

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON NOVEMBER 20, 2007 AT 7:00 P.M. IN THE BOARDROOM OF SAID CITY.

| | |
|----------------|---|
| THOSE PRESENT | MAYOR CARL L SCOTT |
| CITY ATTORNEY | THOMAS W TYNER |
| ALDERMEN | DAVID CLAYTON KAY FAIRLEY JAMES MOORE STEVE STRINGER |
| OTHERS PRESENT | TONY READY B C LEWIS TOMMYE CORLEY DARRIN CARROLL TOM HARDGES VIRGINIA MOORE HARRY/NETTIE FARRIS E L PORTER AND MANY OTHERS |

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

THE INVOCATION WAS OFFERED BY ANNA BETH MCALEXANDER.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

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

VII. BIDS AND QUOTES

- 4. OMIT
- 6. OMIT

IX. GENERAL BUSINESS

- 19. REQUEST TO OBTAIN ESTIMATES ON THE VEHICLE AND PAY UP TO \$3,000.00 FOR REPAIRS.

X. SEMINARS & TRAVEL

- 2. REQUEST FOR SGT HARRIS TAPP TO ATTEND THE GRANT WRITING SEMINAR IN OCEAN SPRINGS, MS NOVEMBER 26-27, 2007

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING CHANGES. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 6, 2007, SPECIAL MEETING OF NOVEMBER 7, 2007, SPECIAL MEETING OF NOVEMBER 12, 2007 AND SPECIAL MEETING OF NOVEMBER 15, 2007.

THEREUPON, ALDERMAN STRINGER MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 6, 2007, SPECIAL MEETING OF NOVEMBER 7, 2007, SPECIAL MEETING OF NOVEMBER 12, 2007 AND SPECIAL MEETING OF NOVEMBER 15, 2007 BE ADOPTED AS WRITTEN. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT 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 CLEANING SERVICES. THE BIDS READ AS FOLLO TO WIT:

SEE EXHIBIT "A"

BIDS
CLEANING SERVICE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TAKE THE BIDS UNDER ADVISEMENT. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

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 A NEW TELEPHONE SYSTEM. THE BIDS READ AS FOLLO TO WIT:

SEE EXHIBIT "B"

BIDS
TELEPHONE SYSTEMS

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TAKE THE BIDS UNDER ADVISEMENT. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

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 CONCRETE CURB/GUTTER PER LINEAR FOOT. THE BIDS READ AS FOLLO TO WIT:

SEE EXHIBIT "C"

JAMES BURNHAM \$8.00 PER LINEAR FOOT

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE BID FROM JAMES BURNHAM FOR THE CURB/GUTTER LINEAR FOOT AT \$8.00 PER LINEAR FOOT. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

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 BANK BIDS. THE BIDS READ AS FOLLO TO WIT:

SEE EXHIBIT "D"

BANK BIDS

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE BIDS FROM THE FOREGOING BANKS EXCEPT FOR FIRST SOUTHERN BANK. SINCE IT DID NOT MEET THE STATE OF MISSISSIPPI REQUIREMENTS. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO ADVERTISE FOR BIDS ON ASPHALT/ASPHALT OVERLAY FOR JANUARY 2008-JUNE 2008.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE SIX MONTH ASPHALT/ ASPHALT OVERLAY FOR JANUARY 2008-JUNE 2008. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO ADVERTISE FOR BIDS ON CRANE SERVICE TRUCK FOR THE WATER AND SEWER DEPARTMENT.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR BIDS ON CRANE SERVICE TRUCK FOR THE WATER AND SEWER DEPARTMENT. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO ADVERTISE FOR BIDS ON SKATE PARK CONSTRUCTION.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR BIDS ON THE SKATE PARK CONSTRUCTION. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO PURCHASE AN AD IN THE 2009 JR MISS PROGRAM.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO PURCHASE AN AD IN THE 2009 JR MISS PROGRAM FOR \$75.00. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST FROM THE JUDICIAL DEPARTMENT TO REFUND JOANNA WADE FREEMAN \$500.00 FOR CASH BOND.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND JOANNA WADE FREEMAN \$500.00 FOR CASH BOND. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO SET A PUBLIC HEARING DATE FOR AMENDMENTS TO ZONING ORDINANCE 1979(42).

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO SET THE PUBLIC HEARING DATE FOR THE AMENDMENTS TO ZONING ORDINANCE 1979(42) FOR DECEMBER 3, 2007 AT 7:00 P.M. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO SET PUBLIC HEARING DATE TO RESCIND AMENDMENT ON I-2 HEAVY INDUSTRIAL DISTRICT.

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO SET THE PUBLIC HEARING DATE FOR DECEMBER 11, 2007 AT 7:00 P.M. TO RESCIND AMENDMENTS TO I-2 HEAVY INDUSTRIAL DISTRICT. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO SET PUBLIC HEARING FOR AMENDMENT TO ZONING ORDINANCE FOR I-2 HEAVY INDUSTRIAL DISTRICT.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO SET THE PUBLIC HEARING DATE FOR DECEMBER 11, 2007 AT 7:00 P.M. FOR I-2 HEAVY INDUSTRIAL DISTRICT. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO SET PUBLIC HEARING FOR ZONING CHANGE ON THE FOLLOWING PROPERTIES:

- A. 773 HWY 42
- B. 107 CARTERVILLE ROAD
- C. TWO TRACTS OFF OF N MAIN STREET

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO SET THE PUBLIC HEARING DATE FOR DECEMBER 11, 2007 AT 7:00 P.M. FOR THE FOREGOING PROPERTIES. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO SET A PUBLIC HEARING FOR A VARIANCE FOR PROPERTY LOCATED ON EVELYN GANDY PARKWAY FOR HATTIESBURG CLINIC.

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO SET THE PUBLIC HEARING FOR A VARIANCE ON DECEMBER 11, 2007 AT 7:00 P.M. FOR HATTIESBURG CLINIC. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO SET PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 100 SOUTH MAIN STREET FOR A & B CYCLES.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO SET THE PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR A & B CYCLES LOCATED AT 100 S MAIN STREET FOR DECEMBER 11/ 2007 AT 7:00 P.M. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO MAKE THE FOLLOWING IMPROVEMENTS TO EMMA HILL PARK:

- A. BASKETBALL COURT
- B. WALKING TRACK
- C. NEW PLAYGROUND EQUIPMENT
- D. COVERED AREA

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO MAKE THE FOREGOING IMPROVEMENTS TO EMMA HILL PARK UP TO \$10,000.00 AND FORREST COUNTY BOARD OF SUPERVISORS PAY THE BALANCE. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED INVOICE #P293-07 FROM FLYNT & ASSOC. IN THE AMOUNT OF \$1,850.00 FOR FRIENDLY PARK STAKING AND PROPERTY LINE SURVEY.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY INVOICE #P293-07 TO FLYNT & ASSOC IN THE AMOUNT OF \$1,850.00 FOR FRIENDLY PARK STAKING AND PROPERTY LINE SURVEY. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY

ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED INVOICE #P242-07 FROM FLYNT & ASSOC IN THE AMOUNT OF \$5,533.00 FOR FRIENDLY PARK STAKING AND PROPERTY LINE SURVEY.

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY INVOICE #P242-07 TO FLYNT & ASSOC IN THE AMOUNT OF \$5,533.00 FOR FRIENDLY PARK STAKING AND PROPERTY LINE SURVEY. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST FROM REBECCA DUNAWAY TO ISSUE A CREDIT ON HER WATER BILL OF \$150.00 DUE TO A WATER LEAK.

DIED, DUE TO LACK OF A MOTION.

WHEREAS, MAYOR SCOTT PRESENTED THE RESIGNATION OF ASST POLICE CHIEF DON SEALY.

THEREUPON, ALDERMAN STRINGER MADE A MOTION, REGRETFULLY, TO ACCEPT THE RESIGNATION OF ASST POLICE CHIEF DON SEALY FROM THE POLICE DEPARTMENT EFFECTIVE DECEMBER 4, 2007. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST FROM POLICE CHIEF LEE SHELBOURN TO TERMINATE BARRY BISHOP IMMEDIATELY.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE RECOMMENDATION OF POLICE CHIEF LEE SHELBOURN TO TERMINATE BARRY BISHOP EFFECTIVE NOVEMBER 20, 2007. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE RESIGNATION OF DOROTHY SMITH IN THE RECREATION DEPARTMENT.

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO ACCEPT THE RESIGNATION OF DOROTHY SMITH IN THE RECREATION DEPARTMENT EFFECTIVE NOVEMBER 15, 2007. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST FROM RECREATION DEPARTMENT SUPERVISOR TOM HARDGES TO ADVERTISE FOR PART TIME POSITION FOR BUS DRIVER.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE RECREATION SUPERVISOR TOM HARDGES TO ADVERTISE FOR THE POSITION OF PART TIME BUS DRIVER. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST, UPON THE RECOMMENDATION OF SHOWS, DEARMAN, & WAITS, INC, TO REFUND TRUMAN ROBERTS \$29,500.00 FOR WILLOW OF TRAILWOOD PHASE II FOR RE-ROUTING DITCH.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO REFUND TRUMAN ROBERTS \$29,500.00 FOR WILLOW OF TRAILWOOD PHASE II FOR COMPLETION OF RE-ROUTING DITCH. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING PROOFS OF PUBLICATION:

- A. ACCEPTING APPLICATION FIREFIGHTER
- B. PUBLIC NOTICE ZONING HEARING
- C. PUBLIC NOTICE ZONING HEARING
- D. ORDINANCE 1979(42A-289)
- E. ORDINANCE 1979(42A-292)
- F. ORDINANCE 1979(42A-293)
- G. ORDINANCE 1979(42A-294)
- H. ORDINANCE 1979(42A-295)
- I. ORDINANCE 1979(42A-296)
- J. ORDINANCE 1979(42A-297)
- K. ORDINANCE 1979(42A-298)
- L. ORDINANCE 1979(42A-299)
- M. ORDINANCE 1979(42A-300)
- N. ORDINANCE 1979(42A-301)
- O. ORDINANCE 1979(42A-302)
- P. ORDINANCE 1979(42A-303)
- Q. ORDINANCE 1979(42A-304)
- R. ORDINANCE 1979(42A-305)
- S. ORDINANCE 1979(42A-306)
- T. ORDINANCE 1979(42A-307)
- U. ORDINANCE 1979(42A-308)
- V. ORDINANCE 2007(8) GARAGE SALE

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO OBTAIN ESTIMATES ON THE VEHICLE OF ANNA KATHERINE GRIFFIN A 2000 TOYOTA CAMRY CE.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO GATHER ESTIMATES ON THE VEHICLE OF ANNA KATHERINE GRIFFIN, 2000 TOYOTA CAMRY CE, AND TO PAY UP TO \$3,000.00 FOR REPAIRS. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST FOR FIRE CHIEF RICHARD BRYANT TO ATTEND THE MID WINTER FIRE CHIEF'S CONFERENCE IN SOUTHAVEN, MS DECEMBER 2-5, 2007.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE FIRE CHIEF RICHARD BRYANT TO ATTEND THE MID-WINTER FIRE CHIEF'S CONFERENCE IN SOUTHAVEN, MS DECEMBER 2-5, 2007 AND TO PAY HIS EXPENSES. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST FOR SGT HARRIS TAPP TO ATTEND THE GRANT WRITING SEMINAR IN OCEAN SPRINGS, MS NOVEMBER 26-27, 2007.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE SGT HARRIS TAPP TO ATTEND THE GRANT WRITING SEMINAR IN OCEAN SPRINGS, MS NOVEMBER 26-27, 2007 AND TO PAY HIS EXPENSES. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO CHANGE THE REGULAR BOARD MEETING DATE OF JANUARY 1, 2008 DUE TO FALLING ON A HOLIDAY.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO CHANGE THE REGULAR BOARD MEETING DATE OF JANUARY 1, 2008 TO JANUARY 2, 2007 AT 5:00 P.M. DUE TO THE REGULAR MEETING FALLING ON A HOLIDAY. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING ORDER TRANSFERRING MELISSA HARVEY.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE AN ADMINISTRATIVE ASSISTANT IN THE POLICE DEPARTMENT.

IT IS HEREBY ORDERED THAT MELISSA HARVEY BE TRANSFERRED FROM DISPATCH TO ADMINISTRATIVE ASSISTANT IN THE POLICE DEPARTMENT AT A RATE OF \$12.62 PER HOUR EFFECTIVE NOVEMBER 21, 2007.

SO ORDERED ON THIS THE 20TH DAY

OF NOVEMBER, 2007.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO HIRE A DISPATCHER IN THE POLICE DEPARTMENT.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE A DISPATCHER IN THE POLICE DEPARTMENT, UPON THE RECOMMENDATION OF POLICE CHIEF LEE SHELBOURN.

IT IS HEREBY ORDERED THAT BRADLEY SMITH BE HIRED AS A 2ND CLASS DISPATCHER IN THE POLICE DEPARTMENT AT A RATE OF \$10.04 PER HOUR EFFECTIVE DECEMBER 4, 2007 SO ORDERED ON THIS THE 20TH DAY OF NOVEMBER, 2007.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO ADOPT THE FOREGOING ORDER.
ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING ORDER PROMOTING AN OFFICER.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO PROMOTE AN OFFICER WITHIN THE POLICE DEPARTMENT UPON THE RECOMMENDATION OF THE POLICE CHIEF LEE SHELBOURN.

IT IS HEREBY ORDERED THAT OFFICER JEREMY ROBB BE PROMOTED TO THE RANK OF SERGEANT IN THE POLICE DEPARTMENT AT A RATE OF \$31,000.00 ANNUALLY EFFECTIVE NOVEMBER 21, 2007.

SO ORDERED ON THIS THE 20TH DAY OF NOVEMBER, 2007.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING ORDINANCE.

SEE EXHIBIT "E"

ORDINANCE 2007(9)

AN ORDINANCE BANNING SMOKING IN PUBLIC
PLACES, PROVIDING PENALTIES FOR
VIOLATIONS THEREOF AND RELATED
PURPOSES

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO ADOPT THE FOREGOING
ORDINANCE. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

ALDERMAN DAVID CLAYTON

WHEREAS, MAYOR SCOTT PRESENTED THE STATE HOLIDAY SCHEDULE, AS PROCLAIMED
BY THE GOVERNOR, TO THE BOARD:

THANKSGIVING HOLIDAY
CHRISTMAS HOLIDAY

NOVEMBER 23, 2007
DECEMBER 24, 2007

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE HOLIDAYS AS
PROCLAIMED BY THE GOVERNOR FOR ELIGIBLE EMPLOYEES. ALDERMAN FAIRLEY SECONDED THE
MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ADJOURN. ALDERMAN STRINGER
SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

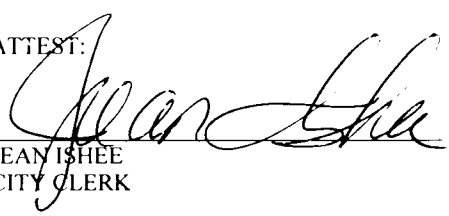
THEREBEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD
OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON THIS THE 20TH DAY OF
NOVEMBER, A.D. 2007.



CARL L SCOTT
MAYOR

(SEAL)

ATTEST:



JEAN SHÉE
CITY CLERK

You've tried the rest,
 now try the best!!!

Page 3347
 601-544-5611
 1-877-544-5611

JANITORIAL SERVICE

**CITY OF PETAL
 MINUTE BOOK 28**

JANITORIAL SERVICE 109

EXHIBIT "A"

LOCATION OF BUSINESS:
 Petal City Hall, Water Department @ City Hall
 Foyer and Public Restrooms at Civic Center

TYPE OF SERVICE RENDERED:
 Janitorial cleaning to include interior glass and glass on entry/exit doorways; dusting furniture, baseboards, blinds, window, wall hangings and cobwebs; vacuuming carpets & furniture as needed; mopping, emptying trash, cleaning restrooms & fixtures; cleaning kitchen, mopping, sweeping and washing dishes; other services agreed upon with client
 Paper products, cleaning supplies, and trash can liners will be provided
 Extra: (Other services, such as carpet cleaning, exterior window cleaning)

COST OF SERVICES:
 Total Labor---Two days or evenings per week as requested (Tuesday/Saturday)

City Hall----- 400⁰⁰ MONTH
 Civic Center----- 400⁰⁰ MONTH
 Water----- 200⁰⁰ MONTH
 Total Bid----- 1000⁰⁰ MONTH

Payment will be paid on the 10th of each month, invoice needs to be in by the last day of the month.



LOCATION OF BUSINESS:
 Petal City Hall, Water Department @ City Hall
 Foyer and Public Restrooms at Civic Center

TYPE OF SERVICE RENDERED:
 Janitorial cleaning to include interior glass and glass on entry/exit doorways; dusting furniture, baseboards, blinds, window, wall hangings and cobwebs; vacuuming carpets & furniture as needed; mopping, emptying trash, cleaning restrooms & fixtures; cleaning kitchen, mopping, sweeping and washing dishes; other services agreed upon with client
 Paper products, cleaning supplies, and trash can liners will be provided
 Extra: (Other services, such as carpet cleaning, exterior window cleaning)

COST OF SERVICES:
 Total Labor---Two days or evenings per week as requested (Tuesday/Saturday)

City Hall----- 2000⁰⁰
 Civic Center----- \$950.00
 Water----- 200.00
 Total Bid----- \$1350.00

Payment will be paid on the 10th of each month, invoice needs to be in by the last day of the month.

Changed more for civic center because bigger & more detail work.
 P/H 601-299-7292
 P/H 601-583-3394
 P/H 601-296-3070
 Thanks to M. Berkman
 



ServiceMaster
 216 West 5th Avenue
 Petal, MS 39465

 November 19, 2007

 City of Petal
 P. O. Box 564
 Petal, MS 39465

Housekeeping:
 2 day a week janitorial \$430.00 monthly

Floor Care
 Extraction of Carpet* \$350.00 per occurrence

 VCT Strip & Refinished \$225.00 per occurrence

 *We highly recommend that your carpet to be cleaned at least two times a year.



ing Queen's Bid
JANITORIAL SERVICE

Petal City Hall, Water Department @ City Hall
 Foyer and Public Restrooms at Civic Center

TYPE OF SERVICE RENDERED:
 Janitorial cleaning to include interior glass and glass on entry/exit doorways; dusting furniture, baseboards, blinds, window, wall hangings and cobwebs; vacuuming carpets & furniture as needed; mopping, emptying trash, cleaning restrooms & fixtures; cleaning kitchen, mopping, sweeping and washing dishes; other services agreed upon with client
 Paper products, cleaning supplies, and trash can liners will be provided
 Extra: (Other services, such as carpet cleaning, exterior window cleaning)

COST OF SERVICES:
 Total Labor---Two days or evenings per week as requested (Tuesday/Saturday)
 Mon/Thurs.

City Hall----- \$125 x 2 = \$250
 Civic Center----- \$50 x 2 = \$100
 Water----- \$25 x 2 = \$50
 Total Bid----- \$400 per week

Payment will be paid on the 10th of each month, invoice needs to be in by the last day of the month.

We would like to clean on Monday and Thursday. We will work around the Civic Center's Monday schedule.

EXHIBIT "A"

City of Petal
Civic Center
P. O. Box 564
Petal, MS 39465

November 19, 2007

Housekeeping:

2 day a week janitorial \$190.00 monthly
(This bid includes foyer area and bathrooms)

Floor Care:

Scrub Ceramic Tile \$135.00 per occurrence

TO: Whom it may concern:

My name Missy Ready I own Ready Cleaning Service I'm interested in bidding on the cleaning service for the City Hall and the Civic Center of Petal. I'm putting my bid in for \$900.00 a month for two nights a week. I have a license to work in homes and business.

Sincerely,

Missy Ready





City of Petal 111 11-7-07

EXHIBIT "B"

**PROPOSAL FOR
 CIT OF PETAL
 11-09-2007**

One (1) NEC Aspire Telephone System Configured as Follows:

- 1 - 8 Slot KSU Cabinet
- 1 - Power Supply
- 1 - 64 Port Basic CPU Card
- 2 - Installation Cables
- 1 - 56 KPBS Modem
- 1 - 8 CO LS Trunk Card
- 1 - 4 CO LS Trunk Card
- 1 - 16 Aspirephone Cards
- 13 - 34 Button Display/Handsfree Telephones
- 1 - 4 Port Aspiremail Voice Mail
- 1 - Surge Protector and Battery Backup
- 1 - SLT Adapter
- Installation, Training and 1 Year Parts and Labor Warranty Included

TOTAL PROPOSAL\$ 6,758.38

Note; does not include taxes

Don O'Harrall
CDE Integrated Systems, Inc.
601-960-8547

Proposal good for 30 days from above date

RE: NEW PHONE SYSTEM

QUOTE:

1 IDC 100 KSU CONTROL UNIT EQUIPPED FOR
 12-CO LINES
 16-MULTI-LINES
 CALLER ID SOFTWARE

1 VOICE MAIL UNIT

13 28 BUTTON LCD DISPLAY SPEAKERPHONES

1 BATTERY BACKUP

COMPLETELY INSTALLED, ONE YEAR WARRANTY, ALL PARTS AND LABOR.

\$5,546.38 Itemized quote attached.

OPTION TO RENT INCLUDES MAINTENANCE DURING RENTAL PERIOD

INSTALLATION FEE
 RENTAL @48 MONTHS

\$194.59

PRICE FOR FIBER FEEDER OR 25 PAIR FROM CITY HALL TO BUILDING DEPT.

\$9,800.00 Itemized quote attached.

Anne Cole 11-7-07
 DeltaCom

Anne Cole
 Senior Equipment Account Executive

deltacom
 www.deltacom.com

anne.cole@deltacom.com
 phone (601) 749-2959
 fax (601) 749-2947
 mobile phone (601) 346-6158
 customer care (800) 239-3950
 2829 Lakeland Drive
 Suite 1110
 Flowood MS 39232

6 Twelve Oak Circle • Jackson, Mississippi 39209 • (601) 960-8500 • Fax (601) 960-8559
 Brookhaven (601) 835-2295 • Gulf Coast (228) 392-9998 • Vicksburg (601) 636-8844 • Hattiesburg (601) 296-6999
 Toll Free (800) 748-9111



TALON COMMUNICATIONS, INC.

NEC ASPIRE EXPANDABLE TELEPHONE SYSTEM w/ASPIRE VOICE MAIL

SUBMITTED TO:

Petal City Hall
 119 West 8th Avenue
 Petal, MS 39465

EQUIPMENT AND SERVICES

- 1 -(890000) Aspire 8-slot Main KSU & Cabinet
- 1 -(891000) Aspire Power Supply
- 1 -(891002) Aspire 64-port Central Processing Unit (CPU)- includes 32 tone resources
- 1 -(891004) 8 Circuit Aspire Loop Start Trunk Card
- 1 -(891005) 4 Circuit Aspire Loop Start Trunk Card
- 1 -(891014) 16 Port Aspire Digital Station Card
- 13 -(890046) 34 Button Tri-Line LED Display Hands Free Speakerphones (HF)
 - * 10 Function Keys
 - * 10 One-Touch Keys
 - * 18 Feature Keys
 - * Desk Stand / Wall Mount Kits
- 1 -(891052) Aspire 4-port Voice Mail System
- 1 -(883741) Pre-printed DESI Labels w/Logo
- 1 -Power-Fail Test Jack
- 1 -Power-Fail Test Telephone
- 1 -Surge Protector
- 1 -(80892) DDK-2 25-Pair Installation Cable

TALON COMMUNICATIONS, INC., will install, connect and program complete telephone system. Price includes all labor and materials - complete turnkey system. 18-month warranty.

SUB-TOTAL \$ 6,460.93
 MS SALES TAX (0.07%) EXEMPT
 TOTAL \$ 6,460.93

OPTIONS:

25 pair underground cable \$ 1,475.00
 (includes pipe, protectors @ both ends - to be placed under the parking lot)

112 Autumn Ridge Place • Brandon, Mississippi 39047
 601-992-3277 • Fax 601-992-7677

EXHIBIT "C"

0076554

Customer's Order No. City, Petal Date 10-20 2007

Name James Burnham

Address

| | | | | | | |
|---------|------|--------|--------|---------|-----------|----------|
| SOLD BY | CASH | C.O.D. | CHARGE | ON ACCT | MOSE RETD | PAID OUT |
| | | | | | | |

| QUAN. | DESCRIPTION | PRICE | AMOUNT |
|-------|----------------------|------------|-------------|
| | <u>Curbing</u> | | |
| | <u>Form + Finish</u> | <u>11</u> | <u>8.00</u> |
| | | <u>per</u> | <u>FT</u> |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

ALL claims and returned goods MUST be accompanied by this bill.

Rec'd by _____



CITY OF PETAL
MINUTE BOOK 28

Trustmark National Bank
Post Office Box 1071
Hattiesburg, MS 39403-1071
601-544-9700

November 14, 2007

Mayor Carl Scott,
Board of Alderman and
Jean Ishee, City Clerk
City of Petal
8th Avenue
Petal, MS 39465

EXHIBIT "D"



November 19, 2007

City of Petal
Jean Ishee
P. O. Box 564
Petal, MS 39485

Dear Sirs and Madams:

BancorpSouth Bank, a state banking association, does hereby respectfully offer to serve as sole depository for all funds or any part thereof, for the City of Petal during the fiscal years of 2008 and 2009.

BancorpSouth will comply with all the laws and statutes of the State of Mississippi and in accordance with Section 27-105-305, 27-105-353 and 27-105-363 Mississippi code of 1972, Annotated, to properly qualify upon being designated as sole depository and will pledge in an amount of 105% of the maximum sum to be placed on deposit at any time exclusively of the portion of the accounts insured by the Federal Deposit Insurance Corporation.

full service of these facilities to assist in any financial matter which might arise including, but not limited to:

- Trust
- Investments
- Loans
- Leasing (Provided by BCS Equipment Finance)
- Insurance (Provided by Stewart, Sneed & Hewes)
- Cash Management (Direct Deposit and On-Line Account Reconciliation)
- Group Banking Benefit (Free Employee Benefits Package)
- Partnership to develop Community Enhancement 2006 (Grant to offer 3:1 matching funds to 1st Time Homebuyers)

We will provide safe deposit boxes, night deposit bags, night depository services, coin rolling services, money straps and coin wrappers without cost as requested. We will pay competitive money market rates on all City of Petal funds deposited on time and/or interest bearing accounts. We will waive all service charges and designate an account manager to handle all City of Petal request.

If you need additional information on any of the services offered above, please do not hesitate to contact me at 601-554-4040.

We, at BancorpSouth, appreciate the privilege of serving as depository for the City of Petal and the harmonious working relationship that has developed between your staff and our bank. We also appreciate the opportunity of submitting this request to serve as your depository for the coming years.

Sincerely,

Rachel L. McKenzie
BancorpSouth
President-Petal

Dear Ms Ishee,

Trustmark National Bank, Hattiesburg, a banking institution and operating in the State of Mississippi, domiciled in Forrest County, is pleased to submit a proposal to serve as primary depository for the City of Petal for a period of 2 years beginning January 1, 2008.

Trustmark National Bank agrees to meet the terms and conditions requested in the RFP, unless otherwise outlined in the bid proposal.

Trustmark agrees to comply with section 27-105-5 of the MS Code, which mandates the State Treasury be the assigned pledgee for collateral on deposits of certain governmental units, as authorized by State Law. This program is commonly referred to as the "Statewide Collateral Pool Program". Trustmark is a member of the Guaranty Pool, which is an optional component of the mandated Statewide Collateral Pool Program. All terms and conditions of the Guaranty Pool will be followed according to section 27-105-6 of the MS Code. In addition, Trustmark agrees to comply with sections 27-105-353 and 27-105-363 of the MS Code as it relates to Municipal Depositories.

Trustmark would like to offer the City of Petal an Interest Checking account with a fixed rate of 4.03% on daily collected balances of \$1,000.00 and above, without monthly maintenance and activity fees.

In addition, Trustmark offers cash management products and services which offer clients an improved bottom line by accelerating cash inflows and controlling cash outflows. At the City's request, Trustmark will be honored to meet with you to discuss options that will make the best use of your funds and provide an effective means of managing your financial requirements.

Thank you for the opportunity to present this proposal, and your consideration of Trustmark as the City of Petal's primary depository.

Sincerely,

Holt McMillan
President

Eastbrook Branch • P.O. Box 505 • 27 Byrd Blvd • Petal, MS 39465 • 601-554-4040 • Fax 601-554-3375



November 20, 2007

Jean Ishee, City Clerk
City of Petal
119 West 8th Ave.
Petal, MS 39465

Pursuant to your request for bids to be submitted for the privilege of acting as your depository, the undersigned Hancock Bank, submits this, its bid therefore and application to be designated as depository for the accounts now with said Bank and any other accounts for which we may be designated depository.

We agree to furnish legal security for the faithful performance of such duties as depository as provided by statute in the sum required by the laws of the State of Mississippi, the securities pledged to be of proper type and amount as required by law.

We will clear all checks and warrants against sufficient funds on a par basis and all transfers of funds and receipts will be handled at par.

We agree to pay interest on the deposits when requested in accordance with Mississippi statutes and at rates of interest consistent with prevailing market conditions. Hancock Bank offers the choice of a fixed rate of 3.24% or a variable rate based on the 90 day Treasury Bill Asked Yield minus 64 bps. This rate is subject to change monthly, corresponding to the stated rate in the Wall Street Journal as of the last business day of the previous month. These deposit accounts will have no service charges.

Hancock Bank is pleased to offer its cash management services free of any service charges. With this internet product you will be able to perform and obtain info reporting, balance inquiries, stop payments, wire transfers, ACH transfers, payroll direct deposit, check imaging and electronic record storage via CD-ROM.

Respectfully Submitted,

J.L. "Sandy" Rogers
Vice President / Relationship Manager
Institutional Banking
563-5707

November 20, 2007

City of Petal
Petal, Mississippi

Ladies and Gentlemen:

We are pleased to submit a proposal to serve as depository for the City of Petal for the years 2008 and 2009, and we further agree to meet the terms and conditions of the request, as outlined in your Legal Notice to Bidders.

Magnolia State Bank also agrees to comply with Section 27-105-305, 27-105-353 and 27-105-363 of the Mississippi Code of 1972 as annotated and amendments thereto.

Magnolia State Bank offers the City of Petal a rate equal to the Federal Funds Target Rate minus 70 basis points. Presently, the Federal Funds Target Rate is 4.5%; therefore, the rate on your interest checking account as of today will be 3.80%. This rate will change when and if the index rate changes. All accounts will be free of service and transaction charges.

While Magnolia State Bank is new to Petal, we are experienced veterans in the management of public funds, having served as primary depository for Jasper County, City of Bay Springs, City of Taylorsville, West Jasper County School District and East Jasper County School District continuously for over 25 years. We offer 'state of the art' technology that provides cash management services to customers that can improve the bottom line by accelerating cash inflows and controlling cash outflows through the use of the most current internet banking platform available.

Thank you for the opportunity to present this proposal and your consideration of Magnolia State Bank as your primary depository. We also will be honored to serve in any capacity other than the primary depository.

Sincerely,

Thomas A. Fairley
President

One Hancock Plaza • Post Office Box 4019 • Gulfport, MS 39502
228-805-4000 • Fax 228-805-4675 • 1-800-522-6512
hancockbank.com



| | | | | |
|---|--|---|---|---|
| BAY SPRINGS 15 East 6th Avenue Post Office Box 508 Bay Springs, MS 39422-0508 Phone: 601-764-2255 Fax: 601-764-2231 | HEIDELBERG 407 Main Street Post Office Box 320 Heidelberg, MS 39439-0320 Phone: 601-787-3471 Fax: 601-787-4213 | LAUREL 3220 Highway 15 North Post Office Box 6538 Laurel, MS 39441-6538 Phone: 601-485-0003 Fax: 601-485-0129 | TAYLORSVILLE 748 Highway 28 East Post Office Box 37 Taylorsville, MS 39468-0037 Phone: 601-785-4756 Fax: 601-785-6934 | PETAL 1130 Evelyn Gandy Parkway Post Office Box 465 Petal, MS 39465 Phone: 601-582-5276 Fax: 601-582-5316 |
|---|--|---|---|---|



First Southern Bank
The People's Choice Community Bank

**CITY OF PETAL
MINUTE BOOK 28**

114

1075 HWY. 96
PO BOX 268
COLUMBIA, MS 39429-0268
(601) 736-6378

1048 HWY 42 and
202 W CENTRAL AVENUE
PETAL, MS 39465
(601) 450-0394

1321 HWY 43 N
PO BOX 268
PRALUNE MS 39466
(601) 798-6438

502 N FRONT STREET
PO BOX 1297
RIGHTON, MS 39476
(601) 788-2522

EXHIBIT "D"

November 14, 2007

Jean Ishee
City Clerk
City of Petal

Dear Ms. Ishee,

First Southern Bank of Petal is pleased to have the opportunity to bid to become the depository for the City of Petal. The Bank offers the following bid: Rate would be 4.70% with a 4.80% APY. This bid is being offered on the terms of your "notice to bidders" for a period of 2 years beginning January 1, 2008 until the 1st Monday of January 2010.

Sincerely,

J. Roy McComb
Pres. CEO

JRM:db

With Disabilities Act, which requires that disabled persons have access to public places and workplaces, deems impaired respiratory function to be a disability. (Daynard, R.A., "Environmental tobacco smoke and the Americans with Disabilities Act," *Nonsmokers' Voice* 15(1): 8-9.)

ORDINANCE NUMBER 2007 (9)

AN ORDINANCE BANNING SMOKING IN PUBLIC PLACES, PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND RELATED PURPOSES.

EXHIBIT "E"

WHEREAS, the City of Petal, Mississippi, acting by and through its Mayor and Board of Aldermen, does hereby find that the 2006 U.S. Surgeon General's Report, *The Health Consequences of Involuntary Exposure to Tobacco Smoke*, has concluded that (1) secondhand smoke exposure causes disease and premature death in children and adults who do not smoke; (2) children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory problems, ear infections, and asthma attacks, and that smoking by parents causes respiratory symptoms and slows lung growth in their children; (3) exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; (4) there is no risk-free level of exposure to secondhand smoke; (5) establishing smoke free workplaces is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke, and (6) evidence from peer-reviewed studies shows that smoke free policies and laws do not have an adverse economic impact on the hospitality industry.

WHEREAS, the Mayor and Board of Alderman have examined the U.S. Department of Health and Human Services, *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006 and found certain conditions to exist which make it necessary to adopt certain Codes in order to preserve the general health, safety, and welfare of its citizens; and that numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke (also known as environmental tobacco smoke) is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory disease, and lung cancer.

WHEREAS, the Mayor and Board of Alderman agree with The National Cancer Institute determination in 1999 that secondhand smoke is responsible for the early deaths of approximately 53,000 Americans annually. (National Cancer Institute (NCI), "Health effects of exposure to environmental tobacco smoke: the report of the California Environmental Protection Agency. Smoking and Tobacco Control Monograph 10," *Bethesda, MD: National Institutes of Health, National Cancer Institute (NCI)*, August 1999) and that The Public Health Service's National Toxicology Program (NTP) has listed secondhand smoke as a known carcinogen. (Environmental Health Information Service (EHIS), "Environmental tobacco smoke: first listed in the Ninth Report on Carcinogens," *U.S. Department of Health and Human Services (DHHS), Public Health Service. NTP*, 2000, reaffirmed by the NTP in subsequent reports on carcinogens, 2003, 2005.)

WHEREAS, the Mayor and Board of Alderman believe there is no safe level of exposure to secondhand smoke. (Environmental Protection Agency (EPA), "Respiratory health effects of passive smoking: lung cancer and other disorders, the report of the U.S. Environmental Protection Agency. Smoking and Tobacco Control Monograph 4," *Bethesda, MD: National Institutes of Health, National Cancer Institute (NCI); Environmental Protection Agency (EPA)*, August 1993; California Environmental Protection Agency, "Health Effects of Exposure to Environmental Tobacco Smoke," 1997, California Air Resources Board, "Proposed identification of environmental tobacco smoke as a toxic air contaminant," *Sacramento: California Environmental Protection Agency (Cal-EPA), Air Resources Board, Stationary Source Division, Air Quality Measures Branch, Office of Environmental Health Hazard Assessment (OEHHHA)*, September 29, 2005.)

WHEREAS, the Mayor and Board of Alderman have examined a study of hospital admissions for acute myocardial infarction in Helena, Montana before, during, and after a local law eliminating smoking in workplaces and public places was in effect, determining that laws to enforce smoke free workplaces and public places may be associated with a reduction in morbidity from heart disease. (Sargent, Richard P.; Shepard, Robert M.; Glantz, Stanton A., "Reduced incidence of admissions for myocardial infarction associated with public smoking ban: before and after study," *British Medical Journal* 328: 977-980, April 24, 2004.)

WHEREAS, the Mayor and Board of Alderman conclude that secondhand smoke is particularly hazardous to elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease. (California Environmental Protection Agency (Cal EPA), "Health effects of exposure to environmental tobacco smoke", *Tobacco Control* 6(4): 346-353, Winter, 1997.) The Americans

WHEREAS, the Mayor and Board of Alderman find that a significant amount of secondhand smoke exposure occurs in the workplace. Employees who work in smoke-filled businesses suffer a 25-50% higher risk of heart attack and higher rates of death from cardiovascular disease and cancer, as well as increased acute respiratory disease and measurable decrease in lung function. (Pitsavos, C.; Panagiotakos, D.B.; Chrysohoou, C.; Skoumas, J.; Tzioumis, K.; Stefanadis, C.; Toutouzas, P., "Association between exposure to environmental tobacco smoke and the development of acute coronary syndromes: the CARDIO2000 case-control study," *Tobacco Control* 11(3): 220-225, September 2002.)

WHEREAS, the Mayor and Board of Alderman concur with the Society of Actuaries in determining that secondhand smoke costs the U.S. economy roughly \$10 billion a year: \$5 billion in estimated medical costs associated with secondhand smoke exposure and \$4.6 billion in lost productivity. (Behan, D.F.; Eriksen, M.P.; Lin, Y., "Economic Effects of Environmental Tobacco Smoke," *Society of Actuaries*, March 31, 2005.)

WHEREAS, the Mayor and Board of Alderman note that numerous economic analyses examining restaurant and hotel receipts and controlling for economic variables have shown either no difference or a positive economic impact after enactment of laws requiring workplaces to be smoke free. Creation of smoke free workplaces is sound economic policy and provides the maximum level of employee health and safety. (Glantz, S.A. & Smith, L. The effect of ordinances requiring smoke free restaurants on restaurant sales in the United States. *American Journal of Public Health*, 87:1687-1693, 1997; Colman, R.; Urbanas, C.M., "The economic impact of smoke-free workplaces: an assessment for Nova Scotia, prepared for Tobacco Control Unit, Nova Scotia Department of Health," *GPI Atlantic*, September 2001.)

WHEREAS, the Mayor and Board of Alderman finds and declares that the purposes of this ordinance are (1) to protect the public health and welfare by prohibiting smoking in public places and places of employment, and (2) to guarantee the right of nonsmokers to breathe smoke free air, and to recognize that the need to breathe smoke free air shall have priority over the desire to smoke.

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

Section 1. Definitions

The following words and phrases, whenever used in this Article, shall be construed as defined in this Section:

- "Bar" means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.
- "Business" means a sole proprietorship, partnership, joint venture, corporation, or other business entity, either for-profit or not-for-profit, including retail establishments where goods or services are sold; professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered; and private clubs.
- "Employee" means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and a person who volunteers his or her services for a non-profit entity.
- "Employer" means a person, business, partnership, association, corporation, including a municipal corporation, trust, or non-profit entity that employs the services of one or more individual persons.
- "Enclosed Area" means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows (exclusive of doorways), which extend from the floor to the ceiling.
- "Health Care Facility" means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing homes, long-term care facilities, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, psychiatrists, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.

"Place of Employment" means an area under the control of a public or private employer that employees normally frequent during the course of employment, including, but not limited to, work areas, private offices, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias and hallways. A private residence is not a "place of employment" unless it is used as a childcare, adult day care, or health care facility.

"Private Club" means an organization, whether incorporated or not, which is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times, which is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and which only sells alcoholic beverages incidental to its operation. The affairs and management of the organization are conducted by a board of directors, executive committee, or similar body chosen by the members at an annual meeting. The organization has established bylaws and/or a constitution to govern its activities. The organization has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C. Section 501.

"Public Place" means an enclosed area to which the public is invited or in which the public is permitted, including but not limited to, banks, bars, educational facilities, gaming facilities, health care facilities, hotels and motels, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A private club is a "public place" when being used for a function to which the general public is invited. A private residence is not a "public place" unless it is used as a childcare, adult day care, or health care facility.

"Restaurant" means an eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar area within the restaurant.

"Service Line" means an indoor line in which one (1) or more persons are waiting for or receiving service of any kind, whether or not the service involves the exchange of money.

"Shopping Mall" means an enclosed public walkway or hall area that serves to connect retail or professional establishments.

"Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted tobacco product in any manner or in any form.

"Sports Arena" means sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sports or other events.

Section 2. Application of Article to City of Petal Owned Facilities

All enclosed facilities, including buildings and vehicles owned, leased, or operated by the City of Petal, shall be subject to the provisions of this Article.

Section 3. Prohibition of Smoking in Enclosed Public Places

Smoking shall be prohibited in all enclosed public places within the confines of the city limits of the City of Petal, including but not limited to, the following places:

- Aquariums, galleries, libraries, and museums.
- Any publicly owned building or structure
- Areas available to and customarily used by the general public in businesses and non-profit entities patronized by the public, including but not limited to, banks, laundromats, professional offices, and retail service establishments.
- Bars
- Bingo facilities.
- Childcare and adult day care facilities.
- Convention facilities.
- Educational facilities, both public and private.
- Elevators.
- Gaming facilities.
- Health care facilities.
- Hotels and motels, including at least eighty percent (80%) of rooms that are rented to guests.
- Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities.
- Polling places.

- Private clubs when being used for a function to which the general public is invited.
- Public transportation facilities, including buses and taxicabs, under the authority of the City of Petal, and ticket, boarding, and waiting areas of public transit depots.
- Restaurants.
- Restrooms, lobbies, reception areas, hallways, and other common-use areas.
- Retail stores.
- Rooms, chambers, places of meeting or public assembly, including school buildings, under the control of an agency, board, commission, committee or council of the City of Petal or a political subdivision of the State, to the extent the place is subject to the jurisdiction of the City of Petal.
- Service lines.
- Shopping malls.
- Sports arenas, including enclosed places in outdoor arenas.
- Theaters and other facilities primarily used for exhibiting motion pictures, stage dramas, lectures, musical recitals, or other similar performances.

Section 4. Prohibition of Smoking in Places of Employment

Smoking shall be prohibited in all enclosed facilities within places of employment without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities. This prohibition on smoking shall be communicated to all existing employees by the effective date of this Article and to all prospective employees upon their application for employment.

Section 5. Prohibition of Smoking in Outdoor Areas

Smoking shall be prohibited in the following outdoor places:

- Within a reasonable distance of fifteen (15) feet outside entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited, so as to insure that tobacco smoke does not enter those areas.
- In all outdoor arenas, stadiums, and amphitheaters, except in designated smoking areas, which may be established only in perimeter areas at least fifteen (15) feet from any seating areas or concession stands. Smoking shall also be prohibited in, and within fifteen (15) feet of, bleachers and grandstands for use by spectators at sporting and other public events.
- In all public transit stations, platforms, and shelters under the authority of the City of Petal.
- On any publicly owned outdoor recreation property.

Section 6. Where Smoking Not Regulated

Notwithstanding any other provision of this Article to the contrary, the following areas shall be exempt from the provisions of Sections 3 and 4:

- In outdoor seating or serving areas of restaurants.
- Private residences, except when used as a childcare, adult day care, or health care facility.
- Not more than twenty percent (20%) of hotel and motel rooms rented to guests and designated as smoking rooms. All smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into areas where smoking is prohibited under the provisions of this Article. The status of rooms as smoking or nonsmoking may not be changed, except to add additional nonsmoking rooms.
- Private clubs that have no employees, except when being used for a function to which the general public is invited; provided that smoke from such clubs does not infiltrate into areas where smoking is prohibited under the provisions of this Article. This exemption shall not apply to any organization that is established for the purpose of avoiding compliance with this Article.
- Outdoor areas of places of employment except those covered by the provisions of Section 5.

Section 7. Declaration of Establishment as Nonsmoking

Notwithstanding any other provision of this Article, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment,

facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to the requirements of Section 8 is posted.

Section 8. Posting of Signs

"No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this Article, by the owner, operator, manager, or other person in control of that place.

Every public place and place of employment where smoking is prohibited by this Article shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited. Every vehicle that constitutes a place of employment under this Article shall have at least one conspicuous sign, visible from the exterior of the vehicle, clearly stating that smoking is prohibited.

All ashtrays shall be removed from any area where smoking is prohibited by this Article by the owner, operator, manager, or other person having control of the area.

Section 9. Nonretaliation; Nonwaiver of Rights

No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this Article or reports or attempts to prosecute a violation of this Article. Notwithstanding Section 11, violation of this Subsection shall be a misdemeanor, punishable by a fine not to exceed \$1000 for each violation.

An employee who works in a setting where an employer allows smoking does not waive or otherwise surrender any legal rights the employee may have against the employer or any other party.

Section 10. Enforcement

This Article shall be enforced by the City of Petal Code Enforcement Officer or an authorized designee. Notice of the provisions of this Article shall be given to all applicants for a business license in the City of Petal.

Any citizen who desires to register a complaint under this Article may initiate enforcement with the Code Enforcement Officer.

The Code Enforcement Department, Building Inspection Department, Fire Department or their designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this Article.

An owner, manager, operator, or employee of an establishment regulated by this Article shall inform persons violating this Article of the appropriate provisions thereof. Notwithstanding any other provision of this Article, an employee or private citizen may bring legal action to enforce this Article.

In addition to the remedies provided by the provisions of this Section, the Code Enforcement Officer or any person aggrieved by the failure of the owner, operator, manager, or other person in control of a public place or a place of employment to comply with the provisions of this Article may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction.

Section 11. Violations and Penalties

A person who smokes in an area where smoking is prohibited by the provisions of this Article shall be guilty of an infraction, punishable by a fine not exceeding fifty dollars (\$50).

Except as otherwise provided in Section 9, a person who owns, manages, operates, or otherwise controls a public place or place of employment and who fails to comply with the provisions of this Article shall be guilty of an infraction, punishable by:

- A fine not exceeding two hundred fifty dollars (\$250.00) for a first violation
- A fine not exceeding five hundred dollars (\$500.00) for a second violation
- A fine not exceeding one thousand dollars (\$1,000.00) or not more than thirty (30) days jail, or both for each additional violation

Alderman David Clayton


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

Alderman Kay Fairley
Alderman James Moore
Alderman Steve Stringer

Those present and voting "NAY" and in favor of the passage, adoption and approval of the foregoing Ordinance as a whole.


Alderman David Clayton

WHEREFORE, the following Ordinance was duly passed, adopted, and approved on this the 20th day of November, 2007.


Carl H. Scott, Mayor

(SEAL)

ATTEST:


Jean Bee, City Clerk

**CITY OF PETAL
MINUTE BOOK 28**

EXHIBIT "E"

In addition to the fines established by this Section, violation of this Article by a person who owns, manages, operates, or otherwise controls a public place or place of employment may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.

Violation of this Article is hereby declared to be a public nuisance, which may be abated by the City of Petal Municipal Court by restraining order, preliminary and permanent injunction, or other means provided for by law, and the City may take action to recover the costs of the nuisance abatement.

Each day on which a violation of this Article occurs shall be considered a separate and distinct violation.

Section 12. Public Education

The City of Petal shall engage in a continuing program to explain and clarify the purposes and requirements of this Article to citizens affected by it, and to guide owners, operators, and managers in their compliance with it. The program may include publication of a brochure for affected businesses and individuals explaining the provisions of this ordinance.

Section 13. Governmental Agency Cooperation

The City of Petal shall annually request other governmental and educational agencies having facilities within the confines of the city limits of the City of Petal to establish local operating procedures in cooperation and compliance with this Article. This includes urging all Federal, State, County, and School District agencies to update their existing smoking control regulations to be consistent with the current health findings regarding secondhand smoke.

Section 14. Other Applicable Laws

This Article shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

Section 15. Liberal Construction

This Article shall be liberally construed so as to further its purposes.

Section 16. Severability

If any provision, clause, sentence, or paragraph of this Article or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Article which can be given effect without the invalid provision or application, and to this end the provisions of this Article are declared to be severable.

Section 17. Effective Date

This Article shall be effective thirty (30) days from and after the date of its adoption.

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

Those present and voting "YEA" and in favor of the passage, adoption and approval of Sections 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,and 17 of the foregoing Ordinance

Alderman Kay Fairley
Alderman James Moore
Alderman Steve Stringer

Those present and voting "NAY" or against any of said Sections of the foregoing Ordinance.