

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met at City Hall, 815 North Beech Street, in said City, Tuesday, July 6, 2010, at 5:00 p.m. in regular session with the following officials present: Mayor Ed Pinero, Council Members Larry Watkins, Lynn Bumpers, Todd Lane, Larry Breland and Wayne Gouguet, City Manager Harvey Miller and City Clerk Priscilla Daniel.

It Being Determined a quorum was present, the following proceedings were held.

Opening prayer was given by Tommy Hart, followed by the Pledge of Allegiance led by Mayor Ed Pinero.

AT THIS TIME THE POLICE DEPARTMENT PRESENTED A PLAQUE TO GEORGE GUTTER TO RECOGNIZE HIM FOR HIS SERVICE TO THE COMMUNITY DURING HIS TIME AS AN OFFICER

MOTION TO TABLE REQUEST TO APPROVE MINUTES

Motion was made by Council Member Gouguet, seconded by Council Member Lane to table the request to approve the Minutes for the City of Picayune dated June 15, 2010 and Special Called Meeting dated June 24, 2010.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AT THIS TIME COUNCIL MEMBER BRELAND EXITED THE MEETING.

APPROVE REQUEST TO CORRECT MINUTES

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to correct minutes of City Council Meeting held November 4, 1997 to reflect that Order to Rescind entered by the City Council should be corrected to reflect the real property owned by Albert Williams, Block 2, Lot 13 Williams Southside Addition, parcel number 6175150040500700 was cleaned by Mr. Albert Williams at no cost to the City; and, that any property clean-up liens filed by the City of Picayune for such were imposed in error and the same should be cancelled in all respects.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Breland

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AT THIS TIME COUNCIL MEMBER BRELAND RE-ENTERED THE MEETING.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve the docket for July 6, 2010 in the amount of \$869,653.02.

The following roll call was made:

VOTING YEA: Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: Mayor Ed Pinero

The motion was declared carried.

APPROVE "PICAYUNE PINEY WOODS RUN" TO BE HELD OCTOBER 30, 2010

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve request from the Senior Center of Pearl River County to host a "Picayune Piney Woods Run" to be held Saturday, October 30, 2010 from 7:30 am till 11:00 am.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO APPROVE REQUEST FROM THE AMERICAN CANCER SOCIETY TO USE JACK READ PARK FOR A FUN RUN AND FRIENDSHIP PARK FOR A FUN DAY ON JULY 31, 2010.

Motion was made by Councilman Watkins and seconded by Councilman Lane to approve the request from the American Cancer Society to use Jack Read Park for a Fun Run on July 31, 2010 starting at 7:00 a.m. until 11:00 a.m. and to use Friendship Park, also on July 31, 2010, for a Fun Day from 12:00 p.m. to 9:00 p.m.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AUTHORIZE RESURRECTION LIFE TO USE THE SOCCER FIELD FOR A VOLLEYBALL TOURNAMENT ON SUNDAY, JULY 25, 2010.

Motion was made by Councilman Watkins and seconded by Councilman Lane to authorize Resurrection Life the use of the soccer field for a volleyball tournament on Sunday, July 25, 2010.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO APPROVE REQUEST FROM PICAYUNE MEMORIAL HIGH SCHOOL NJROTC TO HOLD A "CAN SHAKE" AT THE INTERSECTIONS OF HWY 11 AND HWY 43 AND AT EAST CANAL AND HWY 11 ON AUGUST 7, 2010 FROM 8:00 A.M. TO 12:00 P.M. TO RAISE FUNDS TO ATTEND DRILL COMPETITIONS.

Motion was made by Councilman Watkins and seconded by Council Lane to approve the request from PMHS NJROTC to hold the "Can Shake" as requested.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO TABLE THE REQUEST TO CONSIDER THE AMENDMENT OF ORDINANCE 848 REGARDING THE DEFINITION OF "KATRINA COTTAGES" AND THE LOCATION OF THE SAME INSIDE THE CITY.

Motion was made by Councilman Gouguet seconded by Councilman Watkins to table the request to amend Ordinance 848 as requested.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO APPROVE AND FILE PETITION TO ADOPT AN ORDINANCE TO RE-ZONE REAL PROPERTY KNOWN AS "SUPERFUND SITE" FROM I-2 HEAVY INDUSTRIAL TO OS-I OPEN SPACE AND AUTHORIZE MAYOR, CITY CLERK AND CITY ATTORNEY TO EXECUTE THE SAME.

Motion was made by Councilman Breland and seconded by Councilwoman Bumpers to approve and file the petition to adopt an Ordinance to re-zone real property known as the "Superfund Site" from I-2 Heavy Industrial to OS-1 Open space and authorize the Mayor, City Clerk and City Attorney to execute the same.

BEFORE THE CITY COUNCIL OF THE MUNICIPALITY OF PICAYUNE

PEARL RIVER COUNTY, MISSISSIPPI

IN RE: AN ORDINANCE TO RE-ZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL PROPERTY BEARING PARCEL NUMBERS 6175150030101101, 6175150040300700, 6175150040300300, AND 6175150040300900 FROM I-2 HEAVY INDUSTRIAL TO OS-1 OPEN SPACE

MAYOR AND CITY COUNCIL FOR THE CITY OF PICAYUNE

PETITIONER

PETITION TO ADOPT AN ORDINANCE TO RE-ZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL PROPERTY BEARING PARCEL NUMBERS 6175150030101101, 6175150040300700, 6175150040300300, AND 6175150040300900 FROM I-2 HEAVY INDUSTRIAL TO OS-1 OPEN SPACE

COMES NOW the Petitioner, the Mayor and City Council for the City of Picayune, and files this PETITION TO ADOPT AN ORDINANCE TO RE-ZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL PROPERTY BEARING PARCEL NUMBERS 6175150030101101, 6175150040300700, 6175150040300300, AND 6175150040300900 FROM I-2 HEAVY INDUSTRIAL TO OS-1 OPEN SPACE , and in support of said Petition your Petitioner would show as follows, to-wit:

JURISDICTIONAL, LEGAL AND FACTUAL PREMISES

1.

The City of Picayune ("City") is a Mississippi Municipality is a political subdivision of and is organized pursuant to the laws of the State of Mississippi.

2.

The City is located within and operates in Pearl River County, Mississippi.

3.

Pursuant to §17-1-17, et seq., Miss. Code Ann. and further pursuant to Article XII of the City of Picayune Comprehensive Zoning Ordinances, the Mayor and City Council have authority to initiate changes in the zoning classifications of real property located within the City of Picayune.

4.

That the Mayor and City Council on March 24, 2009, lawfully adopted the 2009-2029 Comprehensive Plan in and for the City of Picayune.

5.

That said Comprehensive Plan identified present land uses made under the present Comprehensive Zoning Ordinances. The Comprehensive Plan also set out the parameters of the guiding factors to future land uses and the enactment of zoning regulations governing permissible and impermissible land uses. The Comprehensive Plan is adopted herein by reference.

6.

The Mayor and City Council find that certain real properties described specifically described as 6175150030101101, 6175150040300700, 6175150040300300, and 6175150040300900 are presently classified and zoned as I-2 Heavy Industrial.

7.

The Mayor and City Council find the above-described real properties are more specifically described as follows, to-wit:

1. 6175150030101101 - 5.9 acres described in that certain instrument dated November 20, 2006, of record in Land Deed Record Book 919, Page 554,

Office of the Chancery Clerk of Pearl River County, Mississippi. (Owner - Stone Treated Materials, L.L.C.)

2. 6175150040300700 - 1 Lot 100 x 150 described in that certain instrument dated February 11, 1981, of record in Land Deed Record Book 329, Page 561, Office of the Chancery Clerk of Pearl River County, Mississippi. (Owner - City of Picayune)
3. 6175150040300300 - described in that certain instrument dated October 25, 1989, of record in Land Deed Record Book 524, Page 446, Office of the Chancery Clerk of Pearl River County, Mississippi. (Owner - Lynn Crosby Gammill)
4. 6175150040300900 - described in that certain instrument dated October 27, 1982, of record in Land Deed Record Book 364, Page 268, Office of the Chancery Clerk of Pearl River County, Mississippi. (Owner - City of Picayune)

8.

The Mayor and City Council find that the real property described by Parcel Numbers 6175150030101101 and 6175150040300300 were zoned I-2 which allowed for heavy industrial uses, and further, that some of the heavy industrial uses prohibited by such I-2 zoning classification were pre-existing non-conforming uses that were conducted on the hereinbefore described real properties.

9.

The Mayor and City Council find that the heavy industrial uses which pre-existed the enactment of the I-2 zoning classification included, but not limited to the utilization

of chemicals to penetrate wooden poles so to prevent same to from rotting while used as telephone poles and/or foundation piles.

10.

The Mayor and City Council find the utilization these chemicals for these non-conforming pre-existing uses are harmful to human beings; and further, that such chemicals have penetrated into the surface and/or local underground water systems as determined by the Mississippi Department of Environmental Quality and the Environmental Protection Agency for the United States Government.

11.

The Mayor and City Council further find this contamination has resulted in at least one of the above-described sites being declared a "Superfund" site and that ongoing cleanup and mitigation has been occurring at such site for an extended period of time.

12.

The Mayor and City Council further find the future land use recommendations contained in the 2009-2029 Comprehensive Plan, incorporated herein by reference, reflect the future land should be mix between conservation-recreation and a downtown district.

13.

The Mayor and City Council find that due to the growth of population; the encroachment of the of residential dwellings; the requirements imposed pursuant to the State and Federal agencies overseeing the cleanup; and, the fact that such non-conforming pre-existing uses have ceased for more than ninety (90) days, that a

substantial change in the character of the neighborhood with respect to the usage of the property has occurred.

14.

The Mayor and City Council find that there is a public need for the change of zoning classification for the hereinbefore described real properties from a I-2 heavy industrial unto OS-1 open space, including, but not limited to secure a buffer between the remaining I-2 heavy industrial zones and the residential development; to meet the obligations of the City with respect to maintaining the integrity of the superfund site and the remaining areas so as no other industrial use would take place to disturb the cleanup activities by the Mississippi Department of Environmental Quality and the Environmental Protection Agency for the United States Government; and, to extend and expand the current OS-1 open space zone that currently exist.

15.

That a copy of the proposed Zoning Ordinance that is attached hereto and incorporated herein as Exhibit "1".

WHEREFORE, THE PREMISES CONSIDERED, the Mayor and City Council do hereby initiate and direct the Office of the City Manager to receive this Petition and to process same pursuant to §17-1-17, et seq., Miss. Code Ann. and further pursuant to Article XII of the City of Picayune Comprehensive Zoning Ordinances with regards to

the approval of the proposed Zoning Ordinance as reflected in Exhibit "1" attached hereto and incorporated herein.

Respectfully submitted

MAYOR - CITY OF PICAYUNE

CITY CLERK - CITY OF PICAYUNE

Nathan S. Farmer
Attorney for City of Picayune
Nathan S. Farmer, P.A.
Post Office Box 1608
Picayune, MS 39466
Phone: 601-749-8745
Fax: 601-749-7045

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO APPROVE THE REQUEST TO FILE A PETITION TO ADOPT AN ORDINANCE TO RE-ZONE REAL PROPERTY BEARING PARCEL NUMBERS 6175150030400300, 6175150030400303, 61750030400304, 61750030400301 AND 6175150030400305 FROM C-1, NEIGHBORHOOD COMMERCIAL, TO R-2, RESIDENTIAL AND TO AUTHORIZE THE MAYOR, CITY CLERK AND CITY ATTORNEY TO EXECUTE THE SAME.

Motion was made by Councilman Breland and seconded by Councilwoman Bumpers to approve the re-zoning of the aforementioned parcels of land from C-1, Neighborhood Commercial, to R-2, Residential and to authorize the Mayor, City Clerk and City Attorney to execute the same.

BEFORE THE CITY COUNCIL OF THE MUNICIPALITY OF PICAYUNE

PEARL RIVER COUNTY, MISSISSIPPI

IN RE: AN ORDINANCE TO RE-ZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL PROPERTY BEARING PARCEL NUMBERS 6175150030400300, 6175150030400303, 6175150030400304, 6175150030400301, AND, 6175150030400305 FROM C-1 NEIGHBORHOOD COMMERCIAL TO R-2 RESIDENTIAL

MAYOR AND CITY COUNCIL FOR THE CITY OF PICAYUNE

PETITIONER

PETITION TO ADOPT AN ORDINANCE TO RE-ZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL PROPERTY BEARING PARCEL NUMBERS 6175150030400300, 6175150030400303, 6175150030400304, 6175150030400301, AND, 6175150030400305 FROM C-1 NEIGHBORHOOD COMMERCIAL TO R-2 RESIDENTIAL

COMES NOW the Petitioner, the Mayor and City Council for the City of Picayune, and files this PETITION TO ADOPT AN ORDINANCE TO RE-ZONE AND RECLASSIFY THE FOLLOWING DESCRIBED REAL PROPERTY BEARING PARCEL NUMBERS 6175150030400300, 6175150030400303, 6175150030400304, 6175150030400301, AND, 6175150030400305 FROM C-1 NEIGHBORHOOD COMMERCIAL TO R-2 RESIDENTIAL, and in support of said Petition your Petitioner would show as follows, to-wit:

JURISDICTIONAL, LEGAL AND FACTUAL PREMISES

1.

The City of Picayune ("City") is a Mississippi Municipality is a political subdivision of and is organized pursuant to the laws of the State of Mississippi.

2.

The City is located within and operates in Pearl River County, Mississippi.

3.

Pursuant to §17-1-17, et seq., Miss. Code Ann. and further pursuant to Article XII of the City of Picayune Comprehensive Zoning Ordinances, the Mayor and City Council have authority to initiate changes in the zoning classifications of real property located within the City of Picayune.

4.

That the Mayor and City Council on March 24, 2009, lawfully adopted the 2009-2029 Comprehensive Plan in and for the City of Picayune.

5.

That said Comprehensive Plan identified present land uses made under the present Comprehensive Zoning Ordinances. The Comprehensive Plan also set out the parameters of the guiding factors to future land uses and the enactment of zoning regulations governing permissible and impermissible land uses. The Comprehensive Plan is adopted herein by reference.

6.

The Mayor and City Council find that certain real properties described specifically described as 6175150030400300, 6175150030400303, 6175150030400304, 6175150030400301, and, 6175150030400305 are presently classified and zoned as C-1 Neighborhood Commercial.

7.

The Mayor and City Council find the above-described real properties are more specifically described as follows, to-wit:

1. 6175150030400300 - Portion of a lot(s) described in that certain instrument dated September 24, 1982, of record in Land Deed Record Book 362, Page 131, Office of the Chancery Clerk of Pearl River County, Mississippi. (Owner - City of Picayune)
2. 6175150030400303 - Lots 5 & 6, Block A, Rosa Park Addition described in that certain instrument dated March 7, 2008, of record in Land Deed Record Book 954, Page 186, Office of the Chancery Clerk of Pearl River County, Mississippi. (Owner - Hart to Heart, L.L.C.)
3. 6175150030400304 - Lots 1 and 2, Block B, Rosa Park Addition. (Owner - Hiram Lodge 2)
4. 6175150030400301 - Lots 3,4, and 5, Block B, Rosa Park Addition, described in that certain instrument dated October 20, 2008, of record in Land Deed Record Book 976, Page 255, Office of the Chancery Clerk of Pearl River County, Mississippi. (Owner - John Edward Snyder, et al)
5. 6175150030400305 - Lot 6, Block B, Rosa Park Addition described in that certain instrument dated April 5, 2005, of record in Land Deed Record Book 873, Page 449, Office of the Chancery Clerk of Pearl River County, Mississippi. (Owner - Alfred Sharon Janique)

8.

The Mayor and City Council find that the character of the neighborhood surrounding the real properties described by Parcel Numbers 6175150030400300, 6175150030400303, 6175150030400304, 6175150030400301, and, 6175150030400305 has substantially changed. Such changes, include, but are not limited to, the character of the surrounding neighborhood becoming increasingly residential with single and multifamily units; the surrounding real properties be already zoned either R-2 and/or R-3; the C-1 zoning classification being disconnected and constituting a spot zone; the commercial uses on the C-1 zone properties having disappeared and/or diminished; and, the recommendations of the 2009-2029 Comprehensive Plan.

9.

The Mayor and City Council further find the future land use recommendations contained in the 2009-2029 Comprehensive Plan, incorporated herein by reference, reflect the future land should be mix between neighborhood conservation - suburban and flood zone.

10.

The Mayor and City Council find that a substantial change in the character of the neighborhood with respect to the usage of the property has occurred as set forth above.

11.

The Mayor and City Council find that there is a public need for the change of zoning classification for the hereinbefore described real properties from C-1 Neighborhood Commercial unto R-2 Residential.

12.

That a copy of the proposed Zoning Ordinance that is attached hereto and incorporated herein as Exhibit "1".

WHEREFORE, THE PREMISES CONSIDERED, the Mayor and City Council do hereby initiate and direct the Office of the City Manager to receive this Petition and to process same pursuant to §17-1-17, et seq., Miss. Code Ann. and further pursuant to Article XII of the City of Picayune Comprehensive Zoning Ordinances with regards to the approval of the proposed Zoning Ordinance as reflected in Exhibit "1" attached hereto and incorporated herein.

Respectfully submitted

MAYOR - CITY OF PICAYUNE

CITY CLERK - CITY OF PICAYUNE

Nathan S. Farmer
Attorney for City of Picayune
Nathan S. Farmer, P.A.
Post Office Box 1608
Picayune, MS 39466
Phone: 601-749-8745
Fax: 601-749-7045

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AUTHORIZE THE MAYOR TO EXECUTE A UTILITY EASEMENT TO THE PEARL RIVER COUNTY UTILITY AUTHORITY (PRCUA) FOR THE CONSTRUCTION OF A WATER LINE ALONG STEMWOOD DRIVE TO CONNECT THE PRCUA WATER LINE WITH THE CITY'S WATER TANK.

Motion was made by Councilman Lane and seconded by Councilman Gouguet to authorize the Mayor to execute the utility easement to the PRCUA for the construction of a water line as stated.

REGULAR MEETING JULY 6, 2010

There came on for consideration before the Mayor and Council of the City of Picayune, Mississippi the matter of the request by the Pearl River County Utility Authority for a utility easement for water meter location at the Stemwood Tank and authority to use the public right of way of Stemwood Street for a connecting water pipeline. Following discussion, adoption of the following Resolution was moved by _____, seconded by _____ and unanimously approved by affirmative vote of all Council members present and constituting a quorum, to-wit:

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION
OF A UTILITY EASEMENT TO PEARL RIVER COUNTY UTILITY AUTHORITY
FOR CONNECTION OF WATER PIPELINE TO STEMWOOD TANK

WHEREAS, the Pearl River County Utility Authority has requested a utility easement as described in the property description and plat attached hereto for water metering station at the Stemwood Tank and the right to use the public street right of way of Stemwood Street from Highway 11 to the Stemwood Tank for the connecting water pipeline; and

WHEREAS, the City Council finds that the grant of such utility easement would be in the best interest of the public and should be donated to the Pearl River County Utility Authority as authorized by law, and the Mayor and City Clerk should be authorized and directed to execute the Easement in the general form as attached hereto; and

WHEREAS, the City Council acknowledges receipt of a copy of the HUD brochure entitled "When a Public Agency Acquires Your Property" and hereby elects to waive any and all appraisal rights and just compensation, and hereby approves the donation of said easement.

IT IS, THEREFORE, RESOLVED AND ORDERED by the Mayor and Council of the City of Picayune, Mississippi, that the Mayor and City Clerk are hereby authorized and directed to execute the Easement in the general form as attached hereto.

ADOPTED on this, the ____ day of _____, 2010.

Ed Pinero, Mayor
City of Picayune, Mississippi

ATTEST:

Pricilla Daniel, City Clerk

Indexing Instructions:

Lot 88, Sec 1, Woodland Hgts S/D,
SE ¼ of SE ¼ of Sec 2, T6S, R17W

Pearl River County, MS

Prepared by and return to:

Jeffrey T. Hollimon, MSB#2531
Butler Snow
P. O. Box 4248
Gulfport, MS 39502
Telephone: 228-575-3032

Grantor:

City of Picayune, Mississippi
815 N. Beech Street
Picayune, MS 39466
Telephone: 601-796-9770

Grantee:

Pearl River County Utility Authority
P. O. Box 699
Picayune, MS 39466
Telephone: 601-799-5259

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

EASEMENT

Pursuant to Resolution duly adopted by the Mayor and Council of the City of Picayune, Mississippi, a municipal corporation, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned CITY OF PICAYUNE, MISSISSIPPI (the "Grantor"), does hereby grant, bargain, transfer, convey and donate unto PEARL RIVER COUNTY UTILITY AUTHORITY (the "Grantee"), a public body corporate and politic constituting a political subdivision of the State of Mississippi, and its successors and assigns, a permanent and perpetual easement, right-of-way, right of entry/use, and ingress and egress to and from the easement, for the location, operation, maintenance, alteration, repair and patrol of underground water pipelines, metering station, valves, and other components of a water system, hereinafter collectively referred to as the "System", for the delivery of water supply to the Grantor's water system, said easement being on property further described as follows, to-wit:

SEE ATTACHED DESCRIPTION AND PLAT.

The Grantor further conveys unto Grantee the right to jointly use for water pipeline purposes the public right of way of Stemwood Street extending from its intersection with Highway 11 to the City Water Tank and Well on Stemwood.

REGULAR MEETING JULY 6, 2010

The Grantor herein understands, acknowledges and agrees that the legal right to full just compensation for this property has been communicated to and understood by Grantor; that Grantor acknowledges the receipt of a copy of the HUD brochure entitled "When a Public Agency Acquires Your Property" and understands the contents thereof; and Grantor, knowing its legal rights to just compensation, hereby elects to DONATE the property as herein conveyed to Grantee, and further waives any appraisal, review appraisal or other valuation procedure.

Further, the Grantor and Grantee agree as follows:

1. The Grantor grants and conveys unto the Grantee the right of ingress and egress to and from said easement area for the purposes stated herein, and during the period of construction, and during any period in which maintenance inspection, repairs, relocation, extension or reconstruction of the System may be necessary, the privilege of using such land abutting on said easement area that is necessary and reasonable for the purpose of placing thereon equipment, supplies and materials excavated from said easement area and for the purpose of bringing upon the construction site such machinery, supplies and equipment as may be necessary. It shall be the obligation of the Grantee to restore and leave the land abutting the easement area utilized in the same condition as found upon completion of such activities to the extent reasonably possible.

2. The rights hereby granted and conveyed shall include the right to trim, cut, fell and remove from within the easement area all trees, underbrush, obstructions and other vegetation structures or obstacles within the easement area, and in connection with such action the Grantee shall take reasonable precaution not to damage roads and driveways, and further agrees to fill, refill and repair any ground surface settlement and asphalt damage which may occur from the System and related components and equipment. It shall be the obligation of the Grantee to restore and leave the land within the easement area in the same condition as found upon completion of construction and maintenance activities to the extent reasonably possible.

3. The System and related components and equipment installed hereunder shall remain the property of the Grantee, and the Grantee shall have the right to place, construct, operate, inspect, maintain, reconstruct, repair, improve, replace, relocate within the easement area, and to make such changes, alterations, substitutions, additions to or extensions of its System as Grantee may deem advisable; provided, however, that in connection with any such action the Grantee shall take reasonable precaution not to damage the property of the Grantor, and further agrees to fill, refill and repair any ground surface settlement, asphalt damage and existing water lines which may occur from the System and related components and equipment. It shall be the obligation of the Grantee to restore and leave the land disturbed in the same condition as found upon completion of activities to the extent reasonably possible.

4. This conveyance is subject to any and all existing easements of record which may be on, along or across the easement area hereby conveyed, but includes the right to use any other existing utility easements jointly.

WITNESS the signature of the Grantor on this, the ____ day of _____, 2010.

City of Picayune, Mississippi

By: _____
Ed Pinero, Mayor

ATTEST:

Pricilla Daniel, City Clerk

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

Personally appeared before me, the undersigned authority in and for the said county and state, on this _____ day of _____, 2010, within my jurisdiction, the within named ED PINERO and PRICILLA DANIEL, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Picayune, Mississippi, a municipal corporation, and that for and on behalf of the City of Picayune, Mississippi, and as its act and deed, they executed the above and foregoing instrument, after first having been duly authorized by said municipal corporation so to do.

Notary Public

My Commission Expires: _____

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION WAS MADE, AFTER THE OPENING OF THE BIDS FOR THE CITY OF PICAYUNE'S \$7.7 MILLION GENERAL OBLIGATION STREET BONDS, TO TAKE THE FOLLOWING BIDS UNDER ADVISEMENT WHILE THE ATTORNEY FROM BUTLER SNOW AND THE FINANCIAL ADVISOR FROM GOVERNMENT CONSULTANTS REVIEW THE BIDS FOR RECOMMENDATION.

Duncan Williams	2.841440%
Hancock Bank	3.600000%
Steven, Inc.	3.505949%
FTN Financial Capital Markets	2.729612%
Morgan Keegan	3.073122%

Motion was made to take the foregoing bids for the \$7.7 Million General Obligation Bonds under advisement until later in the meeting by Councilman Lane and seconded by Councilman Breland.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ACCEPT MODIFICATIONS TO THE ANNUAL FINANCIAL REPORT FOR FY 2008 (PAGE 62-SCHEDULE OF EXPENDITURES FOR FEDERAL AWARDS)

Motion was made by Councilman Lane and seconded by Councilwoman Bumpers to accept the modification to the Annual Financial Report for FY 2008 as requested.

SCHEDULE I

CITY OF PICAYUNE, MISSISSIPPI
 SCHEDULE OF EXPENDITURES FOR FEDERAL AWARDS
 SEPTEMBER 30, 2008

Federal Grantor/Pass-Through Grantor/Program Title	CFDA Number	Pass-through Grantor's Number	Federal Expenditures
U.S. Department of Agriculture Rural Development- Community Facilities	10.766	NA	<u>34,143</u>
Environmental Protection Agency Special Appropriation Water Infrastructure Grant	66.606	NA	<u>94,230</u>
U.S. Department of Health and Human Services Passed Through the Mississippi Department of Health: Mosquito Control Grants:	93.283	NA	<u>22,924</u>
U.S. Department of Homeland Security Passed Through Mississippi Emergency Management Agency: Domestic Preparedness Equipment Grant	97.067	511-S297	57,168
Presidentially Declared Disaster Public Assistance Total U.S. Department of Homeland Security	97.036		<u>1,520,367</u> *
			<u>1,577,535</u>
U.S. Department of Housing and Urban Development Passed through the Mississippi Department Authority: C.D.B.G. Economic Development Infrastructure	14.251		7,422
C.D.B.G./State Programs Total U.S. Department of Housing and Urban Development	14.228		<u>491,643</u> *
			<u>499,065</u>
U.S. Department of Justice Passed Through the Mississippi Department of Public Safety: Bullet Proof Vest Grant	16.607		3,465
Violence Against Women Formula/Grants Total Department of Justice	16.588		<u>24,761</u>
			<u>28,226</u>
U.S. Department of Transportation Passed Through the Passed Through Mississippi Department of Transportation: Safe Communities Program Grant	20.600		50,590
Inter-modal Transportation Grants Direct Programs: Airport Improvement Program	20.205		<u>447,755</u> *
			<u>498,345</u>
	20.106		272,854
Intermodal Transportation Grants Total U. S. Department of Transportation	20.500		<u>424,583</u> *
			<u>1,195,782</u>
TOTAL FEDERAL ASSISTANCE PROGRAMS			<u>\$ 3,451,905</u>

*-Major Programs

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AUTHORIZE THE ADVERTISEMENT FOR THE REPLACEMENT OF THE ROOF ON THE MARGARET REED CROSBY MEMORIAL LIBRARY THROUGH THE GRANT FROM THE MISSISSIPPI LIBRARY COMMISSION.

Motion was made by Councilman Gouguet and seconded by Councilman Lane to advertise the Notice to Contractors for the replacement of the roof on the Crosby Memorial Library.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ACCEPT THE BID TABULATION FROM THE BID OPENING ON JUNE 22ND AT 2:00 P.M. FOR THE OVERLAY OF THE AIRPORT RUNWAY PRESENTED BY ALLEN & HOSHALL.

Motion was made by Councilman Watkins and seconded by Councilman Lane to accept the bid tabulation for the overlay of the airport runway project presented by Allen & Hoshall.

REGULAR MEETING JULY 6, 2010

TABULATION OF BIDS

REHABILITATE RUNWAY 18/36
PICAYUNE MUNICIPAL AIRPORT
PICAYUNE, MISSISSIPPI

2:00 PM 22 JUNE 2010

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
TOTAL BASE BID						
			Huey Stockstill, Inc.		Warren Paving, Inc.	
P-401-8.1-B Asphalt Surface Course	4,650	TNS	\$89.65	\$416,872.50	\$111.00	\$516,150.00
P-603-1 Bituminous Tack Coat	6,000	GAL	\$2.50	\$15,000.00	\$3.35	\$20,100.00
P-609-1 Bituminous Material	18,000	GAL	\$5.50	\$99,000.00	\$6.50	\$117,000.00
P-609-2 Aggregate	1,050	TNS	\$57.00	\$59,850.00	\$67.50	\$70,875.00
P-620-3 Runway Painting	51,000	SF	\$1.00	\$51,000.00	\$1.90	\$96,900.00
P-620-4 Reflective Media	5,100	LBS	\$1.00	\$5,100.00	\$9.60	\$48,960.00
T-905 Topsoiling	650	CY	\$17.00	\$11,050.00	\$40.60	\$26,390.00
T-901-5.1 Grassing	3	AC	\$3,200.00	\$9,600.00	\$4,500.00	\$13,500.00
TOTAL BASE BID				\$667,472.50		\$909,875.00
ALTERNATE NO. 1 BID						
P-401-8.1-B Asphalt Surface Course	4,650	TNS	\$79.10	\$367,815.00	\$107.00	\$497,550.00
P-603-1 Bituminous Tack Coat	6,000	GAL	\$2.50	\$15,000.00	\$3.35	\$20,100.00
P-609-1 Bituminous Material	18,000	GAL	\$5.00	\$90,000.00	\$6.00	\$108,000.00
P-609-2 Aggregate	1,050	TNS	\$48.00	\$50,400.00	\$60.00	\$63,000.00
P-620-3 Runway Painting	51,000	SF	\$0.40	\$20,400.00	\$1.90	\$96,900.00
P-620-4 Reflective Media	5,100	LBS	\$1.00	\$5,100.00	\$9.60	\$48,960.00
T-905 Topsoiling	650	CY	\$17.00	\$11,050.00	\$40.60	\$26,390.00
T-901-5.1 Grassing	3	AC	\$3,200.00	\$9,600.00	\$4,500.00	\$13,500.00
TOTAL ALTERNATE NO. 1 BID				\$569,365.00		\$874,400.00

I certify that this is a true and correct tabulation of the bids received at 2:00 PM, 22 June 2010 for
Rehabilitate Runway 18/36 for Picayune Municipal Airport, Picayune, Mississippi
I personally reviewed the bids received including all appurtenant documents and found them to be acceptable.

James C. Nelson, No. 9520

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AWARD THE BID FOR THE OVERLAY OF THE AIRPORT RUNWAY TO HUEY STOCKSTILL, INC RECOMMENDED BY ALLEN & HOSHALL AS THE LOW BID IN THE AMOUNT OF \$569,365.00.

Motion was made by Councilman Lane and seconded by Councilman Gouguet to accept Huey Stockstill, Inc.'s low bid of \$569,365.00 to overlay the airport runway.

REGULAR MEETING JULY 6, 2010

23 June 2010

Ms. Priscilla Daniel
City of Picayune
815 North Beech Street
Picayune, MS 39466

**Re: Rehabilitate Runway 18/36
FAA 3-28-0060-016-2010
Picayune Municipal Airport**

Dear Ms. Daniel:

Enclosed is the tabulation of bids for the referenced project. We recommend that the project be awarded to the low bidder, Huey Stockstill, Inc., in the amount of \$569,365.00 which is the Alternate No. 1 Bid. By copy of this letter to MDOT we are asking for their concurrence in this award.

Please let know if you have questions or need additional information.

Sincerely,

Allen & Hoshall

James C. Nelson, PE
Vice President

jnelson@allenhoshall.com

JCN/fb

Enclosure

pc: Tommy Booth, MDOT Aeronautics, w/Enclosure
Andy Greenwood, Picayune Municipal Airport, w/Enclosure
Chad Frierson, City of Picayune, w/Enclosure

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The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO APPROVE PAYMENT TO HARTMAN ENGINEERING, INC. FOR INVOICE #21-019-04-21 IN THE AMOUNT OF \$25,671.02 FOR PROFESSIONAL SERVICES FROM FEBRUARY 1, 2010 TO FEBRUARY 28, 2010, INVOICE #21-019-04-022 IN THE AMOUNT OF \$25,805.23 FOR PROFESSIONAL SERVICES FROM MARCH 1, 2010 TO MARCH 31, 2010 AND INVOICE #21-019-04-023 IN THE AMOUNT OF \$36,950.11 FOR PROFESSIONAL SERVICE FROM APRIL 1, 2010 TO MAY 15, 2010.

Motion was made by Councilman Breland and seconded by Councilman Lane to approve the aforementioned payments to Hartman Engineering, Inc. for Professional Services from February 1, 2010 to May 15, 2010 in the total amount of \$88,426.36.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE SECURITY AGREEMENT BETWEEN THE PICAYUNE SCHOOL DISTRICT AND THE CITY OF PICAYUNE FOR THE 2010/2011 SCHOOL YEAR.

Motion was made by Councilman Breland and seconded by Councilman Lane to authorize the Mayor to execute the Security Agreement between the City and the Picayune School District.

REGULAR MEETING JULY 6, 2010

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

AGREEMENT TO PROVIDE SECURITY SERVICES

THIS AGREEMENT made and entered into upon this the 8th day of
June, A.D., 2010, by and between the **CITY OF PICAYUNE**, a
Mississippi Municipal corporation, (hereinafter referred to as City) and the **PICAYUNE
SCHOOL DISTRICT** (hereinafter referred to as School).

RECITALS:

WHEREAS, the School and the City wish to continue their partnership agreement for
the provision of security services for the School; and

WHEREAS, both parties are in agreement that a partnership type agreement such as
this would benefit both parties, the students, and the citizens of the community.

NOW THEREFORE, in consideration of the representations and agreements of the
parties herein contained, the parties do hereby agree as follows:

I. SERVICES FURNISHED

The City would hire School Resource Officers. Said employees would be paid by the
City and entitled to all the benefits of City employees, but would be stationed for regular duties
at the School. When School is not in session, said employees will be provided assignment by the
Chief of Police or his designee. The City would provide training for the security employees as
City police officers, including the State Police Academy and Project Alert training. Though said
employees would officially answer to the City Chief of Police or his designee, the School
would retain the right to dispatch the security officers to various schools as needs arise during
the course of a school day and to give daily supervision and instruction to said employees as is

needed. Through this agreement the City agrees to provide additional units and personnel as needed and available should said needs arise in emergency type needs. The essence and intent of this agreement is that the City will assume and provide the School a level of security no less than the School had previously provided itself; and the hope and desire is that through this contractual agreement the City will be able to provide the School a level of security greater than it has been able to provide itself.

II. PAY OF SECURITY OFFICERS

The rate of pay of school security officers will be based on the salary schedule established by the City for Police Department employees. This pay rate will be based on training and years of experience as determined by the Police Department. Training as School Resource Officers shall be the responsibility of the City.

III. EQUIPMENT

The City will utilize and maintain all present equipment owned by the School for use by the Security Officers during the life of this contract. The equipment will remain a part of the Fixed Assets of the School. The City will be responsible for the maintenance of this equipment. At the end of this contract the equipment shall remain the property of the School.

IV. SECURITY VEHICLES

For the sum of \$10.00 each, the School will lease its two security vehicles to the City for one year (July 1, 2010, through June 30, 2011) for use by the Resource Officers. The City will be responsible for the maintenance of said vehicles. The vehicles will remain a part of the Fixed Assets of the School. At the end of this contract the vehicles shall remain the property of the School.

V. CONTRACT PRICE

The agreed upon contract price for the security services specified above shall be the sum \$120,696.00. The School shall make payment under the terms of this contract with the City in the form of twelve (12) monthly installments of \$10,058.00 each. Each monthly installment will be made after the first regularly scheduled meeting of the Picayune School District Board of Trustees.

VI. CONTRACT TERM

The term of this contract shall be for a period of one (1) year, commencing on July 1, 2010, and continuing until June 30, 2011.

VII. RENEWAL OF CONTRACT

On or before February 15, 2011, and annually on the 15th day of February each year, the City and the School will provide written notification of their intention to renew or terminate this contract which will expire on its completion date of June 30, 2011, and each year thereafter on the 30th day of June.

Either party can terminate this contract by thirty (30) day written notice.

VIII. ENTIRE AGREEMENT

This agreement is complete in its entirety between the parties involved. This agreement supersedes all other verbal or written agreements made prior to or concurrent with this Agreement.

IX. MODIFICATIONS

This agreement may be modified only by the execution of a written agreement signed by all the parties hereto. Each party understands and acknowledges that if either party wants any

additional services or provisions that have not been included in this agreement, a separate agreement, or addendum shall be necessary.

Executed in duplicate on the day and date first herein mentioned.

THE CITY OF PICAYUNE, a Mississippi Municipal Corporation

By: _____
Mayor, City of Picayune

Attest: _____

THE PICAYUNE SCHOOL DISTRICT

By: *Dean Shaw*
Superintendent of Education

By: *Edward Buhler*
President of the Board of Trustees

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

**MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE “POLICY STATEMENT”
OF THE DBE PLAN THAT HAS BEEN PREPARED FOR THE FY 2010
IMPROVEMENT PROJECT AT THE PICAYUNE MUNICIPAL AIRPORT.**

Motion was made by Councilman Gouguet and seconded by Councilman Lane to authorize the Mayor to execute the aforementioned DBE Plan.

Updated May, 2010

**DBE PROGRAM
CITY OF PICAYUNE
PICAYUNE, MISSISSIPPI**

I. Definitions of Terms

The terms used in this program have the meanings defined in 49 CFR §26.5.

II. Objectives /Policy Statement (§§26.1, 26.23)

The City of Picayune, *Picayune, Mississippi* (Sponsor) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The Sponsor has received Federal financial assistance from the Federal Aviation Administration, and is anticipating awarding prime contracts in excess of \$250,000.00 during this Fiscal Year and, as a condition of receiving this assistance, has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the Sponsor to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy –

1. To ensure nondiscrimination in the award and administration of DOT assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT assisted contracts; and
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

Ms. Pricilla C. Daniels, City Clerk, Picayune, Mississippi has been delegated as the DBE Liaison Officer (DBELO)/City Clerk and is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the Sponsor in its financial assistance agreements with the Federal Aviation Administration.

The Sponsor has disseminated this policy statement to all branches of the County, the Picayune City government and posted it for public viewing in the City Offices. It will be distributed to DBE and non-DBE communities that perform work for the Sponsor on DOT-assisted contracts by newspaper legal notices, and posting on the airport bulletin board.

Honorable Ed Pinero, Mayor
City of Picayune, Picayune, Mississippi

Date: _____

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

**MOTION TO OPEN A CHECKING ACCOUNT FOR THE COMMUNITY INITIATIVE
“PENNIES FOR THE PARK II” TO BE HELD AS PUBLIC FUNDS AND
ADMINISTERED BY THE CITY CLERK’S OFFICE AS A MUNICIPAL ACCOUNT**

Motion was made by Councilman Gouquet and seconded by Councilman Watkins to open the checking account for the “Pennies for the Park II” and for it to be held as public funds and administered by the City Clerk’s office as a municipal account.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

**MOTION TO APPROVE THE REQUEST FOR CASH # 11 FOR CDBG PROJECT 3 R-
103-297-01-KED (INDUSTRIAL PARK RAIL SPUR) AND TO PAY THE INCLUDED
INVOICES TO PREWITT ENTERPRISES, INC dba B & P ENTERPRISES IN THE
AMOUNT OF \$33,467.62 AND \$8,500.00 TO SAMPLE AND ASSOCIATES.**

Motion was made by Councilman Watkins and seconded by Councilman Lane to approve the foregoing Request for Cash # 11 and to pay the included invoices as requested.

REGULAR MEETING JULY 6, 2010

06/30/2010, 10:16 FAX

002/010

City of Picayune Katrina ED
(Avon Engineers/Fab. Inc.)

CDBG REQUISITION FORM

REQUISITION NUMBER: 10

CDBG PROJECT NUMBER: R-103-297-01-KED

DATE: July 6, 2010

CDBG BANK ACCOUNTS NO: _____

PAYABLE TO:	AMOUNT:
Prewitt Enterprises, Inc DBA B & P Enterprises	\$33,467.62 (CDBG)
Sample & Associates	\$ 8,500.00 (CDBG)

APPROVED:

BY: _____
Mayor

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO APPROVE REQUEST TO AUTHORIZE THE MAYOR TO SIGN AN APPLICATION FOR FEDERAL ASSISTANCE ON FAA PROJECT # 3-28-0060-016-2010 TO OVERLAY THE EXISTING AIRPORT RUNWAY.

Motion was made by Councilman Breland and seconded by Councilman Lane to authorize the Mayor to execute the Federal Assistance Application to overlay the existing airport runway.

APPLICATION FOR FEDERAL ASSISTANCE		2. DATE SUBMITTED 24 June 2010	Applicant Identifier
1. TYPE OF SUBMISSION Application <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Non-Construction Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY AGENCY	Federal Identifier 3-28-0060-016-2010
5. APPLICANT INFORMATION			
Legal Name: City of Picayune, Mississippi		Organizational Unit: Department: Municipality	
Organizational DUNS: 092 683 457		Division:	
Address: Street: 815 North Beech Street		Name and telephone of person to be contacted on matters involving this application (give area code)	
City: Picayune		Prefix:	First Name: James
County: Pearl River		Middle Name: C	
State: MS Zip Code: 39466		Last Name: Nelson	
Country: United States		Suffix:	
		Email: jnelson@allenhoshall.com	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 6 4 - 6 0 0 0 9 7 2		Phone Number (give area code) (601) 977 - 8993	Fax Number (give area code) (601) 977 - 8924
8. TYPE OF APPLICATION <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)		7. TYPE OF APPLICANT (See back of form for Application Types) C Other (Specify)	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NO. 2 0 - 1 0 6 TITLE (Name of Program): Airport Improvement Program		9. NAME OF FEDERAL AGENCY: Federal Aviation Administration	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Picayune, Mississippi		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Overlay existing runway.	
13. PROPOSED PROJECT Start Date: 15 July 2010 Ending Date: 30 August 2010		14. CONGRESSIONAL DISTRICTS OF: a. Applicant: Fourth b. Project: Fourth	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ 614,997. ⁰⁰	a. YES. <input type="checkbox"/>	THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE: _____
b. Applicant	\$ 16,184. ⁰⁰	b. NO. <input checked="" type="checkbox"/>	PROGRAM IS NOT COVERED BY E.O. 12372
c. State	\$ 16,184. ⁰⁰	<input type="checkbox"/>	OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
d. Local	\$. ⁰⁰	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
e. Other	\$. ⁰⁰	<input type="checkbox"/> Yes, If "Yes", attach an explanation <input checked="" type="checkbox"/> No	
f. Program Income	\$. ⁰⁰	18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.	
g. TOTAL	\$ 647,365. ⁰⁰	a. Authorized Representative	
		Prefix	First Name: Ed Middle Name:
		Last Name: Pinero	Suffix:
		b. Title: Mayor	c. Telephone: 601-798-9770
		d. Signature of Authorized Representative:	e. Date Signed:

**GRANT AGREEMENT
ENGINEERING WORKSHEET**

PART A (PREPARED BY AIRPORT OWNER'S ENGINEER OR REPRESENTATIVE)

Airport: Picayune Municipal Airport			Location: Picayune, Mississippi			Proj. No.: 3-28-0060-016-2010			
Brief Item Description <i>(See reverse for typical descriptions)</i>	% Fed	Units	RW	(1) Const or Land Cost	(2) Eng./Land Incidental	(3) Admin	(4) Total	(5) Federal	Non
Runway Improvements				\$ 569,365	\$ 78,000	\$ -	\$ 647,365	\$ 614,997	\$
TOTALS				\$ 569,365	\$ 78,000	\$ -	\$ 647,365	\$ 614,997	\$
(7) Recommended work description for grant offer: Construct overlay and strengthening of existing runway, remark runway, and improve shoulders at pavement edge.									
(8) Justification for any increase in T/A amount of <u>NA</u> (if no increase, enter "N/A"):									
Signature of Airport Owner's Engineer:						Date:			

**PART B (PREPARED BY FAA ENGINEER)
Land Acquisition and Relocation Assistance Only**

	Yes	No		Yes
1. People or businesses (were/are) loc'd on land?			4a. Land costs are based on appraisals, or	
2. Only necessary land is included?			b. based on actual costs for reimbursements?	
3. Land costs are reasonable?			5. Requested land not in previous GA & deleted?	
All Projects (Land and Construction)				
	Yes	No		Yes
6. Exhibit "A" received and correct?			12. P & S are in accordance with EIS / FONSI?	
7. Project application signed and correct?			13. Costs are reasonable?	
8. All work in P & S in grant offer?			14. Air/water quality certification received?	
9. Stage construction?			15. Sponsor legally obligated to relocate utility?	
10. Cost based on bids?			16a. Surplus property land sale proceeds available?	
11. Force account?			b. If so, are they applied to this project?	
17. Comments on above numbered items				
18. Recommended special conditions for grant:				
Signature of FAA Project Manager:				Date:

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ADOPT THE FOLLOWING RESOLUTION DIRECTING THE SALE AND AWARD OF GENERAL OBLIGATION STREET BONDS, SERIES, 2010 OF THE CITY OF PICAYUNE ACCEPTING THE LOW BID FROM FTN FINANCIAL CAPITAL MARKETS, UPON THE RECOMMENDATION OF COUNSEL FROM BUTLER SNOW AND THE FINANCIAL ADVISOR FROM GOVERNMENTAL CONSULTANTS.

Motion was made by Councilman Lane and seconded by Councilman Gouguet to adopt the foregoing resolution and to accept the low bid from FTN Financial Capital Markets.

REGULAR MEETING JULY 6, 2010

Following the reading of the bids, the Governing Body proceeded to consider them for the purpose of determining which was the best and most advantageous bid submitted. Whereupon, the following resolution was presented, read and its adoption and passage moved by Council Member TODD LANE :

RESOLUTION DIRECTING THE SALE AND AWARD OF GENERAL OBLIGATION STREET BONDS, SERIES 2010, OF THE CITY OF PICAYUNE, MISSISSIPPI, TO BE DATED THE DATE OF DELIVERY THEREOF, IN THE PRINCIPAL AMOUNT OF SEVEN MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$7,700,000); AND A RESOLUTION APPROVING AND AUTHORIZING THE FORM OF, EXECUTION AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING TO THE SEVEN MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$7,700,000) GENERAL OBLIGATION STREET BONDS, SERIES 2010, OF CITY OF PICAYUNE, MISSISSIPPI.

WHEREAS, the Governing Body of the City, acting for and on behalf of the City, hereby finds, determines, adjudicates and declares as follows:

1. The Governing Body on June 1, 2010, did adopt a resolution directing that General Obligation Street Bonds, Series 2010 (the "Bonds"), of the City in the principal amount of Seven Million Seven Hundred Thousand Dollars (\$7,700,000) be offered for sale on sealed bids to be received up to and until the hour of 4:00 o'clock P.M. on the 6th day of July, 2010 for subsequent presentation to the Governing Body of the City, in its meeting place in the City Hall of the City at a meeting scheduled for 5:00 o'clock P.M. on July 6, 2010.

2. As directed by the aforesaid resolution, notice of sale of the Bonds was duly published in *The Picayune Item*, a newspaper published in and having a circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, said notice having been published in said newspaper on June 23 and 30, 2010, the first publication having been made at least ten (10) days preceding July 6, 2010, all as shown by the proof of publication of said notice filed in the office of the Clerk.

3. The Governing Body did meet at their meeting place in the City Hall in the City of Picayune, Mississippi, at 5:00 o'clock P.M. on July 6, 2010.

4. At said time and place two (2) sealed proposals for the purchase of the Bonds were received, examined and considered by the Governing Body said bids having heretofore been presented by and being on file with the Clerk.

5. The Governing Body does now find, determine and adjudicate that the highest and best bid made and offered for the Bonds on the basis of the lowest net interest cost over the life of the issue was made by FTN FINANCIAL CAPITAL MARKETS, MEMPHIS, TN, and said bid was accompanied by a cashier's check, certified check or exchange payable to the City of Picayune, Mississippi, in the amount of One Hundred Fifty Four Thousand Dollars (\$154,000).

REGULAR MEETING JULY 6, 2010

issued or certified by a bank located in the State of Mississippi, as a guarantee that said bidder would carry out its contract and purchase the Bonds if its bid be accepted.

6. The Governing Body finds it necessary to approve the form of, execution and distribution of an Official Statement for the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY AS FOLLOWS:

SECTION 1. The Bonds are hereby awarded and sold to FTN FINANCIAL CAPITAL MARKETS
MEMPHIS, TN, in accordance with the offer submitted to the Governing Body in words and figures as follows:

5228537v2

SECTION 2. The Mayor and Clerk are hereby authorized and directed to endorse upon a copy or duplicate of the aforesaid offer a suitable notation as evidence of the acceptance thereof, for and on behalf of the City.

SECTION 3. The good faith checks filed by all unsuccessful bidders shall forthwith be returned to them upon their respective receipts therefor, and the good faith check filed by the successful bidder shall be retained by the Governing Body as a guarantee that said bidder shall carry out its contract and purchase the Bonds. If said successful bidder fails to purchase the Bonds pursuant to its bid and contract, the amount of such good faith check shall be retained by the City as liquidated damages for such failure.

SECTION 4. The Bonds shall be in fully registered form; shall be dated the date of delivery thereof; shall be of the denomination of \$5,000 each or integral multiples thereof up to the amount of a single maturity; shall be numbered from one (1) upward in order of issuance; shall be payable, both as to principal and interest, in lawful money of the United States of America at _____, _____, _____, said bank to act as paying agent, registrar and transfer agent for said Bonds; shall bear interest from the date thereof at the rates hereinafter set forth, payable semiannually on January 1 and July 1 in each year (each an "Interest Payment Date"), commencing July 1, 2011; and shall mature and become due and payable serially, on July 1 in the years and principal amounts as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>INTEREST RATE</u>
2011	\$640,000	<u>3.40</u> %
2012	665,000	<u>3.40</u>
2013	695,000	<u>2.75</u>
2014	720,000	<u>2.75</u>
2015	750,000	<u>2.60</u>
2016	780,000	<u>2.40</u>
2017	810,000	<u>2.50</u>
2018	845,000	<u>2.70</u>
2019	880,000	<u>2.80</u>
2020	915,000	<u>2.90</u>

Bonds maturing on July 1, 2016 and thereafter, are subject to redemption prior to their stated dates of maturity, at par, plus accrued interest to the date of redemption, either in whole at any time on or after July 1, 2015, or in part, in inverse order of maturity and by lot within a maturity on July 1, 2015, or on any Interest Payment Date thereafter.

SECTION 5. The Governing Body of the City of Picayune, Mississippi, hereby approve and adopt the Official Statement in the form attached hereto as **EXHIBIT A**, and hereby authorize the Mayor and Clerk to sign and distribute an Official Statement, in substantially the same form, for and on behalf of said Governing Body.

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The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO SET THE DATE FOR A PUBLIC HEARING FOR PROPERTY CLEAN-UP OF THE FOLLOWING PROPERTIES FOR AUGUST 3, 2010 AT 5:00 P.M.

1. 519 Fourth Ave Parcel # 617-515-001-02-006-00
2. 1404 Fourth Ave. Parcel # 617-210-003-03-012-00
3. 600 Davis St. Parcel # 617-515-003-04-015-00
4. 401 Moody St. Parcel # 617-111-001-03-020-00
5. 611 Carroll St. Parcel # 617-111-004-01-045-00
6. Hwy 11 & Laird Parcel # 617-111-001-03-020-00
7. S Haugh & Whitfield Parcel # 617-614-003-04-033-00
8. Burnt House on Burley Parcel # 617-515-003-04-054-00

Motion was made by Councilman Lane and seconded the Councilman Gouguet to set the date for the aforementioned properties for August 3, 2010 at 5:00 p.m.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AUTHORIZE THE POLICE DEPARTMENT TO APPLY FOR A 100% FUNDED COPS TECH GRANT IN THE AMOUNT OF \$51,000. AND TO AUTHORIZE THE MAYOR TO EXECUTE THE GRANT.

Motion was made by Councilman Breland and seconded the Councilman Gouguet to authorize the Police Department to make application for the grant to authorize the Mayor to sign the grant.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AMEND THE AGENDA TO ALLOW BRENDA DAVENPORT TAYLOR USE A PICTURE OF THE CITY OF PICAYUNE WELCOME SIGN ON THE COVER OF HER NEW CD RECORDING "HOMETOWN OF PICAYUNE".

Motion was made by Councilman Breland and seconded by Councilwoman to amend the agenda to allow Brenda Davenport Taylor to use a picture of the City of Picayune Welcome Sign on the cover of her new CD.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO GRANT AUTHORITY TO BRENDA DAVENPORT TAYLOR TO USE A PICTURE OF THE CITY OF PICAYUNE'S WELCOME SIGN ON THE COVER OF HER NEW CD.

Motion was made by Councilwoman Bumpers and seconded by Councilman Breland to grant authority to Ms. Taylor to use the Welcome Sign on the cover of her new CD.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Gouguet, seconded by Council Member Breland to enter closed session to determine the need for an executive session.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Gouguet, seconded by Council Member Breland to return to regular session.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RE-ENTER EXECUTIVE SESSION

Motion was made by Council Member Gouquet, seconded by Council Member Breland to enter executive session to discuss the following:

Personnel Matter

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Gouquet, seconded by Council Member Breland to return to regular session.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE RECEIVER'S DEED AND CONVEYANCE OF THE DIXIE UTILITIES ASSETS, UPON FINAL JUDGEMENT OF THE CHANCERY COURT OF PEARL RIVER COUNTY, TO

THE PEARL RIVER COUNTY UTILITY AUTHORITY AND TO ACCEPT AS PAYMENT FOR THIS CONVEYANCE THE AMOUNT OF \$54,100

Motion was made by Councilman Gouguet and seconded by Councilman Breland to authorize the Mayor and City Clerk to execute the aforementioned Final Judgment of the Chancery Court of Pearl River County.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO SETTLE THE DISPUTED GAS BILL OF TONY CIPRIANO, SINCE MR. CIPRIANO HAD HIS WATER TURNED ON AND SPECIFICALLY REQUESTED THAT HIS GAS NOT BE TURNED ON, THEN THREE MONTHS LATER RECEIVED A BILL FOR \$306.00 FOR GAS. MR. CIPRIANO DID NOT FEEL HE OWED THE GAS BILL.

After discussion, motion was made by Councilman Gouguet and seconded by Councilman Lane to reach a compromise of the disputed claim for the gas bill of Tony Cipriano and for Mr. Cipriano to only be responsible for ½ of the gas bill.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Watkins, seconded by Council Member Bumpers to recess until Tuesday, July 20, 2010 at 5:00 pm.

REGULAR MEETING JULY 6, 2010

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Ed Pinero, Mayor

ATTEST:

Priscilla Daniel, City Clerk