

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 OCTOBER 19, 2010 AT 6:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT	MAYOR HAL MARX
CITY ATTORNEY	DAPHNE LANCASTER
ALDERMEN	DAVID CLAYTON TONY DUCKER WILLIE HINTON JAMES RUNNELS STEVE STRINGER
OTHERS	ADA MADISON BUBBA NOBLES GERTIE HOLLINGSWORTH TOMMYE CORLEY 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:

SEMINARS & TRAVEL

OMIT #2

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. 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 MINUTES OF THE REGULAR MEETING OF OCTOBER 5, 2010.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF OCTOBER 5, 2010 AS WRITTEN. 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 FOR PUBLIC COMMENT.

THERE WAS NONE.

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY PEOPLE'S BANK INTEREST IN THE AMOUNT OF \$13,261.26 FOR THE 2001 G/O BONDS.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY PEOPLE'S BANK INTEREST IN THE AMOUNT OF \$13,261.26 FOR THE 2001 G/O BONDS. 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 ACCEPT THE AGREEMENT WITH JORT FOR DATES OF USE FOR THE 2010-2011 SEASON.

EXHIBIT "A"

AGREEMENT

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE AGREEMENT WITH JORT FOR DATES OF USE FOR THE 2010-2011 SEASON. 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

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR AN ADJUSTMENT TO THE WATER SERVICES BILLED TO 121 S GEORGE ST.

THEREUPON, ALDERMAN STRINGER NOTED EVIDENCE OF A REPAIRED LEAK AND MADE A MOTION TO AUTHORIZE AN ADJUSTMENT IN THE AMOUNT OF \$181.00 TO WATER SERVICES BILLED TO 121 S GEORGE ST. 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 AN ADJUSTMENT TO THE WATER SERVICES BILLED TO 6 BRANDEN LANE, APT 1.

THEREUPON, ALDERMAN STRINGER NOTED EVIDENCE OF A REPAIRED LEAK AND MADE A MOTION TO AUTHORIZE AN ADJUSTMENT IN THE AMOUNT OF \$238.00 TO WATER SERVICES BILLED TO 6 BRANDEN LANE, APT 1. 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 AN ADJUSTMENT TO THE WATER SERVICES BILLED TO 261 CORINTH RD.

THEREUPON, MR. CAMPBELL ADDRESSED THE BOARD CONCERNING HIS BILL. MR. CAMPBELL ADVISED THAT THE CITY'S BUSHHOG DAMAGED HIS METER CAUSING THE LEAK. THE WATER DEPT HAS SINCE REPAIRED THE METER AND AT THIS TIME HE WOULD LIKE HIS BILL TO BE ADJUSTED TO THE AVERAGE MONTHLY BILL.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE TANYA CARTER TO MAKE THE ADJUSTMENTS TO MR. CAMPBELL'S BILL AFTER THE NEXT MONTH'S BILLING TO CONFIRM THAT ALL WATER LOSS THROUGH THE LEAK HAS BEEN DETECTED. 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 PAY PEOPLE'S BANK INVOICE 7111 FOR 2001 G/O BOND ADMINISTRATIVE FEES IN THE AMOUNT OF \$2,489.42.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY PEOPLE'S BANK INVOICE 7111 IN THE AMOUNT OF \$2,489.42 FOR 2001 G/O BOND ADMINISTRATIVE FEES. 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 QUOTE FROM WATERS INT'L FOR A SENIOR CITIZEN VAN IN THE AMOUNT OF \$48,635.00.

EXHIBIT "B"

QUOTES

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE QUOTE FROM WATERS INT'L FOR A SENIOR CITIZEN VAN IN THE AMOUNT OF \$48,635.00. 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 TO APPOINT KENNY MOORE AS WARD 3 PARKS AND RECREATION COMMISSIONER.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO APPOINT KENNY MOORE AS WARD 3 PARKS AND RECREATION COMMISSIONER FOR A TERM TO EXPIRE SEPTEMBER 30, 2012. 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 DISCUSS THE CITY'S PERSONAL/SICK TIME ACCRUAL POLICY.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TABLE THE REQUEST UNTIL EMPLOYEES MAY BE NOTIFIED OF A POSSIBLE HANDBOOK AMENDMENT. 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

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT A LEASE/PURCHASE AGREEMENT FOR THE PURCHASE OF THE SENIOR CITIZEN VAN.

EXHIBIT "C"

LEASE PURCHASE QUOTES

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO ACCEPT THE LEASE PURCHASE AGREEMENT WITH TRUSTMARK FOR THE SENIOR CITIZEN VAN. 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 ACCEPT THE PROFESSIONAL SERVICES AGREEMENT EXTENSION WITH SYSCON.

EXHIBIT "D"

SERVICE AGREEMENT EXTENSION

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO ACCEPT THE PROFESSIONAL SERVICES AGREEMENT EXTENSION WITH SYSCON AT A RATE OF \$9.94 PER JUDICIAL CASE. 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

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PURCHASE THREE COMPUTERS FROM SECURE NETWORKS IN THE AMOUNT OF \$3138.00.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE THE POLICE DEPT TO PURCHASE THREE COMPUTERS FROM SECURE NETWORKS IN THE AMOUNT OF \$3138.00 TO BE PAID FOR UNDER THE LEASE PURCHASE AGREEMENT WITH BANCORP SOUTH. 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 PURCHASE BOOKING SOFTWARE AND CAMERA FROM HUNTER SMART GROUP IN THE AMOUNT OF \$3160.00.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE THE POLICE DEPT TO PURCHASE BOOKING SOFTWARE AND CAMERA FROM HUNTER SMART GROUP IN THE AMOUNT OF \$3160.00 TO BE PAID FOR UNDER THE LEASE PURCHASE AGREEMENT WITH BANCORP SOUTH. 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 PURCHASE TWO COMPUTERS FROM SECURE NETWORKS IN THE AMOUNT OF \$2142.00.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE THE POLICE DEPT TO PURCHASE TWO COMPUTERS FROM SECURE NETWORKS IN THE AMOUNT OF \$2142.00 TO BE PAID FOR UNDER THE LEASE PURCHASE AGREEMENT WITH BANCORP SOUTH. 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 DISPOSE OF THE 2005 STERLING TRUCK IN THE SANITATION DEPT.

THEREUPON, ALDERMAN DUCKER MADE A MOTION THAT THE 2005 STERLING TRUCK, VIN# 2FZHATDJ65AU38850 BE DEEMED SALVAGE AND THE TITLE SIGNED OVER TO DEEP

SOUTH TRUCKING FOR A \$2400 TRADE IN ON A NEWER 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 TO TRANSFER THE 2006 GMC 3500 FROM THE CENTRAL FUELING STATION TO THE FIRE DEPT.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TRANSFER THE 2006 GMC 3500, VIN #1GDJC34D37E104663, FROM THE CENTRAL FUELING STATION TO THE FIRE DEPT. 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 RESIGNATION OF JASON WILSON IN THE FIRE DEPT.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE RESIGNATION OF JASON WILSON IN THE FIRE DEPT. 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

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE REVENUE & EXPENDITURES REPORT FOR THE MONTH OF SEPTEMBER 2010.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE REVENUE & EXPENDITURES REPORT FOR THE MONTH OF SEPTEMBER 2010. 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 PRIVILEGE LICENSE REPORT FOR THE MONTH OF SEPTEMBER 2010.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF SEPTEMBER 2010. 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 BILL HOLTON TO ATTEND SEXUAL ASSAULT TRAINING IN BILOXI, MS ON 11/1 – 11/3/10.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE BILL HOLTON TO ATTEND SEXUAL ASSAULT TRAINING IN BILOXI, MS ON 11/1 – 11/3/10 AND TO PAY EXPENSES. 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 JASON JAMES TO ATTEND NRA HANDGUN INSTRUCTOR SCHOOL IN PEARL, MS ON 11/1-11/5/10.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE JASON JAMES TO ATTEND NRA HANDGUN INSTRUCTOR SCHOOL IN PEARL, MS ON 11/1-11/5/10 AND TO PAY EXPENSES. 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 SETH COX TO ATTEND MSFA RECRUIT FIRE TRAINING ON 10/25/10.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE SETH COX TO ATTEND MSFA RECRUIT FIRE TRAINING ON 10/25/2010 FOR A SIX WEEK PERIOD AND TO PAY EXPENSES. 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 FOLLOWING ORDER PROMOTING CHANCE GARDNER TO 1ST CLASS OFFICER.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL DEEM IT NECESSARY TO
PROMOTE CHANCE GARDNER

IT IS HEREBY ORDERED THAT CHANCE GARDNER
BE PROMOTED TO 1ST CLASS OFFICER AT A
RATE OF \$14.70 PER HOUR EFFECTIVE 10/20/10

SO ORDERED THIS THE 19TH DAY OF OCTOBER, 2010

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDER.
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 ORDER PROMOTING ORRIN THOMAS TO 2ND CLASS OFFICER.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL DEEM IT NECESSARY TO
PROMOTE ORRIN THOMAS

IT IS HEREBY ORDERED THAT ORRIN THOMAS
BE PROMOTED TO 2ND CLASS OFFICER AT
\$14.21 PER HOUR EFFECTIVE 10/20/10

SO ORDERED THIS THE 19TH DAY OF OCTOBER 2010

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO ADOPT THE FOREGOING ORDER.
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 THE FOLLOWING ORDER HIRING CARLTON SIMS AS
A PART TIME POLICE OFFICER.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN
DEEM IT NECESSARY TO HIRE A PART TIME OFFICER

IT IS HEREBY ORDERED THAT CARLTON SIMS BE
HIRED AS PART TIME POLICE OFFICER AT \$9.66 PER HOUR
EFFECTIVE 10/20/2010

SO ORDERED THIS THE 19TH DAY OF OCTOBER 2010

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDER.
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 ORDER HIRING MARION SIMS AS
PART TIME POLICE OFFICER.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL DEEM IT NECESSARY TO HIRE
A PART TIME POLICE OFFICER

IT IS HEREBY ORDERED THAT MARION SIMS BE HIRED
AS PART TIME POLICE OFFICER AT A RATE OF \$9.66
PER HOUR EFFECTIVE 10/20/2010

SO ORDERED THIS THE 19TH DAY OF OCTOBER 2010

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ADOPT THE FOREGOING ORDER.
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 THE FOLLOWING ORDER TRANSFERRING DANIEL
MEADOWS TO FULL TIME STATUS.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL DEEM IT NECESSARY TO
FILL A FULL TIME POSITION IN THE RECREATION DEPT

IT IS HEREBY ORDERED THAT DANIEL MEADOWS BE
TRANSFERRED TO FULL TIME STATUS IN THE RECREATION
DEPT AT A RATE OF \$9.22 PER HOUR EFFECTIVE 10/20/10

SO ORDERED THIS THE 19TH DAY OF OCTOBER 2010

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDER.
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 ORDINANCE 2004 (103-B) AUTHORIZING THE MAYOR TO MAKE ADJUSTMENTS TO WATER BILLS FOR REVIEW.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO BEGIN THE REVIEW PERIOD FOR ORDINANCE 2004 (103-B). 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 FOLLOWING RESOLUTION EXECUTING THE LEASE PURCHASE AGREEMENT WITH BANCORP SOUTH FOR POLICE DISPATCH EQUIPMENT.

EXHIBIT "E"

RESOLUTION

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. 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 LETTER FROM MS RURAL WATER ASSOCIATION ACKNOWLEDGING JAMES RUNNELS AND TONY DUCKER FOR WATER BOARD CERTIFICATION.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE CERTIFICATE OF TONY DUCKER AND JAMES RUNNELS 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 CLEAR THE ROOM TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO CLEAR THE ROOM TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION. 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

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO ENTER INTO EXECUTIVE SESSION. ALDERMAN STRINGER SECONDED THE MOTION TO DISCUSS A POTENTIAL EMPLOYEE.

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

THEREUPON, ALDERMAN DUCKER MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION. 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

NO OFFICIAL ACTION WAS TAKEN IN EXECUTIVE SESSION.

WHEREAS, MAYOR MARX PRESENTED AN ORDER HIRING GRANT CROWDER IN THE FIRE DEPARTMENT

THEREUPON, THE REQUEST DIED DUE TO LACK OF A MOTION.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ADJOURN THE REGULAR MEETING OF OCTOBER 19, 2010. 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

THERE BEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON OCTOBER 19, 2010



MAYOR HAL MARX

SEAL

ATTEST


MELISSA MARTIN, CITY CLERK

**AGREEMENT BETWEEN THE CITY OF PETAL AND JUST OVER
EXHIBIT "A"
THE RAINBOW THEATER (JORT)**

The City of Petal hereby agrees to give the Just Over the Rainbow Theater, Inc. (JORT) priority use of the auditorium and stage area of the Petal Cultural Arts Center for the 2010-2011 theater season.

Under the terms of this agreement, JORT will have priority use of the auditorium and stage for the following dates:

Monday, September 20, 2010 through Sunday, November 7, 2010.

Monday, January 17, 2011 through Sunday, March 6, 2011.

Summer Youth Theater 2011, on dates to be determined and agreed upon by the City of Petal and JORT.


JORT will designate a representative to communicate with the director of the Cultural Arts Center. JORT will provide the director of the Cultural Arts Center a weekly schedule of rehearsals and performances in a timely manner. The Cultural Center Director will, in turn, notify JORT in a timely manner if the auditorium area has been requested by an outside group.

The City of Petal reserves the right to allow limited use of the auditorium during the above periods, provided it does not interfere with JORT's rehearsals or performances.

In addition, JORT will have use of the storage facilities inside the Cultural Arts Center for furniture, props and costumes, with only designated persons on the JORT Board, designated directors, and authorized City of Petal personnel having access. Use of the storage facilities will be for the duration of the 2010-2011 theater season.

For priority use of the auditorium and stage areas of the Cultural Arts Center and storage of materials during the 2010-2011 season, JORT will pay rent to the City of Petal in the amount of \$400 per month, due on or about the first of each month, beginning August 1, 2010 and continuing through July 1, 2011.

This agreement shall be in effect from date of approval by the Mayor and Board of Aldermen of the City of Petal until July 31, 2011.



Hal Marx
Mayor, City of Petal

Deborah Hardy
President, JORT

TRANSPORTATION

The Bus Center

Patrick Cunningham

1400 McCain Parkway
 Pelham, AL 35124
 Toll-Free 1 800 367 9141
 Local Phone 205 663 1167
 Fax 205 663 1991

**CITY OF PETAL
 MINUTE BOOK 31**

Price \$48,653.00 Plus any taxes

362

Delivery Available Now

Proposal For City of Petal

Model: Starcraft Allstar
 12 Passengers Plus 2 or 2 Wheel Chairs

October 6, 2010

Please feel free to call me anytime regarding this quote. Thank you for this opportunity and I look forward to doing business with you in the near future.

EXHIBIT "B"

Sincerely

Greg Patterson
 Waters Truck and Tractor
 PO Box 8344
 Columbus, MS 39703

Servicing location

Waters International
 80 S&K Drive
 Hattiesburg, MS 39401

<p><u>Chassis Specifications:</u> 2010 Ford E 350 Chassis 158 Wheelbase 6.0 Liter V-10 Gasoline Engine 12 3000 RPM Cruise Control 37 Gallon Fuel Tank 15 3000 BTU Front A/C 20 000 BTU Front Heat GM 123 Stop-Absorber 3 Year 36 000 Mile Limited Warranty 3 Year 60 000 Mile Power Train Warranty</p> <p><u>Body Specifications:</u> 2011 22' Allstar Body Projective 2nd Legs Electric Aluminum Side Walls Aluminum Roof 3/4" Plywood Floor High Back Drivers Seat Left Hand Entrance Grab Rail Emergency Side Exit (Egress) Windows Complete Undercoat and Insulation 1 Year 12 000 Mile Warranty</p> <p><u>Body Equipment:</u> Body Battery Disconnect Switch Interior Round Corner Mirror Mud Deflect Shield for Side Mounted Camera Gray Cloth on Ceiling Gray FRP on Side Walls and Rear Wall Padded Vinyl in Drivers Area Gray Vinyl Flooring w/ Ribbed Mat 3/4" Marine Teak Plywood Paint Scheduling Inspection Plate in Floor Drivers Routing Board Rear Tow Hooks 6 1/2" Dia. Flip-Turn Doors Removable Heated Seats Spare Tire (clipped) Under</p> <p><u>Terms and Conditions:</u> All Rights, Design and Inspection Subject to Change 10% Retention</p>	<p><u>Body Equipment Continued:</u> ACC Climate Control Rear A/C System (63 000 BTU) Rear Heater 63 000 BTU Delimeter Fan in Drivers Area Bronze in Emergency Windows Bronze Box and Tray Circuit Breakers in Front of Pass ADA Stop Request (Pull Cord) Axle Brakes W/ing Diagram Front and Side Location Signs Mirrored Marker Lights LED Marker and Tail Light LED Upper Corner Above Brake Light P/S System with External Speaker Manually Operated Passenger Entry Door 2 Emergency Egress Windows per Side Double Wheelchair Lift Doors Behind Rear Axle Braun Country Wheelchair Lift Insomonic Face Lids with Interlock 2-Q Straint QRT L. D. L. Restraints Tie Down ADA Priority Seating Sign Wheelchair Decals DR First Aid Kit First Aid Kit Body Fluid Kit O.P.K. Kit Emergency Triangle Kit Available Reverse Alarm Indicator Mirror 6" x 6" Red Light On in Emergency Exit White Passenger Standee Line in Floor 2 Ceiling Grab Rails Gray Rail Parallel to Entrance Steps Stratched and Molded Panel Behind Drivers Seat Latched P/S Light Panel Behind Drivers Seat High Back Drivers Seat or Perforated Vinyl (12) Perforated Mesh Back Passenger Seats (1) Low Back Foldaway Seat at Rear Level 3 Vinyl Non-Removable Seat Belts</p> <p><u>Pricing</u> Purchase Price (FOB Petal, MS) \$51,500.00</p>
---	--

This has been design of manufacturer and is subject to applicable federal motor vehicle safety standards as a type of response parameter which has been used in the design.

Goshen Bus Specifications

- 2009 Chevrolet G3500 chassis with a 6.0 liter gas engine
- 12+2 Passenger Capacity, Freedman mid high-back seats Level 1 upholstery
- Arm Rests
- Gray floor
- Tinted Windows
- AM FM/CD radio
- Rear Heater
- A/C front and rear (55,000 BTU)
- Exterior Entrance Light
- Mud Flaps
- Running Board Drivers Door
- Rear emergency door with two windows
- Safety equipment
- Extra Insulation
- Electric Entrance Door with exterior key
- Fast Idle
- Fuel tanks access plate
- 3/4" Plywood marine grade flooring
- Back up alarm
- Additional speakers
- Rear centered brake light LED
- Exterior lights LED
- Entrance grab rails both sides stainless steel
- Heated mirrors
- 2-Q-straint QRT tiedown system
- Braun Wheelchair lift
- Painted Solid White



October 15, 2010

Post Office Box 1071
Hattiesburg, MS 39401
(601) 544-8100 phone
(601) 583-5307 fax
www.trustmark.com

**CITY OF PETAL
MINUTE BOOK 31**

Term		Interest Rate	
24 month	2.40		

Item	Amount	Balance
1	24,000.00	24,000.00
2	24,000.00	24,000.00
Total	48,000.00	48,000.00

Item	Amount	Balance
1	24,000.00	24,000.00
2	24,000.00	24,000.00
Total	48,000.00	48,000.00

EXHIBIT "C"

City of Petal
P.O. Box 584
Petal, MS 39465

Dear Ladies and Gentlemen of the Council:

Thank you for the opportunity to provide a lease purchase financing quote to the City of Petal. For the requested financing of 2009 Bus in the amount of \$48,635.00, Trustmark is pleased to offer the following tax-exempt, bank-qualified interest rates for the note:

Term	Interest Rate
24 month	2.40

The offer is subject to the following general terms and conditions:

- AUTHORITY:** The Lease and other documentation will be authorized and entered into in accordance with State law. An opinion of counsel regarding the legality of the transaction will be required subject to Trustmark's satisfaction. Further, this transaction must be designated by a resolution on or order of the Board as a "qualified tax exempt obligation" pursuant to Section 265 of the Internal Revenue Code.
- DOCUMENTATION:** Trustmark will provide the Lease-Purchase Agreement needed to undertake this transaction at no cost to the City. The City agrees to provide to Trustmark other customary documentation for this type transaction including, but not limited to, an opinion of counsel to the effect that the interest payments are exempt from all federal and state taxation. The City, through its Council, agrees to enter into such documentation, pending the Council attorney's approval. The City will also complete an IRS Form 8038 GISC in a timely manner and provide a copy to Trustmark.
- EXPIRATION OF RATE AND NOTICE OF FUNDING:** The aforementioned quote will expire at midnight November 15, 2010, unless funded prior to then by the City or extended by mutual agreement between Trustmark and the City.

We hope the above information is to your satisfaction. If you have any questions, please call me at 601-533-5305.

Sincerely,

Drew Stiders
Assistant Vice President
TRUSTMARK NATIONAL BANK

*People you trust.
Advice that works.*



10/14/2010

City of Petal
P.O. Box 584
Petal, MS

It is a pleasure to submit for your consideration the following proposal to provide lease-purchase financing based on the terms and conditions set forth below.

- Lessor:** BancorpSouth Equipment Finance, a division of BancorpSouth Bank
- Lessee:** City of Petal
- Equipment Description:** 1 2009 Chevrolet 3500 Bus
- Equipment Cost:** \$48,635.00
- Lease Term:** 15 Months
- Lease Payments:** (These are approximate payment amounts. The actual payment will be determined at funding date)
2 payments of \$24,896.83
Payment in arrears
- Lease Rate:** 3.11%
- Funding Date:** This proposal is contingent upon the equipment being delivered and the lease funded prior to 12/31/2010. If the equipment is not delivered and the lease funded prior to 12/31/2010, this proposal is null and void. Any extension of the funding date must be in writing.
- Purchase Option:** Title is passed to Lessee at lease expiration for no further consideration.
- Non-appropriation/Termination:** The lease provides that Lessee is to make reasonable efforts to obtain funds to satisfy the obligation in each fiscal year. However, the lease may be terminated without penalty in the event of non-appropriation. In such event, the Lessee agrees to provide an attorney's opinion confirming the events of non-appropriation and Lessee's exercise of diligence to obtain funds.

11. Bank Qualification: This lease-purchase financing shall be designated as a bank qualified tax-exempt transaction as per the 1986 Federal Tax Bill. This means that the Lessee's governing body will pass a resolution stating that it does not anticipate issuing more than \$30 million in General Obligation debt or other debt falling under the Tax Bill's definition of qualifying debt during the calendar year that the lease is funded.

12. Tax Status: This proposal is subject to the Lessee being qualified as a governmental entity or "political subdivision" within the meaning of Section 103(a) of the Internal Revenue Code of 1954 as amended, within the meaning of said Section. Lessee agrees to cooperate with Lessor in providing evidence as deemed necessary or desirable by Lessor to substantiate such tax status.

13. Net Lease: This will be a net lease transaction whereby maintenance, insurance, taxes (if applicable), compliance with laws and similar expenses shall be borne by Lessee.

14. Financial Statements: Complete and current financial statements must be submitted to Lessor for review and approval of Lessee creditworthiness.

15. Lease Documentation: This equipment lease-purchase package is subject to the mutual acceptance of lease-purchase documentation within a reasonable time period, otherwise payments will be subject to market change.

If the foregoing is acceptable, please so indicate by signing this letter in the space provided below and returning it to BancorpSouth Equipment Finance. The proposal is subject to approval by BancorpSouth Equipment Finance's Credit Committee and to mutually acceptable terms, conditions and documentation.

This proposal expires as of the close of business on 11/30/2010. Extensions must be approved by the undersigned.

Any concerns or questions should be directed to Bob Lee at 1-800-222-1610.

Bob Lee
Vice President

ACKNOWLEDGMENT AND ACCEPTANCE

By: _____ Title _____

Date: _____

**Into Analysis
Payment Amortization Report**

Customer: City of Petal (Maasah)P
Quote ID: 043-043-001
Quote Entered Date: 10/12/10
Interest Rate: 3.1100% (Monthly)

**CITY OF PETAL
MINUTE BOOK 31**

EXHIBIT "C"

Per	Date	Payment	Principal	Interest	Principal Balance	Accrued Interest	Accrued Net Bal	Balance
0	11/20/10	0.00	0.00	0.00	48,653.00	0.00	0.00	48,653.00
1	12/20/10	0.00	0.00	0.00	48,653.00	126.63	126.63	48,779.63
	2010	0.00	0.00	0.00		126.63		
2	1/20/11	0.00	0.00	0.00	48,653.00	126.42	253.05	48,905.01
3	2/20/11	24,856.63	24,817.97	38.66	24,125.33	126.75	0.00	24,125.33
4	3/20/11	0.00	0.00	0.00	24,125.33	62.39	62.39	24,197.95
5	4/20/11	0.00	0.00	0.00	24,125.33	62.71	125.10	24,260.69
6	5/20/11	0.00	0.00	0.00	24,125.33	62.89	187.99	24,323.57
7	6/20/11	0.00	0.00	0.00	24,125.33	63.04	251.16	24,386.61
8	7/20/11	0.00	0.00	0.00	24,125.33	63.20	314.36	24,449.81
9	8/20/11	0.00	0.00	0.00	24,125.33	63.37	377.73	24,513.17
10	9/20/11	0.00	0.00	0.00	24,125.33	63.53	441.26	24,576.70
11	10/20/11	0.00	0.00	0.00	24,125.33	63.69	504.97	24,640.40
12	11/20/11	0.00	0.00	0.00	24,125.33	63.86	568.83	24,704.26
13	12/20/11	0.00	0.00	0.00	24,125.33	64.02	632.86	24,768.28
	2011	24,856.63	24,817.97	38.66		536.92		
14	1/20/12	0.00	0.00	0.00	24,125.33	64.19	697.05	24,832.47
15	2/20/12	24,856.63	24,125.33	761.49	0.00	64.36	0.00	0.00
	2012	24,856.63	24,125.33	761.49		128.72		
	Totals	49,713.26	48,653.00	1,140.96		1,140.96		

EXHIBIT "D" Professional Services Agreement Extension

This letter extends the effective dates of the August 1, 2008 Professional Services Agreement to 11/01/2010 through 10/31/2013. All terms and conditions remain unchanged except for the per case fee, which is increased from \$9.44 to \$9.94. Under this extended agreement, Syscon will provide custom modifications to the court's Failure to Appear process and the standard Syscon Arrest Import interface (including 4 hours of implementation support) for the import of arrest and citation information provided in Syscon's designated format by their designated Police Records system. No other program changes or services are expected from Syscon as part of the original or extended agreement.

City of Petal

Syscon

John Mayo
Name

Robert L. Wilson
Name

Mayor
Title

President
Title

10-26-10
Date

10/29/10
Date

CITY OF PETAL
MINUTE BOOK 31

7029 70125 013

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

WHEREAS, the Mayor and 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.

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

3. 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 263(b)(3) of the Internal Revenue Code of 1986 (the "Code")

TOW, 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 authorized. The Mayor (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 2010.

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 263(b) of the Code.

Section 7. In calendar year 2010, Lessee has designated \$ 342,395.00 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 2010 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 2010 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 263(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 "E"

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

- ALDERMAN LAYTON CLAYTON Voted AYE
- ALDERMAN WILKINSON Voted AYE
- ALDERMAN WILKIE HINDMAN Voted AYE
- ALDERMAN WILKINS WILKINSON Voted AYE
- ALDERMAN WILKIE STUBBS Voted AYE
- ALDERMAN WILKIE STUBBS Voted
- ALDERMAN WILKIE STUBBS Voted

The motion having received the affirmative vote of all members present, the Mayor declared the motion carried and the resolution adopted this the 12th day of October, 2010.

Paul Mays, Mayor
Presiding Officer, Title

ATTEST:
CITY CLERK
(SEAL)