

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 3, 2009 AT 6:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT	MAYOR HAL MARX
CITY ATTORNEY	TOM TYNER
ALDERMEN	DAVID CLAYTON TONY DUCKER WILLIE HINTON JAMES RUNNELS STEVE STRINGER
OTHERS	EL/GAIL PORTER JOE BUSH GERTRUDE HOLLINGSWORTH TOMMYE CORLEY ADA MADISON BRAD BAGGETT BEN PIPER AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY ADA MADISON.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, THE MAYOR PRESENTED THE AGENDA WITH THE FOLLOWING AMENDMENTS:

GENERAL BUSINESS

17. REQUEST TO PAY CAMCO UTILITIES REQUEST #1 IN THE AMOUNT OF \$21,680.00 FOR LIFT STATION REPAIRS PER RALPH EDDLEMON'S APPROVAL.
18. REQUEST TO ACCEPT CHANGE ORDER #3 FOR PRESSBOX/CONCESSION STAND IN THE AMOUNT OF \$860.33.
19. REQUEST TO PAY APPLICATION #4 TO ADVANCED BUILDING SPECIALTIES IN THE AMOUNT OF \$21,820.94 FOR PRESSBOX/CONCESSION STAND PENDING BILL ROGERS APPROVAL.
20. REQUEST TO PAY MEMBERSHIP DUES IN THE AMOUNT OF \$45.00 TO THE MS FIRE CHIEFS ASSOCIATION FOR CHIEF TOWNSEND.
21. REQUEST TO PAY WATERS INTERNATIONAL INVOICE 1514 IN THE AMOUNT OF \$130,863.00 FOR NEW GARBAGE TRUCK DELIVERED ON TUESDAY, NOVEMBER 3, 2009.

SEMINARS & TRAVEL

7. REQUEST FOR DORIS WALTERS TO ATTEND MPTA ANNUAL TRAINING IN MERIDIAN, MS ON NOVEMBER 11-13, 2009. TOTAL COST: \$503.00 (\$441.00 TO BE REIMBURSED BY MDOT)
8. REQUEST FOR BRIAN TOWNSEND TO ATTEND MID WINTER CHIEF'S CONFERENCE IN MERIDIAN, MS ON DECEMBER 2-4, 2009. TOTAL COST: \$457.00
9. REQUEST FOR SHANE PICKETT TO ATTEND MID WINTER CHIEF'S CONFERENCE IN MERIDIAN, MS ON DECEMBER 2-4, 2009. TOTAL COST: \$457.00
10. REQUEST FOR LEE WEST TO ATTEND MID WINTER CHIEF'S CONFERENCE IN MERIDIAN, MS ON DECEMBER 2-4, 2009. TOTAL COST: \$130.00

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE MINUTES OF THE REGULAR MEETING OF OCTOBER 20, 2009.

THEREUPON, ALDERMAN DUCKER MADE A MOTION TO ADOPT THE MINUTES OF THE REGULAR MEETING OF OCTOBER 20, 2009 AS WRITTEN. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED FOR PUBLIC COMMENT.

THEREUPON, ALL PUBLIC COMMENT WAS IN REFERENCE TO AGENDA ITEM #6, THE REZONING OF 618 S GEORGE ST., THEREFORE, MAYOR MARX STATED THAT HE WOULD CALL FOR PUBLIC COMMENT AGAIN BEFORE VOTING ON THAT ITEM.

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO OPEN THE QUOTES FOR ADA COMPLIANCE AT CITY HALL.

EXHIBIT "A"

QUOTES

THEREUPON, ALDERMAN HINTON MADE A MOTION TO TAKE THE QUOTES UNDER ADVISEMENT. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO CONTRACT WITH NETWORK SERVICES FOR COLLECTION OF BAD DEBT IN THE WATER DEPT.

EXHIBIT "B"

CONTRACT

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO ACCEPT THE CONTRACT WITH NETWORK SERVICES FOR COLLECTION OF BAD DEBT IN THE WATER DEPT. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED ON WILLIAM SHARP TO ADDRESS THE BOARD.

THEREUPON, MR. SHARP ADDRESSED THE BOARD CONCERNING A DESIRE FOR A RC DIRT TRACK IN THE PETAL AREA. MR. SHARP HAD SPOKEN TO THE PARKS AND RECREATION COMMISSION AT THEIR MEETING AND WAS ADVISED TO COME BACK TO THAT PARKS AND RECREATION COMMISSION WITH MORE DETAILED NUMBERS OF CITIZENS INTERESTED IN RC DIRT TRACK RACING.

WHEREAS, MAYOR MARX CALLED ON JASON RAHAIM TO ADDRESS THE BOARD.

MR. RAHAIM WAS NOT IN ATTENDANCE AT THIS TIME.

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR AN ADJUSTMENT TO THE WATER BILL AT 1212 CARTERVILLE RD.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO DENY THE ADJUSTMENT DUE TO NOT HAVING PROOF THAT THERE WAS A LEAK AND IT HAD BEEN REPAIRED. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY BUSH CONSTRUCTION CO ESTIMATE #2 IN THE AMOUNT OF \$52,816.86 FOR CDBG SPRINGFIELD RD SEWER PROJECT PER APPROVAL OF SAMPLE & ASSOCIATES.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY BUSH CONSTRUCTION ESTIMATE #2 IN THE AMOUNT OF \$52,816.86 FOR CDBG SPRINGFIELD RD SEWER PROJECT. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY SHOWS, DEARMAN & WAITS INVOICE 15840 IN THE AMOUNT OF \$13,095.00 FOR CDBG SPRINGFIELD RD SEWER PROJECT.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY SHOWS, DEARMAN & WAITS INVOICE 15840 IN THE AMOUNT OF \$13,095.00 FOR CDBG SPRINGFIELD RD SEWER PROJECT. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED FOR PUBLIC COMMENT ON AGENDA ITEM #6, REZONING OF 618 S GEORGE ST.

THEREUPON, PAT HOLLINGSWORTH, A RESIDENT OF 622 S GEORGE ST, SPOKE AGAINST THE ZONING CHANGE STATING THAT SHE DID NOT WANT MORE APARTMENTS BUILT NEXT TO HER HOME.

THEREUPON, BRAD BAGGETT, DEVELOPER, SPOKE REQUESTING THE ZONING CHANGE. MR. BAGGETT STATED THAT HE PLANNED TO KEEP THE APARTMENTS NICE, THAT THEY WOULD BE TWO BEDROOM APARTMENTS.

THEREUPON, BILL TRAVIS, 718 S GEORGE ST, SPOKE AGAINST THE ZONING CHANGE. MR. TRAVIS STATED THAT THE APARTMENTS WOULD BRING MORE TRAFFIC TO AN ALREADY BUSY STREET.

THEREUPON, CINDY KELLER, 410 S GEORGE ST, SPOKE AGAINST THE ZONING CHANGE. MS. KELLER STATED THAT ALTHOUGH MR BAGGETT SAYS HE WILL KEEP THE APARTMENTS NICE, WHO KNOWS IF HE DECIDED TO SELL THEM, WHAT WOULD HAPPEN THEN. SHE ALSO TALKED ABOUT THE TRAFFIC ON S GEORGE ST.

THEREUPON, NELL KELLER, RESIDENT OF S GEORGE ST FOR 79 YEARS SPOKE AGAINST THE ZONING CHANGE.

THEREUPON, MAYOR MARX STATED THAT HE KNOWS THAT BRAD DOES QUALITY WORK, BUT THE NEIGHBORHOOD SHOULD REMAIN AS SINGLE FAMILY RESIDENTIAL IN HIS OPINION. HE STATED THAT IF HE HAD A VOTE IN THE MATTER HE WOULD DENY THE ZONING CHANGE.

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO APPROVE THE PLANNING COMMISSION'S RECOMMENDATION TO GRANT THE ZONING CHANGE OF 618 S GEORGE ST FROM R-1 TO R-4.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO DENY THE RECOMMENDATION FOR A ZONING CHANGE OF 618 S GEORGE ST FROM R-1 TO R-4. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON

ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS

THOSE PRESENT AND VOTING "NAY"

ALDERMAN STEVE STRINGER

WHEREAS, THE MAYOR PRESENTED A REQUEST TO CANCEL THE WHOLE LIFE INSURANCE POLICIES FOR THE MAYOR AND ALDERMEN THROUGH LIFE OF ALABAMA.

THEREUPON, ALDERMAN DUCKER MADE A MOTION TO CANCEL THE WHOLE LIFE INSURANCE POLICIES FOR THE MAYOR AND ALDERMEN THROUGH LIFE OF ALABAMA. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ADVERTISE FOR BANK BIDS FOR A TERM OF JANUARY 2010 – DECEMBER 2012.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR BANK BIDS FOR A TERM OF JANUARY 2010 – DECEMBER 2012. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO TRANSFER \$582,586.92 FROM THE GENERAL FUND ROAD AND BRIDGE ACCOUNT TO A SEPARATE BANK ACCOUNT FOR ROAD & BRIDGE PROJECTS.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO OPEN A NEW BANK ACCOUNT FOR ROAD AND BRIDGE PROJECTS AND TO TRANSFER \$582,586.92 OUT OF THE GENERAL FUND ROAD AND BRIDGE ACCOUNT. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO APPROVE THE MUNICIPAL COMPLIANCE QUESTIONAIRRE FOR FY 2008-2009.

EXHIBIT "C"

MUNICIPAL COMPLIANCE QUESTIONAIRRE

THEREUPON, ALDERMAN HINTON MADE A MOTION TO APPROVE THE MUNICIPAL COMPLIANCE QUESTIONAIRRE FOR FY 2008-2009. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON

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ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ADD A CELL PHONE TO THE CITY PLAN FOR THE MAYOR AT A COST OF \$60.00 PER MONTH.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADD A CELL PHONE TO THE CITY PLAN FOR THE MAYOR AT A COST OF \$60.00 PER MONTH. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

ALDERMAN WILLIE HINTON

WHEREAS, THE MAYOR PRESENTED A REQUEST TO ADD A CELL PHONE TO THE CITY PLAN FOR THE CITY CLERK AT A COST OF \$60.00 PER MONTH.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADD A CELL PHONE TO THE CITY PLAN FOR THE CITY CLERK AT A COST OF \$60.00 PER MONTH. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE FY2007-2008 FINANCIAL AUDIT FROM KING CPA.

EXHIBIT "D"

AUDIT

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE FY2007-2008 FINANCIAL AUDIT. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE REVENUE AND EXPENDITURES REPORT FOR THE MONTH OF SEPTEMBER 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE REVENUE AND EXPENDITURES REPORT FOR THE MONTH OF SEPTEMBER 2009. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO APPROVE CLAIMS 111434-111999 FOR THE CITY OF PETAL GENERAL FUND AND WATER AND SEWER FUNDS FOR THE MONTH OF SEPTEMBER 2009.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO APPROVE CLAIMS 111434-111999 FOR THE CITY OF PETAL GENERAL FUND AND WATER AND SEWER FUNDS FOR THE MONTH OF SEPTEMBER 2009. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE FOLLOWING PROOFS OF PUBLICATION:  
PUBLIC NOTICE – ZONING HEARING 17 SPRINGFIELD RD  
ORDINANCE 1979 (42-A353) – ZONING ORDINANCE PLANNING COMMISSION  
NOTICE TO INTERESTED PARTIES – WALTERS CONSTRUCTION  
PUBLIC NOTICE – 618 S GEORGE ST ZONING CHANGE  
PUBLIC NOTICE – PUBLIC HEARING SIGN ORDINANCE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE FOREGOING PROOFS OF PUBLICATION FOR FILING. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY CAMCO UTILITIES REQUEST #1 IN THE AMOUNT OF \$21,680.00 FOR LIFT STATION REPAIRS PER RALPH EDDLEMON'S APPROVAL.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY CAMCO UTILITIES REQUEST #1 IN THE AMOUNT OF \$21,680.00 FOR LIFT STATION REPAIRS PER RALPH EDDLEMON'S APPROVAL. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT CHANGE ORDER #3 FROM ADVANCED BUILDING SPECIALITIES FOR THE PRESSBOX/CONCESSION STAND IN THE AMOUNT OF \$860.33.

EXHIBIT "E"

CHANGE ORDER

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT CHANGE ORDER #3 FROM ADVANCED BUILDING SPECIALITIES IN THE AMOUNT OF \$860.33 FOR THE PRESSBOX/CONCESSION STAND. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER

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ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY APPLICATION #4 TO ADVANCED BUILDING SPECIALTIES IN THE AMOUNT OF \$21,820.94 FOR PRESSBOX/CONCESSION STAND PENDING BILL ROGERS APPROVAL.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO PAY APPLICATION #4 TO ADVANCED BUILDING SPECIALTIES IN THE AMOUNT OF \$21,820.94 FOR PRESSBOX/CONCESSION STAND PENDING BILL ROGERS APPROVAL. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY MEMBERSHIP DUES IN THE AMOUNT OF \$45.00 TO THE MS FIRE CHIEFS ASSOC FOR CHIEF BRIAN TOWNSEND.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO PAY MEMBERSHIP DUES IN THE AMOUNT OF \$45.00 TO THE MS FIRE CHIEFS ASSOC FOR CHIEF BRIAN TOWNSEND. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY WATERS INTERNATIONAL INVOICE 1514 IN THE AMOUNT OF \$130,863.00 FOR NEW GARBAGE TRUCK.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY WATERS INTERNATIONAL INVOICE 1514 IN THE AMOUNT OF \$130,863.00 FOR THE NEW GARBAGE TRUCK. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR CHIEF LEONARD FULLER TO ATTEND THE MS ASSOCIATION OF CHIEFS OF POLICE CONFERENCE IN OLIVE BRANCH, MS ON DECEMBER 6-10, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE CHIEF LEONARD FULLER TO ATTEND THE MS ASSOCIATION OF CHIEFS OF POLICE CONFERENCE IN OLIVE BRANCH, MS ON DECEMBER 6-10, 2009 AND TO PAY EXPENSES OF \$706.92. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR ASST. CHIEF MATTHEW HIATT TO ATTEND THE MS ASSOCIATION OF CHIEFS OF POLICE CONFERENCE IN OLIVE BRANCH, MS ON DECEMBER 6-10, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE ASST CHIEF MATTHEW HIATT TO ATTEND THE MS ASSOCIATION OF CHIEFS OF POLICE CONFERENCE IN OLIVE BRANCH, MS ON DECEMBER 6-10, 2009 AND TO PAY EXPENSES OF \$706.92. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR TRUMAINE HARDGES TO ATTEND MSFA 1001 AT THE STATE FIRE ACADEMY.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION FOR TRUMAINE HARDGES TO ATTEND MSFA 1001 AT THE STATE FIRE ACADEMY AND TO PAY EXPENSES OF \$1440.00. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR STANCE BRADLEY TO ATTEND CHEMICAL SPILL RESPONSE TRAINING IN HATTIESBURG, MS ON NOVEMBER 17, 2009.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE STANCE BRADLEY TO ATTEND CHEMICAL SPILL RESPONSE TRAINING IN HATTIESBURG, MS ON NOVEMBER 17, 2009 AND TO PAY EXPENSES OF \$125.00. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR DAVID SCHWANDT TO ATTEND CHEMICAL SPILL RESPONSE TRAINING IN HATTIESBURG, MS ON NOVEMBER 17, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE DAVID SCHWANDT TO ATTEND CHEMICAL SPILL RESPONSE TRAINING IN HATTIESBURG, MS ON NOVEMBER 17, 2009. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE



WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR MELISSA MARTIN TO ATTEND MS CLERKS' ASSOCIATION CITY CLERK UPDATE IN JACKSON, MS ON DECEMBER 16-18, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE MELISSA MARTIN TO ATTEND THE MS CLERKS' ASSOCIATION CITY CLERK UPDATE IN JACKSON, MS ON DECEMBER 16-18, 2009 AND TO PAY EXPENSES OF \$536.00. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR DORIS WALTERS TO ATTEND MPTA ANNUAL TRAINING IN MERIDIAN, MS ON NOVEMBER 11-13, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE DORIS WALTERS TO ATTEND MPTA ANNUAL TRAINING IN MERIDIAN, MS ON NOVEMBER 11-13, 2009 AND TO PAY EXPENSES OF \$503.00, OF WHICH \$441.00 IS TO BE REIMBURSED THROUGH A SCHOLARSHIP PROVIDED BY MDOT. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR CHIEF BRIAN TOWNSEND TO ATTEND THE MID WINTER CHIEFS CONFERENCE IN MERIDIAN, MS ON DECEMBER 2-4, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE CHIEF BRIAN TOWNSEND TO ATTEND THE MID WINTER CHIEFS CONFERENCE IN MERIDIAN, MS ON DECEMBER 2-4, 2009 AND TO PAY EXPENSES OF \$457.00. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR ASST CHIEF SHANE PICKETT TO ATTEND THE MID WINTER CHIEFS CONFERENCE IN MERIDIAN, MS ON DECEMBER 2-4, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE ASST CHIEF SHANE PICKETT TO ATTEND THE MID WINTER CHIEFS CONFERENCE IN MERIDIAN, MS ON DECEMBER 2-4, 2009 AND TO PAY EXPENSES OF \$457.00. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR BATTALION CHIEF LEE WEST TO ATTEND THE MID WINTER CHIEFS CONFERENCE IN MERIDIAN, MS ON DECEMBER 2-4, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE BATTALION CHIEF LEE WEST TO ATTEND THE MID WINTER CHIEFS CONFERENCE IN MERIDIAN, MS ON DECEMBER 2-4, 2009 AND TO PAY EXPENSES OF \$130.00. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO REVIEW THE REVISED SIGN ORDINANCE 1979 (42-A354).

THEREUPON, ALDERMAN HINTON MADE A MOTION TO TABLE THE REQUEST FOR REVIEW OF THE REVISED SIGN ORDINANCE 1979 (42-A354) STATING THAT THERE WERE STILL SOME ISSUES TO BE RESOLVED WITH THE FINAL DRAFT OF THE ORDINANCE. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER HIRING AUBREY WILLIAMSON, JR IN THE SANITATION DEPT.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL DO HEREBY DEEM IT NECESSARY TO HIRE A FULL TIME LABORER IN THE SANITATION DEPT

IT IS HEREBY ORDERED THAT AUBREY WILLIAMSON, JR BE HIRED FULL TIME AT \$8.00 PER HOUR IN THE SANITATION DEPT.

SO ORDERED THIS THE 3<sup>RD</sup> DAY OF NOVEMBER 2009

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN EQUIPMENT LEASE AGREEMENT WITH BANCORP SOUTH EQUIPMENT FINANCE FOR EIGHT (8) CROWN VICS.

EXHIBIT "F"

RESOLUTION

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING RESOLUTION ASSESSING PROPERTY CLEANUP COSTS TO 410 BRYANT ST.

EXHIBIT "G"

RESOLUTION

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDER FILING THE CLEAN UP COSTS AS A TAX LIEN AND INCLUDING THE FILING FEES. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED FOR PUBLIC COMMENT.

THEREUPON, JAMES MOORE GAVE AN UPDATE ON THE CULTURAL CENTER. MR. MOORE STATED THAT BOTH PRESENTATIONS BY JORT HAD SOLD OUT. THE UPCOMING PRESENTATION WILL BE A DINNER THEATER. MR MOORE INVITED THE MAYOR AND BOARD OF ALDERMEN TO COME TO THE SHOW.

WHEREAS, JASON RAHAIM ARRIVED, MAYOR MARX CALLED ON MR. RAHAIM TO ADDRESS THE BOARD.

THEREUPON, MR RAHAIM ADDRESSED THE BOARD REGARDING TRAILWOOD WEST PHASE IV. MR RAHAIM IS UNDER THE BELIEF THAT PHASE IV SHOULD NOT FALL UNDER THE NEWEST SET OF SUBDIVISION REGULATIONS, SPECIFICALLY THE ASPHALT THICKNESS. MR. RAHAIM PROPOSES THAT PHASE IV MOVE FORWARD UNDER THE OLD SUBDIVISION REGULATIONS. MAYOR MARX STATED THAT THE BOARD WAS NOT GOING TO APPROVE 2" ASPHALT, BUT MAY BE WILLING TO WORK WITH HIM ON OTHER PORTIONS OF THE NEW SUBDIVISION REGULATIONS. MAYOR MARX ADVISED MR. RAHAIM TO SET UP A MEETING WITH HIMSELF, AMY HEATH, PENNY LUCKEL AND ONE OR TWO ALDERMEN TO DISCUSS A COMPROMISE ON SUBDIVISION REGULATIONS FOR PHASE IV.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADJOURN THE REGULAR MEETING OF NOVEMBER 3, 2009. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN JAMES RUNNELS  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

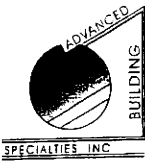
THERE BEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON NOVEMBER 3, 2009.

  
MAYOR HAL MARX

SEAL

ATTEST

  
MELISSA MARTIN, CITY CLERK



Add to 11/27 agenda

CITY OF PETAL  
MINUTE BOOK 30

EXHIBIT "A"

346



103B Ford Dr.  
Petal, MS 39465  
Phone: 601-583-4798  
Fax: 601-582-0578

October 30, 2009

"ESTIMATE"

City of Petal  
Attn: Mayor Hal Marx  
102 W. 8th Ave.  
Petal, MS 39401

Re: Estimate for ADA Compliance Work at City Hall Building

- Provide handicap signage at ADA parking in parking lot.
- Rework handicap ramp as per bid instructions at main entrance to City Hall. Install new ± 24' ADA concrete ramp. Demo existing ramp to accommodate new installation. Rework landscaping as needed at ramp area.
- Sawcut and remove existing ramped pad at entrance door to City Hall. Install new 6' x 12' concrete landing and ADA ramp for entrance to City Hall.
- Rework threshold at entrance door to tie into new concrete landing and provide smooth transition and accessibility.
- Install new lever entrance lockset on entrance door. Repair any holes left behind from removal of existing lockset. Paint complete entrance door unit exterior and interior.
- Install handrail and paint as per code.
- Reverse swing on water department door unit into hallway as per bid instructions. Use existing unit.
- Does not include ramp to water department. This ramp will probably be acceptable as is. There is reasonable access available for existing building.

Total estimate includes all labor, materials, and state taxes needed to complete above described work. \$18,573.00

Thank you for the opportunity to bid this project.

Joe McMurry Jr.

PROPOSAL	
To: The City of Petal	Date: 11/3/2009
Company:	From: Tim Hodges
Fax #:	
Project: ADA Compliance Petal City Hall	
Scope of Services	Price
1 Extend Handicap Signs to 80"	
2 Demo a portion of existing ramps, form for new ramps, form for new landing at entrance and Finish Concrete	
3 Add new handrails to both ramps	
4 Install Handicap threshold at main entrance	
5 Install Lever handle locks (2sets)	
6 Install New door and Jamb at the water office	
Total for the sum of:	\$ 17,899.00

Proposal is subject to acceptance within 30 days.

Authorizing Signature:

Date: 10/30/09

213 NORTH MAIN STREET, SUITE C • PETAL, MISSISSIPPI 39465 • (601) 582-2745. FAX (601) 544-2712

BID PROPOSAL

P. O. BOX 859 • MAGEE, MISSISSIPPI 39111 • MAGEE INDUSTRIAL PARK • 601-849-2441 • FAX 601-849-4121



SULLIVAN ENTERPRISES, INC.  
GENERAL & SPECIALTY CONTRACTORS

November 3, 2009

DATE: November 3, 2009

TO: City of Petal  
119 West Eight Street  
Petal, MS 39465

FOR: City Hall ADA Compliance  
Six Items Specified

BID OPENING: November 3, 2009 at 3:00 p.m.  
Petal City Hall

ADDENDA: none

TOTAL BID: \$ 18,900.00  
(numbers)

Eighteen Thousand Nine Hundred Dollars  
(words)

BY: Nobles Contracting LLC  
5266 Old Hwy 11 Ste 70122  
Hattiesburg, MS 39402-7817  
Ofc 601-213-0750  
Fax 601-213-0171

Herbert R. Nobles, Jr.  
member

City of Petal, MS  
PO Box 564  
Petal, MS39465

We propose to furnish all labor and material to complete all work according to your specifications City Hall ADA Compliance for the work at City Hall and Water Department for the sum of \$18,573.00  
Eighteen Thousand, Five hundred, ninety + 00/100

Sincerely,  
  
Dewey L. Sullivan  
President

Certificate of Responsibility Number: 16114



Construction  
Company, Inc.

November 2, 2009 *Miles of Construction for Over 60 Years*

The City of Petal, Mississippi  
119 West Eighth Street  
Petal, MS 39465

EXHIBIT "A"

Re: City Hall ADA Compliance Bid

Ladies and Gentlemen:

Bush Construction Company, Inc. offers the following proposal for the above project bidding on November 3, 2009.

In order to complete the work as outlined, it will first be necessary to construct a temporary ramp to the front entrance in order to maintain access for handicapped citizens while construction is proceeding. Once the temporary facilities are complete, work will start on the ramp, including demolition, forming and pouring new concrete, setting handrails, and replacing the plantings and landscaping disturbed during construction.

Next, the ramp for the entrance door will need to be demolished and re built, threshold, handle and lock works on the front door replaced, and temporary facilities removed. While work is proceeding on the entrance, access by handicap citizens will be a problem, and we plan to complete this work on the weekend while city hall is closed.

Upon completion of the work at the entrance, work in the Water Dept. Office will be completed, including removal and replacement of the handle and lock works on the main door, and re working the interior door as outlined in the bid package.

Our estimate for the above work will be \$25,880.00. According to our site survey, this should bring the City into compliance with the ADA Standards.

We hope that this meets with the City's approval. If there are any questions or if further information is needed or desired, please do not hesitate to contact us.

Very truly yours,

David A. Dodd  
Project Manager



Agreement for Collection Services

THIS AGREEMENT, made and entered into on this 4th day of November in the year 2009 between NETWORK SERVICES, INC, hereinafter called COLLECTOR, and City of Petal, hereinafter called CLIENT

WHEREAS, CLIENT desires from time to time during the term of this Agreement to submit to COLLECTOR for collection certain claims, accounts, or other evidences of indebtedness, and

WHEREAS, COLLECTOR desires to provide CLIENT with collection services with respect to claims

NOW THEREFORE, for and in consideration of the mutual covenants hereinafter set forth, it is mutually agreed by and between the parties hereto that all actions taken by CLIENT and COLLECTOR pursuant to this Agreement shall be in accordance with the following Terms and Conditions

TERMS AND CONDITIONS

1.0 All claims referred by CLIENT to COLLECTOR will be handled on a contingency fee basis with commission rates on all monies collected after claims are placed with COLLECTOR as follows.

COLLECTION FEES:

- Accounts in state .....25%
Accounts out of state..... 50%
Accounts advancing to Legal status..... 50%
No legal action will be taken without authorization of CLIENT.

- 1.1 Monies collected will be remitted to CLIENT monthly with reports reflecting a description of the collection activities
1.2 CLIENT understands all payments received by CLIENT'S office, once processing has begun regardless of the source will be subject to the agreed upon commission fee. CLIENT also agrees to report payments received at their office at least once a week. If an unreported payment is found through debtor contact, an additional fee of 15% will be added to the commission fee on that account. CLIENT agrees to periodically review payment reporting procedures with office personnel.
1.3 COLLECTOR agrees that all activities of service for CLIENT shall be carried out in compliance with all applicable federal, state, and local laws. COLLECTOR further agrees that all service activities shall be conducted peaceably and to only assign employees who are trained to the

extent necessary to insure that all collection activities undertaken are, and will be, in full compliance with all local, state, and federal law.

EXHIBIT "B"

- 1.4 CLIENT hereby warrants that all claims forwarded to COLLECTOR will be valid and legally enforceable debts, and CLIENT has complied with all applicable federal, state, and local laws with respect thereto prior to the referral of said claims to COLLECTOR. Further, CLIENT agrees to provide when requested to do so by COLLECTOR, written verification of a claim.
1.5 Claims requiring legal action will be handled by COLLECTOR only with the prior authorization of CLIENT. Court costs will be reimbursed from the first monies collected on the suit.
1.6 Compromise settlements will not be made on accounts without prior approval of CLIENT.
1.7 CLIENT agrees to discontinue the mailing of monthly statements from their office to prevent debtor confusion. CLIENT further agrees to notify COLLECTOR immediately upon receipt of any and all correspondence from debtor such as bankruptcy notice, attorney letters, insurance rejections, or similar matters.
1.8 CLIENT reserves the right to withdraw any account that was sent to COLLECTOR after six (6) months from date of referral if no payments or arrangement for payments have been made. Prior to the six (6) month period, any account may be returned to CLIENT if approved by Collection Manager and will be subject to a processing fee of \$15 or regular commission fee, whichever is lower. Such approval shall not be unreasonably withheld.
1.9 COLLECTOR agrees to indemnify, defend and hold CLIENT harmless from any and all losses, damages, claims and/or causes of action for any kind or character arising out of or relating to any service or collection activity performed by or at the direction of COLLECTOR.
1.10 COLLECTOR agrees not to disclose any information furnished to it by CLIENT to any third party and agrees to require all of its employees not to disclose such information, with the exception for the debtors collection account to be placed on their credit file in the Equifax Credit Information System.
1.11 COLLECTOR agrees to provide insurance coverage for its collection activities contemplated by this Agreement and for the indemnity provisions provided for in paragraph 1.9. Such coverage shall include "contractual" coverage. This provision shall survive any termination of this Agreement.
1.12 COLLECTOR agrees to obtain all necessary licenses or other approval from any and all agencies, boards, officials, departments, or other government or regulatory bodies in any jurisdiction, which COLLECTOR engages in collection activities
1.13 Both parties have the right to cancel or terminate this contract after the initial six (6) month period, upon 30 days written notice, provided, however, that either party may terminate this Agreement immediately should the other party breach any of the terms of this Agreement.
1.14 It is understood and agreed that COLLECTOR'S services are made available and provided as an "independent contractor" only, and that CLIENT does not engage or appoint COLLECTOR as its agent or employee in connection with such services.
1.15 By signing this agreement, CLIENT also consents to COLLECTOR communicating with CLIENT by fax, email, or any other form of delivery of written communications. COLLECTOR hereby consents to the same from CLIENT.

1.16 This Agreement may not be assigned to any third party by COLLECTOR without CLIENT'S prior consent.

THIS AGREEMENT, Consists of 3 pages including the TERMS AND CONDITIONS, and constitutes the entire Agreement between the parties hereto and cannot be amended, modified or canceled in any respect except by an amendment in writing signed by both parties

IN WITNESS WHEREOF, the parties have hereunto set their clearly authorized signatures this day and year shown below.

CITY OF PETAL

NETWORK SERVICES, INC.

By: [Signature]

By: \_\_\_\_\_

PRINT NAME: Hal Marx

TITLE: \_\_\_\_\_

TITLE: Mayor

DATE: 11-18, 2009

DATE: \_\_\_\_\_, 2009

TELEPHONE: 601-545-1776

TELEPHONE: 1-800-544-0390, EXT 441

FAX: 601-545-6685

FAX: 601-583-5475

PHYSICAL ADDRESS

PHYSICAL ADDRESS

\_\_\_\_\_

810 Hardy Street
Hattiesburg, MS 39403

MAILING ADDRESS

MAILING ADDRESS

Post Office Box 564

Post Office Box 1725

Petal, Ms 39465

Hattiesburg, MS 39403

CONTACT PERSON: Hal Marx

OTHER IMPORTANT TELEPHONE NUMBERS:

EMAIL: \_\_\_\_\_

MANAGEMENT: Extension 441 or 601-583-5441

OPERATIONS: Extension 445 or 601-583-5445

COLLECTION MGR: Extension 451 or 601-583-5451

MARKETING: Extension 444 or 601-583-5444

EMAILS:

MANAGEMENT: htm100@nscollect.com

ACCOUNT PROCESSING OR BILLING QUESTIONS: ops@nscollect.com

CUSTOMER SERVICE: info@nscollect.com

THANK YOU FOR CHOOSING NSI!

**Municipal Compliance Questionnaire**

As part of the municipality's audit, the governing authorities of the municipality must make certain assertions with regard to legal compliance. The municipal compliance questionnaire was developed for this purpose.

The following questionnaire and related certification must be completed at the end of the municipality's fiscal year and entered into the official minutes of the governing authorities at their next regular meeting.

The governing authorities should take care to answer these questions accurately. Incorrect answers could reduce the auditor's reliance on the questionnaire responses, resulting in the need to perform additional audit procedures at added cost.

**Information**

*Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no," and, as a result, more information on this questionnaire may be required and/or separate work papers may be needed.*

- 1. Name and address of municipality:  
CITY OF PETAL, P O BOX 564, PETAL, MS 39465
- 2. List the date and population of the latest official U.S. Census or most recent official census:  
2000 - 9816
- 3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney):  
\_\_\_\_\_
- 4. Period of time covered by this questionnaire:  
From: OCTOBER 1, 2008 To: SEPTEMBER 30, 2009
- 5. Expiration date of current elected officials' term: JUNE 2013

IV-B6

Answer All Questions: Y - YES, N - NO, N/A - NOT APPLICABLE

**EXHIBIT C**

**PART I - General**

- 1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) Y
- 2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27) Y
- 3. Are municipal records open to the public? (Section 25-61-5) Y
- 4. Are meetings of the board open to the public? (Section 25-41-5) Y
- 5. Are notices of special or recess meetings posted? (Section 25-41-13) Y
- 6. Are all required personnel covered by appropriate surety bonds? Y
  - Board or council members (Sec. 21-17-5)
  - Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter) Y
  - Municipal clerk (Section 21-15-38) Y
  - Deputy clerk (Section 21-15-23) Y
  - Chief of police (Section 21-21-1) Y
  - Deputy police (Section 45-5-9) (if hired under this law)
- 7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19) Y
- 8. Are minutes of board meetings signed by the mayor or majority of the board within 30 days of the meeting? (Section 21-15-33) Y
- 9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53) Y
- 10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) Y

IV-B6

- 11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31) Y
  - 12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? (Section 21-35-31 or 21-17-19) Y
- PART II - Cash and Related Records**
- 1. Where required, is a claims docket maintained? (Section 21-39-7) Y
  - 2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9) Y
  - 3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7) Y
  - 4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13) Y
  - 5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13) Y
  - 6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9) Y
  - 7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23) Y
  - 8. Has the municipality held a public hearing and published its adopted budget? (Sections 21-35-5, 27-39-203, & 27-39-205) Y
  - 9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25) Y
- If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25) Y

IV-B7

- 11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) Y
  - 12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) Y
  - 13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) Y
  - 14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) Y
  - 15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) Y
  - 16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution) -- Sections 21-19-45 through 21-19-59, etc.] Y
  - 17. Are fixed assets properly tagged and accounted for? (Section II - Municipal Audit and Accounting Guide) Y
  - 18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y
  - 19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) Y
- PART III - Purchasing and Receiving**
- 1. Are bids solicited for purchases, when required by law (written bids and advertising)? [Section 31-7-13(b) and (e)] Y
  - 2. Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] Y
  - 3. Are all one-source item and emergency purchases documented on the board's minutes? [Section 31-7-13(m) and (k)] Y
  - 4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23) Y

IV-B8

EXHIBIT "C"

PART IV - Bonds and Other Debt

1. Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) Y
2. Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) Y
3. Have the required trust funds been established for utility revenue bonds? (Section 21-27-65) Y
4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) Y
5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) Y

PART V - Taxes and Other Receipts

1. Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167) Y
2. Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53) N/A
3. Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63) N/A
4. Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53) Y
5. Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321) Y
6. Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) Y
7. Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) Y
8. Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) Y

9. Has the municipality levied or appropriated not less than 1/4 mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39) Y
10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73, 83-39-31, etc.) Y
11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21) Y
12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1) Y

IV-B9

IV-B10

CITY OF PETAL

Certification to Municipal Compliance Questionnaire

Year Ended September 30, 2009

We have reviewed all questions and responses as contained in this Municipal Compliance Questionnaire for the Municipality of PETAL, and, to the best of our knowledge and belief, all responses are accurate.

Melma Mathin  
(City Clerk's Signature)

Hal May  
(Mayor's Signature)

11/04/09  
(Date)

11/04/09  
(Date)

Minute Book References:

Book Number 30

Page \_\_\_\_\_

(Clerk is to enter minute book references when questionnaire is accepted by board.)



American Institute of  
Certified Public Accountants

# King CPA, PLLC

206 Hwy 42 P.O. Box 1182  
Petal, MS 39465  
Telephone 601-544-9795...Fax 601-544-9793

Mississippi Society of  
Certified Public Accountants

## INDEPENDENT AUDITOR'S REPORT

Honorable Mayor, Members of the  
Board of Alderman and City Clerk  
City of Petal, Mississippi

We audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate discretely presented component unit and the aggregate remaining fund information of the City of Petal, as of and for the year ended September 30, 2008, which collectively comprise the City of Petal's basic financial statements as listed in the table of contents. These financial statements are the responsibility of City of Petal's management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate discretely presented component unit and remaining fund information of the City of Petal, as of September 30, 2008, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 29, 2009, on our consideration of the City of Petal's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance.

## CITY OF PETAL MINUTE BOOK

That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit. 351

The City of Petal has not presented Management's Discussion and Analysis that accounting principles generally accepted in the United States of America has determined is necessary to supplement, although not required to be part of, the basic financial statements.

## EXHIBIT "D"

The other supplementary information section which includes the Schedule of Surety Bonds for Municipal Officials is presented for the purposes of additional analysis as required by the Mississippi Department of State Auditor and is not a required part of the basic financial statements. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we express no opinion on it.

King CPA, PLLC

King CPA, PLLC, PLLC  
Petal, MS  
September 29, 2009

**CHANGE ORDER**

CITY OF PETAL  
MINUTE BOOK 30

**EXHIBIT "E"**

OWNER  
ARCHITECT  
CONTRACTOR  
FIELD  
OTHER

PROJECT: Pressbox Complex Petal City Park - Pressbox/Concession Stand 607 Hillcrest Loop Petal, MS 39465	CHANGE ORDER #: 3
	CHANGE ORDER DATE: 10/30/2009
	PROJECT #s: Pressbox/Concession
TO: Advanced Building Specialties, Inc. 213 N. Main Street Petal, MS 39465	DATE OF CONTRACT: 05/12/2009
	FOR: Construction of Pressbox/Concession Stand

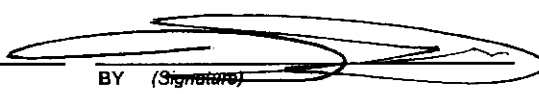
The Contract is changed as follows:

Change Order 003 - Installed Utility Sink and Wall-Mounted Hand Sink in concession area as required for Health Dept.

The original Contract Sum was	\$340,056.00
The net change by previously authorized Change Orders is	\$7,300.00
The Contract Sum prior to this Change Order was	\$347,356.00
The Contract Sum will be increased by this Change Order in the amount of	\$860.33
The new Contract Sum including this Change Order will be	\$348,216.33
The Contract Time will be unchanged.	0 days.
The date of Substantial Completion as of this Change Order therefore is	

**Not valid until signed by all parties below.**

Bill Rodgers, A.I.B.D.	Advanced Building Specialties, Inc.	City of Petal
ARCHITECT	CONTRACTOR	OWNER
ADDRESS	213 N. Main Street	102 W. 8th Avenue
	ADDRESS	ADDRESS
	Petal, MS 39465	Petal, MS 39465

BY (Signature)		BY (Signature)
Bill Rodgers	Joe McMurry Jr.	City Clerk/Board of Alderman
(Typed Name)	(Typed Name)	(Typed Name)
DATE	DATE 10/30/2009	DATE

7029 70123-012

RESOLUTION AUTHORIZING AND APPROVING EXECUTION  
OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH  
BANCORPSOUTH EQUIPMENT FINANCE, A DIVISION OF BANCORPSOUTH  
BANK  
FOR THE PURPOSE OF LEASE-PURCHASING CERTAIN EQUIPMENT

WHEREAS, the Mayor and the Board of Aldermen, the Governing Body (the "Governing Body") of City of Petal, Mississippi (the "Lessee"), acting for and on the behalf of the Lessee hereby finds, determines and adjudicates as follows:

1. The Lessee desires to enter into an Equipment Lease-Purchase Agreement with the Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" (the "Agreement") with BancorpSouth Equipment Finance, a division of BancorpSouth Bank (the "Lessor") for the purpose of presently purchasing the equipment as described therein for the total cost specified therein (collectively the "Equipment") and to purchase such other equipment from time to time in the future upon appropriate approval;

The Lessee is authorized pursuant to Section 31-7-13(c) of the Mississippi Code of 1972, to acquire equipment and furniture by Lease-Purchase agreement and pay interest y contract for a term not to exceed 5 years;

It is in the best interest of the residents served by Lessee that the Lessee acquire the Equipment pursuant to and in accordance with the terms of the Agreement; and

4. It is necessary for the Lessee to approve and authorize the Agreement.

5. The Lessee desires to designate the Agreement as a qualified tax-exempt obligation of Lessee for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986 (the "Code").

NOW, THEREFORE, BE IT RESOLVED by this Governing Body for and on behalf of the Lessee as follows:

Section 1. The Agreement and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" by and between the Lessor and the Lessee is hereby approved and Mayor Hal Marx (the "Authorized Officer") is hereby authorized and directed to execute said Agreement on behalf of the Lessee.

Section 2. The Agreement is being issued in calendar year 2009.

Section 3. Neither any portion of the gross proceeds of the Agreement nor the Equipment identified to the Agreement shall be used (directly or indirectly) in a trade or business carried on by any person other than a governmental unit, except for such use as a member of the general public.

Section 4. No portion of the rental payments identified in the Agreement (a) is secured, directly or indirectly, by property used or to be used in a trade or business carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to Lessee) in respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a governmental unit.

Section 5. No portion of the gross proceeds of the Agreement are used (directly or indirectly) to make or finance loans to persons other than governmental units.

Section 6. Lessee hereby designates the Agreement as a qualified tax-exempt obligation for purposes of Section 265(b) of the Code.

Section 7. In calendar year 2009, Lessee has designated \$ 200,000 of tax-exempt obligations (including the Agreement) as qualified tax-exempt obligations. Including the Agreement herein so designated, Lessee will not designate more than \$30,000,000 of obligations issued during calendar year 2009 as qualified tax-exempt obligations.

Section 8. Lessee reasonably anticipates that the total amount of tax-exempt obligations (other than private activity bonds) to be issued by Lessee during calendar year 2009 will not exceed \$30,000,000.

Section 9. For purposes of this resolution, the amount of Tax-exempt obligations stated as either issued or designated as qualified tax-exempt obligations includes tax-exempt obligations issued by all entities deriving their issuing authority from Lessee or by an entity subject to substantial control by Lessee, as provided in Section 265(b)(3)(E) of the Code.

Section 10. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Lessee to do all things necessary in furtherance of the obligations of the Lessee pursuant to the Agreement, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

EXHIBIT "A"

Following the reading of the foregoing resolution, Alderman Stringer moved that the foregoing resolution be adopted, Alderman Clayton seconded the motion for its adoption. The Mayor put the question to a roll call vote and the result was as follows:

Alderman Clayton Voted: Aye  
Alderman Ducker Voted: Aye  
Alderman Hinton Voted: Aye  
Alderman Runnels Voted: Aye  
Alderman Stringer Voted: Aye  
Voted: \_\_\_\_\_  
Voted: \_\_\_\_\_

The motion having received the affirmative vote of all members present, the Mayor declared the motion carried and the resolution adopted this the 3 day of November, 2009.

Hal Marx, Mayor  
(presiding officer), Title

ATTEST:

Melina Martin

(SEAL)

RESOLUTION  
EXHIBIT "G"

WHEREAS, Section 21-19-11 of the Mississippi Code of 1972, Annotated, authorizes the governing authorities of municipalities to adjudicate the actual cost to the City of Petal for cleaning properties that have been determined to be in such a state of uncleanness as to be a menace to the public health and safety of the community, and that the owner has failed, after appropriate notice, to clean said property; and

WHEREAS, the following property has been cleaned by the City of Petal on or about the 30<sup>TH</sup> of September, 2009 , on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Petal, Mississippi:

Section 1. That the City Board of the City of Petal, Mississippi does hereby adjudicate and direct the placement as an assessment the cleanup cost, not to exceed the value of the property per State Law, against the following described property:

OWNER/LEGAL	ADDRESS	PARCEL NUMBER	CLEAN-UP COST
John A. Lagrone	410 Bryant St	3-021F-30-051.00	\$1555.00

LOT 3 BLK 8 E FORREST EST 1<sup>ST</sup> ADD DB527 P551 6/83  
BK 627 PG 120 12/27/1989 PREV#P62505202-001 6/91 652/646

Section 2. That public interest and necessity requiring same, this resolution shall become effective immediately from and after passage.

Section 3. A copy of this Resolution will be certified and recorded in the Chancery Clerk's Office of Forrest County, Mississippi.

The foregoing Resolution having been reduced to writing, the same was introduced by Alderman Stringer . Seconded by Alderman Clayton and was adopted by the following vote, to-wit:

Those present and voting "AYE"

Alderman David Clayton  
Alderman Tony Ducker  
Alderman Willie Hinton  
Alderman James Runnels  
Alderman Steve Stringer

Those present and voting "NAY"

None

The Mayor hereby declared the motion carried and the Resolution adopted, this the 3rd day of November, A. D., 2009.

  
\_\_\_\_\_  
Hal Marx, Mayor

(SEAL)

ATTEST:

  
\_\_\_\_\_  
Melissa Martin, City Clerk