONDITIONS EXPRESSED IN SUCH LEASE.

WHEREAS, THE CITY OF PETAL HAS HERETOFORE DETERMINED BY RESOLUTION DATED September 6, 2000 THAT IT IS NECESSARY TO ACQUIRE

Serial Number	Description	Quantity	Unit Price	Total Price
4ZN22725	CATERPILLAR 416C LOADER/BACKHOE	1	49,800.00	49,800.00
	DOWNPAYMENT TO BE PAID BY CITY OF PETAL	1	-31,988.00	-31,988.00

for use by the CITY OF PETAL and for purposes authorized by law and

WHEREAS, such CITY OF PETAL had by these presents determined that it would be in the public interest to acquire such equipment through a Lease Purchase Agreement as provided under Section 31-7-13(e) Miss. CODE ANN. (1972) as amended for a term not to exceed five (5) years, and

WHEREAS, such Board anticipates that the CITY OF PETAL will not issue more than \$10,000,000.00 of qualified tax-exempt obligations during calendar year 2000, and

WHEREAS, to the best knowledge and belief of the Board, this lease qualifies as a qualified project bond within the meaning of the Tax Reform Act of 1986, and

WHEREAS, such Board caused to be published in HATTIESBURG AMERICAN newspaper having a general circulation in such county, notice to bidders of not less than two consecutive weeks as required by Section 31-7-13(e) MISS CODE ANN. (1972) as amended, and

WHEREAS, on the 24<sup>th</sup> day of APRIL, 2000 and 1<sup>st</sup> day of MAY, 2000, appointed for receipt of bids, such Board received such bids for the sale of such equipment and determined that the lowest and best bid for such equipment was \$49,800.00; and

WHEREAS, the Hancock Bank of Gulfport, Mississippi, has proposed to acquire such equipment at the offered price and to lease such equipment to the CITY OF PETAL at a rate of 5.85% per annum, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PETAL AS FOLLOWS

SECTION 1: The MAYOR, CITY OF PETAL AND CITY CLERK, CITY OF PETAL are hereby authorized and directed to execute a Lease and Option Agreement together with all exhibits incorporated therein.

SECTION 2: Upon delivery and acceptance by such CITY OF PETAL of such equipment, THE MAYOR, CITY OF PETAL AND CITY CLERK, CITY OF PETAL are authorized and directed to execute a Certificate of Acceptance of such equipment and as provided in Section 4.01 of such Lease, the lease term shall commence on the date of acceptance.

SECTION 3: The MAYOR, CITY OF PETAL AND CITY CLERK, CITY OF PETAL are further authorized and directed to execute on behalf of such CITY OF PETAL a Financing Statement and all other documents as provided for under Section 7.02 of such Lease to establish and maintain the security interest of Hancock Bank in such equipment.

SECTION 4: Prior or at the time of acceptance by the CITY OF PETAL of such equipment, the CITY OF PETAL shall deliver to Hancock Bank, Certificates of Insurance assuring to Hancock Bank and naming Hancock Bank as additional insured that such property has been insured against loss from any casualty of whatever kind or nature. Such Certificates shall certify that such policy will not be cancelled without first giving written notice thereof to Hancock Bank at least ten (10) days in advance of such cancellation.

BOARD MEMBER William W. Hunter seconded the motion and after a full discussion, same was unanimously carried.

THIS, 6<sup>th</sup> day of September, 2000

By [Signature]  
CITY OF PETAL  
JACK GAY  
MAYOR, CITY OF PETAL

By [Signature]  
PRISCILLA C DANIEL  
CITY CLERK, CITY OF PETAL

EXHIBIT "J"

THERE CAME on for consideration by The Mayor and Board of Aldermen (the "Governing Body") of the City of Petal, Mississippi (the "City"), the matter of the Tax Increment Financing Plan (Wal-Mart SuperCenter Project) and a Resolution regarding such Tax Increment Financing Plan. After a full consideration of the matter, Alderman Hinton offered and moved the adoption of the following Resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT THE WAL-MART SUPERCENTER PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE, THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN, AND FOR RELATED PURPOSES.

WHEREAS, the Mississippi "Tax Increment Financing Act", Title 21, Chapter 45, Mississippi Code of 1972, as amended (the "Act"), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects as defined therein with the use of Tax Increment Financing as set forth in detail in the Act;

WHEREAS, this Governing Body, on June 15, 1999, did adopt the Tax Increment Financing Redevelopment Plan, City of Petal, 1999, which is a qualified plan under the Act.

WHEREAS, this Governing Body has been presented with a Tax Increment Financing Plan (Wal-Mart SuperCenter Project) (the "TIF Plan"), a copy of which is attached hereto and becomes a part hereof in its entirety, the purpose of which is to provide a financing mechanism to construct various needed infrastructure and other improvements in connection with the Wal-Mart SuperCenter Project;

WHEREAS, this Governing Body has identified various parts of the City in need of development and redevelopment and does hereby find that the Wal-Mart SuperCenter Project is a project of major economic significance within the City and qualifies as a project eligible for Tax Increment Financing as set forth in the Redevelopment Plan, and participation on the part of the City is necessary and would be in the public interest and in the best interests of the public health, safety, morals, and welfare of the City.

WHEREAS, the City proposes to issue Tax Increment Financing Revenue Bonds, Notes, or other debt obligations jointly with Forrest County (the "County") in an amount not to exceed \$600,000 which obligations will be secured solely by a pledge of all or a portion of the real and personal property ad valorem taxes generated by construction and development in the TIF District, which funds will be used to pay the cost of constructing infrastructure and other related improvements which may include, but not necessarily be limited to, installation of utilities such as water, sanitary sewer and natural gas lines; installation of drainage; construction of roadways with curb and gutter; installation of traffic signalization and signage; relocation/realignment of roadways; relocation of utilities; landscaping of rights-of-way, purchase of rights-of-way necessary for the installation of the infrastructure improvements described hereinabove; other incidental costs; and professional fees in connection with construction and development in the TIF District as identified in the TIF Plan;

WHEREAS, the County's participation in this project will involve the pledge of real property taxes generated from the development as identified in the TIF Plan for a term of up to 10 years;

WHEREAS, the City will exercise its authority under the Act jointly with the Board of Supervisors of Forrest County, Mississippi, pursuant to an Interlocal Cooperation Agreement in substantially the form attached hereto as authorized by Section 21-45-3 of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, AS FOLLOWS:

EXHIBIT "J"

1. That the receipt of the Tax Increment Financing Plan (Wal-Mart SuperCenter Project) is acknowledged;
2. That the Governing Body of the City does hereby declare its intent to approve the Tax Increment Financing Plan and to issue the Tax Increment Financing Revenue Bonds, Notes, or other debt obligations in an amount not to exceed Six Hundred Thousand Dollars (\$600,000) for the purpose of providing funds necessary to defray the cost of constructing infrastructure and other related improvements which may include, but not necessarily be limited to, installation of utilities such as water, sanitary sewer and natural gas lines; installation of drainage; construction of roadways with curb and gutter; installation of traffic signalization and signage; relocation/realignment of roadways; relocation of utilities; landscaping of rights-of-way, purchase of rights-of-way necessary for the installation of the infrastructure improvements described hereinabove; other incidental costs; and professional fees in connection with construction and development in the TIF District as identified in the TIF Plan;
3. If approved, that the Tax Increment Financing Revenue Bonds, Notes, or other debt obligation shall be secured solely by a pledge of all or a portion of the real and personal property ad valorem tax revenues generated by the construction of the Project and shall not be secured by the full faith and credit of the City or County or create any other pecuniary liability on the part of the City or County other than the pledge heretofore set forth;
4. The County's participation in this project will involve the pledge of real property taxes generated from the development as identified in the TIF Plan for a term of up to ten (10) years;
5. That a joint public hearing of the City and County shall be held with respect to the Tax Increment Financing Plan in the regular meeting place of this Governing Body in the meeting room at City Hall located at 119 West 8th Avenue, Petal, Mississippi, at 6:30 P.M. on Tuesday, the 19<sup>th</sup> day of September, 2000; and
6. That the Clerk is hereby directed to publish the following notice in the *Hattiesburg American*, one (1) time not less than ten (10) days nor more than twenty (20) days prior to the date set forth in paragraph 4 hereof.

Alderman Langford seconded the motion to adopt the foregoing and the vote was as follows:

Alderman Willie W. Hinton	voted <u>YEA</u>
Alderman Charles Holbrook	voted <u>YEA</u>
Alderman Robert Langford	voted <u>YEA</u>
Alderman Donald H. Rowell	voted _____
Alderman Leroy Scott	voted <u>YEA</u>

The motion having received the affirmative vote of a majority of all of the members of the Board present, the Mayor declared the motion carried, and the Resolution adopted on this the 5<sup>th</sup> day of September, 2000.

THE CITY OF PETAL, MISSISSIPPI

By:   
Jack Gay, Mayor

Attest:

  
Priscilla Daniel, City Clerk

**EXHIBIT "K"**

**CONSENT RESOLUTION OF THE CITY OF PETAL, MISSISSIPPI  
AUTHORIZING THE TRANSFER OF A  
CABLE TELEVISION FRANCHISE**

**WHEREAS**, CAT Partnership (the "Franchisee") currently owns and operates the cable television system (the "System") operating in Petal, Mississippi (the "Franchise Authority") and is the duly authorized holder of a franchise permit, license, or other authorization granted by the Franchise Authority (as amended to date, the "Franchise"); and

**WHEREAS**, the general partners of the CAT Partnership have entered into the Redemption Agreement, dated July 17, 2000 (the "Agreement"), pursuant to which the Franchise will be assigned from Franchisee to Comcast Hattiesburg Holding Company, Inc. ("Transferee") (the "Transaction");

**WHEREAS**, Franchisee and Transferee have requested consent by the Franchise Authority to the Transaction in accordance with the requirements of the Franchise and have filed an FCC Form 394 (the "Transfer Application") with the Franchise Authority describing both the Transferee and the Transaction; and

**WHEREAS**, the Franchise Authority has reviewed the Transfer Application, examined the legal, financial and technical qualifications of Transferee, followed all required procedures in order to consider and act upon the Transfer Application, and considered the comments of all interested parties; and

**WHEREAS**, the Franchise is in full force and effect without default thereunder by Franchisee as of the date hereof in accordance with its terms and conditions as set forth therein, and Transferee has agreed to comply with the Franchise and applicable law from and after the completion of the transfer; and

**WHEREAS**, the Franchise Authority believes it is in the interest of the Franchise Authority to approve the Transfer Application and the transfer of the Franchise to Transferee, all as described in the Transfer Application;

**NOW, THEREFORE, BE IT RESOLVED BY THE FRANCHISE AUTHORITY AS FOLLOWS:**

**SECTION 1.** The Franchise Authority hereby consents to the Transaction, all in accordance with the terms of the Franchise.

**SECTION 2.** The Franchise Authority confirms that (a) the Franchise was properly granted or transferred to Franchisee, (b) the Franchise represents the entire understanding of the parties and Franchisee has no obligations to the Franchise Authority other than those specifically stated in the Franchise, and (c) Franchisee is materially in compliance with the provisions of the Franchise and there exists no fact or circumstance known to the Franchise Authority which constitutes or which, with the passage of time or the giving of notice or both, would constitute a material default or breach under the Franchise or would allow the Franchise Authority to cancel or terminate the rights thereunder, except upon the expiration of the full term of the Franchise.

**SECTION 3.** Following the Transaction, Transferee may transfer the System and/or the Franchise, or control related thereto, to any entity controlling, controlled by, or under common control with Transferee.

**SECTION 4.** The Franchise Authority hereby consents to and approves the assignment, mortgage, pledge or other encumbrances, if any, of the Franchise, the System, or assets relating thereto, as collateral for a loan.

**SECTION 5.** This Resolution shall be deemed effective for purposes of the Transaction upon the consummation of the Transaction contemplated by the Agreement.

**SECTION 6.** This Resolution shall have the force of a continuing agreement with Franchisee and Transferee, and the Franchise Authority shall not amend or otherwise alter this Resolution without the consent of Franchisee and Transferee.



EXHIBIT "K"

SECTION 7. The Franchise Authority releases Franchisee, effective upon the consummation of the Transaction contemplated by the Agreement, from all obligations and liabilities under the Franchise that accrue on and after the consummation of the Transaction contemplated by the Agreement; provided that the Transferee shall be responsible for any obligations and liabilities under the Franchise that accrue on and after the consummation of the Transaction contemplated by the Agreement.

PASSED, ADOPTED AND APPROVED, the 5<sup>th</sup> day of September, 2000.

City of Petal, Mississippi

By: 

Title:

ATTEST:

  
Clerk

THIS

PAGE

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INTENTIONALLY