

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD A SPECIAL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON DECEMBER 13, 2001 AT 4:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT	TONY PHILLIPS
ALDERMEN	MICHAEL W. DRAUGHN WILLIE W. HINTON JOE C MCMURRY, SR STEVE STRINGER WILLIAM A. TRAVIS
OTHERS PRESENT	LEE SHELBOURN

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

THE NOTICE OF SPECIAL MEETING WAS PRESENTED FOR FILING. THE NOTICE READ AS FOLLOWS:

SEE EXHIBIT "A"

NOTICE OF SPECIAL MEETING

WHEREAS, MAYOR PHILLIPS REQUESTED AN EXECUTIVE SESSION TO DISCUSS PERSONNAL MATTERS.

THEREUPON, ALDERMEN HINTON MADE MOTION TO CLEAR THE ROOM IN ORDER TO DECIDE IF AN EXECUTIVE SESSION IS NEEDED. ALDERMEN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W. DRAUGHN
ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A. TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

MAYOR PHILLIPS REOPENED THE MEETING.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS PERSONNAL MATTERS. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W. DRAUGHN
ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A. TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W. DRAUGHN
ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A. TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

NO ACTION TAKEN IN EXECUTIVE SESSION.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO CHANGE THE PERSONAL POLICY ON RULE 1, SECTION 7. WITH THE CHANGE TO BE< "THE ONLY EXCEPTION BEING IN DEPARTMENT HEADS OR DIVISION HEADS AND THIS WOULD BE QUALIFIED BY EDUCATION AND EXPERIENCE OF THE APPOINTEE."

SEE EXHIBIT "B"

RULE 1, SECTION 7

THEREUPON, ALDERMAN HINTON MADE A MOTION TO CHANGE THE PERSONAL POLICE FOR RULE 1, SECTION 7 AS RECOMMENDED. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W. DRAUGHN
ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

ALDERMAN WILLIAM A TRAVIS

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO AMEND THE SOP FOR THE POLICE DEPARTMENT FOR THE PROMOTIONS BY MERIT.

SEE EXHIBIT "C"

PROMOTIONS BY MERIT

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO CHANGE THE POLICY FOR THE POLICE DEPARTMENT HANDBOOK TO ADD THIS NEW SECTION. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W. DRAUGHN
ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A. TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

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

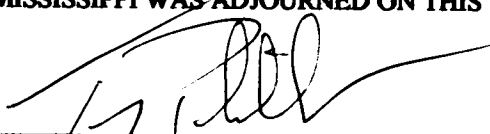
THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W. DRAUGHN
ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A. TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

THEREBEING NO FURTHER BUSINESS, THE SPECIAL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON THIS THE 13TH DAY OF DECEMBER, AD, 2001.



TONY PHILLIPS
MAYOR

(SEAL)

ATTEST:




JEAN ISHEE
CITY CLERK

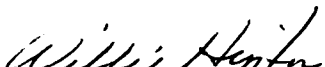
EXHIBIT "A"

NOTICE OF SPECIAL MEETING

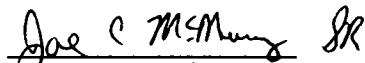
Please be advised that a special meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, will be held Thursday, December 13, 2001 at 4:00 P.M. in the Board Room of said City for the purpose of:

- 1) Police Chief Discussion

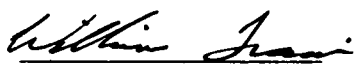

Tony Phillips
Mayor


Willie Hinton


Michael Draughn


Joe C. McMurry, Sr.


Steve Stringer


William Travis

CHIEF OF POLICE RETURN

I, Interim Chief Howell, Interim Police Chief of the City of Petal, Mississippi, do hereby certify that more than three hours prior to the time set for said special meeting, I did personally serve upon the foregoing Aldermen, a true and correct copy of this Notice of Special Meeting.

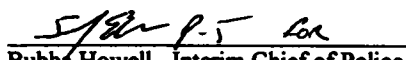

Bubba Howell, Interim Chief of Police
Bubba Howell.
12-13-2001

EXHIBIT "B"

RULE 1, SECTION 7

EMPLOYMENT OF RELATIVES. IT IS THE POLICY OF THE CITY THAT RELATIVES WITHIN THE THIRD DEGREE OF RELATIONSHIP MAY NOT BE EMPLOYED IN THE SAME DEPARTMENT. EXCEPT FOR DEPARTMENT HEADS OR DIVISION HEADS AND THIS WOULD BE QUALIFIED BY EDUCATION AND EXPERIENCE OF THE APPOINTEE. RELATIVES INCLUDE SPOUSE AND IN-LAWS, STEP-RELATIVES, AND HALF-RELATIVES TO THE THIRDED DEGREE. THIS IS DEFINED SPECIFICALLY AS PARENT; THEN FIRST DEGREE - CHILD; SECOND DEGREE - GRANDCHILD, GRANDPARENT, BROTHER, SISTER; THIRD DEGREE - GREAT GRANDCHILD, GREAT GRANDPARENT, UNCLE, AUNT, NEPHEW, NIECE. IF TWO EMPLOYEES BECOME RELATIVES IN ANY MANNER AS SET FORTH IN THIS PARAGRAPH AS A RESULT OF MARRIAGE, THEY WILL NOT BE ALLOWED TO WORK IN THE SAME DEPARTMENT OF THE CITY. IT WILL BE NECESSARY FOR ONE TO BE TRANSFERRED OR TO RESIGN EFFECTIVE ON OR BEFORE THE DATE OF THE MARRIAGE. THIS RULE SHALL APPLY TO ANY PERSON WHO IS RE-EMPLOYED AS WELL AS A NEW EMPLOYEE. 12/13/01

EXHIBIT "C"

PROMOTIONS BY MERIT

I. PURPOSE

This is to establish a procedure for promotion of sworn personnel of the Petal Police Department.

II. POLICY

The promotion to higher rank within the Petal Police Department will be based upon the individual's merit, as determined by certification, longevity, and personnel file, written exam and oral interview.

III. ORDER

A. Ranks

1. Probationary Officer
2. Patrolman Third Class
3. Patrolman Second Class
4. Patrolman First Class
5. Sergeant
6. Lieutenant
7. Captain
8. Major (Assistant Chief)
9. Colonel (Chief)

B. Eligibility

1. **Probationary Officer:** Upon successful completion of an accredited Basic Police Academy and certification of the Board of Minimum Standards, there will be a six months probationary period. During this period, the probationary officer will be under the immediate supervision of a senior officer (FTO). After the six-month probationary period, the officer will automatically rise in rank to Patrolman Third Class.
2. **Patrolman Third Class:** After one year, officer will automatically rise to rank of Patrolman Second Class.
3. **Patrolman Second Class:** After one year, officer will automatically rise to rank of Patrolman First Class.
4. **Patrolman First Class:** The officer will remain as a Patrolman First Class until he/she is promoted through the Merit Promotion System.
5. **Sergeant:** This officer must have three years of satisfactory Service in law enforcement, certified with the Board of Minimum Standards, and selected through the Merit Promotion System.

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6. **Lieutenant:** This officer must have five years of satisfactory service in law enforcement, certification from the Board of Minimum Standards, no Group 3 offenses, and no more than one Group 2 offenses in personnel file and selected through the Merit Promotion system.
7. **Captain:** This officer must have eight years of satisfactory service in law enforcement, certification from the Board of Minimum Standards, no Group 3 offenses, and no more than one Group 2 offenses in personnel file and selected through the Merit Promotion system.
8. **Major:** This officer must have ten years of satisfactory service in law enforcement, and certification from the Board of Minimum Standards. Major is appointed by the Chief of Police with approval of the Mayor and Board of Aldermen.
9. **Colonel:** This officer must have a minimum of 15 years of satisfactory service in law enforcement and certification from the Board of Minimum Standards. Colonel is appointed by the Mayor and Board of Aldermen.

IV. TESTING PROCEDURES

All applicants must meet minimum requirements set forth above prior to applying. The testing procedures consist of two phases: a) screening phase; b) appointment board phase.

1. Screening Phase

- a. **Written examination – (50%)** Questions for this exam will be taken from city ordinances, Rules of the Road and Mississippi Law. Exam must be passed by 75% to advance to oral interview board. The Court Clerk of the City of Petal will administer the written exam to all qualified applicants.
- b. **Oral interview – (30%)** The Mayor and Board of Aldermen will select an Oral Interview Board that will consist of a Chairperson, 2 law enforcement officers from outside agencies, 3 officers from the Petal Police Department of equal or higher rank and 1 community liaison who will serve as an Ex-Officio member for a term to be designated. The Chairperson and Ex-Officio member will not participate in the scoring process. Each member of the Board will score the candidates accordingly.
- c. **Experience & Education – (20%)** Each candidate will be given 1 point for each year of service, 1 point for each year of higher education, up to 4 years.

2. Appointment Board Phase

- a. A recommendation from the screening committee will be presented to the Mayor and Board of Aldermen of the City of Petal for appointment and approval.

EXHIBIT "C"

BREACH OF DISCIPLINE: UNSATISFACTORY PERFORMANCE OF DUTIES

I. PURPOSE

This general order establishes offenses and discipline concerning employees of the Petal Police Department charged with a breach of discipline or unsatisfactory performance of duty and/or violations of law.

II. POLICY

All employees of the Petal Police Department are expected to conduct themselves in accordance with high personal standards, comply with the laws of the State, prescribed departmental rules and regulations, and perform their assigned duties and responsibilities effectively and satisfactorily. Should any employee violate the laws, policies, rules and regulations, the responsible supervisor is obligated to take appropriate corrective or disciplinary action in accordance with due process.

III. ORDER

A. A cause of action occurs when an employee violates a provision of the order, other departmental policy or law. Corrective disciplinary action, be taken concerning any employee who violates departmental rules and regulations, laws, disobeys lawful orders, or performs duties and responsibilities unsatisfactorily.

B. Offenses are herein grouped into three categories:

Group 1 offenses: least severe

Group 2 offenses: moderate severity

Group 3 offenses: most severe

Although general description of these three groups of offenses follow, the unique circumstances of each breach of discipline or unsatisfactory performance of duty will be considered in determining into which group an offense may be assigned as recommended by the city attorney.

Group 1 Offense:

1. Generally, these offenses are less severe and may be disciplined by written reprimand. The accumulation of three written reprimands in a three-month period may result in suspension without pay, not to exceed three working days. Four written reprimands within a six-month period may result in demotion or dismissal.

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Group 1 Offenses include the following:

- a. Unexcused tardiness
- b. Obscene or abusive language
- c. Unprofessional behavior
- d. Abuse of city time, such as unauthorized time away from work area or failure to notify a supervisor promptly upon completion of assigned work
- e. Conviction of a moving traffic violation while operating a city vehicle

Group 2 Offenses

2. Acts and behavior of this group are generally more severe than Group 1 offenses. Written reprimand and/or suspension without pay, not to exceed five working days may discipline group 2 offenses. Two Group 2 offenses within a one-year period may result in demotion or dismissal. An accumulation of one written reprimand for a Group 2 offense and three written reprimands for a Group 1 offense within a one year period may result in a demotion or dismissal.

Group 2 offenses include the following:

- a. Unauthorized use or misuse of city property or records
- b. Leaving work without permission during working hours and/or giving a false reason for doing so.
- c. Failure to report to work without giving proper notice to supervisors
- d. Violation of safety rules (i.e. wearing vest, etc.)
- e. Insubordination including but not limited to resisting directives through actions and/or verbal exchange, and/or failure to follow supervisor's instructions, perform assigned work or otherwise comply with the established written policy.

Group 3 Offenses

3. Acts and behavior of this group are of the most serious nature. Commission of one Group 3 offense may be disciplined by a written reprimand and/or may result in suspension without pay up to 30 days, demotion, or dismissal.

Group 3 offenses include the following:

- a. Falsification of records, such as but not limited to, vouchers, reports, time sheets, leave records, or any other official city document
- b. Reporting to work under the influence of, or when ability is impaired by, alcohol or the unlawful use of controlled substances.
- c. The willful or negligent defacement of city property or another employee's property.

EXHIBIT "C"

- d. The threatening or coercion of an employee, supervisor or private citizen.
 - e. The unsafe use of firearms.
 - f. The use of alcohol, controlled substances or the unlawful possession of controlled substances by all Petal Police Department employees while on duty.
 - g. The misappropriation of city or private property or contraband.
 - h. A criminal conviction for felonies or misdemeanor while employed.
 - i. Engaging in prohibited political activities.
 - j. The use of official capacity for personal profit or gain.
 - k. Failure to submit to polygraph examinations, urine screening for drugs and /or blood analysis when ordered to do so by the Mayor and Board of Aldermen or their designee.
- C. Procedures for imposing discipline or corrective actions for a specific group offense.
- 1. The offending employee's immediate supervisor imposes penalties for Group 1 offense with concurrence of the next higher supervisor in the chain of command. Supervisors imposing such penalty for a Group 1 offense and the next higher supervisor shall meet with the respondent, discuss the offense and counsel the respondent about future conduct and performance of duty. This meeting will take place in a private setting and all conversations will remain confidential. Any breach of confidentiality regarding this incident will constitute a Group 1 offense.
 - 2. The Chief of Police or his/her designee shall impose penalties for Group 2 and Group 3 offenses with the approval of the Mayor and Board of Aldermen.