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 DECEMBER 17, 2002 AT 7:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT

MAYOR TONY PHILLIPS

CITY ATTORNEY

THOMAS W TYNER

ALDERMEN

MICHAEL W DRAUGHN JOE C MCMURRY, SR STEVE STRINGER WILLIAM A TRAVIS

OTHERS PRESENT

ED SAULTERS CARL SCOTT JO DOHERTY JERRY WEST TOMMY HILL

AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY ALDERMAN JOE C. MCMURRY, SR.

WHEREAS, MAYOR PHILLIPS PRESENTED THE AGENDA WITH THE FOLLOWING CHANGES:

VII. BIDS & QUOTES

OPEN BIDS FOR ASPHALT/ASPHALT OVERLAY FOR 6 MONTHS

IX. GENERAL BUSINESS

14. APPROVE BOND COUNSEL FEES/EXPENSES TO BUTLER, SNOW,O'MARA, STEVENS, & CANNADA FOR \$20,000.00

XI. ORDERS & ORDINANCES

- 2. REQUEST THE TERMINATION OF BRAD BARHAM EFFECTIVE DECEMBER 12, 2002.
- 6. RECOMMENDATION TO GIVE VAN TATE, LABORER IN THE WATER DEPARTMENT AN INCREASE OF .50 (FIFTY CENTS) PER HOUR EFFECTIVE DECEMBER 18, 2002.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE AGENDA AS AMENDED. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE MINUTES OF THE REGULAR MEETING OF DECEMBER 3, 2002.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF DECEMBER 3, 2002 BE ACCEPTED AS WRITTEN. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS CALLED FOR PUBLIC COMMENT.

THERE WAS NONE.

WHEREAS, THE HOUR OF 7:00 P.M. HAVING ARRIVED, THE MAYOR AND BOARD OF ALDERMEN PROCEEDED TO PUBLICLY OPEN AND READ THE SEALED BIDS FOR THE ASPHALT/OVERLAY SIX (6) MONTH TERM CONTRACT. THE BIDS READ AS FOLLOWS TO WIT:

DUNN ROADBUILDERS FOB PLANT IN-PLACE P O BOX 6560 \$26.50 \$38.00

LAUREL, MS 39441

WARREN PAVING \$27.50 \$41.50

P O BOX 572

HATTIESBURG, MS 39403

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT BOTH OF THE FOREGOING BIDS. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO MAKE APPLICATION FOR THE 2003 HOME PROGRAM GRANT.

NO MOTION.

WHEREAS, MAYOR PHILLIPS PRESENTED THE REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF NOVEMBER, 2002.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF NOVEMBER, 2002. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF NOVEMBER, 2002.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO ACCEPT THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF NOVEMBER, 2002. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING PROOFS OF PUBLICATION TO THE BOARD:

1. PUBLIC NOTICE OF PLANNING COMMISSION MEETING TO DISCUSS CAMPING/RECREATIONAL MOBILE HOME UNITS & MOBILE HOME ORDINANCE

2. NOTICE TO BIDDERS—ASPHALT/ASPHALT OVERLAY IN PLACE

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

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM PIERCON, INC FOR ESTIMATE #4 IN THE AMOUNT OF \$10,345.00 FOR WORK ON JUDICIAL/POLICE ADDITION.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO APPROVE THE REQUEST FOR PAYMENT TO PIERCON, INC IN THE AMOUNT OF \$10,345.00 FOR THE WORK ON JUDICIAL/POLICE ADDITION. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE LIST OF SURPLUS PROPERTY FROM THE POLICE DEPARTMENT.

SEE EXHIBIT "A"

SURPLUS PROPERTY LIST

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO SELL THE FOREGOING PROPERTY THROUGH DON DURHAM AUCTIONEERS. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO PURCHASE AN AD FOR NOJHA MYERS TO PARTICIPATE IN THE "OUR LITTLE MISS' UNIVERSAL BEAUTY PAGEANT."

NO ACTION TAKEN.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO PAY ITC DELTA COM \$5,726.58 FOR PAST DUE CHARGES ON PHONE SERVICES.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO PAY ITC DELTA COM FOR \$5,726.58 FOR THE PAST DUE CHARGES ON PHONE SERVICES. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED QUOTES FOR CHAIRS FOR THE NEW COURTROOM.

SEE EXHIBIT "B"

QUOTES

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT THE QUOTE FROM SOUTH MS OFFICE FURNITURE FOR \$5,359.00. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO PAY AULTMAN, TYNER, RUFFIN& YARBOROUGH IN THE AMOUNT OF \$2,577.50 FOR PROFESSIONAL SERVICES RENDERED FOR EMINENT DOMAIN.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO PAY AULTMAN, TYNER, RUFFIN & YARBOROUGH FOR PROFESSIONAL SERVICES RENDERED FOR EMINENT DOMAIN IN THE AMOUNT OF \$2,577.50. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN JOE C MCMURRY, SR ALDERMAN STEVE STRINGER ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

ALDERMAN MICHAEL W DRAUGHN

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO PAY MCM GROUP INSURANCE IN THE AMOUNT \$250.00 FOR AUTO PROPERTY DAMAGE DEDUCTIBLE FOR CLAIMANT, EARL HERRINGTON, FOR WHEN THE BUS HIT HIM IN THE PARKING LOT AT THE HOSPITAL.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO TAKE UNDER ADVISEMENT. ALDERMAN TRAVIS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO PAY C J MORGAN THE AMOUNT OF \$4,795.86 FOR THE REMOVAL AND REPLACEMENT OF OLD PUMPS AT N GEORGE AND W CHERRY ST.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO PAY C J MORGAN \$4,795.86 FOR THE REMOVAL AND REPLACEMENT OF OLD PUMPS AT NORTH GEORGE AND W CHERRY ST. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W DRAUGHN

ALDERMAN JOE C MCMURRY, SR ALDERMAN STEVE STRINGER ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM BUTLER, SNOW, O'MARA, STEVENS & CANNADA TO PAY THE BOND COUNSEL FEES/EXPENSES IN THE AMOUNT OF \$20,000,00.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO APPROVE BOND COUNSEL FEES TO BE PAID TO BUTLER, SNOW, O'MARA, STEVENS AND CANNADA IN THE AMOUNT OF \$20,000.00. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER HIRING JAMES KNIGHT AS DISPATCHER IN THE POLICE DEPARTMENT.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE A DISPATCHER TO FILL THE VACANCY CREATED BY MARGARET JAHNKE.

IT IS HEREBY ORDERED THAT JAMES KNIGHT BE HIRED AS A DISPATCHER AT A RATE OF \$7.71 PER HOUR

HIRED AS A DISPATCHER AT A RATE OF \$7.71 PER HOUR EFFECTIVE DECEMBER 23, 2002.

SO ORDERED ON THIS THE 17TH DAY OF DECEMBER, A.D. 2002.

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

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A LETTER OF RESIGNATION FROM FIREMAN JOSEPH BARKER EFFECTIVE DECEMBER 22, 2002.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT MR BARKERS LETTER OF RESIGNATION. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM RECREATION DIRECTOR TOM HARDGES TO TERMINATE BRAD BARHAM IN THE RECREATION DEPARTMENT EFFECTIVE DECEMBER 12, 2002.

THEREUPON, ALDERMAN TRAVIS MADE A MOTION TO ORDER THE TERMINATION OF BRAD BARHAM IN THE RECREATION DEPARTMENT. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER HIRING LARRY MCGEE AS A LABORER IN THE WATER DEPARTMENT.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE A LABORER IN THE WATER DEPARTMENT.

IT IS HEREBY ORDERED THAT LARRY MCGEE BE HIRED AS A LABORER IN THE WATER DEPARTMENT AT A RATE OF \$6.25 PER HOUR EFFECTIVE DECEMBER 23, 2002.

SO ORDERED ON THIS THE 17TH DAY OF DECEMBER, A.D. 2002.

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

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER INCREASING THE SALARY OF JAMES WATERS IN THE WATER DEPARTMENT.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO INCREASE JAMES WATERS SALARY.

IT IS HEREBY ORDERED THAT JAMES WATERS'S PAY BE INCREASED TO THE RATE OF \$6.75 PER HOUR EFFECTIVE DECEMBER 18, 2002. SO ORDERED ON THIS THE 17TH DAY OF DECEMBER, A.D., 2002.

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

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER INCREASING THE SALARY OF VAN TATE IN THE WATER DEPARTMENT.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO INCREASE THE SALARY OF VAN TATE.

IT IS HEREBY ORDERED THAT VAN TATE'S PAY BE INCREASED TO THE RATE OF \$6.75 PER HOUR EFFECTIVE DECEMBER 18, 2002.

SO ORDERED ON THIS THE 17TH DAY OF DECEMBER, 2002.

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

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, THE MAYOR ADVISED THAT AUBRA EVANS HAD REQUESTED A HEARING AT THIS MEETING WITH THE MAYOR AND BOARD OF ALDERMEN, BUT THAT MR. EVANS WAS NOT PRESENT, SO NO HEARING WOULD BE HELD.

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

THOSE PRESENT AND VOTING "AYE"

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

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 $17^{\rm TH}$ DAY OF DECEMBER, AD, 2002.

TONY PHILLIPS

MAYOR

(SEAL)

ATTEST:

JEAN ISHEE CITY CLERK

EXHIBIT "A"

P P City of Tetal Department of Tolice 9.0. Box 583

Fetal, MS 39465 Phone: (601) 544-5331 Fax: (601) 544-5347

To: Mayor Tony Phillips and Board of Alderman

From: Lee Shelbourn

Reference: Sell of seized Vehicles

D

Please allow the Petal Police Department to sell the following vehicles that have been seized and forfeited to the police department. Durham Auction will host the sale. Money received will be placed into the general fund earmarked for the Police Department

- 1. 1989 Buick Century Vin#1G4AH51R7KT407060
- 2. 1984 Volkswagon Vann Vin# WV2YBZ258FHQ49799
- 3. 1988 Cadillac Seville Vin#1G6KS5158JU812444

Thank you for your consideration in this matter.

Lee Shelbourn Chief of Police City of Petal

4

EXHIBIT "B"

12/13/02 FRI 08:52 FAX 601 268 0108

Ø1003

South Mississippi Office Furniture, Inc

P.O. BOX 15865 6403 HIGHWAY 49, NORTH HATTIESBURG, MISSISSIPPI 39404 PHONE (601) 268-0104

i- Exec. Chair, Rurg. John Williams #312

\$335.00

2. Desk Chair, Burg. Williams #755

\$262.00

26-Side Chair, Bluck Flobal #5225

\$100.00 \$2600.00

\$3459.00

PRICE INCLUDES DELIVERY AND SETUP BY 12-30-02

Dec. 13, 2002

34 Side Chair, Black Global #5225

\$100.00

PRICES INCLUDE DELIVERY AND SETUP BY 12-30-02

Gue Mender

5359 00 Includes Set up: delivery

208 WEST PINE STREET + HATTIESBURG, MISSISSIPPI 39401 TEL: (601) 583-2601 • FAX: (601) 582-3949

Municipal Count - Petel Miss 12-18 400 L

side chaira, black @ 98%

alteret style anterpray gon tother black @ 98"

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GEIGER PRINTING & DEFRE SUPPLY OF

South Mississippi Office Furniture, Inc

P.O. BOX 15865 6403 HIGHWAY 49, NORTH HATTIESBURG, MISSISSIPPI 39404 PHONE (601) 268-0104

Atta: Sharold

Dec. 13, 2002

1- Exec. Chair, Burg. Williams #312

\$335.00 \$335.00

2- Desk Chair, Burg. Williams #755

\$262.00 \$524.00

26- Side Chair, Black Global #5225

\$100.00 \$2600.00

\$3459.00

PRICE INCLUDES DELIVERY AND SETUP BY 12-30-02

Ginz Minter 1/13/02 FRI DN:52 FAX 801 28N 010N

So Ms. Office Furniture

South Mississippi Office Furniture, Inc.

P.D. BOX 15866 6401 HIGHWAY 49, NORTH HATTIESBURG, MISSISSIPPI 39404 PHONE (801) 268-0104

Ann: Sharold

Dec. 13, 2002

34- Side Chair, Black Global #5225

\$100,00 \$3400.00

PRICES INCLUDE DELIVERY AND SETUP BY 12-30-02

Quia Miler

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INTENTIONALLY!