January 3, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in regular session Tuesday, January 3, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Danny J. Ware, Luther T. Jones, Leavern Guy; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; and City Attorney, Nova Carroll.

It Being Determined a quorum was present, Mayor Gregory H. Mitchell declared the meeting open and the following proceedings were held.

The opening prayer was given by City Attorney, Nova Carroll, followed by the Pledge of Allegiance.

ORDER TO APPROVE MINUTES OF COUNCIL MEETINGS ON NOVEMBER 1, 15, 22 AND DECEMBER 6, 1988

Motion was made by Councilman Guy and seconded by Councilman Ware to approve minutes of Council meetings held on November 1, 15, 22 and December 6, 1988. Said minutes are on file in the office of the City Clerk in Minute Book 21, pages 1 through 20. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy
Voting nay: None
Absent and not voting: Councilmen Albritton and McQueen
Motion was declared carried.

ORDER TO ACCEPT THE MINUTES OF THE LIBRARY COMMISSION MEETING HELD ON NOVEMBER 1, 1988

Motion was made by Councilman Ware and seconded by Councilman Jones to accept the minutes of the Library Board Meeting on November 1, 1988. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy
Voting nay: None
Absent and not voting: Councilmen Albritton and McQueen
Motion was declared carried.

Councilman McQueen arrived at the meeting at this time.

ORDER TO APPROVE BUILDING PERMITS FOR DECEMBER, 1988

Motion was made by Councilman Guy and seconded by Councilman Jones to approve building permits no 4712 - 4716 for the month of December, 1988. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Guy, Jones, and McQueen
Voting nay: Councilman Ware
Absent and not voting: Councilman Albritton
Motion was declared carried.

ORDER TO APPROVE DOCKET OF CLAIMS FOR THE MONTH OF DECEMBER, 1988

After discussion of Claims No. 1653, 1660, 1661, 1722, 1732 and 1758, motion was made by Councilman Guy and seconded by Councilman Ware to approve the Claims Docket for the month of December, 1988 as follows:

Claims No. 1229 - 1793

FUND NAME	AMOUNT
General Fund	$ 659,231.58
Neighborhood Parks and Recreation	7,520.00
Library Fund	310.71
CDBG West Side Re-Development	2,059.80
CDBG Urgent Needs Grant 7-99-133-CN-01	6.33
U D A G Majestic Inn Rental	6,000.00
General Bond & Interest Fund	76,000.00
Industrial Revenue Fund	66,950.00
Library Construction Bond Fund	6,700.00
Capital Projects Fund	275,165.10
Utility Fund	1,169,192.06
Intragovernmental Service Fund	56,930.33
Unemployment Compensation Trust Fund	29,600.00
Tax Collector Fund	84,603.86
Palestine Cemetery Trust Fund	252,300.00
DOCKET TOTALS:	$2,692,569.77

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE MINUTES OF THE PLANNING COMMISSION MEETING HELD ON DECEMBER 27, 1988

Motion was made by Councilman Jones and seconded by Councilman Guy to approve the minutes of the Planning Commission Meeting held on December 27, 1988. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

Susan Chamberlain, with SMPDA, presented the Mayor and Council with a final draft of the Comprehensive Plan Update for the city. Chamberlain presented the Plan to the Planning Commission at their regular meeting on December 27, 1988, at which time they recommended the Plan for Council adoption. Chamberlain stated each of the final documents will have a 2' X 3' fold-out map attached and each copy of the Plan wil be placed in 3-ring binders which would allow space for additions and changes. Councilman Guy requested a statement be included in the final document to show that Precinct 4 will continue to improve the dilipated houses in that area. He stated this was included for another area but not for Precinct 4. Motion was made by Councilman Jones and seconded by Councilman Guy to adopt the Comprehensive Plan Update including Councilman Guy's statement on dilipated houses in Precinct 4. The following roll vall vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Guy, Jones and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF PARADE PERMIT FOR JANUARY 16, 1989 IN OBSERVANCE OF M.L. KING, JR. BIRTHDAY

A request for a parade permit came before the Mayor and Council for a parade on January 16, 1989 at 6:00 P.M. in observance of Martin Luther King, Jr.'s birthday to follow the same route as the Christmas Parade. Mayor Mitchell then presented a letter from Tim F. Crowley to the Civic Women's Club in regards to the Christman Parade on December 5, 1988 as follows:

> During the last Christmas Parade held on December 5, 1988, I received a number of complaints from patients in our hospital with regard to the noise level which was encountered during the parade. As it happens, two of these patients were severely ill patients who were in our Intensive Care Unit and a great deal of concern was had for my staff with regard to their physical wellbeing. I had asked years ago that consideration be given to changing the parade route so that it did not pass directly by the hospital in order to avoid our patients' experiencing these potential detrimental problems. At that time my request was denied.
>
> I again request that consideration be given for next year's parade to be re-routed so it does not pass directly by the hospital. While I recognize the traditions of this parade and understand clearly the good it does for our community, I am very concerned about the welfare of our patients. Another aspect which I had mentioned earlier is the encircling of the hospital by the parade which would prohibit ambulance personnel from reaching our emergency room on as timely a basis as they might otherwise do. This, again, could result in an unnecessary delay for a patient who is in an emergency situation.
>
> I realize the difficulty involved in making a decision of this nature, but I respectfully request your consideration.
>
> Sincerely,
> /s/ Tim F. Crowley
> President
> Crosby Memorial Hospital

Therefore, motion was made by Councilman McQueen and seconded by Councilman Guy to enter said letter into the minutes and meet with hospital officials concerning parade routes, with the following roll call vote recorded.

continued

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE PARADE PERMIT FOR JANUARY 16, 1989 at 6:00 P.M.

Motion was made by Councilman Ware and seconded by Councilman Jones to approve a parade permit for January 16, 1989 in observance of Martin Luther King, Jr.'s birthday, after meeting with City Manager, A.L. Franklin to work out parade route. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

P R O C L A M A T I O N

WHEREAS, a drug free community has become our goal in Pearl River County; and

WHEREAS, our county has made great strides in drug abuse prevention through law enforcement, positive self-image programs in our public schools, and community envolvement; and

WHEREAS, concerned citizens have banded together to initiate and support Pearl River Information and Drug Education (PRIDE); and

WHEREAS, our public school systems have enthusiastically endorsed and promoted Drug Free School projects in their curriculums; and

WHEREAS, it is important that this county pledge and all involved in its implementation be recognized for their dedication and commitment;

THEREFORE, I, Greg Mitchell, Mayor of the City of Picayune, Mississippi, hereby proclaim March 5 - 10, 1989, JUST SAY NO WEEK in Picayune, Mississippi, and urge all of its citizens to participate in programs to insure a drug free community.

The above and foregoing Proclamation was presented by PRIDE, P.E.P. Squad (Pride Enlist Parents) and was adopted upon motion by Councilman Jones and seconded by Councilman Guy, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF APPOINTMENT TO THE HOUSING AUTHORITY

Mayor Mitchell stated the five year term of Mr. Fred Moore expired in November, 1988. Mr. Mitchell stated Mr. Moore has served well and has done an excellent job and would like for the Council to reappoint him. Councilman McQueen motioned Mr. Fred Moore be reappointed to serve on the Housing Authority. Councilman Guy then nominated Ruby Delaney to fill this position. Mayor Mitchell called for a vote with the following results:

Voting to reappoint Mr. Fred Moore:
Councilmen Ware, McQueen and Mayor Mitchell (3)
Voting to appoint Ms Ruby Delaney:
Councilmen Jones and Guy (2)
Motion was declared not carried. No decision was made.
Absent and not voting: Councilman Albritton

IN THE MATTER OF APPOINTMENT TO THE PLUMBING BOARD

City Manager, A.L. Franklin, informed the Mayor and Council that Mr. Bill Hutchison, who served on the Plumbing Board, has moved away and we need to appoint someone to fill his unexpired term which will expire in September, 1989. Mr. Franklin recommended Gary Mitchell, a licensed plumber, to fill this position. Councilman Guy requested more time be allowed before making this decision. No action was taken.

ORDER TO REAPPOINT DR. LEO GIBSON TO SERVE A FIVE YEAR TERM AS A LIBRARY TRUSTEE

A letter from Mrs. Josephine Z. Megehee, Director of Margaret Reed Crosby Memorial Library and Cultural Center, stated the term of Dr. Leo Gibson will expire in January, 1989. She stated Dr. Gibson was recently elected as Chairman of the County Administrative Library Board and asked that he be considered for reappointed as Trustee for the Picayune Library. Motion was made by Councilman Ware and seconded by Councilman Guy to reappoint Dr. Leo Gibson to serve another five (5) year term as a Library Trustee. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Guy, Jones and McQueen
Voting nay: None
Absent and not voting: Councilman Albritton
Motion was declared carried.

IN THE MATTER OF HEALTH INSURANCE FOR THE CITY EMPLOYEES

Mrs. Jane Smoot, a representative for Connecticut General Insurance Company, was present to offer a proposal for health insurance for City employees. She stated they did not make a proposal until October 12, 1988, which was 12 days past the October 1 renewal date. At that time, Blue Cross/Blue Shield was renewed with a $1,000 deductible. Blue Cross was to re-evaluate our group in January, 1989 hoping to lower the deductible. However, at this time, Blue Cross states they will need another 3 months to evaluate our coverage. Jane Smoot furnished the Mayor and Councilmen with a copy of a summary for a $500.00 deductible coverage with an added $200.00 charge for each stay in the hospital, a prescritpion card to cover medicine at $3.00 per prescription, 100% coverage on accidents up to $300.00, for a cost of $104.65 per month. This cost is $ 3.37 above the present Blue Cross coverage with $1,000.00 deductible. Mrs. Smoot stated Connecticut Generals' coverage would be effective from December 31, 1988, and enrollment would have to be completed within the next two weeks to take advantage of this proposal. Councilman Guy inquired about a policy with a $200.00 deductible. Smoot stated an alternate proposal for a $200 policy is included in the summary each Councilman received for a cost of $117.25 per month. Councilman Ware requested Mrs. Smoot to quote a price without coverage for alcohol and drug abuse, mental health & without 100% accident coverage. She stated it would be around January 6, 1989 before she could furnish this information and time is a factor. City Manager, A.L. Franklin stated if it became necessary a Special Meeting could be called in order to make a decision. No action was taken.

ORDER TO RECEIVE BIDS FOR MATERIALS NEEDED FOR WEST SIDE REDEVELOPMENT AREA IMPROVEMENTS

This being the day and hour to receive bids for materials needed for improvements to public facilities, water, sewer, gas, sub-surface drainage in the West Side Redevelopment Area, Phase 1, the following submitted bids:

Item No. 1 (Water)

Central Pipe Supply, Inc., Jackson, MS
Water Products Co., Mobile, AL
Viking Utility Supply, Hattiesburg, MS
Consolidated Pipe & Supply Co., Jackson, MS
Davis Meter & Supply Co., Jackson, MS
A & P Water & Sewer Supplies, Inc., Harvey, LA

Item No. 2 (Sewer)

Viking Utility Supply, Hattiesburg, MS
Consolidated Pipe & Supply Co., Jackson, MS
Water Products Co., Mobile, AL
Central Pipe & Supply Co., Jackson, MS
Davis Meter & Supply, Inc., Jackson, MS
A & P Water & Supply Co., Harvey, LA

continued

BIDS FOR WEST SIDE REDEVELOPMENT AREA PROJECT CONTINUED:

Item No. 3 (Gas)

Davis Meter & Supply Co., Jackson, MS
Consolidated Pipe & Supply Co., Jackson, MS
Water Products Co., Mobile, AL
Viking Utility Supply, Hattiesburg, MS
Central Pipe & Supply, Jackson, MS

Item No. 4 (Sub-surface Drainage)

Faulkner Concrete Pipe Co., Gulfport, MS
Water Products Co., Mobile, AL
Central Pipe Supply, Jackson, MS
Consolidated Pipe & Supply Co., Jackson, MS
Choctaw, Inc., Jackson, MS

Motion was made by Councilman Jones and seconded by Councilman Guy to take said bids under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR A COMPUTER TAPE DRIVE BACK-UP SYSTEM

This being the day and hour to receive bids for a computer tape drive back-up system, two (2) bids were received. They were from Rodan, Inc. of Harahan, LA and Sun Data of Norcross, GA as follows:

(1) RODAN, Inc. can furnish one (1) new 1/4 cartridge tape drive unit, capable of storing 120 MB. The unit has twinax cable thru connections for the IBM System 36. The unit is a RODAN 5057-002 Tape Unit. The cost of this unit would be $3,595.00.

s/s Billy Webb
Marketing Represnetative

(2) SUN DATA: 5157 Tape Drives

		List	SUN DATA
2121	2 yr/warranty 120mb	$3,630	$3,037
2241	2 yr/warranty 240mb	$ 5,500	$4,843
2301	2 yr/warranty 300mb	$ 6,600	$5,611

Note:

The prices and terms contained in this proposal are subject to revision without prior notice on and after January 27, 1989.

s/s Jimmy Birdsong
Associate Marketing Rep.

Motion was made by Councilman Jones and seconded by Councilman Guy to take said bids under advisement, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR ELECTRONIC METER READING SYSTEM FOR UTILITY DEPARTMENT

This being the day and hour to recieve bids for an Electronic Meter Reading System, the following bid was received from Itron, Inc. of Spokane,WA as follows:

Description	Qty.	Unit(F1) Price	Extended (F2) Price
DataCap H (DCH) 256K RAM Without Cassette Backup	2	$3,285	$6,570
DataCap Management Unit 300 with Three Data Ports	1	$1,645	$1,645
Battery Charging System (BCS) 604 With Three DCH Charging ports	1	$ 475	$ 475
PC interface Kit	1	$ 525	$ 525
Software RDMS Software License 5.0	1	$4,200	$4,200
			$13,415 (F5)
		Discount:	(985)(F6)
		Total:	12,430 (F4)

(F4): The price quoted does not include implementation labor costs based on four days at ITRON in Spokane, WA for an initial orientation and five days at the customer's site for installation which total $4,500. The utility will be responsible for one round-trip airfare and per diem expenses for five days at $150 per day.

(F6) The discount figure quoted is contingent upon contract execution by January 9, 1989.

s/s William Waller
Regional Sales Manager
Encore Systems

Motion was made by Councilman Jones and seconded by Councilman Guy to take said bid under advisement for meter reading system. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO ADVERTISE FOR REPAIRS TO THE PRIDE BUILDING

Upon motion by Councilman Guy, seconded by Councilman Jones, the following advertisement for repairs to the PRIDE building was approved as follows:

ADVERTISMENT FOR BIDS

Public Notice is hereby given that the Mayor and City Council of the City of Picayune will receive bids up to 5:00 p.m., Tuesday, February 7, 1989 for changes and additions to the Pride Building.

Detail plans and specifications are available upon request in the office of the City Clerk of the City of Picayune, 203 Goodyear Boulevard, Picayune, MS 39466.

"Seal Bid" must be written on envelope and sent to Raymond A. Seal, City Clerk, 203 Goodyear Blvd., Picayune, MS 39466, on or before the above specified time.

Said bids will be opened February 7, 1989, at 6:00 p.m., or shortly thereafter.

The Mayor and City Council of the City of Picayune, MS reserve the right to reject any or all bids.

City Clerk,
Raymond A. Seal

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR MITCHELL TO SIGN A QUITCLAIM DEED FOR JOHN LINDSAY, JR. FOR 1985 TAXES IN THE AMOUNT OF $92.13 MATURED TO THE CITY

Motion was made by Councilman Ware and seconded by Councilman Guy to authorize Mayor Mitchell to sign a quitclaim deed for 1985 taxes in the amount of $92.13 that matured to the City for John Lindsay, Jr. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING CITY MANAGER TO INSTALL THREE (3) STREET LIGHTS

City Manager, A.L. Franklin, requested authorization to install three (3) street lights on South Lofton, Glenwood and Boley Drive. Motion was made by Councilman Jones and seconded by Councilman Guy authorizing said lights be installed. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was decalred carried.

ORDER TO RECESS

Motion was made by Councilman Ware and seconded by Councilman Jones to recess until Tuesday, January 17, 1989 at 6:00 P.M.

APPROVED:

GREGORY H. MITCHELL
MAYOR

ATTEST:

Raymond A. Seal, City Clerk

TAPE NO. 89-1 and 89-2

January 9, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in said City, January 9, 1989 at 6:00 P.M., pursuant to waiver of notice and consent to so meet duly signed and executed by each and every member of the said Council, including the Mayor, in accordance with the provisions of the law, ordered spread upon these minutes and filed for record with the following officials present: Mayor Gregory H. Mitchell; Councilmen Luther T. Jones, Danny J. Ware, Kelly L. McQueen and Larry L. Albritton; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; City Attorney, Nova Carroll.

It Being Determined a quorum was present, the Mayor declared the meeting open and the following proceedings were held.

NOTICE AND CONSENT TO SPECIAL MEETING

Councilman Danny J. Ware
Councilman Luther T. Jones, Sr.
Councilman Leavern Guy
Councilman Larry L. Albritton
Councilman Kelly L. McQueen

You are HEREBY NOTIFIED that a special meeting of the Mayor and City Council is called to meet in the Council Chambers, Monday, January 9, 1989 at 6:00 P.M., for the purpose of dicussing health insurance for City employees.

We the undersigned Mayor and Councilmen of the City of Picayune do hereby acknowledge notice of the above called meeting.

Mayor Gregory H. Mitchell

Councilman Danny J. Ware

Councilman Luther T. Jones, Sr.

Councilman Leavern Guy

Councilman Larry L. Albritton

Councilman Kelly L. McQueen

SPECIAL CALLED MEETING OF JANUARY 9, 1989

ORDER TO APPROVE HEALTH INSURANCE COVERAGE FOR CITY EMPLOYEES WITH CONNECTICUT GENERAL LIFE INSURANCE COMPANY

Nancy Durham, Personnel Director for the City and Jane Smoot of Diversified Financial Services, representing Connecticut General Insurance Agency, came before the Mayor and Council to continue discussion of a proposal for the City employees' insurance coverage. The City will pay an estimated $5,000 per year more in premiums with the proposed plan, but would offer a $500.00 deductible and more benefits for city employees'. The policy would offer a drug prescription card which would enable insurance carriers to purchase any prescribed drug for $3.00, would pay the first $300.00 for accidents, pay 100 percent for second and third opinions, pay 100 percent for out-patient care with a $500.00 deductible. However, in addition to the $500.00 deductible, there will be $200.00 deductible each time a person is admitted to the hospital. The city's current policy with Blue Cross/Blue Shield has a $1,000.00 deductible. Upon a request by Councilmen Guy and Ware on January 3, 1989, Smoot asked the Company if it could delete some parts of the suggested coverage for a reduced premium. However, the Company stated it did not have time to do so now because it would have to be proposed to the underwriters again and coverage with the proposed plan would begin from December 31, 1988, so the city would avoid a 9% increase. Councilman Guy stated the city should stay with Blue Cross/Blue Shield adding that there is not much difference in the policies, other than the prescription card and the premium increase. Councilman McQueen stated when the city accepted Blue Cross/Blue Shield with the $1,000 deductible, the city destroyed the policy. Councilman Guy then motioned to continue with Blue Cross/Blue Shield, seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Councilmen Jones and Guy

Voting nay: Mayor Mitchell, Councilmen Albritton, Ware, McQueen

Motion was declared not carried.

Motion was made by Councilman Ware and seconded by Councilman Albritton that the City accept Connecticut General's proposal for the new insurance. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Guy, Ware, Albritton

Voting nay: Councilmen Jones and McQueen

Motion was declared carried.

An application with a manual check in the amount of $10,000 was authorized by unanimous vote which must be sent to Connecticut General by Tuesday, January 10, 1989, along with a letter of committment showing Blue Cross has let the city out of its present contract.

continued

DISCUSSION OF HEALTH INSURANCE CONTINUED:

Motion was made by Councilmen McQueen and seconded, requesting Nancy Durham and City Manager, A.L. Franklin, look into a self-insurance program for the city. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy McQueen and Albritton
Voting nay: None

Motion was declared carried.

ORDER TO RECESS:

Motion was made by Councilman Guy and seconded by Councilman Jones to recess until Tuesday, January 17, 1989 at 6:00 P.M.

APPROVED:

MAYOR GREGORY H. MITCHELL

ATTEST:

Raymond A. Seal, City Clerk

TAPE NO. 89-3

January 17, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in recessed session Tuesday, January 17, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Danny J. Ware, Luther T. Jones, Larry L. Albritton, Leavern Guy; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; and City Attorney, Nova Carroll.

It Being Determined a quorum was present, Mayor Mitchell declared the meeting open and the following proceedings were held.

P R O C L A M A T I O N

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

WHEREAS, the lives of citizens in our community, depend each day of the availability of blood and blood components; and

WHEREAS, blood can come only from healthy volunteers in our community willing to give of themselves so that others may live; and

WHEREAS, United Blood Services of Mississippi - Hattiesburg, our community Blood Center, is charged with the responsibility of maintaining an adequate and available blood supply for all our citizens;

NOW, THEREFORE, I Gregory H. Mitchell, Mayor of the City of Picayune, Mississippi do hereby proclaim January to be Volunteer Blood Donor Month, and so encourage all persons of good health and goodwill from the ages of 17 and older to resolve to give blood, the "GIFT OF LIFE", during January and throughout the year so that our community Blood Center, United Blood Services of Mississippi - Hattiesburg can make blood available whenever and where ever it is needed.

DATED this the 17th day of January, 1989.

APPROVED:

GREGORY H. MITCHELL, MAYOR

ATTEST:

Raymond A. Seal, City Clerk

PROCLAMATION CONTINUED:

The above and foregoing Proclamation was adopted upon motion by Councilman Guy and seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and Albritton

Voting nay: None

Absent and not voting: Councilman McQueen

Motion was declared carried.

Councilman McQueen entered the Council Chambers at this time.

IN THE MATTER OF PRIDE ORGANIZATION "PEP SQUAD"

Mrs. Ola Robinson, a member of the PRIDE Organization Pep Squad (Pride Enlist Parents) came before the Mayor and Council informing them of the community wide task force working toward a drug free community. They are selling ribbons to be worn during "Just Say No" Week which is March 5-10, 1989. Ribbson are 50¢ each and can be ordered from the PRIDE office. She encouraged the Mayor and Council and audience to order their ribbons early.

ORDER TO WAIVE PERMIT FEE FOR CIRCUS AT FRIENDSHIP PARK FOR MISSISSIPPI COUNCIL FOR THE BLIND ON MAY 6, 1989

A representative for the Mississippi Council for the Blind came before the Mayor and Council concerning their annual fund raising circus to be held on May 6, 1989 at Friendship Park. She stated telephone sales will begin in late February. Motion was made by Councilman Ware and seconded by Councilman Jones to waive the permit fee at Friendship Park for their annual circus for the Mississippi Council for the Blind. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy Albritton and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF PUBLIC HEARING
RE: LOT MAINTENANCE - PERCY MURDOCK

Dallas Penton, Public Safety Manager, stated that Mr. Murdock contacted him for additional time to clean his property. Councilman Guy stated Mrs. Murdock had contacted him concerning this. City Manager, A.L. Franklin stated normally 30 days is allowed prior to the city cleaning property and assessing cost to taxes. Upon motion by Councilman Jones, seconded by Councilman Guy, property owned by Percy Murdock, Lot 1, Block D, Section 16-6-17, Bender Street was declared a menace to the public health and safety to the community and property owner allowed thirty (30) days to clean said property. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

IN THE MATTER OF PUBLIC HEARING
RE: LOT MAINTENANCE - G.H. WILLIAMS ESTATE

This being the date set for a public hearing to determine if the condition of property owned by the G.H. Williams Estate, c/o R.J. Williams, Lot 43, Block 11, J.W. Simmons 2nd Addition, corner of 8th Street and N. Buren, Picayune, MS constitutes a menace to the community. Upon motion by Councilman Jones and seconded by Councilman Guy, said property was declared a menace to the public health and safety to the community and property owner allowed thirty (30) days to clean said property. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

IN THE MATTER OF PUBLIC HEARING
RE: LOT MAINTENANCE - EXQUISITE SERVICES, INC.

This being the date set for a public hearing to determine if the condition of property owned by Exquisite Services, Inc., Lot 26, Section 14-6-17, corner of East Canal and North Jackson, Picayune, MS constitutes a menace to the community. Upon motion by Councilman Jones and seconded by Councilman Guy, said property was declared a menace to the public health and safety to the community and property owner allowed thirty (30) days to clean said property. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

IN THE MATTER OF PUBLIC HEARING
RE: LOT MAINTENANCE - ROBERT HAWKINS

This being the date set for a public hearing to determine if the condition of property owned by Robert Hawkins, lot in Block 26, secion 14-6-17, J.W. Simmons 2nd Addition, N. Jackson Street, Picayune, MS constitutes a menace to the community. Upon motion by Councilman Jones and seconded by Councilman Guy, said property was declared a menace to the public health and safety to the community and property owner allowed thirty (30) days to clean said property. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR CITY BARN AND WAREHOUSE AND TAKE UNDER ADVISEMENT

This being the day and hour to receive bids for construction of a city barn and warehouse, the following bids were received:

J.W. Puckett, Gulfport, MS (Bid bond enclosed)	$45,500 Base $44,800 Alt.
Pullens & Davis Const., Carriere, MS	$48,304.Base
(Cashiers Check enc.)	$47,804 Alt.
Ron-Dee Const. Inc., Picayune,MS (without bond)	$49,600 Base $48,695 Alt.
Pearson Steel Const., Picayune (Cashiers Check)	$35,377 Base $34,677 Alt.
Beacon Const. Gulfport, MS (with Bid bond)	$52,552 Base $50,000 Alt.
Kan Duit, Picayune (Cashiers Check included)	$51,575 Base $50,765 Alt.

Motion was made by Councilman McQueen and seconded by Councilman Jones to take said bids under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR COVERED PAVILLION AND TAKE UNDER ADVISEMENT

This being the day and hour to receive bids for construction of a covered pavillion, the following bids were received:

Derwin Whitfield, Heritage Homes, Inc.	(with cashiers check)	$14,874
Pullens & Davis Const.	(with cashiers check)	$15,410
Ron-Dee Const. Inc.	(without check)	$19,693
Landmark, Robert Courtney	(with cashiers check)	$17,989
Beacon Const.	(with Bid Bond)	$18,878
Kan Duit	(with cashiers check)	$21,668
Souther Pine	(with cashiers check)	$16,755
R & T. Co., Greenwood,MS	(without check)	$27,735

Motion was made by Councilman McQueen and seconded by Councilman Guy to take said bids under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton (left the meeting)

Motion was declared carried.

ORDER TO ADVERTISE FOR ONE (1) POLICE CAR

Motion was made by Councilman McQueen and seconded by Councilman Jones to advertise as follows for one (1) police car:

ADVERTISEMENT FOR BIDS

Public notice is hereby given that the Mayor and City Council of the City of Picayune will receive bids until 5:00 p.m., Tuesday, February 7, 1989 for one 1989 Police Car.

Specifications are available upon request in the office of the City Clerk of the Ciyt of Picayune, 203 Goodyear Boulevard., Picayune MS 39466.

"Seal Bid" must be written on envelope and sent to Raymond A. Seal, City Clerk, 203 Goodyear Boulevard, Picayune, MS 39466 on or before the above specified time.

Said bids will be opened February 7, 1989 at 6:00 p.m. or shortly thereafter.

The Mayor and Council of the City of Picayune, MS reserve the right to reject any or all bids.

City Clerk
Raymond A. Seal

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE BIDS FOR THE WEST SIDE REDEVELOPMENT PROJECT AS RECOMMENDED BY PURCHASING AGENT, REGGIE FRIERSON

Purchasing Agent, Reggie Frierson, recommended the following lowest and best bid for materials needed for the West Side Redevelopment Project as follows:

Item No. 1 Water

Water Products Company----------$ 8,381.20
Mobile, AL

Item No. 2 Sewer

Central Pipe Supply----------$ 4,801.60
Jackson, MS

Item No. 3 Gas

Consolidated Pipe & Supply Co., Inc.--$ 4,603.50
Jackson, MS

Item No. 4 Sub-Surface Drainage

Faulkner Concrete Pipe Company--------$35,362.76
Gulfport, MS

Reggie Frierson stated that line item no. 6 and 7 of the sewer bid will have to be readvertised. Motion was made by Councilman Guy and seconded by Councilman Jones to approve the above bids for the West Side Redevelopment Project as recommended. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RE-ADVERTISE FOR MANHOLES, COVERS AND RINGS FOR WEST SIDE REDEVELOPMENT PROJECT

Reggie Frierson, Purchasing Agent, requested that the bid for manholes, covers and rings be readvertised for the West Side Redevelopment Project as follows:

NOTICE FOR BIDS

Public Notice is hereby given that the Mayor and Council of the City of Picayune will receive bids up to 5:00 p.m., Tuesday, February 7, 1989, on the following:

Seven (7) manholes (4 L.F. to 6 L.F. depth) for the West Side Redevelopment Area.

Specifications may be obtained upon written request to the City Clerk, 203 Goodyear Blvd., Picayune, MS 39466 or by calling (601) 798-9770 or (601) 798-9778.

"Sealed Bids, Item No._____" must be written on the envelope with a separate envelope for each bid item, and mailed to or hand delivered to Raymond A. Seal, City Clerk, 203 Goodyear Blvd., Picayune, Ms 39466. Said Bids will be opened February 7, 1989 at 6:00 p.m. or shortly thereafter. The Mayor and Council reserve the right to waive informalities, reject any or all bids, increase or decrease quantitiies.

The City of Picayune is an Equal Opportunity Employer.

Done by order of the Mayor and Council this the 17th day of January, 1989.

Raymond A. Seal
City Clerk

Motion was made by Councilman McQueen and seconded by Councilman Guy authorizing Purchasing Agent to readvertise for manholes, covers and rings for the West Side Redevelopment Project. The following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF APPOINTMENT TO THE HOUSING AUTHORITY BOARD

Councilman Guy recommended that Mrs. Ruby Delaney, a resident of the Picayune Housing Project, be appointed to the Housing Authority Board. Mrs. Mary Davis, Director of the Picayune Housing Projects, stated this would be conflict of interest to have her on the Board. Mrs. Davis presented a copy of an opinion from the Attorney General's Office to Nova Carroll which supported her statement. Mayor Mitchell recommended that Mr. Fred Moore be reappointed as he has been an asset to the Board and is knowledgeable about this position. Motion was made by Councilman McQueen and seconded by Councilman Ware to reappoint Mr. Moore, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, and McQueen

Voting nay: Councilmen Guy and Jones

Motion was not carried.

No further action was taken.

ORDER TO APPOINT GARY MITCHELL TO SERVE ON PLUMBING BOARD

City Manager, A.L. Franklin recommended Gary Mitchell be appointed to the Plumbing Board to fill the unexpired term of Bill Hutchison, who has moved from the area. Motion was made by Councilman Guy and seconded by Councilman Ware to appoint Gary Mitchell, a licensed plumber, to serve the unexpired term until September, 1989. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE QUITCLAIM DEED FOR JUDITH A. KUSCH AND JOELLAN ROGERS FOR $81.75

Motion was made by Councilman Ware and seconded by Councilman Jones aughorizing Mayor Mitchell to sign a quitclaim deed to Judith A. Kusch and Joellan Rogers for 1981 Homestead Disallowed which matured to the City of Picayune. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE CHANGES TO THE 1988 LAND ROLL RECEIVED FROM THE PEARL RIVER COUNTY TAX OFFICE

Changes were received from the Pearl River County Tax Assessor for 1988 Land Roll as follows:

		OUTSIDE DECREASE
Patch, Vernon P. Etux - Should be total exempt	617-204-000-02-2	3581
Ott, Norman, Jr. Etux Allow 10%	617-839-000-01-19	1884
Loe, Yvonne W. Etal	616-418-000-00-016	545
Green, Kenneth, A. Allow 10%	518-731-000-002	1487
Frierson, Bonita D. Allow 10%	617-726-000-00-18	3860
Ferguson, Audrey House burned	617-521-000-00-16	535
E.H. Mitchell & Co. No house	617-837-000-05-11	5312
Boyd, Jerry, Etux Duel Assessed	616-308-000-00-58	7991
Smith, Emma L. Etal House Burned	518-829-000-00-3	2102
Smith, Anthony F.	616-306-002-04	2288
Smith, Larry Walter	517-930-000-00-22	603
Thomas, Robert L.	517-930-000-00-22	1613
	TOTAL	31,801

CHANGES TO THE 1988 LAND ROLL CONTINUED:

		OUTSIDE INCREASE
Fleming, James Authur Left out	616-306-000-00-061.04	41
Stewart Machine & Engine Co.	617-516-001-01-01-17	36702
Martin, John E.	617-417-000-01-008	4639
	Total	41,382
		INSIDE INCREASE
Page, Vonceil S. Keep total exempt	617-515-001-04-39	944
Broadwya, Buddy S.	617-111-001-04-12	5720
	Total	6,664
		INSIDE DECREASE
Woods, Frank L., Etux Should Be total exempt	617-614-001-07-51	1610
Woods, Bonnie L. Harris Should be total exempt	617-614-001-07-50-1	209
Pollitz, George A. 111	617-515-002-02-12	2458
Harvey, James H. Etux Should Be total exempt	617-614-003-07-39	4036
Cazenave, Florzelle Nobles	617-516-001-03-12	3091
Robertson, Mozella P. Should be total exempt	617-614-002-08-35	1768
Puyper, Byrness E.	617-614-002-02-21	2450
Whitfield, Doyle L. Duel Assessed	617-111-004-01-47-6	5015
Nicholson, Pat House burned	617-613-000-00-212	6772
Jackson, Arthur	617-209-004-02-19	491
Albritton, Larry	617-521-001-01-8	6042
Breland, Larry E.	617-515-003-01-78	1178
Broadway, Brent S.	617-111-001-04-13	5720
Page, Vonceil S. No improvements	617-515-001-04-39S	1201
Price, Sandra Burge No mobile home	617-111-002-01-7	615
Woodson, Ira R.	617-515-003-01-7-16	3020
	Total	45,676

The above changes to the 1988 Land Roll were accepted upon motion by Councilman Ware and seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO ADOPT RESERVE POLICE ORDINANCE

ORDINANCE NO. 611

AN ORDINANCE TO ESTABLISH A RESERVE POLICE SECTION WITHIN AND UNDER THE DIRECTION OF, THE PICAYUNE POLICE DEPARTMENT AND ESTABLISHING THE POWERS, DUTIES AND FUNCTIONS OF THE RESERVE POLICE SECTION.

Section 1. Creation; appointments, qualifications.

There is hereby created a Police Reserve Section within the Picayune Police Department, to be known as the Police Reserve Section. The membership complement of the Police Reserve Section shall be left to the discretion of the Chief of Police. Membership in the Reserve Section shall be limited to persons who reside in Mississippi and in the vicinity of Picayune, and have resided there for at least one year prior to their appointment. Each member shall be in good physical condition, of good moral character, and shall not be less than thwenty-one (21) years of age. Appointments to the Police Reserve shall be made by the Chief of Police. Any member of the Police Reserve may be discharged at any time, for reasonable cause by the Chief of Police. Regular, full-time, commissioned officers of the police department shall not be eligible for membership in the Police Reserve Section. Requirements for membership in the Police Reserve Section may be waived at the discretion of the Chief of Police if the need to do so arises. Before entering upon his prescribed duties and training, each member shall take and subscribe to the same oath or affirmation as provided by the statutes to be taken and subscribed by all municipal officers. An appointment to membership in the Police Reserve shall be signified by a card or other written instrument stating such appointment, dated and signed by the Chief of Police and a person shall not enter upon the duties of a member of the Police Reserve until such appointive instrument is in the physical custody of such member and such shall be maintained on his person at all time.

Section 2. Staffing

The Police Reserve Section shall be under the immediate control of the Chief of Police and shall be under the direct supervision of the Chief of the Operations Division of the Police Department. A reserve captain shall be appointed by the Chief of Police, and shall be responsible for the administrative functions of the section. The reserve captain, with the approval of the Chief of Police and/or the Assistant Chief, shall be responsible for making appointments to the various ranks within the reserve section, and for successfully completing all tasks assigned to the reserves.

Section 3. Powers and duties.

The Police Reserve shall function under the immediate direction of the Chief of Police and/or the Assistant Chief for Operations or in their absence, the senior regular police officer on duty. Members of the reserve police shall have such powers and duties as designated by the Chief of Police and shall be subject to the rules and regulations governing the police department, as well as those special rules and regulations peculiar to the Reserve Police Section. Membership in the police reserve shall not constitute membership in the regularly constituted police department nor shall any member of the police reserve be entitled to any right or privilege, pension or any other similar right or privilege or benefit of members of the regularly constituted police department. It shall be necessary for reserve officers to sign a log book indicating the time and date they commence and end duty. The log book shall be the official record of each officers working status.

POLICE RESERVE ORDINANCE NO. 611 CONTINUED:

Section 4. Training and regulations.

Training and regulations for the reserve police shall be determined and developed by the Chief of Police, but must include quarterly firearms training for all reserve officers. Failure to quality with approved firearm shall be grounds for immediate suspension from duty, continued failure to meet qualification may result in dismissal.

Section 5. Compensation.

The police reserve shall receive that compensation from the city for services rendered as may be needed from time to time, when the need for such service and payment is determined to be appropriate by the Chief of Police or his authorized representative.

Section 6. Uniforms & Equipment.

Each member shall upon being appointed as a member of the police reserve purchase and maintain a firearm meeting the then prevailing regulations of the police department, which is to be carried by said reserve officer while on duty.

Uniforms and other equipment required for the performance of reserve police duties shall be provided by the police department.

Section 7. Adoption

The foregoing ordinance was first reduced to writing, considered and passed section by section, then as a whole with the vote on each section and upon said ordinance as a whole resulting as follows:

YEAS: Mayor Mitchell, Councilmen Ware, Jones, and McQueen

NAYS: Councilman Guy

Absent and not voting: Councilman Albritton

That this ordinance shall be effective thirty (30) days after its adoption by the City Council of the City of Picayune, Mississippi.

ADOPTED this the 17th day of January, 1989.

Gregory H. Mitchell, Mayor

ATTEST:

Raymond A. Seal, City Clerk

The above and foregoing ordinance was adopted upon motion by Councilman McQueen and seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Guy, and McQueen
Voting nay: None
Absent and not voting: Councilman Albritton
Motion was declared carried.

ORDINANCE NO. 612

OF THE

CITY OF PICAYUNE, MISSISSIPPI

AN ORDINANCE AMENDING SECTIONS 6-1, 6-2, 6-3, 6-4, 6-6, 6-28, 6-29, 6-30, 6-31, 6-32, 6-33, 6-34, 6-35, 6-36, 6-37 AND 6-38; ORDINANCE NUMBERS 48, 53, 144, 185, 323, 374 AND 577; OF THE CITY MUNICIPAL CODE AND SUBSTITUTING THEREFORE A NEW ORDINANCE NUMBER 612 ANIMAL CONTROL, PRESCRIBING THE PENALTIES FOR VIOLATIONS, ESTABLISHING DEFINITIONS, DESIGNATING THE ANIMAL CONTROL UNIT, INTERFERENCE WITH ANIMAL CONTROL OFFICER, REQUIRING COMPLIANCE WITH ORDINANCE REQUIRED FOR KEEPING ANIMALS, COMPLIANCE WITH SANITATION STANDARDS REQUIRED FOR KEEPING ANIMALS, COMPLIANCE WITH ORDINANCE NOT RELIEF FROM COMPLIANCE WITH OTHER REGULATIONS, PROVIDING FOR INSPECTIONS OF ANIMALS AND PREMISES, PROVIDING FOR ABATEMENT OF CONDITIONS NOT COMPLYING WITH ORDINANCE, PROHIBITING PUBLIC NUISANCE, REQUIRING THE LICENSING AND REGISTRATION OF ANIMALS WITHIN THE CITY, ESTABLISHING REQUIREMENTS FOR PERMITS, LICENSE AND PERMIT ISSUANCE AND REVOCATION, PROVIDING FOR PURSUIT OF ANIMALS, REQUIRING RESTRAINT OF ANIMALS, PROVIDING FOR IMPOUNDMENT FOR ANIMALS FOR VIOLATION(S) OF THIS ORDINANCE, PROVIDING FOR THE ELIMINATION OF ANIMALS, REQUIRING THE VACCINATION OF DOGS AND CATS AGAINST RABIES, PROHIBITING BITING AND ATTACKING ANIMALS: RABID ANIMALS, ANIMALS EXHIBITING SYMPTOMS OF RABIES, REQUIRING THE HUMANE KEEPING AND TREATMENT OF ANIMALS, PROHIBITING THE KEEPING OF CERTAIN ANIMALS WITHIN THE CITY, REGULATING THE KEEPING OF FOWL AND RABBITS, REGULATING THE KEEPING OF LIVESTOCK, PROHIBITING THE KEEPING OF MORE THAN SIX PETS, REGULATING THE MAXIMUM PERMITTED NUMBER OF ANIMALS, REGULATING THE EXCEPTIONS TO DISTANCE AND NUMBER REQUIREMENTS, REQUIRING THE REMOVAL OF ANIMAL WASTE, REGULATING THE BURIAL OF ANIMALS, PRESCRIBING THE ENFORCEMENT OF THIS ORDINANCE: REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; SEVERABILITY CLAUSE: PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI:

SECTION 1. That Ordinance 48, 53, 144, 185, 323, 374 and 577, Ordinances Regulating the Keeping of Dogs and Cats, Code of Ordinances, City of Picayune, be and is hereby repealed and is replaced by a new Ordinance No. 612 Animal Control, which shall read as follows:

ORDINANCE NO. 612

"ANIMAL CONTROL ORDINANCE"

ARTICLE I In General, Sections 1 to 9.
ARTICLE II Animal & Rabies Control, Sections 10 to 20.
ARTICLE III Care & Keeping of Animals, Sections 21 to 30.

ARTICLE I IN GENERAL

SECTION 1 - PENALTIES:

It shall be unlawful for any person to violate any provisions of this ordinance. Such violation shall be a misdemeanor and shall be punishable by a fine of not less than twenty five dollars ($25.00) nor more than five hundred dollars ($500.00) and/or ninety (90) days imprisonment.

If any violation is continuing, each day's violation shall be deemed a separate offense.

SECTION 2 - DEFINITIONS:

As used in this ordinance the following words shall have the meanings herein ascribed to them:

(1) ANIMAL: Any living, vertebrate creature, domestic or wild, including both the male and female sex.

(2) ALTERED ANIMAL: Any animal that has been operated on, so as to prevent it from reproducing.

(3) ADULT ANIMAL: Any animal that is over six (6) months of age.

(4) ANIMAL CONTROL OFFICER: Any person employed by the Picayune Police Department to enforce the Animal Control Ordinances of the City of Picayune and Statues of the State of Mississippi.

(5) ANIMAL SHELTER (CITY): A facility operated by the City of Picayune Department of Police for the purpose of impounding or caring for animals held under the authority of this ordinance or state law.

(6) AT LARGE, OR RUNNING AT LARGE: Any animal shall be deemed to be at large, when off the premises of the owner or when it is not on a lease, chain, behind a fence or enclosure, under the control of the owner or other person by leash or chain.

(7) CAT: A domesticated member of the Felidae (feline) family, other than a lion, tiger, bobcat, jaguar, panther, leopard, cougar, or other Prohibited Animals.

(8) BREEDER: Any person who for compensation causes the breeding or selling of any dog or cat or makes any dog or cat available for breeding purposes.

(9) CIRCUS: A commercial variety show featuring animal acts for public entertainment.

(10) COMMERCIAL ANIMAL ESTABLISHMENT: Any pet shop, grooming shop, auction, public animal sale, riding school or stable, zoological park, circus, performing animal exhibition, or kennel.

(11) COMMERCIAL ANIMAL EXHIBIT: Display or show of wild or domestic animals in a shopping center, retail establishment, adjacent lot, or elsewhere, for the purpose of promoting sales.

(12) DOG: A domesticated member of the Canidae (canine) family other than a wolf, jackel, fox, dingo, coyote, or other Prohibited Animals.

(13) DANGEROUS AND VICIOUS ANIMAL: An animal shall be presumed to be dangerous or vicious when it attacks, bites, or scratches or attempts to attack any person or other animal; chase(s) or attempts to catch any person; or constitutes a physical threat to human beings or other animals; or trespasses upon the premises of any person, doing damage to said premises.

(14) FERAL ANIMAL: An animal that has escaped from domestication and become wild, dangerous or untamed.

(15) FOWL: Any live bird.

(16) GROOMING SHOP: A commercial establishment where animals are bathed, clipped, plucked or otherwise groomed.

(17) GUIDE DOG: Dogs trained to assist the handicapped.

(18) IMPOUND: to take into custody or to place it in the City Animal Shelter.

(19) INHUMANE TREATMENT: Shall mean any treatment to any animal which deprives the animal of necessary sustenance, including food, water and protection from weather, or any treatment of any animal, such as overloading, overworking, tormenting, beating, mutilating, teasing or poisoning, or other abnormal treatment as may be determined by an Animal Control Officer or a Law Enforcement Officer.

(20) KENNEL: Any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs or cats, or where there are regularly kept three (3) or more adult dogs or cats, or any combination thereof.

(21) LICENSED VETERINARIAN: A veterinarian licensed by the Mississippi Board of Veterinary Examiners.

(22) LIVESTOCK: Any domesticated farm animal that includes but is not limited to: cattle, horses, goats, sheep, donkeys, ponies, mules, swine, and burros, regardless of age, sex or breed, raised for home use or profit.

(23) OWNER: Any person, partnership or corporation owning, possessing, keeping or harboring one (1) or more animals. An animal shall be deemed to be harbored if it is fed or sheltered.

(24) PERFORMING ANIMAL EXHIBITION: Any spectacle, display, act or event, other than a circus, in which performing animals are used.

(25) PET: Any animal kept for pleasure rather than utility.

(26) PET SHOP: Any person, group of persons, partnership or corporations, whether operated separately or in connection with another business enterprise, except for a licensed cattery, or kennel, that buys, boards, sells or offers for sale any species of animals.

(27) POULTRY: Any species of domesticated birds commonly kept for eggs and/or meat.

(28) PUBLIC NUISANCE: Any animal which:

(a) Molests a passerby or passing vehicles; or
(b) Attacks a human being or other animals; or
(c) Trespasses on school grounds, in city parks, or in zoological parks; or
(d) Is repeatedly at large; or
(e) Damages private or public property; or

(f) Barks, whines, howls or makes other annoying noises in an excessive, continuous, untimely manner or at unreasonable hours; or

(g) Is allowed by its owner to become a nuisance to people or other animals.

(29) RABIES VACCINATION: The injection, by a licensed veterinarian or person approved by the Mississippi State Board of Animal Health, of a dog, cat, other animal with a rabies vaccine licensed by the U.S.D.A.

(30) RESTRAINT: Any animal securely caged, or secured by a leash or lead of less than six (6) feet and under the effective control of a responsible person and obedient to that person's commands or within the confines of the real property limits of its owner's home or yard which is fully enclosed by a good, secure and substantial fence.

(31) SANITARY: Any condition of a good order and cleanliness which precludes the possibility of disease transmission, or the commission of malordorous smells and/or vapors.

(32) STABLE: Any place which has available for hire, boarding and/or riding instruction of any horse, pony, donkey, mule or burro.

(33) VACCINATION CERTIFICATE: The certificate issued by a licensed veterinarian on a form approved by the Mississippi Board of Health for presentation to the Animal Control Unit and showing on its face that, at the time of such presentation, the dog or cat covered thereby has been vaccinated for rabies.

(34) VERTEBRATE: Having a backbone or spinal column. A member of the subphylum Vertebrate, a primary division of the phylum Chordate that includes the fishes, amphibians, reptile, birds and mammals, all of which are characterized by a segmented bony or cartilginous spinal column.

(35) VERTERINARY HOSPITAL/CLINIC: Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis, and treatment of diseases and injuries to animals.

(36) WILD OR EXOTIC ANIMAL: Any live monkey (non-human primate), raccoon, bear, skunk, fox, poisonous snake, poisonous lizards or other poisonous reptiles, leopard, panther, tiger, lion, lynx, or any other warm-blooded animal which can normally be found in the wild state and is not ordinarily domesticated by man, whether raised in captivity or in the wild.

SECTION 3 - ANIMAL CONTROL UNIT

(A) The Animal Control Unit shall be a sub-unit of the Picayune Police Department, and its personnel shall be staffed by Animal Control Officers.

(B) The Animal Control Unit shall be responsible for the operation of the City's Animal Shelter.

(C) Any Animal Control Officer employed by the Picayune Police Department shall be invested with Police powers to enforce the Animal Control Ordinances and State Laws and shall be authorized to issue tickets, summonses or other processes within the scope of their authority.

SECTION 4 - INTERFERENCE WITH ANIMAL CONTROL OFFICER(S)

It shall be unlawful for any person to interfere with an Animal Control Officer while engaged in the performance of his/her duties. Violations of this Section shall result in a fine of not less than two hundred ($200.00) nor more than five hundred ($500.00) dollars and/or ninety (90) days imprisonment in the City Jail.

SECTION 5 - COMPLIANCE WITH ORDINANCE REQUIRED FOR KEEPING ANIMALS

It is unlawful and it shall be a misdemeanor for any person to do any act forbidden or fail to do any act required in this ordinance. Unless specifically required herein, no mental element need be present to constitute an offense under this ordinance.

SECTION 6 - COMPLIANCE WITH SANITATION STANDARDS REQUIRED FOR KEEPING ANIMALS

(A) The owner of any animal within the City of Picayune as authorized in this ordinance shall comply with the standards of sanitation established by this ordinance or any other regulations.

(B) It shall be unlawful to keep or harbor any animal or fowl in such a manner as to constitute a public nuisance by reason of odor or unsanitary conditions to persons residing in the vicinity thereof.

SECTION 7 - COMPLIANCE WITH ORDINANCE NOT RELIEF FROM COMPLIANCE WITH OTHER REGULATIONS

The keeping of any animal in accordance with the provisions of this ordinance shall not be construed to authorize the keeping of the same in violation of the zoning ordinance or any other ordinance of the City of Picayune.

SECTION 8 - INSPECTION OF ANIMALS AND PREMISES

Animals and premises whereon animals are kept or maintained shall be subject to inspection by an Animal Control Officer, or Police Officer at any reasonable hour, or at any hour in cases of emergency; Upon receiving a complaint from a citizen in which a violation of this ordinance or any State Law is being or believed to be violated or upon the observations or establishment of probable cause by any Police Officer or Animal Control Officer.

SECTION 9 - ABATEMENT OF CONDITIONS NOT COMPLYING WITH ORDINANCE

Whenever any premises where animals are kept are in an unsanitary condition, or the facilities are not in keeping with the provisions of this ordinance, or any other regulations herein, or if any health ordinance or law is not observed, the Animal Control Unit may by written notice to the person responsible for the condition of the premises or the keeping of the animals or the person owning or in control of such premises, order the abatement of the conditions which are not in accordance with this ordinance or other regulations, or conditions which constitute a nuisance. Failure to comply with such order shall, inaddition to any criminal proceedings, be grounds for and entitle the City of Picayune to obtain relief by injunction.

ARTICLE II - ANIMAL AND RABIES CONTROL

SECTION 10 - PUBLIC NUISANCE

(a) Any animal that engages in any of the conduct defined in Section 2(28), shall be deemed a public nuisance.

(b) Any Citizen may file an affidavit with the Picayune Municipal Court, charging the owner of such animal with the violation of this Section.

(c) Police Officers and Animal Control Officers may take appropriate action immediately upon personal observation of an animal creating a public nuisance, which shall include, but is not limited to, impoundment of the offending animal, issuance of a citation or swearing of an affidavit against the offending animal's owner, or the making of a physical arrest.

(d) Any person keeping an animal which is determined to be a public nuisance by the Municipal Court, shall have been guilty of committing a misdemeanor and if the violation is continuing, each day violated, shall be deemed a separate offense.

SECTION 11 - LICENSING AND REGISTRATION

(a) Any person within the City of Picayune, owning, keeping, harboring or having custody of any dog or cat three (3) months of age or older shall obtain a license as herein provided. The burden of proof as to the age of any such animal shall be on the owner thereof.

(b) Written application for licenses shall be submitted to the Picayune Animal Control Unit, which shall include name and address of applicant, description of the animal, the appropriate fee, and rabies vaccination certificate issued by a licensed veterinarian.

(c) If not revoke, license for the keeping of dogs and cats shall be for a period of one (1) year.

(d) Application for a license must be made within thirty days after obtaining a dog or cat three (3) months of age or over. This requirement will not apply to a non-resident keeping a dog or cat within the municipality for less than thirty (30) days.

(e) License fees shall not be required for governmental police dogs, belonging to the City of Picayune Department of Police.

(f) Upon acceptance of the license application and fee, the Picayune Animal Control Unit shall issue a tag, stamped with an identifying number and the year of issuance. Tags shall be designed so that they may be fastened to the animal's collar or harness.

(g) Dogs and cats must wear identification tags at all times.

(h) The Picayune Animal Control Unit shall maintain a record of the identifying numbers of all tags issued.

(i) The licensing period shall begin April 1st of each year and shall run for a period of one (1) year. Application for renewal licensing shall be made prior to March 31st of the current year.

(j) Persons who fail to obtain a license as required, within the time period specified in this section, will be subjected to a fine of Twenty Five ($25.00) dollars.

(k) A license shall be issued after payment of the applicable fee. Fees are as follows:

(1) For each ALTERED MALE dog or cat ---------- $ 5.00
(2) For each UNALTERED MALE dog or cat ---------- $10.00
(3) For each ALTERED FEMALE dog or cat ---------- $ 5.00
(4) For each UNALTERED FEMALE dog or cat --------- $10.00

(l) A duplicate license may be obtained upon payment of a one ($1.00) dollar replacement fee, and upon showing proof of original receipt.

(m) No person may use any license for any animal other than the animal for which it was issued.

SECTION 12 - PERMITS

(a) No person, partnership or corporation shall operate a commercial animal establishment or animal shelter without first obtaining a permit in compliance with this section.

(b) The Picayune Police Department shall promulgate regulations for the issuance of permits and shall include requirements for humane care of all animals and for compliance with the provisions of this ordinance and other applicable laws. The Picayune Police Department may amend such regulations from time to time as deemed necessary, for public health and welfare and for the protection of animals.

(c) Applicants must show proof that they are able to comply with the regulations promulgated by the Picayune Police Department, before a permit shall be issued.

(d) The commercial animal establishments or animal shelters permit period shall begin January 1st and end December 31st of each calendar year. Renewal applications for permits must be made 30 days prior to the expiration date. Application for permit to establish a new commercial animal establishment, under the provisions of the ordinance, may be made at any time.

(e) If there is a change in ownership of a commercial animal establishment, the new owner may have the current permit transferred to his name upon payment of a Ten ($10.00) dollar transfer fee.

(f) Annual permits shall be issued upon payment of the following applicable fees:

(1) For each Kennel authorized to house 4 or more dogs or cats ----$ 25.00
(2) For each pet shop ----------$ 75.00
(3) For each stable ----------$ 25.00
(4) For each circus ----------$100.00
(5) For each performing animal exhibition ----------$100.00
(6) For each grooming shop ----------$ 25.00
(7) For each commercial animal exhibit ----------$100.00
(8) For each owner of livestock ----------$ 25.00
(9) For each owner of 4 or more rabbits/fowl ----------$ 25.00
(10) For each owner of under 4 rabbits/fowl ----------$ 10.00

(g) Every facility regulated by this ordinance shall be considered a separate enterprise and shall require an individual permit.

(h) No fee may be required of any veterinary hospital, animal shelter, animal welfare organization, or government operated zoological park.

(i) Failure to obtain a permit before opening any facility covered by this section shall result in a fine of not less than two hundred dollars ($200.00) nor more than four hundred dollars ($400.00).

(j) Any person who has a change in the category under which a permit was issued, shall be subject to reclassification and the appropriate adjustment of the permit fee shall be made.

SECTION 13 - LICENSE AND PERMIT ISSUANCE AND REVOCATION

(a) The Picayune Police Department or Animal Control Unit, amy revoke any permit or license if the person holding the permit or license refuses or fails to comply with this ordinance, the regulations promulgated by the Picayune Police Department, or any law governing the protection and keeping of animals.

(b) Any person whose permit or license is revoked shall, within ten (10) days thereafter, humanely dispose of all animals owned, kept, or harbored an no part of the permit or license fee shall be refunded.

(c) It shall be a condition of the issuance of any permit or license that the Picayune Police Department or the Picayune Animal Control Unit shall be permitted to inspect all animals and the premises where animals are kept at any reasonable time and shall, if permission for such inspections is refused, revoke the permit or license.

(d) If the applicant has withheld or falsified any information on the application, the Picayune Police Department either shall refuse to issue a permit or license, or shall revoke a permit or license.

(e) No person who has been convicted of cruelty to animals shall be issued a permit to operate a commercial animal establishment within two (2) years of conviction.

(f) Any person having been denied a license or permit may not reapply for a period of ninety (90) days. Each reapplication shall be accompanied by a ten dollar ($10.00) fee.

SECTION 14 - PURSUIT OF ANIMALS

For purposes of discharging the duties imposed by the provisions of this ordinance, or other applicable laws, and to enforce the same, the Animal Control Unit and the Picayune Police Department, may enter upon private property to the full extent permitted by law, which shall include, but not be limited to, entry upon private property, when in pursuit of any animal which he has reason to believe is subject to impoundment pursuant to the provisions of this Ordinance or other applicable laws.

SECTION 15 - RESTRAINT

(a) It shall be unlawful for the owner of any animal to fail to keep such animal under restraint or permit it to run at large at any time within the corporate limits of the City of Picayune.

(b) Owners shall exercise proper care and control of their animals to prevent them from becoming public nuisances.

(c) Every vicious/dangerous animal, as determined by the Animal Control Unit, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.

(d) All female dogs shall, during their mating season of such dogs, be kept in confinement within pens so constructed as to bar access to any other dogs and it shall be unlawful for an owner of any female dog to permit such dog to run at large under any circumstances during its mating season.

SECTION 16 - IMPOUNDMENT

(a) Animals shall be impounded by an Animal Control Officer or any Police Officer in any of the following circumstances:

(1) Any animal not kept under restraint as required by this Ordinance.
(2) Any dog or cat not having affixed to its collar a valid rabies tag.
(3) Any animal which constitutes a public nuisance.
(4) Any animal that a person could reasonably suspect as having any infectious or contagious disease other than rabies and being in the custody of a keeper who fails or refuses to make arrangements satisfactory to the Animal Control Officer concerning the proper treatment of such dog or other animal.

(5) Every animal that has rabies or symptoms thereof, or that a person could reasonably suspect as having rabies or symptoms thereof, or that a person could reasonably suspect as having rabies, or every animal that has been bitten or scratched by another animal, or that bites, scratches or otherwise attacks another animal or other person within the City of Picayune.

(6) Any animal not kept by the owner in conformity with this Ordinance or State Law.

(b) Impounded animals, other than those impounded for observation for rabies, shall be subject to immediate redemptions. Such animals may be redeemed by anyone entitled to possession thereof while the same are in the City Animal Shelter, after paying the appropriate fees and making the required deposit, as follows:

IMPOUNDMENT FEES:

(1) FOR CATS IMPOUNDED DURING ONE (1) CALENDAR YEAR:

(a) First Offense ---$ 5.00 plus $1.00 for each day of impoundment.
(b) Second Offense --$15.00 plus $1.00 for each day of impoundment.
(c) Third Offense ---$25.00 plus $1.00 for each day of impoundment.
(d) Fourth or Subsequent Offenses ---- $100.00 plus $1.00 for each day of impoundment.

(2) FOR DOGS IMPOUNDED DURING ONE (1) CALENDAR YEAR:

(a) First Offense ---$10.00 plus $2.00 for each day of impoundment.
(b) Second Offense --$20.00 plus $2.00 for each day of impoundment.
(c) Third Offense ---$40.00 plus $2.00 for each day of impoundment.
(d) Fourth or Subsequent Offenses ---- $200.00 plus $5.00 for each day of impoundment.

(3) FOR LIVESTOCK IMPOUNDED DURING ONE (1) CALENDAR YEAR:

(a) First Offense --- $40.00 plus $5.00 for each day of impoundment.
(b) Second Offense -- $75.00 plus $5.00 for each day of impoundment.
(c) Third Offense ---$100.00 plus $5.00 for each day of impoundment.
(d) Fourth or Subsequent Offenses ---- $200.00 plus $5.00 for each day of impoundment.

(4) RABIES VACCINATION CHARGE:

All charges for rabies vaccination if required, while in the care of the Picayune Animal Shelter.

(5) These fees are exclusive of any fines, cost of court, etc. which may result from any violation of any section of this ordinance.

(c) In case any animal impounded sought to be redeemed is suffering from any disease or ailment, it shall not be released until the Animal Control Unit shall be satisfied that arrangements concerning its proper treatment are assured. Animals put under observation as described in Section 20, shall become subject to redemption when found to be free from rabies.

(d) If by a tag or other means, the owner of an impounded animal can be identified, the Animal Control Unit shall notify, immediately upon impoundment, the owner by telephone or other reasonable means. Within five (5) days, the rightful owner of any animal held under this section, provided the animal is properly vaccinated, licensed and tagged, may obtain the animal upon the payment of an Impoundment Fee as set forth in Section 16 (b), that if an unvaccinated animal is claimed by the owner, the owner must make arrangements for the vaccination of said animal satisfactory to the the Animal Control Unit.

(e) Notice will be posted at the Picayune Animal Shelter, 5 days prior to the elimination of any animal.

(f) Any animal not reclaimed by its owner within five (5) working days, shall become the property of the City of Picayune and shall be placed for adoption in a suitable home for a fee of Five dollars ($5.00) for dogs over one (1) year of age and Ten dollars ($10.00) for dogs under one (1) year of age, and cats for a fee of Five dollars ($5.00), or humanely euthanized with an injection of sodium pentobarbital or other recognized approved methods.

(g) If an unclaimed animal is adopted, the adoptive owner must make arrangements for the vaccination and licensing of said animal in accordance with the requirements of the Animal Control Unit.

(h) The five (5) day waiting period is waived for vicious, dangerous or feral animals, or for any animal suffering from disease or injury.

(i) In addition to, or in lieu of, impounding an animal, an Animal Control Officer or any Police Officer may issue to the owner of such animal a Post Arrest Release Citation, summonings the violator to appear before the Municipal Court Judge to answer violations of this ordinance or state law.

(j) The Animal Control Unit may review automatically all licenses issued, to animal owners against who three or more ordinance violations have been assessed in a twelve month period and revoke licenses.

SECTION 17 - ELIMINATION OF ANIMALS

(a) When an animal is determined by the Animal Control Unit to be a vicious, dangerous or feral animal, that animal may be destroyed by the Animal Control Unit, provided each of the following requirements are met:

(1) The animal is running at large,
(2) There is no vaccination tag around the animal's neck,
(3) Attempts to peacefully capture the animal have been made and proved unsucessful,
(4) Consent of owner, keeper or caretaker is obtained.

(b) A Police Officer or Animal Control Officer is authorized to discharge a firearm to mercifully end the life of an animal suffering from injury, disease or which is deemed to be a health hazard.

SECTION 18 - VACCINATION OF DOGS AND CATS AGAINST RABIES

(a) Any person owning, keeping, harboring, or having custody of any dog or cat three (3) months of age or older within the city shall have that animal vaccinated against rabies with the proper dosage of an approved anti-rabic virus (vaccine) approved by the State Board and properly administered by a licensed veterinarian.

It shall be unlawful for any person to own, keep, harbor or have in his possession any dog or cat not so vaccinated. Every dog or cat must be so vaccinated immediately upon attaining the age of three (3) months, and every year thereafter.

(b) The owner of any dog or cat shall see that the animal wears a securely braded metal tag approved by the State Board of Health with the Serial Number of the vaccination and the year in which the animal was inoculated stamped thereon and shall see that the collar and tag are worn by the animal at all times. Any such tag shall not be transferable to any dog or cat other than the animal to which it was issued.

(c) Every owner of a dog or cat immunized against rabies are required therein shall procure a rabies vaccination certificate from the veterinarian administering the vaccine. Not earlier than September 1st preceding each April License.

(d) A veterinarian who vaccinates a dog or cat as required herein shall furnish the owner thereof with a metal tag bearing a number corresponding to the number placed on the certificate, and with lettering showing immunization and the date thereof and the sex, breed, and description of said animal. This tag shall be attached to the collar of the dog or cat for which it is issued, and shall be worn at all times in a conspicuous place on the collar.

SECTION 19 - BITING AND ATTACKING ANIMALS

In case of an attack by any animal resulting in injury to any person, such animal shall be impounded by the Animal Control Unit for observation for a period of ten (10) days, or the owner may, upon notification to the Animal Control Unit, have such animal impounded for ten (10) days with their veterinarian clinic in the City of Picayune which is licensed to practice veterinary medicine within the State of Mississippi. If at the end of said period of time, or any time prior thereto, it is determined that said animal may have rabies, such animal shall be immediately destroyed.

SECTION 20 - ANIMALS EXHIBITING SYMPTOMS OF RABIES

(a) Every animal that has rabies or symptoms thereof, or every animal that a person could reasonably suspect of having rabies, or that bites, scratches or otherwise attacks another animal or any person within the City shall be impounded at once and held for observation and quarintine at the City Animal Shelter or other place designated by the Animal Control Unit for such period of time as the Animal Control Officer may deem necessary, provided, however, such period of time shall not be fewer than ten (10) days and nor more that fourteen (14) days.

(b) No animal that has rabies shall be allowed at any time on the street or public ways of the City. No animal that has been suspected of having rabies shall be allowed at any time in public places, except as expressly provided herein until said animal has been released from observation by the Animal Control Unit.

(c) The owner of any animal that is reported to have rabies or symptoms thereof, or to have been exposed to rabies, or to have bitten, scratched, or otherwise attacked any person within the City, or that the owner knows or suspects to be rabid or to have attacked an individual, shall submit such animal for quarantine to the Animal Control Unit. In the event the owner of such animal refuses to surrender such animal on demand, such action shall constitute a misdemeanor and upon conviction shall be punished by a fine of not less than two hundred fifty dollars ($250.00) and not more than five hundred dollars ($500.00), and/or ninety (90) days imprisonment.

(d) Any person having knowledge of any animal exhibiting any symptoms of or exposed to rabies, or that has bitten or otherwise attacked any human being, shall immediately report the incident or animal to the Animal Control Unit. The report shall include the name and address of any victim and the owner of the animal, if known, and any other information relating to the incident or animal.

(e) In case of an epidemic, every veterinarian or other person who is called to examine or professionally attend any dog or any other animal within the City having glanders or farcy, rabies, tuberculosis or any other communicable disease shall, within twenty-four (24) hours thereafter, report in writing to the Animal Control Unit the following:

(1) The location of such animal.
(2) The name and address of the owner thereof.
(3) The type and character of the disease.
(4) Any precautions that should be taken.

(f) Every veterinarian practicing within the city limits shall keep detailed records of animal rabies vaccination and upon request of the Animal Control Unit or the Picayune Police Department, acknowledge to such officer whether an animal at a particular location, or owned by a named person, has been vaccinated within the last twelve (12) months.

(g) The Animal Control Unit or Picayune Police Department shall investigate and record all cases of rabies and suspected rabies.

(h) The body of any animal that has died of rabies or that dies or is destroyed while in quarantine shall not be disposed of except as directed by the Animal Control Unit.

ARTICLE III: CARE AND KEEPING OF ANIMALS

SECTION 21 - ANIMAL CARE

It shall be unlawful to violate the following provisions for animal care:

(a) No owner shall fail to provide his animals with a sufficient quality of good and wholesome food and water, proper and necessary shelter and protection form the weather, veterinary care when needed to prevent suffering, and with humane care, supervision and treatment.

(b) No person shall confine or allow his/her animal to remain outside without access to appropriate shelter from the elements.

(c) No person shall beat, cruelly treat, torment, overload, seriously overwork or otherwise abuse an animal, or cause, instigate, or permit any dogfight, cockfight, bullfight, or other combat between animals or between animals and humans.

(d) Animals that must be tied or hitched to restrain them, must wear a properly fitted collar or harness. The typing device shall be attached to the animal's collar or harness. The length of the tying device shall be not less than five (5) times the length of the animal, as measured from the tip of its nose to the base of its tail.

(e) No owner of an animal shall abandon or neglect such animal.

(f) No person, except a licensed veterinarian, shall crop a dog's ears or perform any other major or minor surgical procedures.

(g) Enclosures used to confine animals shall be maintained in a clean and sanitary condition at all times. Owners shall make certain that no offensive odors emanate from areas where animals are confined.

(h) Chickens or ducklings younger than eight (8) weeks of age may not be sold in quantities of less than ten (10) to a single purchaser. It shall be unlawful to color, dye, stain, or otherwise change the natural color of any animal or to possess any animal that has been colored.

(i) No person shall give away any live animal, mammal, fish, reptile, or bird as a prize for entering, or as an inducement to enter, any contest, game or other competition, or as an inducement to enter a place of amusement; or offer such verterbrate as an incentive to enter into any business agreement whereby the offer is for the purpose of attracting trade.

(j) Any person who, as the operator of a motor vehicle, strikes a domestic animal, within the corporate limits of the City of Picayune, shall at once report the accident to the Picayune Police Department and/or the Animal Control Unit.

(k) No person shall expose any known poisonous substance, whether mixed with food or not, so that the same shall be liable to be eaten by any animal; provided that it shall not be unlawful for a person to expose on his own property common pest-control poison mixed only with vegetable substances.

(l) No animal may be induced or encouraged to perform through the use of chemical, mechanical, electrical, or manual devices in a manner which will cause or is likely to cause physical injury or suffering.

(m) All equipment used on a performing animal shall fit properly and be in good working condition.

(n) It shall be unlawful to leave an animal unattended inside a motor vehicle when such action is reasonably potentially harmful to said animal. The Animal Control Unit or any Police Officer shall have the authority to remove an animal from such a vehicle.

(o) It shall be unlawful to trap, hunt, shoot or attempt to shoot or molest in any manner any bird or wild fowl or to rob a bird nest or wild fowl nest.

(p) No person shall carry, or cause to be carried by hand or in or upon any vehicle or other conveyance, any creature in cruel or inhumane manner.

SECTION 22 - KEEPING OF CERTAIN ANIMALS PROHIBITED

(a) No person shall keep or permit to be kept on his premises, or in any roadside zoo or pet store, any wild or exotic animal for display or for exhibition purposes, whether gratuitiously or for a fee, without the necessary city, state and/or federal permits. This subsection shall not be construed to apply to zoological parks or circuses.

(b) No person shall keep or permit to be kept any wild or exotic animals as a pet.

(c) The Animal Control Unit or any Police Officer shall have the power to release, order the release,or seizure of any wild or exotic animal being kept in violation of this city ordinance, federal law or state statue.

(d) No person shall keep, own, maintain, use or have in such person's possession or on his premises, within the City, any vicious animal, unless such animal is within a securely fenced area, secured building, or under immediate control of the owner. Such animals shall be muzzled when outside the premise of the owner and shall be accompanied by the owner at all times.

SECTION 23 - KEEPING FOWL AND RABBITS REGULATED

(a) No person or corporation shall own chickens, ducks, turkeys, quail or other domestic fowl and/or rabbits or any combination thereof over the age of eight (8) weeks, without first obtaining a permit from the Picayune Animal Control Unit.

(b) Fowl and rabbits, or any combination thereof, numbering four (4) or more shall be kept in a secure pen or enclosure that is at least one hundred and fifty (150) feet from any inhabited dwelling other than that of the owner.

SECTION 24 - KEEPING OF ANY LIVESTOCK

(a) The keeping on any premises in the City of any livestock is prohibited unless the pens, stalls or other facilities for keeping the same shall be so located that the livestock cannot come within three hundred (300) feet of any dwelling or business building owned, used or maintained by any person other than the keeper, of five hundred (500) feet of any food service establishment, regardless of ownership or occupancy of such establishment.

(b) It shall be unlawful for any person to keep within the corporate limits of the City of Picayune a cow, mule, horse, goat, sheep or any cattle in any barn, stable or on a lot, unless the owner of such animal(s) shall obtain a permit from the Picayune Police Department.

(c) Before any cattle, horses, mules, goates, sheep, etc. can be kept in the city limits of Picayune, all adjoining land owners to the property must give notarized written permission to the Picayune Police Department that they approve of the applicant keeping livestock. If property is leased or rented by the applicant, the applicant must have notarized approval from the property owner also.

(d) Property must have a least one acre of land (43,550 sq. ft.). Maximum livestock permitted per acre is two (2).

(e) The keeping of swine within the city limits is hereby prohibited.

(f) It shall be unlawful for any person to permit any livestock owned or kept by him to run at large within the city limits of Picayune.

(g) Any livestock, such as swine, bull, sheep, goat, horse, or mule, found straying or running at large shall be captured and impounded in an enclosure provided and maintained for such purpose by the Animal Control Unit. Within Five (5) working days of the livestock's capture, the rightful owner or owners of any animal so impounded may claim and obtain the release of the same by payment of an impoundment fee, or fraction thereof, during which the said animal has remained impounded. If any such animal is not claimed and redeemed by its owner within the five (5) day period, the same shall be sold upon sealed bids to the highest and best bidder in satisfaction of all fees and expenses therewith incurred.

SECTION 25 - KEEPING OF MORE THAN SIX (6) PETS

The keeping on any premises in the city of any pets in any number exceeding six (6) in aggregate is prohibited unless the pens, stalls or other enclosure facilities for keeping the same shall be so located that the pets cannot come within three hundred (300) feet of any dwelling or business building, owned, used or maintained by any person other than the keeper, or five hundred (500) feet of any food service establishment or food processing establishment, regardless of ownership or occupancy of such establishments.

SECTION 26 - EXCEPTIONS TO DISTANCE AND NUMBER REQUIREMENT REGULATIONS

(a) Laboratories and Veterinarians and other listed. When the keeping of livestock or fowl in medical laboratories or educational institutions for medical research or in veterinarian hospitals for treatment or on the premises of any recognized humane society, such livestock or fowl shall be kept under conditions prescribed by the Animal Control Unit for such limited purposes without the necessity of compliance with the distance and number requirements prescribed in this ordinance.

(b) Pet shops. Pet shops keeping all animals in completely enclosed and soldidly-walled facilities need not comply with the distance and number requirements prescribed in this ordinance.

SECTION 27 - ANIMAL WASTE

(a) The owner of every animal shall be responsible for the removal of any feces deposited by such owner's animal on public walks, public property, recreation areas or private property.

(b) Feces deposited by an animal upon public property or upon the private property of any person other than such animal's owner, shall be collected and removed at once by such animal's owner. Animal feces deposited upon any other property shall be collected and removed daily.

(c) Collection and removal of animal feces shall be in a container of such type, when closed, is rat-proof, malodorous, and fly-tight. Such container shall be kept closed after each collection. At least once a week, each such animal owner shall cause all feces so collected to be disposed of in such a way as not to permit fly breeding.

(d) It shall be unlawful for the owner of any property to allow unsanitary, unsightly, or malodorous conditions to develop on his property due to keeping, maintaining, owning or harboring of animals.

SECTION 28 - BURIAL OF ANIMALS

Upon obtaining the written consent of the Animal Control Unit, a citizen may bury within his real property limits a deceased pet, if such burial is to be a minimum depth of four (4) feet.

SECTION 29 - INTERFERING WITH OR STRIKING POLICE DEPARTMENT DOG

It shall be unlawful to interfere with, molest, or strike a dog used by the Police Department of the City of Picayune or any City, County, State or Federal Agency, in the performance of the functions or the duties of such department.

Violation of this section shall result in a fine of not less than three hundred ($300.00) dollars nor more than five hundred ($500.00) dollars and/or ninety (90) days imprisonment in the City Jail.

SECTION 30 - ENFORCEMENT

The civil and criminal provisions of this ordinance shall be enforced by the Picayune Animal Control Unit and the Picayune Police Department.

SECTION 31 - CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 32 - SEVERABILITY CLAUSE

If, for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance shall be held invalid or unconstitutional by final judgement of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provisions hereof be given full force and effect for its purpose.

SECTION 33 - PUBLICATION AND EFFECTIVE DATE

Publication shall be made one time in the official publication of the City of Picayune, by publishing the caption of this ordinance stating in substance the purpose, intent, and effect of the aforesaid ordinance.

In order to provide for the immediate, temporary and permanent preservation of the public peace, health and safety, this ordinance shall become effective immediately after its adoption.

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ORDINANCE NO. 612

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The above and foregoing Ordinance #612 was adopted upon motion by Councilman Ware and seconded by Councilman Jones with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

APPROVED:

Gregory H. Mitchell
Mayor

ATTEST:

Raymond A. Seal, City Clerk

ORDER TO ACCEPT PETITION FROM AREA RESIDENTS CONCERNING NOISE ON GOODYEAR BOULEVARD

Mr. E.F. Loe, a resident of 416 Goodyear Boulevard, presented the Mayor and Council with a petition containing 98 signatures pertaining to noise during late night hours on Goodyear Boulevard. More than 50 concerned citizens and residents of the area were present and voiced their complaints about cars parking, loud radios, and people congrigating until late night and early morning hours on the Boulevard. They stated the noise disrupts sleep, they hear obscene language, and see many unlawful acts being committed. Mr. Loe stated he spoke with Police Chief Richie Martin about having a police car stationed at City Hall. He stated Chief Martin informed him he did not have enough cars to do that. Rev. Dr. Raymond Leake, pastor of First Baptist Church of Picayune, also expressed concern and encouraged the Mayor and Council to furnish funds needed to preserve the peace and safety in the neighborhood. Motion was made by Councilman Guy and seconded by Councilman Jones to accept the petition The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton (This action was taken earlier in the meeting prior to Councilman Albritton leaving the meeting).

Voting nay: None

Motion was declared carried.

ORDER TO SET CURFEW ON ALL CITY PARKS AND RECREATIONAL FACILITIES

Councilman Ware made a motion that a curfew be set to prohibit parking in city parks and recreational facilities from 12:00 midnight until 6:00 a.m. Councilman Ware suggested the City look into recreational programs for 15-18 year olds at Friendship Park. Motion was seconded by Councilman McQueen, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton (Vote taken prior to Albritton leaving meeting)

Voting nay: None

Motion was declared carried.

ORDINANCE NO. 613

ORDINANCE PROHIBITING PARKING ON GOODYEAR BOULEVARD BETWEEN THE HOURS OF 9:00 P.M. AND 6:00 A.M.

It shall be unlawful for the operator of any vehicle to park said vehicle upon Goodyear Boulevard between the hours of 9:00 P.M. and 6:00 A.M.

Violation of this ordinance shall be a misdemeanor and upon conviction thereof, a minimum fine of thirty dollars ($30.00) plus court cost shall be assessed for each conviction hereof. In addition to said minimum fine, the cost of towing, storing and impounding of said vehicle shall be paid for by the operator of said vehicle.

Any vehicle illegally parked in, on or upon Goodyear Boulevard between the hours of 9:00 P.M. and 6:00 A.M. will be towed after 9:30 P.M.

This ordinance is an emergency ordinance necessary for the immediate and temporary preservation of the public peace, health or safety of the City of Picayune, and shall be effective immediately and be in force from and after publication according to law.

ADOPTED this the 17th day of January, 1989.

The above and foregoing ordinance was adopted by the Mayor and Council upon motion by Kelly L. McQueen, seconded by Leavern Guy, and unanimously carried, the voting being recorded as follows:

AYES: Mayor Gregory H. Mitchell, Councilmen Danny Ware, Luther Jones, Leavern Guy, Larry Albritton and Kelly L. McQueen

NAYES: None

APPROVED:

GREGORY H. MITCHELL
MAYOR

ATTEST:

Raymond A. Seal, City Clerk

Published: January 29, 1989

ORDER TO ADJOURN

Motion was made by Councilman McQueen and seconded by Councilman Guy to adjourn until Tuesday, February 7, 1989 at 6:00 P.M.

APPROVED:

Gregory H. Mitchell, Mayor

ATTEST:

Raymond A. Seal, City Clerk

January 23, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in said City, January 23, 1989 at 6:00 P.M., pursuant to waiver of notice and consent to so meet duly signed and executed by each and every member of the said Council, including the Mayor, in accordance with the provisions of the law, ordered spread upon these minutes and filed for record with the following officials present: Mayor Gregory H. Mitchell; Councilmen Luther T. Jones, Danny J. Ware, Kelly L. McQueen and Larry L. Albritton; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; and City Attorney, Nova Carroll.

It Being Determined a quorum was present, the Mayor declared the meeting open and the following proceedings were held.

NOTICE AND CONSENT TO SPECIAL MEETING

Councilman Danny J. Ware
Councilman Luther T. Jones, Sr.
Councilman Larry L. Albritton
Councilman Kelly L. McQueen
Councilman Leavern Guy

You are HEREBY NOTIFIED that a special meeting of the Mayor and City Council is called to meet in the Council Chambers, Monday, January 23, 1989 at 6:00 P.M., to discuss the lease agreement with the new owners of Brockway Standard.

Mayor Gregory H. Mitchell

Councilman Danny J. Ware

Councilman Luther T. Jones, Sr.

Councilman Leavern Guy

Councilman Larry L. Albritton

Councilman Kelly L. McQueen

IN THE MATTER OF DISCUSSION OF LEASE AGREEMENT BETWEEN THE CITY AND BROCKWAY STANDARD

Mr. Leroy Penton, purchasing manager, representing the Hayford Group, potential new owners of Brockway Standard, came before the Mayor and Council to discuss plans for a new lease agreement. Said agreement is essentially asking the City to allow the Company to use equipment in the Standard Container building in order to borrow up to $40 million dollars, with the understanding that the bank lender would have first priority if the Company defaults on the loan. Standard Container, under the present lease, has the option to purchase the equipment for $100 from the City and also to renew the lease for up to 79 years. City Manager, A.L. Franklin, stated that before the City executes the lease, the Company would need to exercise its option and purchase the equipment. The building and the surrounding 20 acres of property will remain the property of the City. Councilman McQueen inquired if the city could legally permit a lease holder to mortgage city property. Nova Carroll, City Attorney, stated he would research the lease agreement in order to respond to questions by the City Council No action was taken.

ORDER TO RECESS

Motion was made by Councilman Ware and seconded by Councilman McQueen to recess until Tuesday, January 24, 1989 at 6:00 P.M.

APPROVED:

Gregory H. Mitchell, Mayor

ATTEST:

Raymond A. Seal, City Clerk

TAPE NO. 89-6

January 24, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in recessed session Tuesday, January 24, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Danny J. Ware, Luther T. Jones, Kelly L. McQueen and Larry L. Albritton; City Manager, A.L . Franklin; City Clerk, Raymond A. Seal and City Attorney, Nova Carroll.

It Being Determined a quorum was present, Mayor Mitchell declared the meeting open and the following proceedings were held.

IN THE MATTER OF LEASE AGREEMENT WITH CITY OF PICAYUNE AND BROCKWAY STANDARD

The Mayor and Council met with Brockway Standard Purchasing Manager, Leroy Penton to continue discussion of a lease agreement requiring Council approval in order for the potential new owners of Brockway Standard, the Hayford Group,,to secure a loan with B.T. Corporations for up to $42 million dollars. According to Leroy Penton, the loan will be for the entire company, which has six manufacturing branches. City Manager, A.L. Franklin, stated he has received a check from Brockway Standard for $100 to exercise their option to purchase the machinery and equipment from the City and a check for $3,750 for the 1989 lease payment. In return, the Company requested the City sign a bill of sale for said equipment. Franklin stated he spoke with a representative from the Attorney General's office who stated the City could not permit city property to be mortgaged by the lease holder. The representative recommended the lease stipulate it will not obligate the land or building as collateral for loans made by the Company. Nova Carroll, City Attorney, suggested that Council also stipulate that all provisions of the original lease remain unaltered or unchanged by any new lease. Councilman McQueen made a motion to acknowledge that Brockway Standard has renewed its lease agreement for the year, authorizing A.L. Franklin to accept their check in the amount of $3,750.00. Motion was seconded by Councilman Ware, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones and McQueen

Voting nay: Councilman Albritton

Absent and not voting: Councilman Guy

Motion was declared carried.

ORDER TO ACCEPT PAYMENT FOR MACHINERY AND EQUIPMENT FROM BROCKWAY STANDARD AND PREPARE BILL OF SALE

Motion was made by Councilman McQueen and seconded by Councilman Ware to acknowledge that Brockway Standard is exercising their option to purchase machinery and equipment as specified in the original lease agreement and accept their check in the amount of $100.00, further that Mayor Mitchell be authorized to sign a bill of sale from the City of Picayune to Brockway Standard for said machinery and equipment, which will include any additions and changes that have occured in the last few years. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, McQueen and Albritton

Voting nay: None

Absent and not voting: Councilman Guy

Motion was declared carried.

ORDER TO APPROVE LEASE AGREEMENT WITH BROCKWAY STANDARD/CITY OF PICAYUNE PENDING APPROVAL OF STIPULATIONS ADDED BY THE CITY

Motion was made by Councilman McQueen to approve the lease agreement between Brockway Standard and the City of Picayune, with the following criteria: the city would not allow the building or property to be mortgaged; the city would approve the lease hold mortgage agreement as presented subject to the condition that Brockway Standard agrees to enter into good faith efforts to renegotiate Section D-12 of the original lease agreement; that the lease agreement is subject to approval by the Attorney General; that the city will not be obligated to repay any portion of the loan; and that all provisions of the original lease remain unaltered or unchanged by any other lease. Motion was seconded by Councilman Ware with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, McQueen and Albritton

Voting nay: None

Absent and not voting: Councilman Guy

Motion was declared carried.

ORDER TO RECESS

Motion was made by Councilman McQueen and seconded by Councilman Jones to recess until January 25, 1989 at 6:00 P.M.

APPROVED:

Gregory H. Mitchell, Mayor

ATTEST:

Raymond A. Seal, City Clerk

TAPE NO. 89-7

January 25, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in recessed session Wednesday, January 25, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilman Larry L. Albritton; City Clerk, Raymond A. Seal and City Attorney, Nova Carroll.

It Being Determined a quorum was not present, Mayor Mitchell declared the meeting unofficial with Councilman McQueen, Councilman Leavern Guy and Councilmen Luther T. Jones and Danny J. Ware absent.

Mayor Mitchell stated that unless a Special Called Meeting is held, the next regular meeting will be Tuesday, February 7, 1989.

APPROVED:

GREGORY H. MITCHELL
MAYOR

ATTEST:

RAYMOND A. SEAL
CITY CLERK

January 27, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in said City, January 27, 1989 at 7:00 P.M., pursuant to waiver of notice and consent to so meet duly signed and executed by each and every member of the said Council, including the Mayor, in accordance with the provisions of the law, ordered spread upon these minutes and filed for record with the following officials present: Mayor Gregory H. Mitchell; Councilmen Luther T. Jones, Danny J. Ware, Leavern Guy and Kelly L. McQueen; City Clerk, Raymond A. Seal and City Attorney, Nova Carroll.

It Being Determined a quorum was present, the Mayor declared the meeting open and the following proceedings were held.

NOTICE AND CONSENT TO SPECIAL MEETING

Councilman Danny J. Ware
Councilman Luther T. Jones, Sr.
Councilman Larry L. Albritton
Councilman Kelly L. McQueen
Councilman Leavern Guy

You are HEREBY NOTIFIED that a special meeting of the Mayor and City Council is called to meet in the Council Chambers, Friday, January 27, 1989 at 7:00 P.M., to discuss the lease agreement with the new owners of Brockway Standard.

Mayor Gregory H. Mitchell

Councilman Danny J. Ware

Councilman Luther T. Jones, Sr.

Concilman Leavern Guy

Councilman Kelly L. McQueen

Councilman Larry L. Albritton

SPECIAL CALLED MEETING JANUARY 27, 1989

IN THE MATTER OF DISCUSSION OF LEASE AGREEMENT BETWEEN THE CITY AND BROCKWAY STANDARD

The Mayor and Council met with Brockway Standard Plant Manager, Jerry Chutsz and Purchasing Manager, Leroy Penton, to discuss the matter of a lease agreement. Nova Carroll, City Attorney, stated that the potential owners of Brockway Standard, the Hayford Group, agreed to all of the Council's stipulations made at their meeting on Tuesday, January 24, 1989, except for the request that the company enter into a good faith agreement with the City to renegotiate Section D-12 of the lease agreement pertaining to the amount of rental charged for the land and building under the original lease. The concern of the Council was not the amount of rental money, but that the City would be allowing the buyers to tie-up the land that is not being used by the company for 79 more years. Mayor Mitchell stated he felt that the city should cooperate with Brockway Standard and let them exercise their option, as they are the city's largest industry with 140 employees and a payroll of $2 to $4 million dollars annually. Motion was made by Councilman Ware for the city to lease 10 acres to Brockway Standard for an annual price of $3,000, indexed to the wholesale price index with the option to lease the additional 9 acres for $2,700, indexed to the wholesale price. There was no second to this motion. Councilman McQueen stated the Council has a problem with the lease as it is proposed and disagrees with the fact that it was merely sent over to the Council for their signature without explanation. Councilman McQueen questioned why an attorney who had the power to negotiate did not contact the City Manager to discuss the problems that the Council has with the lease. Nova Carroll stated he would contact attorney's representing the Hayford Group and B.T. Corporations..

ORDER TO ADJOURN

Motion was made by Councilman Ware and seconded by Councilman McQueen to adjourn until February 7, 1989, Tuesday at 6:00 P.M.

APPROVED:

GREGORY H. MITCHELL, MAYOR

ATTEST:

RAYMOND A. SEAL, CITY CLERK

February 7, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in regular session Tuesday, February 7, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Luther T. Jones, Sr., Kelly McQueen, Danny J. Ware; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; City Attorney, Nova Carroll.

It Being Determined a quorum was present, Mayor Gregory H. Mitchell declared the meeting open and the following proceedings were held.

The opening prayer was given by Mr. Douglas Stewart, President of the Picayune School Board, followed by the Pledge of Allegiance.

EMPLOYEE HONORS

FIVE YEAR SERVICE PIN

Diane Feeley, Wastewater Treatment Plant, has been employed by the City of Picayune for the past five years. She was not present but will receive a Five Year Service Pin.

Councilman Guy arrived at the meeting.

ORDER TO APPROVE GIRL SCOUT ANNUAL PARADE

Motion was made by Councilman McQueen and seconded by Councilman Jones to approve a parade permit for the Girl Scouts Annual Parade on March 9, 1989 beginning at 4:00 p.m. and starting at the Westside School. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE LOOP SYSTEM FOR HEAT PUMP

A request by Thomas Sheffield to drill a loop system approximately 250 feet deep for the circulation of water for a heat pump located at 202 Highway 11 North was approved upon motion by Councilman McQueen, seconded by Councilman Jones. City Manager, A.L. Franklin stated that any discharge from the system would be placed in the storm drain and not in the sanitary drain. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE DOCKET OF CLAIMS FOR MONTH OF JANUARY, 1989 AND TO DENY CLAIM NO. 2249

Motion was made by Councilman Guy to deny claim no. 2249 in the amount of $438.83, which was duplicated by claim no. 2318, and approve the Docket of Claims for January, 1989, as follows:

CLAIM NO. 1794 - 2430

FUND	TOTAL
General Fund	$ 566,323.05
Neighborhood Parks and Recreation	13,488.00
Library Fund	5,454.05
CDBG West Side Re-development	2,705.76
CDBG Urgent Needs Grant 7-99-133-CN-01	246.21
U D A G Majestic Inn Rental	8,200.00
General Bond and Interest Fund	91,040.00
Library Construction Bond Fund	7,100.00
Capital Projects Fund	323,710.77
Utility Fund	1,145,814.66
Intragovernmental Service Fund	139,172.67
Unemployment Compensation Trust Fund	29,700.00
Tax Collector Fund	209,417.69
Palestine Cemetery Trust Fund	254,600.00
DOCKET TOTALS:	$2,796,972.86

Motion to approve the Docket of Claims was seconded by Councilman Jones with the folloiwng roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE BUILDING PERMITS FOR JANUARY, 1989

Motion was made by Councilman McQueen and seconded by Councilman Guy to approve the building permits no.4717-4722 for the month of January, 1989. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE MINUTES OF PLANNING COMMISSION MEETING ON JANUARY 31, 1989

Motion was made by Councilman McQueen and seconded by Councilman Guy to approve the minuntes if the Planning Commission meeting held on January 31, 1989. Said minutes are on file in the City Clerk's office in Minute Book 4, page 146. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE HOME OCCUPATION LICENSE FOR CINDY CASANOVA OF 2709 VICTORIA DRIVE

Upon recommendation by the Planning Commission, motion was made by Councilman Ware and seconded by Councilman McQueen to approve a home occupation license for Cindy Casanova to operate a photography office in her home at 2709 Victoria Dr.. There will be no stock in trade and no photography in the home which is located in an R-1 zone. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF DISCUSSION OF SIGN ORDINANCE

After hearing complaints concerning some individuals securing the proper permits and placement of signs while others are allowed to put up signs which do not conform, the recommendation from the Planning Commission was for the City Council to seek enforcement of the regulations regarding the signs in the zoning ordinance book, or remove the section from the zoning book. Lonnie Wilson, owner of a portable sign service, spoke in behalf of the merchants, stating some businesses do not have enough set back to conform to the sign ordinance. He stated merchants that have portable signs have moved them back away from streets and corners to prevent them from being a hazzard. Since there was a controversy, it was the consensus of the Mayor and Council that more time was needed for them to review the sign ordinance before making a decision. Motion was made by Councilman McQueen and seconded by Councilman Guy to table the matter until the next meeting. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE ONE FOOT SIDE YARD VARIANCE FOR BILL SHEPPARD AT 621 GLENWOOD DRIVE

Mr. Bill Sheppard, 621 Glenwood Dr., came before the Mayor and Council requesting a one (1) foot side yard variance to build an extension on his home. A memo was received from Hal Williams, adjoining property owner, stating his approval. Motion was made by Councilman Guy, seconded by Councilman Jones granting Mr. Sheppard the one foot variance. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR A 1989 POLICE CAR AND TAKE UNDER ADVISEMENT

This being the day and hour to receive bids for a 1989 police car, the following bids were received:

(1) Dub Herring Ford
Ford L.T.D. Crown Victoria $12,598.00

(2) East Ford, Inc., Jackson, Ms
Ford L.T.D. Crown Victoria $13,801.50

(3) Marvin Seal,Chev.-Buick, Inc.
Chev. Caprice $14,361.85

Motion was made by Councilman McQueen and seconded by Councilman Guy to take said bids under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR REPAIRS AND RENOVATIONS TO PRIDE BUILDING AND TAKE UNDER ADVISEMENT

This being the day and hour to receive bids for repairs and renovations to the PRIDE building, the following bids were received:

(1) Heritage Homes, Inc. (Derwin Whitfield) $11,700.00

(2) Hensley Lee/DBA Discount Lumber $18,660.00

Motion was made by Councilman McQueen and seconded by Councilman Jones to take said bids under advisement, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR MANHOLES FOR WEST SIDE REDEVELOPMENT PROJECT AND TAKE UNDER ADVISEMENT

This being the day and hour to receive bids for manholes for the West Side Redevelopment Project, the following bids were received:

Faulkner Concrete Pipe Company, Gulfport, MS
C & H Concrete Pipe Company, Lumberton,MS
Cashio Concrete Corp., Baton Rouge, LA
Viking Utility (no bid)

Motion was made by Councilman McQueen and seconded by Councilman Guy to take said bids under advisement, with the following roll call vote recorded.

Voting yea: Mayor MItchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO ADVERTISE FOR SEMI-ANNUAL SUPPLIES, KNUCKLE BOOM, FENCING AT FRIENDSHIP PARK, GAS RENOVATIONS FOR EAST SIDE

Reggie Frierson, Purchasing Agent, requested authorization to advertise for the following supplies and equipment as follows:

(1) Semi-Annual bids for a 6 month period

(2) Husky Brute Knuckle Boom with Brush Grapple

(3) Fencing at Friendship Park:
   A. Relocate 850 ft. of six foot cyclone fence
   B. Furnish material and install 850 feet of eight foot cyclone fence, using heavy gauge post and top rail

(4) Materials needed for upgrading gas system from 5th Street to Mitchell Street

Motion was made by Councilman McQueen and seconded by Councilman Guy to advertise for sealed bids to be received March 7, 1989 for the above listed supplies and equipment, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE BID FOR CONSTRUCTION OF A PAVILLION IN THE DOWNTOWN AREA

After reviewing the bids submitted for the construction of an open pavillion with a covered driveway and fountain, Reggie Frierson, Purchasing Agent, recommended we accept the bid from Heritage Homes, Inc. for the amount of $14,874.00. Motion was made by Councilman Jones and seconded by Councilman Guy to approve the bid from Heritage Homes, Inc. for construction of the pavillion. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy

Voting nay: Councilman McQueen

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO AWARD BID TO PEARSON CONSTRUCTION FOR CONSTRUCTION OF GARAGE AND WAREHOUSE

Purchasing Agent, Reggie Frierson, recommended the bid from Pearson Construction for the construction of a garage and warehouse. Motion was made by Councilman McQueen and seconded by Councilman Ware to award the bid to Pearson Construction in the amount of $35,377.00, this being the lowest and best bid submitted on January 17, 1989. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF DISCUSSION-PICAYUNE SEPERATE SCHOOL DISTRICT

Mr. Bob White, Superintendent of the schools, came before the Mayor and Council to give a brief report on the progress of new buildings and renovations in the Picayune district. Douglas Stewart, President of the School Board, reported on the following schools:

Roseland Park	-added 19 new classrooms, completely renovated original building
Nicholson	-added 17 new classrooms, completely renovated original building
Westside	-added 4 new class rooms, have completed some renovation to kitchen and plans are to renovate original building
Eastside	-decision has to be made on building
Annex	-in planning stages
Southside	-have completed renovation of East building and work has begun on West building
Junior High	-in planning states for renovation
High Shoool	-added new building in back for math and science classrooms

Mr. Stewart stated two years ago he gave a summation of what the goals were for the school system and today these goals are almost completed.

IN THE MATTER OF DISCUSSION CONCERNING PARK BENCHES BEING PLACED IN SEVERAL LOCATIONS IN THE CITY

Alwest Advertising Company contacted City Manager, A.L. Franklin, concerning the placement of park benches in different areas of the City as a public seating service, at no cost to the City. After discussion, it was the consensus of the Mayor and Council to take this matter under advisement before making a decision. No further action was taken.

ORDER TO APPROVE QUITCLAIM DEED FOR 1985 TAXES MATURED TO THE CITY RE: ELLA D. CLARK, PARCEL NO. 617-5-154-15-08-007.00-00 for $157.90

Motion was made by Councilman McQueen and seconded by Councilman Ware to approve a quitclaim deed for Ellen Delores Clark for 1985 taxes in the amount of $157.90 which matured to the City. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO AUTHORIZE MAYOR MITCHELL TO SIGN A QUITCLAIM DEED TO THOMAS H. HARRISON, ETUX FOR 1985 TAXES IN THE AMOUNT OF $179.45

Motion was made by Councilman McQueen and seconded by Counilman Ware to authorize Mayor Mitchell to sign a quitclaim deed to Thomas H. Harrison for 1985 taxes that matured to the city in the amount of $179.45 on parcel no. 617-8-340-00-00-048.00-00. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE A REFUND IN THE AMOUNT OF $79.19 FOR 1988 TAXES PAID BY FLOYD CRONEY PRIOR TO ASSESSMENT BEING CHANGED

Motion was made by Councilman Ware and seconded by Councilman Jones to approve a refund for $79.19 to Floyd Croney for 1988 taxes. Said taxes were paid prior to assessment being changed by Pearl River County Tax Collector-Assessor. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE RESOLUTION PERTAINING TO ISSUANCE OF URBAN RENEWAL REVENUE NOTES

Mr. John Thorn, of Thorn, Alvin and Welch Investment Secutiry, Inc. of Jackson, MS came before the Mayor and Council to discuss an urban renewal plan available to municipalities which have a public need . This program would net the city $50,000 , according to Thorn, with no increase in or pledge of ad valorem taxes. The City Council of Picayune, Mississippi, took up for discussion the matter of initiating procedures toward the issuance of urban renewal revenue notes (Phase 1 Redevelopment Project) and Councilman Leavern Guy moved the adoption of the following Resolution:

A RESOLUTION TAKING OFFICIAL ACTION TOWARD THE ISSUANCE OF URBAN RENEWAL REVENUE NOTES OF THE CITY OF PICAYUNE, SETTING PUBLIC HEARING AND AUTHORIZING PUBLICATION OF NOTICE OF NOTE SALE

WHEREAS, the City Council (the "Governing Authority") of the City of Picayune, Mississippi (the "Issuer"), has determined it is in the best interests of the Issuer to initiate the procedures for issuance of urban renewal revenue notes in accordance with Mississippi Code of 1972 §43-35-21 (the "Notes") in order to finance the redevelopment, renovation, and rehabilitation of property through a combination of the following (collectively, the "Project"):

A. Street and drainage improvements, including overlay and sidewalks:

B. Upgrading of the wastewater treatment facility:

C. Renovation of the City Hall and City Annex;

D. Street light improvement;

E. Expansion and renovation of Criminal Justice Center; and

F. Upgrading and expansion of Friendship Park; and

WHEREAS, the above-referenced Project shall be located within the following described locations (collectively, the "Project Site"):

A. The rights-of-way of all City streets;

B. The Wastewater Treatment Plant and the attendant property at the south end of Airport Road;

C. City Hall and City Annex at 203 Goodyear Boulevard;

D. Criminal Justice Center at 328 South Main Street; and

E. Friendship Park on east side of Highway 11 South of the National Guard Armory; and

WHEREAS, the Governing Authority finds that one or more slum or blighted areas exist in the Issuer and the rehabilitation, conservation, redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the Issuer; and

WHEREAS, Mississippi Code of 1972 § §43-35-1 through 43-35-37 (the "Act") requires that the Governing Authority approve a general plan for the Issuer and an urban renewal plan describing the Project in order to permit the financing hereby initiated; and

WHEREAS, the Governing Authority has determined that the anticipated costs of the Project will not exceed $5,000,000; and

WHEREAS, the Governing Authority finds that it has previously adopted a general plan and should institute the necessary proceedings to adopt an urban renewal plan pursuant to the Act which shall authorize financing of the Project; and

RESOLUTION CONTINUED:

WHEREAS, issuance of the Notes is in the best interest of the Issuer and shall accomplish public purposes; and

WHEREAS, there has been prepared a proposed urban renewal plan (the "Urban Renewal Plan") a copy of which is attached hereto as Exhibit 1 and made a part hereof; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. All statements, findings, and recitations set forth in the above and foregoing preamble are hereby adjudicated and declared to be true and correct.

Section 2. The Governing Authority shall proceed with the necessary steps and procedures required under the Act in order to allow issuance and sale of the Notes in order to finance the Project.

Section 3. There shall be no pledge of the ad valorem tax base of the Issuer in support of the Notes, and there shall be no lien securing the Notes on the general funds or assets of the Issuer. The Notes shall never constitute a general debt or obligation of the Issuer and may be payable only by such revenues of the Project as may be pledged, and by investments of proceeds and by such funds, if any, from whatever source derived, as the Issuer may utilize for such purposes.

Section 4. Derryl W. Peden is designated to act as bond counsel representing the Issuer with regard to issuance of the Notes.

Section 5. That real property described in Exhibit A to the Urban Renewal Plan is hereby determined to fall with the statutory definition of "Blighted Area" as set forth in the Act; such property is therefore designated as appropriate for an urban renewal project.

Section 6. At 6:00 o'clock P.M. on March 7, 1989, the Governing Authority shall hold a public hearing at their usual meeting place in the City Hall, Picayune, Mississippi, said hearing to be conducted in accordance with Mississippi Code of 1972 §43-35-13. In order to give proper notice of such hearing, the City Clerk shall cause to be published one time at least fifteen (15) days prior to the public hearing date in the Picayune Item, a newspaper published in Picayune, Mississippi, and of general circulation in the Issuer and the area within five miles of the Issuer's boundaries, a notice in substantially the following form:

continued

NOTICE OF PUBLIC HEARING

In accordance with Mississippi Code of 1972 §43-35-13, the City Council of the City of Picayune, Mississippi, do hereby give notice that at 6:00 o'clock P.M., March 7, 1989, at its usual meeting place in the City Hall, Picayune, Mississippi, a public hearing will be held on the proposed approval of an urban renewal plan entitled "Urban Renewal Plan (Phase 1 Redevelopment Project)". The proposed urban renewal plan will be effective solely with regard to the following property:

A. The rights-of way of all City Streets;

B. The Wastewater Treatment Plant and the attendant property at the south end of Airport Road;

C. City Hall and City Annex at 203 Goodyear Boulevard;

D. Criminal Justice Center at 328 South Main Street; and

E. Friendship Park on east side of Highway 11 South of the National Guard Armory.

The proposed urban renewal plan will call for the redevelopment, renovation, and rehabilitation of the described property through a program for the renovation, acquisition, expansion, construction, and equipping, as appropriate, of;

A. Street and drainage improvements, including overlay and sidewalks;

B. Upgrading of the wastewater treatment facility;

C. Renovation of the City Hall and City Annex;

D. Street light improvement;

E. Expansion and renovation of Criminal Justice Center; and

F. Upgrading and expansion of Friendship Park (collectively, the "Urban Renewal Project"):

To the extent funds required for the Urban Renewal Project or any part thereof are not provided from grants or other sources, notes may be issued pursuant to Miss. Code Ann. §43-35-21 (1972).

Notes so issued shall be special obligations and shall not constitute general obligation debts of the City of Picayune, Mississippi or a liability against the tax base, general funds, or other assets of the City of Picayune, Mississippi, unless and except if separate special notice is given the electorate in accordance with law so that the electorate would have an opportunity to protest such and require an election thereon. Notes contemplated by the proposed urban renewal plan will initially be issued as special obligations which are not supported by the ad valorem tax base or general credit of the City. Therefore no increase in or pledge of ad valorem taxes will be required in order to secure such notes.

Interested persons will have a reasonable opportunity to express their views on the proposed urban renewal plan.

This, the 7th day of February, 1989.

Raymond A Seal

City Clerk of the City of Picayune

(S E A L)

Publish: Once at least 15 days prior to hearing date. (February 16, 1989)

RESOLUTION CONTINUED:

Section 7. The Governing Authority will until 6:00 o'clock P.M. on March 7, 1989, receive proposals at their usual meeting place in the City Hall, Picayune, Mississippi, for the purchase of the Urban Renewal Revenue Notes of the City of Picayune, Mississippi, pursuant to the Urban Renewal Plan.

Section 8. The City Clerk is hereby directed and authorized to cause publication of a notice of note sale in the Picayune Item, a legally qualified newspaper published in and of general circulation in Pearl River County, at least two (2) times with the first publication being at least ten (10) days prior to the date set for receipt of proposals, and said notice shall be substantially in the following form:

NOTICE OF NOTE SALE

Sealed proposals will be received by the City Council of the City of Picayune, Mississippi, at its usual meeting place in the City Hall, Picayune, Mississippi, until the hour of 6:00 o'clock P.M. on March 7, 1989, for the sale, at not less than par and accrued interest, of Urban Renewal Revenue Notes of the City of Picayune, Mississippi, in an amount not to exceed $5,000.,000.00 (the "Notes") pursuant to a proposed urban renewal plan entitled "Urban Renewal Plan (Phase 1 Redevelopment Project (the "Urban Renewal Plan").

Each proposal shall be accompanied by a Note Purchase Agreement in substantially the form acceptable to the bidder or bidders. The Notes will be dated, will be payable, and will be subject to prepayment in accordance with the provisions of such note purchase agreement. The Notes shall be limited obligations of the City of Picayune (the "Issuer"), the principal of and interest on which shall be payable in accordance with the terms of the above-referenced note purchase agreement, and may further be secured solely and only from any revenues derived by the Issuer from the following:

(a) Any revenues of the urban renewal project for which the Notes are issued.

(b) Any right, title and interest under any Deed or Deeds of Trust creating a lien upon certain real property to be acquired and/or improved with the proceeds of the Notes; and

(c) Such other collateral, if any, as may be specified in the aforesaid Note Purchase Agreement and approved by the Issuer.

continued

RESOLUTION CONTINUED:

The Issuer will irrevocably pledge and assign, without recourse, for the benefit of the holder or holders of the Notes, such of the foregoing sources of revenue as may be specified in the note purchase agreement accompanying any successful proposal. The Notes, as initially marketed, shall not constitute an indebtedness of the Issuer within the meaning of any constitutional provision or statutory limitation and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against the general credit or taxing powers of the Issuer.

Proposals should be addressed to the Issuer, should be plainly marked "Proposal for Notes," and should be filed with the City Clerk on or before the date and hour hereinabove named. The Issuer reserves the right to reject any and all bids submitted. The Notes shall not bear an interest rate greater than thirteen percent (13%) per annum. Any proposal must anticipate that the Issuer will set the final mount of the Notes.

BY ORDER of the City Council of the City of Picayune, Mississippi, this, the 7th day of February, 1989.

Raymond A Geal
City Clerk of the City of Picayune

PUBLISH: Twice, with the first publication being at least ten days prior to bid date (February 16 and 23)

Section 9. The Urban Renewal Plan is hereby referred to the Issuer's planning commission in accordance with the Act.

Section 10. For cause, this Resolution shall be in full force and effect from the date hereof.

EXHIBIT 1

URBAN RENEWAL PLAN
(PHASE 1 REDEVELOPMENT PROJECT)

1. Existence of Urban Renewal Plan

This Plan shall constitute an urban renewal plan of the City of Picayune, Mississippi, (the "City"), as set forth in Miss. Code Ann. §43-55-13 (1972).

11. Designation of Urban Renewal Area

The City Council of the City of Picayune, Mississippi, did by Resolution of February 7, 1989, declare that certain property located in the City's area of operation and more particularly described in Exhibit A hereto to be blighted within the meaning of Miss. Code Ann. §43-35-3(i) and did designate such area as appropriate for an urban renewal project. The property described on Exhibit A hereto is the "Urban Renewal Area" for purposes of this Urban Renewal Plan.

111. The Urban Renewal Project

The Urban Renewal Area shall be redevelopment, renovated, and rehabilitated through acquisition, construction, rehabilitation, improvement and equipping, as appropriate, of:

A. Street and drainage improvements, including overlay and sidewalks;

continued

RESOLUTION CONTINUED:

B. Upgrading of the wastewater treatment facility;

C. Renovation of the City Hall and City Annex;

D. Street light improvement;

E. Expansion and renovation of Crinimal Justice Center; and

F. Upgrading and expansion of Friendship Park

(collectively, the "Urban Renewal Project").

IV. Relationship to Local Objective

The Urban Renewal Project will not require any zoning change and shall be accomplished in accordance with any applicable zoning ordinances and building codes, unless exceptions are made in accordance with law. The Urban Renewal Project will constitute an appropriate land use.

VII. Financing

The City will issue urban renewal revenue notes in an amount not to exceed Five Million Dollars ($5,000,000.00) in order to finance the Urban Renewal Project. Such notes shall be issued in the form of one or more instruments. The notes shall be special obligations secured only from pledged revenues of the Urban Renewal Project, if any, by investments of note proceeds and by such funds, if any, from whatever source derived, as the City may utilize for such purposes. The notes, as initially marketed,will not constitute a general obligation indebtedness or a lien against the ad valorem tax base or general funds or amounts of the City.

EXHIBIT "A"

The following property located in the City of Picayune, Pearl River County, Mississippi:

A. The rights-of-way of all City streets;

B. The Wastewater Treatment Plant and the attendant property at the south end of Airport Road;

C. City Hall and City Annex at 203 Goodyear Boulevard;

D. Criminal Justice Center at 328 South Main Street; and

E. Friendship Park on east side of Highway 11 south of the National Buard Armory.

Councilman Luther Jones seconded the motion. After a discussion, Mayor Gregory H. Mitchell and Councilmen Kelly McQueen, Danny Ware, Leavern Guy and Luther Jones voted for the motion.. No one voted against the motion. Councilman Larry Albritton was absent and not voting. The Mayor declared the motion carried and the Resolution adopted.

IN THE MATTER FOR DISCUSSION

Councilman Guy requested that all organizations receiving monetary contributions from the City provide a copy of their minutes to the Mayor and Council

ORDER TO RECESS

Motion was made by Councilman Guy and seconded by Councilman Ware to recess until February 21, 1989 at 6:00 P.M.

APPROVED:

Gregory H. Mitchell, Mayor

ATTEST:

Raymond A. Seal, City Clerk

TAPE NO. 89-9 & 89-10

February 21, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in recessed session Tuesday, February 21, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Danny J. Ware, Luther T. Jones, Larry L. Albritton and Kelly L. McQueen; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; City Attorney, Nova Carroll.

It Being Determined a quórum was present, Mayor Mitchell declared the meeting open and the following proceedings were held.

ORDER TO RECEIVE MINUTES OF THE LIBRARY BOARD MEETINGS FOR DECEMBER 6, 1988 and JANUARY 2, 1989

Motion was made by Councilman Ware and seconded by Councilman Jones to receive the minutes from the Library Board for their meetings of December 6, 1988 and January 2, 1989. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, McQueen and Albritton

Voting nay: None

Absent and not voting: Councilman Guy

Motion was declared carried.

CERTIFICATE OF APPRECIATION PRESENTED TO BOBBY KELLY, PUBLIC WORKS DIRECTOR, BY PEARL RIVER COUNTY DEVELOPMENT ASSOCIATION ANTI-LITTER COMMITTEE

Mr. Ted Lamunyon, member of the anit-litter committee, came before the Mayor and Council expressing appreciation from the Pearl River County Development Association in their efforts to keep the City of Picayune and Pearl River County free from litter. Mr. Lamunyon stated that Bobby Kelly, Public Works Director, has been very cooperative and instrumental in cleaning areas when requested by PRCDA Anti-Litter Committee. He presented Mr. Kelly with a framed Certificate of Appreciation.

Councilman Leavern Guy entered the Council Chambers at this time.

IN THE MATTER OF DISCUSSION BY FRANK DUNAWAY, CIVIL ENGINEER, PERTAINING TO TRAFFIC STUDY

Mr. Frank Dunaway, Civil Engineer, came before the Mayor and Council to give a preliminary report on the traffic study he is conducting for the City. Each Councilman was given a packet containing a map of the City, outlining problem areas with suggestions for better traffic flow. This study is being conducted under the guidelines of the Governor's Highway Safety Program. Telly Road/Highway 43 South and Telly Road/Highway 11 South are two intersections Dunaway pointed out as being problem areas. He stated street lighting on Highway 43 South is a major problem also. Mr. Dunaway encouraged the Mayor and Council to make suggestions and comments on the study after reviewing the maps.

ORDER TO SET DATE FOR PUBLIC HEARING ON PROPERTY CLEAN UP FOR MARCH 21, 1989

Motion was made by Councilman Jones and seconded by Councilman Guy to set the date of March 21, 1989 for public hearing on property owned by Willie B. Carter, N. Green St., to determine if the property constitutes a menace to the public health and safety to the community.

NOTICE

You are hereby given notice that on the 21st day of march, 1989, at the City Council Chambers at the City Hall in Picayune, Mississippi at 6:00 P.M., there will be a hearing before the City Council to determine if the condition of your property described on Exhibit A attached hereto constitutes a menace to the public health and safety of the community. Should the determination be made that the condition does constitute a menace to the public health and safety, then the condition of the lot may be ordered corrected by the City, a lein placed against the property for the cost of the work and the property may be sold to satisy the lein.

You have the right to appear at the hearing and be heard.

You may have the lots cleaned prior to the hearing and notify the City Fire Department to have the cleaned lot inspected.

Dated this the 21st day of March A.D., 1989.

/s/ Raymond A. Seal
City Clerk

POSTED AT:
PICAYUNE CITY HALL
POST OFFICE IN PICAYUNE, MISSISSIPPI

PROPERTY OWNER:

Willie Lee Carter----------Sec. 14-6-17
Block 35, Lot 4C
North Green.St.

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO ACCEPT LAND AND PERSONAL ROLL SUBMITTED BY PEARL RIVER AND HANCOCK COUNTY TAX ASSESSOR/COLLECTOR FOR 1988

Motion was made by Councilman McQueen and seconded by Councilman Ware to accept the 1988 Land and Personal roll from Pearl River and Hancock County Tax Assessor for the City of Picayune and the Picayune Municipal Separate School District as follows:

CITY OF PICAYUNE AND PICAYUNE MUNICIPAL SEPARATE SCHOOL DISTRICT	TOTAL ASSESSED VALUE
REAL PROPERTY	
Inside City Limits	21,270,955
Outside City Limits Pearl River County	13,180,520
Outside City Limits Hancock County	1,355,534
PERSONAL PROPERTY	
Inside City Limits	2,943,733
Outside City Limits	380,777
PUBLIC UTILITIES	
Inside City Limits	2,992,799
Outside City Limits Pearl River County	1,859,359
Outside City Limits Hancock County	376,398

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO AWARD BID FOR 1989 POLICE CAR TO DUB HERRING FORD IN THE AMOUNT OF $12,598.00

Purchasing Agent, Reggie Frierson, stated after reviewing the bids submitted for a 1989 Police Car, he recommends the bid from Dub Herring Ford for a 1989 Ford LTD Crown Victoria "S" for the amount of $12,598.00. Motion was made by Councilman McQueen and seconded by Councilman Guy to approve said recommendation to accept bid from Dub Herring Ford for $12,598.00. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO AWARD BID FOR SEVEN MANHOLES FOR WEST SIDE REDEVELOPMENT AREA TO FAULKNER CONCRETE PIPE COMPANY

After review of bids submitted on February 7, 1989, Barbara McGrew, Community Development Director and Reggie Frierson, Purchasing Agent, recommended the bid from Faulkner Concrete Pipe Company of Gulfport, Mississippi be accepted to furnish seven manholes for the West Side Redevelopment Project. Motion was made by Councilman Jones and seconded by Councilman Ware to accept their recommendation and accept Faulkner Concrete Pipe Company's bid. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Motion was declared carried.

IN THE MATTER OF BOARDS AND COMMISSIONS

City Manager, A.L. Franklin, furnished the Mayor and Council with a list of appointments and reappointments to various boards and commissions in their packets prior to tonight's meeting. Councilman Guy made a motion that these decisions be postponed until the March 7, 1989 meeting, seconded by Councilman Jones with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware,Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO ACCEPT PETITION FROM MERCHANTS PERTAINING TO SIGN ORDINANCE

Lonnie Wilson presented the Mayor and Council with a petition signed by 100 merchants concerned about the sign ordinance now in effect within the City. Sign permits are required at a cost of $5.00 each with regulations for placement of signs. Said petition states "It is a struggle to stay in business without the hardships of unnecessary regulations on signs and portable signs." It further states "We recommend a sign commission or board be established consisting of interested parties that is approved by the Council and interested merchants and their representatives on this matter." After discussion by the Mayor and Council, motion was made by Councilman Ware and seconded by Councilman Guy to table said matter. No decision was made at this time. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR MITCHELL TO SIGN QUITCLAIM DEED FOR RANDY AND GAIL RUNNELS FOR 1982 TAXES MATURED TO CITY

Motion was made by Councilman McQueen, seconded by Councilman Ware to authorize Mayor Mitchell to sign a quitclaim deed to Randy and Gail Runnels for 1982 taxes that matured to the City. Tax deed will be for the amount of $215.07. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

IN THE MATTER OF DISCUSSION

Alverta Bolden, 2204 Cousin St., came before the Mayor and Council to voice her complaints concerning an open ditch running through her yard being cleaned out by the City. She stated the City employees dug dirt out and cleaned the ditch out. She stated the ditch had not been cleaned out by the City in 15 years and she was unaware that the City would still maintain the ditch. Mrs. Bolden stated an adjoining property owner had a ditch that connected to her ditch but he filled it in with dirt, which causes drainage problems for others. Mrs. Bolden requested the City to replace the dirt they had taken out and return the ditch as it was. City Manager, A.L. Franklin stated he would check into the matter. Councilman McQueen stated he would speak to the former Public Works Director to see if the City had been maintaining said ditch in the past. No decision was made.

A request by R.S. Herrin for a temporary permit to park a house trailer on his property on Adcox Road was referred to the Planning Commission. No Council action was taken.

Councilman Guy requested that the Pearl River County Development Association furnish the Mayor and Council with a copy of their minutes each month. City Manager, A.L. Franklin, informed him he had received copies of their minutes today.

ORDER TO ADJOURN

Motion was made by Councilman Guy and seconded by Councilman Albritton to adjourn until March 7, 1989 at 6:00 P.M.

APPROVED:

GREGORY H. MITCHELL,
MAYOR

ATTEST:

RAYMOND A. SEAL
CITY CLERK

TAPE NO. 89-11

March 7, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in regular session Tuesday, March 7, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Luther T. Jones, Sr., Leavern Guy, Danny J. Ware; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; City Attorney, Nova Carroll.

It Being Determined a quorum was present, Mayor Gregory H. Mitchell declared the meeting open and the following proceedings were held.

The opening prayer was given by City Attorney, Nova Carroll, followed by the Pledge of Allegiance.

EMPLOYEE HONORS

EMPLOYEE OF THE MONTH OF FEBRUARY, 1989

Police Chief Richard B. Martin nominated Officer Charles Clark and Communications Clerk Theresa Carptener as a result of their quick thinking and heroic actions in apprehending a bank robber and recovering all monies that were taken. Martin stated both of these officers performed in keeping with the best traditions of the Picayune Police Department and richly deserve recognition for their excellent performance. Both employees received a framed Certificate for Employee of the Month and a savings bond from Mayor Gregory H. Mitchell.

ORDER TO APPROVE DOCKET OF CLAIMS FOR MONTH OF FEBRUARY, 1989

Motion was made by Councilman Guy and seconded by Councilman Ware to approve the Docket of Claims for the month of February, 1989 as follows: CLAIM NO. 2431 - 3042

FUND	TOTAL
General Fund	$ 645,247.21
Neighborhood Parks and Recreation	23,179.00
Library Fund	15,985.18
CDBG West Side Re-Development	46,124.86
UDAG Majestic Inn Rental	10,200.00
CDBG Urgent Needs Grant 7-99-133-CD-01	246.21
General Bond & Interest Fund	20,600.00
Library Construction Bond Fund	7,900.00
Capital Projects Fund	254,009.07
Utility Fund	1,255,463.50
Intragovernmental Service Fund	69,111.44
Unemployment Compensation Trust Fund	29,900.00
Tax Collector Fund	1,390,021.76
Palestine Cemetery Trust Fund	256,700.00
DOCKET TOTALS:	$4,024,688.23

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones & Guy
Voting nay: None
Absent and not voting: Councilmen Albritton and McQueen
Motion was declared carried.

ORDER TO APPROVE MINUTES OF COUNCIL MEETINGS ON JANUARY 3, 9, and 17, 1989

Motion was made by Councilman Ware, seconded by Councilman Guy to approve minutes of Council meetings held on January 3, 9, and 17, 1989. Said minutes are on file in the office of the City Clerk in Minute Book 21, pages 21 through 61. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy
Voting nay: None
Absent and not voting: Councilmen Albritton and McQueen
Motion was declared carried.

ORDER TO APPROVE BUILDING PERMITS FOR MONTH OF FEBRUARY, 1989

Motion was made by Councilman Guy and seconded by Councilman Jones to approve the building permits no. 4723 through 4729 for the month of February, 1989. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy
Voting nay: None
Absent and not voting: Councilmen Albritton and McQueen
Motion was declared carried.

ORDER TO APPROVE MINUTES OF THE PLANNING COMMISSION MEETING ON FEBRUARY 28, 1989

Motion was made by Councilman Guy and seconded by Councilman Ware to approve the minutes of the Planning Commission meeting of February 28, 1989. Said minutes are on file in the City Clerk's office in Minute Book 4, page 147. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy
Voting nay: None
Absent and not voting: Councilmen Albritton and McQueen
Motion was declared carried.

IN THE MATTER OF URBAN RENEWAL REVENUE NOTES

During the meeting of the Planning Commission on February 28, 1989, it was the consensus of the Commission to recommend the issuance of Urban Renewal Revenue Notes in amount of Five million dollars, Phase 1, Redevelopment Project. Motion was made by Councilman Ware and seconded by Councilman Guy to accept their recommendation for said Urban Renewal Revenue Notes. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy
Voting nay: None
Absent and not voting: Councilmen Albritton and McQueen
Motion was declared carried.

ORDER TO APPROVE TEMPORARY PERMIT FOR MR. R.S. HERRIN, 1005 SYCAMORE ROAD FOR MOBILE HOME

Upon recommendation from the Planning Commission, motion was made by Councilman Ware and seconded by Councilman Jones, to issue a temporary permit to Mr. R.S. Herrin, 1005 Sycamore Rd., to place a mobile home on his property for his son to live in. This permit will be in effect for one year from date of issuance. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy
Voting nay: None
Absent and not voting: Councilmen Albritton and McQueen
Motion was declared carried.

ORDER TO APPROVE HOME OCCUPATION LICENSE FOR JIM HARRISON

Upon recommendation from the Planning Commission, motion was made by Councilman Ware and seconded by Councilman Jones, to approve a Home Occupation License for Mr. Jim Harrison, 1701 Evangeline Drive to conduct long distance selling service for U.S. Sprint from his home. There is no stock in trade. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy
Voting nay: None
Absent and not voting: Councilmen Albritton and McQueen
Motion was declared carried.

IN THE MATTER OF LARRY BRELAND'S REQUEST TO PURCHASE PROPERTY FROM THE CITY

Larry Breland, Rosa Street, came before the Mayor and Council requesting to purchase property which he has leased from the City on August 5, 1986 for a three (3) year period. Said property adjoins his property located in the Rosa Street Redevelopment Area and serves as a buffer zone between his property and a wood treating plant. City Attorney, Nova Carroll, requested the matter be postponed until he has time to look into the legalities further to see if this would effect the official plat of the subdivision. No action was taken.

Councilman McQueen arrived at the meeting at this time.

DISCUSSION OF REQUEST TO ADVERTISE FOR MATERIALS FOR WATER LINE EXTENSION ON HWY 43 AND FRONTAGE ROAD

City Manager, A.L. Franklin, requested approval to advertise for materials for water line extension down Hwy 43 S/ Frontage Road. After discussion concerning whether businesses involved are inside or outside the city limits, motion was made by Councilman McQueen, seconded by Councilman Jones, to advertise for needed material for water line extension. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen McQueen and Jones

Voting nay: Councilmen Ware and Guy

Absent and not voting: Councilman Albritton

Motion was declared not carried.

IN THE MATTER OF DRAINAGE DITCH AT 2204 COUSIN STREET ALVERTA BOLDEN PROPERTY

On February 21, 1989, Mrs. Alverta Bolden of 2204 Cousin Street, approached the Mayor and Council concerning the city cleaning out a ditch on her property without her consent. The City had received a call from someone in the area to clean the ditch at her address. City Manager, A.L. Franklin and Councilman McQueen later researched the matter but received conflicting opinions about whether the city had cleaned the ditch in the past. It was the consensus of the Mayor and Council to look into the cost of placing culvert on property owned by Alverta Bolden. City Manager, A.L. Franklin stated he would provide this information at the meeting of March 21, 1989.

ORDER TO DECLARE WATER WELLS AT VIRGINIA MANOR SURPLUS PROPERTY AND ADVERTISE FOR SALE

City Manager, A.L.Franklin, stated the city acquired, by tax sale, a lot in Virginia Manor Subdivision which is located outside the corporate limits. The lot is described as .45 acres in the NE ¼ of Virginia Manor Section 33-5-17. The water system in this particular subdivision consists of 3 free flowing artesian wells and we were informed recently, by the Environmental Protection Agency, that one of these wells was located on the lot that we acquired by tax sale.

The Environmental Protection Agency has informed us that the water system is in violation of the Safe Drinking Water Act in that the system had not been properly monitored. After some lengthy research and discussion with long time property owners and residents of the Virginia Manor Subdivision we believe that the well in question is located on roadway right-of-way rather than this particular lot. The City Attorney and I have been in contact with representatives of the EPA in Atlanta, Georgia, the EPA of the State of Mississippi and the Attorney General's office trying to resolve this particular problem. The City Attorney and I recommend that we dispose of this particular lot as provided by Code Section 21-33-75 of the Mississippi Code. If this action is taken by the City of Picayune, I feel this would resolve our problem. Motion was made by Councilman McQueen and seconded by Councilman Ware to declare said property surplus and advertise for sale as follows:

continued

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

LEGAL NOTICE

TO ALL ADULT RESIDENT CITIZENS OF THE CITY OF PICAYUNE, VIRGINIA MANOR SUBDIVISION, AND PEARL RIVER COUNTY, STATE OF MISSISSIPPI

PUBLIC NOTICE OF THE INTENTION OF THE CITY OF PICAYUNE TO SELL SURPLUS REAL PROPERTY LOCATED IN VIRGINIA MANOR SUBDIVISION, AND TO SOLICIT SEALED COMPETITIVE BIDS FOR SAID REAL PROPERTY

NOTICE is hereby given to all adult residents of the City of Picayune, Virginia Manor Subdivision, and Pearl River County, State of Mississippi, of the intention of the City of Picayune to sell by competitive sealed bids to the highest and best competitive bidder, the following real property situated in the Virginia Manor Subdivision, described as follows, to-wit:

Commencing at the Southeast corner of the NE 1/4 of the SE 1/4 of Section 33, Township 5 South, Range 17 West, Pearl River County, Mississippi; thence South 89 degrees 44 minutes West along the South boundary of the NE 1/4 of the SE 1/4 of said section 875.5 feet to the East margin of Huntington Ave. for the place of beginning; thence North 00 degrees 16 minutes West along the East boundary of Huntington Drive 150 feet to the South margin of Fairmont Drive; thence North 89 degrees 44 minutes East along the South margin of Fairmont Drive 130 feet; thence South 00 degrees 16 minutes East 150 feet; thence South 89 degrees 44 minutes West 130 feet to the point of beginning; containing 0.45 acres more or less and being a part of the NE 1/4 of the SE 1/4 of Section 33, Township 5 South, Range 17 West, Pearl River County, MS.

Said competitive sealed bids will be received until 5:00 p.m. on Tuesday, April 4, 1989, in the office of the City Clerk of the City of Picayune, 203 Goodyear Blvd., Picayune, Mississippi, and will be opened for inspection and awarding to the highest and best competitive bidder at 6:00 p.m. on Tuesday, April 4, 1989, at the City Council Chambers, City Hall, 203 Goodyear Boulevard, Picayune, Mississippi.

The City of Picayune reserves the right to reject any and all bids and may resolicit and readvertise for new bids if no satisfactory bids are received.

The Mayor and Council of the City of Picayune have determined that the above described real property is surplus property and is not needed for municipal or related purposes and is not to be used in the operation of the municipality.

The City of Picayune will convey any and all of its right, title and interest which it may own in and to said real property, its improvements, and appertenances thereunto belonging by quitclaim deed. The City of Picayune shall also retain all mineral rights together with the right to ingress and egress to remove same as required by the Laws of the State of Mississippi.

DONE by order of the Mayor and City Council on the 7th day of March, A.D., 1989.

/s/ Raymond A. Seal
Raymond Seal, City Clerk
City of Picayune

PUBLISH: March 12, 19, 26, and April 2, 1989, open to bids on April 4, 1989

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR EAST SIDE GAS RENOVATION PROJECT-MATERIALS AND CONTRACTORS

This being the day and hour to receive bids for the East Side Gas Renovation Project, materials and contractors, the following bids were received:

MATERIALS:

A & J Sales, Amos E. Crowder Items #3,5,6,7 & 20	$ 8,895.49
Central Pipe Supply Items #1,2,3,8,12,13,14-25	27,370.00
M.J. Deason Co., Inc. Items #1-25	40,038.26
Meter Service & Supply Items #1-25	40,255.25
Energy Pipe Products Items #1-25	42,639.90
LA Utilities Items #1-25	43,020.32
Davis Meter & Supply Co. Items #1-25	44,890.47
Consolidated Pipe & Supply Co. Items #1-25	45,072.30
Southern Pipe & Supply Items #1-8,12,16-25	71,002.29

CONTRACTORS

Valentine & LeBlanc Inc., Baton Rouge, LA	$106,707.50
B & K Construction Co., Inc., Hammond, LA	124,575.00
Southland Enterprises, Inc., Ocean Springs,MS	154,280.00

Motion was made by Councilman Guy and seconded by Councilman Ware to take all bids for contractors and materials for the East Side Gas Renovation Project under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR FENCING AND RELOCATING FENCE AT FRIENDSHIP PARK AND TAKE UNDER ADVISEMENT

This being the day and hour to receive bids for 850 ft. of 8' fence and 850 ft. of 7' fence and relocating fence, the following bids were received:

Holcomb Fence Co.	850 ' of 8' ft. fence	$ 3,544.50
	850 ' of 7' ft. fence	$ 3,150.00
	relocating fence	$ 1,261.25
Staples Fence Co.	850 ' of 8' ft. fence	$ 4,940.00
	850 ' of 7' ft, fence	$ 4,185.00
	relocating fence	$ 2,812.00

Motion was made by Councilman Guy, seconded by Councilman Jones to take said bids under advisement, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR HUSKY BRUTE KNUCKLE BOOM WITH BRUSH GRAPPLE AND TAKE UNDER ADVISEMENT

This being the day and hour to receive bids for a husky brute knuckle boom with brush grapple, the following bids were received:

Gulf City Body & Trlr. Works, Mobile, AL	$36,941.00
Ingram Equipment, Birmingham, AL.	$21,860.00
Stribbling, Hattiesburg, MS	$25,875.00

Motion was made by Councilman Jones and seconded by Councilman Ware to take bids for the knuckle boom under advisement, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO POSTPONE APPOINTMENT TO THE HOUSING AUTHORITY BOARD

Motion was made by Councilman Ware and seconded by Councilman Jones to postpone appointment to the Housing Authority for the term of Fred Moore, whose term expired in November, 1988. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO MAKE APPOINTMENT TO THE CEMETERY COMMISSION FOR A FIVE YEAR TERM WHICH WILL EXPIRE JANUARY, 1994

Motion was made by Councilman Guy and seconded by Councilman Jones to appoint Mr. Hilbert Miller to serve a five year term on the Cemetery Commission. He will replace W.H. Delk, who asked not to be considered for reappointment. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPOINT DOWNTOWN REVITALIZATION COMMITTEE FOR ONE YEAR TERM

Motion was made by Councilman McQueen, seconded by Councilman Ware to appoint members to the Downtown Revitalization Committee for a one year term to expire January, 1990. The following members were appointed:

Mark Drummond	Robert Thigpen
Charles Blanchet	Sherri Brown
Mary Brown	Paul Reese
Paul LaGarde	Ken Hall
Tom Morris	Buddy Broadway
Linda K. McDonald	

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ADVISORY PARK COMMISSION APPOINTMENTS POSTPONED

City Manager, A.L. Franklin requested the appointments to the Advisory Park Commission be postponed.

ORDER TO REAPPOINT DOUGLAS STEWART TO THE PICAYUNE SCHOOL BOARD

Mayor Gregory Mitchell commended Douglas Stewart for his work on the School Board for the past 5 years and recommended his reappointment. Motion was made by Councilman Ware and seconded by Councilman Guy to reappoint Douglas Stewart to serve a five year term to expire in March, 1994. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE QUITCLAIM DEED FOR ALBERT ROBINSON FOR 1984-1985 TAXES MATURED TO THE CITY

Motion was made by Councilman Ware and seconded by Councilman Guy to authorize Mayor Mitchell to sign a quitclaim deed to Albert Robinson for 1984 and 1985 taxes that matured to the City on Parcel No. 617-6-1414-14-07-004.00 in the amount of $95.58. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE REFUND OF $103.07 FOR OVERPAYMENT OF TAXES IN THE NAME OF CURTIS STEWART

Motion was made by Councilman Ware and seconded by Councilman Guy to approve a refund of $103.07 to Junaita Cotton for taxes paid in the name of Curtis Stewart on Parcel No. 518-209-000-00-6. The assessment was changed by Pearl River County Tax Assessor after payment was made. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay; None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE SEMI-ANNUAL BIDS AND TAKE UNDER ADVISEMENT

This being the day and hour to receive bdis for semi-annual supplies for the City for a six month period from April, 1989 - September 30, 1989, the following bids were received:

ITEM #1: HOUSEHOLD SUPPLIES

Gulfport Paper Company
Dibs Chemicals & Supply Co., Inc.
Newell Paper Co.
Quilchem, Inc.

ITEM #2: OFFICE SUPPLIES

Gulfport Paper Co.

ITEM #3: TIRES, TUBES AND BATTERIES

Spiers Tire and Service Center, Inc.
Putnam Auto Parts
Car Parts Center

ITEM #4: GASOLINE & OIL

Pearl River OIL Co., Inc.
A.P.G. Inc.

ITEM #5: CHEMICAL SUPPLIES

Archem, Inc.
Adapco, Inc.
Jones Chemicals
Davis Chemicals
Nordan Smith
Viking Utility Supply, Inc.
Dibs Chemical & Supply, Inc.
Quilichem, Inc.

ITEM #6: GAS PIPE AND FITTINGS

Louisiana Utilities Supply Co., Inc.
Central Pipe Supply Inc.
Tyler-Dawson Supply
Davis Meter & Supply Co.
Consolidated Pipe

continued

SEMI-ANNUAL BIDS CONTINUED:

ITEM #7: WATER PIPE AND FITTINGS

Louisiana Utilities Supply Co., Inc.
Amos Crowder, Florence, MS
Central Pipe Supply, Inc.
Davis Meter & Supply
Tyler-Dawson Supply
Viking Utility Supply, Inc.
Consolidated Pipe & Supply
Dixie Wholesale Water works, Inc.
Water Products Co.
Southern Pipe & Supply Co., Inc.

ITEM #8: SEWER DEPARTMENT SUPPLIES

Louisiana Utilities Supply Co., Inc.
Central Pipe & Supply Co.
Davis Meter & Supply Co.
Water Products
Viking Utility Supply
Consolidated Pipe & Supply
Dixie Wholesale Waterworks, Inc.
Southern Pipe & Supply Co., Inc.

ITEM #9: CEMENT AND CONCRETE

Phillips Building & Supply
Coast Concrete Products, Inc.

ITEM #10: ASPHALT

Hot Mix Asphalt, Inc.
Bush Construction Co., Inc.

ITEM #11: PLASTIC TRASH BAGS

Dibs Chemicals & Supply Co., Inc.
Polyflex M Company
Quilichem, Inc.

ITEM #12: CLOTHING, POLICE AND FIRE

V & B Apparel, Lacombe, LA
Mid South Uniforms and Supply
Delta Uniform Company

ITEM #13: FIRE DEPARTMENT EQUIPMENT

Casco Industries, Inc.
Ferrara Firefighting Equipment
Day Fire Equipment
Firehouse Sales and Service, Inc.

ITEM #14: RAINWEAR

Roper Supply Co., Inc.

Motion was made by Councilman Ware and seconded by Councilman Guy to receive the above bids for semi-annual supplies and take under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones and Guy

Voting nay: None

Absent and not voting: Councilmen Albritton and McQueen (left meeting)

Motion was declared carried.

ORDER TO ERECT SIGN FOR BOOSTERS OF BASEBALL PROGRAM ON HWY 43 SOUTH DENIED

City Manager, A.L. Franklin, stated the boosters and supporters of the baseball program have requested a sign be erected on HWY 43 South during baseball season which would list the ball schedule and directions to the fields. The sign would be removed after the season is over. Motion was made by Councilman Jones and seconded by Councilman Guy to place said sign on the neutral ground on Highway 43 South as requested. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Jones and Guy

Voting nay: Councilman Ware

Absent and not voting: Councilmen Albritton and McQueen

Motion was declared not carried.

ORDER TO PLACE STREET LIGHT ON JUNIPER STREET NEAR ST. CHARLES CATHOLIC CHURCH

City Manager, A.L. Franklin, requested authorization to place a street light on Juniper Street near the St. Charles Catholic Church on Goodyear Blvd. Motion was made by Councilman Guy and seconded by Councilman Ware to authorize said street light. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones and Guy

Voting nay: None

Absent and not voting: Councilmen Albritton and McQueen

Motion was declared carried.

RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF PICAYUNE, MISSISSIPPI, RECOMMENDING
APPROVAL OF PROPOSED URBAN RENEWAL PLAN

WHEREAS, the City Council of the City of Picayune, Mississippi did by resolution of February 7, 1989, direct that a proposed urban renewal plan entitled: "URBAN RENEWAL PLAN (PHASE 1 REDEVELOPMENT PROJECT)" be submitted pursuant to Miss. Code Ann. §43-35-13(b)(1972) to the planning commission of the City of Picayune for review and written recommendations: and

WHEREAS, the Planning Commission has reviewed the proposed renewal plan, a copy of which is attached hereto as Exhibit "1" and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED:

Section 1: The referenced proposed urban renewal plan is found to conform with the general plan for the physical development of the City of Picayune as a whole and approval thereof is recommended.

Section 2: A certified copy of this resolution shall be delivered to the City Clerk for presentation to the City Council.

CERTIFICATE

I hereby certify that the planning commission of the City of Picayune, Mississippi, approved the foegoing resolution on February 28, 1989.

THIS, the 28th day of February, 1989.

/s/ P.C. Cook
Title: Chairman, Planning Commission

The above and foregoing Resolution was adopted into the minutes upon motion by Councilman Jones and seconded by Councilman Guy, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

REGULAR MEETING OF MARCH 7, 1989

ORDER TO APPROVE RESOLUTION PERTAINING TO URBAN RENEWAL REVENUE NOTES

The City Council took up for discussion of the matter of the approval of an urban renewal plan, receipt of proposals for Urban Renewal Revenue Notes, and sale and issuance of such obligations and Councilman Jones moved the adoption of the following Resolution:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI, APPROVING URBAN RENEWAL PLAN, ADJUDICATING THAT NO BIDS WERE RECEIVED FOR URBAN RENEWAL REVENUE NOTES, AWARDING SALE AND APPROVING DOCUMENTS

WHEREAS, the City Council (the "Governing Authority") of the City of Picayune, Mississippi (the "Issuer"), has heretofore approved a general plan for the physical development of the Issuer as a whole (the "General Plan"), as provided in Mississippi Code of 1972 §43-35-13; and

WHEREAS, subsequent to approval of the aforesaid General Plan the Governing Authority on February 7, 1989, enacted a Resolution whereby the Governing Authority commenced review regarding a proposed urban renewal plan entitled "Urban Renewal Plan (Phase I Redevelopment Project)", a copy of which is attached hereto as Exhibit 1 and made a part hereof (the "Urban Renewal Plan"): and

WHEREAS, by said resolution of February 7, 1989, the Governing Authority directed that a public hearing be held at 6:00 P.M. on March 7, 1989, regarding the Urban Renewal Plan and the proposed issuance of urban renewal revenue notes in an amount not to exceed $5,000,000; and

WHEREAS, in accordance with Mississippi Code of 1972 §43-35-13, a "Notice of Public Hearing" was published on February 16, 1989, in the Picayune Item, a newspaper published in the Issuer and of general circulation in the Issuer and the area within five miles of the Issuer's boundaries; and

RESOLUTION CONTINUED:

WHEREAS, proof of such publication has been submitted to the Governing Authority and shall be made a part of its Minutes; and

WHEREAS, the Governing Authority did, prior to such public hearing on March 7, 1989, receive the written recommendation of the Issuer's planning commission with regard to the Urban Renewal Plan; and

WHEREAS, at 6:00 P.M., March 7, 1989, the Governing Authority, did, in accordance with Mississippi Code of 1972 §43-35-13, hold a public hearing on the proposed approval of the Urban Renewal Plan, at which time interested persons were given a reasonable opportunity to express their views on the Urban Renewal Plan and the issuance of urban renewal revenue notes pursuant to Mississippi Code of 1972 §43-35-21 in an amount not to exceed $5,000,000 in order to finance the project described in said urban renewal plan; and

WHEREAS, that property described in Exhibit A to the Urban Renewal Plan is determined to be a blighted area and appropriate for an urban renewal project in that said property is an area which by reason of the predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, and deterioration of site and improvements substantially impairs or arrests the sound growth of the Issuer and is further an economic or social liability and a menace to the public health, safety, morals, or welfare in its present condition and use; and

WHEREAS, no families will be displaced by the urban renewal project set forth in the Urban Renewal Plan, and therefore no method for relocation of such families need be provided; and

WHEREAS, the Urban Renewal Plan conforms to the General Plan; and

RESOLUTION CONTINUED:

WHEREAS, the Urban Renewal Plan will afford maximum apportunity, consistent with the sound needs of the Issuer as a whole, for the rehabilitation and redevelopment of the urban renewal area by private enterprise; and

WHEREAS, to the extent that the Urban Renewal Plan may require the acquisition by the Issuer of open land to be developed for nonresidential use, such uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives; and

WHEREAS, the Urban Renewal Plan constitutes an appropriate part of the Issuer's workable program for elimination and prevention of slums and urban blight and for other purposes all as set forth in Mississippi Code of 1972 §43-35-9; and

WHEREAS, in the aforesaid resolution of February 7, 1989, the Governing Authority directed publication of a Notice Note Sale with regard to Urban Renewal Revenue Notes of the Issuer in an amount to be no more than $5,000,000 (the "Notes") as provided for in the Urban Renewal Plan; and

WHEREAS, a Notice of Note Sale was published on February 16 and 23, 1989, in the Picayune Item, a legally qualified newspaper published in and of general circulation in Pearl River County; and

WHEREAS, proof of publication of such Notice of Note Sale has been received and shall be made a part of the minutes; and

WHEREAS, as of 6:00 P.M., March 7, 1989, the time set for such, no proposals were submitted for purchase of the Notes; and

WHEREAS, Mississippi Code of 1972 §31-19-25 allows bonds and other obligations, such as the Notes, to be sold on a negotiated basis for a period of sixty (60) days after the date set for receipt of bids;

RESOLUTION CONTINUED:

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The statements of law and fact set forth in the preamble hereto are declared and found to be true and correct.

Section 2. The Urban Renewal Plan is hereby approved.

Section 3. Issuance of urban renewal revenue notes in an amount not to exceed $5,000,000 to finance the project described in the Urban Renewal Plan is hereby approved.

Section 4. Sale of the Notes, which shall be designated Urban Renewal Revenue Notes (Phase 1 Redevelopment Project) Series 1989 of the City of Picayune, Mississippi, is hereby awarded to Thorn, Alvis, Welch, Inc. (the "Lead Underwriter") who shall be entitled to secure such co-underwriters, if any, as the Lead Underwriter may, in its sole discretion, determine to be needed.

Section 5. The amount of the Notes shall be $4,100,000 or such lesser amount as may be agreed upon by the Lead underwriter and the Issuer, and the interest rate on the Notes shall be such lawful rate of interest as may be specified by the Lead Underwriter.

Section 6. The Mayor and City Clerk of the Issuer are hereby authorized to proceed with issuance of the Notes, and in conjunction therewith, they are hereby further authorized to execute all necessary instruments including, but not limited to, the Note Purchase Agreement, Trust Indenture, and Remarketing Agreement substantially in the forms attached hereto as Exhibits A,B, and C, respectively, together with such changes and alterations as they may approve. In the absence of the Mayor, the Vice-Mayor is authorized to act in his place, and in the absence of the City Clerk, any Deputy or Assistant City Clerk may act in his place.

RESOLUTION CONTINUED:

Section 7. Use of the Preliminary Official Statement substantially in the form attached hereto as Exhibit D is hereby ratified and approved, and the Mayor is hereby authorized to execute a final Official Statement substantially in the same form as Exhibit D, with such changes as he may approve.

Section 8. The Notes are hereby designated to be "qualified tax exempt obligations" under Section 265 of the Internal Revenue Code of 1986, as amended.

Section 9. For cause, this resolution shall be of full force and effect from the date hereof.

Councilman Luther Jones seconded the motion. After a discussion, Mayor Gregory H. Mitchell and Councilmen Kelly McQueen, Danny Ware, Leavern Guy and Luther Jones voted for the motion. No one voted against the motion. Councilman Larry Albritton was absent and not voting: The Mayor declared the motion carried and the Resolution adopted.

EXHIBIT 1:

URBAN RENEWAL PLAN
(PHASE 1 REDEVELOPMENT PROJECT)

1. Existence of Urban Renewal Plan

This plan shall constitute an urban renewal plan of the City of Picayune, Mississippi, (the "City"), as set forth in Miss. Code Ann. §43-35-13 (1972).

11. Designation of Urban Renewal Area

The City Council of the City of Picayune, Mississippi, did by Resolution of February 7, 1989, declare that certain property located in the City's area of operation and more particularly described in Exhibit A hereto to be blighted within the meaning of Miss. Code Ann.43-35-3(i) and did designate such area as appropriate for an urban renewal project. The property described on Exhibit A hereto is the "Urban Renewal Area" for purposes of this Urban Renewal Plan.

111. The Urban Renewal Project

The Urban Renewal Area shall be redeveloped, renovated, and rehabilitated through acquisition, construction, rehabilitation, improvement and equipping, as appropriate, of:

A. Street and drainage improvements, including overlay and sidewalks;

B. Upgrading of the wastewater treatment facility;

C. Renovation of the City Hall and City Annex;

D. Street light improvement;

E. Expansion and renovation of Criminal Justice Center;

continued

CONTINUED:

F. Upgrading and expansion of Friendship Park (collectively, the "Urban Renewal Project").

IV. Relationship to Local Objective

The Urban Renewal Project will not require any zoning change and shall be accomplished in accordance with any applicable zoning ordinances and building codes, unless exceptions are made in accordance with law. The Urban Renewal Project will constitute an appropriate land use.

Vll. Financing

The City will issue urban renewal revenue notes in an amount not to exceed Five Million Dollars ($5,000,000.00) in order to finance the Urban Renewal Project. Such notes shall be issued in the form of one or more instruments. The notes shall be special obligations secured only from pledged revenues of the Urban Renewal Project, if any, by investments of note proceeds and by such funds, if any, from whatever source derived, as the City may utilize for such purposes. The notes, as initially marketed, will not constitute a general obilgation indebtedness or a lien against the ad valorem tax base or general funds or amount of the City.

EXHIBIT "A"

The following property located in the City of Picayune, Pearl River County, Mississippi:

A. The rights-of-way of all City streets;

B. The Wastewater Treatment Plant and the attendant property at the south end of Airport Road;

C. City Hall and City Annex at 203 Goodyear Boulevard;

D. Criminal Justice Center at 328 South Main Street; and

E. Friendship Park on east side of Highway 11 south of the National Guard Armory.

continued

Pages 106 through 212 of the meeting of March 7, 1989 contain procedures pertaining to the Urban Renewal Revenue Notes in the amount of $4,100,000. Copies are available from the City Clerk.

$4,100,000

CITY OF PICAYUNE, MISSISSIPPI
URBAN RENEWAL REVENUE NOTES
(PHASE I REDEVELOPMENT PROJECT) SERIES 1989

NOTE PURCHASE AGREEMENT

March 7, 1989

Gentlemen:

The undersigned (the "Note Purchaser") hereby offers to enter into this Note Purchase Agreement for the purchase by the Note Purchaser and sale by the City of Picayune, Mississippi (the "Issuer"), of the Issuer's $4,100,000 aggregate principal amount of Urban Renewal Revenue Notes (Phase I Redevelopment Project) Series 1989 (the "Notes") (the Notes being more fully described in the Official Statement hereinafter mentioned). This offer is made pursuant to a resolution awarding sale of the Notes to the Note Purchaser on a negotiated basis and is subject to acceptance by the Issuer prior to 12:00 P.M. midnight, prevailing local time on March 7, 1989, and upon such acceptance this Note Purchase Agreement shall be in full force and effect in accordance with its terms and shall be binding upon the Issuer and the Note Purchasers.

SECTION 1. GENERAL

1.1 The Notes will be issued pursuant to Sections 43-35-1 to 43-35-37, as amended, of the Mississippi Code of 1972 (the "Act"), to provide construction and permanent financing for street and drainage improvements, upgrading of the City's wastewater treatment facility, renovation of City Hall and City Annex, expansion of the City's Criminal Justice Center and park expansion and upgrading (collectively, the "Project"). The Notes will be issued under and pursuant to a Trust Indenture (the "Indenture"), by and between the Issuer and Hancock Bank, Gulfport, Mississippi, as trustee (the "Trustee"). The Notes will be secured by and payable solely from certain revenues and property pledged under the Indenture, including particularly certain amounts received by the Issuer pursuant to the investment of Note proceeds. As a condition of disbursement of Note proceeds, the Issuer is to comply with certain terms outlined in the Indenture.

1.2 Forms of the following documents (collectively the "Financing Documents") have previously been furnished to, and approved by the Issuer and the Trustee and when executed and delivered shall be in substantially the form so approved:

(a) Indenture; and

EXHIBIT
A

(b) Remarketing Agreement.

1.3 At or prior to the Closing Date, as hereinafter defined, executed originals of the following documents (or copies thereof satisfactory to the Note Purchasers), in form and substance satisfactory to both of the Note Purchasers and Bond Counsel, shall be furnished to the Note Purchasers:

(a) final official statement (the "Official Statement") describing the Notes, the Project, the Issuer and the Financing Documents, signed on behalf of the Issuer by the Mayor;

(b) all the resolutions of the Issuer authorizing issuance and delivery of the Notes or related thereto (the "Resolutions"), with minutes of the meetings at which same were adopted, certified by the City Clerk of the Issuer;

(c) fully executed copies of the Financing Documents; and

(d) those further items identified at Section 4.2 hereof.

1.4 The Notes shall be in substantially the form and denominations and shall be subject to redemption and tender as set forth in the Indenture. The Notes shall be dated March 13, 1989, shall bear interest at a lawful rate to be specified by the Note Purchaser through the date of remarketing thereof, which date will be no later than March 13, 1992 (the "Special Mandatory Tender Date"), and thereafter at such rate or rates as may be established pursuant to the Indenture, payable on March 13 and September 13 of each year, commencing on September 13, 1989, and shall mature no later than March 13, 2012.

SECTION 2. SALE AND PURCHASE OF THE NOTES

2.1 The Issuer hereby agrees to sell to the Note Purchaser and the Note Purchaser agrees to buy, upon the basis of the representations, warranties and covenants made by the Issuer herein, but subject to the conditions stated herein, $4,100,000 of the Notes at a purchase price of $4,145,000, with accrued interest thereon.

2.2 Payment for the Notes shall be made by 2:00 P.M., prevailing local time, not later than March 13, 1989 (the "Closing Date"), in New York, New York, or at such other place and at such other time as both the Note Purchaser and the Issuer may agree, which shall also be the Closing Date hereunder. The Note Purchaser will arrange for acquisition by the Trustee on the Closing Date, from the Note Proceeds, of investment securities according to a schedule previously circulated. Any additional amounts required to be paid (including accrued interest, premium, if any, or other expense) in order to acquire said investment

URBAN RENEWAL REVENUE NOTES CONTINUED:

securities will be paid by tne Note Purchases, and any profits made by such purchase will be realized by the Note Purchaser. Notwithstanding the foregoing and section 6.7 hereof, once the Not Purchaser contracts for delivery of such investment securities on the anticipated Closing Date, any additional amounts required to be paid for delivery of such securities account of any postponement of the anticipated Closing Date or failure to close shall be paid by the Issuer. Any premium paid on the purchase of the Notes will be payable to the order of the Trustee for the account of the Issuer in federal or other immediately available funds. The executed Notes shall be delivered on the Closing Date to such recipient and at such place as the Note Purchaser may designate.

2.3 The Note Purchaser hereby agrees to make an offering of the Notes as soon as in their judgment is advisable, and to deliver the Notes for resale initially at the selling price shown on the cover page of the Official Statement. The Note Purchaser may thereafter change the initial offering price from time to time without prior notice, and the other terms and conditions set forth in the Official Statement. The Note Purchaser reserves the right to offer the Notes to dealers and others at a concession from the public offering price. The Issuer hereby confirms the authority of the Note Purchaser, all members of any selling group which may be formed in connection with the distribution of the Notes, and all dealers to whom any of the Notes may be sold by the Note Purchaser or by members of any such selling group, to use the Official Statement and copies of the Resolutions and the Financing Documents in connection with the offering and sale of the Notes.

SECTION 3. REPRESENTATIONS AND WARRANTIES OF THE ISSUER

The Issuer represents and warrants to the Note Purchaser (which representations and warranties will survive the purchase and delivery of the Notes) that:

3.1 The Issuer is a legal political subdivision and body corporate and politic of the State of Mississippi

3.2 The information contained in the Official Statement, as of the closing date, will be true and correct in all material respects and, to the best of the knowledge of the Issuer, such information contained in the Official Statement does not and will not contain any untrue or misleading statement of a material fact or omit to state any material fact necessary to make the statements therein not misleading. In addition, any amendments or supplements to the Official Statement will not contain any untrue or misleading statement to a material fact or omit to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

URBAN RENEWAL REVEUNE NOTES CONTINUED:

3.3 The Issuer has full legal right, power and authority (a) to adopt the Resolutions, (b) to enter into this Note Purchase Agreement, all of the Financing Documents which are to be executed by the Issuer, and any other documents and instruments connected therewith or any amendments or supplements thereto (hereinafter, the "Issuer Documents"), (c) to issue, sell and deliver the Notes to the Note Purchasers as provided herein, (d) to execute the Official Statement, and (e) to carry out and consummate all other transactions contemplated by the Resolutions, this Note Purchase Agreement, the Financing Documents and the Official Statement.

3.4 The Resolutions have been duly adopted by the Issuer in accordance with all applicable provisions of law, are in full force and effect, and constitute legal, valid and binding actions of the Issuer.

3.5 The Issuer has duly authorized (a) the execution, delivery and due performance of the Issuer Documents, (b) the execution and delivery of the Official Statement by the Issuer and the distribution of the Official Statement by the Note Purchasers, and (c) the taking of any and all such action as may be required on the part of the Issuer to carry out, give effect to and consummate the transactions contemplated by the Financing Documents, the Resolutions, and the Official Statement; and it has given all approvals, and taken all actions, necessary to be given or taken by it in connection with foregoing.

3.6 The Issuer Documents, when duly executed and delivered by the parties thereto, will constitute legal, valid and binding obligations of the Issuer in accordance with their respective terms, except that the enforceability of any provision may be subject to or affected by applicable bankruptcy, insolvency, reorganization, moratorium or similar laws affecting the rights of creditors generally, and the sovereign police powers of the State of Mississippi and the United States of America, and that equitable remedies or specific enforcement may not be available.

3.7 The Notes, when issued, delivered, authenticated and paid for as herein and in the Indenture provided, will have been duly authorized and issued and will constitute validly issued limited obligations of the Issuer entitled to the benefits and security of the Indenture.

3.8 The Notes do not presently constitute a general indebtedness of the Issuer, within the meaning of any state constitutional provision or statutory limitation, and do not constitute nor give rise to a charge against its general credit or a charge against the general credit or taxing powers of the State of Mississippi or any political subdivision thereof. The Notes are special obligations of the Issuer, and no present taxes will be levied by the State of Mississippi (assuming no change of

URBAN RENEWAL REVENUE NOTES CONTINUED:

applicable statutes), the Issuer, or any political subdivision hereof, for the payment of principal of, premium, if any, or interest of the Notes.

3.9 The adoption of the Resolutions, the execution and delivery of the Issuer Documents, and compliance with the provisions of the Resolutions and each of such instruments, will not conflict with or constitute a breach of, or default under, any commitment, agreement or other instrument to which the Issuer is a party or by which it is bound, or any provision of the general laws or the Constitution of the State of Mississippi or under any existing law, rule, regulation, ordinance, judgment, order or decree to which the Issuer (or any of its officers or members in their respective capacities as such) is subject.

3.10 To the best of its knowledge, the Issuer is not in default in the payment of principal of, premium, if any, or interest on, or otherwise in default with respect to, any bonds or notes which it has issued, assumed or guaranteed as to payment of principal, premium, if any, or interest. During the past five years the Issuer has not been so in default with respect to any bonds or notes issued, assumed or guaranteed by the Issuer.

3.11 There is no action, suit, proceeding, inquiry or investigation at law or in equity, or before or by any court, public board or body, in which the Issuer, is threatened against the Issuer (nor, to the best of the knowledge of the Issuer (nor, to the best of the knowledge of the Issuer, is there any basis therefor), which in any way questions the powers of the Issuer exercised, or the validity of the proceedings taken by, the Issuer in connection with the issuance and sale of the Notes, or wherein an unfavorable decision, ruling or finding would materially adversely affect the transactions contemplated by this Note Purchase Agreement or the Official Statement, or which in any way would adversely affect the validity or enforceability of the Notes, the Resolutions, the Indenture or this Note Purchase Agreement (or of any other instruments required or contemplated for use in consummating the transactions contemplated thereby), or the exemption of the interest on the Notes from federal or Mississippi income taxation.

3.12 The Issuer has taken all proceedings and obtained all approvals required by applicable law including the Act in connection with the issuance and sale of the Notes and the execution and delivery by the Issuer of, or the performance by the Issuer of its obligations under, the Issuer Documents, the Resolutions and the Official Statement.

3.13 Any certificate duly signed by an authorized official of the Issuer and delivered to the Note Purchasers shall be deemed a representation and warranty by the Issuer to the Note Purchasers as to the truth of the statements therein contained.

URBAN RENEWAL REVENUE NOTES CONTINUED:

3.14 The Issuer will cause the proceeds from the sale of the Notes to be applied as specified in the Indenture and the official Statement. Until January 1, 1990, the Issuer will not issue or sell any notes or obligations for public or governmental purposes, other than the Notes sold hereby if the total of the Notes and such other obligations would exceed $5,000,000. After January 1, 1990 and until March 13, 1992, the Issue will reserve the ability to issue general obligation notes in the amount necessary to construct and equip the Project. If the Issuer chooses to use its general credit as Alternate Security for the Notes (as defined in the Indenture), the Issuer will take such steps as are necessary to do so and has no reason to believe it will not be able to do so.

3.15 Neither the Issuer, nor any agent authorized to act on its behalf, directly or indirectly, has offered any of the Notes or any other security of the Issuer with respect to the Project for sale to, or solicited any offers to buy any thereof from, or otherwise negotiated with respect thereto with, any prospective purchaser, other than the Note Purchasers; the Note Purchasers were provided with, or given access to, all requested information with regard to the Issuer; and the Issuer agrees that neither it, nor any agent on its behalf, will sell, or offer any of the Notes or any other security of the Issuer with respect to the Project for sale to, or solicit any offers to buy any thereof from, or otherwise negotiate with respect thereto with, any person or persons so as to bring the offering, issue or sale of the Notes under the provisions of Section 5 of the Securities Act of 1933, as amended.

3.16 The financial statements of the Issuer and delivered to the Note Purchasers (the "Financial Statements") fairly reflect the financial condition of the Issuer as of the dates and for the periods stated therein in conformity with generally accepted accounting principles applied on a consistent basis. The Issuer has no material liabilities, direct or contingent, except those disclosed in the Financial Statements or and is not subject to renegotiation of any government contracts in any material amount. Since the respective dates as of which information is given in the Official Statement or was filed with any federal or state agency, there has been no material adverse change in the properties, condition (financial or otherwise) or operations of the Issuer from the information set forth in the Official Statement or any governmental filing.

3.17 All of the information concerning the Issuer and the Project furnished to the Note Purchasers or filed with any federal or state agency whether or not contained in the Official Statement, as of the date hereof, is true in all material respects and does not and will not contain any untrue or misleading statements of a material fact or omit to state a material fact necessary to make the statements therein not

URBAN RENEWAL REVENUE NOTES CONTINUED:

Misleading in the light of the circumstances under which they were made.

3.18 The Issuer will promptly file, or refile, financing statements under the Uniofrm Commercial Code of the State of Mississippi at such times and in such places as may be required in order to maintain, protect or preserve the interest of the Trustee in the rights assigned to the Trustee under the Indenture.

3.19 The Issuer will not take or omit to take any action which will in any way cause the proceed from the sale of the Notes to be applied in a manner other than as provided in the Financing Documents and the Official Statement. No Note proceeds will be paid to or inure to the benefit of the Issuer or any party related to it in any manner for any purpose other than as expressly provided by the Financing Documents. Neither the Issuer nor any party related to it shall be the recipient of any kickback or give up of Note proceeds from any other recipient of Note proceeds.

3.20 The Issuer will indemnify, hold harmless and defend the Note Purchaser, the members, employees, agents, attorneys and officers of any of them, any person who controls either of them within the meaning of Section 20 of the Securities Exchange Act of 1934 or Section 15 of the Securities Act of 1933 (collectively referred to herein as the "Indemnified Parities") against any loss, liability, claim, demand, damage or expense whatsoever (a) arising out of or based upon any untrue or misleading statement or alleged untrue or misleading statement contained in, or the omission or alleged omission from this Note Purchase Agreement, the Official Statement or reporting forms filed with any federal or state agency, of a material fact necessary to make the statements therein not misleading, in the light of the circumstances under which they were made; (b) to the extent of the aggregate amount paid in settlement of any litigation, commenced or threatened, arising from a claim based upon any aforesaid alleged untrue or misleading statement or omission, or upon the Trust Indenture Act of 1939, as amended, the Securities Exchange Act of 1934, the Securities Act of 1933, or the rules and regulations under any of them, if such settlement is effected with the written consent of the Issuer; and (c) reasonable incurred in investigating, preparing or defending against any litigation, commenced or threatened, arising from a claim based upon any aforesaid untrue or misleading statement or omission or any such alleged untrue or misleading statement or omission to the extent that any such expense is not paid pursuant to the preceding clauses of this sentence.

The Issuer shall be notified in writing of the nature of any such loss, liability, claim, demand, damage, or expense within a reasonable time after the assertion thereof, but failure

URBAN RENEWAL REVENUE NOTES CONTINUED:

to so notify the Issuer shall relieve the Issuer only of the obligation of knowledge (unless the Issuer has knowledge from other sources) and shall not relieve it from any liability which it may have on account of this agreement to indemnity and hold harmless. The Issuer shall be obligated to, and, upon the written request therefor from any Indemnified Party hereunder, shall defend such Indemnified Party at the expense of the Issuer against any such claim, such expense to include employment of counsel satisfactory to the Indemnified Party and the payment of all expenses. Any Indemnified Party shall have the right to employ separate counsel in any such action and participate in the defense thereof, but the fees and expenses of such counsel shall be at the expense of such Indemnified Party unless (a) the employment of such counsel has been specifically authorized by the Issuer or (b) the named parties to any such action (including any impleaded parties) include both such Indemnified Party and the Issuer and such Indemnified Party shall have been advised by such counsel that there may be one or more legal defenses available to it which are in conflict with those available to the Issuer, and in which case the Issuer shall not have the right to assume the defense of such action on behalf of such Indemnified Party. However, the Issuer shall not, in connection with any one such action or separate but substantially similar or related actions in the same jurisdiction arising out of the same allegations or circumstances, be liable for the reasonable fees and expenses of more than one firm of attorneys for all such Indemnified Parties, which firm shall be approved in writing by each of the Note Purchasers. The Issuer shall not be liable for any settlement of any such action effected without its consent, but if settled with the consent of the Issuer or if there be a final judgment for the plaintiff in any such action, the Issuer shall indemnify and hold harmless each Indemnified Party from and against any expense, loss or liability by reason of such settlement or judgment.

3.21 The Issuer will cause to be delivered, on the Closing Date, an opinion of its counsel and such certificates as may be reasonably required of it by the Note Purchaser dated as of the Closing Date.

3.22 Except as provided in Section 6.7 hereof, the Issuer will pay all costs, legal fees and expenses incident to its obligations hereunder and incident to execution, delivery, and performance of the Financing Documents by all parties thereto, whether or not the transactions contemplated hereunder are consummated.

3.23 All provisions contained herein for the benefit or indemnification of the Note Purchaser, their respective counsel and Bond Counsel, shall be in addition to and not in limitation or derogation of any terms, conditions, covenants, assurances, indemnities or other provisions set forth in the Financing Documents or any letter, undertaking or other

URBAN RENEWAL REVENUE NOTES CONTINUED:

instrument made for the benefit of or delivered to the note purchaser, and executed by the Issuer either prior or subsequent to the execution of this Note Purchase Agreement.

3.24 The representations, warranties, covenents, agreements and indemnities of the Issuer contained in this Note Purchase Agreement and the Financing Documents shall survive the Closing Date and delivery of and payment for the Notes and any investigation by or on behalf of the Note Purchaser or the Issuer of any matters described in or related to the transactions contemplated by this Note Purchase Agreement, the Financing Documents or the Official Statement.

SECTION 4. CONDITIONS TO OBLIGATIONS OF NOTE PURCHASERS

4.1 The several obligations of the Note Purchaser hereunder with respect to the Notes shall be subject to (a) the compliance with and performance of the obligations and agreements to be complied with and performed by the Issuer at or prior to the Closing Date under this Note Purchase Agreement, the Resolutions or the Financing Documents, as applicable; (b) the truth, accuracy and completeness as of the date hereof and as of the Closing Date of the covenants, representations and warranties of the Issuer contained herein and in the Financing Documents; (c) the truth, accuracy and completeness of all other covenants, representations and warranties made by the Issuer on the Closing Date or as if made on and as of the Closing Date; (d) the Resolutions, this Note Purchase Agreement and the Financing Documents being in full force and effect, without modification, amendment or supplementation except as may have been agreed to by the Note Purchaser; (e) the Notes being duly authorized, executed and delivered; and (f) the Official Statement not requiring modification, amendment or supplementation and there being no modification, amendment or supplementation except any to which the Note Purchaser shall have agreed.

4.2 The several obligations of the Note Purchaser hereunder with respect to the Notes are subject to the following further conditions:

(a) On or prior to the Closing Date, the Note Purchaser shall have received, in addition to the items specified in Section 1.3 hereof, the following documents (or copies thereof satisfactory to the Note Purchaser), in form and substance satisfactory to the Note Purchaser and Bond Counsel:

(i) opinions, dated the Closing Date, of (A) Bond Counsel, which shall be a final approving opinion relating to issuance of the Notes and the exemption from Federal and Mississippi income tax of interest payable thereon under present

URBAN RENEWAL REVENUE NOTES CONTINUED:

law; (B) counsel for the Issuer; and (C) counsel for the Note Purchaser;

(ii) a certificate or certificates, dated the Closing Date, of the Issuer and signed by an appropriate official thereof to the effect that with respect to the Notes (A) each of the representations and warranties of the Issuer set forth herein or in any of the Financing Documents is true, accurate and complete on the Closing Date as if made on and as of the Closing Date; (B) each of the agreements of the Issuer to be complied with and each of the obligations of the Issuer to be performed hereunder, under the Resolutions and the Indenture on or prior to the Closing Date has been complied with and performed and (C) as of the Closing Date, there has been no material adverse change in the business, properties, condition (financial or otherwise) or operations of the Issuer, taken as a whole, from that set forth in or contemplated by the Official Statement;

(iii) a certificate, dated the Closing Date, of the Issuer and signed by an appropriate official thereof stating with respect to the Notes (A) certain facts, estimates and circumstances in existence on the date of the issuance of the Notes (including the covenants of the Issuer therein and in the Financing Documents), which establish that the proceeds of the sale of the Notes will not be used in a manner than would cause the Notes to be treated as "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and (B) that to the best of the knowledge and belief of such officer there are no other facts, estimates or circumstances that would materially change such expectation;

(iv) a certificate, dated the Closing Date, of the Issuer describing the Project, the construction and equipping thereof, the uses to be made of the Project, the proposed expenditure of the Note proceeds, and other matters material to

URBAN RENEWAL REVENUE NOTES CONTINUED:

the tax exemption of interest payable on the Note;

(v) verification of project cash flows and fund and account balances for the Notes until March 13, 1992;

(vi) such additional legal opinions, certificates (including appropriate no litigation certificates), certified copies of resolutions, instruments, or other documents as the Note Purchaser may reasonable request to evidence, (A) the authority of the Trustee to act under the Indenture, (B) the truth, accuracy and completeness, as of the Closing Date, of all covenants, representations and warranties to be made by any party in connection with the transactions described in the Official Statement, and (C) the due performance and satisfaction of all agreements to be performed and all conditions to be satisfied by any party in connection with the transactions described in the Official Statement.

(b) Between the date hereof and the Closing Date, legislation shall not have been enacted by the Congress, or recommended by the President of the United States to the Congress for passage, or introduced and favorably reported for passage to either House of the Congress by any Committee of such House to which such legislation has been referred for consideration, nor a decision rendered by a federal court or the Tax Court of the United States, nor an order, ruling, regulation or official statement made by the United States Treasury Department or the Internal Revenue Service, with the purpose or effect of imposing federal income taxation upon the Issuer's revenues from the Financing Documents or other income of the general character to be derived by the Issuer from the Financing Documents, or upon the interest to be paid on the Notes or on obligations of the general character of the Notes, except when held by a "Substantial User" of the applicable project or a "Related Person" as defined in the Internal Revenue Code of 1986, as amended;

(c) Between the date hereof and Closing Date, legislation shall not have been enacted by the Congress, or recommended by the President of the United States to the Congress for passage, or be introduced or favorably reported for passage to either House of the Congress by any Committee of such House to which such legislation has been referred for consideration, and neigher a decision, order or decree of a court of competent

URBAN RENEWAL REVENUE NOTES CONTINUED:

jurisdiction, nor an order, ruling, regulation or official statement of or on behalf of the Securities and Exchange Commission, or the Municipal Securities Rulemaking Board, shall have been rendered or made, with the purpose or effect that on the Closing Date the issuance, offering or sale of the Notes or obligations of the general character of the Notes, as contemplated hereby or by the Official Statement, is or would be in violation of any provision of the Securities Act of 1933, as amended, or the Securities Exchange Act of 1934, as amended, or the Trust Indenture Act of 1939, as amended, or with the purpose or effect of otherwise prohibiting on the Closing Date the issuance, offering or sale of the Notes (as contemplated hereby or by the Official Statement) or of obligations of the same general character of the Notes;

(d) Between the date hereof and the Closing Date, no legislation shall have been enacted or favorably reported for passage by any legislative committee of the State of Mississippi, nor shall any decision have been rendered by any court of competent jurisdiction in the State of Mississippi, which would adversely affect the exemption from taxation in or by the State of Mississippi, or any political subdivision thereof, of the Notes and the income therefrom or the amounts to be received by the Issuer under the Financing Documents or the amounts to be received by the Trustee under the Indenture;

(e) Between the date hereof and the Closing Date, there shall not:

(i) have been any major default of tax-exempt obligations in the United States which, in the opinion of the Note Purchasers, would materially affect the marketability of the Notes,

(ii) have occurred a new outbreak of hostilities or other national or international calamity or crisis, the effect of which on the financial markets of the United States being such as, in the reasonable judgment of the Note Purchasers, would affect materially and adversely the ability of the Note Purchasers to market the Notes or to enforce contracts for the sale of the Notes,

(iii) be in force at the New York Stock Exchange, a general suspension of trading or requirements for fixed minimum or maximum trading prices or maximum ranges for trading prices, whether by virtue of a determination by

URBAN RENEWAL REVENUE NOTES CONTINUED:

that Exchange or by order of the Securities and Exchnage Commission or any other governmental authority having jurisdiction, or

(iv) be in effect, a general banking moratorium declared by either federal or Mississippi authorities having jurisdiction.

(f) All matters relating to this Note Purchase Agreement, the Official Statement, the Notes and the sale thereof, the Financing Documents and the Resolutions, and the consummation of the transactions contemplated by this Note Purchase Agreement and the Official Statement, shall be satisfactory to the Note Purchaser and shall be approved by Note Purchaser's counsel;

(g) The Issuer shall have provided for filings, in such manner and in such places as may be required in order to perfect the liens provided for in the Indenture and the and to establish, protect or preserve the interest of the Trustee in the rights assigned to it under the Indenture, and evidence of such filings shall be furnished to the Note Purchasers.

SECTION 5. COVENANTS OF THE ISSUER

5.1 The Issuer covenants as follows:

(a) Before Amending or supplementing the Official Statement to furnish the Note Purshasers a copy of each such proposed amendment or supplement. No amendment or supplement to the Official Statement prior to the Closing Date will contain material information substantially different from that contained in the Official Statement on the date it was issued which is unsatisfactory to the Note Purchasers or the Issuer;

(b) During such period as the Note Purchasers reasonably believe delivery of the Official Statement is necessary or desirable in connection with sales of the Notes by an underwriter or dealer, if in the Note Purchasers' judgment any event shall occur as a result of which it is necessary to amend or supplement the Official Statement in order to make the statements therein, in the light of the circumstances existing when the Official statement is delivered by the Note Purchasers to a subsequent purchaser, not misleading, to cooperate, at the Note Purchaser's request, in the preparation of either amendments or supplements to the Official Statement as so amended or supplemented will not, in the light of the circumstances when the Official Statement is delivered to a purchaser, be misleading;

(c) To cooperate with the Note Purchasers in endeavoring to qualify the Notes for offer and sale under the

securities or "blue sky" laws of such jurisdictions as either of the Note Purchasers may reasonably request, provided that the Issuer shall not be required to qualify to do business under the laws of any jurisdiction other than Mississippi for this purpose;

(d) To apply the proceeds from the sale of the Notes, to the extent of the legal capacity of the Issuer as provided in and subject to all of the terms and provisions of the resolutions, this Note Purchase Agreement, and the Financing Documents, all as contemplated in the Official Statement;

(e) Not to take or omit to take any action which will adversely affect the exemption from federal income taxation of the interest on the Notes or the exemption from taxation by or in the State of Mississippi of the Notes and the income therefrom;

(f) To notify the Note Purchaser if, prior to the delivery of and payment for the Notes on the Closing Date, any event occurs which is known to the Issuer and which may make any statement in the Official Statement untrue in any material respect or which may require the making of any changes in the Official Statement in order to make any statement therein not misleading in any material respect; and

(g) To deliver to the Trustee, on or prior to the Closing Date, any instruments referred to in the Financing Documents which are required to be delivered in or prior to the Closing Date.

5.2 The agreements, representations and warranties of the Issuer set forth in this Note Purchase Agreement shall remain operative and in full force and effect regardless of (a) any termination of this Note Purchase Agreement, (b) any investigation made by or on behalf of the Note Purchaser or any person controlling either of the Note Purchaser, and (c) acceptance of and payment for the Notes.

SECTION 6. MISCELLANEOUS PROVISIONS

6.1 This Note Purchase Agreement is made solely for the benefit of the Note Purchaser, persons controlling the Note Purchaser and the Issuer, and their respective successors and assigns, and no other person, partnership, association or corporation shall acquire or have any rights under or by virtue of this Note Purchase Agreement. The terms "successors" and "assigns" shall not include any purchaser of Notes from the Note Purchaser merely because of such purchase.

6.2 This Note Purchase Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument, and any number of partially executed copies which together bear the

URBAN RENEWAL REVENUE NOTES CONTINUED:

execution of each party hereto shall be deemed to constitute a single original as though all parties had executed a single copy.

6.3 All covenants, stipulations, promises, agreements and obligations of the Issuer contained within the jurisdiction of the Issuer Documents and the Resolutions shall be deemed to be the covenants, stipulations, promises, agreements and obligations of the Issuer and not of any member, officer, servant or employee of the Issuer in his individual capacity, and no recourse under or upon any obligation, covenant or agreement within the jurisdiction of the Issuer Document contained or otherwise based upon or in respect of the Issuer Documents, or for the Notes, or for any claim based thereon or otherwise in respect hereof or thereof, shall be had against (a) any past, present or future member, officer, servant or employee, as such, of the Issuer or of any successor public benefit corporation or political sub-division, or (b) any person executing any of the Issuer Documents, either directly or through the Issuer or any successor public benefit corporation or political subdivision, or (c) any person executing the Notes or any other of such Issuer Documents, it being expressly understood that the Issuer Documents and the Notes are solely corporate obligations, and that no such personal liability whatever shall attach to, or is or shall be incurred by any such person and that any and all such personal liability of, and any and all such rights and claims against, every such person are, to the extent permitted by law, expressly waived and released as a condition of, and as a consideration for, the execution of the Issuer Documents and the issuance of the Notes. The obligations and agreements of the Issuer contained herein shall not constitute or give rise to an obligation of the State of Mississippi and shall not constitute or give rise to a general obligation of the Issuer, but rather shall constitute limited obligations of the Issuer payable solely from the revenues of the Issuer derived and to be derived from the property pledged thereto under the Indenture.

6.4 This Note Purchase Agreement shall be governed by and construed in accordance with the laws of the State of Mississippi.

6.5 No omission or delay by either of the Note Purchasers or the Issuer in exercising any right or power under this Note Purchase Agreement will impair such right of power or be construed to be a waiver of any default or an acquiescence therein, and any single or partial exercise of any such right or power will not preclude other or further exercise thereof or the exercise of any other rights, and no waiver will be valid unless in writing and signed by the Note Purchaser, or, if a waiver of default properly waivable by the Issuer then signed by the Issuer and the Note Purchaser, and then only to the extent specified. All remedies herein and by law afforded will be cumulative and will be available to the Note Purchaser and the Issuer until the Notes are no longer outstanding under the Indenture.

URBAN RENEWAL REVENUE NOTES CONTINUED:

6.6 If any provision of this Note Purchase Agreement shall be held, deemed to be or shall, in fact, be inoperative, invalid or unenforceable as applied in any particular case in any jurisdiction or jurisdictions, or in all jurisdictions, because it conflicts with any provisions of any constitution, statute, rule of public policy, or any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions of this Note Purchase Agreement invalid, inoperative or unenforceable to any extent whatever.

6.7 The Note Purchaser shall pay all costs, legal fees, and expenses incident to issuance of the Notes, whether or not the transactions contemplated hereunder are consummated, provided that the Note Purchasers shall be entitled to remedies against the Issuer if the transactions contemplated hereunder are not consummated principally by reason of breach of this agreement by the Issuer or some other act or inactions of the Issuer. Such costs shall include, without limiting the generality of the foregoing, all costs, taxes and expenses incident to the issuance and delivery of the Notes to the Note Purchasers, all fees and expenses of Note Counsel and the Trustee and its counsel incident to issuance, sale and delivery of the Notes, rating agency fees, bond issuance premiums, computer expenses, and all costs and expenses of the printing and distribution of the Notes and all other documents, including the Official Statement and any amendment or supplement thereto, in connection with the issuance, sale and delivery of the Notes. Such costs shall also include all "blue sky" filing fees and all legal fees, disbursements and expenses of counsel to the Note Purchaser incident to any aspect of the issuance of the Notes, including assistance of such counsel in preparation of any amendments or supplements to the Official Statement, and in determination of the eligibility of the Notes for investment by fiduciaries under the laws of various states, whether or not the transactions contemplated hereunder are consummated. All costs, fees, and expenses which are to be paid or provided for by the Note Purchaser may be paid from Note proceeds insofar as, and in the manner, described in the Official Statement.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in their names and on their behalf as of the day set forth above.

THORN, ALVIS, WELCH, INC.

By: _____
Its: _____

ACCEPTED:

ATTEST:

Raymond A. Seal
City Clerk

CITY OF PICAYUNE, MISSISSIPPI

By: _____
Mayor

(S E A L)

URBAN RENEWAL REVENUE NOTES CONTINUED:

TRUST INDENTURE

From

THE CITY OF PICAYUNE, MISSISSIPPI

To

HANCOCK BANK, AS TRUSTEE

Dated as of March 13, 1989

Securing the Issuance of

$4,100,000 Aggregate Principal Amount of
Urban Renewal Revenue Notes
(Phase 1 Redevelopment Project)
Series 1989

This Instrument also constitues a Security Agreement of the State of Mississippi Uniform Commercial Code.

EXHIBIT B

TRUST INDENTURE

THIS TRUST INDENTURE dated as of March 13, 1989, between the City of Picayune, Mississippi (the "Issuer"), a political subdivision of the State of Mississippi, and Hancock Bank, Gulfport, Mississippi (the "Trustee"), a banking association formed under the laws of the State of Mississippi.

RECITALS

WHEREAS, the Issuer is in need of street and drainage improvements, upgrading of its wastewater treatment facility, renovation of its City Hall and City Annex, street light improvement, expansion and renovation of its Crininal Justice Center and park expansion and upgrading; and

WHEREAS, the laws of the State of Mississippi prohibit local governments, such as the Issuer, from contracting for such improvements until moneys are available therefor; and

WHEREAS, the Issuer must proceed with plans for its aforesaid needs; and

WHEREAS, the Issuer has authorized the issuance and sale of $4,100,000 of its Urban Renewal Revenue Notes (Phase 1 Redevelopment Project,) Series 1989 for the purpose of causing the financing of the redevelopment, renovation and rehabilitation of property through a combination, as required, of repair, renovation, restoration, expansion, acquisition, construction and improvement of the aforesaid facilities; and

WHEREAS, proceeds from the sale of the Notes will be provided to the Trustee and applied by it pursuant to this Indenture; and

WHEREAS, the Notes, the Trustee's Certificate of Authentication to be endorsed thereon and on any Additional Notes, the Registration and Validation Certificate, and the Form of Assignment for Transfers are all to be in substantially the following forms with Necessary and appropriate variations, omissions and insertions as permitted or required by this Indenture:

URBAN RENEWAL REVENUE NOTES CONTINUED:

[Form of Note for Use Until Special Mandatory Tender Date]

CITY OF PICAYUNE, MISSISSIPPI
URBAN RENEWAL REVENUE NOTE
(PHASE I REDEVELOPMENT PROJECT) SERIES 1989

No. TR-_____ CUSIP No. _____ $ _____

THE CITY OF PICAYUNE, MISSISSIPPI, a political subdivision organized and existing under the laws of the State of Mississippi (the "Issuer"), for value received, hereby promises to pay to _____ or registered assigns, on March 13, 2012, upon presentation and surrender of this Note, the principal sum of _____ Dollars ($_____), and to pay interest thereon by check or draft mailed to the registered owner hereof from the date hereof until the principal amount hereof shall have been fully paid, payable on September 13 and March 13 of each year through March 13, 2012, commencing on September 13, 1989. Through March 13, 1992, unless the Special Mandatory Tender described herein occurs prior to that date, the annual rate of interest on this Note shall be _____%. On such date, the interest rate or rates shall be redetermined at a "Reset Rate" as described in the Indenture hereinafter defined. Principal of and redemption premium (if any) on this Note are payable at the corporate trust office of Hancock Bank (the "Trustee"), in Gulfport, Mississippi, or its successor as paying agent. Payments of principal, premium, or interest due on Saturdays, Sundays, or days which are legal holidays will be made on the next regular business day, without additional interest.

This Note is one of a duly authorized issue of notes of the Issuer known as its "Urban Renewal Revenue Notes (Phase I Redevelopment Project) Series 1989," issued in the aggregate principal amount of $4,100,000 and ratably secured as to principal, premium, if any, and interest by a Trust Indenture dated as of March 13, 1989, from the Issuer to the Trustee (the "Indenture"), to which Indenture and all indentures supplemental thereto (copies of which are on file at the office of the Trustee) reference is hereby made for more complete descriptions of the trust estate under the Indenture, the nature and extent of the security, the terms and conditions upon which the Notes are issued and secured, and the rights of the owners thereof. Additional series of notes may be issued pursuant to and subject to the limitations contained in the Indenture on a parity with remarketed Notes. The Notes and any such additional notes are referred to collectively herein as the "Notes."

The Notes are issued for the purpose of providing permanent financing for street and drainage improvements, upgrading of the City's wastewater treatment facility, renovation of the City Hall and City Annex, street light improvements,

URBAN RENEWAL REVENUE NOTES CONTINUED:

expansion and renovation of the City's Criminal Justice Center and park expansion and upgrading (collectively the "Project").

Neither the United States of America, nor any agency thereof, nor the State of Mississippi, nor any agency or political subdivision thereof, shall in any event be liable for the payment of the principal of or interest on the Notes or for the performance of any pledge, obligation or agreement of any kind whatsoever of the Issuer, and neither the Notes nor any of the Issuer's agreements or obligations shall be construed to constitute an indebtedness of the United States of America or any agency thereof or the State of Mississippi or any agency or political subdivision thereof within the meaning of any constitutional or statutory provision whatsoever.

Until the Special Mandatory Tender Date, the Notes are limited obligations of the Issuer payable solely from the security pledged to payment therefor. Such security includes revenues and receipts to be derived by the Issuer from the Note proceeds and earnings thereon invested pursuant to the Indenture. After the Special Mandatory Tender Date, except insofar as the Notes are redeemed in whole or part on such date or thereafter, the Notes will be secured by Alternate Security to be provided hereafter by the Issuer, as further described below.

The Reset Rate shall be determined, at least one day prior to commencement of the Special Mandatory Tender Date, by a Remarketing Agent appointed pursuant to the Indenture. The Reset Rate shall be the rate of interest determined by competitive bidding in accordance with the laws of the State of Mississippi, if required under the Indenture, or the rate of interest which the Remarketing Agent determines, in its judgment, will result in a market price for re-sale of the Notes equal to their principal amount, neither more nor less. The Reset Rate shall not exceed the maximum rate allowed by law.

The Notes are subject to mandatory tender and mandatory and optional redemption as described below.

All Notes are subject to Special Mandatory Tender on any interest payment date commencing March 13, 1990 and continuing through March 13, 1992, from which no Note may be excluded. Notice of the date on which this Note is subject to Special Mandatory Tender (the "Special Mandatory Tender Date") shall be sent to the owner of this Note at least thirty (30) days prior to the Special Mandatory Tender Date, which notice shall advise of the address of the Tender Agent to which this Note must be delivered, on or before said date, for remarketing or redemption with the transfer form printed hereon executed in blank. This Note shall be deemed so delivered on the Special Mandatory Tender Date, whether or not in fact so delivered. If the Owner of the Note properly executes a Waiver of Mandatory Tender and such waiver is legally permissible in the opinion of

URBAN RENEWAL REVENUE NOTES CONTINUED:

Bond Counsel, the Owner hereof shall receive a remarketed Note in substitution hereof. This Note shall be, otherwise, remarketed in accordance with its sale by competitive bidding if required, or, alternatively, at the direction of the Remarketing Agent, commencing on the date of Reset Rate if at least thirty (30) days prior to that date, the Issuer shall have provided Alternate Security complying with the requirements of the Indenture (or shall have delivered an irrevocable commitment to provide such Alternate Security on or before the date of the Special Mandatory Tender Date and such Alternate Security is in fact so provided). If remarketed, tendered Notes shall be purchased at a price equal to the principal amount thereof plus accrued interest.

If notice is given of the Special Mandatory Tender, and the Trustee determines that it does not have sufficient funds available on the Special Mandatory Tender Date to pay principal, accrued interest and any premium, the Trustee must declare the Special Mandatory Tender void and return this Note to its registered owner.

The Notes are also subject to extraordinary mandatory redemption at a price equal to the principal amount thereof plus accrued interest, without premium, (i) with regard to unremarketed Notes, in whole or in part on March 13, 1992, to the extent that moneys in the Note Proceeds Fund established by the Indenture have not been advanced to or on behalf of the Issuer; (ii) with regard to remarketed Notes only, in whole at any time, or in part on any interest payment date, upon at least twenty (20) days' notice in either event, if and to the extent that proceeds of insurance resulting from damage to the Project or any condemnation award are applied to the full or partial prepayment of the Notes; (iii) with regard to unremarketed Notes, in whole or in part on March 13, 1992 (the "Special Mandatory Redemption Date") if, and to the extent that thirty (30) days prior to such date, Alternate Security for the Notes not yet subject to Special Mandatory Tender has not been provided to and accepted by the Trustee or the Issuer has not caused the delivery of an irrevocable commitment to provide the same no later than the applicable date.

The unremarketed Notes are subject to optional redemption in whole or in part at the principal amount thereof plus accrued interest thereon and premium, if any, on any interest payment date commencing March 13, 1990, to and including March 13, 1992.

The purchase price of this Note upon Special Mandatory Tender or optional redemption shall include a premium as set forth below:

URBAN RENEWAL REVENUE NOTES CONTINUED:

Redemption Premium

Date of Redemption	Percentage of Principal Amount
March 13, 1990	1.0%
September 13, 1990	0.5%
March 13, 1991 and thereafter	0.0%

The Notes are not subject to redemption in the event the interest thereon is included in gross income of the holders thereof for Federal income tax purposes or becomes subject to taxation by any state, district, or territory.

Notice of a tender or redemption date as described above shall be sent by certified or registered mail to the owner of each of the Notes to be tendered or redeemed at the address of such owner shown on the Note Register maintained by the Trustee. All Notes so called for tender or redemption shall cease to bear interest on the specified redemption date, provided funds (or certain securities in which such funds are invested) for their purchase or redemption are on deposit at the place of payment at that time, and such Notes shall no longer be secured by the Indenture nor be deemed to be outstanding under the provisions of the Indenture. If fewer than all Notes are to be tendered or redeemed, those selected for tender or redemption shall be chosen by lot from the Notes subject to such redemption or tender.

The owners of Notes shall have no right to enforce the provisions of the Indenture or to institute action to enforce the covenants therein, or to take any action with respect to any event of default under the Indenture, or to institute, appear in or defend any suit or other proceeding with respect thereto, except as provided in the Indenture.

Modifications or alterations of the Indenture or of any indenture supplemental thereto may be made only to the extent and in the circumstances permitted by the Indenture, including as required in connection with acceptance by the Trustee of qualified Alternate Security.

The Notes are issuable in the denominations of $5,000 and any integral multiple thereof. This Note is transferable, as provided in the Indenture, only upon the Note Register maintained by the Trustee, by the registered owner hereof in person or by his duly authorized attorney, upon surrender of this Note together with a written instrument of transfer satisfactory to the Trustee duly executed by the registered owner or his duly authorized attorney, and thereupon a substitute Note or Notes in

URBAN RENEWAL REVENUE NOTES CONTINUED:

the same aggregate principal amount shall be delivered to and registered in the name of the transferee in exchange therefor as provided in the Indenture. The Issuer, the Trustee and any paying agent may deem and treat the person in whose name this Note is registered fifteen (15) days prior to any payment date as the absolute owner hereof for the purpose of receiving payment of, or on the account of, the principal or any redemption price hereof and interest due hereon.

This Note shall not be entitled to any benefit under the Indenture or become valid or obligatory for any purpose until this Note shall have been authenticated by the certificate of the Trustee endorsed hereon.

The principal hereof may be declared or may become due on the conditions and in the manner and at the time set forth in the Indenture upon the occurrence of an event of default as provided in the Indenture.

No recourse under or upon any obligation, covenant or agreement contained in the Indenture or in any Note or under any judgment obtained against the Issuer, or by the enforcement of any assessment or by a legal or equitable proceeding by virtue of any constitution or statute or otherwise or under any circumstances, under or independent of the Indenture, shall be had against any incorporator, director, officer, employee or agent, as such, past, present or future, of the Issuer, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to the owner of any Note issued thereunder or otherwise of any sum that may be due and unpaid of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such incorporator, director, officer, employee or agent, as such, by reason of any act or omission on his part or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to the owner of any Note issued thereunder or otherwise, of any sum that may remain due and unpaid upon the Notes is hereby expressly waived and released as a condition of and in consideration for the execution of the Indenture and the issuance of the Notes.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the execution and delivery of the Indenture and the issuance of this Note, do exist, have happened and have been performed in the time, form and manner as required by law.

IN WITNESS WHEREOF, the City of Picayune, Mississippi, has caused this Note to be executed by the manual or facsimile signature of its Mayor, its seal to be affixed hereto or a facsimile thereof printed hereon and attested by the manual or

URBAN RENEWAL REVENUE NOTES CONTINUED:

facsimile signature of the City Clerk, and this Note to be dated as of March 13, 1989.

CITY OF PICAYUNE, MISSISSIPPI

BY: _____
Mayor

(SEAL)

Attest:

Raymond A Seal
City Clerk

[Form of Certificate of Authentication]

This Note is one of the Notes described in the within mentioned Indenture. The date of authentication of this note is _____.

* * * * *

URBAN RENEWAL REVENUE NOTES CONTINUED:

[Form of Note for use after Special Mandatory Tender Date]

UNITED STATES OF AMERICA
STATE OF MISSISSIPPI
CITY OF PICAYUNE
[GENERAL OBLIGATION] URBAN RENEWAL [REVENUE] NOTE
(PHASE I REDEVELOPMENT PROJECT) Series 1989

	CUSIP	AMOUNT
No. R-_____	_____	$_____

Interest Rate	Maturity Date	Date of Original Note Issue	Remarketed Date
____%	_____	_____, 1989	_____

Registered Owner: _____

The City of Picayune, Mississippi (the "Issuer"), for value received, hereby promises to pay to the registered owner specified above, or registered assigns, on the Maturity Date set forth above, the principal amount set forth above, together with interest thereon from the Interest Payment Date (as hereinafter defined) next preceding the date of registration of this Note (unless this Note is registered within a fifteen-day period prior to any Interest Payment Date, in which event it shall bear interest from such Interest Payment Date, or unless this Note is registered before _____, 19___, in which event it shall bear interest from _____, 19___) until the principal amount hereof shall have been fully paid, at the rate of interest set forth above, payable on _____ and _____ of each year, commencing _____, 19___ (the "Interest Payment Dates"). Principal of and interest on this Note are payable in lawful money of the United States of America at the principal corporate trust office of Hancock Bank, Gulfport, Mississippi, and its successors as note registrar (the "Registrar"). The interest so payable on any Interest Payment Date will, subject to certain exceptions provided in the Note Resolution referred to below, be paid to the person in whose name this Note (or one or more predecessor Notes) is registered at the close of business sixteen days prior to such Interest Payment Date. Payment of interest shall be made by check mailed to the address of the registered owner hereof as such address shall appear on the registration books for the Notes.

This Note shall not be entitled to any benefit under the Note Resolution and Supplemental Note Resolution or become valid or obligatory for any purpose until such Note shall have

URBAN RENEWAL REVENUE NOTES CONTINUED:

been authenticated by the certificate of the Registrar endorsed hereon.

This Note is one of a series of notes of like date, tenor and effect, except as to number, rate of interest, and date of maturity, numbered serially from R-1, aggregating _____ Dollars ($_____) (the "Notes"), issued for the purpose of providing permanent financing for street and drainage improvements, upgrading of the City's wastewater treatment facility, renovation of the City Hall and City Annex, street light improvements, expansion and renovation of the City's Criminal Justice Center and park expansion and upgrading.

This Note is issued under the authority of the Constitution and Statutes of the State of Mississippi, including Sections [21-33-301 through 21-33-329 and] 43-35-1 through 43-35-37, Mississippi Code of 1972, and by the further authority of proceedings duly had by the City Council of the City of Picayune, Mississippi, approving a Note Resolution adopted _____, 19___, and a Supplemental Note Resolution adopted _____, 19___. These Notes are a remarketing of urban renewal revenue notes issued under an Indenture of Trust dated as of _____, 1989, between the Issuer and Hancock Bank, as Trustee.

[The Notes are and will continue to be payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct continuing tax to be levied annually without limitation as to time, rate or amount upon all taxable property within the geographical limits of the Issuer.]

[The City Council of the City of Picayune, Mississippi, covenants and agrees that it will apply the proceeds of the Notes to the purpose above set forth and that so long as any of the Notes is outstanding and payable that it will levy annually a special tax upon all taxable property within the Issuer adequate and sufficient to provide for the payment of the principal of and interest on the Notes as the same falls due.]

[The Notes are payable as to principal and interest out of the proceeds a long term lease of _____ _____ from a non-profit corporation created by the Issuer to the Issuer, which lease payments are subject to annual appropriation, and from a deed of trust upon the City's _____ _____.]

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all actions, acts and things required by law to exist, to have happened and to have been performed precedent to and in issuance of the Notes, in order to make the same legal and binding [general] [special] obligations of the Issuer, according to the

URBAN RENEWAL REVENUE NOTES CONTINUED:

terms thereof, do exist, have happened, and have been performed in regular and due time, form and manner as required by law. [For the prompt payment of this Note, both principal and interest, the full faith, credit and resources of the Issuer are hereby irrevocably pledged.]

IN WITNESS WHEREOF, the City Council of the City of Picayune, Mississippi, has caused this Note to be executed by the manual or facsimile signature of the Mayor and countersigned by the manual or facsimile signature of the City Clerk, thereunto authorized, and its seal to be affixed, all as of the _____ day of _____, 19___.

CITY OF PICAYUNE, MISSISSIPPI

BY: _____
Mayor

(SEAL)

Countersigned:

Raymond A Beal
City Clerk

URBAN RENEWAL REVENUE NOTES CONTINUED:

CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes issued under the provision of and described in the within mentioned Note Resolution, [Supplemental Note Resolution], and Trust Indenture. The date of registration of this Note is _____, 19___.

HANCOCK BANK
AS TRUSTEE

BY: _____
AUTHORIZED OFFICER

This Note is one of an issue of serial notes maturing, without option of prior payment, annually on _____, in the amounts, in the years and bearing the interest rates set forth as follows:

YEAR	AMOUNT	INTEREST	YEAR	AMOUNT	INTEREST
		%			%
		%			%
		%			%
		%			%
		%			%
		%			%
		%			%
		%			%
		%			%
		%			%
		%			%

URBAN RENEWAL REVENUE NOTES CONTINUED:

REGISTRATION AND VALIDATION CERTIFICATE

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

I, the undersigned, City Clerk of the City of Picayune, Mississippi, do hereby certify that the within note has been duly registered by me pursuant to law in a book kept in my office for that purpose. [I do further certify that the within note has been validated and confirmed by Decree of the Chancery Court of Pearl River County, Mississippi, rendered on the _____ day of _____, 19___.

_____
City Clerk of the City of
Picayune, Mississippi

(SEAL)

*Optional depending on whether validation is utilized.

URBAN RENEWAL REVENUE NOTES CONTINUED:

[Form of Assignment for Transfer]

FOR VALUE RECEIVED, the undersigned _____, hereby sells, assigns and transfers unto _____ (Tax Identification or Social Security No. _____) the within Note and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____, 19__

_____
Signature

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatsoever.

* * * * *

WHEREAS all things necessary to make the Notes, when authenticated by the Trustee and issued as provided in this Indenture, the valid, binding and legal obligations of the Issuer according to the import thereof, and to constitute this Indenture a valid lien on the properties, interests, revenues and payments herein pledged to the payment of the Notes, having been done and performed, and the creation, execution and delivery of this Indenture, and the execution and issuance of the Notes, subject to the terms hereof, having in all respects been duly authorized;

NOW, THEREFORE, the Issuer, in consideration of the premises and the acceptance by the Trustee of the trusts hereby created, and of the purchase and acceptance of the Notes by the owners thereof, and of the sum of One Dollar in lawful money of the United States of America to it duly paid by the Trustee at or before the execution and delivery of these presents, and for other good and valuable consideration, the receipt of which is hereby acknowledged, in order to secure the payment of the principal of, premium, if any, and interest on the Notes according to their tenor and effect and the performance and observance by the Issuer of all the covenants expressed or implied herein and in the Notes, does hereby grant, bargain, sell, convey, pledge, assign and grant a security interest, unto the Trustee, in and to the following (said property being herein referred to as the "Trust Estate"):

URBAN RENEWAL REVENUE NOTES CONTINUED:

GRANTING CLAUSES

A.

All right, title and interest of the Issuer in and to any moneys and securities held under this Indenture by the Trustee.

B.

All funds, moneys and securities and any and all other rights and interests in property whether tangible or intangible from time to time hereafter, by delivery or by writing of any kind, conveyed, mortgaged, pledged, assigned or transferred to the Trustee as and for additional security hereunder the the Notes by the Issuer or by anyone on its behalf or with its written consent, specifically including, but not limited to Alternate Security (as defined hereinafter) and proceeds thereof and earnings thereon, and the trustee is hereby authorized to receive any and all such property at any and all times and to hold and apply the same subject to the terms hereof.

TO HAVE AND TO HOLD all the same with all privileges and appurtenances hereby conveyed and assigned, or agreed or intended so to be, to the Trustee and its successors in said trust and to them and their assigns forever;

IN TRUST NEVERTHELESS, upon the terms and trusts herein set forth for the benefit, security and protection of all owners of the Notes issued under and secured by this Indenture without privilege, priority or distinction as to the lien or otherwise of any of the Notes over any of the others of the Notes except as set forth in this Indenture;

PROVIDED, HOWEVER, that if the Issuer shall pay or cause to be paid or be deemed to have paid to the owners of the Notes the principal, premium, if any, and interest to become due thereon and if the Issuer shall keep, perform and observe, or cause to be kept, performed and observed all its covenants, warranties and agreements contained herein, this Indenture and the estate and rights hereby granted shall, at the option of the Issuer, cease and determine and be void, and thereupon the Trustee shall cancel and discharge the lien of this Indenture an execute and deliver to the Issuer such instruments in writing as shall be requisite to satisfy the lien hereof, and reconvey to the Issuer any property at the time subject to the lien of his Indenture which may then be in its possession, except funds held by the Trustee for the payment of interest on and principal of and premium, if any, on the Notes; otherwise this Indenture shall be and remain in full force and effect, upon the trusts and subject to the covenants and conditions hereinafter set forth.

URBAN RENEWAL REVENUE NOTES CONTINUED:

AND PROVIDED FURTHER THAT the funds created under this Indenture shall be in the custody of the Trustee; and the Issuer authorizes and directs the Trustee to withdraw moneys from said funds for the purposes specified herein, which authorization and direction the Trustee hereby accepts. All moneys required to be deposited with or paid to the Trustee under any provision of this Indenture shall be held by the Trustee in trust, and shall, while held by the Trustee, constitute part of the Trust Estate and be subject to the lien hereof.

ARTICLE I

DEFINITIONS

Section 101. Definitions. The terms defined in this Section 101 or in the RECITALS hereto (except as herein otherwise expressly provided or unless the context otherwise requires) for all purposes of this Indenture and of any indenture supplemental hereto shall have the respective meanings specified in this Section 101 or in the RECITALS hereto. The Funds referenced in this Indenture shall be those established by Article IV hereof.

"Act" means Mississippi Code of 1972, Sections 43-35-1 through 43-35-37, as amended.

"Additional Notes" means the additional Notes authorized to be issued on a parity with or for the refunding of the Notes pursuant to the terms and conditions of Section 212 hereof.

"Alternate Security" means the general obligation credit of the Issuer or a pledge of the revenues of the Project, including the proceeds of any lease of the Project, or any letter of credit, any insurance, surety bond, or guarantee, HUD mortgage insurance for the a revenue pledge of the Issuer for the Notes, any Qualified Investments, or any other funds or collateral pledged and assigned to the Trustee to secure the Notes, provided that, (a) the aggregate amount of the Alternate Security or the effect of the pledge must be sufficient to pay all principal of the Outstanding Notes five (5) days prior to the expiration date of such security, or any portion thereof, and all interest due thereon through such date or the maturity of the Notes, whichever shall first occur, and such amount shall be available upon such expiration date, maturity date, or acceleration of the Notes so that all scheduled payments of interest and principal will be timely made; (b) unless the Notes are to be remarketed in a private sale and/or the Alternate Security provided is the general obligation credit of the Issuer or a pledge of the revenues of the Project, written confirmation shall be received by the Trustee from a nationally recognized rating agency that after the furnishing of the Alternate Security, a credit rating on the Notes will be obtained prospectively not less than a Moody's Investors Service rating of "A" or its equivalent or

URBAN RENEWAL REVENUE NOTES CONTINUED:

written confirmation must be given to the Trustee by a nationally known financial institution which deals in such securities to the effect that it can purchase the remarketed notes for resale without a rating; (c) unless the Alternate Security is the general obligation credit of the Issuer, or a pledge of the revenues of the Project the Trustee shall receive an opinion of counsel experienced in bankruptcy law matters stating, inter alia, that the Alternate Security and the principal and interest payments of the Notes secured thereby are not and will not constitute avoidable preferences under Section 547(b) of the United States Bankruptcy Code in the event of a bankruptcy filing by or against the Issuer; and (d) the Trustee shall have received an opinion of Bond Counsel to the effect that the provision of the such security in lieu of the pre-existing security for the Notes, together with necessary changes to related documents, will not adversely affect the federal tax-exempt status of interest due on the Notes.

"Available Monies" means (a) moneys or the proceeds of investments which moneys or investments have been held by the Trustee for at least one hundred twenty-three (123) days during which no petition is filed in federal bankruptcy court by or against the Issuer; (b) Remarketing Proceeds; (c) proceeds of other debt obligations of the Issuer issued for purposes of refunding the Notes; (d) proceeds of casualty insurance or condemnation proceedings described in Sections 510 or 511 hereof or (e) any combination of the foregoing.

"Bond Counsel" means an attorney at law, or a firm of attorneys, acceptable to the Issuer and the Trustee, experienced in matters pertaining to the tax-exempt nature of interest on obligations issued by states and their political subdivisions, and duly admitted to the practice of law before the highest court of any state of the United States or the District of Columbia. Bond Counsel may also serve as counsel to the Issuer for any purpose specified herein if retained therefor by the Issuer, but counsel to the Issuer need not be Bond Counsel.

"Code" means the Internal Revenue Code of 1986, as amended, any corresponding successor provision of law and any regulations thereunder.

"Fiscal Year" means the fiscal year of the Issuer.

"HUD" means the U.S. Department of Housing and Urban Development.

"Indenture" means this Indenture and all indentures supplemental hereto.

"Issuer" means the City of Picayune, Mississippi.

URBAN RENEWAL REVENUE NOTES CONTINUED:

"Net Proceeds" when used with respect to any insurance or condemnation award or moneys received with respect to or upon a foreclosure or sale of the Project means the gross proceeds from the insurance or condemnation award or foreclosure or sale with respect to which that term is used remaining after payment of all reasonable expenses incurred in the collection of such gross proceeds.

"Note owner" or "owner of" any Note means the registered owner of such Note, except as provided in Section 510 hereof.

"Note Year" means the twelve month period commencing March 13 of any year.

"Notes" means the Issuer's notes of all series from time to time issued under and secured by this Indenture, including, without limitation, the Notes and any Additional Notes.

"Outstanding", when used with respect to the Notes, means all Notes theretofore authenticated and delivered under this Indenture, except:

(a) Notes theretofore cancelled by the Trustee or theretofore delivered to the Trustee for cancellation;

(b) Notes for the payment or redemption of which moneys or obligations shall have been theretofore deposited with the Trustee in accordance with Articles II and IX hereof; and

(c) Notes in exchange for or in lieu of which other Notes have been authenticated and delivered under this Indenture.

"Permitted Encumbrances" means:

(a) liens for ad valorem taxes and special assessments or installments thereof, if any, not then delinquent, or, if overdue, being diligently contested in good faith;

(b) utility, access and other easements and rights-of-way, mineral rights, encroachments, leases, restrictions and exceptions that will not materially interfere with or impair the operation of the Project; and

(c) such minor defects, irregularities, encumbrances, easements, rights-of-way, and clouds on title as normally exist with respect to properties similar in character to the Project and as do not, in the aggregate, materially impair

URBAN RENEWAL REVENUE NOTES CONTINUED:

the property affected thereby for the purposes for which it was acquired or is held, but shall not include in any event materialmen's and mechanics' liens.

"Project" means the real and personal property constituting the City streets, the City wastewater treatment facility, the City Hall and City Annex, the Criminal Justice Center and Friendship Park, including the Site and the equipment and all renovations, improvements or additions thereto and all acquisition and construction thereof.

"Project Costs" means the cost of planning, start-up, repairing, renovating, restoring, improving, acquiring, developing, constructing and equipping, as appropriate, of the Project, costs of issuing the Notes, Site acquisition and development costs, interest and taxes, if any, during the construction period, architect's and construction contractor's fees, the cost of inspections of the Project during construction on behalf of the Issuer, and the costs of other items incurred prior to or during construction of the Project and necessary for the development thereof, provided, however, that unless specifically approved by Bond Counsel, Project Costs shall not include any expenses of obtaining Alternate Security and remarketing the Notes in connection with the Special Mandatory Tender Date.

"Qualified Investments" means any of the following if and to the extent permitted by law: (a) any direct obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by, the United States of America (including obligations issued or held in book entry form on the books of the Department of the Treasury of the United States of "America); (b) bonds, debentures, or notes or other evidences of indebtedness payable in cash and issued by any one or a combination of any of the following federal agencies whose obligations represent the full faith and credit of the United States of America: Federal Home Loan Mortgage Corp., Federal National Mortgage Association, Student Loan Marketing Association, Federal Home Loan Bank, Private Export Funding Corp. or Government National Mortgage Association; (c) negotiable certificates of deposit issued by Fuji Bank Ltd., New York Branch.

"Remarketing Agent" means Thorn, Alvis, Welch, Inc. or the successor as the agent of the Issuer for purposes of remarketing the Notes on the Special Mandatory Tender Dates.

"Remarketing Agreement" means the Remarketing Agreement dated as of March 13, 1989, among the Issuer the Remarketing Agent and the Trustee providing for remarketing of the Notes on the Special Mandatory Tender Dates.

URBAN RENEWAL REVENUE NOTES CONTINUED:

"Remarketing Proceeds" means the aggregate amount paid by purchasers of those Notes which are remarketed pursuant to the Special Mandatory Tender.

"Reset Rates" means the annual rate or rates of interest on the Notes established on the Special Mandatory Tender Dates.

"Site" means the real property on which the Project will be located.

"Special Mandatory Tender" means the mandatory obligation of all affected Note owners to deliver their Notes to the Trustee on any interest payment date from March 13, 1990, to and including March 13, 1992, with the registration transfer form printed thereon executed in blank, for remarketing at the direction of the Remarketing Agent.

"Special Mandatory Tender Date" means any date on which Alternate Security is provided for some or all of the Notes on any interest payment date from March 13, 1990, to and including March 13, 1992, the last date on which a Special Mandatory Tender may occur.

"State" means the State of Mississippi.

"Supplemental Bond Resolution" means a resolution of the Issuer requiring or adjudicating (a) satisfaction of all statutory requirements necessary to make the Notes general obligation of the Issuer upon a remarketing or (b) satisfaction of all statutory requirements necessary to pledge revenues of the Project upon a remarketing.

"Tender Agent" means the entity to which Notes are to be delivered on the Special Mandatory Tender Date which entity shall be the Trustee except as provided by Section 712 hereof or unless the Issuer and Remarketing Agent consent to appointment of a successor Tender Agent.

"Trustee" means the person named as the "Trustee" in the first paragraph of this instrument until a successor shall have become Trustee pursuant to this Indenture and their successors.

"Waiver of Special Mandatory Tender" means any written notice delivered by an owner of a Note to the Trustee and the Remarketing Agent at least 10 days before the applicable Special Mandatory Tender Date, specifying the name of the registered owner and the number and aggregate principal amount of his Notes for which Special Mandatory Tender has been waived, acknowledging that any rating on such Notes from Moody's Investors Service may be reduced or withdrawn upon substitution of Alternate Security, directing the Trustee not to purchase such Notes and expressly

URBAN RENEWAL REVENUE NOTES CONTINUED:

acknowledging the substitution of the Alternate Security, and provided that such Notice of Waiver of Mandatory Tender may not be exercised or be effective if the Trustee shall not have received an opinion of Bond Counsel to the effect that such a waiver may be lawfully exercised in connection with the applicable Special Mandatory Tender.

Section 102. Interpretation. Unless otherwise indicated or obvious from the context, reference to Articles, Section other subdivisions are to the designated Articles, Sections, and other subdivisions of this Indenture are for convenience only and do not define or limit the provisions hereof. Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Words importing the singular number shall include the plural number and vice versa unless the context shall otherwise indicate. Person shall include individuals, firms, corporations, associations, government agencies, political subdivisions, partnerships and all other entities of whatever nature.

ARTICLE II

THE NOTES

Section 201. Authorized Amount of Notes. Notes may not be issued under this Indenture except in accordance with this Article. The total principal amount of Notes that may be initially issued hereunder is expressly limited to $4,100,000, provided, however, that Additional Notes in excess of such amount may be issued as provided in Section 212 hereof.

Section 202. Non-Governmental Obligations. Neither the United States of America nor any agency thereof nor the State nor any agency or political subdivisions thereof shall in any event be liable for the payment of the principal of or interest on the Notes or for the performance of any pledge, obligation or agreement of any kind whatsoever of the Issuer, and neither the Notes nor any of the Issuer's agreements or obligations shall be construed to constitute an indebtedness of the United States of America or any agency thereof or the State or any agency or political subdivision thereof within the meaning of any constitutional or statutory provision whatsoever.

Section 203. Remarketing of Notes.

(a) The Issuer may on any Special Mandatory Tender Date cause all or a part of the Notes to be remarketed with Alternate Security.

(b) In order for the Issuer to pledge its full faith and credit as Alternate Security, the Issuer shall be required to satisfy the statutory conditions

URBAN RENEWAL REVENUE NOTES CONTINUED:

set forth in Mississippi Code of 1972, §§21-33-301 through 21-33-329, as amended as of the Special Mandatory Tender Date.

(c) In order to effect the remarketing of the Notes as general obligations, the Issuer and the Remarketing Agent shall be required to follow the statutory procedures set forth in Mississippi Code of 1972, §31-19-25, as amended as of the Special Mandatory Tender Date.

(d) The enactment by the Issuer of the Supplemental Bond Resolution shall be a condition precedent to the remarketing of any of the Notes.

Section 204. Execution. The Notes shall be executed on behalf of the Issuer by the manual or facsimile signature of the Mayor and the seal of the Issuer may be impressed or reproduced thereon and attested by the manual or facsimile signature of the City Clerk. Such facsimile signatures shall have the same force and effect as if said officers had manually signed the Notes. Any reproduction of the seal of the Issuer on the Notes shall have the same force and effect as if the seal of the Issuer had been impressed on the Notes.

In case any officer whose signature or facsimile thereof shall appear on any Notes shall cease to be such officer before the delivery of such Notes, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes as if he had remained an officer until delivery.

Section 205. Authentication. Only such Notes as shall have endorsed thereon a certificate of authentication substantially in the form set forth above duly executed by the Trustee shall be entitled to any right or benefit under this Indenture. No Note shall be valid or obligatory for any purpose unless and until such certificate of authentication shall have been duly executed by the Trustee; and such executed certificate upon any such Note shall be conclusive evidence that such Note has been authenticated and delivered under this Indenture. The Trustee's certificate of authentication on any Note shall be deemed to have been executed by it if signed by an authorized officer of the Trustee, but it shall not be necessary that the same person sign the certificate of authentication on all the Notes.

Section 206. Mutilated, Lost, Stolen or Destroyed Notes. In the event any Note is mutilated, lost, stolen or destroyed, the Issuer may execute and the Trustee may authenticate and deliver a new Note in lieu of such mutilated, lost, stolen or destroyed Note, of like date, series, maturity and denomination as that mutilated, lost, stolen or destroyed. Any mutilated Note shall first be surrendered to the Trustee, and

URBAN RENEWAL REVENUE NOTES CONTINUED:

in the case of any lost, stolen or destroyed Note, there shall first be furnished to the Trustee evidence of such loss, theft or destruction satisfactory to it together with indemnity satisfactory to it. In the event any such Note shall have matured, or will mature within six months, instead of issuing a duplicate Note the Trustee may pay the same without surrender thereof. The Trustee may charge the owner of such Note with its reasonable fees and expenses incurred in taking such actions.

Section 207. Registration of Notes; Persons Treated as Owners. The Trustee as Note Registrar shall cause a Note Register to be kept for the registration and transfer of Notes. All Notes must be registered by endorsement on the Note and on the Note Register and the Note Registrar shall make notation of such registration on each Note and on the Note Register. Any such Note may thereafter be transferred only upon due execution, by the registered owner or his duly authorized representative, of the transfer form set forth on the Note or of an alternative instrument of assignment in such form as shall be satisfactory to the Note Registrar, such transfer to be made on the Note Register and endorsed on the Note by the Note Registrar. The principal, interest on, and redemption premium, if any, of any Note shall be payable only to or upon the order of the registered owner or his duly authorized representative.

In all cases in which Notes shall be transferred hereunder, the Trustee may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such transfer, and in addition a sum sufficient to reimburse it for any expenses incurred in connection with such transfer. The Trustee shall not be required to make any such transfer of Notes during the fifteen (15) days next preceding an interest payment date on the Notes.

The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal, premium if any, and interest of any such Note shall be made only to or upon the order of the person who shall be the registered owner thereof fifteen (15) days prior to such payment date, or his legal representative, and neither the Issuer nor the Trustee shall be affected by any notice to the contrary. All such payments shall be valid and effective to satisfy and discharge the liability upon such Note to the extent of the sum or sums to be paid.

Section 208. Denominations, Numbers, Date and Payment Provisions. The Notes shall be numbered consecutively from one upward or in such other manner, shall be lithographed or printed on steel engraved borders or typewritten, shall be designated in such manner, and shall be in such denominations as the Issuer, with the concurrence of the Trustee, shall determine. The Notes shall bear interest from their date until paid. Payment of

URBAN RENEWAL REVENUE NOTES CONTINUED:

principal, premium if any, and interest shall be made in such coin or currency of the United States of America as at the time of payment is legal tender for payment of private and public debts, in the manner and at the place set forth in the Notes. Should the date for any payment of principal or interest or of any redemption or Special Mandatory Tender price fall on a day which is not a regular business day such payment shall be made on the next succeeding regular business day.

Section 209. Temporary Notes. Until definitive Notes are ready for delivery, there may be executed, and upon the request of the Issuer, the Trustee shall authenticate and deliver, in lieu of definitive Notes, temporary typewritten, printed or otherwise reproduced Notes, in the denomination of $5,000 or any multiple thereof, in substantially the tenor hereinabove set forth and with such appropriate omissions, insertions and variations as may be required.

If temporary Notes shall be issued, the Issuer shall promptly thereafter cause the definitive Notes to be prepared and to be executed and delivered to the Trustee, unless otherwise requested by the purchasers of all of the Notes, and the Trustee, upon presentation to it at its corporate trust office of any temporary Note, shall cancel the same and authenticate and deliver in exchange therefor, without charge to the owner thereof, a definitive Note or Notes of an equal aggregate principal amount, of the same maturity and bearing interest at the same rate as the temporary Note surrendered. Until so exchanged the temporary Notes shall in all respects be entitled to the same benefit and security of this Indenture as the definitive Notes to be issued and authenticated hereunder. Interest on temporary Notes, when due and payable, if the definitive Notes shall not be ready for exchange, shall be paid on presentation of such temporary Notes for notation of such payment thereon by the Trustee.

Section 210. Interest On and Maturity of Notes.

(a) The Notes shall be dated March 13, 1989, shall bear interest at the rate of _____% annually from such date during the initial period to the Special Mandatory Tender Date and thereafter at the Reset Rates determined as set forth in Section 1103 hereof, with interest payable on March 13 and September 13 of each year commencing September 13, 1989, and shall mature on March 13, 2012, or earlier as provided in Section 210(b).

(b) Upon a remarketing of all the Notes, principal thereon will mature annually on the anniversary of the Special Mandatory Tender over a twenty-year period in accordance with the following schedule:

URBAN RENEWAL REVENUE NOTES CONTINUED:

Year for Remarketing Date	Maturing Principal (assuming all Notes remarketed on same date)
1	$ 90,000
2	90,000
3	100,000
4	105,000
5	115,000
6	170,000
7	170,000
8	170,000
9	170,000
10	175,000
11	190,000
12	190,000
13	205,000
14	230,000
15	260,000
16	285,000
17	310,000
18	345,000
19	350,000
20	380,000

(c) In no event will the Special Mandatory Tender Date be later than March 13, 1992, or the final maturity of the Notes be later than March 13, 2012.

(d) If less than all the Notes are remarketed on a Special Mandatory Tender Date, the annual amounts of maturing principal set forth in the schedule of subsection (b) of this Section 210 shall be proportionately reduced by multiplication with a fraction, the numerator and denominator of which are, respectively, the amount of Notes to be remarketed and the original principal amount of the Notes, provided that each amount so determined shall be rounded to the nearest multiple of $5,000 with such additional adjustments to the final maturity as are necessary so that the total of the annual maturities will equal the total amount of Notes remarketed.

Section 211. Delivery of Notes. Upon the execution and delivery of this Indenture, the Issuer shall execute and deliver to the Trustee and the Trustee shall authenticate the Notes and deliver them to or upon the order of the Issuer upon receipt by the Trustee of a certified or official bank check or wire transfer in an amount equal to the purchase price of the Notes, including any accrued interest and premium thereon, if any, drawn to the order of the Trustee and the following documents in form and substance satisfactory to the Trustee and Bond counsel:

URBAN RENEWAL REVENUE NOTES CONTINUED:

(a) a duly certified copy of the resolution of the Issuer authorizing issuance of the Notes and the execution and delivery of this Indenture, and the Remarketing Agreement, and this Indenture duly executed by the respective parties thereto;

(b) a duly certified copy of the order or resolution of the Issuer, adopted no more than sixty (60) days prior to the issue date of the Notes, approving the issuance thereof;

(c) the written order to the Trustee signed by the Mayor to authenticate and deliver the Notes to the purchaser or purchasers therein identified upon payment to the Trustee of the stated purchase price thereof;

(d) evidence satisfactory to the Trustee that the proceeds of the Notes have been invested in Qualified Investments which will permit the disbursements required in Section 403(a) hereof;

(e) the approving opinion with respect to the Notes of Stennett, Wilkinson & Ward, Jackson, Mississippi, as Bond Counsel, confirming that interest payable on the Notes will be exempt from federal income taxation and;

(f) such additional certificates, opinions of counsel and other documents as the Trustee or Bond Counsel shall reasonably require relating to the Notes.

Section 212. Issuance of Additional Notes.

(a) The Issuer may, after December 31, 1989, issue and sell Additional Notes on a parity with the Notes for the purpose of providing additional financing for the Project if the proceeds of the Notes, together with any other available moneys, are insufficient to pay in full the cost of financing the Project. Any Additional Notes theretofore or thereafter issued shall be payable pursuant to the Indenture and may be on a parity with the Notes which have been remarketed. Before any Additional Notes are authenticated there shall be delivered to the Trustee the items required therefor by Section 213 hereof.

(b) Such Additional Notes shall be issued in such series and principal amounts, shall be dated, shall bear interest at such rate or rates, and shall mature or be subject to mandatory redemption in such years as the indenture supplemental hereto authorizing the issuance thereof shall fix and determine, and shall be delivered to the Trustee for authentication and delivery.

(c) Such Additional Notes shall not be secured by the same Qualified Investments which secure the Notes, and preliminary to the issuance of such Additional Notes there shall be established a separate subaccount in the Note Principal and

URBAN RENEWAL REVENUE NOTES CONTINUED:

Interest Fund established in Article IV hereof with sufficient separate security and collateral deposited in such subaccount to secure such Additional Notes.

Section 213. Delivery of Additional Notes. Upon the execution and delivery in each instance of an appropriate indenture supplemental hereto, the Issuer shall execute and deliver to the Trustee, and the Trustee shall authenticate, such Additional Notes and deliver them to the purchaser or purchasers as may be directed by the Issuer, as hereinafter in this Section provided. Prior to or concurrently with the delivery by the Trustee of any such Additional Notes there shall be filed or deposited with the Trustee (provided that, except as noted below, the Trustee may waive receipt of any of the following if it shall deem the same to be in the best interest of the owners of the Outstanding Notes):

(a) an executed counterpart of the supplemental indenture providing for the issuance of such series of Additional Notes and pledging and assigning any additional amounts as provided in the supplemental indenture to the payment of the Notes;

(b) a certified resolution of the Issuer authorizing the execution and delivery of the supplemental indenture and the issuance of such Additional Notes;

(c) a request and authorization to the Trustee on behalf of the Issuer, signed by the Mayor to deliver such Additional Notes to the purchaser or purchasers thereof identified upon payment to the Trustee, for the account of the Issuer, of the purchase price of the Additional Notes;

(d) a certificate signed by the Trustee to the effect that no default under this Indenture, will result from the issuance of the Additional Notes;

(e) an opinion of Bond Counsel with respect to the Additional Notes, and containing language to the effect that the issuance of the Additional Notes will not affect the tax-exempt status of the Notes then Outstanding; and

(f) such other certificates, opinions and other documents as the Trustee or Bond Counsel may reasonably require.

URBAN RENEWAL REVENUE NOTES CONTINUED:

ARTICLE III

MANDATORY TENDER AND
REDEMPTION OF NOTES PRIOR TO MATURITY

Section 301. Selection of Notes for Mandatory Tender on Redemption.

(a) If less than all of the Notes shall be called for a Special Mandatory Tender or a redemption, the particular Notes to be tendered or redeemed shall be selected by lot by the Trustee in such manner as the Trustee in its discretion may determine.

(b) No Notes shall be called for Special Mandatory Tender or redemption unless the Trustee shall have determined that Available Monies will be on hand to pay all the principal of, premium if any, and interest on the Notes on the date of redemption and payment. If for any reason the Available Monies on hand are insufficient for such Special Mandatory Tender or redemption, then the Special Mandatory Tender or redemption shall be null and void, the Qualified Investments theretofore securing such Notes shall not be released from the trust estate of the Indenture, no Alternate Security shall be substituted in lieu of such pre-existing security and the affected Notes shall be returned to their registered owners, whose rights in such Notes shall be identical to such rights as existed prior to the call of such Notes for Special Mandatory Tender or redemption.

Section 302. Notice of Mandatory Tender or Redemption. Thirty (30) days written notice of any intended Special Mandatory Tender or redemption shall be sent by registered mail to the owners of the Notes to be tendered or redeemed at the addresses of such owners shown on the Note Registrar's Note Register. No defect in or failure to give notice shall affect the validity of the proceedings for Special Mandatory Tender or redemption and payment with respect to all Notes of Note owners to whom notice was given without defect. All notices of Special Mandatory Tender or redemption shall specify the numbers of the Notes being tendered or called, the tender or redemption date, and the place or places where amounts due upon such tender or redemption will be payable. Such notices shall further state that payment of the applicable amount will be made upon presentation and surrender of the Notes. All such notices of Special Mandatory Tender shall further include (i) a description of the Alternate Security; (ii) a statement as to whether the owner of the Note has the right to deliver a Waiver of Special Mandatory Tender; (iii) a statement that any rating on the Notes from Moody's Investors Service may be reduced or withdrawn upon substitute of the Alternate Security; and (iv) a statement as to the availability of any official statement or other disclosure document with respect to the remarketing of such Notes.

URBAN RENEWAL REVENUE NOTES CONTINUED:

Section 303. Cancellation. All Notes which shall have been purchased on Special Mandatory Tender or redeemed shall be cancelled and destroyed by the Trustee and notice evidencing such destruction shall be furnished by the Trustee to the Issuer.

Section 304. Effect of Calling for Mandatory Tender or Redemption. On the date so designated for Special Mandatory Tender or redemption, notice having been given in the manner herein provided, the Notes so called for Special Mandatory Tender or redemption shall become and be due and payable from Available Monies at the tender or redemption price provided for tender or redemption of such Notes on such date, and if sufficient Available Monies are held in separate trust accounts by the Trustee in trust for the owners of the Notes to be tendered or redeemed as provided in this Indenture, interest on the Notes so called for tender or redemption shall cease to accrue, such Notes shall cease to be entitled to any benefit or security under this Indenture, and the owners of such notes, except as otherwise set forth in Section 1102 hereof, shall have no rights in respect thereof, except to receive payment of the special mandatory tender or redemption price thereof and the accrued interest, if any, thereon, provided, however, that Notes remarketed shall, upon remarketing, be fully entitled to all benefit and security of this Indenture.

Section 305. Unpaid Interest. All unpaid interest on Notes called for special mandatory tender or redemption and which shall become payable on or prior to the date fixed for redemption shall continue to be payable to the owners thereof severally and respectively upon the presentation and surrender of such Notes.

Section 306. Conditions for Tender or Redemption. The Notes shall be subject to tender or redemption under the following circumstances:

(a) The Notes shall be subject to Mandatory Tender as set forth in Article XI hereof at a purchase price equal to the principal amount of the Notes affected by such Special Mandatory Tender plus accrued interest thereon, with premium, if any, equal to the premium applicable in the case of Optional Redemption as described below. Such price shall be paid from the proceeds of remarketing of the Notes and, if necessary, unused Note proceeds to the extent Bond Counsel is of the opinion that the same may be used for such purpose, or other Available Monies provided on behalf of the Issuer. If the aforesaid funds are insufficient to pay the purchase price of the tendered Notes, or if Alternate Security is not provided, all such tendered Notes shall be returned to their registered owners.

(b) The unremarketed Notes are subject to optional redemption as a whole or in part on any March 13 or September 13, commencing March 13, 1990, to or including March 13, 1992, at a price of par plus accrued interest, with premium as set forth

URBAN RENEWAL REVENUE NOTES CONTINUED:

below. Following a Special Mandatory Tender Date, Notes remarketed will be no longer subject to optional redemption.

Redemption Premium

Date of Redemption	Percentage of Principal Amount
March 13, 1990	1.0%
September 13, 1990	0.5%
March 13, 1991, and thereafter	0.0%

(c) Outstanding Notes are subject to mandatory redemption at a redemption price equal to the principal amount thereof plus accrued interest thereon to the date fixed for redemption, without premium, as follows:

(1) with regard to unremarketed Notes, in whole or in part on March 13, 1992, to the extent that moneys in the Note Proceeds Fund established by the Indenture have not been advanced or reserved to pay for Project Costs;

(2) with regard to remarketed Notes only, in whole at any time, or in part on any interest payment date, with at least twenty (20) days' notice in either event, if and to the extent that insurance proceeds resulting from damage to the Project or condemnation awards are applied to the full or partial prepayment of the Notes;

(3) with regard to unremarketed Notes, in whole or in part on March 13, 1992 (the "Special Mandatory Redemption Date") if, and to the extent that thirty (30) days prior to such date, Alternate Security for of the Notes not yet subject to Special Mandatory Tender has not been provided to and accepted by the Trustee or the Issuer has not caused the delivery of an irrevocable commitment to provide the same no later than the applicable date.

URBAN RENEWAL REVENUE NOTES CONTINUED:

ARTICLE IV

NOTE FUNDS; INVESTMENTS

Section 401. Establishment of Funds. The following trust funds shall be established and maintained by the Trustee under this Indenture:

(a) Note Proceeds Fund; and

(b) Note Principal and Interest Fund.

Section 402. Deposits to Note Proceeds Fund. The Trustee shall deposit in the Note Proceeds Fund the proceeds of the Notes (excluding accrued interest, if any, which shall be deposited in the Note Principal and Interest Fund and excluding the premium which shall be paid to the Issuer), and any other moneys which may be paid to the Trustee from time to time for purposes for which such Fund may be used. All investment income derived from Qualified Investments shall be deposited into a subaccount of the Note Proceeds Fund entitled the Investment Income Account.

Section 403. Disbursements from Note Proceeds Fund. The Trustee, from the Note Proceeds Fund, shall from time to time:

(a) on each payment date, prior to 2:00 p.m. Central Time, deposit in the Note Principal and Interest Fund an amount sufficient to cause the amount then on deposit in such Fund to be equal to the interest, principal and premium, if any, then due on the Notes;

(b) upon provision of Alternate Security and remarketing of all or a portion of the Notes, make advances to or at the direction of the Issuer to pay Project Costs, provided, that at all times, in the opinion of the Remarketing Agent, sufficient Qualified Investments shall be retained to assure timely payment of principal and interest on Notes which have not been remarketed; and

(c) pay any fees and expenses due to the Trustee pursuant to Section 706, fees and expenses due the Remarketing Agent pursuant to Article XI hereof and the Remarketing Agreement, or fees or expenses of any Co-Paying Agent, to the extent that the ability of the Trustee to make the disbursements otherwise required or contemplated by this Section 403 is not thereby impaired.

Section 404. Note Principal and Interest Fund. The Trustee shall deposit in the Note Principal and Interest Fund the amounts required by Sections 402, 403 and 406, provided that all such monies must be proceeds of Qualified Investments

URBAN RENEWAL REVENUE NOTES CONTINUED:

attributable to the proceeds of the sale of the Notes, interest earned in investment thereof, or proceeds of Alternate Security, Available Monies transferred to the Note Proceeds Fund pursuant to Sections 510 or 511 hereof, Remarketing Proceeds and any other amounts only if such other amounts are of the character required by Section 301(b), whether or not such other amounts are intended to be used in connection with a redemption. The Trustee shall disburse Available Monies from the Note Principal and Interest Fund to pay the principal of, premium, if any, and interest on the Notes as they come due or as the Notes are called for tender or redemption, and, after payment of the principal, premium, if any, and interest of the Notes in full, shall transfer any remaining funds or investments to the Note Proceeds Fund.

Section 405. Investment of Funds.

(a) Any moneys held as part of any Fund established by this Article IV shall be invested or reinvested, from time to time, by the Trustee in Qualified Investments, to the extent and in the manner directed by the Issuer or determined by the Trustee in its discretion and not in bad faith. Investments, other than the initial investments in certificates of deposit made concurrently with the initial issuance of Notes, shall be structured so as to mature the lesser of thirty (30) days from the date of such investment or such time as the proceeds thereof are required to be available to the Trustee. At the time of issuance and sale of the Notes, the Trustee shall invest $4,100,000 principal amount of the Notes in Qualified Investments as specified by the Issuer. The investments so purchased shall be held by the Trustee and shall be deemed at all times to be a part of the Fund in which such moneys are held. Except for accrued interest paid into the Note Principal and Interest Fund pursuant to Section 402, moneys held in any of the Funds established hereunder may not be co-mingled for purposes of investment. The Trustee is directed to sell and reduce to cash a sufficient amount of investments whenever the cash balance in any Fund shall be insufficient to cover a proper disbursement from any Fund. All interest income from all Funds established by this Article IV shall be deposited in the Note Proceeds Fund; provided, however, that interest income from the investment of said $4,100,000 of the Note proceeds shall be used solely to make payments pursuant to Section 403(a) hereof so long as any of the Notes have not been remarketed or redeemed. Maturing principal and interest on such investments must be due in good funds on or before the principal and interest payment dates on the Notes as necessary for timely payment of debt service on the Notes.

(b) The Issuer covenants and represents to and for the benefit of the purchasers of the Notes that no use will be made of the proceeds from the issue and sale of the Notes which, on the basis of the facts, estimates and circumstances then known and reasonably expected to be in existence on the date of issue of the Notes, would cause the Notes to be classified as of the

URBAN RENEWAL REVENUE NOTES CONTINUED:

date of issue as arbitrage bonds within the meaning of Section 148 of the Code. Pursuant to such covenant, the Issuer obligates itself to comply throughout the term of the Notes with the requirements of Section 103 of the Code and any regulations promulgated thereunder.

Section 406. Alternate Security. If seven (7) days prior to any date on which principal or interest on the Notes is due, whether by acceleration or otherwise, the Trustee anticipates that the moneys which will be held in the Funds established hereunder and available for the payment of such principal and interest, will be insufficient for such purposes, the Trustee shall immediately draw upon the then available Alternate Security for the amount of the anticipated insufficiency.

Section 407. Application of Funds Upon Repayment of Notes. Upon repayment of the Notes, the Notes and all accrued interest thereon in full, the moneys remaining in the Funds and all other assets of the Issuer held by the Trustee as part of the Trust Estate shall be paid to the Issuer by the Trustee, provided that any moneys derived from a draw on Alternate Security referenced in Section 406 and not used to pay interest on or principal of the Notes shall be returned to the provider of the Alternate Security.

ARTICLE V

GENERAL COVENANTS

Section 501. Payment of Principal and Interest. The Issuer will promptly pay, solely from the sources herein specified, the principal of, premium, if any, and interest on, every Note issued under this Indenture at the place, on the dates and in the manner provided herein and in the Notes according to the true intent and meaning thereof.

Section 502. Instruments of Further Assistance. The Issuer will defend its interest in the Project, and the title of the Trustee to the funds and accounts for the benefit of the owners of the Notes against the claims and demands of all persons whomsoever and both the Issuer and the Trustee will do, execute, acknowledge and deliver, or cause to be done, executed, acknowledged and delivered, such indentures supplemental hereto, and such further acts, instruments and transfers as the Trustee may reasonably require to better assure, transfer, convey, pledge, assign and confirm unto the Trustee all and singular its interest in the property herein described including qualified Alternate Security and the revenues, receipts and other amounts pledged hereby to the payment of the principal of, premium, if any, and interest on the Notes. Any and all interest in property hereafter acquired which is of any kind or nature herein provided to be and become subject to the lien hereof, including any

URBAN RENEWAL REVENUE NOTES CONTINUED:

qualified Alternate Security, shall, without any further conveyance, assignment or act on the part of the Issuer or the Trustee, become and be subject to the lien of this Indenture as fully and completely as though specifically described herein, but nothing contained in this sentence shall be deemed to modify or change the obligations of the Issuer under this Section.

Section 503. Additional Indebtedness. In calendar year 1989, the Issuer will not issue public purpose bonds in excess of a total of $5,000,000.

Section 504. Inspection of Project Books. The Issuer will open all its books and documents relating to the Project at all times to inspection by the Trustee, and such accountants or other agents thereof as the Trustee may from time to time reasonably designate.

Section 505. List of Note Owners. The Trustee shall keep on file at its corporate trust office a list of names and addresses of the owners of all Notes. The Trustee shall be under no responsibility with regard to the accuracy of said list other than to accurately record the information furnished to it. At reasonable times and under reasonable regulations established by the Trustee, said list may be inspected and copied by the Issuer, or by owners of 15% or more in principal amount of Notes then Outstanding or a designated representative thereof.

Section 506. Non-Presentment of Notes. In the event any Notes shall not be presented for payment when the principal thereof becomes due, either at maturity, Special Mandatory Tender, or redemption, if moneys sufficient to pay such Notes in full shall have been made available to the Trustee for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for the payment of such Notes shall forthwith cease, determine and be complete discharged; and thereupon it shall be the duty of the Trustee to hold such funds without liability for interest thereon, for the benefit of the owner of such Notes who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Indenture, or with respect to such Notes. Any moneys in such trust fund that remain unclaimed for six (6) years after (a) the date when all the Notes to which such fund relates become due and payable, or (b) the date when such moneys were deposited in such fund, if later, shall be repaid by the Trustee to the Issuer as its property, free from trust, and the Trustee shall have no further obligation with respect thereto.

Section 507. Recording and Filing. The Issuer will cause this Indenture as well as such other security instruments, financing statements and all supplements thereto and other instruments as may be required from time to time to be kept recorded and filed in such manner and in such places as may be required by law in order to fully preserve and protect the lien

URBAN RENEWAL REVENUE NOTES CONTINUED:

of the Indenture and the security of the owners of the Notes and the rights of the Trustee hereunder.

Section 508. No Modification of Security. The Issuer will not, without the written consent of the Trustee, alter, modify or cancel, or agree to consent to alter, modify or cancel any agreement which relates to or affects the security for the Notes.

Section 509. Reports. The Trustee will furnish annually to any Note owners who request copies thereof and furnish an address to which such reports and statements are to be sent, copies of (a) any reports furnished to the Trustee with regard to the Project and (b) annual statements of the Trustee with regard to fund balances.

Section 510. Damage and Destruction. If the Project or any substantial part thereof is damaged or destroyed, the Trustee shall collect all proceeds payable on any insurance policies and deposit the Net Proceeds in a special trust account to be created in the Note Proceeds Fund, which shall not be invested at a yield materially higher than the yield on the Notes. In the event Alternate Security is not the general obligation of the Issuer the Trustee shall apply moneys held in such account to the rebuilding, repair or reconstruction of the Project if within ninety (90) days of the event causing such damage or destruction:

(a) in the opinion of an independent consulting engineer acceptable to the Issuer and the Trustee, the amount in such account, together with any other moneys available for such purpose, will be sufficient to pay the cost of necessary rebuilding, repair or reconstruction of the Project;

(b) the Issuer has certified in writing that the Project, as so rebuilt, repaired or reconstructed, will generate Project Revenues sufficient to pay all Operating Expenses and to pay the principal of or interest on the Notes then Outstanding, as necessary; and

(c) the Trustee shall approve such rebuilding, repair or reconstruction.

To the extent any moneys held by the Trustee in such account shall not be applied to the rebuilding, repair or reconstructing of the Project, such moneys shall be paid to the Trustee for deposit to the Note Principal and Interest Fund, and applied, to the maximum extent possible, to the redemption of Notes in accordance with the terms and provisions of the Notes and Article III hereof.

URBAN RENEWAL REVENUE NOTES CONTINUED:

Section 511. Condemnation. If the Project or any substantial part thereof shall be condemned under any power of eminent domain or acquired for public use, any proceeds of condemnation payable to the Issuer shall be paid to and held by the Trustee in a special trust account in the Note Proceeds Fund, which shall not be invested at a yield materially higher than the yield on the Notes, and applied by the Trustee to rebuilding, repair or reconstruction of the Project, redemption of the Notes or payment to the Issuer in the same manner as proceeds of insurance are required to be applied pursuant to Section 511 hereof.

Section 512. Maintenance and Operation of the Project. In the event revenues of the Project may be pledged to pay the Notes, the Issuer will cause the Project to be kept in good repair and good operating condition, causing to be made from time to time all necessary repairs thereto and renewals and replacements thereof, and will not permit waste, impairment or deterioration of the Project, but will cause the Project to be operated in a prudent and professional manner so as to generate sufficient revenues to repay the Notes in full and cover all operating expenses while the Notes are Outstanding.

Section 513. Additional Covenants of the Issuer.

(a) So long as any of the Notes shall be Outstanding, the Issuer shall do or cause to be done all things necessary to preserve and keep in full force and effect its existence and will comply in all material respects with all applicable laws.

(b) The Issuer shall not incur any expense with regard to the Project other than what is necessary to perform its obligations under this Indenture, and to comply with all applicable laws relative to the Project.

(c) So long as any of the Notes shall be Outstanding, the Issuer will not convey, or cause itself to become obligated to convey any interest in the Project to any party other than the Trustee, except for leasehold interests to tenants or transfer of title to a non-profit corporation created by the Issuer for least of the Project to the Issuer in conjunction with a remarketing of the Notes, and which transfer will not, in the opinion of Bond Counsel, subject interest on the Notes to federal income taxation.

(d) No private use shall be made of the Project without the opinion of Bond Counsel that such will not subject interest on the Notes to federal income taxation.

(e) The Issuer will proceed with due diligence to provide the Project, secure Alternate Security and cause remarketing of the Notes.

URBAN RENEWAL REVENUE NOTES CONTINUED:

(f) Issuance of the Notes and their remarketing as general obligations will not cause the Issuer to exceed any statutory debt limits.

ARTICLE VI

DEFAULT PROVISIONS AND REMEDIES OF TRUSTEE AND BOND OWNERS

Section 601. Events of Default. Each of the following shall be an "event of default":

(a) default in the due and punctual payment of any interest on any Note; or

(b) default in the due and punctual payment of the principal of or premium on any Note whether at the stated maturity thereof, or on proceedings for redemption thereof, or on the maturity thereof by declaration; or

(c) in the event revenues of the Project are pledged to pay debt service on the Notes, failure of the Issuer to perform or observe any other of the covenants, agreements or conditions on its part in this Indenture or the Notes, and the continuation thereof for a period of twenty (20) days after written notice thereof by the Trustee to the Issuer.

Section 602. Acceleration. If an event of default shall occur and be continuing the Trustee may, and upon the written request of the owners of not less than 25% in aggregate principal amount of Notes then outstanding with respect to which there is a default shall, by notice in writing delivered to the Issuer and the Issuer, declare the principal of all Notes then Outstanding and the interest accrued thereon immediately due and payable without premium, and such principal and interest shall thereupon become and be immediately due and payable, provided there shall be no acceleration of any Note which has not been subject to Special Mandatory Tender.

Section 603. Remedies.

(a) Upon the occurrence of an event of default, the Trustee shall have the power to proceed with any right or remedy granted by the charter and laws of or governing the State, as it may deem best, including any performance of any covenant or agreement contained herein or for the enforcement of any proper legal or equitable remedy as the Trustee shall deem most effectual to protect the rights aforesaid, insofar as such may be authorized by law.

(b) In particular, and without limitation:

URBAN RENEWAL REVENUE NOTES CONTINUED:

(i) if the revenues of the Project are pledged to secure the Notes, the Trustee may take possession of, or it shall be lawful for the Trustee or such officer or agent as it may appoint to take possession of all or any part of the property granted and conveyed to the Trustee in the Granting Clause hereof, together with the books, papers and accounts of the Issuer pertaining thereto, and operate the Project, either directly or through an agent or receiver, and to take such steps as it may deem necessary to appoint such an agent or receiver. While in possession of such property the Trustee shall make available annually to the Issuer and to the Note owners, at their request, an accounting of the financial operation of the Project; or

(ii) by mandamus or other suit, action or proceeding at law or in equity, to enforce the payment of the principal of, premium if any, or interest on the Notes then Outstanding, or for the specific performance of any covenant or agreement contained herein, or to require the Issuer to carry out any other covenant or agreement with Note owners and to perform its duties under the Act.

(c) No remedy by the terms of this Indenture conferred upon or reserved to the Trustee or to the Note owners is intended to be exclusive of any other remedy, but each and every such remedy shall be cumulative and shall be in addition to any other remedy given to the Trustee or to the Note owners hereunder or now or hereafter existing at law or in equity or by statute. No delay or omission to exercise any right or power accruing upon any default or event of default shall impair any such right or power or shall be construed to be a waiver of such default or event of default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. No waiver of any default or event of default hereunder, whether by the Trustee or by the Note owners, shall extend to or shall affect any subsequent default or event of default or shall impair any rights or remedies consequent thereto.

Section 604. Rights of Note Owners. If an event of default shall have occurred with respect to the Notes, and if requested by the owners of not less than 25% in aggregate principal amount of Notes then Outstanding with respect to which there is a default, and if indemnified as provided herein, the Trustee shall be obliged to exercise such one or more of the rights and powers conferred by this Article as the Trustee, being advised by counsel, shall deem most expedient in the interest of the Note owners. Anything in this Indenture to the contrary notwithstanding, the owners of a majority in aggregate principal amount of Notes then Outstanding are authorized and entitled, by

URBAN RENEWAL REVENUE NOTES CONTINUED:

a writing executed and delivered to the Trustee, to direct the time, method and place of conducting all proceedings to be taken in connection with the enforcement of the terms and conditions of this Indenture, or for the appointment of a receiver or any other proceedings hereunder, in accordance with the provisions of law and of this Indenture.

Section 605. Waiver by Issuer. Upon the occurrence of an event of default, to the extent that such right may then lawfully be waived, neither the Issuer, nor anyone claiming through or under it, shall set up, claim, or seek to take advantage of any appraisal, valuation, stay, extension or redemption laws now or hereinafter in force, in order to prevent or hinder the enforcement of the Indenture and the Issuer, for itself and all who may claim through or under it, hereby waives, to the extent that it lawfully may do so, the benefit of all such laws and all right of appraisement and redemption to which it may be entitled under the laws of the State.

Section 606. Application of Moneys. Any moneys received by the Trustee pursuant to this Article shall be applied in the following order, at the date or dates fixed by the Trustee and, in the case of the distribution of such money on account of principal, or premium, if any, or interest, upon presentation of Notes, and notation thereon of the payment if only partially paid and upon surrender thereof if fully paid:

(a) to the payment of any amounts due the Trustee under Section 706; and

(b) to the payment of all amounts then due or anticipated to be due on the Notes for principal, premium, if any, and interest, in respect of which or for the benefit of which money has been collected (other than Notes which have matured or otherwise become payable prior to such event of default and money for the payment of which is held in the Note Principal and Interest Fund), ratably without preference or priority of any kind, according to the amounts due and payable on such Notes, for principal, premium, if any, and interest; and

(c) to the payment of such amounts due the Remarketing Agent pursuant to Article XI hereof and the Remarketing Agreement; and

(d) any remaining amount, to the Issuer.

Section 607. Remedies Vested in Trustee. All rights of action, including the right to file proof of claims, under this Indenture or under any of the Notes may be enforced by the Trustee without the possession of any of the Notes or the production thereof in any trial or other proceedings relating

URBAN RENEWAL REVENUE NOTES CONTINUED:

thereto and any such suit or proceeding instituted by the Trustee shall be brought in its name as Trustee without the necessity of joining as plaintiffs or defendants any owners of the Outstanding Notes, and any recovery of judgment shall be for the benefit as provided herein of the owners of the Outstanding Notes.

Section 608. Remedies of Note Owners. No owner of any Note shall have any right to institute any suit, action or proceeding in equity or at law for the enforcement of this Indenture or for the execution of any trust hereunder or for the appointment of a receiver or any other remedy hereunder, unless:

(a) a default shall have occurred of which the Trustee shall have been notified as provided herein;

(b) such default shall have become an event of default;

(c) the owners of at least 25% in aggregate principal amount of Notes then Outstanding with respect to which there is a default shall have made written request to the Trustee and shall have afforded the Trustee a reasonable opportunity either to proceed to exercise the powers hereinbefore granted or to institute such action, suit or proceeding in its or their name;

(d) such owners shall have offered to the Trustee indemnity as provided herein; and

(e) the Trustee shall within sixty (60) days thereafter fail or refuse to exercise the powers hereinbefore granted, or to institute such action, suit or proceeding

it being understood and intended that no one or more owners of the Notes shall have any right in any manner whatsoever to affect, disturb or prejudice the lien of this Indenture or the right of any other owners of Notes or to obtain priority or preference over any other owners to enforce any right under this Indenture, except in the manner herein provided and for the equal and ratable benefit of all owners of Notes with respect to which there is a default.

Section 609. Termination of Proceedings. In case the Trustee shall have proceeded to enforce any right under this Indenture by the appointment of a receiver, by entry or otherwise, and such proceedings shall have been discontinued or abandoned for any reason, or shall have been determined adversely, then and in every such case the Issuer and the Trustee shall be restored to their former positions and rights hereunder with respect to the Trustee Estate herein conveyed, and all

URBAN RENEWAL REVENUE NOTES CONTINUED:

rights, remedies and powers of the Trustee shall continue as if no such proceedings had been taken.

Section 610. Waivers of Events of Default. The Trustee shall waive any event of default hereunder and its consequences and rescind any declaration of maturity of principal of and interest on the Notes upon the written requests the owners of a majority in aggregate principal of and interest on the Notes then Outstanding with respect to which there is a default; provided, however, that there shall not be waived (a) any event of default in the payment of the principal of any Outstanding Notes at the date of maturity specified therein, or upon proceedings for mandatory redemption, or (b) any default in the payment when due of the interest or premium of any such Notes, unless prior to such waiver or rescission, all arrears of interest, with interest (to the extent permitted by law) at the annual rate borne by the Notes in respect of which such default shall have occurred on overdue installments of interest, or all arrears of payments of principal or premium, if any, when due (whether at the stated maturity thereof or upon proceedings for mandatory redemption) as the case may be, and all expenses of the Trustee, in connection with such default shall have been paid or provided for, and in case of any such waiver or rescission, or in case any proceeding taken by the Trustee on account of such default shall have been discontinued or abandoned or determined adversely, then and in every such case the Issuer, Trustee and Note owners shall be restored to their former positions and rights hereunder respectively, but no such waiver or rescission shall extent to any subsequent or other default or impair any right consequent thereto.

ARTICLE VII

THE TRUSTEE

Section 701. Certain Duties and Responsibilities.

(a) Except during the continuance of an event of default:

(i) the Trustee undertakes to perform such duties and only such duties as are specifically set forth in this Indenture, and no implied covenants or obligations shall be read into this Indenture against the Trustee; and

(ii) in the absence of bad faith on its part, the Trustee may conclusively rely, as to the truth of the statements and the correctness of the opinions expressed therein, upon certificates or opinions furnished to the Trustee and conforming to the requirements of this Indenture; but in the case of any such certificates or opinions which by any provision hereof are specifically required to be furnished to the Trustee, the Trustee shall

URBAN RENEWAL REVENUE NOTES CONTINUED:

be under a duty to examine the same to determine whether or not they conform to the requirements of this Indenture.

(b) In case an event of default has occurred and is continuing, the Trustee shall exercise such of the rights and powers vested in it by this Indenture and use the same degree of care and skill in their exercise as a prudent man would exercise or use under the circumstances in the conduct of his own affairs. Except in the case of an event of nonpayment, an event of default for purposes of this paragraph will be deemed to occur upon the Trustee's receipt of written notice of the facts which constitute the default, such notice given by any party to this Indenture or any of the documents referenced herein, or by any Note owner.

(c) No provision of this Indenture shall be construed to relieve the Trustee from liability for its own negligent action, its own negligent failure to act, or its own willful misconduct, except that:

(i) this Subsection shall not be construed to limit the effect of Subsection (a) of this Section; and

(ii) the Trustee shall not be liable with respect to any action taken or omitted to be taken by it in good faith in accordance with the direction of the owners of a majority in principal amount of the Outstanding Notes relating to the time, method and place of conducting any proceeding for any remedy available to the Trustee, or exercising any trust or power conferred upon the Trustee, under this Indenture.

(d) No provisions of this Indenture shall require the Trustee to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder, or in the exercise of any of its rights or powers, if there shall be reasonable grounds for believing that repayment of such funds or adequate indemnity against such risk or liability is not reasonably assured to it, except that this paragraph does not apply to the duty to give notices which are required by the terms hereof.

(e) Whether or not therein expressly so provided, every provision of this Indenture relating to the conduct or affecting the liability of or affording protection to the Trustee shall be subject to the provisions of this Section.

(f) Seven (7) days prior to each date for payment of interest on or principal of the Notes, the Trustee shall determine whether there are or are reasonably anticipated to be sufficient moneys to make such payments and, if not, shall take the action set forth in Section 406 and 603.

URBAN RENEWAL REVENUE NOTES CONTINUED:

Section 702. Notice of Default. Except for the giving of a notice of default to the Issuer by the Trustee immediately upon the Trustee's knowledge of such default as provided by Section 601(c), within thirty (30) days after the Trustee has knowledge of the occurrence of any default hereunder, the Trustee shall transmit by mail, to the Issuer and to the owners of all Notes then Outstanding with respect to which there is a default, notice of such default hereunder known to the Trustee, unless such default shall have been cured or waived; provided, however, that, except in the case of default in the payment of the principal of (or premium, if any) or interest on any Note when due, the Trustee shall be protected in withholding such notice if and so long as the Trustee in good faith determines that the withholding of such notice is not contrary to the interests of the owners of the Notes. For the purpose of this Section, the term "default" means any event which is, or after notice of lapse of time or both would become, an event of default.

Section 703. Certain Rights of Trustee. Except as otherwise provided in this Article VII:

(a) the Trustee may rely and shall be protected in acting or refraining from acting upon any resolution, certificate, statement, instrument, opinion, report, notice, request, direction, consent, order or other paper or document reasonably believed by it to be genuine and to have been signed or presented by the proper party or parties;

(b) any request or order of the Issuer mentioned herein shall be sufficiently evidenced by an order signed by an authorized representative of the Issuer and any resolution of the City Council may be sufficiently evidenced by a certificate of the City Clerk of the Issuer;

(c) whenever in the administration of this Indenture the Trustee shall deem it desirable that a matter be proved or established prior to taking, suffering or omitting any action hereunder, the Trustee (unless other evidence be herein specifically prescribed) may, in the absence of bad faith on its part, rely upon a certificate of an authorized representative of the Issuer;

(d) the Trustee may consult with counsel and the written advice of such counsel shall be full and complete authorization and protection in respect of any action taken, suffered or omitted by it hereunder in good faith and in reliance thereon:

(e) the Trustee shall be under no obligation to exercise any of the rights or powers vested in it by this Indenture at the request or direction of any of the owners of the Notes pursuant to this Indenture, unless such owners shall have offered to the Trustee reasonable security or

URBAN RENEWAL REVENUE NOTES CONTINUED:

indemnity against the costs, expenses and liabilities which might be incurred by it in compliance with such request or direction;

(f) the Trustee shall not be bound to make any investigation into the facts or matters stated in any resolution, certificate, statement, instrument, opinion, report, notice, request, direction, consent, order or other paper or document but the Trustee, in its discretion, may make such further inquiry or investigation into such facts or matters as it may see fit, and, if the Trustee shall determine to make such further inquiry or investigation, it shall be entitled to examine the books, records and premises of the Issuer, personally or by its agent or attorney; and

(g) the Trustee may execute any of the trusts or powers hereunder or perform any duties hereunder either directly or by or through agents or attorneys and the Trustee shall not be responsible for any misconduct or negligence on the part of any agent or attorney appointed with due care by it hereunder.

Section 704. Trustee Not Responsible for Recitals or Issuance of Notes. The recitals contained herein and in the Notes, except the certificates of authentication, shall be taken as the statements of the Issuer, and the Trustee assumes no responsibility for their correctness. The Trustee make no representations as to the validity or sufficiency of this Indenture or of the Notes.

Section 705. Trustee May Own Notes. The Trustee in its individual or any other capacity, may become the owner or pledgee of Notes and may otherwise deal with the Issuer with the same rights it would have if it were not Trustee.

Section 706. Trustee's Compensation and Reimbursement. Subject to Section 606 hereof, the Issuer agrees, to the extent of funds available for such purposes under the Indenture after all payments due to Note owners are adequately provided for as required by Section 403(a):

(a) to pay to the Trustee from time to time reasonable compensation for all services rendered by it hereunder, as Trustee, paying agent, Note registrar, and Tender Agent (which compensation shall not be limited by any provision of law in regard to the compensation of a trustee of an express trust but may be limited by any agreement between the Issuer and the Trustee with respect thereto);

(b) except as otherwise expressly provided herein or in any other agreement between the Issuer and the Trustee, to reimburse the Trustee upon its request for all reasonable expenses, disbursements and advances incurred or made by the

URBAN RENEWAL REVENUE NOTES CONTINUED:

Trustee in accordance with any provision of this Indenture (including the reasonable compensation and the expenses and disbursements of its agents and counsel), except any such expense, disbursement or advance as may be attributable to its negligence or bad faith; and

(c) to indemnify the Trustee for, and to hold it harmless against, any loss, liability or expense incurred without negligence or bad faith on its part, arising out of or in connection with the acceptance or administration of this trust, including the costs and expenses of defending itself against any claim or liability in connection with the exercise or performance of any of its powers or duties hereunder.

Section 707. Successor Trustee. Any corporation or association into which the Trustee may be converted or merged, or with which it may be consolidated or to which it may sell or transfer its trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a part shall, ipso facto, be and become successor Trustee hereunder and vested with all the title to the whole property or trust estate and all the trusts, powers, discretions, immunities, privileges and all other matters as was its predecessor, without the execution or filing of any instruments or any further act, deed or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

Section 708. Resignation by the Trustee. The Trustee and any successor Trustee may at any time resign from the trusts hereby created by giving thirty (30) days' written notice to the Issuer and by registered or certified mail to each owner of the Notes then Outstanding, and such resignation shall take effect at the end of such thirty (30) days, provided that, if a successor Trustee has not yet been appointed by the Note owners or by the Issuer and the successor Trustee has not yet received an assignment of the Deed of Trust and related documents and funds in accordance with Section 710 hereof, then such resignation shall take effect only upon such appointment of a successor Trustee and the accomplishment of such assignment. Such notice to the Issuer may be served personally or sent by registered or certified mail.

Section 709. Removal of the Trustee. The Trustee may be removed at any time by an instrument or concurrent instruments in writing delivered to the Trustee and, the Issuer, and signed by the owners of a majority in aggregate principal amount of all Notes then Outstanding.

Section 710. Appointment of Successor Trustee by the Note Owners; Temporary Trustee. In case the Trustee hereunder

URBAN RENEWAL REVENUE NOTES CONTINUED:

shall resign or be removed, or be dissolved, or shall be in course of dissolution or liquidation, or otherwise become incapable of acting hereunder, or in case it shall be taken under the control of any public officer or officers, or of a receiver appointed by a court, a successor may be appointed by the owners of a majority in aggregate principal amount of Notes then outstanding, by an instrument or concurrent instruments in writing signed by such owners, or by their duly authorized attorneys, provided, nevertheless, that in case of vacancy, the Issuer, by an instrument executed by the Mayor and attested by the City Clerk under seal of the Issuer, may appoint a temporary Trustee to fill such vacancy until a successor Trustee shall be appointed by such Note owners in the manner above provided; and any such temporary Trustee so appointed by the Issuer shall immediately and without further act be superseded by the Trustee so appointed by such Note owners upon such successor's acceptance of its appointment. Every such Trustee appointed pursuant to the provisions of this Section shall be a trust company or commercial bank organized under the laws of the united States of America or any state thereof, shall be in good standing within its jurisdiction of organization and also the State if organized outside the State, shall be duly authorized to exercise trust powers, shall be subject to examination by federal or state authority shall have a reported capital and surplus of not less than $50,000,000, and shall be willing, qualified and able in all other respects to accept the trust upon reasonable or customary terms.

Section 711. Concerning Any Successor Trustee. Every successor Trustee appointed hereunder shall execute, acknowledge and deliver to its predecessor and also to the Issuer an instrument in writing accepting such appointment hereunder and accepting assignment of the Trustee Estate of Deed of Trust to it as trustee, and thereupon such successor, without any further act, deed or conveyance, shall become fully vested with all the estates, properties, rights, powers, trusts, duties and obligations of its predecessor; but such predecessor shall, nevertheless, on the written request of the Issuer, or of its successor, and upon payment of all amounts due such predecessor, execute and deliver an instrument transferring to such successor Trustee all the estates, properties, rights, powers and trusts of such predecessor hereunder; and every predecessor Trustee shall deliver all securities and moneys held by it as Trustee hereunder to its successor. Should any instrument in writing from the Issuer be required by a successor Trustee for more fully and certainly vesting in such successor the estate, rights, powers and duties hereby vested or intended to be vested in the predecessor, any such instrument and any instruments removing any Trustee and appointing a successor hereunder, together with all other instruments provided for in this Article shall be filed and/or recorded by the successor Trustee in each recording office where the Indenture or notice thereof shall have been filed and/or recorded.

URBAN RENEWAL REVENUE NOTES CONTINUED:

Section 712. Successor Trustee as Trustee, Paying Agent, Note Registrar, and Tender Agent. In the event of a change in the office of Trustee, the predecessor Trustee which shall have resigned or shall have been removed shall cease to be Trustee, paying agent on the Notes, Note Registrar, and Tender Agent and the successor Trustee shall become such Trustee, paying agent on the Notes, Note Registrar, and Tender Agent.

Section 713. Appointment of a Separate Trustee or Co-Trustee. It is a purpose of this Indenture that there shall be no violation of any law of any jurisdiction, including particularly the law of the State denying or restricting the right of banking corporations or associations to transact business as Trustee in such jurisdiction. It is recognized that in case of litigation under this Indenture or any of the instruments referred to herein or contemplated hereby, or enforcement of the Indenture or any such instruments on on default, or in case the Trustee deems that by reason of any present or future law of any jurisdiction it may not exercise any of the powers, rights or remedies herein granted to the Trustee or hold title to the Trust Estate, in trust, as herein granted, or take any other action which may be desirable or necessary in connection therewith, it may be necessary that the Trustee appoint an additional individual or institution as a separate trustee or co-trustee, and the Trustee is hereby authorized to do so, provided that such separate Trustee or co-Trustee meets the qualifications set forth for the Trustee in Section 710. Each and every remedy, power, right, claim, demand, cause of action, immunity, estate, title, interest and lien expressed or intended by this Indenture to be exercised by or vested in or conveyed to the Trustee with respect thereto shall be exercisable by and vest in such separate trustee or co-trustee to exercise such powers, rights and remedies, and every covenant and obligation necessary to the exercise thereof by such separate trustee or co-trustee shall run to and be enforceable by either the Trustee or such separate trustee or co-trustee.

Should any instrument in writing from the Issuer be required by the separate trustee or co-trustee so appointed by the Trustee for more fully and certainly vesting in and confirming to him or it such properties, rights, powers, trusts, duties and obligations, any and all such deeds, conveyances and instruments in writing shall, on request, be executed, acknowledged and delivered by the Issuer. In case any separate trustee or co-trustee, or a successor to either, shall become incapable of acting or resign or be removed, all the estates, properties, rights, powers, trusts, duties and obligations of such separate trustee or co-trustee, so far as permitted by law, shall vest in and be exercised by the Trustee until the appointment of a new trustee or successor to such separate trustee or co-trustee.

URBAN RENEWAL REVENUE NOTES CONTINUED:

ARTICLE VIII

SUPPLEMENTAL INDENTURES
AND MODIFICATION OF DOCUMENTS

Section 801. Supplemental Indentures Not Requiring Consent of Note Owners. The Issuer and the Trustee may without the consent of, or notice to, any of the Note owners enter into an indenture or indentures supplemental to this Indenture as shall not be inconsistent with the terms and provisions hereof or materially adverse to the owners of the Notes for any one or more of the following purposes:

(a) to cure any ambiguity or formal defect or omission in this Indenture;

(b) to assign additional revenue or accept additional security and instruments of further assurance with respect to the Project;

(c) to accept qualified Alternate Security as provided for herein and to make changes hereto necessary or convenient in connection therewith; provided that it is the intent of the parties that no novation of obligations be effected thereby;

(d) to grant to or confer upon the Trustee for the benefit of the Note owners any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the Note owners or the Trustee or either of them;

(e) to issue Additional Notes pursuant to Section 212 hereof;

(f) to modify, amend or supplement this Indenture or any indenture supplemental hereto in such manner as to permit the qualification hereof and thereof under the Trust Indenture Act of 1939 or any similar federal statute hereafter in effect or under any state Blue Sky Law; or

(g) to modify, amend, alter or supplement this Indenture in any other respect which is not, in the judgment of the Trustee, materially adverse to the interests of the Note owners and which is for any lawful purpose, including any change necessary at the request of a rating agency as prerequisite to obtaining a higher rating for the Notes than would otherwise be conferred, or so as to harmonize to the maximum extent practicable the provisions hereof with existing laws, rules, regulations and procedures of the State or the United States including the income tax laws thereof and rules, regulations, and procedures pertaining thereto.

Section 802. Supplemental Indentures Requiring Consent of Note Owners. The owners of not less than two-thirds in

URBAN RENEWAL REVENUE NOTES CONTINUED:

aggregate principal amount of the Notes then Outstanding, shall have the rights, from time to time, anything contained in this Indenture to the contrary notwithstanding, to consent to and approve, or deny consent or approval of, the execution by the Issuer and the Trustee of such indenture or indentures supplemental hereto as shall be deemed necessary and desirable by the Issuer for the purpose of modifying, altering, amending, adding to or rescinding, in any particular, any of the terms or provisions contained in this Indenture or in any supplemental indenture; provided, however, that nothing contained in this section shall permit, or be construed as permitting:

(a) an extension of the stated maturity of, reduction in the principal amount of, reduction in the interest rate of, extension of the time for payment of interest on, or reduction of any premium payable on the redemption of, any Notes, without the consent of the owner of each such Note;

(b) except as provided in Section 211 hereof, the creation of any lien prior to, on a parity with, or subordinate to, the lien of this Indenture, without the consent of al owners of outstanding Notes;

(c) a reduction in the percentage of aggregate principal amount of Notes, the owners of which are required to consent to any such supplemental indenture, without the consent of the owners of all the Notes at the time Outstanding which would be affected adversely by the action to be taken;

(d) a modification of the rights, duties or immunities of the Trustee, without the written consent of the Trustee; or

(e) creation of a privilege or priority of any Note or Notes over any other Note or Notes without the consent the owners of all Notes at the time Outstanding which would be affected adversely by the action to be taken.

If at any time the Issuer shall request the Trustee to enter into any such supplemental indenture for any of the purposes of this Section, the Trustee shall, upon being satisfactorily indemnified with respect to expenses, cause notice of the proposed execution of such supplemental indenture to be mailed, postage prepaid, to all Note owners. Such notice shall briefly set forth the nature of the proposed supplemental indenture and shall state that copies thereof are on file at the corporate trust office of the Trustee for inspection by all Note owners. If, within sixty (60) days of such longer period as shall be prescribed by the Issuer following the mailing of such notice, the owners of not less than two-thirds in aggregate principal amount of the Notes Outstanding at the time of the execution of any such supplemental indenture shall have consented to and

URBAN RENEWAL REVENUE NOTES CONTINUED:

approved the execution thereof as herein provided, no owner of any Note shall have any right to object to any of the terms and provisions contained therein, or the operation thereof, or in any manner to question the propriety of the execution thereof, or to enjoin or restrain the Trustee or the Issuer from executing the same or from taking any action pursuant to the provisions thereof. The consent required by the immediately preceding sentence is subject to Section 510(a) hereof. Upon the execution of any such supplemental indenture as in this Section permitted and provided, this Indenture shall be and be deemed to be modified and amended in accordance therewith. The Trustee may rely upon an opinion of counsel as conclusive evidence that execution and delivery of a supplemental indenture has been effected in compliance with the provisions of this Article.

Section 803. Modification of Documents.

(a) The Issuer and/or the Trustee, without the consent of or notice to the Note owners, may consent to any amendment, change or modification of documents referenced hereto which they are a party as may be required (i) by the provisions of such documents, (ii) for the purpose of curing any ambiguity, inconsistency or formal defect or omission in such documents, or (iii) in connection with any other change therein which, in the judgment of the Trustee, is not materially adverse to the Note owners, for any lawful purpose including a request of a rating agency as prerequisite to obtaining a higher rating on the Notes than would otherwise be conferred, or so as to harmonize to the maximum extent practicable the provisions thereof with existing laws, rules, regulations and procedures of the State or the United States, including the income tax laws thereof and rules, regulations, and procedures pertaining thereto.

(b) Without limitation of the foregoing, the Issuer and/or the Trustee may execute or accept modifications to or substitutions for the documents referenced herein insofar as reasonably necessary or convenient to accept qualified Alternate Security as provided for herein.

ARTICLE IX

SATISFACTION AND DISCHARGE OF INDENTURE

Section 901. Discharge of Lien. If the Issuer shall pay or cause to be paid to the owners of the Notes the principal, redemption premium (if any), and interest to become due thereon at the times and in the manner stipulated therein and herein, and shall have paid all fees and expenses of the Trustee and the Remarketing Agent and if the Issuer shall keep, perform and observe all and singular the covenants and promises in the Notes and in this Indenture expressed as to be kept, performed and observed by it or on its part, then these presents and the estate and rights hereby granted shall, at the option of the Issuer,

URBAN RENEWAL REVENUE NOTES CONTINUED:

cease, determine and be void, and thereupon the Trustee shall cancel and discharge the lien of this Indenture and execute and deliver to the Issuer such instruments in writing as shall be requisite to satisfy the lien hereof, and reconvey to the Issuer the estate hereby conveyed, assign and deliver to the Issuer any interest in property at the time subject to the lien of this Indenture which may then be in its possession, except amount held by the Trustee for the payment of principal of, premium if any, and interest on the Notes and any necessary related costs. Notwithstanding the foregoing, the Indenture shall remain in effect for an additional period which shall not be longer than necessary, but in no event more than four (4) months, to permit the Trustee to take any required action under Section 407.

All Outstanding Notes shall prior to the maturity or redemption date thereof be deemed to have been paid within the meaning and with the effect expressed in the first paragraph of this section if, under circumstances which do not render interest on the Notes subject to federal income taxation, the following conditions shall have been fulfilled: (a) in case any of the Notes are to be redeemed on any date prior to their maturity, the Issuer shall have given to the Trustee in form satisfactory to it irrevocable instructions to publish notice of redemption of the Notes on said date as provided in Article III hereof; and (b) there shall be on deposit with the Trustee Available Monies in the form of either moneys or direct non-callable obligations of, or non-callable obligations guaranteed as to the payment of principal and interest by, the United States of America, which have been purchased with Available Monies, in an aggregate amount sufficient to pay when due the principal or redemption price, if applicable, and interest due and to become due on the Notes on and prior to the redemption date or maturity date thereof, as the case may be. The sufficiency of the funds so deposited must be confirmed by a qualified certified public accountant, or a qualified firm of certified public accountants.

Section 902. Investment of Funds upon Discharge of Indenture. Moneys invested in any Fund from and after the discharge of the Indenture pursuant to this Article IX shall not be invested at a yield in excess of that of the Notes, as determined in accordance with Section 148 of the Code and applicable rulings and regulations, unless the Issuer receives an opinion of Bond Counsel that such investment will not adversely affect the exemption of interest on the Notes from federal income taxation.

URBAN RENEWAL REVENUE NOTES CONTINUED;

ARTICLE X

MISCELLANEOUS

Section 1001. Consents and Other Instruments of Note Owners. Any consent, request, direction, approval, waiver, objection, appointment or other instrument required by this Indenture to be signed and executed by the Note owners or may be signed and executed in any number of concurrent writings of similar tenor and may be signed or executed, as applicable, by such Note owners in person or by an agent appointed in writing. Proof of the execution of any such instrument, if made in the following manner, shall be sufficient for any of the purposes of this Indenture, and shall be conclusive in favor of the Trustee with regard to any action taken under such instrument, namely:

(a) the fact and date of the execution by any person of any such instrument may be provided by the affidavit of a witness of such execution or by the certificate of any notary public or other officer of any jurisdiction, authorized by the laws thereof to take acknowledgements of deeds, certifying that the person signing such instrument acknowledged to him the execution thereof. Where such execution is by an officer of a corporation or association or a member of a partnership on behalf of such corporation, association or partnership, such affidavit or certificate shall also constitute sufficient proof of his authority;

(b) the ownership of Notes shall be proved by the Note Register;

(c) any request, consent or vote of the owner of any Note shall bind every future owner of the same Note and the owner of every Note issued in exchange therefor or in lieu thereof, in respect of anything done or permitted to be done by the Trustee or the Issuer pursuant to such request, consent or vote; and

(d) in determining whether the owners of the requisite aggregate principal amount of Notes have concurred in any demand, request, direction, consent or waiver under this Indenture, Notes which are owned by the Issuer or by any person directly or indirectly controlling or controlled by or under direct or indirect common control with the Issuer shall be disregarded and deemed not to be Outstanding for the purpose of determining whether the Trustee shall be protected in relying on any such demand, request, direction, consent or waiver. Only Notes which the Trustee knows to be so owned shall be disregarded. Notes so owned which have been pledged in good faith may be regarded as Outstanding for the purposes of this Section if the pledgee shall establish to the satisfaction of the Trustee the pledgee's right to vote such Notes. In case of a dispute as such

URBAN RENEWAL REVENUE NOTES CONTINUED:

right, any decision by the Trustee taken upon the advice of counsel shall be full protection to the Trustee.

Section 1002. Limitation of Rights. With the exception of rights herein expressly conferred, nothing expressed or to be implied from this Indenture or the Notes is intended or shall be construed to give to any person other than the parties hereto or the owners of the Notes any legal or equitable right, remedy or claim under or in respect to this Indenture or any covenants, conditions and provisions hereof.

Section 1003. Severability. If any provision of this Indenture shall be held or deemed to be, or shall in fact be inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution, statute, rule or law or public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstances, or of rendering any other provision unenforceable to any extent whatever.

The invalidity of any one or more phrases, sentences, clauses or sections in the Indenture contained, shall not affect the remaining portions of this Indenture, or any part thereof.

Section 1004. Arbitrage. No part of the proceeds of the Notes or any of the Funds provided for in this Indenture shall at any time be used directly or indirectly to acquire securities or obligations the acquisition of which would cause any of the Notes to be an arbitrage bond as defined in Section 148 of the Code subject to treatment under said Section as an obligation the interest on which is not excludable from gross income under Subsection (a) of said Section.

Section 1005. Notices. All notices, certificates or other communications hereunder shall be written shall be sufficiently given shall be deemed given when mailed by certified or registered mail, postage prepaid, or dispatched by telegram, telecopy if the original is also mailed, or an overnight delivery service regularly used at the time for business communications, addressed as follows (or such other addresses as addressee may from time to time provide to the parties hereto in writing, specifically directing that the same be substituted for the address previously used hereunder):

If to the Issuer: City of Picayune
Attn: City Clerk
City Hall
203 Goodyear Blvd.
Picayune, MS 39466

URBAN RENEWAL REVENUE NOTES CONTINUED:

If to the Trustee: Hancock Bank
Attn: Corporate Trust Officer
One Hancock Plaza
Gulfport, MS 39501

Section 1006. Trustee as Paying Agent and Note Registrar. The Trustee is hereby designated and agrees to act as paying agent and Note Registrar for and in respect to the Notes.

Section 1007. Payment Due on Saturdays, Sundays and Holidays. In any case where the date of maturity of interest on principal of the Notes, or the date fixed for redemption of any Notes, shall be a Saturday, Sunday, legal holiday or a day on which banking institutions are authorized by law to close, then payment of interest or principal need not be made on such date but may be made on the next succeeding business day with the same force nd effect as if made on the date of maturity or the date fixed for redemption, and no interest shall accrue for the period after such date.

Section 1008. Counterparts. This Indenture may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 1009. Laws Governing Indenture and Situs and Administration of Trust. The effect and meanings of this Indenture and the rights of all parties hereunder shall be governed by, and construed according to, the laws of and governing the State,but it is the intention of the Issuer that the situs of the trust created by this Indenture be in the state or district in which is located the principal office of the Trustee from time to time acting under this Indenture. The word "Trustee" as used in the preceding sentence shall not be deemed to include any additional individual or institution appointed as a separate or co-trustee pursuant to the Indenture.

Section 1010. No Recourse. No recourse under or upon any obligation, covenant, or agreement contained in the Indenture or in any Note or under any judgment obtained against the Issuer, or the enforcement of any assessment, or any legal or equitable proceedings by virtue of any constitution or statute or otherwise or under any circumstances under or independent of the Indenture, shall be had against any incorporator, director, officer, employee or agent as such, past, present or future of the Issuer, either directly or through the Issuer or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to the owner of any Note issued hereunder,or otherwise, of any sum that may be due and unpaid by the Issuer upon such Note. Any and all personal liability of every nature whether at common law or in equity or by statute or by constitution or otherwise of any incorporator, director, officer, employee or agent, as such, to

URBAN RENEWAL REVENUE NOTES CONTINUED:

respond, by reason of any act or omission on his part or otherwise, for the payment for or to the owner of any Note issued hereunder or otherwise of any sum that may remain due and unpaid upon the Notes hereby secured or any of them is, by the acceptance thereof, expressly waived and released as a condition of and in consideration for the execution of the Indenture and the issuance of the Notes.

Section 1011. Successors and Assigns. All the covenants and representations contained in this Indenture, by or on behalf of the Issuer,shall bind and inure to the benefit of its successors and assigns, whether so expressed or not.

Section 1012. Special Notice to Rating Agency. The Trustee shall send prompt written notice to Moody's Investors Service, Municipal Department - 9th Floor, 99 Church Street, New York, New York 10007 of any of the following:

(a) any change in Trustee;

(b) any material change in the Indenture or other documents relating to the Notes;

(c) any Special Mandatory Tender; or

(d) a redemption or defeasance of all Notes.

ARTICLE XI

TENDERS AND REMARKETING

Section 1101. Remarketing Agent. Thorn, Alvis, Welch, Inc. of Jackson, Mississippi is appointed as the Remarketing Agent for purposes of this Article XI. The Remarketing Agent may resign upon sixty (60) day's notice and may be removed by the Issuer provided, however, that the Remarketing Agent may not resign or be changed during a one hundred fifty (150) day period commencing one hundred twenty (120) days prior to a Special Mandatory Tender Date. Successor Remarketing Agent will be appointed by the Issuer. If no successor is appointed, the Trustee will serve as the Remarketing Agent until a successor is appointed, but will have no obligation to remarket Notes. The Remarketing Agent will be paid compensation in connection with their remarketing services as specified by the Remarketing Agreement. Such compensation, if disclosed to the Trustee, may be paid as Project Costs and otherwise shall be the sole responsibility of the Issuer pursuant to the Remarketing Agreement.

Section 1102. Special Mandatory Tender. The Notes are subject to Special Mandatory Tender as a whole or in part on any interest payment date from March 13, 1990 to March 13, 1992, inclusive. Each Noteholder receiving notice of a Special

URBAN RENEWAL REVENUE NOTES CONTINUED:

Mandatory Tender shall be entitled to execute a Waiver of Mandatory Tender, provided that Bond Counsel has provided a written opinion to the Trustee to the effect that such a waiver may lawfully be accepted. No Note owner has the right to have his Notes excluded from such Special Mandatory Tender. A Notice of Special Mandatory Tender will be sent to all affected owners of the Notes at least thirty (30) days prior to the Special Mandatory Tender Date, and such notice shall advise as to the address of the Tender Agent to which tendered Notes shall be delivered. Each affected Note owner who does not execute a Waiver of Mandatory Tender is obligated to so deliver his Note on the applicable Mandatory Tender Date, with the transfer form printed thereon executed in blank. A Noteholder executing a Waiver of Mandatory Tender shall likewise deliver his Notes to the Trustee, and a remarketed Note will be returned to any Noteholder who has properly executed a Waiver of Mandatory Tender for that Note. All Notes shall be deemed so delivered to the Tender Agent on such date, whether or not in fact so delivered. On the Special Mandatory Tender Date, all affected Notes shall either be purchased in connection with a remarketing, exchanged for a remarketed Note or redeemed as set forth in Article III hereof.

Section 1103. Reset Rates. The interest rates for the Notes commencing on the Special Mandatory Tender Date, shall be determined by the Remarketing Agent, as set forth in this Section 1103 unless the Notes are remarketed as general obligations of the Issuer, in which event the Reset Rates will be established as provided in Section 203(c) hereunder.

Not later than thirty (30) days prior to the Special Mandatory Tender Date Issuer, the Trustee shall notify the Remarketing Agent as to whether the Issuer has provided, or irrevocably committed to provide, Alternate Security which complies with all requirements of this Indenture. Upon such notice, the Remarketing Agent shall undertake to compute the Reset Rates.

The Reset Rates shall be determined by the Remarketing Agent, not later than one day prior to the Special Mandatory Tender Date, as the rate which will permit all Notes which are to remarketed to be sold on the Special Mandatory Tender Date a price exactly equal to the principal amount of such Notes. The Remarketing Agent shall immediately give the Trustee and Issuer notice by telephone, promptly confirmed by written notice, upon the determination of such Reset Rate. In no event will the Reset Rates ever exceed the maximum rate allowed by law, which is 12% of the Alternate Security is the general obligation of the Issuer, or 13% otherwise.

The Reset Rate will be conclusive and binding upon the Trustee, the Issuer, and the owners of all Notes.

URBAN RENEWAL REVENUE NOTES CONTINUED:

Section 1104. Remarketing. Not later than thirty (30) days prior to the Special Mandatory Tender Date, the Trustee shall notify the Remarketing Agent as to whether the Issuer has caused Alternate Security, or an irrevocable commitment to provide same, to be delivered to the Trustee, which Alternate Security complies with all requirements of this Indenture. Upon such notice, the Remarketing Agent shall undertake to remarket all the Notes, in the case of the Special Mandatory Tender. If Alternate Security is not provided in conformity with such a commitment on or before the Special Mandatory Tender Date, Remarketed Notes cannot not be delivered to their prospective purchasers but the entitlement of the Remarketing Agents to compensation for their services would be unaffected.

Title to all remarketed Notes shall be transferred to the purchasers thereof by the Trustee as Note Registrar. Such transfer shall be evidenced by delivery of a new certificate to the transferee in the form provided for herein. The sale price of each Note payable to its prior owners must equal the principal amount thereof, plus accrued interest but without premium. If such price cannot be attained, then the Issuer may specify additional funds, defined herein as Remarketing Proceeds, which shall also be used insofar as the Issuer shall request to achieve payment of the sale price of Notes remarketed. Any Notes which are remarketed, but for which Remarketing Proceeds are insufficient to pay the sale price in full, must be redeemed as described by Section 306 hereof.

URBAN RENEWAL REVENUE NOTES CONTINUED:

IN WITNESS WHEREOF the parties hereto have caused this Indenture to be duly executed and their respective seals to be hereunto affixed and attested, all as of the date and year first above written.

Attest:

Raymond A Seal
City Clerk

(SEAL)

CITY OF PICAYUNE, MISSISSIPPI

By: _____
Mayor

HANCOCK BANK, as Trustee

By: _____
Its: _____

STATE OF MISSISSIPPI)
: ss
COUNTY OF PEARL RIVER)

BEFORE ME, the undersigned authority in and for the State of Mississippi on this day personally appeared _____, and _____, known to me to be the persons whose names are subscribed to the foregoing instrument and known to me to be the Mayor and City Clerk of the City of Picayune, Mississippi, and acknowledged to me that they executed the same for the purposes and consideration therein expressed and in the capacity therein stated, as the act and deed of said Issuer.

GIVEN UNDER MY HAND and seal of office, this the _____ day of _____, 1989.

_____
Notary Public

(SEAL)

My Commission Expires:

_____

STATE OF MISSISSIPPI)
: ss
COUNTY OF)

BEFORE ME, the undersigned authority in and for the State of Mississippi on this day personally appeared _____ of Hancock Bank, known to me to be the person whose name is subscribed to the foregoing instrument and known to me to the _____ of said Bank, and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity stated, as the act and deed of said Bank, having first been duly authorized so to do.

GIVEN UNDER MY HAND and seal of office, this the _____ day of _____, 1989.

_____
Notary Public

(SEAL)

My Commission Expires:

_____

URBAN RENEWAL REVENUE NOTES CONTINUED:

REMARKETING AGREEMENT

THIS AGREEMENT, dated as of March 13, 1989, is by and among the City of Picayune, Mississippi (the "Issuer"); Thorn, Alvis, Welch, Inc. (the "Remarketing Agreement"); and Hancock Bank, a banking association organized under the laws of the State of Mississippi (the "Trustee").

W I T N E S S E T H:

WHEREAS, the Issuer proposes to provide permanent financing for street and drainage improvements, upgrading of the City's wastewater treatment facility, renovation of the City Hall and City Annex, street light improvements, expansion and renovation of the City's Criminal Justice Center and park expansion and upgrading (collectively, the "Project") through the issuance and sale of its Urban Renewal Revenue Notes (Phase I Redevelopment Project) Series 1989 (the "Notes") in the principal amount of $4,100,000; and

WHEREAS, the Issuer is issuing the Notes pursuant to a Trust Indenture, dated as of March 13, 1989 (the "Indenture") by and between the Issuer and the Trustee; and

WHEREAS, the owners of outstanding Notes (the "Noteowners") must tender Notes on the Special Mandatory Tender Dates, all pursuant to terms and conditions set forth in the Indenture; and

WHEREAS, the Issuer desires Thorn, Alvis, Welch, Inc. to provide a mechanism for the purchase of such tendered Notes from the owners thereof and for the sale of such Notes to other owners according to the terms and subject to the conditions described herein, in order to enhance the marketability of the Notes and as an inducement to the purchase of the Notes by all who shall at any time become Noteowners.

NOW, THEREFORE, the parties hereto hereby agree as follows:

Section 1. Capacity and Incorporation. By execution hereof, Thorn, Alvis, Welch, Inc. agrees to assume the duties of the Remarketing Agent as set forth in the Indenture and as more fully set forth below. All provisions of the Indenture, including in particular those of Articles I and XI thereof, are incorporated herein by reference.

Section 2. Interest Rates. For the purpose of remarketing, the remarketed Notes will bear interest at interest rates equal to the Reset Rates determined by the Remarketing Agent, as set forth in Section 1103 of the Indenture. The Reset Rates shall mean fixed rates of interest for each serial maturity

EXHIBIT
C

URBAN RENEWAL REVENUE NOTES CONTINUED:

determined by the Remarketing Agent or as otherwise required under the Indenture in order to resell the Notes offered for remarketing at a price equal to the principal amount thereof plus accrued interest. The Remarketing Agent shall notify the Trustee and the Issuer of its determination of the Reset Rate not later than 2:00 P.M., Central Time in effect, on the Business Day (defined herein as any day on which payments are to be made pursuant to Section 1007 of the Indenture) next preceding the date of purchase of the Notes. Such notice shall be by telephone and confirmed in a writing sent by an overnight delivery service satisfactory to the Trustee, or by telecopy if the original is also mailed.

Section 3. Remarketing Effort. In accordance with the provisions of Article XI of the Indenture, the Remarketing Agent will at the direction of the Issuer use its best efforts to remarket the Notes or the portion thereof tendered. Any such remarketing must be at a price equal to the principal amount of the Notes remarketed plus accrued interest thereon to the date of purchase of the Notes. The Remarketing Agent shall notify the Trustee and the Issuer not later than 2:00 P.M., Central Time in effect, on the Business Day preceding the date of purchase of the Notes as to whether they have so remarketed all the tendered Notes or the aggregate principal amount of those remarketed, if less than all. Such notice shall be by telephone and confirmed in a writing sent by an overnight delivery service satisfactory to the Trustee, or by telecopy if the original is also mailed. If the Remarketing Agent has arranged for the purchase of the Notes tendered for remarketing, the Remarketing Agent shall instruct the purchaser or purchasers thereof that payment must be made on the date specified in the demand or on any later date consented to by the Trustee on behalf of the Noteowner or Noteowners affected, based upon written instruction of such Noteowner(s).

Section 4. Remarketing Agent Not Acting as Underwriter. It is understood and agreed upon by the parties hereto that the Remarketing Agent is only obligated hereunder to act as agent for the Trustee and the Issuer and to use its best efforts to remarket any tendered Notes. The Remarketing Agent shall not act as underwriter for the tendered Notes and is in no way obligated to advance its own funds to purchase any tendered Notes. The Issuer shall undertake to order or prepare any supplemental disclosure documents it or the Remarketing Agent deems required for delivery to offerees.

Section 5. Removal or Resignation of Remarketing Agent. The Remarketing Agent may be removed at any time by an instrument signed by the Issuer and filed with the Trustee and the Remarketing Agent. Removal shall be effective immediately upon receipt of such instrument by the Remarketing Agent. The Remarketing Agent may at any time resign and be discharged of all duties and obligations arising after the date set for

URBAN RENEWAL REVENUE NOTES CONTINUED:

resignation, by sixty (60) days' written notice to the Issuer and the Trustee. Notwithstanding the foregoing, no Remarketing Agent may be removed or resign during a one hundred fifty (150) day period commencing one hundred twenty (120) days prior to any Special Mandatory Tender Date. In the event of the removal or resignation of the Remarketing Agent, the Trustee shall give notice thereof by mail to all Noteowners, and such Agent shall assign and deliver this Remarketing Agreement to its successor.

Section 6. Appointment of Successor Remarketing Agent. If the Remarketing Agent shall resign or be removed pursuant to Section 5 hereof, the Issuer shall appoint a successor. If the Issuer shall not select a Remarketing Agent within thirty (30) days prior to the date set for the Remarketing Agent to resign, or immediately in the case of removal, and there would otherwise be no Remarketing Agent, the Trustee shall appoint a temporary Remarketing Agent to serve until the Issuer has agreed upon a permanent successor Remarketing Agent. If the Trustee shall fail to do so, it shall serve as temporary Remarketing Agent, though with no obligation to remarket Notes. Any temporary Remarketing Agent may later be appointed as the successor Remarketing Agent.

Section 7. Remarketing Agent Compensation. The Remarketing Agent shall charge a fee in such amount as shall be agreed upon by such Agent and the Issuer with respect to each period of service, in an amount which shall be ordinary and customary for such services. The amount of compensation shall be set forth in addenda hereto executed by the Remarketing Agent and the Issuer. Such fee shall be payable on the date set for delivery of the remarketed Notes, subject to the provisions of Article XI of the Indenture.

Section 8. Events of Default. The failure of the Issuer to make or provide for any payment required by this Remarketing Agreement when due shall constitute an "event of default" hereunder and shall entitle the parties hereto to take whatever action at law or in equity, including specific performance, that is necessary or desirable to collect the amounts then due and thereafter to become due to them or to enforce observance or performance of any covenant, condition or agreement of the Issuer hereunder.

Section 9. Amendments. This Remarketing Agreement may be amended from time to time by an instrument in writing executing by all parties hereto, without the consent of the Noteowners.

Section 10. Notices. Except as otherwise provided, it shall be sufficient service of any notice, request, complaint, demand or other paper required to be given to or filed with the Trustee, the Issuer, and the Remarketing Agent if the same shall be sent in compliance with the notice provisions of the

URBAN RENEWAL REVENUE NOTES CONTINUED:

Indenture. For this purpose, the address of the Remarketing Agent shall be:

Thorn, Alvis, Welch, Inc.
216 South State Street
P. O. Box 806
Jackson, Mississippi 39205

Section 11. Payments Due on Non-Business Days. Whenever the provisions of this Remarketing Agreement call for any payment or the performance of any act on a date which is not a Business Day, then such payment or such performance shall be required on the next succeeding Business Day.

Section 12. Representative of Remarketing Agent. The Remarketing Agent shall at all times keep on file with the Issuer and the Trustee the name, address and telephone number of the person or person who may act as their representative in all matters, and who shall be authorized to take all actions required of them as the Remarketing Agent, pursuant to this Remarketing Agreement and the Indenture.

Section 13. Defined Terms. All capitalized terms used in this Remarketing Agreement and not otherwise defined herein have the same meaning as in the Indenture. All parties hereto understand and agree that there may be a single remarketing of the Notes or several remarketings of portions of the Notes, and any references to remarketing and Special Mandatory Tender Date herein may refer to one or more instances.

Section 14. Counterparts. This Remarketing Agreement can be signed in one or more counterparts, all of which constitute one documents.

IN WITNESS WHEREOF, the parties hereto have caused this Remarketing Agreement to be duly executed and delivered by their respective officers thereunto duly authorized as of the date first above written.

Attest/Witness:

Raymond A. Neal
City Clerk

THE CITY OF PICAYUNE, MISSISSIPPI

By: _____
Mayor

HANCOCK BANK, as Trustee

_____

By: _____

Its: _____

THORN, ALVIS, WELCH, INC.

_____

By: _____

Its: _____

URBAN RENEWAL REVENUE NOTES CONTINUED:

PRELIMINARY OFFICIAL STATEMENT

$4,100,000 URBAN RENEWAL REVENUE NOTES
(PHASE I REDEVELOPMENT PROJECT)
SERIES 1989
OF
CITY OF PICAYUNE, MISSISSIPPI

THIS PRELIMINARY OFFICIAL STATEMENT AND THE INFORMATION CONTAINED HEREIN ARE TENTATIVE AND SUBJECT TO COMPLETION, AMENDMENT OR OTHER CHANGE WITHOUT ANY NOTICE. These securities may not be sold nor may an offer to purchase be accepted prior to the time the Official Statement is first delivered in final form by the Issuer to the Underwriter. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the solicitation of any offer to buy nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of such jurisdiction.

EXHIBIT
D

URBAN RENEWAL REVENUE NOTES CONTINUED:

Moody's Rating: Applied For

In the opinion of Bond Counsel, based upon present laws, regulations, rulings and decisions in effect on the date of delivery of the Notes (herein the "Notes"), assuming continuing compliance with certain covenants made by the Issuer, interest on the Notes is excludable from gross income for federal income tax purposes upon the conditions and subject to the limitations set forth herein under "Tax Exemption". Interest on the Notes held by corporations is includable in the computation of such corporations' adjusted net book income, adjusted current earnings and modified alternative minimum taxable income. Receipt of interest on the Notes may result in other federal income tax law consequences to certain holders of the Notes. In the opinion of Bond Counsel interest on the Notes is also exempt from certain taxes in Mississippi (see "Tax Exemption" herein). The Issuer has designated the Notes as "qualified tax exempt obligations" under Section 265 of the Code.

NEW ISSUE

$4,100,000

CITY OF PICAYUNE, MISSISSIPPI

URBAN RENEWAL REVENUE NOTES
(PHASE I REDEVELOPMENT PROJECT)
SERIES 1989

Dated: Date of Issuance Due: As described herein

Special Mandatory Tender: On or before March 13, 1992

The Notes are issued by the City of Picayune, Mississippi (the "Issuer") to provide funds to pay the cost of street and drainage improvements, upgrading of the City's wastewater treatment facility, renovation of the City Hall and City Annex, street light improvements, expansion and renovation of the Criminal Justice Center and park expansion and improvement (collectively, the "Project"). They are limited obligations of the Issuer payable, (i) to and including the date or dates Alternate Security is provided for the Notes which date or dates must be on interest payment dates from March 13, 1990 to March 13, 1992, inclusive (the "Special Mandatory Tender Dates"), from the earnings on the temporary investment thereof and from the proceeds of a remarketing thereof, (ii) to the extent not remarketed by or on March 13, 1992, from the remaining proceeds of such Notes, and (iii) after any remarketing of any Notes, from Alternate Security provided for such remarketed Notes as described in the Indenture.

URBAN RENEWAL REVENUE NOTES CONTINUED:

The Notes are issuable only in the form of fully registered notes in the denominations of $5,000 and any integral multiple thereof. The Notes will bear interest from their date at the rate of _____% per annum until the Special Mandatory Tender Date applicable thereto and thereafter at the Reset Rates as herein described. Interest shall be payable on March 13 and September 13, of each year, commencing on September 13, 1989. Interest will be paid by check or draft mailed to the registered owner thereof by Hancock Bank, Gulfport, Mississippi (the "Trustee"). Principal of and redemption premium, if any, on the Notes will be payable on presentation thereof at the principal corporate trust office of the Trustee.

The Notes are subject to redemption as described herein. The Notes are subject to mandatory tender as a whole or in part, successively, on the Special Mandatory Tender Dates as described herein.

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_____% Notes Due March 13, 2012 Subject to Mandatory Tender or optional redemption on or before March 13, 1992

At Re-Offering Price of 100% of par, yield of _____% to March 13, 1992, and of _____% to earliest Mandatory Tender or optional redemption at March 13, 1990.

- - - - - - -

Until a Special Mandatory Tender Date applicable thereto, no Note will constitute an indebtedness or pledge of the general credit of the Issuer within the meaning of any constitutional or statutory limitation and neither the faith and credit nor the taxing power of the State of Mississippi, the Issuer, or any other political subdivision thereof is pledged to the payment of the principal or premium, if any, of the Notes or the interest thereon or other costs incident thereto.

The Notes are offered, subject to prior sale, when, as and if issued by the Issuer and received by the Underwriter, and subject to the approval of legality by Bond Counsel, Stennett, Wilkinson & Ward, Jackson, Mississippi. Certain legal matters will be passed upon for the Issuer by Nova A. Carroll, Esq., of Picayune, Mississippi. Certain legal matters will be passed upon for the Underwriter by Stennett, Wilkinson & Ward, Jackson, Mississippi. It is expected that delivery of the Notes in definitive form will be made against payment on or about March 13, 1989.

THORN, ALVIS, WELCH, INC.

March 7, 1989

URBAN RENEWAL REVENUE NOTES CONTINUED:

No dealer, broker, salesman or other person has been authorized by the Issuer or the Underwriter (Thorn, Alvis, Welch, Inc.) to give any information or to make any representations other than those contained herein and, if given or made, such other information or representations must not be relied upon as having been authorized by any of the foregoing. This Official Statement does not constitute an offering of any securities other than those described on the cover page or an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Notes by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale.

The information set forth herein has been obtained from the Issuer and other sources which are believed to be reliable, but it is not guaranteed as to accuracy or completeness by the Underwriter. Summaries and references to statutes and documents in this Official Statement do not purport to be comprehensive or definitive and are qualified in their entireties by reference to each such statute or document. Estimates and opinions included herein should not be interpreted as statements of fact. The information and expression of opinions herein are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the Issuer or any other person described herein since the date hereof. Although the information contained in this Official Statement is derived from sources considered to be reliable, the Underwriter makes no warranty, guaranty or other representation with respect to the accuracy and completeness of such information.

Subject to applicable state securities laws, the Underwriter is not obligated to repurchase any of the Notes and does not guarantee the existence of a secondary market.

IN CONNECTION WITH THE OFFERING OF THE NOTES, THE UNDERWRITER MAY OVER-ALLOT OR EFFECT TRANSACTIONS WHICH STABILIZE OR MAINTAIN THE MARKET PRICE OF SUCH NOTES AT A LEVEL ABOVE THAT WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME.

THE NOTES HAVE NOT BEEN REGISTERED WITH THE SECURITIES AND EXCHANGE COMMISSION UNDER THE SECURITIES ACT OF 1933 AND THE INDENTURE HAS NOT BEEN QUALIFIED UNDER THE TRUST INDENTURE ACT OF 1939. A PURCHASER HAS NO RIGHT TO REQUIRE SUCH REGISTRATION BUT, IN THE OPINION OF BOND COUNSEL, THE NOTES ARE EXEMPT FROM SUCH REGISTRATION. IN ADDITION, THE NOTES MAY BE SUBJECT TO REGISTRATION OR QUALIFICATION UNDER THE SECURITIES LAWS OF VARIOUS STATES AND MAY NOT BE TRANSFERRED IN VIOLATION OF SUCH LAWS. THE REGISTRATION OR QUALIFICATION OF THE NOTES IN ACCORDANCE WITH APPLICABLE PROVISIONS OF THE SECURITIES LAWS OF

URBAN RENEWAL REVENUE NOTES CONTINUED:

THE STATES IN WHICH THE NOTES HAVE BEEN REGISTERED OR QUALIFIED, IF ANY, AND EXEMPTION FROM REGISTRATION OR QUALIFICATION IN OTHER STATES, SHALL NOT BE REGARDED AS A RECOMMENDATION THEREOF. NO STATE NOR ANY STATE OR FEDERAL AGENCY HAS PASSED UPON THE MERITS OF THESE NOTES OR THE ACCURACY OR COMPLETENESS OF THIS OFFICIAL STATEMENT. ANY REPRESENTATION TO THE CONTRARY MAY BE A CRIMINAL OFFENSE.

CITY OF PICAYUNE, MISSISSIPPI

URBAN RENEWAL REVENUE NOTES

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Appendix A -- Audited Financial Statements of the Issuer for the Year Ended September 30, 1987

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URBAN RENEWAL REVENUE NOTES CONTINUED:

OFFICIAL STATEMENT
FOR
CITY OF PICAYUNE, MISSISSIPPI
$4,100,000
URBAN RENEWAL REVENUE NOTES
(PHASE I REDEVELOPMENT PROJECT)
SERIES 1989

INTRODUCTION

This Official Statement, including the cover page and appendices hereto, is being distributed by the City of Picayune, Mississippi, a political subdivision of the State of Mississippi (the "Issuer"), to furnish information in connection with the issuance and sale by the Issuer of its Urban Renewal Revenue Notes (Phase I Redevelopment Project) Series 1989 (the "Notes"). Capitalized terms used herein are used as defined in the Glossary.

The Notes are issued pursuant to the laws of the State of Mississippi, particularly Mississippi Code of 1972, Sections 43-35-1 to 43-35-37, as amended, a resolution of the City Council of the Issuer adopted prior to the delivery date of the Notes authorizing the issuance and sale of the Notes, and a Trust Indenture dated as of March 13, 1989 (the "Indenture"), from the Issuer to Hancock Bank, Gulfport, Mississippi, as trustee (the "Trustee").

The proceeds of the sale of the Notes will be used for street and drainage improvements, upgrading of the City's wastewater treatment facility, renovation of the City Hall and City Annex, street light improvements, expansion and renovation of the Criminal Justice Center and park expansion and upgrading (collectively, the "Project").

Some of the proceeds received from the sale of the Notes will be distributed to the Issuer by the Trustee on or about the date of issuance thereof for expenditures on Project Costs. (See "SOURCE AND APPLICATION OF FUNDS.") The remaining Note proceeds in the amount of $4,100,000 will be held and invested by the Trustee and will secure the Notes until disbursed to the Issuer to pay Project Costs or to repay other moneys spent by the Issuer for such costs. The Note proceeds may be invested by the Trustee in Qualified Investments. (For more information, refer to the definition of "Qualified Investments" in the Glossary.) Specifically, Note proceeds will be invested in Negotiable Certificates of Deposit issued by Fuji Bank Ltd., New York Branch. Note proceeds are to be invested so as to produce

URBAN RENEWAL REVENUE NOTES CONTINUED:

earnings sufficient to pay all interest on the Notes to and including March 13, 1992, with there remaining, on that date, undisbursed Note proceeds equal to the outstanding principal amount of the Notes. Prior to being remarketed, the Notes are secured solely by the described investments, and potential purchasers of the Notes should take into consideration the ability of Fuji Bank Ltd., New York Branch, to make full and timely payment of its obligation.

Except for disbursements to pay interest on or principal of the Notes, the Trustee will disburse none of the invested proceeds of the Notes until the Issuer has (i) provided Alternate Security (as defined herein) and (ii) remarketed Notes. Such provision of Alternate Security and remarketing of the Notes simultaneously therewith may be accomplished at one time for the entire principal amount of the Notes or from time to time as funds are needed by the Issuer, beginning March 13, 1990, and on any March 13 and September 13 thereafter to and including March 13, 1992. Upon a remarketing of the Notes, as a whole or in part, each Noteholder receiving notice that all or a part of his Notes are subject to tender must tender his Notes on the date of the remarketing (a "Special Mandatory Tender Date"). If the remarketing is to be for less than all of the remaining unremarketed principal amount of the Notes, the Trustee will choose by lot those unremarketed Notes subject to mandatory tender. No remarketing can take place after March 13, 1992, and, to the extent any or all of the Notes have not been remarketed by or on March 13, 1992, such Notes will be subject to mandatory redemption on such date (the "Special Mandatory Redemption Date").

On a Special Mandatory Tender Date, each Noteholder who does not execute a Waiver of Mandatory Tender and to whom such tender applies is obligated to deliver his Notes to the Trustee, with the registration transfer form printed thereon executed in blank, for purchase at a price equal to the principal amount thereof plus interest accrued thereon to the Special Mandatory Tender Date, and any applicable premium, for remarketing by the Remarketing Agent. A Noteholder executing a Waiver of Mandatory Tender shall likewise deliver his Notes to the Trustee, and a remarketed Note will be returned to any Noteholder who has properly executed a Waiver of Mandatory Tender for that Note. Such purchase price will be paid on a Special Mandatory Tender Date (i) from proceeds of remarketing of the Notes, (ii) from any excess funds held by the Trustee, including proceeds of sale of the Notes and earnings from the investment thereof which have not been advanced for Project Costs to the extent not required to secure unremarketed Notes and authorized by Bond Counsel, and (iii) from other funds of the Issuer from whatever source derived. Prior to March 13, 1992, if such funds prove to be insufficient to pay all tendered Notes, all such tendered Notes shall be returned to their registered owners. After each Special Mandatory Tender Date, following remarketing, the serial

URBAN RENEWAL REVENUE NOTES CONTINUED:

maturities of the Notes subject to such tender shall bear interest at a rate or rates to be determined by the Remarketing Agent or by competitive sale if required under the Indenture (the "Reset Rates") and shall be secured or paid until maturity thereof by Alternate Security, as defined in the Glossary.

The summaries and descriptions of and reference to statutes, resolutions, the Indenture and other agreements which are included in this Official Statement do not purport to be comprehensive or definitive and such summaries, descriptions, and references are qualified by reference to each such statute, resolution, document or instrument, copies of which may be inspected at the offices of the Trustee or will be provided to any prospective purchaser requesting same upon payment by such prospective purchaser of the cost of complying with such request. All references to the Notes are qualified in their entirety to the definitive forms thereof.

DESCRIPTION OF THE NOTES

General

The Notes are initially dated the date of issuance, and will be stated to mature on March 13, 2012, subject to Special Mandatory Tender and optional and mandatory redemption on or before March 13, 1992. Following a remarketing, the remarketed Notes will mature serially in accordance with the schedule set forth below over a term of 20 years from the Special Mandatory Tender Date applicable thereto. Pending a Special Mandatory Tender, the Notes will bear interest from their date, payable semi-annually on March 13 and September 13, commencing on September 13, 1989. The Notes shall bear interest at the rate of ____% per annum from the issuance date thereof to and including a Special Mandatory Tender Date applicable thereto, and thereafter the remarketed Notes shall bear interest at the Reset Rates as further herein described.

URBAN RENEWAL REVENUE NOTES CONTINUED:

Year from Remarketing Date	Maturing Principal (Assuming all Notes remarketed on same date)
1	$ 90,000
2	90,000
3	100,000
4	105,000
5	115,000
6	170,000
7	170,000
8	170,000
9	170,000
10	175,000
11	190,000
12	190,000
13	205,000
14	230,000
15	260,000
16	285,000
17	310,000
18	345,000
19	350,000
20	380,000

It is anticipated that all the Notes will not be remarketed concurrently. Therefore, if less than all of the Notes are remarketed on any Special Mandatory Tender Date, the maturities set forth above will be reduced proportionally in each maturity for that remarketing, rounded to $5,000 principal amounts.

The Notes are issuable only as fully registered Notes, without coupons, in denominations of $5,000 and any integral multiple thereof. Interest on the Notes is payable by check or draft mailed by the Trustee to the registered owner thereof at his address as it appears on the registration books maintained by the Trustee. Payment of principal of and redemption premium, if any, on the Notes shall be made only upon presentation and surrender of the Notes at the principal corporate trust office of the Trustee. Payments of principal, premium, if any, and interest shall be made to the person who is the registered owner fifteen (15) days prior to the payment date.

Registration, Transfer and Exchange

The Trustee will act as Registrar and Transfer Agent with respect to the Notes. Notes are transferable by the registered owner thereof in person or by his attorney duly authorized in writing upon presentation and surrender thereof to the Trustee at the principal corporate trust office of the Trustee, whereupon a new Note or Notes, in the same aggregate principal amount, shall be issued to the transferee in exchange

URBAN RENEWAL REVENUE NOTES CONTINUED:

therefor. The Trustee shall not be required to make any exchange or transfer during a period of fifteen (15) days prior to any interest payment date. The Trustee may charge a sum sufficient to reimburse itself for any taxes, other governmental charges, or other fees or expenses incurred in connection with any such transfer.

Redemption and Tender Provisions

Special Mandatory Tender. The Notes are subject to Special Mandatory Tender, as a whole or in part, on any Special Mandatory Tender Date. Each Noteholder receiving notice of a Special Mandatory Tender shall be entitled to execute a Waiver of Special Mandatory Tender, provided that Bond Counsel has provided a written opinion to the Trustee to the effect that such a waiver may lawfully be accepted. The notice of Special Mandatory Tender will be sent to all owners of Notes subject to such Special Mandatory Tender at least thirty (30) days prior to the applicable Special Mandatory Tender Date, and such notice shall advise as to the address of the Trustee to which tendered Notes must be delivered. Each owner of Notes subject to tender is obligated to so deliver his Note or Notes to the Trustee on or before the Special Mandatory Tender Date, with the transfer form printed thereon executed in blank. All Notes subject to a Special Mandatory Tender will be remarketed with a new offering statement either by public sale, if required under the Indenture, or at the direction of the Remarketing Agent for delivery to purchasers thereof on the Special Mandatory Tender Date, except that Notes shall not be remarketed unless thirty (30) days prior to the Special Mandatory Tender Date, the Issuer shall have provided Alternate Security for such Notes complying with the requirements therefor or shall have caused the delivery of an irrevocable commitment to provide such Alternate Security before the Special Mandatory Tender Date and such Alternate Security is so provided. On each Mandatory Tender Date, the Notes subject to Special Mandatory Tender shall be deemed to have been delivered to the Trustee as described above whether or not each Note is in fact so delivered, and all such Notes may be transferred by the Trustee as Note Registrar to any purchaser or purchasers thereof as directed by the Remarketing Agent. After such transfer, each Note will be evidenced by a new Note.

The purchase price of a Note on the Special Mandatory Tender Date shall equal its principal amount plus interest accrued thereon, with premium, if any, equal to the premium applicable in the case of Optional Redemption as described below. Such price shall be paid from the proceeds of remarketing of the Notes and, if necessary, unused Note proceeds not needed to secure unremarketed Notes to the extent Bond Counsel is of the opinion that the same may be used for such purpose, or other funds provided on behalf of the Issuer.

URBAN RENEWAL REVENUE NOTES CONTINUED:

If the aforesaid funds are insufficient to pay the purchase price of the tendered Notes, or if Alternate Security is not provided, all such tendered Notes shall be returned to their registered owners, and that Special Mandatory Tender shall be void and of no effect.

The yield to be realized by purchasers of the Notes is affected by the fact that the initial investors may own Notes for up to a three-year period which terminates no later than March 13, 1992. If a Noteholder actually purchased Notes at a price greater than par plus accrued interest, a Special Mandatory Tender or redemption of Notes held by such Noteholder prior to March 13, 1992, would lower the rate of return expected by such Noteholder for a three-year investment. Noteholders should be aware, that in order for the Issuer to maintain its construction schedule, the Notes will be subject to succeeding Special Mandatory Tenders, commencing in 1990, and continuing on interest payment dates thereafter.

Although there can be no assurance that Special Mandatory Tenders will occur prior to March 13, 1992, the Issuer's anticipated construction schedule for the various portions of the Project could cause the Issuer to proceed with Special Mandatory Tenders of Notes beginning March 13, 1990, in order to meet the following schedule of expenditures:

(a)	Street and Drainage	4/89 - 3/92	$2,525,000
(b)	Wastewater Treatment Facility	4/89 - 12/90	540,000
(c)	City Hall and City Annex	4/89 - 8/90	216,000
(d)	Streetlights	4/89 - 6/90	216,000
(e)	Criminal Justice Center	4/89 - 6/90	324,000
(f)	Park	4/89 - 12/91	324,000

Optional Redemption. The unremarketed Notes are subject to optional redemption as a whole or in part on any March 13 or September 13, commencing March 13, 1990, to and including March 13, 1992, at a price of par plus accrued interest, with premium, if any, as set forth below. Following a Special Mandatory Tender Date, Notes so tendered will be no longer subject to optional redemption.

URBAN RENEWAL REVENUE NOTES CONTINUED:

Redemption Premium

Date of Redemption	Percentage of Principal Amount
March 13, 1990	1.0%
September 13, 1990	0.5%
March 13, 1991 and thereafter	0.0%

Extraordinary Mandatory Redemption. Outstanding Notes are subject to mandatory redemption at a redemption price equal to the principal amount thereof plus accrued interest thereon to the date fixed for redemption, without premium as follows:

(1) with regard to unremarketed Notes, in whole or in part on March 13, 1992, to the extent that moneys in the Note Proceeds Fund established by the Indenture have not been advanced or reserved to pay for Project Costs;

(2) with regard to remarketed Notes only, in whole at any time, or in part on any interest payment date, with at least twenty (20) days' notice in either event, if and to the extent that insurance proceeds resulting from damage to the Project or condemnation awards are applied to the full or partial prepayment of the Notes;

(3) with regard to unremarketed Notes, in whole or in part on March 13, 1992 (the "Special Mandatory Redemption Date") if, and to the extent that thirty (30) days prior to such date, Alternate Security for the Notes not yet subject to Special Mandatory Tender has not been provided to and accepted by the Trustee or the Issuer has not caused the delivery of an irrevocable commitment to provide the same no later than the applicable date; and

Partial Redemptions and Partial Mandatory Tenders

In cases in which less than all of the Notes are redeemed, or subject to Special Mandatory Tender, the Trustee shall select the Notes to be tendered or redeemed by lot from the Notes subject to such redemption or tender in such equitable manner as it may determine.

Notice of Tender or Redemption

Notice of tender or redemption of any Notes as described above shall be given by registered or certified mail, postage prepaid, mailed to each owner of a Note or Notes to be tendered or redeemed at his present address appearing on the

URBAN RENEWAL REVENUE NOTES CONTINUED:

registration books maintained by the Trustee. All Notes called for tender (unless a Waiver of Special Mandatory Tender has been properly executed) or redemption will cease to bear interest on the specified redemption date or Special mandatory Tender Date, provided funds for their redemption or purchase are on deposit at the place of payment at that time, and the owners of such Notes shall no longer have any security or benefit under the Indenture except to receive the redemption or purchase price for such Notes. No defect in or failure to give such mailed notice shall affect the validity of the proceedings for such redemption with respect to all Noteowners to whom proper notice was given.

Interest on the Notes After Special Mandatory Tender

Commencing on a Special Mandatory Tender Date, the Notes remarketed on such date will bear interest at a fixed rate or rates (the "Reset Rates") as will be determined by the Remarketing Agent or by competitive sale if required under the Indenture. No such rate can exceed the maximum rate of interest then allowed by law, which is 12% if the Alternate Security is the general obligation of the Issuer, or 13% otherwise.

Thorn, Alvis, Welch, Inc. has been appointed as the Remarketing Agent. The Remarketing Agent may resign upon sixty (60) days' notice and may be removed by the Issuer; provided, however, that the Remarketing Agent may not resign or be removed within sixty (60) days prior to a Special Mandatory Tender Date. A successor Remarketing Agent shall be appointed by the Issuer. If no successor is appointed, the Trustee will serve as the Remarketing Agent until a successor is appointed, but will have no obligation to remarket Notes.

No later than the day before a Special Mandatory Tender Date, the Remarketing Agent, having due regard to prevailing market conditions, will determine the Reset Rates which, in its judgment, shall be the interest rates which, if borne by the subject Notes thereafter would result in the market price of the subject Notes being 100% (neither more nor less) of the principal amount thereof.

SECURITY FOR THE NOTES

Trust Estate

The Notes are special obligations of the Issuer payable solely from and secured by a pledge of the following Trust Estate, all in the manner and to the extent provided under the Indenture for the payment of the Notes:

(a) All moneys and securities held under the Indenture, including the investments thereof and the investment earnings thereon; and

URBAN RENEWAL REVENUE NOTES CONTINUED:

(b) All funds, moneys and securities and any and all other rights and interests in property whether tangible or intangible from time to time hereafter conveyed, mortgaged, pledged, assigned or transferred by the Issuer or by anyone on its behalf or with its written consent to the Trustee, by delivery or by writing of and kind, as and for additional security for the Notes, specifically including any Alternate Security.

The Notes do not constitute an indebtedness or liability of the United States of America, the State of Mississippi, the Issuer (except as hereinafter specifically described) or any other political subdivision or instrumentality of any of the foregoing. Neither the United States of America, the State of Mississippi, the Issuer, any political subdivision or instrumentality of the foregoing other than the Issuer, nor, except to the extent of the Trust Estate, the Issuer, shall be liable for the payment of principal of, premium, if any, or interest on the Notes.

Use of Proceeds of the Notes

On the date of issue of the Notes, the Trustee will disburse $45,000 of the Note proceeds to the Issuer, which monies must be used for Project Costs. The balance of the proceeds from the sale of the Notes, consisting of the remaining $4,100,000 plus accrued interest, if any, will be deposited in the Note Proceeds Fund and the Note Principal and Interest Fund, respectively, established under the Indenture and invested by the Trustee in Qualified Investments. (Refer to the definition of "Qualified Investments" in the Glossary.) After the initial investment of the Note proceeds, the Trustee will not change such investments without the consent of the Issuer. (See "SOURCE AND APPLICATION OF FUNDS.")

The Trustee may disburse Note proceeds to the Issuer only when the Trustee determines that certain conditions have been met, specifically the provision of Alternate Security.

Security After Special Mandatory Tender

No later than thirty (30) days prior to a Special Mandatory Tender Date, the Issuer must pledge and assign to the Trustee Alternate Security for the principal amount of the Notes being remarketed on such date complying with the requirements of the Indenture therefor (see definition of "Alternate Security" in the Glossary), or cause an irrevocable commitment to provide such Alternate Security to be delivered to the Trustee, provided that such security is in fact pledged and assigned to the Trustee no later than such Special Mandatory Tender Date. Otherwise, the Notes shall not be remarketed on such date.

URBAN RENEWAL REVENUE NOTES CONTINUED:

Issuance of Additional Notes

After January 1, 1990, the Issuer may issue from time to time one or more subsequent series of additional notes (the "Additional Notes") for the purpose of completing the Project, provided that such Notes will not constitute a senior claim on the security for the Notes. Additional Notes may be issued on a parity with the Notes remarketed.

DEVELOPMENT AND FINANCING OF THE PROJECT

The Project

The Project generally consists of street and drainage improvements, upgrading of the City's wastewater treatment facility, renovation of the City Hall and City Annex, street light improvements, expansion and renovation of the Criminal Justice Center and park expansion and improvements. While State law prohibits the Issuer from entering into an architectural contract or contracts for the Project until such time as the Notes have been issued and funds for such purpose are available, the Issuer is negotiating for architectural services with Tompkins, Hansen & Fields, Architects, Jackson, Mississippi.

General

The Issuer will issue the Notes in order to provide financing for the Project. The Note proceeds will principally be applied to pay costs of issue of the Notes and costs of construction and development of the Project.

The Issuer has covenanted to carry the development of the Project forward with due diligence, so that construction on the Project is reasonably expected to commence on or before September 13, 1989, and completed on or before March 13, 1992. Although the Issuer believes that the Project will commence construction within six months of the sale of the Notes, there can be no assurance thereof. The Issuer's estimated construction time for all portions of the Project is 30 months.

The Issuer will use the premium received from the sale of the Notes to pay costs of the Project. Prior to each Special Mandatory Tender Date, the Issuer will determine its need for additional funds for the Project during the ensuing six-month period and will initiate a remarketing of Notes in an amount which would allow the necessary amount of Qualified Investments to be released to the Issuer. The remarketing would be accomplished by the Issuer timely providing Alternate Security (or a commitment therefor) for the Notes to be remarketed and the Trustee sending a notice of Special Mandatory Tender to the owners of such Notes. The Issuer expects that the Alternate Security will be the general obligation of the Issuer, but it is

URBAN RENEWAL REVENUE NOTES CONTINUED:

possible that other Alternate Security may be provided for all or a portion of the remarketed Notes. The Issuer has certified that it has sufficient debt capacity and an adequate tax base to be able to remarket the Notes as general obligations of the Issuer; however, additional taxes would have to be levied by the Issuer in order to provide sufficient revenues to pay that debt. The Issuer has covenanted not to impair its ability to remarket the Notes as general obligations of the Issuer, but no assurance can be made that, at the time or times of any proposed remarketing, the Issuer will be able to do so. No assurance can be given that any Alternate Security will be available to support a remarketing of any Notes.

This Official Statement is intended to provide information relative to the Notes prior to a remarketing thereof, during which time the Notes will constitute only a limited obligation of the Issuer payable solely from the limited sources described herein and not other moneys of the Issuer. Accordingly, although certain information is contained herein about the Issuer, such information is limited in its scope and may differ from that which would be included were the Notes to be secured by Alternate Security. It is expected that a remarketing official statement or other disclosure document would be utilized in connection with a remarketing of the Notes.

Conditions for Disbursement of Note Proceeds

Upon provision of Alternate Security and remarketing of Notes upon a Special Mandatory Tender Date, the proportion of the Qualified Investments previously securing the remarketed Notes will be released and investments thereof will be disbursed to the Issuer for liquidation and application of the proceeds to the Project.

SOURCE AND APPLICATION OF FUNDS

The proceeds of the Notes (exclusive of accrued interest, if any) will be deposited in the Note Proceeds Fund established under the Indenture. Monies in the Note Proceeds Fund will be held in trust and applied to pay interest and principal due on the Notes. Upon Special Mandatory Tenders sufficient Note proceeds will be retained in Qualified Investments sufficient to pay principal and interest on the Notes which have not been remarketed through March 13, 1992. The balance will be disbursed to the Issuer.

Assuming that construction commences on or before September 13, 1989, and all funds are expended by March 13, 1992, the Project costs will be financed as follows:

URBAN RENEWAL REVENUE NOTES CONTINUED:

Sources of Funds

Principal of Notes	$4,100,000
Premium	45,000
Interest Earnings	
TOTAL	$

Application of Funds*

Construction Costs	$
Architect and Engineering	
Contingencies and Miscellaneous	
Interest	
TOTAL	$

*Estimated, subject to change.

It is anticipated that at least $4,100,000 will be required to complete the Project, and additional funds may be necessary. Interest on the Notes through the Special Mandatory Tender Dates will be paid from accrued interest collected upon sale of the Notes, if any, earnings on invested Note proceeds and proceeds, of remarketing if necessary. Thereafter, interest and periodic payments of Note principal will be paid pursuant to the Alternate Security. (See "SECURITY FOR THE NOTES.")

The Underwriter will not be paid a fee from the proceeds of the Notes but will instead derive its profits from sale of the required Qualified Investments to the Trustee. The Underwriter will, in addition, pay all other costs of issuance, including all legal fees, the initial fee of the Trustee and printing and miscellaneous costs.

THE ISSUER

The City of Picayune is situated in southwest Mississippi. The City is divided into five wards and is governed by a six-person City Council, the members of which are elected for four-year terms. The City Council consists of a Mayor elected at large and of five Councilmen, each of which has been elected by wards. The chief executive officer of the City is the Mayor. The City Council is charged with statutory responsibility for administering the governmental affairs of the Issuer, including the enactment of ordinances and resolutions for such purposes, budgeting decisions, approving expenditures of public funds and the levy of ad valorem taxes. The City Clerk is an appointed official with responsibility to fulfill a number of statutory duties. The day-to-day administration of City government is the responsibility of a full-time City Manager appointed by the City Council. The Mayor is Gregory H. Mitchell. The Councilmen are Kelly McQueen, Danny Ware, Leavern Guy, Luther

URBAN RENEWAL REVENUE NOTES CONTINUED:

Jones, and Larry Albritton. The City Clerk is Ray Seal. The City Manager is A. L. Franklin. (See Appendix A for audited information on the Issuer and Appendix B for certain demographic information.)

The Issuer is not and has not been at any time after December 31, 1975 in default as to principal or interest with respect to any obligation issued by the Issuer.

GLOSSARY

The defined terms used herein shall have the following meanings:

"Alternate Security" means the general obligation credit of the Issuer or a pledge of the revenues of the Project or any letter of credit, insurance, surety bond or guarantee, any investments of the type described as "Qualified Investments" herein, or any other funds or collateral pledged and assigned to the Trustee to secure the Notes, provided that, (a) the aggregate amount of the Alternate Security must be sufficient to pay all principal of the Outstanding Notes fifteen days prior to the expiration date of such security, or any portion thereof, and all interest due thereon through the expiration date of such security or the maturity of the Notes, whichever shall first occur, and that such amount shall be available fifteen days prior to such expiration date (or, in the case of interest accruing thereafter, as such interest accrues), maturity date, or acceleration of the Note so that all scheduled payments of interest and principal will be timely made; (b) unless the Notes are to be remarketed in a private sale and/or the Alternate Security provided is the general obligation credit of the Issuer or a pledge of the revenues of the Project, written confirmation shall be received by the Trustee from a nationally recognized rating agency that after the furnishing of the Alternate Security, a new credit rating on the Notes will be obtained prospectively not less than a Moody's Investors Service rating of "A" or its equivalent; (c) if the Alternate Security provided is the general obligation credit of the Issuer or a pledge of the revenues of the Project, the Trustee shall receive an opinion of counsel experienced in bankruptcy law matters stating, inter alia, that the Alternate Security and the principal and interest payments of the Notes secured thereby are not and will not constitute avoidable preferences under Section 547(b) of the United States Bankruptcy Code in the event of a bankruptcy filing by or against the Issuer; and (d) the Trustee shall have received an opinion of Bond Counsel to the effect that provision of such security in lieu of the preexisting security for the Notes will not adversely affect the federal tax-exempt status of interest due on the Notes.

"Bond Counsel" means an attorney at law, or a firm of attorneys, acceptable to the Issuer and the Trustee, experienced

URBAN RENEWAL REVENUE NOTES CONTINUED:

in matters pertaining to the tax-exempt nature of interest on obligations issued by states and their political subdivisions, and duly admitted to the practice of law before the highest court of any state of the United States or the District of Columbia.

"Code" means the Internal Revenue Code of 1986, as amended, any corresponding successor provision of law, and any regulations thereunder or applicable thereto.

"Qualified Investments" means any of the following if and to the extent permitted by law: (a) any direct obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by, the United States of America (including obligations issued or held in book entry form on the books of the Department of the Treasury of the United States of America); (b) bonds, debentures, or notes or other evidences of indebtedness payable in cash and issued by any one or a combination of any of the following federal agencies whose obligations represent the full faith and credit of the United States of America: Federal Home Loan Mortgage Corp., Federal National Mortgage Association, Student Loan Marketing Association, Federal Home Loan Bank, Private Export Funding Corp. or Government National Mortgage Association; (c) negotiable certificates of deposit issued by Fuji Bank Ltd., New York Branch.

"Indenture" means the Trust Indenture dated as of March 13, 1989, from the Issuer to Hancock Bank, Gulfport, Mississippi, as trustee.

"Issuer" means the City of Picayune, Mississippi.

"Project" means the real and personal property constituting the City's streets, the City's wastewater treatment facility, City Hall and City Annex, the Criminal Justice Center and the City parks, including the renovation thereof, construction thereof and additions thereto, as appropriate.

"Project Costs" means the costs of planning, startup, developing, constructing and equipping the Project, costs of issuing the Notes, site acquisition and development costs, interest and taxes, if any, during the construction period, architect's and construction contractor's fees, the cost of inspections of the Project during construction on behalf of the Issuer and the costs of other items incurred prior to or during construction and necessary for the development of the Project, provided, however, that unless specifically approved by Bond Counsel, Project Costs shall not include the costs of obtaining Alternate Security or remarketing the Notes on the Special Mandatory Tender Date.

URBAN RENEWAL REVENUE NOTES CONTINUED:

"Remarketing Agent" means Thorn, Alvis, Welch, Inc. or its successor as an agent of the Issuer for purposes or remarketing the Notes on the Special Mandatory Tender Date.

"Reset Rates" means the rate or rates of interest which shall accrue on the Notes, as determined by the Remarketing Agent or by competitive sale if required under the terms of the Indenture, beginning on the Special Mandatory Tender Date.

"Special Mandatory Tender" means the mandatory obligation of Noteowners to deliver their Notes to the Trustee on any interest payment date from March 13, 1990, to and including March 13, 1992 with the registration transfer form printed thereon executed in blank, for purchase at a price equal to the principal amount thereof plus accrued interest, and any premium, and for remarketing by the Remarketing Agent.

"Special Mandatory Tender Date" means any date on which Alternate Security is provided for some or all of the Notes on any interest payment date from March 13, 1990, to and including March 13, 1992, the last date on which a Special Mandatory Tender shall occur.

"Waiver of Special Mandatory Tender" means any written notice delivered by an owner of a Note to the Trustee and the Remarketing Agent on or before the applicable Special Mandatory Tender Date, specifying the name of the registered owner and the number and aggregate principal amount of his Notes for which Special Mandatory Tender has been waived, acknowledging that any rating on such Notes from Moody's Investors Service may be reduced or withdrawn upon substitution of Alternate Security, directing the Trustee not to purchase such Notes and expressly acknowledging the substitution of the Alternate Security, and provided that such Notice of Waiver of Mandatory Tender may not be exercised or be effective if the Trustee shall not have received an opinion of Bond Counsel to the effect that such a waiver may be lawfully exercised in connection with the applicable Special Mandatory Tender.

SUMMARY OF CERTAIN PROVISIONS OF THE INDENTURE

The following is a summary of certain provisions of the Indenture and certain other matters relating to the security for the Notes. Such summary does not purport to be comprehensive or definitive and is qualified in its entirety by reference to the Indenture, copies of which are available from the Underwriter.

Security for the Notes

Until a Special Mandatory Tender, the repayment of the Notes will be secured solely by the proceeds of the sale of the Notes as invested in Qualified Investments (to the extent not

URBAN RENEWAL REVENUE NOTES CONTINUED:

disbursed to pay interest on the Notes) and investment earnings thereon.

Funds Created by the Indenture

To secure the payment of the Notes, the Indenture will create (1) the Note Proceeds Fund and (2) the Note Principal and Interest Fund.

Note Proceeds Fund. The Trustee shall deposit $4,100,000 of proceeds of the sale of the Notes into the Note Proceeds Fund. The Trustee shall apply moneys in the Note Proceeds Fund to make deposits in the Note Principal and Interest Fund sufficient to make timely payment of principal of and any interest then due on the Notes. Upon provision of Alternate Security and Remarketing of the Notes, moneys and investments in the Note Proceeds Fund will be conveyed to the Issuer.

Note Principal and Interest Fund. The Trustee shall deposit accrued interest collected upon sale of the Notes in the Note Principal and Interest Fund and shall advance to that Fund from the Note Proceeds Fund, on or before each interest payment date, an amount sufficient to pay all principal, premium if any, and interest then due on the Notes.

Investment of Funds Held by Trustee. Moneys in the Funds created under the Indenture shall be invested and reinvested by the Trustee only in "Qualified Investments" (as defined in the Glossary). Monies held in any Fund may be co-mingled, for purposes of investment, with monies held in any other Fund.

Covenants of the Issuer

The Issuer covenants to pay promptly principal, interest and premium (if any) due with respect to every Note in the manner stated thereon. Interest will be paid (to the extent enforceable in accordance with applicable law) on any overdue sums. The Issuer will not assent to any extension of the date on which any interest on or principal of any Note is due except with the consent of the Noteowners.

Defaults and Remedies

Events of default under the Indenture are failure to make due and punctual payments of interest or premium, if any, due on or principal of any Note and failure by the Issuer to perform any of its covenants in the Indenture or the Notes.

Upon an event of default, the Trustee may, and upon written request of the owners of not less than 25% in principal amount of outstanding Notes shall, by notice in writing to the

URBAN RENEWAL REVENUE NOTES CONTINUED:

Issuer declare all outstanding Notes and accrued interest thereon to be due and payable immediately.

Also, upon an event of default the Trustee may, and upon written request of the owners of not less than twenty-five percent (25%) in the principal amount of the outstanding Notes, and upon being indemnified to its satisfaction, shall exercise any or all of the following remedies: if the Project or its revenues, if any, are pledged to pay the Notes, (a) take possession of and operate and manage the Project or a portion thereof, directly or through an agent or receiver, or (b) sell the Project or a portion thereof either by foreclosure sale or proceedings in equity.

The proceeds of any sale made on account of default shall be applied first to pay all reasonable expenses incurred in the collection of such proceeds. Thereafter, moneys shall be applied first to payment of all sums due the Trustee and then to payment of principal of and interest due upon the Notes.

Waiver of any default does not affect rights upon any subsequent default. Remedies are cumulative and delay or omission in the exercise thereof in one instance will not constitute a waiver as to others.

Power to Sue

Owners of Notes may sue in law or equity for any remedy under the Indenture only if: (a) a default constituting an "event of default" under the Indenture has occurred; (b) owners of at least twenty-five percent (25%) in aggregate principal amount of the then outstanding Notes shall have made written request upon the Trustee to institute such action; (c) the Trustee shall have been offered indemnity as provided in the Indenture; and (d) the Trustee shall have failed or refused to take such action. Notwithstanding, the rights of an owner to receive payment shall not be impaired or affected without consent of such owner.

Liability of the Issuer

No recourse under or upon any obligation, covenant or agreement, contained in the Indenture or in any Bond, or under any judgment obtained against the Issuer, or by the enforcement of any assessment, or any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances under or independent of the Indenture, shall be had against any officer, employee or agent as such, past, present or future of the Issuer, either directly or through the Issuer or otherwise, for the payment for or to the Issuer of any receiver thereof, or for or to the owner of any Note issued thereunder, or otherwise, of any sum that may be due and unpaid by the Issuer

URBAN RENEWAL REVENUE NOTES CONTINUED:

upon any such Note or for the performance of any covenant of the Issuer under the Indenture.

Total Defeasance

If the Issuer shall pay or cause to be paid to the owners of the Notes the principal, interest, and premium, if any, to become due thereon at the times and in the manner stated therein and in the Indenture, and shall have paid all fees and expenses of the Trustee, and if the Issuer shall keep, perform and observe all of its covenants and promises in the Notes and in the Indenture, then the estate and rights granted to the Trustee by the Indenture shall, at the option of the Issuer, cease and be void, and thereupon the Trustee shall cancel and discharge the lien of the Indenture and execute and deliver to the Issuer such instruments in writing as shall be requisite to satisfy the lien of the Indenture, and deliver to the Issuer any interest in any property at the time subject to the lien of the Indenture which may then be in its possession, except amounts held by the Trustee for the payment of principal of, interest and premium, if any, on the Notes and any related costs.

Modification of the Indenture

The Issuer and Trustee may adopt supplemental indentures without consent of any Noteowners (a) to cure any ambiguity or formal defect or omission in this Indenture; (b) to assign additional revenue or accept additional security and instruments of further assurance with respect to the Project; (c) to accept qualified Alternate Security as provided for herein and to make changes hereto necessary or convenient in connection therewith; provided that it is the intent of the parties that no novation of obligations be effected thereby; (d) to grant to or confer upon the Trustee for the benefit of the Note owners any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the Note owners or the Trustee or either of them; (e) to issue Additional Notes; (f) to modify, amend or supplement the Indenture or any indenture supplemental thereto in such manner as to permit the qualification thereof under the Trust Indenture Act of 1939 or any similar federal statute hereafter in effect or under any state Blue Sky Law; or (g) to modify, amend, alter or supplement the Indenture in any other respect which is not, in the judgment of the Trustee, materially adverse to the interests of the Note owners and which is for any lawful purpose, including any change necessary at the request of a rating agency as prerequisite to obtaining a higher rating for the Notes than would otherwise be conferred, or so as to harmonize to the maximum extent practicable the provisions hereof with existing laws, rules, regulations and procedures of the State or the United States including the income tax laws thereof and rules, regulations, and procedures pertaining thereto.

URBAN RENEWAL REVENUE NOTES CONTINUED:

With consent of the owners of not less than two-thirds of the aggregate principal amount of the Notes then outstanding, the Issuer and the Trustee may adopt any supplemental indenture they deem necessary or desirable for modifying, altering, amending, adding to or rescinding the Indenture except that no supplemental indenture may (a) extend the maturity of, reduce the principal amount of, reduce the rate of interest of, extend the time of payments of interest on, or reduce any premium payable on the redemption of any Note without the consent of the Owner thereof; (b) except for the issuance of Additional Notes, create a lien upon the pledged property prior to or on a parity with the lien of the Indenture without the consent and all owners of outstanding Notes; (c) reduce the percentage of owners of the aggregate principal amount of the Notes required for consent to such supplemental indenture without the consent and the owners of all outstanding Notes which would be affected adversely by the proposed action; (d) modify the rights, duties and immunities of the trustee without the written consent of the Trustee; or (e) create a privilege or priority of any Note over any other Note without the consent of the owners of all outstanding Notes adversely affected.

The Trustee

During any event of default of which the Trustee has notice, the Trustee shall exercise rights and powers vested in it by the Indenture with the degree of care and skill a prudent man would perform only such duties as are specifically set forth in the Indenture.

In the absence of bad faith, the Trustee may conclusively rely upon any certificate or opinion furnished it, believed by it to be genuine, and executed by the person or persons authorized to furnish the same, as to the truth of the statements expressly made therein. The Trustee shall be under no duty to confirm or verify any financial or other statements or reports or certificates furnished pursuant to the Indenture. The Trustee shall not be liable for any error of judgment made in good faith and the Trustee shall not be liable with respect to any act or omission taken in good faith in accordance with the direction of the owners of any applicable particular proportion of the Notes.

UNDERWRITING

Thorn, Alvis, Welch, Inc., Jackson, Mississippi (the "Underwriter"), will purchase the Notes at the delivery date thereof at the price of $4,145,000 plus accrued interest thereon. The Underwriter has agreed to purchase all of the Notes if any of the Notes are purchased. The Underwriter will pay all costs of issue of the Notes. The Underwriter's profits will be derived by the sale of the Qualified Investments to the Trustee; it is

URBAN RENEWAL REVENUE NOTES CONTINUED:

estimated that, after payment of costs of issue, such profit will be $50,000.

The initial public offering price set forth on the cover page hereof may be changed from time to time by the Underwriter, without notice. The Underwriter may allow concessions to certain dealers, who may re-allow concessions to other dealers.

TAX EXEMPTION

The Internal Revenue Code of 1986, as amended, (the "Code") contains a number of requirements and restrictions which apply to the Notes, including investment restrictions, requirements regarding the periodic payment of arbitrage profits to the United States, restrictions on the application of proceeds, and certain other matters. Failure to comply with these requirements and restrictions may cause the interest on the Notes to become includible in gross income for Federal tax purposes retroactive to the date of their issuance.

In the proceedings relating to the issuance of the Notes, the Issuer has made certifications, representations and covenants with respect to compliance with the Code which, if complied with by the Issuer, would satisfy the requirements of the Code. In reliance upon the Issuer's certifications and representations and continuing compliance by the Issuer with its covenants, Stennett, Wilkinson & Ward, Bond Counsel and are of the opinion that, under existing laws, regulations, rulings and judicial decisions, interest on the Notes is excludable from the gross income of the owners thereof for Federal income tax purposes. The interest on the Notes will not be treated as a specific preference item for the purposes of the Federal corporate or individual alternative minimum taxes.

For taxable years beginning after December 31, 1986, the Code includes provisions for an alternative minimum tax for corporations in addition to the regular corporate tax in certain cases. The alternative minimum tax, if any, depends upon the corporation's alternative minimum taxable income (the "AMTI"), which is the corporation's taxable income with certain adjustments. One of the adjustment items used in computing a corporation's AMTI (excluding an S corporation, regulated investment company, real estate investment trust or REMIC) is an amount equal to 50% of the excess of such corporation's "adjusted net book income" over an amount equal to its AMTI (before such adjustment item and the alternative tax net operating loss deduction). For taxable years beginning after December 31, 1989, such adjustment item will be 75% of the excess of such corporation's "adjusted current earnings" over an amount equal to its AMTI (before such adjustment item and the alternative tax net operating loss deduction).

URBAN RENEWAL REVENUE NOTES CONTINUED:

The Superfund Revenue Act of 1986 imposes an additional tax on corporations equal to .12% of the excess over $2 million of a corporation's "modified alternative minimum taxable income." A corporation's "modified alternative minimum taxable income" will include a portion of the interest on the Notes.

The Issuer has covenanted not to issue more than $10,000,000 of public purpose bonds in calendar year 1989, and no subordinate entities have issued such bonds in 1989. The issuer has designated the Notes as "qualified tax exempt obligations" under section 265(b) of the Code. Interest on loans to Financial Institutions, as defined in the Code, may in part be deductible from gross income for federal income tax purposes to the extent the proceeds of such loans were used by such institutions to acquire the Notes.

Prospective purchasers of the Notes should be aware that ownership of tax-exempt obligations may have collateral Federal income tax consequences for certain purchasers, including, without limitation, financial institutions, United States branches of foreign corporations, property and casualty insurance companies, individual recipients of Social Security or Railroad Retirement benefits, certain S corporations with substantial passive income and other taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry tax-exempt obligations. Such prospective purchasers should consult their tax advisors as to any possible collateral consequences from their ownership of the Notes.

In the opinion of Bond counsel, under existing law, the interest on the Notes is exempt from Mississippi income taxes.

APPROVAL OF LEGAL PROCEEDINGS

Legal matters incident to the authorization, issuance and sale of the Notes by the Issuer are subject to the unqualified approving opinion of Stennett, Wilkinson & Ward, Jackson, Mississippi, Bond Counsel. Certain legal matters will be passed upon for the Issuer by Nova A. Carroll, Esq., of Picayune, Mississippi. Certain legal matters will be passed upon for the Underwriter by Stennett, Wilkinson & Ward, Jackson, Mississippi.

Bond Counsel has reviewed this Official Statement, but the factual and financial information appearing herein have been supplied or reviewed by the Issuer, the Underwriter and other parties.

RATING

As noted on the cover page, the Issuer has applied for a rating for the Notes from Moody's Investors Service. No

URBAN RENEWAL REVENUE NOTES CONTINUED:

assurance can be given as to the rating category which may be assigned to the Notes or that any rating will be so assigned.

Any such rating, if and when issued, reflects only the views of such rating agency. Any explanation of the significance of the rating may only be obtained from the rating agency. The Issuer furnished and will furnish to the rating agency certain information and materials, some of which may not have been included in this Official Statement, relating to the Notes and the Issuer. Generally, rating agencies base their ratings on such information and materials and investigation, studies and assumptions by the rating agencies. There can be no assurance that a rating when assigned will continue for any given period of time or that it will not be lowered or withdrawn entirely by the rating agency if in its judgment circumstances so warrant. Any such downward change in or withdrawal of a rating may have an adverse effect on the marketability and/or market price of the Notes.

The Issuer presently expects to furnish such rating agency with information and materials that it may request on future bond, note and certificate of indebtedness issues. However, the Issuer assumes no obligation to furnish requested information and materials, and may issue debt for which a rating is not requested. Failure to furnish requested information and materials, or the issuance of debt for which a rating is not requested, may result in the suspension or withdrawal of the rating agency's ratings on the Notes.

Any rating obtained for the Notes may be dependent in part on the fact that the proceeds of the Notes are invested in certificates of deposit with Fuji Bank Ltd. A downgrading of the rating on Fuji Bank Ltd. debt may have an adverse effect on any rating for the Notes.

NO LITIGATION

At the time of delivery of and payment for the Notes, the Issuer will deliver a certificate stating that there is no litigation then pending or threatened to restrain or enjoin the issuance, sale, execution or delivery of the Notes, application of the proceeds of the Notes as contemplated by the Indenture, acquisition or construction of the Project or in any way to contest or affect the validity of the Notes, any proceedings of the Issuer taken with respect to the issuance or sale thereof, the pledge or application of any moneys or security provided for the payment of the Notes, the existence or powers of the Issuer, or the title of any officers of the Issuer to their respective positions.

URBAN RENEWAL REVENUE NOTES CONTINUED:

MISCELLANEOUS

The foregoing summaries and explanations do not purport to be comprehensive, and are expressly made subject to the express provisions of documents referred to herein. Copies of the Indenture and certain other documents may be obtained from the Underwriter during the initial offering period, and thereafter from the Trustee.

The agreement of the Issuer with the owners of the Notes is fully set forth in the Indenture, and this Official Statement is not to be construed as constituting an agreement with the owners of the Notes. Insofar as any statements are made in this Official Statement involving matters of opinion, whether or not expressly so stated, they are intended merely as such and not as representations of fact. The execution and delivery of this Official Statement has been authorized by the Issuer.

CITY OF PICAYUNE, MISSISSIPPI

By:
Title: Mayor

AUDITED FINANCIAL STATEMENTS OF
CITY OF PICAYUNE, MISSISSIPPI
FOR THE YEAR ENDED
SEPTEMBER 30, 1987

DEMOGRAPHIC INFORMATION
CONCERNING CITY OF PICAYUNE, MISSISSIPPI
(ASSEMBLED BY MISSISSIPPI
RESEARCH AND DEVELOPMENT CENTER)

URBAN RENEWAL REVENUE NOTES CONTINUED:

STATE OF MISSISSIPPI,

COUNTY OF PEARL RIVER

PERSONALLY CAME before me, the undersigned, a notary public in and for PEARL RIVER County, Mississippi, David G. Sims, Editor of THE PICAYUNE ITEM, a newspaper published in the City of Picayune, of Pearl River County, in said state, who being duly sworn, deposes and says that The Picayune Item is a newspaper as defined and prescribed in Senate Bill No. 203 enacted at the regular session of the Mississippi Legislature of 1948, amending Section 1858, of the Mississippi Code of 1942, and that the publication of a notice, of which the annexed is a copy, in the matter of

City of Picayune PO#42373

has been made in said paper 1 times consecutively, to-wit:

On the 16 day of February, 19 89

On the ..... day of ....., 19....

On the ..... day of ....., 19....

On the ..... day of ....., 19....

On the ..... day of ....., 19....

On the ..... day of ....., 19....

David G. Sims
The Picayune Item

SWORN TO and subscribed before me, this 20 day of February, 19 89

Marlene H. Gillingame
Notary Public
My Commission Expires Sept. 29, 1990

Picayune, Miss., ..., 19....

To THE PICAYUNE ITEM Dr.
(Name Newspaper)

TO PUBLISHING 411 words 1 time @.08 1 time totals 33.88

use of .....

..... words space .....

..... times and making proof, $.....

RECEIVED OF .....

payment in full of the above account.

....., 19....

NOTICE OF PUBLIC HEARING

In accordance with Mississippi Code of 1972 43-35-12(3) the City Council of the City of Picayune, Mississippi, do hereby give notice that at 6:00 o'clock p.m., March 7, 1989, at its usual meeting place in the City Hall, Picayune, Mississippi, a public hearing will be held on the proposed approval of an urban renewal plan entitled "Urban Renewal Plan (Phase I Redevelopment Project)."

The proposed urban renewal plan will be effective solely with regard to the following property:

A. The rights-of-way of all City streets;

B. The Wastewater Treatment Plant and the attendant property at the south end of Airport Road;

C. City Hall and City Annex at 203 Goodyear Boulevard;

D. Criminal Justice Center at 328 South Main Street; and

E. Friendship Park on east side of Highway 11 south of the National Guard Armory.

The proposed urban renewal plan will call for the redevelopment, renovation, and rehabilitation of the described property through a program for the renovation, acquisition, expansion, construction, and equipping, as appropriate, of:

A. Street and drainage improvements, including overlay and sidewalks;

B. Upgrading of the wastewater treatment facility;

C. Renovation of the City Hall and City Annex;

D. Street light improvement;

E. Expansion and renovation of Criminal Justice Center; and

F. Upgrading and expansion of Friendship Park (collectively, the "Urban Renewal Project")

To the extent funds required for the Urban Renewal Project or any part thereof are not provided from grants or other sources, notes may be issued pursuant to Miss. Code Ann. 43-35-21 (1972).

Notes so issued shall be special obligations and shall not constitute general obligation debts of the City of Picayune, Mississippi or a liability against the tax base, general funds, or other assets of the City of Picayune, Mississippi, unless and except if separate special notice is given the electorate in accordance with law so that the electorate would have an opportunity to protest such and require an election thereon. Notes contemplated by the proposed urban renewal plan will initially be issued as special obligations which are not supported by the ad valorem tax base or general credit of the City. Therefore no increase in or pledge of ad valorem taxes will be required in order to secure such notes.

Interested persons will have a reasonable opportunity to express their views on the proposed urban renewal plan.

This, the 7th day of February, 1989.

Raymond A. Seal
City Clerk of the
City of Picayune

Publish: February 16, 1989.

URBAN RENEWAL REVENUE NOTES CONTINUED:

STATE OF MISSISSIPPI,

COUNTY OF PEARL RIVER

PERSONALLY CAME before me, the undersigned, a notary public in and for PEARL RIVER County, Mississippi, David G. Sims, Editor of THE PICAYUNE ITEM, a newspaper published in the City of Picayune, of Pearl River County, in said state, who being duly sworn, deposes and says that The Picayune Item is a newspaper as defined and prescribed in Senate Bill No. 203 enacted at the regular session of the Mississippi Legislature of 1948, amending Section 1858, of the Mississippi Code of 1942, and that the publication of a notice, of which the annexed is a copy, in the matter of

City of Picayune PO#42373

has been made in said paper 2 times consecutively, to-wit:

On the 16 day of February, 19 89

On the 23 day of February, 19 89

On the ..... day of ....., 19.....

On the ..... day of ....., 19.....

On the ..... day of ....., 19.....

On the ..... day of ....., 19.....

On the ..... day of ....., 19.....

The Picayune Item

SWORN TO and subscribed before me, this 23 day of February, 19 89

Milton H Fillingame

Notary Public

My Commission Expires Sept. 29, 1990

Picayune, Miss., ..., 19.....

To THE PICAYUNE ITEM Dr.
(Name Newspaper)

TO PUBLISHING 434 words 1 time @.08 totals 34.72 and 434 words 1 time @.05 totals 21.70 and $1 for proof of publication

case of

totals 57.42 words space

times and making proof, $

RECEIVED OF

payment in full of the above account.

....., 19.....

NOTICE OF NOTE SALE

Sealed proposals will be received by the City Council of the City of Picayune, Mississippi, at its usual meeting place in the City Hall, Picayune, Mississippi, until the hour of 6:00 o'clock P.M. on March 7, 1989, for the sale, at not less than par and accrued interest, of Urban Renewal Revenue Notes of the City of Picayune, Mississippi, in an amount not to exceed $5,000,000.00 (the "Notes") pursuant to a proposed urban renewal plan entitled "Urban Renewal Plan (Phase I) Redevelopment Project (the "Urban Renewal Plan").

Each proposal shall be accompanied by a Note Purchase Agreement in substantially the form acceptable to the bidder or bidders. The Notes will be dated, will be payable, and will be subject to prepayment in accordance with the provisions of such note purchase agreement. The Notes shall be limited obligations of the City of Picayune (the "Issuer") the principal of and interest on which shall be payable in accordance with the terms of the above referenced note purchase agreement, and may further be secured solely and only from any revenues derived by the the Issuer from the

renewal project for which the Notes are issued.

(b) Any right, title and interest under any Deed or Deeds of Trust creating a lien upon certain real property to be acquired and or improved with the proceeds of the Notes; and

(c) Such other collateral, if any, as may be specified in the aforesaid Note Purchase Agreement and approved by the Issuer.

The Issuer will irrevocably pledge and assign, without recourse, for the benefit of the holder or holders of the Notes, such of the foregoing sources of revenue as may be specified in the note purchase agreement accompanying any successful proposal. The Notes, as initially marketed, shall not constitute an indebtedness of the Issuer within the meaning of any constitutional provision or statutory limitation and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against the general credit or taxing powers of the Issuer.

Proposals should be addressed to the Issuer, should be plainly marked "Proposal for Notes," and should be filed with the City Clerk on or before the date and hour hereinabove named. The Issuer reserves the right to reject any and all bids submitted. The Notes shall not bear an interest rate greater than thirteen percent (13%) per annum. Any proposal must anticipate that the Issuer will set the final amount of the Notes.

BY ORDER of the City Council of the City of Picayune, Mississippi, this, the 7th day of February, 1989.

Raymond A. Seal
City Clerk of the
City of Picayune

Publish: (February 16 and 23

ORDER TO RECESS

City Manager, A.L. Franklin, requested the Mayor and Council hold a recessed meeting on April 14, 1989 to discuss fence at Friendship Park and to meet in Executive Session to discuss pending litigations and personnel. Motion was made by Councilman Jones and seconded by Councilman Ware to recess until April 14, 1989. Vote was unanimously carried.

APPROVED:

Mayor Gregory H. Mitchell

ATTEST:

Raymond A. Seal, City Clerk

TAPE NO. 89-12 & 89-13

March 14, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in recessed session Tuesday, March 14, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Luther T. Jones, Danny Ware and Leavern Guy; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; and City Attorney, Nova Carroll.

ORDER TO AWARD BID FOR FENCING AND RELOCATING FENCE AT FRIENDSHIP PARK IN THE AMOUNT OF $4,185.00

City Manager, A.L. Franklin stated that two bids were received on March 7, 1989 for fence at Friendship Park, but that Holcomb Fence Co. withdrew his bid, which left Staples Fence Co. as the only bid. Motion was made by Councilman Guy and seconded by Councilman Ware to approve the bid from Staples Fence Co. for 850 feet of 7 foot fence, installed, at Friendship Park. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy

Voting nay: None

Absent and not voting: Councilmen Albritton and McQueen

Motion was declared carried.

ORDER TO ADVERTISE FOR BIDS TO EXTEND WATER LINE DOWN FRONTAGE ROAD

On March 7, 1989, permission to advertise for supplies to extend the water line down Hwy 43 South and Frontage Road was denied. Clarification was needed concerning whether businesses involved are within the city limits. After researching the matter, City Manager, A.L. Franklin, stated all property involved is within the City limits and again he requested permission to advertise for materials. Motion was made by Councilman Guy and seconded by Councilman Jones to advertise as follows:

NOTICE FOR BIDS

Public Notice is hereby given that the Mayor and Council of the City of Picayune will receive bids up to 5:00 p.m., Tuesday, April 4, 1989 for the following:

Materials for water line extension at Hwy 43 South and Telly Road.

A list of materials are available upon request in the office of the Purchasing Agent, 203 Goodyear Blvd., Picayune, MS 39466 (601) 798-9770.

Sealed bid must be written on the envelope and delivered to Raymond A. Seal, City Clerk, 203 Goodyear Blvd., Picayune, Ms 39466. Said bids will be opened April 4, 1989 at 6:00 p.m. or shortly thereafter. The Mayor and Council reserves the right to waiver informalities reject any or all bids, or increase or decrease quantities.

Done by order of the Mayor and Council this 14th day of March, 1989.

Raymond A. Seal, City Clerk

CONTINUED

Advertisement continued;

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy

Voting nay: None

Absent and not voting: Councilmen Albritton and McQueen

Motion was declared carried.

ORDER TO ENTER INTO EXECUTIVE SESSION

City Manager, A.L. Franklin, requested the Mayor and Council meet in Executive Session to discuss personnel matters and pending litigations. Motion was made by Councilman Guy and seconded by Councilman Jones to go into Executive Session. The following vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy

Voting nay: None

Absent and not voting: Councilmen Albritton and McQueen

Motion was declared carried.

Executive Session followed, at the conclusion of which the Mayor and Council returned to regular session.

ORDER TO RECESS

Motion was made by Councilman Guy and seconded by Councilman Jones to recess until March 21, 1989 at 6:00 p.m.

APPROVED:

GREGORY H. MITCHELL
MAYOR

ATTEST:

RAYMOND A. SEAL, CITY CLERK

TAPE NO. 89-14

March 21, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in recessed session Tuesday, March 21, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Danny J. Ware, Luther T. Jones, Leavern Guy and Kelly L. McQueen; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; and City Attorney, Nova Carroll.

It Being Determined a quorum was present, the Mayor declared the meeting open and the following proceedings were held:

IN THE MATTER OF REQUEST BY LARRY BRELAND TO PURCHASE PROPERTY FROM CITY

Nova Carroll, City Attorney, stated he had looked into the request by Larry Breland to purchase the property which serves as a buffer and adjoins his property located in the Rosa Street Redevelopment Subdivision Area. Mr. Carroll stated since this is an official subdivision the matter would have to go through the Chancery Court to vacate that portion of the plat. Mr. Breland then withdrew his request to purchase property and asked permission to continue cleaning and maintaining said property. It was the consensus of the Mayor and Council that Mr. Breland be allowed to continue with the upkeep of said property.

IN THE MATTER OF PUBLIC HEARING
RE: LOT MAINTENANCE - WILLIE LEE CARTER

This being the date set for a public hearing to determine if the condition of property owned by Willie Lee Carter, Block 35, Lot 4C, North Green Street, Picayune, Ms constitutes a menace to the community. Mr. Carter was present and stated he has been in hospital and requested more time to clean his lot. Upon motion by Councilman McQueen and seconded by Councilman Jones, said property was declared a menace to the public health and safety to the community and property owner allowed thirty (30) days to clean said property. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE SEMI-ANNUAL BIDS TO SUPPLY MATERIALS NEEDED BY CITY FOR 6 MONTH PERIOD

Purchasing Agent, Reggie Frierson, recommended the Mayor and Council accept bidders, to furnish semi-annual supplies to the City of Picayune from April 1, 1989 through September 30, 1989, who have the lowest and best bid that meets our specificaitons. Motion was made by Councilman McQueen and seconded by Councilman Guy to approve this recommendation from the Purchasing Agent for semi-annual supplies. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO REJECT BIDS RECEIVED FOR HUSKY BRUTE KNUCKLE BOOM WITH BRUSH GRAPPLE AND RE-ADVERTISE

After discussion of bids received on March 7, 1989 for the knuckle boom, it was the consensus of the Mayor and Council this should be readvertised. Motion was made by Councilman McQueen and seconded by Councilman Guy to reject bids received on March 7, 1989, declare old knuckle boom as surplus equipment and readvertise for knuckle boom and allow for trade in on old knuckle boom. Bids will be received on April 18, 1989. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO ADVERTISE FOR REINFORCED CONCRETE PIPE FOR SIX MONTH PERIOD

Motion was made by Councilman McQueen and seconded by Councilman Guy to advertise for concrete Pipe for a 6 month period beginning April 1, 1989 and ending September 30, 1989. Bids will be received on April 18, 1989 at 6:00 P.M. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Guy, Ware, Jones and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO AWARD BID FOR MATERIALS FOR EAST SIDE GAS RENOVATION PROJECT

After reviewing the bids received on March 7, 1989, Purchasing Agent, Reggie Frierson, stated he had reviewed the bids submitted on the upgrading of the municipalities gas system from 5th Street to Mitchell Street with Buddy Broadway and Wayne Wise and recommended we accept the bid for materials from Louisiana Utilities Supply in the amount of $43,020.32, less 2% 10 days ($860.40) for a total of $42,159.92. Broadway, of Broadway Engineers stated the following:

Other bids were somewhat lower because:

1. All items were not bid:
   a. A.& J Sales----------$8,895.49
   b. Central Pipe Supply $27,370.00
2. Supplier did not bid the quality of item or items specified:
   a. M.T. Deason Co., Inc. $40,038.26
   b. Meter Service & Supply $40,255.25
   c. Energy Pipe Products $42,639.90

Nine suppliers bid this project March 7, 1989 with the range from $8,895.49 to $71,002.29.

Motion was made by Councilman McQueen and seconded by Councilman Jones to approve the bid from Louisiana Utilities Supply for materials for the East Side Gas Renovation Project as recommended above. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO AWARD BID FOR CONTRACTOR FOR THE EAST SIDE GAS RENOVATION PROJECT TO VALENTINE AND LEBLANC OF BATON ROUGE, LA

Purchasing Agent, Reggie Frierson, recommended the bid of Valentine and LeBlanc, Contractors, of Baton Rouge, LA be accepted for the East Side Gas Renovation Project. Their bid was reviewed and considered to be the lowest and best bid. Motion was made by Councilman Ware and seconded by Councilman Jones to approve the bid for the installation of materials from Valentine and LeBlanc, Inc. for the amount of $106,707.50. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE REFUND OF $216.86 TO EARNEST D. STRICKLAND FOR 1988 TAXES

Motion was made by Councilman Ware and seconded by Councilman Jones to approve a refund of $216.86 for 1988 taxes to Earnest D. Strickland. Pearl River Tax Assessor/Collector reports said property should be total tax exempt. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE REFUND OF $50.00 TO ALTON A. "DOLPH" KELLAR FOR 1988 TAXES IN HANCOCK COUNTY

Motion was made by Councilman Ware and seconded by Councilman McQueen to approve a tax refund of $50.00 on Parcel No. 035-0-22-001 located in Hancock County, within the Picayune School District, to Alton A. "Dolph" Kellar. Assessment was reduced, according to Edward D. Murtagh, Jr., Hancock County Tax Assessor/Collector. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO REPLACE DIRT IN DITCH ON PROPERTY OF ALVERTA BOLDEN ON COUSIN STREET

A.L. Franklin reported the cost would be approximately $1,000 to place culvert in a ditch on property owned by Alverta Bolden. Franklin stated the City does not normally furnish pipe for private property and does not recommend it. Franklin stated the City has acted in good faith to solve the drainage problem. After discussion by the Mayor and Council, motion was made by Councilman Guy and seconded by Councilman Jones to replace dirt that was removed by the City workers from the ditch on property of Alverta Bolden and abandon ditch. The following roll call vote was recorded.

Voting yea: Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Abstained and not voting: Mayor Mitchell

Absent and not voting: Councilman Albritton

Motion was declared carried.

RECESSED MEETING OF MARCH 21, 1989

ORDER TO ENTER INTO EXECUTIVE SESSION

Upon request by Nova Carroll, motion was made by Councilman Guy and seconded by Councilman Ware to enter into Executive Session to discuss pending litigations. With vote unanimously carried, the Mayor and Council will now go into Executive Session.

Executive Session followed, at the conclusion of which the Mayor and Council returned to regular session.

IN THE MATTER OF PARKING ORDINANCE ON GOODYEAR BOULEVARD

Councilman McQueen stated he has had complaints concerning cars being towed outside the city from the hospital. McQueen suggested the Council review and discuss the ordinance at the April 4, 1989 meeting, which concerns towing vehicles after 9:30 P.M. from Goodyear Blvd. in compliance with said ordinance.

ORDER TO ADJOURN

Motion was made by Councilman Guy and seconded by Councilman Ware to adjourn until April 4, 1989 at 6:00 P.M.

APPROVED:

GREGORY H. MITCHELL
MAYOR

ATTTEST:

RAYMOND A. SEAL
CITY CLERK

TAPE NO. 89-15

April 1, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in said City, Saturday, April 1, 1989 at 9:00 A.M., pursuant to waiver of notice and consent to so meet duly signed and executed by each and every member of the said Council, including the Mayor, in accordance with the provisions of the law, ordered spread upon these minutes and filed for record with the following officials present: Mayor Gregory H. Mitchell; Councilmen Danny J. Ware, Luther T. Jones, Leavern Guy; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; and City Attorney, Nova Carroll.

It Being Determined a quorum was present, the Mayor declared the meeting open and the following proceedings were held.

NOTICE AND CONSENT TO SPECIAL MEETING

Councilman Danny J. Ware
Councilman Luther T. Jones, Sr.
Councilman Larry L. Albritton
Councilman Kelly L. McQueen
Councilman Leavern Guy

You are HEREBY NOTIFIED that a special meeting of the Mayor and City Council is called to meet in the Council Chambers, Saturday, April 1, 1989 at 9:00 P.M., to discuss the Virginia Manor Subdivision water system.

Mayor Gregory H. Mitchell

Councilman Danny J. Ware

Councilman Luther T. Jones, Sr.

Councilman Leavern Guy

Councilman Larry L. Albritton

Councilman Kelly L. McQueen

ORDER TO GO INTO EXECUTIVE SESSION

Upon motion by Councilman Ware and seconed by Councilman Jones, and unanimously carried, the Mayor and Council will now go into Executive Session.

Executive Session followed, at the conclusion of which the Mayor and Council returned to regular session.

ORDER TO ADOPT RESOLUTION PERTAINING TO THE VIRGINIA MANOR WATER SYSTEM

R E S O L U T I O N

WHEREAS, the City of Picayune has been ordered by the United States Environment Protection Agency, Region 1V, Atlanta, Georgia, to take certain actions concerning the Virginia Manor Subdivision water system as it pertains to one well allegedly owned by the City of Picayune, (however the City of Picayune specifically denies any ownership of said well.); and

WHEREAS, a copy of the said order is attached hereto as Exhibit "A" and incorportated herein the same as if copied in full herein; and

WHEREAS, Paragraph 2 of said order requires the City of Picayune to perform monthly bacteriological sampling and analyses in accordance with 40 C.F.R. 141.21; and

WHEREAS, the City of Picayune will be required by the said order to spend unbudgeted public funds to complete the said sampling and testing; and

WHEREAS, the City of Picayune will also be required to give legal notices as per said order; and

WHEREAS, these costs of public notices are also unbudgeted items, and

WHEREAS, it is necessary for the City of Picayune to take these actions as per the said order; and

WHEREAS, if it is later determined that the City of Picayune is not the owner and operator of the Virginia Manor Water System, then in that event the City of Picayune shall seek reimbursement of all funds expended pursuant to said order from the Environmental Proteciton Agency, Region 1V, Atlanta, Georgia.

NOW, THEREFORE, BE IT ORDERED as follows:

1. The City of Picayune begin taking samples (under protest) of the one well in Virginia Manor Subdivision Water System.

2. The City of Picayune begin analyzing the said samples.

continued

RESOLUTION CONTINUED:

3. The budget of the City of Picayune be amended (under protest of the said Environmental Protection Agency order) to provide funds to pay for the said sampling, testing of samples, and publication of all legal notices required by the Environmental Protection Agency's order attached hereto as Exhibit "A" and made a part hereof the same as if copied at length herein.

4. It is further ordered that the City of Picayune take all these actions, and all other actions required under said order, under protest because the City of Picayune submits that it is not the owner or operator of the Virginia Manor Subdivision water well or Water System, nor has it ever been the owner or operator of the Virginia Manor Subdivision water well or Water System.

5. That the City of Picayune specifically reserves all its legal, equitable, or administrative rights to protest the legality of the above said Environmental Proteciton Agency order.

6. The City of Picayune takes these aforesaid actions and expends the aforesaid necessary funds under protest and only because the City of Picayune has been ordered to do so by the Environmental Protection Agency, Region IV, Atlanta, Georgia.

7. If it is later determined that the City of Picayune is not the owner and operator of the Virginia Manor Subdivision Water System or water well, then in that event the City of Picayune will seek reimbursement of all funds expended pursuant to said Environmental Proteciton Agency order, Region IV, Atlanta, Georgia.

Done by order to the Mayor and Council this the 1st day of April, 1989.

GREGORY H. MITCHELL, MAYOR

ATTEST:

RAYMOND A. SEAL, CITY CLERK

The above and foregoing Resolution was adopted upon motion by Councilman Ware, seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy

Voting nay: None

Absent and not voting: Councilmen Albritton and McQueen

Motion was declared carried.

ORDER TO ADJOURN

No further business to come before the Mayor and Council, motion was made by Councilman Guy and seconded by Councilman Ware to adjourn until 6:00 P.M., Tuesday, April 4, 1989.

APPROVED:

GREGORY H. MITCHELL
MAYOR

ATTEST:

RAYMOND A. SEAL, CITY CLERK

TAPE NO. 89-16

April 4, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in regular session Tuesday, April 4, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Luther T. Jones, Sr., Danny J. Ware, Leavern Guy, Kelly L. McQueen; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal and City Attorney Nova Carroll.

It Being Determined a quorum was present, Mayor Gregory H. Mitchell declared the meeting open and the following proceedings were held.

The opening prayer was given by Mr. J.P. Burns, followed by the Pledge of Allegiance.

ORDER TO ACCEPT MINUTES FROM THE PEARL RIVER COUNTY DEVELOPMENT ASSOCIATION MEETING OF FEBRUARY 27, 1989

Motion was made by Councilman Ware and seconded by Councilman Guy to accept the minutes from the Pearl River County Development Association Board Meeting on February 27, 1989. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting; Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE THE DOCKET OF CLAIMS FOR THE MONTH OF MARCH, 1989 WITH CHANGES

Motion was made by Councilman Ware and seconded by Councilman Guy to approve the Docket of Claims for the month of March, 1989 with claim no. 3492 denied because of duplication and change claim no. 3633 from $13.50 to $313.50, keyed in error. The Claims Docket was approved as follows:

CLAIM NO. 3043 - 3664

FUND	TOTAL
General Fund	$ 852,156.20
Neighborhood Parks and Recreation	9,841.00
Library Fund	21,014.12
CDBG West Side Redevelopment	55,039.54
General Bond & Interest Fund	128,900.00
Library Construction Bond Fund	9,100.00
Capital Projects Fund	303,085.85
Intragovernmental Service Fund	71,321.91
Utility Fund	737,666.85
Unemployment Compensation Trust Fund	30,100.00
Tax Collector Fund	878,890.62
Palestine Cemetery Trust Fund	260,400.00
DOCKET TOTALS:	$3,357,516.09

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE BUILDING PERMITS FOR MARCH, 1989

Motion was made by Councilman Guy and seconded by Councilman Jones to approve the building permits for March, 1989 no. 4730 - 4735, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE MINTUES OF THE PLANNING COMMISSION MEETING ON MARCH 28, 1989

Motion was made by Councilman Ware and seconded by Councilman Guy to approve the minutes of the Planning Commission meeting of March 28, 1989. Said minutes are on file in the City Clerk's office in Minute Book 4, page 148. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF OPERATING A FRESH FISH MARKET ON W. CANAL STREET AND S. MAIN STREET

Curt Perry came before the Mayor and Council, after recommendation by the Planning Commission, to request a Use Variance to operate a fresh fish market on the corner of W. Canal St. and S. Main St., C-2 Zone. After discussion, it was the consensus of the Mayor and Council for Mr. Perry to obtain more information from the meat division of the State of Mississippi and present it at the next council meeting. No action was taken at this time.

ORDER TO APPROVE PRODUCE SHELTER TO LOCATE ON HIGHWAY 43 EAST

Mr. Jack Mitchell came before the Mayor and Council to request a Use Variance to operate a produce stand on Highway 43 East in an A-1 Zone. This type of shelter would allow trucks to pull under out of weather to sell their produce. Mr. Mitchell stated he would have electricity, water and restroom facilities. The Planning Commission recommended this as a good location for this type of business. Motion was made by Councilman Jones and seconded by Councilman Ware to approve for Mr. Jack Mitchell to operate a produce shelter on Highway 43 East. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

Councilman McQueen left the meeting at this time.

ORDER TO DENY REQUEST BY JACK DIAMOND TO CONVERT CLUB HOUSE IN THE WOODS SUBDIVISION INTO SINGLE FAMILY DWELLING

Mr. Jack Diamond came before the Planning Commission on March 28, 1989 requesting a Use Variance in order for him to convert the club house, in the Woods Subdivision, into a $250,000 single family dwelling. The Planning Commission recommended this to the Mayor and Council. Concerned residents of the subdivision were in attendance. Speaking for the residents, Gerald Cruthirds stated they are concerned about the drainage provided by the lake located on the property. Mr. Diamond assured the group the drainage would be taken into consideration. Mr. Cruthirds also stated there will be serious legal problems with the covenants of the subdivision. City Attorney, Nova Carroll, did not recommend a Use Variance. Motion was made by Councilman Ware and seconded by Councilman Guy to deny the request for a Use Variance by Mr. Jack Diamond. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones and Guy
Voting nay: None
Absent and not voting: Councilman Albritton and McQueen
Motion was declared carried.

IN THE MATTER OF PUBLIC HEARING SET FOR APRIL 25, 1989 CONCERNING I-1 DISTRICT OF THE ZONING ORDINANCE.

The Planning Commission set the date of April 25, 1989, for a public hearing to be held concerning an amendment to the I-1 District in the Zoning Ordinance. This amendment was adopted on January 19, 1982. It was discovered that a public hearing was not held prior to adoption of the amendment.

IN THE MATTER OF PUBLIC HEARING SET FOR APRIL 25, 1989 CONCERNING REZONING PROPERTY LOCATED AT 521 WILLIAMS AVE.

Upon a request by Dr. Randolph Howes, owner of the property at 521 Williams Ave., a public hearing was set for April 25, 1989 by the Planning Commission concerning the rezoning of said property from R-2 to MP.

ORDER TO RECEIVE BIDS FOR WATER LINE EXTENSION ON HIGHWAY 43 EAST AND FRONTAGE ROAD

This being the date and hour to receive bids for the water line extension on Highway 43 East and Frontage Road, the following bids were received:

1. Water Products Co, Mobile, AL	$14,663.00
2. Davis Meter & Supply Co., Jackson, MS	$15,107.10
3. Southern Pipe & Supply Co., Inc. Waveland,MS	$15,171.70
4. Consolidated Pipe & Supply Co.,Jackson,MS	$15,356.00
5. Viking Utility Supply,Hattiesburg, MS	$15,859.36
6. Superior Pipe & Supply Pelham, AL	$15,914.93
7. Central Pipe Supply, Jackson, MS	$16,526.05

continued

BIDS FOR WATER LINE EXTENSION CONTINUED:

Motion was made by Councilman Ware and seconded by Councilman Guy to take bids for the water line extension under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy

Voting nay: None

Absent and not voting: Councilman Albritton and McQueen

Motion was declared carried.

ORDER TO ADVERTISE FOR BIDS FOR PRIMING HORIZONTAL CONTRIFUGAL PUMP

City Manager, A.L. Franklin, requested authorization to advertise for a self priming horizontal contrifugal pump for the sewer department as approved in the 1988-89 budget. Motion was made by Councilman Ware to advertise as follows:

NOTICE FOR BIDS

Public Notice is hereby given that the Mayor and City Council of the City of Picayune, MS will receive bids up to 5:00 P.M., Tuesday, May 2, 1989 for the following:

One Self Priming Horizontal Centrifugal Pump

Specifications are available upon request in the office of the Purchasing Agent, 203 Goodyear Blvd., Picayune, MS 39466 (601-798-9770).

Sealed Bids Sewer Pump must be written on the envelope and delivered to Raymond A. Seal, City Clerk, 203 Goodyear Blvd., Picayune, MS 39466. Said bids will be opened May 2, 1989 at 6:00 p.m., or shortly thereafter. The Mayor and Council reserves the right to waive informalities, reject any or all bids.

Done by order of the Mayor and Council this the 4th day of April, 1989.

Raymond A. Seal,
City Clerk

Motion was seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy

Voting nay: None

Absent and not voting: Councilman Albritton and McQueen

Motion was declared carried.

ORDER TO APPROVE REFUND OF $67.79 TO MAGNOLIA FEDERAL FOR TAXES PAID IN ERROR

Motion was made by Councilman Ware and seconded by Councilman Jones to approve a refund of $67.79 to Magnolia Federal for taxes paid in error for Charles A. Mitchell, Parcel No. 617-417-000-01-6. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy

Voting nay: None

Absent and not voting: Councilman Albritton and McQueen

Motion was declared carried.

ORDER TO RECEIVE BID FOR PURCHASE OF VIRGINIA MANOR SUBDIVISION WATER WELL

This being the day and hour to receive bids for purchase of real property located in Virginia Manor Subdivision which the City acquired by tax sale, the following bid was received:

Nicholas L. Smith, Picayune, MS ---------- $150.00

Motion was made by Councilman Ware and seconded by Councilman Jones to receive and award the sale of property to Nicholas L. Smith for the amount of $150.00. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, and Guy

Voting nay: None

Absent and not voting: Councilman Albritton and McQueen

Motion was declared carried.

ORDER TO APPROVE CONTRACT AND AUTHORIZE MAYOR MITCHELL TO SIGN CONTRACT AND QUITCLAIM DEED FOR SALE OF PROPERTY IN VIRGINIA MANOR SUBDIVISION WITH ARTESIAN WELL AND ASSOCIATED PIPES

Motion was made by Councilman Ware and seconded by Councilman Jones authorizing Mayor Mitchell to sign contract and quitclaim deed to Nicholas L. Smith for sale of real property containing an artesian well and associated pipes located in the Virginia Manor Subdivision. Said contract follows:

CONTRACT

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

For and in consideration of the payment of $150.00 One Hundred Fifty Dollars, and the execution of a Quitclaim Deed by the City of Picayune and the payment of $150.00 One Hundred Fifty Dollars. It is mutually agreed by and between the City of Picayune and NICHOLAS L. SMITH as follows, to-wit:

W I T N E S S E T H:

1) That the City of Picayune will convey unto NICHOLAS L. SMITH, by Quitclaim Deed a lot in Virginia Manor Subdivision. The United States Environmental Protection Agency has claimed that the City of Picayune owns said lot in Virginia Manor Subdivision, together with an artesian well and associated pipes.

2) That the United States Environmental Protection Agency has issued an Administrative Order directed to the City of Picayune concerning the taking of samples, testing and analyzing, and the operation and maintenance of said water system, and that NICHOLAS L. SMITH has agreed to pay all costs, together with the operation and maintenance of said artesian well and associated pipes.

3) That NICHOLAS L. SMITH hereby agrees to hold harmless the City of Picayune, and further agrees to operate, maintain, and do all as is required by the United States Environmental Protection Agency and/or the State of Mississippi to maintain said water system in accordance with all laws, rules, regulations, and requirements of the United States Environmental Protection Agency and/or the State of Miss.

continued

SALE OF VIRGINIA MANOR SUBDIVISION WATER WELL CONTINUED:

CONTRACT:

THIS AGREEMENT is made and executed in duplicate on this, the 5th day of April, A.D., 1989.

CITY OF PICAYUNE, A
Mississippi Municipal Corportation

BY: _____
GREGORY H. MITCHELL, Mayor
of the City of Picayune

ATTEST:

BY: Raymond A. Seal
RAYMOND A. SEAL, Clerk
of the City of Picayune

AGREED TO:

BY: /s/Nicholas L. Smith

The above and foregoing contract was approved by the Mayor and Council, with the following roll call vote recorded:

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy
Voting nay: None
Absent and not voting: Councilman Albritton and McQueen
Motion was declared carried.

ORDER TO APPROVE REQUEST BY PICAYUNE JAYCEES TO HAVE 5K & 10K RACE FOR CYSTIC FIBROSIS FUND

Chris Diamond, a member of the Picayune Jaycees, came before the Mayor and Council requesting permission to host a 5K and 10K race on April 22, 1989 at 9:00 A.M. for the benefit of Cystic Fibrosis. City Manager, A.L. Franklin, stated a Police escort would be available and route would have to be approved. Motion was made by Councilman Ware and seconded by Councilman Guy to approve permit for Jaycees to have said race on April 22, 1989, subject to approval of route. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy
Voting nay: None
Absent and not voting: Councilman Albritton and McQueen
Motion was declared carried.

IN THE MATTER OF DISCUSSION

Councilman Guy requested the park on Rosa Street be named George Washington Carver Memorial Park. City Manager, A. L. Franklin stated a Resolution would have to be adopted and would be prepared for the next council meeting.

Councilman Guy stated that large holes need to be filled in the softball field at Friendship Park. City Manager, A.L. Franklin stated work is going on now to get the fields in playing condition for the season.

Councilman Guy stated he would like for the Airport Board to send a copy of their minutes to the Mayor and Council and if not received, the City would discontinue contributing funds. City Manager, A.L. Franklin, stated he would write them a letter requesting their minutes and a copy of their budget.

ORDER TO RECESS

Motion was made by Councilman Ware and seconded by Councilman Jones to recess until Tuesday, April 15, 1989 at 6:00 P.M.

APPROVED:

GREGORY H. MITCHELL,
MAYOR

ATTEST:

RAYMOND A. SEAL, CITY CLERK

TAPE NO.: 89-17

April 18, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in recessed session Tuesday, April 18, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Larry L. Albritton, Danny Ware, Luther T. Jones, Kelly McQueen, City Manager, A.L. Franklin, City Clerk, Raymond A. Seal and City Attorney, Nova Carroll.

It Being Determined a quorum was present, the Mayor declared the meeting open and the following proceedings were held:

ORDER TO APPROVE MINUTES OF THE MAYOR AND COUNCIL FOR JANUARY 23, 24, 25, 27, FEBRUARY 7 and FEBRUARY 21, 1989

Motion was made by Councilman Ware and seconded by Councilman Jones to approve the minutes of the Council meetings held on January 23, 24, 25, 27, February 7 and 21, 1989. Said minutes are on file in the office of the City Clerk in Minute Book 21, pages 62 through 87. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, McQueen and Albritton

Voting nay: None

Absent and not voting: Councilman Guy

Motion was declared carried.

ORDER TO RECEIVE MINUTES OF THE PEARL RIVER COUNTY LIBRARY BOARD MEETINGS OF FEBRUARY 7 AND MARCH 7, 1989

Motion was made by Councilman Ware and seconded by Councilman Jones to accept the minutes from the Pearl River County Library Board for meetings of February 7, and March 7, 1989. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, McQueen and Albritton

Voting nay: None

Absent and not voting: Councilman Guy

Motion was declared carried.

ORDER TO APPROVE CONTRACT AGREEMENT WITH ALWEST ADVERTISING AND AUTHORIZE MAYOR MITCHELL TO SIGN CONTRACT

Mr. Earl Garner, with Alwest Advertising Company, presented a plan to place benches in needed areas around the City with no cost to the City. These benches will display advertisements of various businesses within Picayune. Said benches will be maintained by the Alwest Advertising Co. and advertising spaces will be leased for a period of one year. It was noted this will not be an exclusive contract and it will be automatically renewed 10 years from date of acceptance. Motion was made by Councilman Guy, seconded by Councilman Albritton to enter contract agreement Alwest Advertising Co. and authorize Mayor Mitchell to sign said contract. The following roll call

continued

ALWEST ADVERTISING CO. CONTRACT AGREEMENT CONTINUED:

Councilman Guy arrived at this meeting at this time.

vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Jones, Albritton, McQueen and Guy

Voting nay: Councilman Ware

Motion was declared carried.

ORDER TO RECEIVE BID AND TAKE UNDER ADVISEMENT FROM STRIBBLING EQUIPMENT , INC. FOR KNUCKLE BOOM WITH BRUSH GRAPPLE

This being the day and hour to receive bids for a new knuckle boom with brush grapple, with trade in for old knuckle boom, the following bid was received:

Stribbling Equipment, Inc., Hattiesburg, MS

Price FOB Picayune, MS for the cash sum of $ 25,875.00

Trade-in allowance on One Husky 125 Loader $ 1,500.00
(to be deducted from above price)

This quotation represents a delivered, but not installed price, six months hydraulic components, three years structural components warranty. Valid for 30 days.

Motion was made by Councilman McQueen and seconded by Councilman Guy to receive bid from Stribbling Equipment, Inc. and take under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO RECEIVE BID FOR SALE OF 1969 HUSKY BRUTE KNUCKLE BOOM

This being the day and hour to receive bids for the sale of a 1969 Husky brute knuckle boom, the following bid was received:

Floyd Jones, P. O. Box 127 , Carriere, MS---------$400.00

Motion was made by Councilman McQueen and seconded by Councilman Guy to receive bid from Mr. Floyd Jones for used husky knuckle boom and take under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO RECEIVE BID ON CONCRETE PIPE FOR A SIX MONTH PERIOD

This being the day and hour to receive bids for concrete pipe, the following bid was received:

Faulkner Concrete Pipe Company, Gulfport, MS

12" Reinforced Concrete Pipe	@ $ 6.88 Ft.
15" " " "	@ $ 8.14 Ft.
18" " " "	@ $ 8.86 Ft.
21" " " "	@ $11.35 Ft.
24" " " "	@ $14.10 Ft.
27" " " "	@ $16.65 Ft.
30" " " "	@ $19.91 Ft.
36" " " "	@ $29.81 Ft.
42" " " "	@ $40.50 Ft.
48" " " "	@ $48.40 Ft.
54" " " "	@ $57.98 Ft.
60" " " "	@ $63.75 Ft.
18" x 11" Reinforced Concrete Arch Pipe	@ $13.50 Ft.
22 x 13" " " " "	@ $14.62 Ft.
29" x 18" " " " "	@ $18.00 Ft.
36" x 23" " " " "	@ $22.20 Ft.
44" x 27" " " " "	@ $30.60 Ft.
58" x 36" " " " "	@ $48.00 Ft.
65" x 40" " " " "	@ $61.33 Ft.
73" x 45" " " " "	@ $74.45 Ft.
88" x 54" " " " "	@ 103.20 Ft.

Add 10% per foot for rubber gasket joints on the round pipe and preformed mastic joints on the arch pipe.

/s/ Bernie Benigno
Sales Representative

Prices submitted are for a six (6) month period beginning April 1, 1989, and ending September 30, 1989. Motion was made by Councilman McQueen and seconded by Councilman Ware to receive bid and take under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO AWARD BID FOR WATER LINE EXTENSION ON HIGHWAY 43 EAST AND FRONTAGE ROAD TO SOUTHERN PIPE AND SUPPLY COMPANY

After review of all bids for materials submitted on April 4, 1989 for water line extension on Highway 43 East and Frontage Road, Reggie Frierson, Purchasing Agent, recommended the bid for material from Southern Pipe & Supply Co. in the amount of $14,868.27. He stated the base bid from Water Products Co. of Mobile, AL is the lowest bid but with 3% non-resident charge, this would increase their bid to $15,102.89. Motion was made by Councilman McQueen and seconded by Councilman Albritton to take the recommendation of the Purchasing Agent to accept the bid from Southern Pipe & Supply Co. for $14,868.27. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO ADVERTISE FOR ROOF REPAIR ON THE CRIMINAL JUSTICE CENTER BUILDING

Motion was made by Councilman McQueen and seconded by Councilman Albritton to advertise for repairs to the roof of the Criminal Justice Center building on Main Street. The following advertisement was approved:

NOTICE FOR BIDS

Public Notice is hereby given that the Mayor and City Council of City of Picayune, MS will receive bids up to 5:00 p.m., Tuesday, May 16, 1989 for the following:

Roof repair Criminal Justice Center

Specifications are available upon request in the office of the City Clerk, 203 Goodyear Blvd., Picayune, MS 39466 (601) 798-9770.

Sealed bid Roof Repair Criminal Justice must be written on the envelope and delivered to Raymond A. Seal, City Clerk, 203 Goodyear Blvd. Picayune, MS 39466. Said bids will be opened May 16, 1989 at 6:00 p.m. or shortly thereafter. The Mayor and Council reserves the right to waive informalities, reject any or all bids.

Done by order of the Mayor and Council this the 18th day of April, 1989.

Raymond A. Seal
City Clerk.

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO ADVERTISE FOR CLEAN AND PAINT EXTERIOR OF FIRE STATIONS 2 & 3

Motion was made by Councilman McQueen and seconded by Councilman Albritton to advertise for exterior painting and cleaning of Firestation 2 and 3 as follows:

NOTICE FOR BIDS

Public Notice is hereby given that the Mayor and City Council of the City of Picayune, MS will receive bids up to 5:00 p.m., Tuesday, May 16, 1989 for the following:

1. Paint Fire Station No. 2, exterior and interior
2. Clean and Paint the exterior of Fire Station No. 3 and paint the interior of Station No. 3.

Sealed Bid No.____ must be written on the envelope and delivered to Raymond A. Seal, City Clerk, 203 Goodyear Blvd., Picayune, MS 39466. Said bids will be opened May 16, 1989 at 6:00 P.M. or shortly thereafter. The Mayor and Council reserves the right to waive informalities, reject any or all bids.

Done by order of the Mayor and Council this the 18th day of April, 1989.

Raymond A. Seal, City Clerk

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO ADVERTISE FOR MICROFICHE EQUIPMENT FOR THE CRIMINAL JUSTICE CENTER

Motion was made by Councilman McQueen and seconded by Councilman Albritton to advertise for Microfiche equipment for the Criminal Justice Center as follows:

NOTICE FOR BIDS

Public Notice is hereby given that the Mayor and City Council of the City of Picayune, MS will receive bids up to 6:00 p.m., Tuesday, May 16, 1989 as follows:

1. Microfiche Camera-Processor
2. Microfiche Reader-Printer
3. Microfiche Duplicator

Sealed bids Micro-film Equipment must be written on the envelope and delivered to Raymond A. Seal, City Clerk, 203 Goodyear Blvd., Picayune, MS 39466. Said bids will be opened May 16, 1989 at 6:00 p.m. or shortly thereafter. The Mayor and Council reserves the right to waive informalities, reject any or all bids.

Done by order of the Mayor and Council this the 18th day of April, 1989.

Raymond A. Seal, City Clerk

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

R E S O L U T I O N

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

WHEREAS, George Washington Carver an American Botanist, Chemurgist and Educator made significant contributions through agricultural research, and

WHEREAS, he developed more than 300 by products from the peanut and sweet potato including such products as plastics, dyes, medicines, flour, powdered milk, wood stains, and fertilizers, and

WHEREAS, his extensive research in soil building and plant diseases helped revolutionize the south's economy, and

WHEREAS, the results of George Washington Carver's research and the products of his laboratory at Tuskegee Institute in Alabama are well known throughout the world, and

WHEREAS, it is the desire of the City of Picayune to name the newly developed park on Rosa Street in honor of George Washington Carver.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Picayune, Mississippi that the park on Rosa Street be named the George Washington Carver Memorial Park in honor of George Washington Carver and his many achievements and his tremendous contributions to the United States of America and the rest of the world.

DATED this the 18th day of April, 1989.

APPROVED:

GREGORY H. MITCHELL, MAYOR

RESOLUTION CONTINUED:

ATTEST:

Raymond A. Seal

RAYMOND A. SEAL, CITY CLERK

The above and foregoing Resolution was adopted upon motion by Counilman Jones and seconded by Councilman Guy, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE REFUND OF $210.30 TO JOHN HANCOCK INSURANCE CO. FOR PAYMENT OF TAXES IN ERROR

Motion was made by Councilman McQueen and seconded by Councilman Jones to refund $210.30 to John Hancock Insurance Company for payment of 1988 taxes for William Smith in error. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO AUTHORIZE MAYOR MITCHELL TO SIGN A QUITCLAIM DEED FOR JACK PALMER

Motion was made by Councilman McQueen and seconded by Councilman Jones to authorize Mayor Mitchell to sign a quitclaim deed to Jack Palmer on Parcel No. 617-6-141-14-05-030.00-00 for 1985 taxes matured to the City in the amount of $79.52. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING CITY MANAGER TO INSTALL SIX (6) STREET LIGHTS

Motion was made by Councilman Guy and seconded by Councilman McQueen granting approval for City Manager, A.L. Franklin, to install six (6) street lights. The lights will be placed on West Street, Birdie Circle, three on Cooper Road and one on Main Street. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

P R O C L A M A T I O N

KNIGHTS OF COLUMBUS
MISSISSIPPI STATE COUNCIL

WHEREAS, the Knights of Columbus has been in existence in the City of Picayune since 1976, and

WHEREAS, since their inception they have been totally dedicated to Charity, Unity, Fraternity and Patriotism; and

WHEREAS, the Picayune Knights of Columbus have adopted Mental Retardation as a project for special concern and assistance; and

WHEREAS, in furtherance of this endeavor, other Councils will join in an annual Tootsie Roll Sale; and

WHEREAS, the proceeds resulting from this sale will be donated to community non-profit agencies serving the mentally retarded citizens in the City of Picayune and Mississippi,

NOW, THEREFORE, I, Gregory H. Mitchell, Mayor of the City of Picayune, Mississippi, by virtue of the authority invested in me, do hereby proclaim the week of May 1st through May 7th, 1989 as

"KNIGHTS OF COLUMBUS DAYS TO HELP RETARDED CITIZENS"

in Picayune and urge all citizens to take cognizance of this special week and participate in the purchase of Tootsie Rolls to aid this most worthy cause.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Picayune to be affixed this 18th day of April, 1989.

GREGORY H. MITCHELL, MAYOR

The above and foregoing Proclamation was adopted upon motion by Councilman Ware and seconded by Councilman McQueen, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

RECESSED MEETING OF APRIL 18, 1989

ORDER TO ENTER INTO EXECUTIVE SESSION

Upon recommendation by City Attorney, Nova Carroll, motion was made by Councilman Guy and seconded by Councilman Jones to enter into Executive Session to discuss personnel, and unanimously carried, the Mayor and Council will now go into Executive Session.

Executive Session followed, at the conclusion of which the Mayor and Council returned to regular session.

IN THE MATTER OF DISCUSSION

Councilman Guy stated a ceremony for naming the park on Rosa Street to George Washington Carver Memorial Park will be held at 10:00 AM on April 29, 1989.

ORDER TO ADJOURN

Motion was made by Councilman Guy and seconded by Councilman Ware to adjourn until May 2, 1989 at 6:00 p.m.

APPROVED:

GREGORY H. MITCHELL, MAYOR

ATTEST:

RAYMOND A. SEAL, CITY CLERK

TAPE NO.: 89-18

May 2, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in regular session Tuesday, May 2, 1989, at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Luther T. Jones, Sr., Danny J. Ware, Leavern Guy, Kelly L. McQueen; City Clerk, Raymond A. Seal; City Attorney, Nova Carroll.

It Being Determined a quorum was present, Mayor Gregory H. Mitchell, declared the meeting open and the following proceedings were held.

The opening prayer was given by Mr. Joe Fleming, followed by the Pledge of Allegiance led by Mr. Pat Evans.

ORDER TO APPROVE DOCKET OF CLAIMS FOR THE MONTH OF APRIL, 1989

Motion was made by Councilman Guy and seconded by Councilman Ware to approve the Docket of Claims for the month of April, 1989 as follows:

CLAIMS NO. 3665 - 4263

FUND	TOTAL
General Fund	$ 714,532.97
Neighborhood Parks and Recreation	10,150.00
Library Fund	3,177.17
CDBG West Side Re-Development	16,580.34
General Bond and Interest Fund	87,590.00
Special Capital Projects	45,000.00
Capital Projects Fund	286,016.55
Utility Fund	814,788.12
Unemployment Compensation Trust Fund	30,300.00
Intragovernmental Service Fund	90,944.48
Tax Collector Fund	166,485.74
Palestine Cemetery Trust Fund	263,400.00
DOCKET TOTALS:	$2,528,965.37

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones.Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE BUILDING PERMITS FOR MONTH OF APRIL, 1989

Motion was made by Councilman Guy and seconded by Councilman Albritton to approve the building permits for the month of April, 1989, No. 4736 - 4743. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Guy, Jones, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE MINUTES OF THE PLANNING COMMISSION MEETING HELD APRIL 25, 1989

Motion was made by Councilman Ware and seconded by Councilman Guy to approve the minutes of the Planning Commission meeting of April 25, 1989. Said minutes are on file in the City Clerk's office in Minute Book 4, pages 149-150. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDINANCE NO. 614

AN ORDINANCE TO AMEND THE I-1, LIGHT INDUSTRIAL DISTRICT.

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

1. That Section 809.2 of the Zoning Ordinance shall be amended to include the following:

   (w) Any industrial use which involves indoor manufacturing, processing, assembly, or stroage operations:

   (1) that said manufacturing, processing, assembly, or storage in no way involves any junk or salvage operations, or any other use listed as nuisance type conditional use in Seciton 810.2 of this Ordinance; and

   (2) That all open yard storage activities are conducted according to Section 308 of this Ordinance; and

   (3) that any noise, vibration, smoke, gas, fume, odor, dust, fire hazard, dangerous radiation, or other injurious or obnoxious conditions related to the operation are not sufficient to create a nuisance beyond the premises.

2. That Section 809.3 shall be eliminated from this Ordinance.

continued

ORDINANCE NO. 614 CONTINUED:

3. That any ordinance or section of any ordinance in conflict herewith are hereby repealed.

4. That this ordinance shall be effective thirty (30) days after its adoption by the City Council of the City of Picayune, Pearl River County, Mississippi.

DATED this the 2nd day of May, 1989.

Gregory H. Mitchell, Mayor

ATTEST:

Raymond A. Seal, City Clerk.

A public hearing was held concerning the above and foregoing amendment to the I-1, Light Industrial District. There were no written or voiced opinions against the amendment. Motion was made by Councilman Ware and seconded by Councilman Jones to adopt said Ordinance, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF PUBLIC HEARING CONCERNING REZONING PROPERTY AT 521 WILLIAMS AVE.

A Public Hearing was held concerning the rezoning of property located at 521 Williams Ave.,and owned by Dr. Randolph Howes. Appropriate signs had not been posted on the property, therefore, the Planning Commission will hold another public hearing May 30, 1989.

ORDER TO APPROVE PICAYUNE ON STAGE USING THEIR BUILDING ON VIRGINIA AVE. TO CONDUCT THEIR THEATER PLAYS.

The Picayune On Stage requested to use their building on Virginia Ave., as a theater to present their plays. It was noted they have owned this building since 1984 and there is ample parking. Motion was made by Councilman Jones and seconded by Councilman Ware to approve their request provided there are no complaints from surrounding property owners. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE HOME OCCUPATION LICENSE FOR JAMES BOND, 622 N. CURRAN AVE.

Upon recommendation from the Planning Commission, motion was made by Councilman Jones and seconded by Councilman Guy to approve a home occupation license to James Bond, 622 N. Curran, in order to operate a catalog sales business from his house. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO GRANT REQUEST FOR QUINCE STREET TO BE CLOSED ON MAY 20, 1989 FOR DISPLAY AND SELLING ANTIQUES

Mr. Edwards, owner of Edward's Antiques, requested that Quince Street from the alley behind their antique store, to W. Canal Street, be closed from 8:00 a.m.to 6:00 p.m. on May 20, 1989 for the use of displaying and selling antiques. Mr. Edwards stated there would be dealers from out of town coming and more space would be needed. Motion was made by Councilman McQueen and seconded by Councilman Ware to approve the request to close Quince Street on May 20, 1989. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

IN THE MATTER OF AMENDING THE C-1 ZONING ORDINANCE

Representatives from the Association for Retarded Citizens came before the Mayor and Council requesting that the alley between their lots be abandoned. The property is located on S. Beech St., Block D, Lots 6 - 8, 15 - 17. Said alley is needed space to build a facility to house Picayune Industries. They are also requesting permitted use to place the building in the C-1 Zone. After discussion, it was the consensus of the Mayor and Council to require them to obtain in writing all property owners approval and submit to the Planning Commission for a public hearing to amend C-1 use. No Council action was taken at this time.

ORDER TO APPROVE QUITCLAIM DEED TO NICHOLAS L. SMITH TO CONVEY RIGHT-OF-WAY ALONG STREETS IN VIRGINIA MANOR

Mr. Nicholas L. Smith came before the Mayor and Council requesting the City quitclaim the right-of-way road easements in order that he will be able to maintain water lines to the artesian water system in Virginia Manor Subdivision. Mr. Nicholas Smith stated the first quitclaim deed from the city contained .45 acres which was only the lot which contained the wells, this 2.12 acres will contain the easements needed to maintain the water system lines. The following Quitclaim deed was approved after motion by Councilman Ware:

QUITCLAIM DEED

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

For and in consideration of the sum of NINETY-FIVE AND 58/100 ($95.58) DOLLARS, cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged and confessed, THE CITY OF PICAYUNE, A Mississippi Municipal Corporation, has this day sold and by these presents do hereby remise, release, sell, convey, and forever quitclaim unto NICHOLAS L. SMITH, all of its right, title, and interest in and to the following described real property, lying and being situated in Pearl River County, Mississippi, to-wit:

All that property on which Pearl River County has a 50 feet wide easement to install and maintain public roads within the Virginia Manor Subdivision, and unrecorded subdivision situated in the Northeast One Quarter of the Southeast One Quarter and the Southeast One Quarter of the Southeast One Quarter of Section 33, Township 5 South, Range 17 West, Pearl River County, Mississippi, and more particularly described as follows: All of Huntington Drive from Watkins-Inside Road to Hampton Road, all of Antionette Drive from Watkins-Inside Road to Huntington Drive, all of Hampton Road from Watkins-Inside Road to Liberty Road, all of Fairmont Drive from Hampton Road to Woodmont Drive, and all of Woodmont Drive from Fairmont Drive to the West end of Woodmont Drive, containing 2.12 acres, more or less, and being situated in the Southeast Quarter of Southeast Quarter and Northeast Quarter of Southeast Quarter of Section 33, Township 5 South, Range 17 West, Pearl River County, Mississippi.

The purpose of this Quitclaim Deed is to convey all of the City of Picayune's right, title, and interest vested in said City of Picayune in the above-described property by virtue of Tax Sales for unpaid City ad valorem taxes for the years 1983, 1985, 1986, and 1987,

WITNESS our signatures, on this the 2nd May, A.D., 1989.

THE CITY OF PICAYUNE, A Mississippi Municipal Corporation

BY: Gregory H. Mitchell, Mayor of the City of Picayune

ATTEST:

BY: Raymond A. Seal, Clerk of the City of Picayune

QUITCLAIM DEED FOR 2.12 ACRES CONTINUED

The above and foregoing Quitclaim Deed was approved upon motion by Councilman Ware and seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF DISCUSSION

Mr. Askew, a resident of River Road, came before the Mayor and Council to voice a complaint about dogs running loose in and around the area of 4th and 5th Ave. He stated these dogs are vicious and have killed small dogs, including his poodle. Adults out jogging and children are afraid of these dogs and are in danger. Mr. Askew requested the leash ordinance be enforced. City Manager, A.L. Franklin assured Mr. Askew the City dog catcher would be notified.

Councilman Guy again requested the Airport Board furnish the Council with copies of their minutes and a copy of their budget. He also suggested the City discontinue funding the Board until said minutes and budget are received.

ORDER TO RECESS

Motion was made by Councilman Ware and seconded by Councilman Jones to recess until Tuesday, May 16, 1989 at 6:00 P.M.

APPROVED:

Gregory H. Mitchell, Mayor

ATTEST:

Raymond A. Seal, City Clerk

TAPE NO.: 89-19

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in recessed session Tuesday, May 16, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Danny Ware, Leavern Guy, Kelly McQueen, Luther T. Jones; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; and City Attorney, Nova Carroll.

It Being Determined a quorum was present, Mayor Mitchell declared the meeting open and the following procedures were held.

ORDER TO APPROVE MINUTES OF THE PEARL RIVER COUNTY LIBRARY BOARD MEETING HELD APRIL 4, 1989

Minutes from the April 4, 1989 Pearl River County Library Board state that due to the lack of a quorum, there was no business meeting on April 4, 1989. Motion was made by Councilman Guy and seconded by Councilman Ware to accept said minutes. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF MINUTES FROM THE AIRPORT BOARD

The Mayor and Council were furnished with copies of minutes from the Airport Board on meetings as follows: April 2, 12, 1989, March 6, 1989, August 26, July 12, 1988, and November 9, 1987. Motion was made by Councilman McQueen to receive minutes as a matter of record. There was no second to this motion. Councilman Guy asked if the minutes could be discussed without the Council taking any action on them. Nova Carroll, City Attorney, informed the Mayor and Council that there could be a discussion without receiving the minutes, however, no further action was taken.

ORDER TO WAIVE PERMIT FEE FOR PICAYUNE JAYCEES TO HOST ANNUAL FISHING RODEO AND FAIR ON MEMORIAL DAY WEEK-END

Bruce Burge, Vice-President of the Picayune Jaycees, came before the Mayor and Council to request the fee be waived for their annual Fishing Rodeo and Fair on May 26 through May 29, 1989. They will be located on Highway 43 South near Mars Motors. Motion was made by Councilman Ware and seconded by Councilman Guy to waive said fee for the Picayune Jaycees Organization. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR REPAIRS TO ROOF ON CRIMINAL JUSTICE CENTER

This being the day and hour to receive bids for roof repair to the Criminal Justice Center, the following bids were opened and read:

DEDEAUX'S MAINTENANCE SERVICE

Complete renewal of present roof system----------$13,601.57

Patch bid for repairs to breaks and cracks-------$ 5,416.26

WEATHERPROOF SERVICE, INC., HATTIESBURG, MS

Repair roof CJC as per published specifications--$ 4,120.00

LEE CONSTRUCTION CO., INC., PICAYUNE, MS

Roof repairs on CJC----------$ 5,250.00

Motion was made by Councilman McQueen and seconded by Councilman Ware to receive all bids for repairs to the CJC roof and take under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR PAINTING FIRE STATIONS #2 and #3

This being the day and hour to receive bids for painting Firestation#2 and #3, the following bids were received:

	#2	#3
W.T. HERRIN	$1,526.00	$2,480.00
LEE'S DRYWALL AND PAINTING	$1,292.10	$1,725.00
WILLIAM H. DRENNAN	(Both Stations)	$2,090.00
HERITAGE HOMES, INC.	(Both Stations)	$4,090.00
HOWARD SMITH	$ 968.00	$1,544.00
KANDUIT CONSTR. INC.	$1,692.00	$2,225.00
DON WHITFIELD	$1,600.00	$1,865.00
BOBBY EASTERLING	$ 840.00	$1,580.00

Motion was made by Councilman McQueen, seconded by Councilman Guy to receive bids for painting Firestations and take under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy. and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR MICROFICHE CAMERA/PROCESSOR/READER-PRINTER/ DUPLICATOR FOR POLICE STATION

This being the day and hour to receive bids for microfiche camera/ processor, reader-printer and duplicator for the Picayune Police Department, the following bids were received:

Harris/3M, Gulfport, MS

3M FS Camera Processor
3M 261/262 Duplicator
3M 1000 Reader printer
Training TOTAL: $15,870.00

Mino-Micrographics, Inc., Austin, TX

Minolta 101 fiche camera/processor
Minolta 105 fiche duplicator
Minolta 502 plain paper reader-printer
TOTAL: $16,085.00

Both bids were received and taken under advisement upon motion by Councilman Jones and seconded by Councilman Guy. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilman Guy, Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE BID FROM STRIBLING EQUIPMENT FOR HUSKY BRUTE KNUCKLE BOOM IN THE AMOUNT OF $24,375.00

Reggie Frierson, Purchasing Agent, recommended the proposal from Stribling Equipment, Inc. to provide the city with one new Prentice Model 120-RM Rear-mount loader for the price of $25,875.00 less the trade in allowance of $1500.00 for our 1969 husky brute knuckle boom. Total amount would be $24,375.00. Councilman McQueen inquired about the need of the city to purchase said equipment. City Manager, A.L. Franklin, stated the loader would be used as a refuse handler, for lot clean-up and for laying pipe. Motion was made by Councilman Guy and seconded by Councilman Jones to accept the proposal from Stribling Equipment, Inc. for the amount of $24,375.00. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR SEWER PUMP AND TAKE UNDER ADVISEMENT

This being the day and hour to receive bids for a sewer pump, the following bids were opened:

PUMPS AND POWER CO., EL DORADO, AR
Marlow 4" self priming sewer pump $2,352.00

PASS WHOLESALE SUPPLY, INC., GULFPORT, MS
Gorman Rump Pump Model T4A3-B $2,515.76

D & L PUMPS, INC. METAIRIE, LA
Gorman Rump Pump Model T4A3-B $2,269.00

Motion was made by Councilman Guy and seconded by Councilman Jones to receive bids for 4" sewer pump and take under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE BID FOR CONCRETE PIPE FOR A SIX MONTH PERIOD FROM FAULKNER CONCRETE PIPE COMPANY

Motion was made by Councilman McQueen and seconded by Councilman Jones to award the bid to Faulkner Concrete Pipe Co. to furnish the City with concrete culverts for a period of six (6) months from present time through September 30, 1989. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO ADVERTISE FOR STREET OVERLAY OF NINE STREETS AS APPROVED IN THE 1989-90 BUDGET.

City Manager, A.L. Franklin, requested authorization to advertise for bids for overlaying nine (9) streets. He stated these streets were budgeted items and approved to be overlayed this fiscal year. Motion was made by Councilman McQueen to advertise for overlaying streets:

1. Dale from Third to Seventh Ave.
2. South Green from East Canal to end.
3. Goodyear Blvd. from Oak Street to Holly
4. Merrydale from Clover Circle to Martin Luther King, Jr.Blvd.
5. Dogwood Lane from Glenwood to Tungtree
6. North Monroe from Seventh Street to Eighth Street
7. Eighth Street from North Monroe to North Green
8. Forrest Street from Goodyear Blvd. to Third Ave.
9. North end of Cooper Road from Country Club Dr. to Millbrook Parkway

Motion was seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO ADVERTISE FOR MATERIALS NEEDED FOR WATER LINE EXTENSION

City Manager, A.L. Franklin, requested authorization to advertise for materials needed for the water line extensions as approved in the current budget. Motion was made by Councilman McQueen and seconded by Councilman Jones to approve advertising for materials as follows:

NOTICE FOR BIDS

Public Notice is hereby given that the Mayor and Council of the City of Picayune will receive bids up to 5:00 P.M., Tuesday, June 6, 1989 for the following materials needed for water line extensions:

1. 5,000 ft 6 inch C-900 Class 150 SDR18
2. 11 Fire Hydrants, 5¼, 3 way, 6 inch shoe, 3 ft. Bury #A423 Mueller or equal
3. 11 ea. 6 inch MJ Tee's with accessories
4. 18 ea. 6 inch MJ Ell's with accessories
5. 18 ea. 6 inch MJ Gate Valve with accessories

Sealed bid water line extension must be written on the envelope and delivered to Raymond A. Seal, City Clerk, 203 Goodyear Blvd., Picayune, MS 39466. Said bids will be opened June 6, 1989 at 6:00 P.M. or shortly thereafter. The Mayor and Council reserves the right to waiver informalities , reject any or all bids, or increase or decrease quantities.

Done by order of the Mayor and Council this the 16th day of May, 1989.

Raymond A. Seal, City Clerk

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE A REQUEST FOR EXEMPTION FROM AD VALOREM TAXES FOR BELL AVON, INC.

Bell Avon, Inc. presented an application to the Mayor and Council for exemption of ad valorem taxes for a period of ten (10) years, Motion was made by Councilman Ware and seconded by Councilman Guy to approve said application for tax exemption as follows:

APPLICATION FOR EXEMPTION FROM

AD VALOREM TAXES

APPLICATION OF BELL AVON, INC. FOR EXEMPTION FROM AD VALOREM TAXES FOR A PERIOD OF TEN (10) YEARS AS AUTHORIZED BY SECTION 27-31-101, et seq. OF THE MISSISSIPPI CODE OF 1972, AS AMENDED.

To the City Council of the City of Picayune, Mississippi:

1. Bell Avon, Inc. files this its application in triplicate for exemption from ad valorem taxation and respectfully represents unto this Honorable Council as follows:

2. Applicant, Bell Avon, Inc., is a Delaware Corporation and domiciled in the City of Picayune, Pearl River County, Mississippi.

3. Applicant is now operating a rubber fabrications manufacturing type of industry within the City of Picayune, Pearl River county, Mississippi, which factory is a bona fide enterprise of public utility within the meaning of Section 27-31-101 et seq. and related Sections of the Mississippi Code of 1972, as amended, and is eligible for the exemption granted by the above mentioned section by specific enumeration, namely "all factories and plants for making rubber goods and rubber products"; and the exemption prayed for in this application is not a renovation or replacement of any existing building, machinery, equipment or any other type property whether real or personal.

4. That said enterprise expansion was completed on the 31 day of July, 1988 within the meaning of the applicable statutes of the State of Mississippi, and therefore, the exemption hereby claimed should commence on said date.

5. That said enterprise will provide approximately forty (40) new jobs with an estimated annual payroll of $535,000.

6. That said exemption on the tangible property described in the attached Exhibit A, Exhibit B, and Exhibit C should be granted for a period of ten (10) years from said date of completion.

7. That the true value of all property to be exempted is Six Hundred Four Thousand One Hundred Dollars ($604,100.00), as shown in itemized lists attached hereto as Exhibit A, Exhibit B, and Exhibit C and made a part hereof.

PRAYER

WHEREFORE, applicant prays that this Council enter a finding that applicant's factory is in fact an enterprise of public utility, that the improvements contained in this application are not a renovation or replacement of either real or personal property,, and that the same was completed on the 31st day of July, 1988 within the meaning of the applicable laws of Mississippi; and

That applicant be granted an exemption from ad valorem taxation except State and School District ad valorem taxation, as provided by law, for a period of ten (10) years beginning on the 31st day of July, 1988 and ending on the 31st day of July, 1998, upon all of the tangible property described in Exhibit A, Exhibit B, and Exhibit C attached hereto and made a part hereof, used in, or necessary to the operation of applicant's factory in the City of Picayune, Pearl River County, Mississippi; and

That this Council approve this application by an order or resolution spread upon its minutes, declaring that such property is exempt from all ad valorem taxation, except State and School District ad valorem taxation, for a period of ten (10) years and forward the original and one certified copy of this application

and a certified transcript of such approval to the Mississippi Department of Economic Development and upon approval of such application by the said Mississippi Department of Economic Development and certification of its approval, the Council will enter a final order on its minutes granting the exemption herein prayed.

Respectfully submitted, this the 5th day of May, 1989.

BELL AVON, INC.

By: P. D. Miller/pf

P. David Miller,

Chief Operating Officer

PROPERTY DESCRIPTION FOR BELL AVON, INC.

Commencing at the Northwest Corner of the Northwest Quarter of the Northeast Quarter of Section 22, Township 6 South, Range 17 West, Pearl River County, Mississippi; thence South 00 degrees 13 minutes 41 seconds East along the One-Half Section Line 1838.03 feet to the South margin of Martin Luther King Boulevard for the point of beginning; thence South 68 degrees 16 minutes 57 seconds East along said South margin 457.34 feet to the P.C. of a curve to the right, having a radius of 1279.26 feet; thence along arc of said curve 90.88 feet to the West margin of a proposed 50 foot street; thence South 11 degrees 59 minutes 19 seconds West along said West margin 504.02 feet; thence North 68 degrees 16 minutes 57 seconds West 436.49 feet; thence North 00 degrees 13 minutes 41 seconds East 537.35 feet to the point of beginning. This parcel containing 5.65 acres and being a part of the Southwest Quarter of the Northeast Quarter of Section 22, Township 6 South, Range 17 West, Pearl River County, Mississippi.

NOTE: The above property is subject to a 25.00 foot drainage and utility easement along the West property line.

Page 2 of 2 July 7, 1988

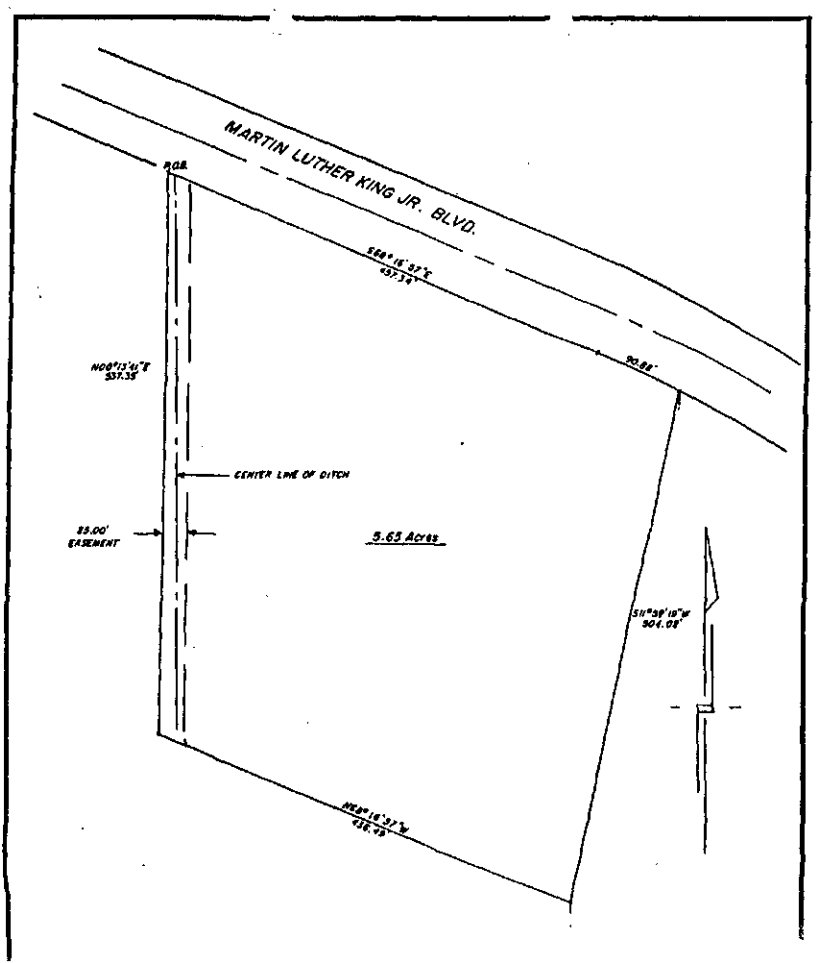

EXHIBIT B

PHASE II IMPROVEMENTS TO 1200 MARTIN LUTHER KING, JR. BLVD.

Metal building, 200' x 100', having at its northern side a two story office building, and parts storage facilities, 18' x 100' within the property boundary.

Cost of land at purchase: $25,425.00
(Exhibit A)

Cost of construction improvements: $404,900.00
(Exhibit B)

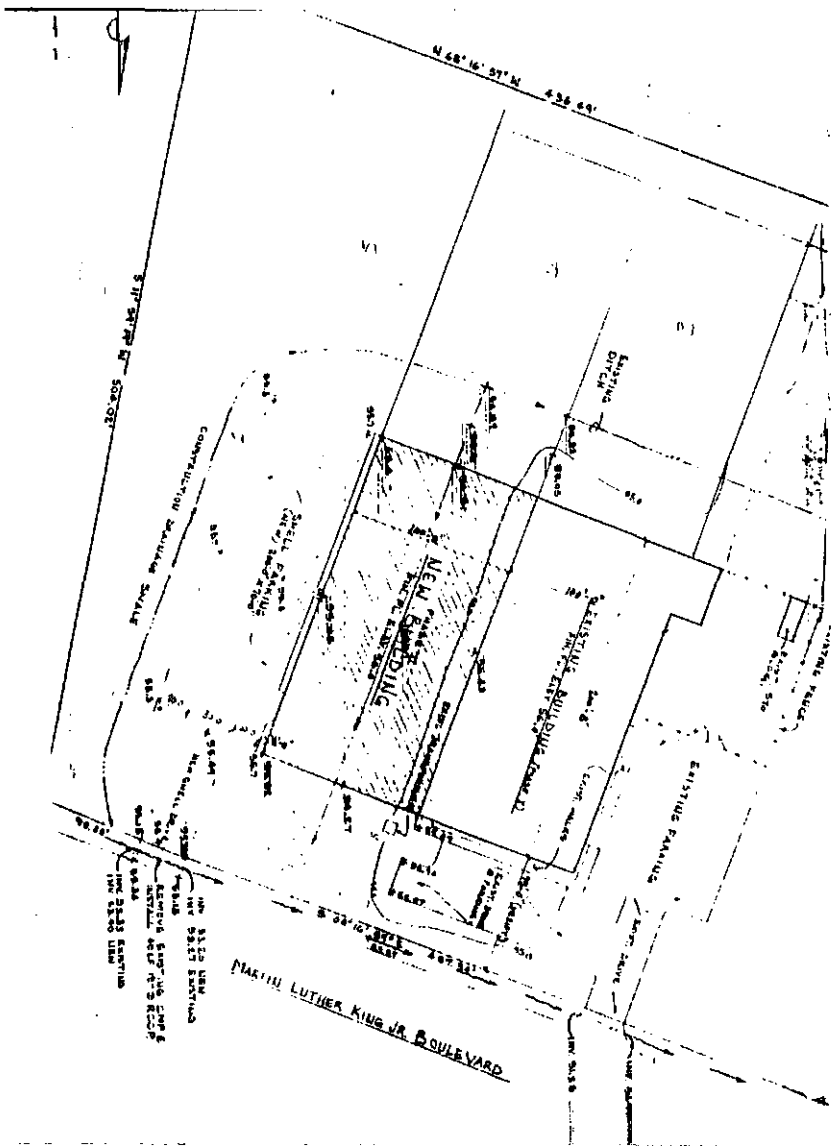

EXHIBIT C

DESCRIPTION	VALUE
WEIGHT SCALES	$1,362.29
FUEL TANK PGM	$67,967.65
WINKWORTH 21Z MIXER	$21,411.00
PC COMPUTER	$3,199.00
PHASE II FURN, FIX & IMP	$79,872.68
	$173,812.62

The above and foregoing application of Bell Avon, Inc. for exemption from ad valorem taxes for a period of ten (10) years was approved upon motion by Councilman Ware and seconded by Councilman Guy, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy
Voting nay: None
Absent and not voting: Councilman Albritton
Abstained and not voting: Councilman McQueen
Motion was declared carried.

ORDER TO APPROVE QUITCLAIM DEED FOR LOYAL AMERICAN LIFE INS. CO. IN THE AMOUNT OF $126.35 FOR 1984 AND 1985 TAXES MATURED TO THE CITY

Motion was made by Councilman Jones and seconded by Councilman Guy authorizing Mayor Mitchell to sign a quitclaim deed to Loyal American Life Ins. Co. for 1984 and 1985 taxes in the amount of $126.35 on parcel no. 617-5-164-16-01-018.00-00. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen
Voting nay: None
Absent and not voting: Councilman Albritton
Motion was declared carried.

ORDER TO APPROVE TAX CHANGES FROM PEARL RIVER COUNTY TAX COLLECTOR/ ASSESSOR FOR THE 1988 LAND ROLL

The following changes were approved upon motion by Councilman Jones and seconded by Councilman Ware:

		OUTSIDE DECREASE
Wheat, Mary E.	616-418-000-00-0-1	691
Saunders, C.L.(Total Exempt)	517-307-000-00-5-1	1124
Sanford, Barbara Ann	616-307-000-00-23 (Total Exempt)	3927
Rush, Joe M.	418-614-000-00-10 (Total Exempt)	3504
	TOTAL:	9246
Pinkard, Margaret	617-827-000-00-4 (10% exempt)	667
Pigott, M.O.,Etux	616-521-000-00-221(Total Exempt)	3392
Fleming, Henry C.	616-306-000-0013 (Total Exempt)	7614
Croney, Floyd E.	717-204-000-01-75	1548
Landrum, Justin Pearson	518-888-000-00-16(remove improve)	2027
Ferguson, Audrey	617-521-000-00-16-1Mobile HomeD/A)	546
Burks, Billy F.	418-112-000-00-17-S Duel Assessed)	614
Cheramine, Warren, Etux	617-726-000-00-7-S (Duel Assessed)	1594
Picayune Meadows Apts.	616-306-000-00-41	91307
Moody, Wendell E.	616-308-000-0037 Disallow H/E	6668
Landrum, Toxie G.	617-308-000-00-39	1836
Mabe, Horace E., Etux	518-829-000-0158	1605
Hunt, Margaret S.	517-735-000-00-34-S(void)	419
Woodburn, Jimmy M.	518-819-000-22	281
Lavinghouse, Marlene G.	518-210-000-00-64	2012
Abram, Clifton,J.	617-624-000-00-13	1715
Ladner, Shelton L.	518-736-000-00-4H	1260
Mitchell, Ira Lee	717-203-002-0016 LH01 Duel Assess.	1475
Bennett, Richard H.	418-726-000-00-004.01	3149
Burks, Billy F.	418-112-000-00-017.00H	980
Stewart, Curtis R. (LE)	518-209-000-00-006.00	2035
Crowder, Morris Wayne	518-522-000-00-007.00	478
Farr, Michael Wayne	517-929-000-00-16	1235
Henley, Arthur	616-419-000-00-29	1332
Mitchell, E.H.,Etux	617-839-000-02-006.00	1382
Nicholson, Pat	616-307-000-02-018	10730
	TOTAL	147,901

		INSIDE INCREASE
Picayune Meadows Apts.(Picayune Development Co.)	616-306-000-00-41	91307
		OUTSIDE INCREASE
Thompson, Thomas Eugene	617-102-000-00-012	7732
Moody, Wyendell B.	616-417-000-008	14983
	TOTAL:	22715
		INSIDE DECREASE
Lott, Henry, Etux	617-209-004-02-26	1626
Strickland, Earnest D.	617-515-004-04-1	3980
Lenoir, John W.	617-516-004-03-4	80
Combs, Linda Kay	617-210-004-01 1	6253
Penton, Dallas	617-111-001-02-24 LHID	430
Puyper, Byrness E.	617-614-002-02-21	2450
Richard, Allan Colle, Sr.	617-210-002-01-3	3666
Millbrook Est., Inc.	616 306-002-01-001	11291
Schaae, Rudy, Etux	617-112-002-01-006	2855
Acker, Martha Parker	617-614-004-02-8-S	2321
Burke, Mae Gibson	617-210-004-01-21 LHID	3274
Parker, Albert (Martha Acker)	617-614-004-02-007.00(Change Name)	743
Pigott, Douglas W.	617-614-003-04-25	3244
Ulmer, Anneice	617-522-002-07-8	2095
Pugh, Edith	617-614-002-08-15	4103
Frierson, Jennie Rae	617-111-002-019	1785
	TOTAL:	50196

continued

TAX CHANGES CONTINUED:

The above and foregoing changes to the 1988 land roll were approved, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, McQueen

Voting nay: None

Abstained and not voting: Councilman Guy

Absent and not voting: Councilman Albritton

ORDER TO APPROVE REFUND OF $62.50 TO MORSE SHOE, INC. FOR PRIVILEGE LICENSE COVERED UNDER ALLIED DEPARTMENT STORE

Motion was made by Councilman Guy and seconded by Councilman Jones to refund $62.50 to Morse Shoe, Inc. for a privilege license purchased to operate under the name of Allied Department Store. Allied Department Store had previously purchased a privilege license and the shoe department will be covered under their license. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO AUTHORIZE CITY MANAGER TO INSTALL STREET LIGHTS

City Manager, A.L. Franklin, requested authorization to install street lights on S. Blanks, Stovall, and Baylous. Motion was made by Councilman Jones and seconded by Councilman Guy to approve said request for street lights. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF VIRGINIA MANOR WATER WELLS AND RIGHT-OF-WAYS

A group of residents from the Virginia Manor Subdivision came before the Mayor and Council to discuss the quitclaim deed for road-right-of-ways deeded to Nicholas L. Smith on May 2, 1989 containing 2.12 acres. Said deed contains easements needed to maintain water lines on artesian wells in the Virginia Manor Subdivision. Nova Carroll informed the residents that the city had only quitclaimed to Nicholas L. Smith what the Environmental Protection Agency (EPA) said the city had acquired through tax sales. The first quitclaim deed contained wells on .45 acres and the other deed contained right-of-ways which has 2.12 acres for a total of 2.57 acres.

IN THE MATTER OF DISCUSSION OF THE PICAYUNE AIRPORT BOARD

Mr. Frank Egger, former manager of the Picayune Airport, presented the Mayor and Council with names of 14 residents of Pearl River County who would be willing to serve on a new airport board. Mr. Egger stated the Pearl River County Board of Supervisiors met on May 15, 1989 and appointed two (2) supervisiors to meet with City officials concerning the airport. Egger stated at the end of April, 1989, the Airport Board had $134,000 on hand and questioned where it would go, what it would be spent on and whether or not members of the board are bonded? According to Egger, other irregularities by the Airport Board have been reported to the proper authorities. He stated on several occasions Ray Lafferty, Chairman of the Board, had signed Russ Brown's name to several payroll checks. Mr. Lafferty was present and confirmed he had signed Brown's name to payroll checks but only under emergency situations. No comments were made by the Mayor and Council at this time. City Manager, A.L. Franklin, informed the Mayor and Council that a meeting with the supervisors is being planned.

ORDER TO CLOSE STREET FOR PILGRIM BOUND BAPTIST CHURCH ACTIVITIES ON JUNE 10, 1989

A member of the Pilgrim Bound Baptist Church, 921 Baylous Street, came before the Mayor and Council to request that N. Blanks Street to Washington Street be closed between 3 - 7:00 P.M. on June 10, 1989 for church activities. Councilman Jones requested the people who live in that area be notified and allow them a way to get in and out of their homes. Motion was made by Councilman Jones and seconded by Councilman Guy to approve closing N. Blanks Street on June 10, 1989. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Jones, Guy and McQueen
Voting nay: None
Absent and not voting: Councilmen Albritton and Ware (left meeting)
Motion was declared carried.

ORDER TO ABANDON ALLEY LOCATED ON SOUTH BEECH STREET

The Association for Retarded Citizens provided letters from adjoining property owners approving a sheltered workshop . An alley between their lots would have to be abandoned as this space is needed to place the building. Motion was made by Councilman McQueen and seconded by Councilman Guy to close the alley on S. Beech Street, Block D, between lots 6-8 and 15-17 provided there are no utilities located there. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Jones, Guy and McQueen
Voting nay: None
Absent and not voting: Councilmen Albritton and Ware
Motion was declared carried.

IN THE MATTER OF DISCUSSION

Junior Bell, a resident of Picayune, came before the Mayor and Council making accusations against Councilman Kelly McQueen for attempting to buy votes. Mr. Bell alleged that Councilman McQueen came by his apartment requesting him to look for him some votes. Councilman McQueen informed Mr. Bell that he did not know him, nor did he know where he lived. Councilman McQueen then suggested Mr. Bell file any allocations with the Police Department.

Councilman McQueen had requested City Clerk, Raymond Seal, to research the minutes and report his attendance record. City Clerk Ray Seal stated he had attended 81% of the council meetings.

ORDER TO ENTER INTO EXECUTIVE SESSION

Upon motion by Councilman McQueen and seconded by Councilman Guy, and unanimously carried, the Mayor and Council will now go into Executive Session to discuss personnel matters, specifically the Police Department.

Executive Session followed, at the conclusion of which the Mayor and Council returned to regular session.

ORDER TO ADJOURN

Motion was made by Councilman McQueen and seconded by Councilman Jones to adjourn until June 6, 1989 at 6:00 P.M.

APPROVED:

GREGORY H. MITCHELL, MAYOR

ATTEST:

RAYMOND A. SEAL, CITY CLERK

TAPE NO.: 89-20

May 25, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in said City, May 25, 1989 at 6:00 P.M., pursuant to waiver of notice and consent to so meet duly signed and executed by each and every member of the said Council, including the Mayor, in accordance with the provisions of the law, ordered spread upon these minutes and filed for record with the following officials present: Mayor Gregory H. Mitchell; Councilmen Luther T. Jones, Leavern Guy, Kelly McQueen; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; City Attorney, Nova Carroll.

It Being Determined a quorum was present, the Mayor declared the meeting open and the following proceedings were held.

NOTICE AND CONSENT TO SPECIAL MEETING

Councilman Danny J. Ware
Councilman Luther T. Jones, Sr.
Councilman Larry L. Albritton
Councilman Kelly L. McQueen
Councilman Leavern Guy

You are HEREBY NOTIFIED that a special meeting of the Mayor and City Council is called to meet in the Council Chambers, Thursday, May 25, 1989 at 6:00 P.M., to discuss personnel matters.

Mayor Gregory H. Mitchell

Councilman Danny J. Ware

Councilman Luther T. Jones, Sr.

Councilman Leavern Guy

Councilman Kelly L. McQueen

Councilman Larry L. Albritton

SPECIAL CALLED MEETING OF MAY 25, 1989

IN THE MATTER OF DISCUSSION OF THE POLICE AND FIRE DEPARTMENT PERSONNEL MATTERS

During Executive Session, Gary E. Friedman, Attorney with Miller, Milam and Moeller of Jackson, MS, discussed ways the City could better handle personnel matters. He stated to retain his firm to handle such matters would be costly for the City. Mr. Friedman suggested the City improve their daily payroll records, that the Mayor and Council unify their efforts of control, avoid newspaper and radio publicity, appoint a spokesperson, preferrably the City Manager and use prepared statements when addressing such matters.

No other business to come before the Mayor and Council, the meeting was adjourned.

ORDER TO ADJOURN

Motion was made by Councilman Guy and seconded by Councilman Jones to adjourn until June 6, 1989 at 6:00 P.M.

APPROVED:

GREGORY H. MITCHELL, MAYOR

ATTEST:

RAYMOND A. SEAL, CITY CLERK

TAPE NO.: 89-21

June 6, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in regular session Tuesday, June 6, 1989 at 6:00 p.m., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Larry L. Albritton, Kelly L. McQueen, Danny J. Ware, Luther T. Jones, Sr.; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; and City Attorney, Nova Carroll.

It Being Determined a quorum was present, Mayor Gregory H. Mitchell declared the meeting open and the following proceedings were held.

The opening prayer was given by Mr. Keith Donahue, followed by the Pledge of Allegiance.

ORDER TO APPROVE MINUTES OF THE COUNCIL MEETINGS HELD MARCH 7, 14, 21, APRIL 1, 4, 18 AND MAY 2, 1989

Motion was made by Councilan Jones and seconded by Councilman Ware to approve Council minutes for March 7, 14, 21, April 1, 4, 18 and May 2, 1989. Said minutes are on file in the office of the City Clerk in Minute Book 21, pages 88 through 245. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Albritton and McQueen

Voting nay: None

Absent and not voting: Councilman Guy

Motion was declared carried.

ORDER TO APPROVE DOCKET OF CLAIMS FOR MAY, 1989

Motion was made by Councilman Jones to approve the Docket of Claims for the month of May, 1989 as follows:

CLAIMS NO. 4264 - 4890

FUND NAME	TOTAL
General Fund	$ 727,172.91
Library Fund	4,074.35
CDBG West Side Re-Development	8,766.82
General Bond and Interest Fund	26,300.00
Library Construction Bond Fund	9,810.00
Capital Projects Fund	372,427.68
Utility Fund	769,789.54
Intragovernmental Service Fund	132,002.89
Unemployment Compensation Trust Fund	30,500.00
Tax Collector Fund	97,785.68
Palestine Cemetery Trust Fund	265,600.00
DOCKET TOTALS:	$2,444,229.87

Motion was seconded by Councilman Albritton, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Albritton and McQueen

Voting nay: None

Absent and not voting: Councilman Guy

Motion was declared carried.

Councilman Guy entered the Council Chambers at this time.

ORDER TO APPROVE BUILDING PERMITS FOR MAY, 1989

Motion was made by Councilman Jones and seconded by Councilman Albritton to approve the building permits for the month of May, 1989 No. 4744-4752. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE MINUTES OF PLANNING COMMISSION MEETING ON MAY 29, 1989

Motion was made by Councilman Ware and seconded by Councilman Jones to approve the minutes of the Planning Commission meeting held on May 29, 1989. Said minutes are on file in the office of the City Clerk, Minute Book 4, page 151, 152 and 152A. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE REZONING 521 WILLIAMS AVE.FROM R-2 TO MP

A public hearing was held on May 29, 1989 concerning rezoning property at 521 Williams Ave. owned by Dr. James Howse from R-2 to MP. Mr. Oscar Eckhoff came forth with his objection to the paving of the parking lot with asphalt because of the drainage and heat. Upon recommendation from the Planning Commission, motion was made by Councilman Jones and seconded by Councilman Guy to approve the rezoning said property from R-2 to MP as follows:

ORDINANCE NO. 615

AN ORDINANCE TO REZONE THE FOLLOWING DESCRIBED PROPERTY FROM R-2, TWO FAMILY RESIDENTIAL DISTRICT, TO MP, MEDICAL PROFESSIONAL DISTRICT.

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

1. That the following described property shall be rezoned from R-2, Two Family Residential District, to MP, Medical Professional District:

   Block 5, lots 5 & 6, R.J. Williams Subdivision

2. That any ordinance or section of any ordinance in conflict herewith are hereby repealed.

Continued

ORDINANCE NO. 615 CONTINUED:

3. That this ordinance shall be effective thirty (30) days after its adoption by the City Council of the City of Picayune, Pearl River County, Mississippi.

ADOPTED this the 6th day of June, 1989.

GREGORY H. MITCHELL

ATTEST:

RAYMOND A. SEAL, CITY CLERK

The above and foregoing Ordinance was adopted upon motion by Councilman Jones and seconded by Councilman Guy, with the following roll call vote recorded.

Voting yea; Mayor Mitchell, Councilmen Ware, Jones, Guy, and Albritton

Voting nay: None

Abstained and not voting: Councilman McQueen

Motion was declared carried.

ORDER TO APPROVE HOME OCCUPATION LICENSE FOR RUBY NELL MCDONALD

Motion was made by Councilman Guy and seconded by Councilman Jones to approve a home occupation license for Ruby Nell McDonald to operate a janitorial service from her home, located at 849 Herrin Dr., R-3 Zone. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO POSTPONE DECISION TO ALLOW TRAILER TO BE PLACED ON SCHOOL PROPERTY

Motion was made by Councilman McQueen and seconded by Councilman Ware to table any decision to be made on placing a trailer on school property to be used for a class room. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO SET DATE FOR PUBLIC HEARING CONCERNING AMENDMENT TO ZONING ORDINANCE

Motion was made by Councilman McQueen and seconded by Councilman Ware to set the date of June 27, 1989 for a Public Hearing to consider amending the Zoning Ordinance C-1 District, Section 806, Permitted Uses. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO RECEIVE PETITION FROM RESIDENTS OF GEORGE WEEMS PROJECTS AND BEECHWOOD APARTMENTS AND AUTHORIZE CITY ATTORNEY TO PREPARE ORDINANCE FOR CURFEW

Ms. Mary Ellen Davis, Manager of the Picayune Housing Authority, presented two (2) petitions from residents of George Weems Housing Projects and Beechwood Apartments with 92 signatures. Both petitions requested the city officials to establish an 8:00 P.M. curfew on Bogan Circle, Lewis Circle, Sherd Street and Beechwood Drive. Ms. Davis stated that persons not residing on these streets are coming in and partying all night, playing loud music and littering the area with bottles, cans, and leaving broken glass, guns have been fired, automobiles and trucks have been vandalized. Motion was made by Councilman McQueen and seconded by Councilman Guy to authorize Nova Carroll, City Attorney, to prepare an ordinance to relieve this situation. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR STREET OVERLAY

This being the day and hour to receive bids for street overlay, the following bid was received:

BUSH CONSTRUCTION COMPANY, INC.

Dale Street from Third to Seventh Ave.----------	$ 9,285.00
South Green from East Canal to end.----------	$ 4,487.75
Goodyear Blvd.from Oak Street to Holly_____	$ 48,622.45
Merrydale from Clover to Martin Luther King Jr.	$ 8,666.00
Dogwood Lane from Glenwood to Tungtree----------	$ 2,011.75
North Monroe from Seventh Street to Eighth St.---	$ 1,702.25
Eighth Street from North Monroe to North Green---	$ 1,702.25
Forrest Street from Goodyear Blvd. to 3rd St.----	$ 5,880.50
North End Cooper Road from Country Club Drive to Millbrook Parkway----------	$ 3,095.00
	$ 85,452.95

Motion was made by Councilman McQueen and seconded by Councilman Ware to take the above bid from Bush Construction Co., Inc. under advisement. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO RECEIVE BIDS FOR WATER LINE EXTENSION FOR PLACEMENT OF FIRE HYDRANTS

This being the day and hour to receive bids for water line extension for placement of fire hydrants, the following bids were received:

Materials needed for water line extension Item #1 through #5:

Consolidated Pipe & Supply Co.	$24,717.00
Viking Utility Supply	25,860.10
Dixie Wholesale Waterworks Co., Inc.	24,580.10
Central Pipe & Supply Inc.	23,814.96
La. Utilities Supply Co.	24,785.00
Davis Meter & Supply	26,944.00
Tyler-Dawson Supply	27,146.90

Motion was made by Councilman Jones and seconded by Councilman Guy to take bids under advisement for materials needed for fire hydrant placement. The following roll call vote was recorded.

Yeas: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Nayes: None

Motion was declared carried.

ORDER TO APPROVE BID FROM WEATHERPROOF SERVICES, INC. FOR REPAIRS TO ROOF OF THE CRIMINAL JUSTICE CENTER, LOWEST AND BEST BID

Purchasing Agent, Reggie Frierson, recommended the bid from Weatherproof Services, Inc. in the amount of $4,120.00 be accepted. Motion was made by Councilman Ware and seconded by Councilman Guy to approve the recommendation and accept the bid, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE BID FOR GORMAN RUPP SELF PRIMING PUMP FROM D & L PUMPS, INC. IN THE AMOUNT OF $2,269.00, LOWEST AND BEST BID

Purchasing Agent, Reggie Frierson, recommended the bid from D & L Pumps, Inc. to provide the city with one new Gorman Rupp Self Priming Pump Model T4A3-B in the amount of $2,269.00. Motion was made by Councilman Jones and seconded Councilman Ware to accept the bid from D & L Pumps, Inc. in the amount of $2,269.00, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ADVERTISE FOR MATERIALS NEEDED FOR THE WEST SIDE REDEVELOPMENT PROJECT

Motion was made by Councilman Jones and seconded by Councilman Guy to advertise as follows for materials needed for the West Side Redevelopment Project:

NOTICE FOR BID

Public Notice is hereby given that the Mayor and Council of the City of Picayune will receive bids up to 5:00 p.m. Monday, July 3, 1989 for the following materials needed for the West Side Redevelopment Project:

1. 16 - 4 ft. curb inlets castings (framed and grates) Harper Foundry and Machine Co., City of Jackson Standard Type "E" or an approved equal.

2. 5 - 5 ft. curb inlets castings (frames and grates) Harper Foundry & Machine Co., City of Jackson Standard Type "E" or an approved equal.

3. 11,500 common filler brick

4. 100 bags of mortar mix

5. 20 cu. yds. of masonry sand

Sealed Bid West Side Redevelopment Project must be written on the envelope and delivered to Raymond A. Seal, City Clerk, 203 Goodyear Blvd. Picayune, MS 39466. Said Bids will be opened Tuesday, July 5, 1989 at 6:00 p.m. or shortly thereafter. The Mayor and Council reserves the right to waive informalities, reject any or all bids, increase or decrease quantities.

The City of Picayune is an Equal Opportunity Employer.

Done by order of the Mayor and Council this the 6th day of June, 1989.

Raymond A. Seal.
City Clerk

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO SET DATE FOR PUBLIC HEARING FOR PROPERTY CLEAN UP
RE: MARY SMITH, A. E. TISDALE, JIG CO., INC. AND C.C. DEDEAUX

Motion was made by Councilman McQueen and seconded by Councilman Jones to set the date of July 18, 1989 for a public hearing on property owned by property owners listed below, to determine if their property constitutes a menace to the public health and safety to the community.

NOTICE

You are hereby given notice that on the 18th day of July, 1989, at the City Council Chambers at the City Hall in Picayune, Mississippi at 6:00 P.M., there will be a hearing before the City Council to determine if the condition of your property described on Exhibit A attached hereto constitites a menace to the public health and safety of the community. Should the determination be made that the condition does constitute a menace to the public health and safety, then the condition of the lot may be ordered corrected by the City, a lein placed against the property for the cost of the work and the property may be sold to satisy the lein.

continued

PUBLIC HEARING NOTICE CONTINUED:

You have the right to appear at the hearing and be heard.

You may have the lots cleaned prior to the hearing and notify the City Fire Department to have the cleaned lot inspected.

Dated this the 6th day of June,A.D., 1989.

/s/ Raymond A. Seal
City Clerk

POSTED AT:

Picayune City Hall
POST OFFICE IN PICAYUNE, MISSISSIPPI

PROPERTY OWNERS:

Mary Smith----------Lot 92, Sec. 14-6-17
Baylous Street

A.E. Tisdale----------Sec. 15-6-17, Block 2, Lot 3
P.S. Dozier 1st Addition

Jig Co.,Inc.----------Sec. 14-6-17, Lot NW¼ of SW¼
Mitchell Street

C.C. Dedeaux----------Lot 1 & 2, Block A
Sec. 14-6-17
Weaver & Whitfield Addition

The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPOINT BILL MOSELEY TO AIRPORT BOARD

Motion was made by Councilman Albritton and seconded by Councilman McQueen to appoint Mr. Bill Moseley to serve on the Airport Board, providing he is willing to serve. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR MITCHELL TO SIGN CONTRACT WITH VALENTINE AND LEBLANC OF BATON ROUGE, LA FOR EAST SIDE GAS RENOVATION PROJECT

Motion was made by Councilman Guy and seconded by Councilman Ware authorizing Mayor Mitchell to sign a contract with Valentine & LeBlanc, Contractors in the amount of $106,707.50 for installation of materials for the East Side Gas Renovation Project. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

ORDER REQUIRING AIRPORT BOARD TO COMPLY WITH CHARTER RULES AND REGULATIONS TO FURNISH INFORMATION TO COUNTY AND CITY OFFICIALS

Frank Egger, former manager of the Picayune Airport, asked the Mayor and Council if they had approved an expenditure of $86,000 for a runway for the Airport Board. Mayor Mitchell stated to his knowledge they had not. Egger stated that the Environmental Protection Agency (EPA) is presently investigating problems with under ground storage tanks at the Picayune Airport. He then stated that since the Mayor and Council have not taken action against the Airport Board, a group from the private sector has, thus, leaving open the possibility of malfeasance charges against public officials and elected officials. Mayor Mitchell stated that the Charter set up by the Board of Supervisors and Council when the Airport began required the Airport Board to furnish the City and County with certain information and at this time my recommendation is that they comply with this Charter by July 5, 1989. Motion was made by Councilman McQueen to accept the recommendation by the Mayor in requiring the Airport Board to furnish information to the Mayor and Council by the first meeting in July, 1989. Motion was seconded by Councilman Albritton , with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, McQueen and Albritton

Voting nay: None

Motion was declared carried.

ORDER REQUESTING FURTHER COMPLIANCE WITH THE AIRPORT CHARTER BY THE AIRPORT BOARD BY REQUIRING AN AUDIT

Motion was made by Councilman Ware requesting the Airport Board to inform the Mayor and Council of any legal or governmental actions pending and let us know what their plans are. Motion was seconded by Councilman Guy, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, Albritton and McQueen

Voting nay: None

Motion was declared carried.

Councilmen Albritton and McQueen left the meeting at this time.

IN THE MATTER OF TRAFFIC CONTROL ON HIGHWAY 43 NORTH

Mr.Jack Bassler requested some type of traffic control on Highway 43 North. City Manager, A.L. Franklin, informed him this is a state highway and they would have to come in and do a traffic study before a light could be installed there. Franklin stated he would write a letter to the State Highway Department and also take a look at the speed limit in that area.

ORDER TO CLOSE THE BLOCK OF JONES STREET FROM WEEMS STREET TO JARRELL STREET FOR A PERIOD OF TEN (10) WEEKS

Councilman Guy motioned to close the block of Jones from Weems to Jarrell St. from 8:30 a.m. until 1:00 p.m. for a ten (10) week period from June 7, 1989 until August 8, 1989. Motion was seconded by Councilman Jones with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Jones, Guy and Ware

Voting nay: None

Absent and not voting: Councilmen Albritton and McQueen

Motion was declared carried.

IN THE MATTER OF DISCUSSION

Councilman Ware expressed his appreciation for the fence recently installed around the girls softball field. This has eliminated cars from driving across the grounds and endangering the lives of the children.

ORDER TO RECESS

Motion was made by Councilman Guy and seconded by Councilman Jones to recess until June 20, 1989 at 6:00 P.M.

APPROVED:

GREGORY H. MITCHELL, MAYOR

ATTEST:

RAYMOND A. SEAL, CITY CLERK

TAPE NO. 89-22

June 20, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Coucil of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in recessed session Tuesday, June 20, 1989 at 6:00 P.M., with the following officials present: Mayor Gregory H. Mitchell; Councilmen Danny Ware, Leavern Guy, Luther T. Jones, Kelly McQueen; City Manager, A.L. Franklin; City Clerk, Raymond A. Seal; and City Attorney, Nova Carroll.

It Being Determined a quorum was present, Mayor Mitchell declared the meeting open and the following procedures were held.

ORDER TO APPROVE THE MINUTES OF MAY 16, 1989 COUNCIL MEETING

Motion was made by Councilman Jones and seconded by Councilman Ware to approve minutes of May 16, 1989 council meetings. Said minutes are found in Minute Book 21, pages 246 through 260. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy, and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO RECEIVE MINUTES OF MAY 16, 1989 FROM THE AIRPORT BOARD MEETING

Motion was made by Councilman Ware and seconded by Councilman Jones to receive the minutes from the Airport Board meeting on May 16, 1989. Councilman Guy recommended action be postponed until they bring the Council up to date on the past two years. Voting on the motion to receive the minutes was recorded as follows

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, McQueen

Voting nay: Councilman Guy

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF DISCUSSION

Mayor Mitchell recognized the newly elected officials as being present at the meeting. They included Mayor-elect J. Wood "Woody" Spiers, Precinct 1, Larry Watkins, and Precinct 4, Harvey Smith.

RECESSED MEETING OF JUNE 20, 1989

ORDER TO ADOPT RESOLUTION HONORING OFFICER, E.L. "BUCK" McGEHEE

A RESOLUTION OF THE CITY OF PICAYUNE
HONORING OFFICER, E. L. "BUCK" McGEHEE

WHEREAS, the responsibilities, duties, and obligations of a City Policeman are extremely dangerous and hazardous, and

WHEREAS, E. L. "Buck" McGehee faithfully served the City of Picayune as a Policeman from 1958 until January 28, 1964, and

WHEREAS, on January 28, 1964, E. L. "Buck" McGehee was killed in the line of duty, and

WHEREAS, E. L. "Buck" McGehee did honorably and faithfully serve as the City Policeman and did make the ultimate sacrifice for the safety of the citizens of Picayune, Mississippi.

NOW, THEREFORE, be it ordained that a plaque honoring E. L. "Buck" McGehee be permanently displayed at the Criminal Justice Center in Picayune, Mississippi.

Done by order of the Mayor and Council this the 20th day of June, 1989.

GREGORY H. MITCHELL, MAYOR

ATTEST:

RAYMOND A. SEAL, CITY CLERK

The above and foregoing Resolution was adopted upon motion by Guy and seconded by Councilman McQueen, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: Councilman Jones

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO ADOPT RESOLUTION PRESENTED BY THE PICAYUNE SEPARATE SCHOOL DISTRICT

Mr. Bob White, Superintendent of Picayune Public School System, presented a Resolution requesting funds to complete fiscal year 1988-1989 budget, due to a shortfall im amount of ad valorem taxes collected. The amount of shortage is approximately $232,968.41.

WHEREAS, the Picayune School District is a political subdivision operating under the laws of the State of Mississippi, and

WHEREAS, the Mayor and Council of the City of Picayune, Mississippi, constitute the levying authority for said School District, said Mayor and Council having the legal authority to levy ad valorem taxes for the operation of the School District, and

WHEREAS, Picayune School District requested of the Mayor and Council of the City of Picayune, Mississippi, sufficient funds in 1988 to operate the School District for the 1988-89 fiscal year beginning July 1, 1988, and ending on June 30, 1989, and

WHEREAS, taxes were levied by the Mayor and Council of the City of Picayune, Mississippi, for the said fiscal year, and

WHEREAS, the Board of Trustees of the Picayune School District now estimate that the amount of the ad valorem taxes for this School District to be collected therein for said 1988-89 fiscal year is less than the amount estimated at the time of the formulation of the School District budget for the said fiscal year due to circumstances which were unanticipated at the time of formulation of the budget and will prevent the Picayune School District from meeting its financial obligations.

NOW THEREFORE, the Picayune School District does now ask approval of the Mayor and Council of the City of Picayune, Mississippi, for the authority of the School District to issue promissory notes in an amount equal to the estimated shortfall of ad valorem taxes from the School District in the amount of approximately $ 232,968.41 but in no event to exceed twenty-five percent (25%) of the School District budget anticipated to be funded from the sources of the shortfall for the subject fiscal year, all as authorized by Section 29-39-333 of the Mississippi Code of 1972, as amended. (continued)

RESOLUTION FROM THE PICAYUNE SCHOOL DISTRICT CONTINUED:

CERTIFICATE

I, Duane Wheat, do hereby certify that I am the Secretary of the Board of Trustees of the Picayune School District, and that the above and foregoing Resolution was passed at the regular meeting of the Board of Trustees of the Picayune School District held in the Superintendent's Office in Picayune, Mississippi, on June 13, 1989, and further certify that same has not been rescinded.

THIS, the 13th day of June, 1989.

Duane Wheat
DUANE WHEAT, SECRETARY

The above and foregoing Resolution was adopted upon motion by Councilman Ware and seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF 1987-88 CITY AUDIT BY MOORE AND POWELL, CPA'S

Mr. Tom Tucei, of Moore and Powell, CPA'S, came before the Mayor and Council to discuss the Management letter and matters concerning the 1987-88 audit for the City of Picayune. General Fixed Assets were discussed. High lights and over views of some areas for possible improvement was discussed. Mr. Tucei stated "The city did implement the general fixed assets accounts. It is all on the computer system as far as safe guarding the fixed assets. That is a good step in the right direction. Unfortunatley we have one problem, which is, the State Audit Department wanted these fixed assets valued in a very specific way. That valuation process to be used is 'what you think the current replacement cost value of that particular asset would cost today-a replacement for it-, then you ascertain how old it is; then you go to a table that is provided which is called a deflator table; then try to turn around and deflate the replacement value back to what

continued

TOM TUCEI CONTINUED:

apparently the original cost was. That system was not used. What was used was more of what the value of that particular item is worth today, and we could not ascertain what monitary value this would have on fixed assets. The safe guarding of the assets is there, we're not taking exception to that aspect. We're taking exception solely to the valuation process." Mr. Tucei continued his discussion by saying that Personal Property Taxes for 1988 unpaid taxes total approximately $45,000. His recommendation is a follow up on delinquent personal property taxes. He noted this comment was mentioned in the prior year report. Depository Collateral was insufficient at one bank but that by year end the bank in question did provide the city with sufficient collateral. Mr. Tucei made recommendations for the purchasing department and the Unemployment Compensation Fund. His over-all view of the audit was good and expressed appreciation to the Mayor and Council for allowing the firm of Moore and Powell, CPA's to work with the City.

ORDER TO ACCEPT BID FOR WATER LINE EXTENSION

Purchasing Agent, Reggie Frierson, stated that since the water line extension on Telly Road had been rerouted, Item #1 of the bid was omitted. Frierson stated he had contacted the lowest bidders on Items 2 - 5 and they have agreed to sell those line items to us as stated on their bids as follows:

Item #2--11 Fire Hydrants, 5¼, 3 way, 6 " shoe, 3 ft. bury #A423
Mueller or equal
Dixie Waterworks----------@$471.00----------$5,181.00

Item #3--11 ea. 6" MJ Tee's with accessories
La. Utilities----------@$ 67.00----------$ 737.00

Item #4--18 ea. 6" MJ Ell's with accessories
Consolidated Pipe-------@$ 44.00----------$ 792.00

Item #5--18 ea. 6" Gate Valve with accessories
Dixie Waterworks--------@$174.00----------$3,132.00

Motion was made by Councilman Guy and seconded by Councilman Jones to approve the above bids as recommended by the Purchasing Agent. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE LOWEST BIDS FOR PAINTING OF FIRESTATION #2 AND #3 TO SMITH AND EASTERLING

Purchaning Agent, Reggie Frierson, recommended the bid from Bobby Easterling as the lowest over-all bid for painting Firestations #2 and #3. Motion was made by Councilman Ware and seconded by Councilman Guy to approve the Easterling bid of $2,420. After discussion, this motion was withdrawn. Motion was then made by Councilman McQueen, seconded by Councilman Jones to approve the bid of $840.00 for Station #2 from Bobby Easterling and the bid of $1,544 for Station #3 from Howard Smith, as these were the lowest bids on each station. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO AWARD BID FOR STREET OVERLAY TO BUSH CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF $85,452.95 FOR NINE STREETS

Motion was made by Councilman Ware and seconded by Councilman McQueen to award the bid from Bush Construction Co., Inc. to overlay nine streets in the amount of $85,452.95. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER AUTHORIZING MAYOR MITCHELL TO SIGN A QUITCLAIM DEED TO LARRY L. HAYMOND FOR 1985 TAXES MATURED TO THE CITY IN THE AMOUNT OF $92.32

Motion was made by Councilman McQueen and seconded by Councilman Ware to authorize Mayor Mitchell to sign a Quitclaim Deed to Larry L. Haymond for his 1985 taxes that matured to the City of Picayune on Parcel No. 517-8-330-00-00-001.04-00 in the amount of $92.32. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER AUTHORIZING MAYOR MITCHELL TO SIGN QUITCLAIM DEED TO DAISY McMILLIAN FOR 1984 AND 1985 TAXES MATURED TO THE CITY

Motion was made by Councilman McQueen and seconded by Councilman Ware to retract a Quitclaim Deed to Loyal American, approved on May 16, 1989, Minute Book 21, page 256 and approve in the name of Daisy McMillian in the amount of $126.35. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER AUTHORIZING QUITCLAIM DEED TO JOSEPH MCCARDLE FOR 1982 TAXES MATURED TO THE CITY IN THE AMOUNT OF $222.47

Motion was made by Councilman McQueen and seconded by Councilman Ware authorizing Mayor Mitchell to sign a Quitclaim Deed to Joseph McCardle for 1982 taxes matured to the City in the amount of $222.47. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER TO APPROVE REFUNDS FOR PRIVILEGE TAX LICENSE FOR NORTHSIDE ELECTRIC, INC., OLE TOWN CAFE, AND MAHMAND M. DAFTARY, M.D.

Motion was made by Councilman McQueen and seconded by Councilman McQueen authorizing refunds for privilege tax license paid in error by Northside Electric, Inc. in the amount of $17.50, to Mahmand M. Daftary, M.D. in the amount of $20.00 and to Ole Town Cafe in the amount of $35.00. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF CURFEW ORDINANCE FOR HOUSING PROJECTS

Mary Ellen Davis, manager of the Picayune Housing Authority, came before the Mayor and Council seeking information concerning a request made by residents of the George Weems Housing Projects and Beechwood Apartments at the June 6, 1989 meeting pertaining to an 8:00 P.M. curfew for that area. City Attorney, Nova Carroll, provided Mrs. Davis with a rough draft of an ordinance, stating that more detailed work is needed and would be prepared for the next council meeting. Mrs. Davis then requested to be placed on the agenda for that meeting.

ORDER AUTHORIZING CITY MANAGER TO INSTALL STREET LIGHT ON COOPER ROAD

Upon recommendation from A.L. Franklin, City Manager, motion was made by Councilman Ware and seconded by Councilman Guy authorizing a street light to be installed on Cooper Road. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

ORDER AUTHORIZING MANUAL CHECK FOR PEARL RIVER COUNTY DEVELOPMENT ASSOCIATION IN THE AMOUNT OF $4,000 FOR ANNUAL CONTRIBUTION FROM THE CITY

City Manager, A.L. Franklin, requested authorization from the Mayor and Council to prepare a manual check in the amount of $4,000 payable to the Pearl River County Development Association for their annual contribution from the City. Said payment was inadvertently left off of the monthly Docket of Claims. Motion was made by Councilman Guy and seconded by Councilman Ware to approve said manual warrant. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Ware, Jones, Guy and McQueen

Voting nay: None

Absent and not voting: Councilman Albritton

Motion was declared carried.

IN THE MATTER OF NOMINATION TO THE PICAYUNE HOUSING AUTHORITY BOARD

Councilman Guy stated the people of the George Weems Housing Project have a petition recommending Mary Irby be nominated to serve on the Picayune Housing Authority. Motion was made by Councilman Guy that Mary Irby be appointed to serve on said board. Prior to a vote, Councilman Ware suggested this position be left open until the new administration takes office in July, 1989. Councilman Guy then withdrew his motion. No further action was taken.

IN THE MATTER OF PREVIOUS MINUTES FROM THE AIRPORT BOARD AND AUDIT REPORTS

Councilman Guy inquired about the previous minutes the Council has not received and progress concerning an audit requested by the Council on June 6, 1989. Mr. Bud Lovell, new manager of the Picayune Airport, informed Council that he can only answer for the past 30 days and from here on out, the charter will be followed properly and all minutes and reports required would be submitted to the Mayor and Council and Board of Supervisiors by the 5th day of each month.

CITY MANAGER, A.L. FRANKLIN

A.L. Franklin, retiring City Manager, expressed his appreciation to the Mayor and Council for their help and support. He reviewed accomplishments of the past 4 years which totaled over $4,000,000.00. This included capital improvements, purchased equipment, Community Development Projects with funds, contracts and commitments which total $1,200,000.00; Utilities, with the improvements of the Gas Renovation Projects has gone from 22% of unaccounted for gas in May, 1984 to 14% in the first 5 months of 1989 and $150,000 still under contract to be completed which will reduce this percentage even more. He urged the new administration to continue with improvements to the natural gas system, as this gives the city an excellent source of revenue for future capital improvements. He stated again his appreciation for the corporation of this administration and that in his opinion they are leaving the city in an excellent financial position. He then presented the Mayor and each Councilman with a framed plaque which reflected the years they have served the city.

ORDER TO ADJOURN

Motion was made by Councilman Guy and seconded by Councilman Jones to adjourn until July 5, 1989 at 6:00 P.M.

APPROVED:

GREGORY H. MITCHELL
MAYOR

ATTEST:

RAYMOND A. SEAL, CITY CLERK

TAPE NO. 89-23 & 24

OATH OF OFFICE OF MUNICIPAL OFFICERS

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

July 3, 1989

FOR THE TERM BEGINNING ON THE FIRST MONDAY IN JULY, 1989 AND ENDING THE FIRST MONDAY IN JULY, 1993.

MAYOR:

I, J. WOOD "WOODY" SPIERS, do solemnly swear (or affirm) that I will faithfully support and true allegiance bear the Constitution of the United States, and the State of Mississippi, and obey the laws thereof; that I am not disqualified from holding the office of Mayor of the City of Picayune; that I will faithfully discharge the duties of the office upon which I am about to enter, So Help Me God.

WOODY SPIERS, MAYOR

Sworn to and Subscribed before me this 3rd day of July, 1989.

Lonnie Smith, Attorney

COUNCILMEN:

We, Larry E. Watkins, Luther T. Jones, Sr., Harvey Smith, Leavern Guy and Kelly L. McQueen, do each solemnly swear (or affirm) that we will faithfully support and true allegiance bear the Constitution of the United States and the State of Mississippi, and obey the laws thereof; that we are not disqualified from holding the office of councilman of the City of Picayune; that we will faithfully discharge the duties of the office upon which we are about to enter, So Help Us God.

LARRY E. WATKINS

LUTHER T. JONES, SR.

HARVEY SMITH

LEAVERN GUY

KELLY L. McQUEEN

Sworn to and Subscribed before me this 3rd day of July, 1989.

Lonnie Smith, Attorney

July 5, 1989

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 in the Council Chambers at City Hall in regular session Tuesday, July 5, 1989, at 6:00 P.M., with the following officials present: Mayor Woody Spiers; Councilmen Larry E. Watkins, Luther T. Jones, Sr., Harvey Smith, Leavern Guy and Kelly L. McQueen; Ray Seal, City Clerk;

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

The opening prayer was given by Luther T. Jones, Sr., Councilman, followed by the Pledge of Allegiance.

ORDER TO ACCEPT MINUTES OF MAY 4, 1989 FROM PEARL RIVER COUNTY DEVELOPMENT ASSOCIATION

Motion was made by Councilman McQueen, seconded by Councilman Jones to accept minutes of May 4, 1989 from the Pearl River County Development Association. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen
Voting nay: None
Absent and not voting: Councilman Guy
Motion was declared carried.

ORDER TO APPROVE DOCKET OF CLAIMS FOR JUNE AND DENY CLAIM #5307 TO CONSOLIDATED PIPE IN THE AMOUNT OF $628.00

Motion was made by Councilman McQueen to approve the Docket of Claims for June, 1989 and deny claim #5307 for $628.00 to Consolidated Pipe Co.. Councilman McQueen stated said claim was dated October, 1987 and more information is needed as to why this has not been paid.

CLAIMS NO. 4891 - 5445

FUNDS	AMOUNTS
General Fund	$ 706,441.15
Library Fund	2,532.74
CDBG West Side Redevelopment	3,483.21
UDAG Majestic Inn Rental	8,300.00
Capital Projects Fund	328,431.54
Utility Fund	871,934.47
Intragovernmental Service Fund	41,073.46
Unemployment Compensation Trust Fund	30,700.00
Tax Collector Fund	86,058.71
Palestine Cemetery Trust Fund	269,300.00
DOCKET TOTALS:	$2,348,255.28

Motion was seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen
Voting nay: None
Absent and not voting: Councilman Guy
Motion was declared carried.

REGULAR MEETING OF JULY 5, 1989

ORDER TO APPROVE BUILDING PERMITS FOR JUNE, 1989

Motion was made by Councilman Jones and seconded by Councilman Smith to approve building permits no. 4753 - 4759 for the month of June, 1989. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting nay: None

Absent and not voting: Councilman Guy

Motion was declared carried.

ORDER TO APPROVE PLANNING COMMISSION MINUTES FOR JUNE 27, 1989

Motion was made by Councilman Jones and seconded by Councilman Smith to approve the minutes of the Planning Commission meeting held on June 27, 1989. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting nay: None

Absent and not voting: Councilman Guy

Motion was declared carried.

Councilman Guy arrived at the Council Meeting at this time.

ORDER TO ADOPT AMENDMENT TO ZONING ORDINANCE PERTAINING TO PERMITTED USES

ORDINANCE NO. 616

AN ORDINANCE TO AMEND THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT, SECTION 806.2, PERMITTED USES, ZONING ORDINANCE NO. 489.

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

1. That Section 806.2 of the Zoning Ordinance No. 489 shall be amended to include the following:

   Uses Permitted With Permission of Mayor and Council

   (v) Combination retail, wholesale, and/or light manufacturing establishments, provided there is no outside storage of materials and that an off-street loading area is provided.

2. That any ordinance or section of any ordinance in conflict herewith is hereby repealed.

3. That this ordinance shall be effective thirty (30) days after its adoption by the City Council of the City of Picayune, Pearl River County, Mississippi.

ADOPTED THIS 5th day of July, 19 89.

Woody Spiers, Mayor

ATTEST:

City Clerk

ORDINANCE NO. 616 CONTINUED:

The above and foregoing Ordinance was adopted upon motion by Councilman Smith, seconded by Councilman McQueen, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

PUBLIC HEARINGS SET FOR JULY 25, 1989 BY PLANNING COMMISSION

The Planning Commission set the date of July 25, 1989 for Public Hearings concerning amendments to two (2) Ordinances:

(1) Ordinance #507 Beer, to change distance of selling beer from within 500' to 200' of a funeral home.

(2) Amendment to Ordinance #560 to include residential buildings in a C-2 zone with the approval of the Mayor and Council and Planning Commission.

No Council action taken at this time.

ORDER TO RECEIVE BIDS FOR MATERIALS NEEDED FOR THE WEST SIDE REDEVELOPMENT PROJECT

This being the day and hour to receive bids for materials needed for the West Side Redevelopment Project, the following bids were received:

ITEM #1: Harper Foundry and Machine Company, Jackson, MS
16 4 ft. standard Type E curb inlets @236.00----$3,776.00

ITEM #2: Harper Foundry and Machine Company, Jackson, MS
5 5 ft. Standard Type E curb inlets @247.00----$1,235.00

TOTAL: $5,011.00

ITEM #3:

Tri-State Brick and Tile Company, Inc., Gulfport, MS
11,550 common filler brick (delivered $122.00 per thousand,= $1,409.10
(Picked up, $109.50 per thousand)

Laurel Brick, Laurel, MS
11,520 common filler brick, delivered @127.00/M= $1,463.04

Columbia Block and Brick Works, Columbia, MS
11,500 common filler brick @135.00/M= $1,552.50

ITEM #4: Phillips Building Supply, Picayune, MS
100 sacks Mortar mix @3.95 per unit------ $ 395.00

Quick and Grice, Inc., Picayune, MS
100 sacks Mortar Mix @3.90 per unit,Delivered=$ 390.00

Thigpen Hardward Co., Picayune, MS
100 sacks Mortar Mix @3.72 per unit, delivered= 372.00

Columbia Block and Brick Works, Columbia, MS
100 sacks Mortar Mix @3.90 per unit = 390.00

ITEM #5: Huey Stockstill, Inc.
20 cu. yds. masonry sand @2.00 per cu. yd. =$ 40.00

continued

BIDS CONTINUED:

Motion was made by Councilman McQueen and seconded by Councilman Guy to take bids for materials needed for the West Side Redevelopment Project under advisement. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Guy, Jones, McQueen and Smith

Voting nay: None

Motion was declared carried.

ORDER TO ADVERTISE FOR BORING UNDERNEATH INTERSTATE 59 AT TELLY ROAD

The following advertisement was approved upon motion by Councilman McQueen:

NOTICE FOR BIDS

Public Notice is hereby given that the Mayor and Council of the City of Picayune will receive bids up to 5:00 p.m. Tuesday, August 1, 1989 for the following:

Bore and install a 10 inch casing underneath Interstate 59 from the South end of Telly Rd. to Frontage Rd.

Alternate Bid: Install a six inch water main inside the 10 inch casing. (City of Picayune will furnish the material for the six inch water main.)

Sealed bid must be written on the envelope and delivered to Raymond A. Seal, City Clerk, 203 Goodyear Blvd., Picayune, Ms 39466. Said bids will be opened August 1, 1989 at 6:00 p.m., or shortly thereafter. The Mayor and Council reserves the right to waiver informalities, reject any or all bids.

Done by order of the Mayor and Council this the 5th day of July, 1989.

Raymond A. Seal.
City Clerk

Publish bids: July 16, 1989 and July 23, 1989

Motion was seconded by Councilman Watkins;,with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ENTER INTO EXECUTIVE SESSION

Councilman McQueen motioned for the Mayor and Council to enter into Executive Session to discuss personnel matters. Councilman Guy seconded this motion but stated he would prefer to discuss the position of City Manager in public. He referred to an article in the Sea Coast Echo of Bay St. Louis, MS which stated Victor Franckiewicz, former Mayor of Bay St. Louis, had been offered the position of interim City Manager of Picayune. As a Councilman, Guy stated he should have been informed of this. Mayor Spiers, Councilman McQueen and Victor Franckiewicz all

continued

CITY MANAGER POSITION CONTINUED:

responded that the newspaper article was premature, in that the only discussion that had transpired between Franckiewicz and any member of the City Council was to ask him if he would be interested in the position of interim City Manager, and there was no formal offering of said position. Councilman McQueen stated the city needs to move forward and with an interim city manager as knowledgeable in city affairs as Mr. Franckiewicz, this would be a plus for the city and would allow adequate time to search for someone to fill this position. Councilman Guy withdrew his second to the motion to enter into Executive Session. Councilman Smith then seconded this motion, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Watkins, Jones and McQueen

Voting nay: Councilman Guy

Motion was declared carried.

Executive Session followed, at the conclusion of which motion was made by Councilman Jones and seconded by Councilman Watkins to return to regular session. Vote recorded: All yeas.

IN THE MATTER OF APPOINTMENTS TO CITY OFFICES

Mayor Woody Spiers reported the following appointments were made during the Executive Session:

Acting or Interim City Manager	Mr. Victor Franckiewicz
City Attorney	Mr. Lonnie Smith
City Judge	Mr. Ed Stevens
City Auditors	Moore and Powell, CPA'S
City Prosecuting Attorney	MS Deborah Williams
Mayor Pro Tempore	Councilman Luther T. Jones

(Vote appears on page 294A & B of Minute Book 21)

IN THE MATTER OF DETERIORATION OF LIBRARY ROOF

Mrs. Josephine Magee, Director of the Library, came before the Mayor and Council to advise them of the deterioration of the library roof. Mrs. Magee stated tiles are beginning to fall down inside as a result of the leaking roof. She stated the contractor responsible for installing the roof is out of business, the bonding company has gone bankrupt and the company that guaranteed the roof for five (5) years is now out of business. She stated the specifications did show under liability insurance, a clause for 'products and completed operations', which might cover this damage. City Clerk, Ray Seal, contacted said insurance company, Nation Wide in Hattiesburg, and they are to send an adjuster to evaluate the problem. Mrs. Magee will report back to the Council after his evaluation.

ORDER TO APPROVE EMERGENCY RELIEF OVERFLOW VALVE TO BE INSTALLED AT THE RESIDENTS OF C.R. SEARLE, MD ON KETY DR.

Dallas Penton requested permission to install an overflow valve at 918 Kety Drive where raw sewage has backed up into the resident of Dr. C.R. Searle. The city has replaced carpet in this home several times as a result of this problem. Buddy Broadway, engineer, stated an overflow valve would be a good temporary solution but would need to be looked at further for permanent solution. Motion was made by Councilman McQueen to approve installation of overflow relief valve at 918 Kety Dr. after obtaining written approval from owners of any property the city would have to cross. Motion was seconded by Councilman Smith, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Watkins, Smith, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF DISCUSSION

A resident of the Meadowgreen area came before the Mayor and Council to discuss heavy rains causing drainage problems by flooding streets and yards. Councilman McQueen stated this situation in the past occurs outside the city limits where drainage ditches are not cleaned. He suggested the superintendent of the street department contact the supervisors to get something worked out.

Mr. Paul Lagarde, Director of the Greater Picayune Chamber of Commerce, congradulated the Mayor and Council for assuming the position for which they have been elected and pledged to the full corporation of the Chamber in helping the city move ahead.

Mary Davis, Director of the Housing Authority, stated she had been given a draft of an ordinance by the past city attorney and requested the present attorney look over the draft as well as the Chief of Police Freddy Drennan, and place the matter on the agenda for the next council meeting.

ORDER OF RECESS

Motion was made by Councilman McQueen and seconded by Councilman Jones to recess until 6:00 p.m. on Tuesday, July 11, 1989.

APPROVED:

Woody Spiers

WOODY SPIERS, MAYOR

ATTEST:

Raymond A. Seal

RAYMOND A. SEAL, CITY CLERK

TAPE NO. 89-25

July 5, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in Executive Session following their regular meeting at 6:00 p.m., with the following officials present: Mayor Woody Spiers, Councilmen Larry E. Watkins, Luther T. Jones, Sr., Harvey Smith, Leavern Guy and Kelly L. McQueen:

The following proceedings were held.

IN THE MATTER OF CITY MANAGER POSITION

Mayor Spiers declared the floor open for nominations for a ninety day (90) day term as interim City Manager.

Victor Franckiewicz, Jr. was nominated by Councilman Harvey Smith.

A.L. Franklin was nominated by Councilman Leavern Guy.

After a lengthy discussion of qualifications, experience and availability, Mayor Spiers called for a vote.

Voting for Victor Franckiewicz: Mayor Spiers, Councilmen McQueen, Watkins and Smith.

Voting for Franklin: Councilman Guy

Not voting: Councilman Jones.

IN THE MATTER OF CITY JUDGE POSITION

Mayor Spiers declared the floor open for nominations for a City Judge.

Ed Stevens was nominated by Councilman Watkins.

Ed Pace was nominated by Councilman McQueen.

The following vote was taken.

Voting for Ed Stevens: Councilmen Guy, Jones, Smith and Watkins

Voting for Ed Pace: Coucilman McQueen

Abstained and not voting: Mayor Spiers

IN THE MATTER OF CITY ATTORNEY POSITION

Mayor Spiers declared the floor open for nominations for City Attorney.

Lonnie Smith was nominated by Councilman Waktins

Nova Carroll was nominated by Councilman Guy.

The following vote was taken.

Voting for Lonnie Smith: Mayor Spiers, Councilmen McQueen, Smith and Watkins

Voting for Nova Carroll: Councilman Guy and Jones

IN THE MATTER OF CITY CLERK POSISION

No action was taken by Council, but Councilman Leavern Guy requested that the record show that he favored terminating City Clerk Ray Seal and ending expenditure of his salary.

EXECUTIVE SESSION HELD JULY 5, 1989

IN THE MATTER OF PROSECUTING ATTORNEY POSITION

Mayor Spiers declared the floor open for nomination for Prosecuting Attorney.

Debra Williams was nominated by Councilman Smith.

Gerald Cruthird was nominated by Councilman Watkins

The following vote was recorded.

Voting for Debra Williams: Mayor Speris, Councilman McQueen.

Voting for Gerald Cruthird: Councilmen Jones and Watkins

Abstained and not voting: Councilmen Guy and Smith

There being no majority for a single individual, a second vote was taken.

Voting for Debra Williams: Mayor Spiers, Councilmen Guy, Jones and McQueen

Voting for Gerald Cruthird: Councilman Watkins

Abstained and not voting: Councilman Smith

IN THE MATTER OF SELECTING AUDITORS FOR THE CITY

Mayor Spiers declared the floor open for nominations for auditors.

Moore & Powell, CPA was nominated by Councilman Smith.

The following vote was recorded.

Voting for Moore and Powell, CPA: Mayor Spiers, Councilmen Guy, Smith and Watkins

Abstained and not voting: Councilman McQueen

IN THE MATTER OF MAYOR PRO-TEM

Mayor Spiers declared the floor open for nominations for Mayor Pro-Tem.

Councilman Luther T. Jones was nominated by Councilman McQueen.

The following vote was taken.

Voting for Luther Jones: Mayor Spiers, Councilmen Guy, Jones, McQueen, Smith and Watkins

No further business, the Mayor and Council returned to regular session.

APPROVED:

Woody Spiers

MAYOR WOODY SPIERS

ATTEST:

Raymond A. Seal

RAYMOND A. SEAL, CITY CLERK

July 11, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in recessed session Tuesday, July 11, 1989 at 6:00 p.m., with the following officials present: Mayor Woody Spiers; Councilmen Larry E. Watkins, Luther T. Jones, Sr., Harvey Smith, Leavern Guy and Kelly L. McQueen; Interim City Manager, Victor Franckiewicz; City Clerk, Raymond A. Seal; and City Attorney, Lonnie Smith.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

IN THE MATTER OF FEDERAL EMERGENCY MANAGEMENT AGENCY-FLOOD PLAIN PROGRAM

The new guidelines regulating building developments within the flood plains in Pearl River County was discussed by Susan Wilson, Natural Hazards Program Specialist, with the Federal Emergency Management Agency (FEMA) of Atlanta, GA. MS Wilson conducted a Public Hearing and will accept appeals that have been based on scientific or technical data, during a 90-day appeals period. The city is presently participating in the National Flood Insurance Program. Nonparticipation in the program would bring severe penalties, such as, residents could no longer purchase flood insurance, no federal grants or loans could be obtained for buildings or may be made in identified flood hazard areas. To participate, the city must comply with FEMA guidelines by regulating new developments in the 100-year flood plain. Any new construction that takes place in one of the designated 100-year flood plains will have to build so the lowest floor would be at or above what the map indicates the 100-year flood elevation is. The new maps will be in effect in approximately one year. Mr. Willard Inman, Mississippi Research and Development Center of Jackson, MS, was present for the meeting.

ORDER TO ADVERTISE FOR ENGINEER FOR SEWER FORCE MAIN STUDY

Interim City Manager , Victor Franckiewicz discussed a sewer problem that has been causing capacity problems for the past three years. He stated the general idea is to take a look at installing new pumps at station on Highway 11 North, raising the station and having a new force main routed that completely bypasses the central area of town to off-load capacity problems, bringing it around more efficiently to the sewer treatment plant. An engineer will be needed to make a detailed study and recommendations to the Council. Motion was made by Councilman Guy, seconded by Councilman Jones to advertise as follows:

ADVERTISEMENT FOR SEWER ENGINEER:

The Mayor and Council of the City of Picayune, Mississippi will accept statements of interest and qualifications from qualified firms for the preparation of a study to renovate pump station #15 and relocate its discharge.

These services are to include an engineering analysis and recommendations. If the city elects to implement the project the same engineering firm would be used for the specifications and design work.

Statements and qualifications should be sealed and properly labeled and delivered to Raymond A. Seal, City Clerk, 203 Goodyear Blvd., Picayune, MS 39466 on or before 5:00 p.m., Tuesday, August 1, 1989.

Done by order of the Mayor and Council this the 11th day of July, 1989.

Raymond A. Seal
City Clerk

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF MICRO FILM EQUIPMENT FOR THE POLICE DEPARTMENT

Purchasing Agent, Reggie Frierson, after review of two (2) bids received, recommended the bid from Harris/3M for the following:

3M FS 6 Camera Processor
3M 261/262 Duplicator
3M 1000 Reader Printer
Training ----------$15,870.00

Councilman Guy inquired as to whether or not a service contract is included in this price. After discussion, it was the consensus of the Mayor and Council to research this matter further before a decision is made.

ORDER TO MAKE APPOINTMENT TO THE HOUSING AUTHORITY BOARD

Councilman Guy made a motion to appoint Mary Irby to replace Mr. Fred Moore on the Picayune Housing Authority Board. Mary Davis, Director of the Picayune Housing Authority, stated this is a bonded position. Motion was seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Councilmen Jones and Guy

Voting nay: Mayor Spiers, Councilmen Smith, Watkins, McQueen

Motion was not carried.

IN THE MATTER OF ADVISORY PARK COMMISSION APPOINTMENTS

Councilman McQueen requested City Attorney, Lonnie Smith, to research the requirements of the number of members and the length of time each member would serve on the Advisory Park Commission. No council action taken at this time.

IN THE MATTER OF PICAYUNE AIRPORT BOARD MEMBERS

Mayor Spiers stated that Mr. Russell Brown is resigning from the Airport Board. Councilman Watkins nominated Mr. Levi Odom to replace Mr. Brown. After discussion, Councilman Watkins withdrew his nomination until Mr. Odom is contacted to see if he is willing to serve.

IN THE MATTER OF AN ORDINANCE CURFEW FOR THE PICAYUNE HOUSING AUTHORITY AND SURROUNDING AREAS

Interim City Manager, Victor Fanckiewicz, stated more time is needed to research and word properly an ordinance regulating a curfew, parking and congregating in areas which include the Mae L. Williams and George Weems Housing Projects and Beechwood Apartments. City Attorney, Lonnie Smith, stated said ordinance should be studied further.

ORDER TO APPROVE NEW TIME KEEPING PROCEDURES FOR EMPLOYEES

Victor Franckiewicz, Interim City Manager, informed the Mayor and Council he had reviewed each department's time keeping procedures and there is a need for a uniform time keeping method in compliance with the Fair Labor Standards. He also requested council approval to change the semi-monthly employees to bi-weekly, which would change their pay periods from 24 checks annually to 26. Motion was made by Councilman McQueen and seconded by Councilman Smith to approve the recommendations by the City Manager, to change the time keeping procedures for city employees. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF CITY MANAGER'S REPORT ON FISCAL YEAR 1990 BUDGET AND MANAGEMENT

Victor Franckiewicz, Interim City Manager, reports he has completed reviewing all budget requests from the department heads and is presently reviewing the past four (4) years of expenditure trends. He stated he would soon have completed a historical analysis of actual revenues and plans to make some projections as to what our revenues will be now and further down the road. One concern is the possible closing of Mason Chamberlain and the results this will have on our sales tax collection. Before I can make any recommendations, Franckiewicz states, I need to take a closer look at the city organizational structure, management of our city facilities, basic personnel management, Westside Redevelopment Project and recreation and parks.

ORDER TO APPROVE RECOMMENDATION FROM CITY MANAGER TO ABSORB COST OF RELOCATING GAS AND WATER LINES IN THE ROSA STREET PROJECT

Victor Fanckiewicz, Interim City Manager, stated that a massive amount of street and drainage work has been done in the Rosa Street Development Area, leaving nine (9) residents facing hook up charges. Estimated cost for relocation of these residents will be $4,500.00, and City Manager recommends the city absorb this cost and move forward with the project. Motion was made by Councilman Guy and seconded by Councilman Smith to cover the cost of approximately $4500.00 and continue on with the Westside Redevelopment Project. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE CHANGE ORDER IN THE AMOUNT OF $2,084.54 ON BID FROM LOUISIANA UTILITIES

Interim City Manager, Victor Fankiewicz, stated that Louisiana Utilities was low bidder for materials needed for the 5th Street to Mitchell St. Gas System Project. Since the bid price was lower than other prices obtained for other jobs in the city, materials were purchased under this price in the amount of $2,084.54. Therefore, we need authorization for a change order from the Council. Motion was made by Councilman Smith, seconded by Councilman Watkins to approve a change order in the amount of $2,084.54. to Louisiana Utilities. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF EXTENDING SEWER LINES OUTSIDE CITY LIMITS ON BEECH STREET

Victor Franckiewicz, Interim City Manager, brought to the attention of the Mayor and Council a copy of a letter sent to Amos Fowler, verifying an agreement between him and the City to install a sewer line on Beech St. to provide service to the Golden Pond Retirement Community and some apartments owned by A.W. Stockstill located on Beech St. It indicated that the cost of installation is to be born by Stockstill and Fowler, built to the City's specifications. As I understand it from Wayne Wise, Director of Utilities, the City would install the line and bill Stockstill and Fowler for the cost. This is completely outside the city limits, about 1400 ft. South on Beech St. and would cost an estimated $15,000. Other than this letter signed by Mr. A.L. Franklin, dated June 30, 1989, I was unable to find any other documentation. Franckiewicz suggested Fowler install said lines, inspected by the City, and then turn them over to the City for service, as all city crews are tied up with the Rosa Street Proejct at the present time. It was the consensus of the Mayor and Council they were unaware of said agreement and that the area involved may be in the Nicholson Water and Sewer District. No action was taken .

IN THE MATTER OF CLAIM NO. 5307 IN THE AMOUNT OF $628.00 TO CONSOLIDATED PIPE AND SUPPLY

The City Manager reported to the Mayor and Council that Claim #5307 to Consolidated Pipe in the amount of $628.00 which was denied on the June docket, was an error on the part of Consolidated Pipe. Said valves are being returned to the company for credit.

IN THE MATTER OF BORING UNDER I-59 TO PROVIDE ONE (1) FIRE HYDRANT

Interim City Manager, Victor Franckiewicz, requested the Mayor and Council to consider the cost of boring casing under I-59 to provide one (1) fire hydrant near Rainbow Vans and Levis Motors, Inc. Franckiewicz stated this project provides one fire hydrant at an estimated cost of between $80 - 100,000.00. After discussion, it was the consensus of the Mayor and Council to delay any action on this matter.

ORDER TO ADOPT CORPORATE AUTHORIZATION RESOLUTION FOR FIRST UNITED BANK OF PICAYUNE, MS

Motion was made by Councilman McQueen, seconded by Councilman Guy to adopt a Corporate Authorization Resolution for the First United Bank of Picayune, MS. They have been designated as a depository for city funds and have requested a Resolution listing officers authorized to withdraw funds from these accounts. Said Resolution is on file in the office of the City Clerk. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF CAREER WOMEN'S CLUB REQUESTING PERMISSION TO ERECT VETERANS MEMORIAL AT GAZEBO

Sheryl Smith, member of the Career Women's Club, came before the Mayor and Council requesting permission for their club to erect a veterans memorial monument at the Gazebo Am Track Station. Ms Smith furnished the Mayor and Council with a picture of the proposed monument and stated several churches and organizations in the City have made committments to help finance the project. City Attorney, Lonnie Smith, was requested to research the legal aspects pertaining to their request to place said monument on city property.

IN THE MATTER OF CROSBY MEMORIAL LIBRARY ROOF

Josephine Megehee, reported to the Mayor and Council that an adjuster did make an inspection of the roof since the last Council Meeting but no results have been received from this inspection. Mrs. Megehee stated that materials used on the roof may have been inferior. The original specifications have not been located at this time. Mayor Spiers inquired about a 10% retainer held by the city until the work was completed. Mrs. Megehee stated she will continue to update the Council on the matter until it is resolved.

ORDER TO ENTER INTO EXECUTIVE SESSION

Upon motion of Councilman McQueen, seconded by Councilman Jones and unanimously carried, the Mayor and Council will now go into Executive Session to discuss pending litigation.

Executive Session followed, at the conclusion of which the Mayor and Council returned to regular session.

ORDER TO APPOINT CITY ATTORNEY, LONNIE SMITH AS COUNCIL FOR CASE NO. 20,015,SMITH VS CITY OF PICAYUNE

During the Executive Session, the following decision was made. Motion was made by Councilman Smith, seconded by Councilman McQueen to appoint City Attorney, Lonnie Smith to represent the case of Erwin J. Smith versus the City of Picayune, Case No. 20,015. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, McQueen, Smith

Voting nay: Luther T. Jones, Jr.

Abstained and not voting: Councilman Guy

Motion was declared carried.

ORDER TO APPROVE SETTLEMENT WITH CURRENT POLICE DEPARTMENT FOR BACK PAY

During the Executive Session the following decision was made. Motion was made by Councilman McQueen and seconded by Councilman Guy for the Council to proceed with a settlement for the current Police Department employees by authorizing the City Manager to prepare said settlement based on a reconstruction of time worked, in accordance with the Fair Labor Standards Act and further that he invite the Department of Labor to supervise said settlement. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Guy, Jones and McQueen

Voting nay: None

Motion was declared carried.

INTERIM CITY MANAGER REPORTS

Interim City Manager, Victor Franckiewicz stated some of you have expressed an interest in historic preservation of this city hall. We have received information pertaining to availability of funds for planning renovations of historic land marks. Funding is not available for the actual work, but we could possibly have a study conducted to determine an estimated cost of renovations. City Halls are under control of state laws, so restrictions would remain the same and any renovations would have to be approved by the State.

Don Siebenkittel, a member of Citizens for Better Government, has requested to be put on the agenda for the 1st meeting in August to discuss the argriculture use exemptions on parcels within the City.

ORDER TO RECESS

Motion was made by Smith and seconded by Councilman Jones to recess until Tuesday, July 18, 1989 at 6:00 p.m.

APPROVED:

Woody Spiers

MAYOR WOODY SPIERS

ATTEST:

Raymond A. Seal

RAYMOND A. SEAL, CITY CLERK

TAPE NO. 89-26 & 27

July 18, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at City Hall in recessed session Tuesday, July 18, 1989 at 6:00 p.m., with the following officials present: Mayor Woody Spiers; Councilmen Larry E. Watkins, Luther T. Jones, Sr., Harvey Smith, Leavern Guy and Kelly L. McQueen; Interim City Manager, Victor Franckiewicz; City Clerk, Raymond A. Seal; and City Attorney, Lonnie Smith.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

Councilman Larry Watkins led in an opening prayer.

ORDER TO RECEIVE MINUTES FROM THE AIRPORT BOARD FOR JUNE 22 AND JULY 10, 1989

Motion was made by Councilman McQueen and seconded by Councilman Smith to accept minutes of June 22 and July 10, 1989 from the Airport Board meetings. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting nay: Councilman Guy

Motion was declard carried.

ORDER TO RECEIVE MINUTES FROM THE PEARL RIVER COUNTY LIBRARY SYSTEM BOARD MEETING OF MAY 9, 1989

Motion was made by Councilman Guy and seconded by Councilman Jones to receive minutes of May 9, 1989 from the Pearl River County Library System with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE CAREER WOMEN'S CLUB PLACING VETERANS MONUMENT AT GABEZO

City Attorney, Lonnie Smith, stated that placing a monument at the Gazebo as a memorial to veterans would be permissible on city property. Motion was made by Councilman McQueen and seconded by Councilman Guy to endorse the project by the Career Women's Club to erect a monument as a memorial to veterans at the Gazebo Am Track Station. Said project will take 2-3 yrs. to raise funds for the monument. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF PUBLIC HEARING FOR PROPERTY CLEAN UP
RE: A.E. TISDALE, JIG CO., INC., AND C.C. DEDEAUX

It has been reported by Mr. Dallas Penton, Public Safety Director, that property owned by A.E. Tisdale, Jig Co., Inc., and C.C. Dedeaux have been cleaned.

IN THE MATTER OF PUBLIC HEARING FOR PROPERTY CLEAN UP
RE: LOT MAINTENANCE, MARY SMITH

This being the date set, a public hearing was held to determine if the condition of property owned by Mary Smith, Lot 92, Baylous Street, constitutes a menace to the community. Upon motion by Councilman Jones, seconded by Councilman Guy, said property was declared a menace to the public health and safety of the community and property owner, Mary Smith, allowed thirty (30) days to clean said property. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO SET DATE FOR PUBLIC HEARING FOR PROPERTY CLEAN UP
RE: SAMUEL J. GALBO, EMPIRE HOMES, MARX & BENSDORF, MABLE BOGAN AND RUBY CARTER

Motion was made by Councilman Jones and seconded by Councilman McQueen to set the date of August 15, 1989 for a public hearing on property of owners listed below, to determine if their property constitutes a menace to the public health and safety of the community.

NOTICE

You are hereby given notice that on the 15th day of August, 1989 in the City Council Chambers at the City Hall in Picayune, Mississippi at 6:00 p.m., there will be a hearing before the City Council to determine if the condition of your property described on Exhibit A attached hereto constitutes a menace to the public health and safety of the community. Should the determination be made that the condition does constitute a menace to the public health and safety, then the condition of the lot may be ordered corrected by the City, a lein placed against the property for the cost of the work and the property may be sold to satisfy the lein.

You have the right to appear at the hearing and be heard, or you may have the lots cleaned prior to the hearing and notify the City Fire Department to have the cleaned lot inspected.

Dated this the 18th day of July, 1989.

/s/ Raymond A. Seal
City Clerk

POSTED AT:

PICAYUNE CITY HALL
POST OFFICE IN PICAYUNE, MISSISSIPPI

PROPERTY OWNERS:

Samuel J. Galbo----------Lot 9,10,11,12, Block N
J.W. Simmons Original Plat
East Canal Street

Empire Homes----------Lot 4, Greenview Subd. Part 4

continued

PROPERTY CLEAN UP CONTINUED:

Marx & Bensdorf----------Lot 115, 116, 63, Meadowgreen No. 1
Beech and Herrin St.
Mable Bogan----------N. W. Corner of NW¼ of NE¼
East Canal St.
Ruby Carter----------Lot 7 & 8, Williams Southside Addn.
Jarrell St.

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, Guy and McQueen
Voting nay: None

Motion was declared carried.

ORDER TO AWARD BID FOR MICROFICHE EQUIPMENT FOR POLICE DEPARTMENT TO HARRIS 3/M IN THE AMOUNT OF $15,870.00

Interim City Manager, Victor Franckiewicz advised the Mayor and Council that after reviewing the bid from Harris 3/M, it was determined the bid was for microfiche equipment rather than microfilm. Also, the notice for bid ad did not specify a service contract was to be included in the bid price. Motion was made by Councilman Smith, seconded by Councilman Watkins to approve the bid from Harris 3/M in the amount of $15,870.00 as the lowest and best bid for microfiche equipment. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen
Voting nay: None
Abstained and not voting: Councilman Guy
Motion was declared carried.

IN THE MATTER OF AMENDMENTS TO LOUNGE ORDINANCE

Police Chief Freddy Drennan came before the Mayor and Council with proposed changes to the lounge ordinance and sale of beer. He stated these changes would improve ability to enforce our ordinance and keep the criminal eliminate out of those operations. Changes suggested would allow police to conduct a criminal back ground check on the applicant of a license, allow the Mayor and Council to close lounges if the owner or operator is convicted two or more times for sale of a high alcohol content beverage or narcotic convictions. These changes were discussed by residents and operators of lounges who attended the meeting. Police Chief Drennan will present the final ordinance amendments at the next council meeting. No action was taken at this time.

IN THE MATTER OF CURFEW ORDINANCE

A proposed draft, using the City of Gulfport Curfew Ordinance as a guide, was presented by City Attorney, Lonnie Smith. It was determined a city wide curfew, with specific areas designated for stronger enforcement, would be needed in order for the police department to have leverage on problems with high crime rate and drug related problems. Mary Davis, Director of the Picayune Housing Authority, requested the Mayor and Council to act quickly on this matter in order to give residents in the "heart" relief from these disturbances. Final draft will be voted on August 1, 1989.

ORDER TO APPOINT DON BOWLES TO THE PICAYUNE HOUSING AUTHORITY BOARD

Councilman Guy nominated Mr. Don Bowles to a 5 year term on the Picayune Housing Authority Board to replace Mr. Fred Moore whose term expired November, 1988. Motion was made by Councilman Guy, seconded by Councilman Jones to appoint Mr. Bowles to the Picayune Housing Authority Board. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Guy, Smith

Voting nay: Councilman McQueen and Councilman Watkins

Motion was declared carried.

IN THE MATTER OF ADVISORY PARK COMMISSION

City Attorney, Lonnie Smith, stated he researched the Park Commission requirements and there should be between 3 to 5 members with staggered terms. The Board should be named Park Commission rather than Advisory Park Commission. Mayor Spiers requested each councilman to submit one name to serve on said commission at the next meeting, It was noted that members are required to be residents of the city.

ORDER TO APPOINT LEVI ODOM TO THE AIRPORT BOARD TO FILL THE UNEXPIRED TERM OF RUSS BROWN

Motion was made by Councilman Watkins, seconded by Councilman Smith to appoint Levi Odom to serve the unexpired term of Russ Brown who had resigned. This term will expire January, 1992. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, McQueen, Guy and Jones

Voting nay: None

Motion was declared carried.

IN THE MATTER OF COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Barbara McGrew, Director of Community Development, presented the Mayor and Council with a list of persons presently serving on the Community Development Advisory Committee that have been contacted and are willing to serve another term. Mrs. McGrew stated all areas of the city are represented on this committee and other nominations may be made by the Mayor and Council. Mayor Spiers requested each Councilman to present two names, after having contacted them, and be prepared to appoint members at the next meeting.

IN THE MATTER OF ELECTION COMMISSION

Purging the election books and problems with removing names from the rolls was discussed. Interim City Manager, Vic Franckiewicz, stated the most accurate way to clear the rolls would be a city wide re-registeration. After the census is completed in approximately 1991 or 1992, Franckiewicz stated the city will probably be required to redistrict. No action was taken on appointments to the Election Commission.

ORDER TO ACCEPT UNIFORM ASSESSMENT SCHEDULE FOR MOTOR VEHICLE AD VALOREM TAXES FOR 1989-90 AS APPROVED BY MISS. STATE TAX COMMISSION

A Public Hearing was conducted concerning the Uniform Assessment Schedule for Motor Vehicle Ad Valorem Taxes. Several residents spoke out against the high cost of license plates. They were informed that the Uniform Assessment Schedule is set by the State to determine the valuation of motor vehicles and that mills set by the county and city determine the cost you will pay for the license plates. Motion was made by Councilman McQueen, seconded by Councilman Smith to accept the Uniform Assessment Schedule for Motor Vehicles Ad Valorem Taxes for 1989-90, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR TO SIGN QUITCLAIM DEED TO GORDAN SLIMMER, 1984 TAXES MATURED TO THE CITY

Motion was made by Councilman Guy, seconded by Councilman Jones authorizing Mayor Spiers to sign a quitclaim deed to Gordan Slimmer for 1984 taxes matured to the city in the amount of $185.58. Said property is located in Hancock County. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watking, Smith, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR TO SIGN QUITCLAIM DEED TO WILLIAM C. WOLFE FOR TWO PARCELS OF LAND MATURED TO THE CITY IN THE AMOUNT OF $99.28

Motion was made by Councilman Guy, seconded by Councilman Jones authorizing Mayor Spiers to sign a quitclaim deed to William C. Wolfe for 1985 taxes matured to the city on two (2) parcels of land in the amount of $99.28. The following roll call vote was recorded.

Voting yea: Mayor Mitchell, Councilmen Watkins, Smith, Guy, Jones and McQueen

Voting nay: None

Motion was declared carried.

RECESSED MEETING OF JULY 18, 1989

IN THE MATTER OF AIRPORT BOARD EXPENDITURES

Frank Egger, former member of the Airport Board, came before the Mayor and Council requesting that they do not approve any expenditures for the Airport Board until the audit report is completed. He stated the original Resolution passed in 1967 requires the city and county officials approve expenditures over budget. Councilman Guy requested City Attorney, Lonnie Smith research the Resolution and advise the Council of his findings.

IN THE MATTER OF BUDGET RECOMMENDATIONS

Interim City Manager, Victor Franckiewicz, requested the Mayor and Council submit any project recommendations to him as soon as possible. These recommendations will assist him in the preparation of the 1989-90 budget.

IN THE MATTER OF THE CITY CLERK POSITION

Councilman Guy stated the Council should take some action on the City Clerk position. Mayor Spiers replied that Vic Franckiewicz is presently making an over-all study of reorganization and that action could not be taken until this has been completed. City Attorney, Lonnie Smith, stated that if an appointment is not made, then the present clerk stays on until this position is filled.

ORDER TO ENTER INTO EXECUTIVE SESSION

Upon motion by Councilman McQueen, seconded by Councilman Guy and unanimously carried, the Mayor and Council will now go into Executive Session to discuss the postion of City Judge.

Executive Session followed, at the conclusiton of which the Mayor and Council returned to regular session.

ORDER TO ADJOURN

Motion was made by Councilman McQueen and seconded by Councilman Guy to adjourn until 6:00 p.m., Tuesday, August 1, 1989.

APPROVED:

Woody Spiers

Mayor Woody Spiers

ATTEST;

Raymond A. Seal

Raymond A. Seal, City Clerk

TAPE NO. 89-28 & 29

July 28, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in said City, July 28, 1989 at 6:00 p.m., pursuant to waiver of notice and consent to so meet duly signed and executed by each and every member of the said Council, including the Mayor, in accordance with the provisions of the law, ordered spread upon these minutes and filed for record with the following officials present: Mayor Woody Spiers; Councilmen Luther T. Jones, Leavern Guy, Harvey Smith, Larry Watkins and Kelly L. McQueen; Interim City Manager, Victor Franckiewicz; City Clerk, Raymond A. Seal; and City Attorney, Lonnie Smith.

It Being Determined a quorum was present, the Mayor declared the meeting open and the following proceedings were held.

NOTICE AND CONSENT TO SPECIAL MEETING

Councilman Luther T. Jones
Councilman Larry Watkins
Councilman Leavern Guy
Councilman Harvey Smith
Councilman Kelly L. McQueen

You are HEREBY NOTIFIED that a special meeting of the Mayor and City Council is called to meet in the Council Chambers, Thursday, July 28, 1989 at 6:00 p.m. to discuss property located in the city limits receiving agricultural use value.

Woody Spiers
Mayor Woody Spiers

Larry Watkins
Councilman Larry Watkins

Luther T. Jones Sr.
Councilman Luther T. Jones

Harvey Smith
Councilman Harvey Smith

Kelly L. McQueen
Councilman Kelly L. McQueen

Leavern Guy
Councilman Leavern Guy

ORDER TO REQUEST THE PEARL RIVER BOARD OF SUPERVISORS TO CONSIDER CORRECTIONS TO THE 1989 REAL PROPERTY ASSESSMENT ROLLS

Councilman McQueen moved, seconded by Councilman Watkins as follows:

1. That the City of Picayune request the Pearl River County Board of Supervisors to evaluate the 55 parcels of property in Picayune assessed at agricultural use value, as listed in Attachment "A".

2. That agricultural use value be granted for assessment purposes only to those parcels having bona fide agricultural use in accordance with Mississippi Code Section 27-35-50, and

3. That all other properties be assessed based on true market value, and

4. That this request be presented to the Pearl River County Board of Supervisors as an objection in response to the public notice making the tax rolls available for public inspection, as ordered and adjudged by the board on July 5, 1989.

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen McQueen, Watkins, Jones, and Smith
Voting nay: Councilman Guy

Motion was declared carried.

Attachment "A"

CITY OF PICAYUNE
AG USE VALUE PARCELS
COMPILED 7/28/89

PARCEL #	NAME	SIZE (ACRES)
6176130000002103	Stegall, Bill	1.406
6175210040100200	Stockstill, A.W.	50.18
6170200000007700	Tate, Ferris E.	13
6175210010100200	Tate Insurance Agency, Inc.	31
6171020000002900	Thigpen, S.G. Sr.	1.8
6175220010201500	Thigpen, S.G.	10.5
6176230020200300	Thigpen, S.G. Et al	63.8
6176240000003301	Williams, G. Howell	20
6176130000001200	Williams, G. Howell Est.	84
6176130000002501	Williams, G. Holly Est.	40
6176130000001500	Williams, Betty Collins	30
6176130000002000	Williams, Betty Collins	2.7
6171110020200600	WKC Partnership	21.6

continued

Attachment "A"

CITY OF PICAYUNE
AG USE VALUE PARCELS
COMPILED 7/28/89

PARCEL #	NAME	SIZE (ACRES)
61782700000001001	Baker, James	4
6171120010300100	Barnes, Alfred M.	4.9
6171120000000300	Berry, Donald	35
61[illegible]140030601400	Blossman, Richard L.	5.5 of 27 Ac.
61[illegible]210020101300	Broadway, Buddy	20
61[illegible]120000002100	Broadway, Buddy	15.1
61[illegible]110040300600	Burch, George E.	32
61[illegible]010000000500	Cahal, Inc.	12.5
6171020000007600	Cahal, Inc.	24.6
6172100040100100	Combs, Linda Kay	35
6171120000000200	Cooper, Carle	2.9
6175160030200100	Crosby, James (lessor)	15.4
6171110020200400	Crosby, L.O.	33
6171120000000900	D'Antoni, Virginia	25
6176130000000900	Formby, L.N. Sr.	10
6176130000000200	Harrison, Mary Jane Read	70
6171120000001500	Harrison, Mary Jane Read	3.4
6171120000001700	Harrison, Mary Jane Read	126
6175210010200400	Henley, P.E.	17
6175210020100200	Henley, P.E.	5.4
6171020000000902	Koch, Jack E., Et al	3
6171020000000400	Koch, Jack E.	180
6171020000000900	Koch, Jack E., Et al	125.4
6176130000000100	Koch Energy Corp.	82
6171120000002000	Koch Energy Corp.	129
6171010000001000	La Tierra Corp.	98
6171010040304300	La Tierra Corp.	6
6171010000000600	La Tierra Corp.	26
6171020000000903	Lincoln Homes, Inc., Et al	24
6176130000002502	Lomax, Marla Williams	10
6171110040300300	Lott, William E.	11.1
6175220040100100	Malone & Hyde, Inc.	33.58
6171000010000100	Millbrook Golf & Country Club	72
6171010000000200	Mitchell, Blaine E. Et al	8.18
6171020000000905	Penton, Patricia G.	3.5
6171020000000907	Roussell, F. Allen	2.1
6175210010101600	Russell, James H.	5.2
6175210020100900	Sanders, A.E.	55
6176130000002600	Sharp, Alta Williams	41
6176130000002200	Smith, Erwin J.	4.08
6172090020100300	Smith, Billy Et al	27.5
617[illegible]160020100400	Spiers, Juel W.	7.1

[illegible] ORDER TO ADJOURN

Motion was made by Councilman Jones, seconded by Councilman Watkins, to adjourn until 6:00 p.m., Tuesday, August 1, 1989.

APPROVED: Woody Spiers
MAYOR WOODY SPIERS

ATTEST: Raymond A. Seal
RAYMOND A. SEAL, CITY CLERK

TAPE NO. 89-30

August 1, 1989

STATE OF MISSISSIPPI
PEARL RIVER COUNTY
CITY OF PICAYUNE

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in regular session Tuesday, August 1, 1989, at 6:00 p.m., with the following officials present: Mayor Woody Spiers; Councilmen Larry E. Watkins, Luther T. Jones, Sr., Harvey Smith, Leavern Guy and Kelly L. McQueen; Interim City Manager, Victor Franckiewicz; City Clerk, Raymond A. Seal; and City Attorney, Lonnie Smith.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

The opening prayer was given by Councilman Luther T. Jones, Sr., followed by the pledge of allegiance.

ORDER TO ACCEPT MINUTES OF JUNE 26, 1989 FROM THE PEARL RIVER COUNTY DEVELOPMENT ASSOCIATION

Motion was made by Councilman Guy and seconded by Councilman Jones to accept minutes of June 26, 1989 from the Pearl River County Development Association. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, Guy, and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE MINUTES FOR MAY 25, JUNE 6, 20, JULY 3, 5, 1989

Motion was made by Councilman Smith, seconded by Councilman Watkins to approve minutes of council meetings held on May 25, June 6, 20, July 3 and 5, 1989. Said minutes are on file in the office of the City Clerk in Minute Book 21, pages 261 through 287. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE DOCKET OF CLAIMS FOR JULY, 1989

Motion was made by Councilman Smith, seconded by Councilman Watkins to approve the docket of claims for July, 1989 and deny claim no. 5811 in the amount of $61.50, which was duplicated by claim no. 5812.

CLAIMS NO. 5546 - 6045

FUND NAME	AMOUNT
General Fund	619,373.97
Library Fund	1,392.88
CDBG West Side Redevelopment	9,049.92
UDAG Majestic Inn Rental	10,400.00
General Bond and Interest Fund	79,762.50
Library Construction Bond Fund	375.00
Capital Projects Fund	373,411.68
Utility Fund	957,895.01
Intragovernmental Service Fund	100,975.49
Unemployment Compensation Trust Fund	30,900.00
Tax Collector Fund	90,880.16
Palestine Cemetery Trust Fund	271,100.00
DOCKET TOTALS:	2,545,516.61

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Guy, Smith and McQueen

Voting nay: Councilman Jones

Motion was declared carried.

IN THE MATTER OF REPAIRS TO THE CRIMINAL JUSTICE CENTER ROOF

Acting City Manager, Victor Franckiewicz, stated that Weatherproof Services, Inc. of Hattiesburg, MS was awarded the contract to repair five (5) leaks on the roof of the Criminal Justice Center. Four leaks have been repaired, another was repaired but still leaks. The total contract price is $4,120.00. Franckiewicz asked the Mayor and Council if the full amount should be paid now or held until the entire job is completed. Councilman Guy requested City Attorney Lonnie Smith research the contract to see if the entire amount could be held until completion of the job.

ORDER TO DENY REQUEST TO AMEND BEER ORDINANCE

A public hearing was held on July 25, 1989 by the Planning Commission concerning an amendment to the Beer Ordinance which would allow beer to be sold a distance of 200 feet from a funeral home. The present ordinance allows a distance of 500 feet before the sale of beer. Mr. John Eisler, owner of a restaurant located 218 feet from a funeral home, made the request. Several present for the hearing opposed the amendment. Upon recommendation from the Planning Commission, motion was made by Councilman Jones, seconded by Councilman McQueen, to deny the request to amend the beer ordinance. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Watkins, Smith, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE MINUTES OF THE PLANNING COMMISSION MEETING ON JULY 25, 1989

Motion was made by Councilman Guy, seconded by Councilman Jones to approve the minutes of the Planning Commission meeting held on July 25, 1989. Said minutes are on file in Minute Book 4, pages 154 and 155 on file in the office of the City Clerk. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Watkins, Smith, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ADOPT ORDINANCE NO. 617 TO AMEND C-2 DOWNTOWN COMMERCIAL ZONE

A public hearing was held on July 25, 1989 to consider amending Ordinance No. 560 to allow residential building in a C-2 zone. The following Ordinance was adopted:

continued

ORDINANCE NO. 617

AN ORDINANCE TO AMEND ORDINANCE NO. 560, C-2 DOWNTOWN COMMERCIAL DISTRICT, SECTION 807.2, PERMITTED USES (p).

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

1. That Ordinance No. 560, Permitted Uses in C-2, Downtown Commerical District, item (p) shall be amended to read as follows:

   (p) Any residential dwelling existing as of June 30, 1983, in the C-2, Downtown Commercial District, may be restored, enlarged, repaired or extended and may also be rebuilt, if destroyed or damaged by fire, flood, explosion, wind, earthquake, war, riot or other calamity or act of God, provided reconstruction shall be started within six (6) months of such happening and prosecuted to completion within one (1) year of such happening. Any new residential dwelling to be built or proposed to be built, other than listed above, shall have the approval of the Planning Commission and the Mayor and Council. Approval of the within described Permitted Uses shall be subject to the review of the Planning Commission, Mayor and Council.

2. That any ordinance or section of any ordinance in conflict herewith are hereby repealed.

3. That this ordinance shall be effective thirty (30) days after its adoption by the City Council of the City of Picayune, Pearl River County, Mississippi.

ADOPTED this the 1st day of August, 1989.

Woody Spiers, Mayor

ATTEST:

Raymond A. Seal, City Clerk

The above and foregoing ordinance was adopted upon motion by Councilman Jones, seconded by Councilman Watkins, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF BUILDING PERMITS NO. 4760 - 4765

Councilman Harvey Smith inquired as to why the council should approve building permits after they have already been issued. Councilman McQueen requested the overall procedure be researched, but that they continue to receive them for information. No council action was taken.

ORDER TO APPROVE SIDE AND REAR YARD VARIANCE AT THE AIRPORT

Ben and John Griffin came be before the Planning Commission requesting side and rear yard variances in order to build additional hangers at the airport. Upon recommendation from the Planning Commission, motion was made by Councilman Guy and seconded by Councilman McQueen to approve a 15 ft. side yard and a 40 ft. rear yard variance as requested. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, McQueen and Guy

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE REQUEST TO CONSTRUCT RESIDENTIAL BUILDING IN C-1 ZONE

Mrs. Mable Bogan came before the Planning Commission requesting permission to construct a single family residential building on property located on E. Canal Street in a C-1 Zone. Ordinance No. 503 requires Council approval for construction of any residential building in a C-1 Zone. Motion was made by Councilman Smith, seconded by Councilman McQueen giving their approval to Mrs. Mable Bogan to construct a residential dwelling on E. Canal Street. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, McQueen and Guy

Voting nay: None

Motion was declared carried.

IN THE MATTER OF PUBLIC HEARING SET FOR FLOOD DAMAGE PREVENTION ORDINANCE NO. 608 ON AUGUST 29, 1989

The Planning Commission set the date of August 29, 1989 for a public hearing concerning an amendment to the Flood Damage Prevention Ordinance No. 608. No council action was taken at this time.

ORDER TO APPROVE BIDS FOR MATERIALS NEEDED FOR WESTSIDE REDEVELOPMENT PROJECT

Interim City Manager, Victor Franckiewicz, stated after review of all bids received for materials needed to complete sub-surface drainage in the Westside Redevelopment Area on Richard, Toquet, Boler, and Snyder Lane, my recommendation follows:

continued

BIDS APPROVED FOR WESTSIDE REDEVELOPMENT PROJECT CONTINUED:

Item #1. 16 - 4 ft. curb inlets castings
Harper Foundry & Machine Co. ----------16 at $236.00 each
Total $3,776.00

Item #2. 5 - 5 ft curb inlets castings
Harper Foundry & Machine Co. ----------5 at $247.00 each
Total $1,235.00

Item #3. 11,500 Common Filler Brick
Tri-State Brick & Tile Co.----------11,550 at $122.00/M
Total $1,409.10

Item #4. 100 Bags of Mortar Mix
Thigpen Hardware Co.----------100 at $3.72
Total $372.00

Item #5. 20 cu. yds. Masonry Sand
Huey Stockstill, Inc.----------20 at $2.00 cu. yds.
Total $40.00

Motion was made by Councilman Guy and seconded by Councilman Jones to approve the above bids as recommended by the City Manager. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, McQueen and Guy

Voting nay: None

Motion was declared carried.

ORDER TO ADOPT CURFEW ORDINANCE CITY-WIDE

After long discussions and careful consideration of each section of a curfew ordinance designed to give the Police Department a better control over specific, troubled areas, the following ordinance on pages 309-315 was adopted:

ORDINANCE NO. 619

CURFEW FOR ALL PERSONS IN DESIGNATED AREAS

WHEREAS, the City Council of the City of Picayune has been advised by its Director of Public Housing that a high number of crimes are being committed in certain areas of the City of Picayune, including an excessive number of incidents of drug and alcohol possession and abuse, thefts, homicides, assaults and general disturbances of the health and welfare of the City of Picayune, including a high percentage of crimes committed by juveniles; and

WHEREAS, the Director of Public Housing reported to the City Council of the City of Picayune that adults and minors are congregating in certain areas of the City of Picayune during the nocturnal hours; and

WHEREAS, the City Council of the City of Picayune finds and determines that special and extenuating circumstances presently exist within the City of Picayune and call for special regulation of minors within certain areas in order to protect minors from each other and from other persons on the street during the nocturnal hours, to aid in crime prevention, to promote parental supervision over minors, and to decrease nocturnal juvenile crime rates; and

WHEREAS, prudence dictates that preventive measures be implemented throughout the city in addition to the special regulation of nighttime activities in certain areas in order to promote the health, safety, and welfare of this community.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That the following text is hereby made a part of the Code of Ordinances of the City of Picayune, Mississippi:

(a) Short Title. This section shall be known and may be cited as the "Curfew Ordinance."

(b) Purpose and Findings. This is an updating of Section

ORDINANCE NO. 619:

of the Code of Ordinances of the City of Picayune, Mississippi, prescribing, in accordance with the prevailing community standards, regulations for the conduct of minors on streets at night, effectively and consistently enforced, for the protection of the younger children in Picayune from each other and from other persons on the street during the nighttime hours, the enforcement of parental control of and responsibility for their children, the protection of the public from nocturnal mischief by minors and adults, the reduction in the incidents of juvenile criminal activity, for the furtherance of family responsibility, and for the public good, safety and welfare.

(c) Definitions. For the purposes of the curfew ordinance, the following terms, phrases, works, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular and words in the singular number include the plural. The words "shall" is always mandatory and not merely directory.

(1) "Minor" is any person under the age of eighteen (18) or, in equivalent phrasing often herein employed, any person seventeen (17) or less years of age.

(2) "Parent" is any person having legal custody of a minor (i) as a natural or adoptive parent; (ii) as a legal guardian; (iii) as a person who stands in loco parentis; or (iv) as a person to whom legal custody has been given by order of the court.

(3) "Remain" means to stay behind, to tarry and to stay unnecessarily upon the streets. To implement that thought with additional precision and precaution, numerous exceptions are expressly defined in subsection (e).

(4) "Year of age" continues from one birthday,

ORDINANCE NO. 619:

such as the seventeenth to (but not limited the day of) the next, such as the eighteenth birthday, making it clear that seventeen (17) or less years of age is hereby treated as an equivalent to the phrase "under eighteen (18) years of age."

(5) A "special designated area" is an area within the City of Picayune, Mississippi, in which there exists the presence of special, extenuating circumstances such as excessive looting or vandalism, high crime rates, a high drug or alcohol arrest rate, or a number of crimes committed by minors necessitating hours of curfew that are more strict in character than those warranted in other areas of the City of Picayune, Mississippi. Upon recommendation of the Chief of Police of the City of Picayune, Mississippi, the Mayor and the City Council may designate such an area and a stricter curfew may be imposed for an initial period not to exceed six (6) months in duration. At the end of the initial period, the City Council shall determine if those special circumstances remain in existence. If the City Council determines that the need to continue the special curfew laws in the designated area still exists, they shall so designate, by ordinance, and shall extend the special curfew laws for an additional designated period.

(d) Curfew for Minors.

(1) It shall be unlawful for any person seventeen (17) or less years of age [under eighteen (18)] to be or remain in or upon the streets within the City at night during the period beginning at 11 o'clock p.m. and ending at 5 o'clock a.m. on Sundays through Thursdays and beginning at 12 o'clock p.m. and

ORDINANCE NO. 619:

ending at 5 o'clock a.m., on Fridays and Saturdays.

(2) It shall be unlawful for any person to be in or remain in or upon a "special designated area" as defined by this ordinance during the period beginning at 9 o'clock p.m. and ending at 5 o'clock a.m.

(e) **Exceptions**. In the following exceptional cases a minor on a city street during the nocturnal hours for which subsection (d) is intended to provide the maximum limits of regulation (and a clear general guide for minors, their parents and their fellow citizens) shall not, however, be considered in violation of the curfew ordinance.

(1) When accompanied by a parent of such minor.

(2) When accompanied by an adult authorized by a parent of said minor for a designated period of time and purposes within a specified area.

(3) When returning home, by a direct route from (and within thirty (30) minutes of the termination of) a school activity, or any activity of a religious or other voluntary association, of which prior notice, indicating the place and probable time of termination, has been given in writing to, and duly filed for immediate reference by, the Chief of Police or the officer assigned by him on duty at the police station, thus encouraging (here as in other exceptional situations) conduct on the part of the minors involved in such activities and striking a fair balance for any somewhat conflicting interest.

(4) When authorized, by special permit from the Chief of Police carried on the person of the minor.

(5) When authorized, by the Chief of Police for reasonably necessary nighttime activities of more minors than can readily be dealt with on an individual

ORDINANCE NO. 619:

special permit basis.

(6) When the minor carries a certified card of employment, renewable each calendar month when the current facts so warrant, dated or reissued not more than forty-five (45) days previously, signed by the Chief of Police and briefly identifying the minor, the address of his home and of his place of employment, and his hours of employment.

(7) When the minor is in bona fide interstate movement through Picayune.

(f) Parental Responsibility. It shall be unlawful for a parent having legal custody of a minor normally to permit or, by inefficient control, to allow such minor to be or remain upon any City street under circumstances not constituting and exception to, or otherwise beyond the scope of, the curfew ordinance. The term "knowingly" includes knowledge which a parent should reasonably be expected to have concerning the whereabouts of a minor in that parent's legal custody. It is intended to continue to keep neglectful or careless parents up to a reasonable community standard of parental responsibility through an objective test. It shall, a fortiori, be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such minor child.

(g) Police Procedures.

(1) A policeman of the City, upon finding or having attention called to any minor on the streets in prima facie violation of the curfew ordinance, shall take such action as is appropriate under the rules and regulations of the Public Safety Department. Said rules and regulations shall afford the parent and minor due process under the law.

(2) In the case of a first violation by a minor,

ORDINANCE NO. 619:

the Chief of Police shall, by certified mail or hand-delivery to a parent or legal guardian, send a written notice of said violation with a warning that any subsequent violation will result in a full enforcement of the curfew ordinance, including enforcement of parental responsibility and of applicable penalties.

(h) Penalties. Prevailing community standards, and the real internalization thereof, or interpersonal sanctions therefor that in practice count for much, as to when minors should be off the streets, reflected in this curfew ordinance, are hereby undergirded with the following legal sanctions:

(1) If, after the warning notice pursuant to subsection (g) of a first violation by a minor, a parent violates subsection (f) (in connection with a second violation by said minor), this shall be treated as a first offense by the parent. For such first parental offense, a parent shall be fined twenty-five dollars ($25), e.g., fifty dollars ($50) for the second, seventy-five dollars ($75) for the third offense, or in the alternative may be required to perform community service. The municipal court judge, upon finding a parent guilty, shall sentence the parent to pay such fine and the costs of prosecution, and upon refusal to pay such fine and costs to be imprisoned in the jail of the City for a period of not exceeding ten (10) days.

(2) Any minor who shall violate any of the provisions of the curfew ordinance more than three (3) times shall be referred to the Youth court of Pearl River County, Mississippi, for the treatment, supervision and rehabilitation of such minor.

SECTION 2. For good cause being shown and the interest and

ORDINANCE NO. 619:

welfare of the City of Picayune and the citizens thereof, require that the said Ordinance be in full force and effect immediately upon its passage, and this Ordinance shall be in full force and effect from and after its passage, but shall nevertheless be published according to law.

The above and foregoing Ordinance, after having been first reduced to writing and read by the Clerk, was introduced by Councilman McQueen, seconded by Councilman Watkins, and was adopted by the following roll call vote, to-wit:

YEAS:	NAYS:
Mayor Woody Spiers	Councilman Luther T. Jones
Councilman Larry Watkins	
Councilman Leavern Guy	
Councilman Harvey Smith	
Councilman Kelly McQueen	

The Mayor thereby declared the motion carried and the Ordinance adopted, this the 1st day of August, 1989.

(SEAL)

ATTEST:

Raymond A. Beal
CLERK

ADOPTED:

Woody Spiers
MAYOR

ORDINANCE NO. 618

AN ORDINANCE TO AMEND ORDINANCE NO. 400, SECTION 4-54, PAYMENT OF TAX: APPLICATION FOR LICENSE: SECTION 4-55, PROCESSING OF APPLICATIONS: ORDINANCE NO. 453, SECTION 4-73, APPLICATION FOR PRIVILEGE LICENSE: LICENSE TAX: SECTION 4-74, PROCESSING OF APPLICATION AND SECTION 4-76, VIOLATION: PENALTY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PICAYUNE AS FOLLOWS:

SECTION 1. That Section 4-54 of the Code of Ordinances of the City of Picayune, Mississippi is amended to read as follows:

Section 4-54, Payment of tax; application for license.

Any person desiring to engage in the retail sale of beer and wine shall pay the city a license tax at the same rate as that imposed by Mississippi Code Annotated 1972, Sections 27-31-303 and 27-71-345, for the privilege of engaging in such business, and shall present to the Chief of Police a written application setting forth the following:

(a) The name of applicant.

(b) A sworn statement in affidavit form that:

(1) Applicant is above the age of twenty-one (21) years:

(2) Possessed of good moral character, not a common gambler or holder of federal gambling license or stamp;

(3) A citizen of the United States:

(4) A citizen of the State:

(5) Has not been convicted of a felony:

(6) Has not had revoked, within two (2) years next preceding his application, any license or permit issued to him pursuant ot the laws of this state, or any state, or any municipality of this state, or any state relating to beer, wine or liquor:

(7) Applicant is the owner of the premises for which the license is sought or is the lessee possessing a written lease from the owner with at least one year term remaining for the premises on which the license is sought.

(8) Applicant is the sole owner or full name and address of all co-owners:

(9) If applicant is a corporation, full names of all officers and directors, and full names of all stockholders owning more than five (5) per-cent of the stock of such corporation.

(c) A brief narrative statement of the business operation sought to be licensed giving sufficient information to identify what type of business will be conducted under the privilege license.

SECTION 2. That Section 4-55 of the Code of Ordinances of the City of Picayune, Mississippi is amended to read as follows:

Sec. 4-55. Processing of application.

The Chief of Police shall recommend either approval or denial of the application and shall return the application with such recommendation in writing to the applicant within seven (7) days. The applicant shall then present it to the City Clerk.

The City Clerk shall process each application received under this division taking such actions as are necessary to accuratly determine the fees and charges due the City, and such other actions as are necessary to

continued

ORDINANCE NO. 618 CONTINUED:

determine that the application is in proper compliance with this chapter. The City Clerk shall maintain a listing of all applicants for such license showing the date of application and the action taken on each application. The City Clerk shall either issue the license or deny to issue within three (3) days after receipt of proper application and fees.

No permit shall be issued by the clerk unless it has been recommended by the Chief of Police.

SECTION 3. That Section 4-73 of the Code of Ordinances of the City of Picayune, Mississippi is amended to read as follows:

Sec. 4-73. Application for privilege license: license tax.

Any person, partnership or corporation desiring to engage in the retail sale of beer shall pay the city a license tax at the same rate as that imposed by Section 27-17-303 and Section 27-17-345, Mississippi Code of 1972, as amended, for the privilege of engaging in such business and shall present to the Chief of Police a written application setting forth the following:

(a) The name of the applicant.

(b) A sworn statement in affidavit form that:

(1) Applicant is above the age of twenty-one (21).

(2) Applicant is possessed of good moral character, not a common gambler or holder of federal gambling license or stamp,

(3) Applicant is a citizen of the United States,

(4) Applicant is a citizen of the State of Mississippi

(5) Applicant has not been convicted of a felony

(6) Applicant has not had revoked, within two years next preceding his application, any license or permit issued to him pursuant to the laws of this state or any state or any municipality of this state, or any state, relating to beer, wine or liquor,

(7) Applicant is the owner of the premises for which the license is sought, or is the lessee possessing a written lease from the owner with at least one year of the term remaining for the premises on which the license is sought,

(8) Applicant is the sole owner or full name and address of all co-owners,

(9) If applicant is a corporation, full names of all officers and directors, and full names of all stockholders owning more than five (5) percent of the stock of such corporation.

(c) A brief narrative statement of the business operation sought to be licensed giving sufficient information to identify what type of business will be conducted under the privilege license.

continued

ORDINANCE NO 618 CONTINUED:

SECTION 4. That Section 4-74 of the Code of Ordinances of the City of Picayune, Mississippi is amended to read as follows:

Sec. 4-74. Processing of application.

The Chief of Police shall recommend either approval or denial of the application, and shall return the application with such recommendation in writing to the applicant within seven (7) days. The applicant shall then present it to the city clerk.

The City Clerk shall process each application received under this article taking such actions as necessary to accurately determine the fees and charges due the city, and such other actions as are necessary to determine that the application is in proper compliance with this article. The city clerk shall maintain a listing of all applicants for such license showing the date of application and the action taken on each application. The city clerk shall either issue the license or deny to issue the license within three (3) days after receipt of proper application and fees.

No permit shall be issued by the clerk unless it has been recommended by the Chief of Police.

At the time of issuing, all fees and taxes due from the applicant to the city shall first be apid in full.

SECTION 5. That Section 4-76 of the Code of Ordinances of the City of Picayune, Mississippi amended to read as follows:

Sec. 4-76. Violation: penalty.

(a) Any person, firm, operator or corporation who violates any of these regulations shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or by imprisonment in the city jail not more than ninety (90) days or by both such fine and imprisonment.

(b) The lounge of any operator, firm or corporation, may be closed by the Mayor and Council as a public nuisance for any of the following reasons:

(1) Conviction of lounge ordinance violations two (2) or more times,

(2) Conviction of possession of high alcohol content beverage two (2) or more times,

(3) Conviction of narcotics violations two (2) or more times

continued

ORDINANCE NO 618 CONTINUED:

SECTION 6. For good cause being shown and the interest and welfare of the City of Picayune and the citizens thereof, required that the said Ordinance be in full force and effect immediately upon its passage, and this Ordinance shall be in full force and effect from and after its passage, but shall nevertheless be published according to law.

The foregoing ordinance was first reduced to writing, introduced by motion from Councilman Guy, seconded by Councilman McQueen, and was adopted by the following roll call vote, to-wit:

YEAS:	NAYS:
Mayor Woody Spiers	None
Councilman Larry Watkins	
Councilman Luther T. Jones, Sr.	
Councilman Harvey Smith	
Councilman Leavern Guy	
Councilman Kelly McQueen	

ADOPTED this the 1st day of August, 1989

APPROVED:

Woody Spiers
WOODY SPIERS, MAYOR

ATTEST:

Raymond A. Seal
RAYMOND A. SEAL, CITY CLERK

ORDER TO APPOINT MEMBERS TO THE PARK COMMISSION

Upon recommendation by Lonnie Smith, City Attorney, the Advisory Park Commission will now be the Park Commission with five (5) members. Each Councilmen selected a member as follows:

			TERM
Councilman Watkins	nominated	James Boone	3 years
Councilman Jones	nominated	Brice Haynes, Sr.	3 years
Councilman Smith	nominated	J.M. Mitch Ratcliff	2 years
Councilman Guy	nominated	Willie Ellis	1 year
Councilman McQueen	nominated	John Dobson	2 years

These nominations were unanimously approved by the Mayor and Council with terms beginning January, 1989.

ORDER TO APPROVE APPOINTMENTS TO THE PRIDE STEERING COMMITTEE

Upon recommendation from the Pearl River Information and Drug Education Committee (PRIDE), motion was made by Councilman Smith to approve the following appointments for a four (4) year term and to include Rev. Alonzo Dees, as requested by Councilman Guy.

Dr. J. C. Wallace (Re-appointment)
Kay Marchant (Re-appointment)
Evelyn Carr (Replace Linda Hanberry)
Robert White (Replace Alfredric Robinson)
Ken Hall (replace Rev. Willis Britt)

Motion was seconded by Councilman McQueen, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared.

ORDER TO APPROVE APPOINTMENTS TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Community Development Director, Barbara McGrew, submitted a list of members now serving on the Community Development Advisory Committee who have been contacted and are willing to serve another term. The following nominations were made for additional members to serve:

Councilman Watkins nominated	Greg Merrill and Alvie White
Councilman Jones nominated	Claiborne Moore
Councilman Guy nominated	Edward Snyder
Councilman McQueen nominated	W. B. Sheffield, Jr.
Mayor Spiers nominated	John Pigott
Councilman Smith nominated the list of present members who will serve another term	Stewart Bauer, A.D. Richards, Henry Dunn, Borzell Langham, Tommy Ford, C.B. Bales, and Beulah Walker

Motion was made by Councilman Jones and seconded by Councilman Guy to approve the above thirteen (13) names to serve on the Community Development Advisory Committee for a one (1) year term beginning September, 1989, The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE MEMBERS TO THE CITY ELECTION COMMISSION FOR A FOUR YEAR TERM TO EXPIRE AUGUST, 1993

The following members were selected to serve on the City Election Commission for a four (4) year term as follows:

Councilman Smith nominated Dr. Thomas J. Delaughter

Vote recorded: All yeas.

continued

ELECTION COMMISSIONERS CONTINUED:

Councilman McQueen nominated Mrs. Lucille Gillis.

Vote recorded:

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, McQueen, Smith

Voting nay: Councilman Guy

Councilman Guy nominated Mrs. Leaverne Barr and Emma Hair.

Vote recorded on Mrs. Leaverne Barr:

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and Guy

Voting nay: Councilman McQueen

Dr. Thomas J. Delaughter, Mrs. Lucille Gillis and Mrs. Leaverne Barr will serve as Election Commissioners for a four (4) year term to expire on August 1993.

ORDER TO APPROVE ESTABLISHMENT OF FAIR MARKET VALUE FOR WEST SIDE REDEVELOPMENT PROPERTY

Community Development Director, Barbara McGrew, presented the following list for Council to establish Fair Market Value of the West Side Properties:

Parcel No.	Amount
6.1	$ 9,500
6.2	$ 8,500
6.4	$ 13,500
6.5	$ 4,500
6.6	$ 5,000
6.7	$ 13,500
6.8	$ 3,000
6.9	$ 3,000
6.10	$ 9,000
6.11	$ 9,000
6.12	$ 10,000
6.13	$ 7,000
6.14	$ 15,000
6.15	$ 3,000
6.16	$ 11,500
6.17	$ 10,000
6.18	$ 5,000
6.19	$ 26,000
6.20	$ 3,000
6.22	$ 15,000
8.5	$ 6,000

The foregoing list of properties is pursuant to the appraisal and the review appraisal assurance that the appraisals met applicalbe appraisal requirements to establish Just Compensation to establish Fair Market Value of the West Side Properties. Motion was made by Councilman Guy and seconded by Councilman Jones to approve Fair Market Values for West Side Redevelopment Properties. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF CITY FACILITIES LOCATED ON 16TH SECTION PROPERTY

Interim City Manager, Victor Franckiewicz, stated he met with Mr. Rob Pittman, Petroleum Land Services, Inc., who is under contract with the Picayune School District to manage their 16th section land. New state laws requires leases under reasonable market value on 16th section land be renegotiated. The city has the following facilities located on 16th section land:

	Location	Annual New Lease
1.	Neil Road Park, soccer fields & playground equip.	$5,120.00
2.	Sewer Treatment Plant, 18.3 Acres	4,720.00
3.	Pump Station, small lot	88.00
4.	Beech Street Park, 16 Acres	7,040.00
5.	2.8 Acres, housing MAP, Headstart Program	1,760.00
6.	Firestation #3 on Palestine Road and 1 lot	1,120.00

The appraised value of these properties range from $1100.00 to $88,000 for the Beech Street Park. The school boards guide lines for lease payments are 8% of appraised value. Recreational facilities could go as low as 5%. The approximate total lease payments would be $19,848.00 annually, depending on the amount of acreage the city decides to lease. We will need a postitive decision with the next 60 to 90 days.

IN THE MATTER OF INTERIM CITY MANAGER REPORTS

Interim City Manager, Vic Franckiewicz reported changes in time keeping procedures are being implemented at the present time. One change is from semi-monthly to a bi-weekly pay period. Also, we will have to put together a new pay schedule for fire fighters as they work 212 hours per 28 day pay period. The present pay schedule for 40 hour employees will not comply with the Fair Labor Standards Act for fire fighers.

ORDER TO APPROVE PURCHASE OF FURNITURE FOR FIRE DEPARTMENT

Upon recommendation from Vic Franckiewicz, Interim City Manager, motion was made by Councilman Smith, seconded by Councilman McQueen authorizing the City to enter a 90 day contract for the purchase of new furniture for the fire department. The approximate cost not to exceed $1,700.00. Franckiewicz stated he would obtain quotes rather than bids and the contract would be paid out in FY90. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, McQueen, Guy and Jones

Voting nay: None

Motion was declared carried.

IN THE MATTER OF GULF COAST WASTE CONTRACT

Acting City Manager, Vic Franckiewicz, informed the Mayor and Council that Gulf Coast Waste, with 18 months remaining in their contract, is requesting to be released from the trash collection portion of said contract. According to their spokesperson, they are reportedly losing approximately $4,000 per month from the trash collection and are still not complying with the contract. After discussion, it was the consensus of the Mayor and Council to research the matter and determine whether it would be feasible for the City to purchase equipment to begin trash collection within the next two months. Councilman Guy suggested seeking proposals or informal bids ffom other sources for both gargage and trash collections.

IN THE MATTER OF AIRPORT BOARD CHARTER REQUIRING BUDGET AND APPROVAL FOR CAPITAL PROJECTS

Acting City Manager, Victor Franckiewicz, stated he spoke with the Airport Board and to City Attorney, Lonnie Smith, concerning the original resolution setting up the Airport Board. According to Lonnie Smith, the Airport Board has the authority to operate on a day to day basis but for expansion programs they would need approval from the City and County officials.Ray Lafferty, Airport Board member, stated half of the runway project has been completed. After completion, the Airport will accomodate larger aircraft and will produce more jobs for the area. Councilman Guy requested the Airport Board furnish an annual audit. Mayor Spiers requested City Attorney, Lonnie Smith meet with Supervisor Charles Stuart and report back to the Council concerning whether a budget is required and approval from the Council and Board of Supervisors for capitol projects.

ORDER TO RECEIVE ENGINEERING PROPOSALS FOR STUDY OF PUMP STATION #15

This being the day and hour to receive statements of interest for an analysis of the lift station on Highway 11, both to raise it and possibly reroute the force main, the following statements were received:

1. Brown and Mitchell Consulting Engineers, Gulfport, MS
2. Alford Engineering Jackson, MS
3. Frank Dunaway, Civil Engineer, Picayune, MS
4. Broadway Engineers, Picayune, MS

Motion was made by Councilman McQueen, seconded by Councilman Smith to receive statements of interest for renovation of pump station #15 and relocate its discharge and take under advisement. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Watkins, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR SPIERS TO SIGN A QUITCLAIM DEED FOR EDITH PUGH FOR 1985 TAXES MATURED TO THE CITY

Motion was made by Councilman Jones and seconded by Councilman Guy authorizing Mayor Spiers to sign a quitclaim deed to Edith Pugh for 1985 taxes matured to the City in the amount of $93.70. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE REFUND IN THE AMOUNT OF $209.23 TO COLONIAL MORTGAGE FOR 1988 TAXES FOR JAMES W. JARVIS

Motion was made by Councilman Jones, seconded by Councilman Smith to approve a refund of $209.23 to Colonial Mortgage for 1988 taxes of James W. Jarvis, Jarvis has been given over 65 homestead exemption. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF LIBRARY ROOF

City Clerk, Ray Seal, reported that upon a request from Acting City Manager, Victor Franckiewicz, he contacted the Claims Manager of Nation Wide Insurance Company concerning the leaking roof on the Library. He stated this is a 3rd party claim and he is trying to collect under the Products and Completed Operations coverage. Mr. Seal recommends the City repair the roof as soon as possible and continue efforts to collect from the insurance company.

IN THE MATTER OF DISCUSSION

Acting City Manager, Victor Franckiewicz, stated a meeting is is scheduled with the Board of Supervisors in Poplarville, MS on Wednesday, August 2, 1989 to discuss property within the city having agriculture use exemption.tax. Each Coucilman was urged to attend this meeting.

DRAINAGE PROBLEM IN MEADOWGREEN SUBDIVISION

A resident of Fern Street came before the Mayor and Council reporting a serious drainage problem in the Meadowgreen Subdivision. Councilman Harvey Smith informed them part of the problem is from drainage outside the City limits. Bobby Kelly, Public Works Director, is in the process of contacting the supervisor of this area for assistance with the problem.

ORDER TO WAIVE TAP FEE FOR CITY UTILITIES FOR CURTIS CARTER

Mrs. Curtis Carter came before the Mayor and Council requesting the tap fee for city sewer be waived. Mrs. Carter stated she did not want her sewer line to be serviced by the city years ago. Since that time she has been paying monthly for sewer service based on water use rather than flat rate. Acting City Manager stated the ordinance requires everyone to hook-up to sewer within a six month period when the lines become available or they will have to pay the tap fee later on. Franckiewicz stated he did not have the authority to waive said fee. Motion was made by Councilman McQueen, seconded by Councilman Watkins to waive the sewer tap fee for Curtis Carter on Neal Road. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, McQueen and Smith

Voting nay: None

Motion was declared carried.

COUNCIL REQUEST CITY MANAGER TO STUDY DELINQUENT UTILITY ACCOUNTS

Mayor Woody Spiers requested Acting City Manager, Victor Franckiewicz to study the delinquent utility accounts and make recommendations to the Mayor and Council for collection procedures. This also includes wholesale customers under contract with the city. It was the consensus of the Mayor and Council that guidelines should be set and followed on all accounts in an equal manner.

ORDER TO ENTER INTO EXECUTIVE SESSION

Motion was made by Councilman Smith, seconded by Councilman Guy to enter into Executive Session to discuss pending litigations on Fair Labor Standards. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Guy, Watkins, Jones and McQueen

Voting nay: None

Motion was declared carried.

Executive Session followed, at the conclusion of which the Mayor and Council returned to regular session. Mayor Spiers reported that during the session no decisions were made.

ORDER TO RECESS

Motion was made by Councilman Guy, seconded by Councilman Jones to recess until Tuesday, August 15, 1989 at 6:00 p.m.

APPROVED BY:

Woody Spiers

MAYOR WOODY SPIERS

ATTEST: Raymond A. Seal

CITY CLERK, RAYMOND A. SEAL

TAPE NO. 89-31, 32 & 33

August 10, 1989

STATE OF MISSISSIPPI
County of Pearl River
City of Picayune

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in said City, August 10, 1989 at 6:00 p.m., pursuant to waiver of notice and consent to so meet duly signed and executed by each and every member of the said Council, including the Mayor, in accordance with the provisions of the law, ordered spread upon these minutes and filed for record with the following officials present: Mayor Woody Spiers; Councilmen Larry Watkins, Leavern Guy, Luther T. Jones, Kelly L. McQueen and Harvey Smith; City Attorney, Lonnie Smith; City Clerk, Raymond A. Seal.

It Being Determined a quorum was present, the Mayor declared the meeting open and the following proceedings were held.

NOTICE AND CONSENT TO SPECIAL MEETING

Councilman Luther T. Jones,
Councilman Larry Watkins
Councilman Leavern Guy
Councilman Harvey Smith
Councilman Kelly L. McQueen

You are HEREBY NOTIFIED that a special meeting of the Mayor and City Council is called to meet in the Council Chambers, Thursday, August 10, 1989, at 6:00 p.m. to discuss revising pay plan for Fire Department and associated budget revisions.

Woody Spiers
Mayor Woody Spiers

Larry Watkins
Councilman Larry Watkins

Luther T. Jones Sr
Councilman Luther T. Jones, Sr.

Harvey Smith
Councilman Harvey Smith

Kelly L McQueen
Councilman Kelly L. McQueen

Leavern Guy
Councilman Leavern Guy

ORDER TO ADOPT REVISED PAY PLAN FOR FIRE DEPARTMENT

Acting City Manager, Vic Franckiewicz explained the current published pay plan for the Fire Department (dated 10/1/86) as incorrect under the Fair Labor Standards Act (FLSA). The revised pay plan will have no effect on the firefighters regular pay. The current pay plan hourly rates were not used for regular work because regular time was covered by regular semi-monthly checks. The current pay plan was used only for (incorrect) overtime calculations. Franckiewicz stated the proposed pay plan will be used to calculate pay for all hours, both regular and overtime. The net effect on the city is to increase the cost of overtime by about $0.45/hour. He stated this is really not a new increase, since FLSA required this method of calculating pay in April of 1986. The proposed Fire Department Pay Plan is located on page 329. Motion was made by Councilman Smith, seconded by Councilman Watkins to adopt the revised pay plan for the Fire Department as recommended by the acting city manager. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING BACK PAY TO FIRE DEPARTMENT PERSONNEL FROM APRIL 1, 1986 THROUGH JULY 29, 1989

Acting City Manager, Vic Franckiewicz recommended the city pay back wages to Fire Department personnel for the period April 1, 1986 through July 29, 1989 to account for the hourly wage differential between the city's published pay plan and the requirements of 29 CFR §778.108. The current pay tables were incorrect, therefore, the overtime pay was incorrect. The difference due under FLSA amounts to approximately $1,800.00, covering 26 current and former employees. This will bring the city into total compliance with FLSA. Motion was made by Councilman Smith, seconded by Councilman Watkins authorizing back pay to the Fire Department personnel from April, 1986 to July, 1989, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE NEW DUTY SCHEDULE FOR FIRE DEPARTMENT

Acting City Manager, Vic Franckiewicz requested the Mayor and Council to approve a new duty schedule for the Fire Department having the following features:

1. A 28 day work period beginning July 30, 1989, in accordance with Section 207 (k) of the FLSA.

2. Bi-weekly pay periods, ending on August 12, 1989, and every two weeks thereafter.

3. Regular scheduling of firefighters providing for 24 hour "Kelly" days (uncompensated time off) every third work period, and providing for the firefighters to work and be compensated for 4 hours of "kelly" time when applicable.

continued

NEW DUTY SCHEDULE FOR FIRE DEPARTMENT CONTINUED

Franckiewicz explained that prior to hiring a "swing man" to work the "kelly" time, the department usually filled in with temporary employees for all 28 hours. Currently, we have coverage for the 24 hour "kelly" days by using a regular employee hired since the strike, leaving the 4 hour "kelly" time in limbo. By allowing the regular shifts to work the 4 hour "kelly" time, we get better coverage and eliminate any moral problems caused by sending a firefighter home for four hours in the middle of a shift.

Motion was made by Councilman Smith, seconded by Councilman Watkins to approve a new duty schedule for the fire department as recommended by the Acting City Manager. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING FY 89 BUDGET AMENDMENTS TO COVER COST OF REVISED PAY PLAN, BACK PAY SETTLEMENT AND NEW DUTY SCHEDULE FOR FIRE DEPT.

Motion was made by Councilman Watkins, seconded by Councilman Smith authorizing Acting City Manager to prepare budget amendments to the FY 89 budget to cover the impact for the remainder of FY89 after approval of new duty schedule, revised pay plan and back pay settlement for the Fire Department. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ADJOURN

Motion was made by Councilman McQueen, secnnded by Councilman Jones to adjourn until August 15, 1989 at 6:00 p.m.

APPROVED:

Woody Spiers

MAYOR WOODY SPIERS

ATTEST:

Raymond A. Seal

CITY CLERK, RAYMOND A. SEAL

TAPE NO. 89-34

PROPOSED FIRE DEPARTMENT PAY PLAN
Effective Pay Period Ending 8/12/89
(Parenthesis show comparable range/steps from existing plan of 10/1/86)
STEPS ($/HR.)

RANGE	A	B	C	D	E	F	G
21 (Temp.)	$ 3.71 (3.71)	n/a	n/a	n/a	n/a	n/a	n/a
22 (8)	4.13 (3.91)	4.34 (4.11)	4.55 (4.30)	4.77 (4.52)	5.02 (4.75)	5.26 (4.98)	5.53 (5.23)
23 (9)	4.34 (4.11)	4.55 (4.30)	4.77 (4.52)	5.02 (4.75)	5.26 (4.98)	5.53 (5.23)	5.81 (5.50)
24 (10)	4.55	4.77	5.02	5.26	5.53	5.81	6.09
25 (11)	4.77 (4.52)	5.02 (4.75)	5.26 (4.98)	5.53 (5.23)	5.81 (5.50)	6.09 (5.77)	6.42 (6.07)
26 (Reserved)	n/a	n/a	n/a	n/a	n/a	n/a	n/a
27 Salaried (13)	$14,508 (4.98)	$15,236 (5.23)	$16,016 (5.50)	$16,796 (5.77)	$17,680 (6.07)	$18,516 (6.36)	$19,452 (6.68)

August 15, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in regular session Tuesday, August 15, 1989 at 6:00 p.m., with the following officials present: Mayor Woody Spiers; Councilmen Larry E. Watkins, Luther T. Jones, Sr., Harvey Smith, Leavern Guy and Kelly L. McQueen; Interim City Manager, Victor Franckiewicz; City Clerk, Raymond A. Seal; and City Attorney, Lonnie Smith.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

The opening prayer was given by Councilman Larry Watkins, followed by the pledge of allegiance.

R E S O L U T I O N

WHEREAS, Larkin Smith was a native son of Pearl River County, well known to many of the citizens of Picayune, and

WHEREAS, He distinguished himself as a public servant in this area as a Deputy Sheriff, and

WHEREAS, He continued his distinguished career in Law Enforcement as Chief of Police in Gulfport and as Sheriff of Harrison County, and

WHEREAS, In his tragically short service in that capacity, he distinguished himself as an agressive representative of our area, advocating stronger federal efforts to combat drugs, promoting patriotism and leading the fight to keep the Mississippi Army Ammunition Plant open.

NOW, THEREFORE, The Mayor and City Council of the City of Picayune, on behalf of the entire city, expresses its grief over the shocking accident involving Congressman Smith, and extends its condolences to his wife and family over his untimely death.

DATED this the 15th day of August, the year of our Lord nineteen hundred eighty-nine.

J. Woody Spiers, Mayor

The above and foregoing Resolution was adopted upon motion by Councilman McQueen, seconded by Councilman Smith, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Guy, Smith, Watkins and McQueen

Voting nay: None

Motion was declared carried.

P R O C L A M A T I O N

WHEREAS, Muscular Dystrophy is a muscle disease that cripples thousands of Americans, and

WHEREAS, the Muscular Dystrophy Association provides a nationwide program offering free medical services and support to families and patients of neuromuscular disease, and

WHEREAS, extensive research is the only channel to find a cure, and

WHEREAS, the U.S. Jaycees, comprising of 7,000 local chapters and 270,000 members has pledged its efforts to find a cure, and

WHEREAS, the Picayune Jaycees are conducting fundraising projects in our city, and

WHEREAS, the Jaycees believe that service to humanity is the best work of life,

THEREFORE, I hereby proclaim August 27 to September 4, 1989 as "JAYCEE MUSCULAR DYSTROPHY WEEK" in the City of Picayune and I call upon the citizens of our city to join with millions of Americans in helping to provide the funds to find a cure for Muscular Dystrophy.

DATED this the 15th day of August, the year of our Lord nineteen hundred eighty-nine.

Woody Spiers

J. WOODY SPIERS, MAYOR

Josh Nichols and Gary Bounds were presented framed plaques of the above proclamation. Josh Nichols, a representative of the Ricayune Jaycees, requested permission to hold the 1st Annual Josh Nichols MDA Fund Run for Jerry's Kids on September 4, 1989, Labor Day, on Frontage Road between 9:00 a.m. and 10:30 a.m.. Motion was made by Councilman Guy and seconded by Councilman Smith to adopt the foregoing Proclamation and to allow the Picayune Jaycees to hold their fund raising campaign on Labor Day. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO WAIVE USERS FEE AT FRIENDSHIP PARK FOR THE MISSISSIPPI ASSOCIATION FOR THE DEAF FOR A CIRCUS

Ms Alice Butts came before the Mayor and Council requesting the users fee at Friendship Park be waived in order to have a circus on October 18, 1989 for the benefit of the Mississippi Association of the Deaf. Motion was made by Councilman Guy and seconded by Councilman Jones to grant the request. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, Guy, and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ACCEPT UNIFORM ASSESSMENT SCHEDULE FOR MOTOR VEHICLE AD-VALOREM TAXES FOR 1989-90

This being the date set for a Public Hearing on the Uniform Assessment Schedule for Motor Vehicle Ad Valorem Taxes for 1989-90, no objections having been heard, motion was made by Councilman Guy and seconded by Councilman Jones to accept the State Tax Commission's Assessment of Motor Vehicles for fiscal year 1989-90. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF PROPERTY CLEAN UP FOR SAMUEL GALBO, RUBY CARTER AND MABLE BOGAN

This being the date set for a public hearing on property owned by Samuel Galbo, East Canal Street, Mable Bogan, East Canal Street and Ruby Carter, Jarrell Street, it was reported to the Acting City Manager Victor Franckiewicz that these properties have been cleaned by the owners and inspected. No Council action was taken.

PUBLIC HEARING HELD ON PROPERTY CLEAN-UP FOR EMPIRE HOMES AND MARX & BENSDORF

This being the date set, a public hearing was held on property owned by Empire Homes, Lot 4 Greenview Subdivision, Part 4 and Marx & Bensdorf, Lots 115, 116 and 63, Meadowgreen No.1, Picayune, MS, to determine if they constitute a menace to the community. Upon motion by Councilman Guy, seconded by Councilman Jones, said property was declared a menace to the public health and safety to the community and owners allowed 30 days to clean. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO SET DATE FOR PUBLIC HEARING FOR PROPERTY CLEAN-UP

Motion was made by Councilman Guy and seconded by Councilman Jones to set a date of a public hearing to determine if the property owned by the following people constitutes a menace to the public health and safety of the community.

NOTICE

You are hereby given notice that on the 18th day of September, 1989, at the City Council Chambers at the City Hall in Picayune, Mississippi at 6:00 p.m., there will be a hearing before the City Council to determine if the condition of your property described on Exhibit A attached hereto constitutes a menace to the public health and safety of the community. Should the determination be made that the condition does constitute a menace to the public health and safety, then the condition of the lot may be ordered corrected by the City, a lein placed against the property for the cost of the work and the property may be sold to satisy the lein.

You have the right to appear at the hearing and be heard.

You may have the lot cleaned prior to the hearing and notify the Public Safety Manager to have the cleaned lot inspected.

Dated this the 15th day of August, 1989.

/s/ Raymond A. Seal
City Clerk

PROPERTY CLEAN-UP CONTINUED:

POSTED AT:
PICAYUNE CITY HALL
POST OFFICE IN PICAYUNE, MISSISSIPPI

Property owners:
College Investment----------Lot 17, Sec. 15-6-17, Goodyear Add.
Clark St.
Bernard Heaps----------Lot 10, 11, Block 8, Mitchell
Terrell Jopes----------Block 12, Lot 5, Main Street
Carle Cooper, etal----------North half of block 66-1 & 67-1
Williams Goodyear Addition
Goodyear Blvd.

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO REAPPOINT MEMBERS TO THE PLUMBING BOARD FOR A ONE YEAR TERM

Motion was made by Councilman Smith, seconded by Councilman Watkins to reappoint the present Plumbing Board members to serve another one year term that will expire September 1990. The members are: H.H. Wheat, Grover Nelson, Tommy Anderson and Gary Mitchell. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO POSTPONE APPOINTMENTS TO THE ELECTRICAL BOARD

Motion was made by Councilman Guy and seconded by Councilman Jones to postpone action on the Electrical Board. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Guy, Watkins and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO REAPPOINT CLAY BOUND TO THE BOARD OF ADJUSTMENTS AND APPEALS

Motion was made by Councilman Smith and seconded by Councilman Watkins to reappoint Clay Bounds to the Board of Adjustments and Appeals for a four year term to expire September, 1993. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO MAKE APPOINTMENTS TO THE PLANNING COMMISSION BOARD

Motion was made by Councilman Guy, seconded by Councilman Smith to reappoint Richard Reynolds and James Fleming to serve on the Planning Commission Board for a three year term. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilman Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

Councilman Watkins nominated Aubrey "Buck" Bush to serve on the Planning Commission. The vote recorded:

Voting yea: Mayor Spiers, Councilmen Watkins, McQueen and Smith

Voting nay: Councilmen Jones and Guy

Motion was declared carried.

Councilman Guy nominated Edward Stubbs to serve on the Planning Commission. The vote recorded:

Voting yea: Councilmen Jones and Guy

Voting nay: Mayor Spiers, Councilmen Watkins, McQueen and Smith

Motion was declared not carried.

ORDER FOR THE CITY TO PROCEED WITH PLANS TO BEGIN TRASH COLLECTION AND RELEASE GULF COAST WASTE FROM TRASH COLLECTION PORTION OF CONTRACT

Bill Johnson, spokesperson for Gulf Coast Waste, stated they are losing money with trash pick-up. He stated there is no city ordinance regulating size and length of limbs or having trash bagged, and it is more than they (GCW) can handle. He requested they be released from that portion of their contract which has eighteen months (18) left in effect. After a lengthy discussion, Victor Franckiewicz, Acting City Manager, reported the proposed cost of trash collection by the City would be $3.30 over a 5 year period. Gulf Coast Waste cost for "garbage only" would be $4.24 per month per household. Motion was made by Councilman McQueen to authorize Franckiewicz to obtain proposals for garbage and trash collections from other sources; that the City proceed with plans to take over trash collection service on or about November 1, 1989; that they release GCW from that part of contract subject to the committment that the contract will be enforced during that period , referring to the once a week pick-up that was promised, (if it can't be every week, then no less than every two weeks); also, that the 25¢ landfill increase will not be passed on to the City. Motion was seconded by Councilman Smith, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith and McQueen

Voting nay: Councilmen Jones and Guy

Motion was declared carried.

IN THE MATTER OF ROSA STREET REDEVELOPMENT AND WEST SIDE REDEVELOPMENT PROJECTS AS OUTLINED BY BARBARA McGREW

Barbara McGrew, Director of Community Development, came before the Mayor and Council and presented an outlined program from the beginning of the Rosa Street Redevelopment Program up to the West Side Redevelopment Project. McGrew stated that after getting into the Rosa Street Project, it was realized that there would not be enough funds to finish the project as planned, so they allowed only the housing portion. Therefore the Streets, drainage, public facilities were not completed at that time. After several applications, the West Side Redevelopment Project was approved in 1981, and this phase will finish the uncompleted portion of the Rosa Street Project with streets, drainage and public facilities. In order for the state to approve this phase, they required a leverage which was submitted as follows:

$ 750,000	Federal funds
100,000	City funds
7,633	Program income carried over from Rosa Street Project
36,000	To be acquired from sale of lots
106,961	In kind (Labor and equipment use)
173,000	Private Funds (Lendors, Banks, Farmers Home, Etc.)
$ 1,173,594	Total Budget for the West Side Redevelopment Project.

Mrs. McGrew continued her outline by updating each portion of the project in order for the Mayor and Council to be aware of the position the city is in at the present time.

IN THE MATTER OF CURFEW ORDINANCE

A group of interested citizens came before the Mayor and Council concerned about the City wide curfew that went into effect August 31, 1989. Mrs. Peggy Penton expressed concern about the youth of the community who are out after the curfew and who are not causing trouble. Police Chief Drennan stated the curfew was established to assist the Police Department in disbursing crowds and controlling troubled areas basically in the heart of the City in and around the housing projects. He assured the group no one would be harassed but that the curfew would be enforced. Consideration would be given for school activities and for students who work after the curfew hours.

IN THE MATTER OF DELINQUENT UTILITY ACCOUNTS

Acting City Manager, Vic Franckiewicz reported that on the current delinquent accounts we do have an ordinance with a cut-off policy, but we do not have a specific policy for the seriously delinquent accounts. We are developing a formal policy for collection purposes on the larger accounts over $500.00. We are about to resolve the account with Dixie Utilities. It should be completed this week.

CITY MANAGER REQUESTED AUTHORIZATION TO SEEK PROPOSALS FOR ROOF REPAIR ON THE LIBRARY

Interim City Manager, Vic Franckiewicz, stated that on building permit approval by Council that was in question, you do not have to take action, but you will still be informed of the building permits obtained.

Franckiewicz requested authorization to seek proposals from reputable architect firms who have a good reputation about roofing problems. It was the consensus of the Mayor and Council that plans for a roof type other than a flat roof should be considered. Motion was made by Councilman Smith, seconded by Councilman McQueen authorizing advertisement for proposals to repair library roof from architects. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO RENEW GAS PURCHASE CONTRACT WITH GAS RESOURCE GROUP

Acting City Manager, Victor Franckiewicz, stated the gas purchase contract will expire September 30, 1989, which is with Gas Resource Group, our third party supplier. Arrangements are that gas is the market rate plus 4%, plus 29¢ transportation cost and we are requesting to renew for one (1) year. Motion was made by Councilman Smith, seconded by Councilman Jones to renew said contract for a one year period to expire September 30, 1990. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF FY89 AIRPORT BUDGET

Acting City Manager, Victor Franckiewicz, stated the Airport Board has submitted their budget for FY89. It was noted their budget runs a calendar year from January through December. Franckiewicz stated technically that does not matter since it still shows the yearly contribution from the City which is basically the limit of our direct financial interest of the organization. Franckiewicz recommended the Council accept their budget which would give them the authority to proceed with runway improvements already underway. After discussion, motion was made by Councilman Guy to postpone action on the budget until we get a more detailed description of what their plans are for the extension of the runway. The following roll call vote was recorded.

Voting yea: Councilman Guy and Jones

Voting nay: Councilman McQueen and Watkins

Abstained and not voting: Mayor Spiers

Present and not voting: Councilman Smith

Motion was not carried.

RECESSED MEETING OF AUGUST 15, 1989

ORDER TO ADOPT RESOLUTION HONORING DR. ARTHUR C. GUYTON ON AUGUST 25, 1989

A RESOLUTION OF THE CITY COUNCIL OF PICAYUNE, MISSISSIPPI, JOINING IN THE CELEBRATION OF "ARTHUR C. GUYTON DAY" ON AUGUST 25, 1989

Arthur C. Guyton is the fourth generation Mississippian, nationally and internationally recognized and honored more than any other person in Mississippi history.

LET'S HONOR HIM IN MISSISSIPPI AS WELL!

Dr. Guyton has been at the University of Mississippi Medical Center and has taught every medical or dental graduate, and others in the health care professtion.

Dr. Guyton is the author of the most widely used medical textbook in the world. Dr. Guyton has had published over 500 articles and has authored or co-authored 30 books.

William Harvey discovered the circulation of blood. Dr. Guyton was asked to deliver the William Harvey Lecture in England on the 400th anniversary of Harvey.

Dr. Guyton has received more honors than any other medical scientist and, when equipment was not available for his research, he developed the equipment. Dr. Guyton's department has developed the world's most comprehensive computer model of the cardiovascular system.

Dr. Guyton is the father of ten children, nine medical honor graduates and the tenth entering Harvard Medical School this fall.

THE STATE OF MISSISSIPPI recognized his contributions in a special Joint Session of the Legislature on March 13th, 1989, which also delcared, by unanimous Senate Concurrent Resolution, August 25th, 1989 "Arthur C. Guyton Day in Mississippi."

Then enconmic impact of the University of Mississippi Medical Center should also be pointed out. With an annual budget of $174 million, $65 million coming from the state, and over $103 million self-generated, it is also the second largest employer in the State of Mississippi, with over 4200 employees. Indigent care is extended to all the 82 counties and amounts to over $46 million annually.

NOW, THEREFORE, BE IT RESOLVED THAT this Resolution be unanimously adopted on this the 15th day of August, 1989, and that a copy of this Resolution be distributed to local news media.

Members of this body and/or other representatives are encouraged to attend the reception in Jackson on August 24th, at the Coliseum, whici is open to the public, and/or the banquet on the night of August 25th at the Trade Mart, with tickets available at $25.00.

Woody Spiers

MAYOR WOODY SPIERS

The above and foregoing Resolution was adopted upon motion by Councilman Guy, seconded by Councilman Smith, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen
Voting nay: None
Motion was declared carried.

ORDER AUTHORIZING MAYOR SPIERS TO SIGN QUITCLAIM DEED TO MART STUBBS

Motion was made by Councilman Smith, seconded by Councilman Guy authorizing Mayor Spiers to sign a quitclaim to Mart Stubbs for three parcels matured to the City for 1985 taxes in the amount of $515.34. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE REFUND TO MAGNOLIA FEDERAL FOR $128.96

Motion was made by Councilman Smith, seconded by Councilman Guy to approve a refund to Magnolia Federal for overpayment of 1988 taxes for Carey Ingram in the amount of $128.96. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE REFUND TO HARRY HOFFER FOR OVERPAYMENT OF TAXES

Motion was made by Councilman Smith, seconded by Councilman Watkins to approve a refund of $91.96 to Harry Hoffer, which was due to removal of a mobile home from his property. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE ADVERTISEMENT IN FOOTBALL PROGRAM FOR TOUCH DOWN CLUB

Motion was made by Councilman Smith, seconded by Councilman Watkins to approve a one-half page advertisement in the football program for the Touch Down Club. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting nay: None

Absent and not voting: Councilman Guy who left the meeting.

Motion was declared carried.

Cost of the advertisement will be $120.00.

RECESSED MEETING OF AUGUST 15, 1989

IN THE MATTER OF AIRPORT BUDGET

Councilman McQueen expressed his concern over what the city is looking for from the Airport Board. He stated the reason he voted against the motion on the airport budget was because we have appointed a new board and we need to have some confidence in that board. We ask the people to serve on these boards and we need to cooperate with them. We need to apply the same procedure to all boards consistently in what we require them to furnish the city. Mayor Spiers stated he would speak to Mr. Ladner, President of the County Board, to see where they stand with the Airport Board matter.

ORDER TO ADJOURN

Motion was made by Councilman McQueen, seconded by Councilman Watkins to adjourn until Tuesday, September 5, 1989 at 6:00 p.m.

APPROVED:

Woody Spiers

MAYOR WOODY SPIERS

ATTEST:

Raymond A. Seal

RAYMOND A. SEAL, CITY CLERK

TAPE NO. 35, 36, 37 & 38

September 5, 1989

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 in the Council Chambers at City Hall in regular session Tuesday, September 5, 1989, at 6:00 p.m., with the following officials present: Mayor Woody Spiers; Councilmen Larry E. Watkins, Luther T. Jones, Sr., Harvey Smith, Leavern Guy and Kelly L. McQueen; Interim City Manager, Victor Franckiewicz; City Clerk Raymond A. Seal; and City Attorney, Lonnie Smith.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

The opening prayer was given by Councilman Larry Watkins, followed by the pledge of allegiance.

ORDER TO APPROVE MINUTES FOR JULY 11, 18, and 28, 1989

Motion was made by Councilman Guy, seconded by Councilman Watkins to approve Council minutes for July 11, 18 and 28, 1989. Said minutes as found in Minute Book 21, pages 288 - 303 in the office of the City Clerk. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE FALL FESTIVAL IN DOWNTOWN AREA ON NOVEMBER 4, 1989

Mark Drummond, representing the Picayune Jaycees, came before the Mayor and Council requesting approval for the Fall Festival to be held November 4, 1989 in the downtown area of Picayune. Drummond stated this would be to replace the Octoberfest usually held at Friendship Park and would add interest to the downtown area. Motion was made by Councilman McQueen, seconded by Councilman Guy to approve the Fall Festival for November 4, 1989 in the downtown area. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE DOCKET OF CLAIMS FOR AUGUST, 1989 AND DENY CLAIM NO. 6205 TO GULF COAST WASTE IN THE AMOUNT OF $33,037.93

Motion was made by Councilman McQueen to approve the dockte of claims for August, 1989 with denial of claim #6205 to Gulf Coast Waste in the amount of $33,037.93. He stated at the last meeting an understanding with GCW was that they would clean the city and keep it clean until the city takes over the trash collection. This has not been done. Motion was seconded by Councilman Guy to approve the following docket:

CLAIMS NO. 6046 - 6609

FUND	AMOUNT
General Fund	694,703.96
Library Fund	3,551.56
CDBG West Side Redevelopment	41,776.46
General Bond and Interest Fund	10,400.00
Capital Projects Fund	300,823.58
Utility Fund	1,100,506.67
Intragovernmental Service Fund	124,695.22
Unemployment Compensation Trust Fund	30,900.00
Tax Collector Fund	179,085.56
Palestine Cemetery Trust Fund	274,300.00
DOCKET TOTALS:	$2,760,743.01

continued

DOCKET OF CLAIMS FOR AUGUST 1989 CONTINUED:

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen
Voting nay: None

Motion was declared carried.

ORDER TO ACCEPT MINUTES FROM THE PEARL RIVER COUNTY LIBRARY SYSTEM FOR JUNE 6, 1989

Motion was made by Councilman Guy, seconded by Councilman Smith to accept the minutes of June 6, 1989 from the Pearl River County Library System. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAROON TIDE FALL BASEBALL LEAGUE USE OF FRIENDSHIP PARK PROVIDED NO CONFLICTS WITH DIXIE YOUTH FOOTBALL LEAGUE

Alan Whitfield, representing the Maroon Tide Fall Baseball League, came before the Mayor and Council requesting use of Friendship Park. It was noted that a prior committment to Dixie Youth Football Program was made in September, 1986 for an eight (8) week period during football season and would have to be honored. Motion was made by Councilman Smith, seconded by Councilman McQueen to allow the Maroon Tide Fall Baseball League to use Friendship Park, provided a schedule is worked out with Dixie Youth Football that will not interfer with their program. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE MINUTES OF THE PLANNING COMMISSION MEETING HELD ON AUGUST 29, 1989

Motion was made by Councilman McQueen, seconded by Councilman Smith to approve the minutes of the Planning Commission meeting held on August 29, 1989 at 6:30 p.m.. The following roll call vote was recorded.

Voting yea: Mayor Spiers Councilmen Smith, Watkins, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF ENFORCING THE SIGN ORDINANCE

Problems with enforcement of the sign ordinance was discussed. The Planning Commission requested the Mayor and Council to either enforce the ordinance or eliminate it from the Zoning Ordinance Book. Councilman McQueen stated it was the consensus of the Mayor and Council that the Planning Commission be advised that the City will enforce the sign ordinance. Acting City Manager, Victor Frankciewicz stated a procedure for enforcing the ordinance systematically would have to be worked out, perhaps by starting with the commercial area first.

ORDINANCE NO. 622

AN ORDINANCE TO AMEND ORDINANCE NO. 608, A FLOOD DAMAGE PREVENTION ORDINANCE, ARTICLE 2 TO INCLUDE THE FOLLOWING DEFINITIONS: BREAKAWAY WALL, EXISTING CONSTRUCTION, FLOOD HAZARD BOUNDARY MAP, VARIANCE: AMEND ARTICLE 4, SECTION C(3); AMEND ARTICLE 5, SECTION A TO INDLUDE (10); AMEND SECTION B (1), (2), AND INCLUDE (4)C.

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

1. That Ordinance No. 608 shall be amended to include the following:

ARTICLE 2. DEFINITIONS

Breakaway Wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Existing Construction means any structure for which the "start of construction" commenced before the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard or specific data.

Flood Hazard Boundary Map (FHBM) means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of speical flood hazard have been defined as Zone A.

Variance is a grant of relief from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

ARTICLE 4. ADMINISTRATION

SECTION C (3) Notify the adjacent communities and the Mississippi Emergency Management Agency prior to any alteration or relocations of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A GENERAL STANDARDS (10) Any alteration, repair, reconstruction or improvements to a building, which is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.

continued

SECTION B SPECIFIC STANDARDS

(1) Residential Construction. New construction or substantial improvement of any residential structure, (including manufactured homes, except those to be located in an existing manufactured home park or subdivision), shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 5, Section B (3).

(2) Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential structure (including manufactured homes, except those to be located in an existing manufactured home park or subdivision) shall have the lowest floor, including basement, elevated no lower than one foot above the level of the base flood elevation. Structures located in all A-zones may be flood-proofed in lieu of being elevated provided that all areas of the structure below the required elevation are water tight with walls substantial impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Article 4, Section B (2).

(4) Floodways (c) Prohibit the placement of manufactured homes, (mobile homes), except in an existing manufactured home (mobile home) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of Article 5, Section A (2), and the elevation standards of Article 5, Section B (1), and the encroachment standards of Article 5, Section B (4) (a), are met.

2. That any ordinance or section of any ordinance in conflict herewith are hereby repealed.

3. That this ordinance shall be effective thirty (30) days after its adoption by the City Council of the City of Picayune, Pearl River County, Mississippi.

ADOPTED this the 5th day of September, 1989.

Woody Spiers, MAYOR

ATTEST:

City Clerk

The above and foregoing ordinance was adopted upon motion by Councilman Smith, seconded by Councilman McQueen. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, McQueen and Guy

Voting nay: None

Motion was declared carried.

IN THE MATTER OF PUBLIC HEARINGS SET BY PLANNING COMMISSION

The Planning Commission set the date of September 26, 1989 for two (2)Public Hearings on property behind Pine Tree Plaza Shopping Center owned by R. J. Willians and for Post #244 on Davis Street. No Council action taken at this time. Both applied for rezoning.

ORDER AUTHORIZING ADVERTISEMENT FOR SEMI-ANNUAL BIDS FOR SUPPLIES

Motion was made by Councilman McQueen, seconded by Councilman Guy authorizing the City Clerk to advertise for supplies by semi-annual bids to be opened October 3, 1989. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, McQueen and Smith

Voting nay: None

Motion was declared carried.

IN THE MATTER OF APPOINTING JUDGE PRO-TEM

Interim City Manager, Victor Franckiewicz, stated that Judge Ed Stevens has requested Council to appoint a Judge Pro-tem to assist him with cases where there is a conflict of interest. In the past, former Judge Ed Pace would turn such cases over to the Justice Court Judge, however, the Attorney General stated the Justice Courts do not have jurisdiction for municipal court cases. Councilman Guy asked if there would be any additional charges to the city if they appoint a Judge Pro-tem. Franckiewicz stated normally there is no additional charges as an arrangement is usually worked out between the judges and this only happens 3 to 4 times yearly. Councilman Guy made a motion, seconded by Councilman McQueen to appoint Justice Court Judge R.R. "Blue" Seal as Judge Pro-tem. After further discussion Councilman Guy withdrew his motion to allow City Attorney Lonnie Smith time to research the matter since a city over 10,000 could require a licensed attorney for this position. No action was taken.

ORDER AUTHORIZING MAYOR SPIERS TO SIGN QUITCLAIM DEED TO JAMES M. JORDAN

Motion was made by Councilman Smith, seconded by Councilman Jones authorizing Mayor Spiers to sign a quitchaim deed to James M. Jordan for 1985 taxes in the amount of $209.75 matured to the City. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR SPIERS TO SIGN A QUITCLAIM DEED TO JOSEPH W. PHILLIPS FOR 1985 TAXES MATURED TO THE CITY

Motion was made by Councilman Smith, seconded by Councilman Jones to authorize Mayor Spiers to sign a quitclaim deed to Joseph W. Phillips for 1985 taxes matured to the city in the amount of $165.78. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, McQueen, Smith and Jones

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR SPIERS TO SIGN A QUITCLAIM DEED TO GEORGE E. PRESTRIDGE FOR 1984 TAXES MATURED TO THE CITY IN HANCOCK COUNTY

Motion was made by Councilman Jones, seconded by Councilman Smith authorizing Mayor Spiers to sign a quitclaim deed to George E. Prestridge for 1984 taxes matured to the City in the amount of $234.31. Said property is located in Hancock County. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Guy, McQueen, Smith and Jones

Voting nay: None

Motion was declared carried.

ORDER TO DENY REQUEST BY CARLE COOPER TO WAIVE INTEREST CHARGES ON PROPERTY TAX

Carle Cooper is requesting the Mayor and Council to waive interest charges in the amount of $148.41 on 1986 taxes assessed in the name of Willie Beech. This piece of property is a laundry mat owned by Carle Cooper but is being leased by Willie Beech who had made some improvements to the property. The County wrongly assessed the property in Willie Beech name. Motion was made by Councilman McQueen to deny the request to waive the delinquent fees, stating that the tax payer is responsible for paying the taxes on their property. Motion was seconded by Councilman Smith, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, McQueen, Guy, Smith and Jones

Voting nay: None

Motion was declared carried.

ORDER TO REFUND OVERPAYMENT OF TAXES IN THE AMOUNT OF $69.28 TO JOHN OLIVER DILLARD, SR.

Motion was made by Councilman Smith, seconded by Councilman Jones to approve a refund of $69.28 for overpayment of taxes, due to a change in assessment by the county, to John Oliver Dillard, Sr. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, McQueen, Guy, Smith and Jones

Voting nay: None

Motion was declared carried.

IN THE MATTER OF THE AIRPORT BOARD CONTINUING THEIR RUNWAY EXTENSION PROJECT

Acting City Manager, Victor Franckiewicz, reported his findings after the Mayor and Council requested the Airport Board to withhold completion of the Airport runway extension project. Franckiewicz stated he has been in contact with the State Auditor's office and found that Michael Thomas, a representative from the State Auditor's office came down and spoke to the Airport Board. Mr. Thomas stated there is no restriction on the City nor on the Airport Authority for proceeding with business as normal. He stated, if there is a problem, it is not a liability on the part of the City, but on the Airport Board, as they are a qualified independent agency. Mayor Spiers stated the State Auditor's office says there are numerous problems with the Airport Board and would have their legal counsel write a letter outlining those problems within 2 to 4 weeks. Bass, a member of the Airport Board, stated the project will be completed according to FAA Standards. Attorney Smith states the board is now complying with the charter by submitting their budgets. Franckiewicz recommended a three (3) part action: 1) City Mayor and Council recognize the Airport Authority as legally responsible for its own operations and as an independent agency operating under state law, 2) that we have no objections to the Airport Authority proceeding at it's own risk to expend FY89 appropriations provided they comply with all requirements that may be imposed by the State Auditor, and, 3) that we urge tighter controls of the Airport Boards operations in the future, maintain full compliance with both the letter and the spirit of the charter, with state auditors guidelines and state law. In agreement with this recommendation, Councilman McQueen made a motion that we allow the Airport Board to proceed with their runway extension project, recognizing that they are liable for their own operations. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, McQueen and Smith

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING CITY MANAGER TO PREPARE GUIDELINE POLICY FOR EACH ORGANIZATION RECEIVING CITY FUNDS

Motion was made by Councilman McQueen authorizing the City Manager to prepare a policy that would apply to each entity that receives city funds. This would include minutes, an audit report or a review report, financial information on a monthly basis, and the city would maintain a check list to insure that each agency is complying with this policy. Motion was seconded by Councilman Guy with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF DISCUSSION OF AN AUDIT REPORT FOR THE AIRPORT BOARD

Bill Andrews of the radio station inquired about an audit being included in the Airport Board Budget for FY90. Councilman Guy informed Mr. Andrews that the Airport Board stated they have plans to include an audit in their budget for the previous two years that have not been audited. Frank Egger, former member of the Airport Board, asked when they plan to have this aduit. Councilman McQueen stated that most audits are done at the end of the fiscal year and asked that the Council proceed with the agenda at this time.

ORDER TO REAPPOINT JIM NOEL AND ARTIE HOLLOWAY TO THE ELECTRICAL BOARD

Motion was made by Councilman McQueen, seconded by Councilman Watkins to reappoint Jim Noel and Artie Holloway to serve on the Electrical Board. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO REAPPOINT FRED STRAIN TO THE ELECTRICAL BOARD

Motion was made by Councilman Watkins, seconded by Councilman Smith , for the reappointment of Mr. Fred Strain to the Electrical Board. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO REAPPOINT JOE B. WHITEHEAD TO THE ELECTRICAL BOARD

Motion was made by Councilman Jones, seconded by Councilman Smith, to reappoint Joe B. Whitehead to serve on the Electrical Board. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy Smith and McQueen

Motion was declared carried.

IN THE MATTER OF FORMAL BID OPENING PRIOR TO COUNCIL MEETINGS

Acting City Manager, Victor Franckiewicz, recommended the bid opening procedure be held on Wednesday, prior to council meetings the following Tuesday. This would allow time to compile bids and make recommendations to the Mayor and Council at the meetings in order to save time. He stated the bid opening procedure would be open to the public and would require bids to be opened by the purchasing agent with the City Manager and City Clerk present as witnesses. It was the consensus of the Mayor and Council to proceed with this recommendation.

ORDER AUTHORIZING MAYOR SPIERS TO SIGN APPLICATION FOR FEDERAL FUNDS TO COMPLETE PHASE 1 FOR TRAFFIC SIGN INSTALLATION, PART 1

Acting Victor Franckiewicz informed the Mayor and Council that Frank Dunaway, Engineer, was commissioned by the City to conduct a City-wide analysis of our traffic signs and make recommendations in upgrading our traffic signs to meet the federally recommended manual and uniform control devices. Now we are ready to proceed with implementation. The state has advised us there is money available through the state to complete a Phase 1 project where they will apply $20,699 and the city $7,736. That is enough to implement all the recommendations from the creek South and the railroad East, which is the older section of town. The in-kind match would include our crews installing the signs. Phase 11 would have to be considered in FY 1991. Motion was made by Councilman Smith authorizing Mayor Spiers to sign an application applying for federal funds to complete Phase 1, Traffic Sign Installation, Part 1. Said motion was seconded by Councilman Jones with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilman Watkins, Smith, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER FOR CITY TO ENTER INTERGOVERNMENTAL SERVICE AGREEMENT WITH THE UNITED STATES, IMMIGRATION AND NATURALIZATION SERVICE

Acting City Manager, Victor Franckiewicz, recommended the City adopt an agreement for the purpose of entering a binding relationship between the United States, Immigration and Naturalization Service and the City of Picayune, MS/Picayune Police Department for the detention and care of aliens, on a space avaliable basis. We presently have space for eight (8), at a rate of $30.00 per night. Upon adoption of the Agreement, the City will provide medical care and service at the same level as provided to local prisoners. All cost associated with hospital or health care services provided outside the facility will be billed to the Service. The per diem rate under this agreement is $30.00 per day which covers one person. Said agreement will be in effect until December 1990, unless terminated sooner in writing, by either party. Motion was made by Councilman Smith, seconded by Councilman McQueen enter an Intergovernmental Service Agreement with the United States, Immigration and Naturalization Service. Said Agreement is on file in the office of the City Clerk. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO REVISE PLANS FOR COOPER ROAD AND HIGHWAY 43 NORTH INTERSECTION AND PROCEED WITH PROJECT

Acting City Manager, Victor Franckiewicz, informed the Mayor and Council that $20,000 was budgeted in the FY89 budget for improvements to the Cooper Road and Highway 43 North Intersection. Franckiewicz recommended the plans be revised that were drawn up by Broadway Engineers to allow four (4) lanes to the cinema and taper to two lanes into Highway 43 North. He stated this could possibly be completed for the budgeted amount of $20,000. He also recommended that if bids could not be let in October and work started in November or December, then he would wait until better weather in the spring. Motion was made by Councilman McQueen to allow Broadway Engineers to make the plan revisions and proceed with the project. Motion was seconded by Councilman Smith, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Guy and McQueen

Voting nay: Councilman Jones

Motion was declared carried.

ORDER TO ACCEPT ARCHITECT PROPOSAL ON ROOF REPAIR FOR LIBRARY

After authorization from the Council, Acting City Manager, Victor Franckiewicz stated he did obtain a proposal from an architect firm to design a roof for a design fee of $4,000 and a construction management and inspection fee of $1,800.00. The estimated construction cost is $50,000. We are pursuing trying to get some recovery from the insurance company, which is a third party claim. Mayor Spiers stated he would like to see one alternative style roof. Motion was made by Councilman Guy, seconded by Councilman Smith to accept the archetict's proposal for the repair design of the library roof. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Guy, Jones, Smith and McQueen and Watkins

Voting nay: None

Motion was declared carried.

IN THE MATTER OF AMENDING FY89 BUDGET

Acting City Manager, Victor Franckiewicz, informed the Mayor and Council of several expenditures throughout the budget, in trying to amend it, situations where absolute, clear, known expenditures were not budgeted. One particular case in the Utilities where $112,000 for bond & interest payments were not budgeted. Councilman McQueen requested action be postponed on amending the FY89 budget since there will be several budget meetings during the month of September. No action was taken.

AN OVERVIEW OF FY90 BUDGET ISSUES BY ACTING CITY MANAGER

Acting City Manager, Victor Franckiewicz, informed the Mayor and Council that over the past four (4) years the city has overspent their budget. The accumulative amount overspent since 1986 is approximately $539,000. The largest amount of $125,000 in 1989 was for the Fair Labor Standards expenditures to the Police and Fire Departments. Franckiewicz stated his goal for the coming year is to bring our recurring expenditures in line with our recurring revenues. He stated he sent a formal request to the Pearl River County Board of Supervisors to see if they can provide some additional contributions to the City to help defray the expenses of housing county agencies and county operations here in the City of Picyaune. At the present time, free of charge to the County, we provide dispatching services for the Sheriff's office and ambulance service for all of South Pearl River County; we provide the space for the Sheriff's office; we provide space for the Justice Judge and Court and Youth Court and Justice Court Clerk. We also provide space down stairs in the City Hall Building space for the tag office, all of which is free of charge. If the County would pay a very minimal rent and their pro-rata share, we would be getting another $12,000 a year in revenues. He stated the budget for FY90 would be tight and all aspects for revenue would be discussed at the proposed budget and public hearings set for Sept. 15, 19 & 26, 1989.

VICTOR FRANCKIEWICZ, ACTING CITY MANAGER PRESENTED PROPOSED DEPARTMENTAL REORGANIZATIONAL SCHEDULE TO MAYOR AND COUNCIL

Franckiewicz presented a proposed departmental reorganizational plan to the Mayor and Council. One phase would be to amend Section 2-50 of the Code of Ordinances which would specifically designate the City Manager as city clerk, and authorize those deputy clerks necessary. He did not request action on this tonight but stressed that he would be preparing the budget in accordance with the reorganizational chart, with possibly no reduction in personnel. Councilman McQueen stated there is a perception in the business community and the general public in that the City is top heavy in administration. McQueen stated there are administrative positions that could be consolidated and we could eliminate more than one position. Councilman McQueen made a motion to proceed with the budget preparation based on the present organizational structure, but with some consolidation of duties and elimination of positions in the city administration. Said motion was seconded by Councilman Watkins, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting nay: Councilman Guy

Motion was declared carried.

ORDER TO APPROVE REQUEST FROM PARENT-TEACHER ORGANIZATION TO CLOSE A PORTION OF KIRKWOOD STREET SEPT.9, 1989 FOR BACK TO SCHOOL BASH

Motion was made by Councilman McQueen and seconded by Councilman Watkins to approve a request from Linda Malone, PTO Council President, to close the portion of Kirkwood Street from Goodyear Blvd. to Fifth Ave. on September 9, 1989 from 12:00 noon until 1:00 p.m. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, and Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF AGENDA FORMAT AS PREPARED BY BRENDA FORD

Acting City Manager, Victor Franckiewicz, inquired whether Council approved of the format of the agenda which was prepared by Brenda Ford. Mayor Spiers stated he did approve of the format of the agenda but requested that the exhibits be numbered to correspond to their location on the agenda.

IN THE MATTER OF CITY MANAGER POSITION

Mayor Spiers requested each Councilman to select five (5) applicants who have applied for the City Manager position. Said applications will be reviewed at the next meeting.

ORDER TO RECESS

Motion was made by Councilman McQueen, seconded by Councilman Watkins to recess until September 12, 1989 at 6:00 p.m.

APPROVED:

Woody Spiers

MAYOR WOODY SPIERS

ATTEST:

Raymond A. Seal

CITY CLERK RAYMOND A. SEAL

TAPE NO. 89-39, 40 & 41

September 12, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in recessed session Tuesday, September 12, 1989 at 6:00 p.m., with the following officials present: Mayor Woody Spiers; Councilmen Luther T. Jones, Leavern Guy, Kelly L. McQueen, Larry Watkins; City Clerk, Raymond A. Seal.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

ORDER TO APPROVE GARBAGE COLLECTION PORTION OF INVOICE TO GULF COAST WASTE

Motion was made by Councilman McQueen to approve the garbage pick-up portion of the invoice submitted by Gulf Coast Waste and give them notice that if there is not a considerable amount of improvement in the city trash pick-up by the October docket, the city will not pay any portion of their invoice until an improvement is made. This motion was seconded by Councilman Smith, with a unanimous vote by the Mayor and Council.

ORDER TO ENTER INTO EXECUTIVE SESSION

Upon motion of Councilman McQueen, seconded by Councilman Smith and unanumously carried, the Mayor and Council will now go into Executive Session to discuss the position of City Manager.

Executive Session followed, at the conclusion of which Mayor Spiers stated they discussed potential City Manager candidates and narrowed them down to eight (8) names as follows:

James Young, William Powers, Raymond Mathers, Billy Smith, Davis Daughdrill, Q. Lockley, Jerry Robinson, Victor Franckiewicz.

ORDER TO RECESS

Motion was made by Councilman Guy, seconded by Councilman Smith to recess until Friday, September 15, 1989 at 6:00 p.m.

APPROVED: Woody Spiers

MAYOR WOODY SPIERS

ATTEST:

Raymond A. Seal

RAYMOND A. SEAL, CITY CLERK

TAPE NO. 89-42

September 15, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in recessed session Friday, September 15, 1989 at 6:00 p.m., with the following officials present: Mayor Woody Spiers; Councilmen Larry Watkins, Leavern Guy, Luther T. Jones, Kelly L. McQueen, Harvey Smith; Mayor Woody Spiers; City Clerk, Raymond A. Seal.,

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

IN THE MATTER OF PUBLIC HEARING HELD TO DISCUSS PROPOSED BUDGET FOR 1989-90

A Public Hearing was held pertaining to the proposed budget for fiscal year 1989-90. Councilman McQueen stated he did not have sufficient time to study the proposed budget. Interim City Manager Victor Franckiewicz, informed the Mayor and Council due to the time frame, the public hearing notice had to be published a week prior to the hearing and the hearing held prior to the adoption of the budget. He stated further budget hearings for discussion with department heads and Council are scheduled for September 19 and 26, 1989. Several residents were present to discuss the budget. Frank Egger recommended the Mayor and Council withhold funds for support of the Airport Board budget until an audit is conducted. John Brinner, a resident, discussed the police department budget. His concern was drug problems within the city and having adequate funds in the budget for the police department to deal with the situation. Police Chief Freddy Drennan stated his department would do their best to handle the problems with funds made available for his department. Police Officer Brenda Smith spoke to the Mayor and Council requesting their consideration for the Police Department employees a raise in pay, in order to keep qualified personnel here in Picayune.

ORDER TO ADOPT RESOLUTION FIXING LEVY OF AD-VALOREM TAXES FOR THE CITY

Acting City Manager, Victor Franckiewicz, presented the Mayor and Council with a resolution for the tax levy for the city. He stated our city millage last year was 22.00 mills and plans for the 1989-90 budget are for 22.00 mills. Franckiewicz stated work on the school budget has not been completed. The following resolution was adopted:

RESOLUTION FIXING LEVY OF AD-VALOREM TAXES

WHEREAS, it is necessary and proper at this time, as provided by statute for the governing authorities to fix the tax levies by which all taxes for the purposes hereinafter set out for the fiscal year of the City of Picayune, Mississippi beginning October 1, 1989 and ending September 30, 1990, are to be collected; be it therefore

RESOLVED and Ordered that the tax levy of the City of Picayune, Mississippi for the fiscal year beginning October 1, 1989 and ending September 30, 1990 is hereby fixed and levied on all taxable property in said City in the amount of 22.00 mills, which shall be for the General Fund, for the purposes of customary general fund operations, bond and interest payments, capital projects and support of the library.

BE IT FURTHER RESOLVED and ordered that the tax levy of 22.00 mills has this day been set by the Mayor and Council of the City of Picayune, Mississippi, and that the Tax Collector of the City of Picayune, Mississippi is hereby authorized and directed to collect taxes on all assessment rolls as approved by said governing authorities as by law provided and further that the City Clerk is hereby authorized and directed to legally publish a copy of this resolution as provided by the aforesaid law.

After being reduced to writing, the foregoing resolution was read and considered, section by section then as a whole, whereupon Councilman Smith moved its adoption and after second by Councilman Guy, the following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Smith, Guy and Watkins

Voting nay: None

Absent and not voting: Councilman McQueen (left meeting prior to vote)

Motion was declared carried this the 15th day of September, 1989.

ORDER TO RECESS

Motion was made by Councilman Guy, seconded by Councilman Jones to recess until Tuesday, September 19, 1989 at 6:00 p.m.

APPROVED:

Woody Spiers

MAYOR WOODY SPIERS

ATTEST:

Raymond A. Seal

CITY CLERK, RAYMOND A. SEAL

TAPE NO. 89-43

September 19, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in recessed session September 19, 1989 at 6:00 p.m., with the following officials present: Mayor Woody Spiers; Councilmen Larry Watkins, Leavern Guy, Luther T. Jones, Kelly L. McQueen, Harvey Smith; City Attorney, Lonnie Smith; City Clerk, Raymond A. Seal; Acting City Manager, Victor Franckiewicz.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

Councilman Luther Jones lead in the opening prayer, followed by the pledge of allegiance.

IN THE MATTER OF PUBLIC HEARING FOR PROPERTY CLEAN-UP

This being the date, a public hearing was held on property owned by College Investment located on Clark St., Bernard Heaps located on Mitchell, St., Terrell Jopes located on Main Street and Carlie Cooper located on Goodyear Blvd. Mr. Jopes was present and stated he is in the process of cleaning his property and requested more time. Motion was made by Councilman Guy, seconded by Councilman McQueen to declare all properties a public menace and allow property owners 30 days to clean said property. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ADOPT RESOLUTION TO LEVY SCHOOL DISTRICT MILLAGE FOR 89-90

Acting City Manager, Victor Franckiewicz, presented the Mayor and Council with the proposed millage of 58.40 mills for the Picayune School District for 1989-90 budget and a short fall loan the school requested before the end of their fiscal year of June, 1989. After a lengthy discussion motion was made by Councilman Smith to approve 57.60 mills as follows:

RESOLUTION FIXING LEVY OF AD-VALOREM TAXES
FOR THE PICAYUNE SCHOOL DISTRICT

WHEREAS, it is necessary and proper at this time, as provided by statute for the governing authorities to fix the tax levies for the Picayune School District for the city's fiscal year beginning October 1, 1989 and ending September 30, 1990; and

WHEREAS, the Board of Trustees of the Picayune School District has adopted a budget for the fiscal year beginning July 1, 1989 and ending June 30, 1990, and has by resolution of June 11, 1989 petitioned that the following ad-valorem taxes be rasied for the following purposes:

Minimum Education Program:	$ 100,354.00
District Maintenacne:	
Regular District Maintenance	2,555,748.00
Shortfall	92,998.20
Total District Maintenance	2,648,746.20
Grand Total:	2,749,100.20

NOW THEREFORE BE IT RESOLVED and Ordered that the tax levy for the Picayune School District for the fiscal year beginning October 1, 1989 and ending September 30, 1990 is hereby fixed and levied on all taxable property in the district (including Hancock County property) in the following amounts:

Minimum Education Program Fund	2.18 Mills
District Maintenance Fund	55.42 Mills
Total:	57.60 Mills

BE IT FURTHER RESOLVED and ordered that these levies have this day been set by the Mayor and Council of the City of Picayune, Mississippi, and that the Tax Collector of the City of Picayune, Mississippi is hereby authorized and directed to collect taxes on all assessment rolls as approved by said governing authorities as by law provided and further that the City Clerk is hereby authorized and directed to legally publish a copy of this resolution as provided by the aforesaid law.

After being reduced to writing, the foregoing resolution was read and considered, section by section then as a whole, whereupon Councilman Smith moved its adoption and after second by Councilman Jones, the following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith and Jones

Voting nay: Councilman Guy

Abstained and not voting: Councilman McQueen

Motion was declared carried this the 19th day of September, 1989.

ORDER TO SET DATE FOR PUBLIC HEARING FOR PROPERTY CLEAN-UP

Motion was made by Councilman Guy, seconded by Councilman Smith to set a date for a public hearing to determine if the property owned by the following people constitutes a menace to the public health and safety of the community.

NOTICE

You are hereby given notice that on the 7th day of November, 1989, at the City Council Chambers at the City Hall in Picayune, Mississippi at 6:00 p.m., there will be a hearing before the City Council to determine if the condition of your property described on Exhibit A attached hereto constitutes a menace to the public health and safety of the community. Should the determination be made that the condition does constitute a menace to the public health and safety, then the condition of the lot may be ordered corrected by the City, a lein placed against the property for the cost of the work and the property may be sold to satisy the lein.

You have the right to appear at the hearing and be heard.

You may have the lot cleaned prior to the hearing and notify the Public Safety Manager to have the cleaned lot inspected.

Dated this the 19th day of September, 1989.

/s/ Raymond A. Seal

POSTED AT:
PICAYUNE CITY HALL
POST OFFICE IN PICAYUNE, MISSISSIPPI

Property Owners:

R.C. Griffith - Corner of South Monroe and Fifth Street (dilapidated building)
Exquisito Services - 814 E. Canal Street (dilapidated building)

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO RECEIVE BIDS ON TRASH COLLECTION EQUIPMENT AND TAKE UNDER ADVISEMENT

This being the day and hour to receive bids on equipment to be used for trash collection in the city, the following bids were received:

ITEM #1 (2) 2 ton trucks, cab and chassis

East Ford, Inc,, Jackson, Ms
1990 F600 Ford Diesel: $21,975.87
1990 F600 Ford Gas: 20,664.12

Butch Oustalet Ford, Gulfport, MS
1990 F600 Ford Diesel: 19,869.75
1990 F600 Ford Gas: 15,120.50

McMullan Equip. Co., Hattiesburg, MS
1990 International Diesel: 19,473.43

Fowler GMC Truck, Jackson, MS
1990 GMC Truck Diesel: 22,578.05

continued

EQUIPMENT BIDS CONTINUED:

ITEM #2 (2) flat bed trash body

Truck Equipment, Mobile, AL		$4,497.00
	Lift Out Tailgate	200.00
Lambert Distributors, Inc.,Jackson,MS		
	PVMXS Knapheide Platform	$4,489.00

Motion was made by Councilan McQueen, seconded by Councilman Guy to receive the above bids for trash collection equipment and take under advisement. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, McQueen and Smith

Voting nay: None

Motion was declared carried.

IN THE MATTER OF SEEKING PROPOSALS FOR TRASH COLLECTION

Motion was made by Councilman Guy, seconded by Councilman Jones to advertise for proposals to contract trash collection for the City. The following roll call vote was recorded.

Voting yea: Councilmen Guy, Jones and Smith

Voting nay: Mayor Spiers, Councilmen McQueen and Watkins

ORDER AUTHORIZING MAYOR TO SIGN QUITCLAIM DEED FOR LEO WILLIS FOR 1986 TAXES MATURED TO.THE CITY IN THE AMOUNT OF $318.70

Motion was made by Councilman Smith, seconded by Councilman Watkins, authorizing Mayor Spiers to sign a quitclaim deed to Leo J. Willis for 1986 taxes matured to the city in the amount of $318.70. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ACCEPT CHANGES TO THE 1988 LAND ROLL FROM PEARL RIVER COUNTY TAX COLLECTOR AND HANCOCK COUNTY TAX COLLECTOR

The following changes were received from the Pearl River County Tax Collector/Assessor and Hancock County Tax Collector/Assessor for the 1988 Land Roll:

		INSIDE DECREASE
Price, D.J. -	617-111-002-01-23	57
Ingram, Carey	617-210-003-01-10	5862
Williams, Ernestine(total exempt)	617-515-003-01-45	3550
Whitfield, Doyle L (Double assessed)	617-111-004-01-47-6	5015
Lott, Henry	617-209-004-02-00	1626
Harvey, James H. (total Exempt)	617-614-003-07-39	4036
McDowell, Clara Mae (over 65)	617-516-004-02-5	3548
Albritton, Larry	617-521-001-01-8	6042
Lenoir, John W. (allow 10%)	617-516-004-03-4	80
Page, Vonceil (Total Exempt)	617-515-001-04-39	1200
Price, Sandra Burge	617-111-002-01-7	615
Broadway, Brent S. (no improvements)	617-111-001-04-13	5720
Cazenave, Florzelle (allow over 65)	617-516-001-03-12	3091
Robertson, Mozella P.	617-614-002-08-35	1768
Woods, Bonnie L. (Total Exempt)	617-614-001-07-501	209
Woods, Frank L. (Total Exempt)	617-614-001-07-51	1610
Millbrook Est. Inc.	616-306-002-04-9	8858
Millbrook Est., Inc.	616-306-002-01-14	6253
	TOTAL:	59140

continued

CHANGES TO THE 1988 LAND ROLL CONTINUED:

		INSIDE INCREASE
HUD	617-522-002-024	4163
Jones, Jack	617-515-004-02-2	2813
Broadway, Buddy S. (add improvements)	615-111-001-04-12	5720
	TOTAL:	12696

		OUTSIDE DECREASE
Alford, Roy Est.	517-931-000-00-28	896
Reich, Ralph A.	517-522-000-00-001	378
Gill, W.M.	617-521-000-00-12	1073
Dell, William E., Jr.	517-308-000-00-12-2	95
Pearson, Emmett Holden	517-308-000-00-2-46	78
Woods, Keith A.	517-308-000-00-2-28	375
Wilson, Robert F.	517-308-000-00-2-29	50
Reis, Charles John	517-308-000-002-32	32
Penton, Charles R.	517-308-000-00-2-14	59
Johnson, Ellis E.	517-308-000-00-2-35	27
Reno, Denny	517-308-000-00-2-24	33
Lannes, Tyronne	517-308-000-00-2-49	1431
Dixon,,Donald L.	517-308-000-00-2-41	33
Treadway, Charles Henry	517-308-000-00-2-26	53
Terniglia, Sam S.,Jr.	517-308-000-00-2-21	90
Pearson, James Monroe, Jr.	517-308-000-00-2-42	836
Powe, Cindy K.	517-308-000-00-2-37	42
Neal, James D.	517-308-000-00-2-51	84
Murray, Daniel R.	517-308-000-00-2-39	53
Mooney, Joseph Wayne	517-308-000-00-2-43	1618
Mitchell, David	517-308-000-00-2-13	57
Martin, Billy George, Jr.	517-308-000-00-2-15	59
Lumpkin, James Douglas	517-308-000-00-2-54	1181
Miller, Leverett D.	517-308-000-00-2-55	36
Leyva, Jose	517-308-000-00-2-45	38
Krieger, Eva T.	517-308-000-00-2-57	35
Jones, James D.	517-308-000-00-2-53	50
Hoover, John	517-308-000-00-2-52	1544
Hoover, John	517-308-000-00-2-56	375
Hall, Roy W. Sr.	517-308-000-00-2-59	57
Glossop, Harold E.	517-308-000-00-2-22	2010
Davis, David M.	517-308-000-00-25	47
Forestier, Daniel J.	517-308-000-00-2-27	33
Forestier, Daniel J. 111	517-308-000-00-2-18	54
Conner, Thomas Earl	517-308-000-2-48	32
Carver, Jose R.	517-308-000-00-2-12	207
Rooks, William	517-308-000-00-2-47	41
Lumpkin, Ulmer Lorance	517-308-000-00-2-6	17
Pearson, Jimmy R.	517-308-000-00-2-16	57
Bowman, James Curtis	517-308-000-00-2-20	75
Barrios, Joseph A.	517-308-000-00-2-38	62
Banner, Rick	517-308-000-00-2-44	53
Reagin, Joseph Francis	517-308-000-00-2-31	44
Prather, R. Michael	517-308-000-00-2-40	41
Prather, R. Michael	517-308-000-00-2-19	1717
Demick, William Robert	517-308-000-00-2-36	56
Demick, James E.	517-308-000-00-2-50	35
Demick, James E.	517-308-000-00-2-58	32
Rock Ranch Inc.	517-308-000-00-2-23	44
Rock Ranch Inc.	517-308-000-00-2-25	12
Rock Ranch Inc.	517-308-000-00-2-30	27
Rock Ranch Inc.	517-308-000-00-2-33	29
Mitchell, Horace E.	617-417-000-01-2	1433
Culpepper, Bobby Ray (Allow 10%)	616-307-000-00-28	662
Patch, Vernon P. (Total Exempt)	617-204-000-02-2	3581

continued

CHANGES TO THE 1988 LAND ROLL CONTINUED:

		OUTSIDE DECREASE
Maltese, Casimere	517-308-000-00-2-34	54
Burks, Billy F.	418-112-000-00-17-5	614
Catha, Ouida Martin	517-735-000-00-61	2066
S-Ware Enterprises, Inc.(house burned)	518-828-000-00-13	9578
Byrd, Lisa Gail	418-107-000-00-16-5	1486
Alford, Roy Est.	517-921-000-00-28	896
Burge, Gerald L.	517-930-000-00-21	11267
Green, Kenneth A. (Allow 10%)	518-731-000-00-2	1487
Smith, Emma L. (House Burned)	518-829-000-00-3	2102
Stanley, Louis J. (Allow Disability)	418-623-000-00-16H	2570
Stanley, Louis J. (Duel Assessment)	418-623-000-00-16S	1187
Ferguaon, Audrey	617-521=000-00-16	534
Ferguson, Audrey (Remove mobile Ho)	617-521-000-00-16-1	546
Burgess, Bessie (Total Exempt)	617-834-000-00-243	27
Pigott, M.O. (Total Exempt)	616-521-000-00-221	3392
Entrekin, O.W(Total Exempt)	517-929-000-00-13	4204
	Total:	63179

1988 Personal
Mitchell's Dept. Store - Rec. 414, Void, Out of Business

1986 Hancock County
Mitchell, Sebron - 156006 - Void Tax Sale, Should have been given full exemption.

1986 Pearl River County
Sullivan, Talmadge, 04S 614-000-00-221-Void, Tax Sale, Should have been given Full exemption, decrease 530, outside
Galmiche, Rene M. - 06S-203-0-0-00-41-Void Tax Sale, decrease 20,outside
Hives, Corine S. 617-515-003-01-8-10, Void Tax SAle, Should have been totally exempt. Inside decrease 6040.
Guidrey, Lolie-617-521-000-00-3-LH02-Void Tax Sale, Outside decrease 760

1987 Pearl River County
Pugh, Edith, 617-614-002-08-011, Void, Tax Sale, Should have been given full exemption.

Hill, Minnie Mae-617-52-000-00-11, increase 1045, Disallow homestead exemption.

Total: 1045

The above and foregoing changes to the Land Roll was accepted upon motion by Councilman Guy, seconded by Councilman Watkins , with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, and Smith

Voting nay: None

Absent and not voting: Councilman McQueen(stepped out of room)

Motion was declared carried.

ORDER TO ACCEPT RECOMMENDATION FROM ACTING CITY MANAGER, VICTOR FRANCKIEWICZ, TO AMEND BUDGET FOR FY 1989 BUDGET

Motion was made by Councilman Smith, seconded by Councilman Watkins, to approve the amendments to FY89 budget as follows:

GENERAL FUND

AMENDED BUDGET

FISCAL YEAR ENDING SEPTEMBER 30, 1989

REVENUES	ORIGINAL BUDGET	INCREASE (DECREASE)	AMENDED
Taxes	$ 435,000	(53,226)	381,774
License & Permits	297,000	(24,595)	272,405
Intergovernmental Revenues	1,495,000	8,852	1,503,852
Charges for Services	417,000	(12,307)	404,693
Fines and Forfeits	137,000	(19,266)	117,734
Miscellaneous	224,000	125,147	349,147
TOTAL REVENUES	$ 3,005,000	24,605	3,029,605
EXPENDITURES			
General Government	651,092	2,306	653,398
Police Department	760,592	115,519	876,111
Fire Department	517,148	11,802	528,950
Public Works	964,297	4,157	968,454
Recreation	36,724	(4,399)	32,325
Equipment Maintenance	67,262	12,225	79,487
Community Programs	28,750	(8,950)	19,800
Title XX	17,873	242	18,115
Health and Welfare	10,750	-0-	10,750
Medical Service	-0-	61,000	61,000
Transfer to Capital Projects Fund	-0-	50,000	50,000
TOTAL EXPENDITURES	$ 3,054,488	243,902	3,298,390
Excess (Deficiency) of Revenues over Expenses	$(49,488)	(219,297)	(268,785)

continued

1988-89 BUDGET AMENDMENTS CONTINUED:

UTILITY FUND
AMENDED BUDGET

FISCAL YEAR ENDING SEPTEMBER 30, 1989

REVENUES	ORIGINAL BUDGET	INCREASE (DECREASE)	AMENDED
Metered Sales	$ 2,390,000	(56,645)	2,333,355
Transportation Sales	95,000	(19,983)	75,017
Other Sales & Service	14,000	(3,877)	10,123
Miscellaneous	56,000	25,249	81,249
TOTAL REVENUE	$ 2,555,000	(55,256)	2,499,744
EXPENDITURES			
Debit Service	120,000	112,347	232,347
Interfund Transfers	410,000	-0-	410,000
Utility Administration	236,776	(4,043)	232,733
Water Operations	174,994	(50,810)	124,184
Sewer Operations	166,580	(68,400)	98,180
Sewer Treatment & Purification	181,976	(29,105)	152,871
Sewer Taps & Construction	37,369	(212)	37,157
Gas Operations	1,122,035	(5,310)	1,116,725
TOTAL EXPENDITURES	$ 2,449,730	(45,533)	2,404,197
Excess (Deficiency) of Revenues over Expenses	$ 105,270	(9,723)	95,547

CONTINUED

1988-89 BUDGET AMENDMENTS CONTINUED:

CAPITAL PROJECTS FUND
AMENDED BUDGET

FISCAL YEAR ENDING SEPTEMBER 30, 1989

REVENUES	ORIGINAL BUDGET	INCREASE (DECREASE)	AMENDED
Bureau of Parks & Recreation	20,000	-0-	20,000
General Fund	50,000	-0-	50,000
General Obligation Bonds	75,000	-0-	75,000
Fund Balance	425,000	-0-	425,000
Transfer from Revenue Fund	250,000	-0-	250,000
Fund Balance	30,000	-0-	30,000
TOTAL REVENUE	850,000	-0-	850.000
EXPENDITURES			
Construction Contracts	465,000	(178,489)	286,511
Sewer Rehabilitation	30,000	(30,000)	-0-
Sewer Extension	50,000	(37,000)	13,000
Water Main Extension	50,000	(35,000)	15,000
West Side Development Project	100,000	(100,000)	-0-
Other	155,000	(596)	154,404
TOTAL EXPENDITURES	850,000	(381,085)	468,915
Excess (Deficiency) of Revenues over Expenses	-0-	(381,085)	381,085

The above and foregoing budget amendments for FY89 was approved with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

RECESSED MEETING OF SEPTEMBER 19, 1989

IN THE MATTER OF BUDGET DISCUSSION FOR FY 90

Highlights of the proposed budget for FY90 was presented to the Mayor and Council by Acting City Manager, Victor Franckiewicz,with proposed lay off's of administrative positions. Input from the Mayor and Council came to several votes, as follows:

Motion was made by Councilman Guy to lower the salary of an insurance risk management postion from $18,000 to $13,500 per year. This motion was seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Councilmen Jones and Guy

Voting nay: Mayor Spiers, Councilmen Watkins, Smith and McQueen

Motion was not carried.

Motion was made by Councilman Guy to eliminate the insurance risk management postion. There was no second to this motion.

Councilman Watkins asked if employee's in the layoff would have an opportunity to apply for the new positions. Franckiewicz stated the personnel plan "gives preferential treatment to employees who are layed off with consideration of their seniority and if one or more qualified for the position, then the one with the most seniority would have preference to said position.

Motion was made by Councilman Jones, seconded by Councilman McQueen to reduce Code 700 reserve of $11,800 for City Manager salary and benefits to $5,000. The following roll call vote was recorded.

Voting yea: Councilmen Jones, McQueen, Guy and Smith

Voting nay: Mayor Spiers and Councilman Watkins

Motion was declared carried.

Motion was made by Councilman Guy to reduce the Community Beautification Program by $2,000 and apply this to PRIDE. Said motion was seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Councilmen Jones and Guy

Voting nay: Mayor Spiers, Councilmen Watkins, Smith and McQueen

Motion was not carried.

Councilman Guy motioned for $900.00 be provided to PRVO for rent. There was no second to this motion.

Other items unanimously approved by the Mayor and Council:

Approx. $2,500.00 for a computer for Fire Dept.

Approx. $1,260.00 for twelve (12) fire fighters helments.

Allocate $1,000 to join Pearl River Basin Drug Task Force.

Add an additional $1,400.00 to drug investigaion.

Add an additional school crossing guard for Beech Street.

Additional budget meetings will be scheduled before final adoption of the FY 90 budget.

RECESSED MEETING OF SEPTEMBER 19, 1989

ORDER TO RECESS

Motion was made by Councilman Jones, seconded by Councilman Guy to recess until Tuesday, September 26, 1989 at 6:00 p.m.

APPROVED:

Woody Spiers

MAYOR WOODY SPIERS

ATTEST:

Raymond A. Seal

CITY CLERK, RAYMOND A. SEAL

TAPE NO. 89-44, 45, 46 & 47

September 26, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in recessed session Tuesday, September 26, 1989 at 6:00 p.m., with the following officials present: Mayor Woody Spiers, Councilmen Larry Watkins, Luther T. Jones, Leavern Guy, Kelly L. McQueen, Harvey Smith; City Attorney, Lonnie Smith, City Clerk, Raymond A. Seal.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

IN THE MATTER OF BUDGET DISCUSSION FOR FY90

FY90 budget discussions continued with several budget changes from FY89 approved by the Mayor and Council. Acting City Manger Victor Franckiewicz stated the city previously funded Council on Aging $3,000 yearly. My recommendation is no cash funding but assign our social worker to assist them. Pearl River County Health Dept. is basically a county function and my recommendation is no funding and I recommend continuing funding the $7,000 yearly to South Mississippi Retardation Program. Motion was made by Councilman Guy to continue cash funding of $3,000 to Council on Aging, seconded by Councilman Jones, with the following roll call vote recorded.

Voting yea: Councilman Jones, Guy and Watkins

Voting nay: Mayor Spiers, Councilmen Smith and McQueen

Motion was not carried.

Mr. Franckiewicz stated the Recreation department will include a recreation manager, recommended salary of $16,000 and a reserve fund of $20,000 set aside to help fund new programs. Motion was made by Councilman Smith to reduce the reserve amount to $10,000, seconded by Councilman Jones with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Jones, McQueen, Smith

Voting nay: Councilman Watkins and Guy

Motion was declared carried.

Councilman Watkins made a motion to increase the salary of the recreation manager to $19,500, but did not receive a second.

After more discussion, motion was made by Councilman Smith, seconded by Councilman Watkins to increase the salary of the recreation manager to $18,500, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Guy, Smith, Watkins and McQueen

Voting nay: Councilman Jones

Motion was declared carried.

BUDGET DISCUSSION FOR FY90 BUDGET CONTINUED

Victor Franckiewicz stated last year we had dedicated millage support for the library budget of $70,580. This year they are requesting $71,580. My recommendation is for $70,580. He informed the Mayor and Council that bond and interest payments were not included in the past budgets. The yearly bonded indebtedness payments are currently $253,000. This will be included in the budget this year. During discussion of the animal control budget, a local citizen complained about dogs roaming in the early morning hours when animal control officers are not on duty. Motion was made by Councilman McQueen, seconded by Councilman Smith, to hire a part time animal control officer to work 25 hours a week at the shelter, consider changing hours of the existing animal control officers in order to have better control over dogs. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen McQueen, Smith, Watkins, Jones

Voting nay: Councilman Guy

Motion was declared carried.

Franckiewicz stated last year's budget included $10,000 for a firing range for the Police Department. My recommendation is to delete this amount for FY90. For repair to the Criminal Justice Center roof I recommend $26,000 under Capital Projects fund. In the matter of AAA Ambulance Service, $45,000 is requested from the Ctiy. Plans were made to meet with county officals concerning their contribution for ambulance support. Motion was made by Councilman Guy, seconded by Councilman Watkins to include $45,000 in the FY 90 budget for Ambulance Service. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen McQueen, Smith, Watkins and Jones

Voting nay: None

Motion was declared carried.

After a lengthy discussion, motion was made by Councilman Watkins, seconded b y Councilman McQueen, to include $900.00 in FY90 budget to be applied toward office space from the Picayune Housing Authority for Pearl River Valley Organization (PRVO). The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen McQueen, Smith, Watkins and Jones

Voting nay: None

Motion was declared carried.

BUDGET DISCUSSIONS CONTINUED

In the matter of $45,000 acquired from the issuance of urban renewal notes, motion was made by Councilman Smith, seconded by Councilman Watkins, that said funds be put in a special capital projects account and pay a comparable amount out on expenditures out of that fund, pending an opinion from the attorney for the use of said funds. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Watkins and Guy

Voting nay: Councilman Jones and Councilman McQueen (McQueen stated, in his opinion, these funds were raised as a one time revenue, they should be used as a one time expenditure.)

Motion was declared carried.

Discussion followed pertaining to employee raises, possibly in January, 1990, from Mayor Spiers, Coucilmen McQueen, Victor Frankciewicz and Fire Chief Vaughn. Mayor Spiers stated he was in agreement with Franckiewicz for raises in January, especially the Fire and Police Department, if possible. Councilman McQueen stated to be realistic and that if there is a way to do it, we will. It was the consensus of the Mayor and Council to form a committee, 5 employees and 2 Councilmen, to make recommendations back to the Council.

ORDER TO PROCEED WITH STEPS TO RECOVER $6,500 FOR AUDIT REPORT FROM PROGRAM ADMINISTRATOR OF MAJESTIC INN UDAG GRANT

As stated by Councilman McQueen, when the City became involved with the UDAG Grant for Majestic Inn, a consultant was hired and an audit report was to be submitted to Hud. The original proposal for the audit was approximately $600.00. The program administrator received $13,000.00 for the project, which included $1,200.00 for an audit. Hud contacted the City for the audit after the program administrator failed to submit one. Their books were not in an auditable condition, therefore the cost of an audit became $6,500.00 paid by the City. Motion was made by Councilman McQueen, seconded by Councilman Watkins, to proceed with legal steps, if necessary, to recover the cost of $6,500.00 for said audit from the program administrator of the UDAG project for Majestic Inn. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Guy, Smith and McQueen

Voting nay: None

Abstained and not voting: Councilman Jones

Motion was declared carried.

MOTION TO APPROVE
THE GENERAL FUND BUDGET
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1990

Councilman Smith moved the adoption of the following, and was seconded by Councilman Watkins.

That the General Fund Budget for Fiscal Year 1990, as transmitted by the City Manager's memo of September 11, 1989, and as revised by the City Council on September 19 and September 26, 1989, is adopted;

Further that the City Manager is directed to aggregate the budget into the categories set out below which categories shall be the controlling authorization for expenditures in Fiscal 1990, and to publish the budget by these categories as required by law.

Revenues

- Taxes
  - Current Taxes
  - Delinquent Taxes
- Licenses and Permits
- Intergovernmental Revenues
  - Sales Tax
  - County Support
    - Ambulance
    - Road Maintenance
    - Payment in Lieu of Rent
  - Homestead Exemption Rebate
  - Fire Insurance Premium
- Charges for Services
  - Residential Garbage
  - Commercial Garbage
  - INS Prisoner Fees
  - Administration Fee from Utility Fund
- Fines and Forfeitures
- Miscellaneous Revenues

Expenditures

- General Government
  - Municipal Government
  - Municipal Court
  - City Manager
  - Elections
  - Financial Supervision
  - Grant Administration
  - Community Promotions
  - Bond and Interest Transfer
- Public Safety
  - Police Administration
  - Patrol and Investigation
  - Custody of Prisoners
  - Communication and Records
  - Patrol and Auxiliary Services
  - Animal Control
  - Fire Department
  - Ambulance Service
- Public Works
  - Streets and Drainage
  - Sanitation
  - Equipment Maintenance
  - Parks and Cemetaries
- Health and Welfare
- Culture and Recreation
  - Library
  - Recreation

Further, the budget totals aggregated to these categories shall be included in the minutes as Attachment "A" to this motion; and

Finally, that the City Manager, is directed to prepare a budget reporting format which provides a level of detail substantially similar to that used in the presentation of the proposed budget by the Manager's memo of September 11, 1989, provided that individual departmental line items of $500 or less may be consolidated into one line item for that department for administrative convenience.

The motion being reduced to writing, the following roll call vote was recorded:

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith

Voting nay: Councilman Guy

Abstained and not voting: Councilman McQueen, who stated he agreed with 95% of the budget, but has a problem with no street improvements being included.

The motion as declared carried this the 26th day of September, 1989.

MOTION TO APPROVE
THE UTILITY FUND BUDGET
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1990

Councilman McQueen moved the adoption of the following, and was seconded by Councilman Smith:

1. That the Utility Fund Budget for Fiscal Year 1990, as transmitted by the City Manager's memo of September 11, 1989 and as revised by the City Council on September 19 and September 26, 1989, is adopted;

2. Further that the City Manager is directed to aggregate the budget into the categories set out below which categories shall be the controlling authorization for expenditures in Fiscal 1990, and to publish the budget by these categories as required by law;

REVENUES

Metered Sales
Transportation Fees
Other Sales and Service
Miscellaneous Revenue

EXPENDITURES

Utility Administration
Treatment and Purification
Sewer Construction
Sewer Maintenance
Water Operations
Gas Operations
Debt Service
Working Capital
Transfer to Capital Projects
Transfer to General Fund

3. Further, the budget totals aggregated to these categories shall be included in the minutes as Attachment "A" to this motion; and

4. Finally, that the City Manager is directed to prepare a budget reporting format which provides a level of detail substantially similar to that used in the presentaiton of the proposed budget by the manager's memo of September 11, 1989, provided that individual departmental line items of $500 or less may be consolidated into one line item for that department for administrative convenience.

The motion being reduced to writing, the following roll call was

(continued:

UTILITY FUND BUDGET CONTINUED:

recorded:

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting nay: Councilman Guy

Motion was declared carried this the 26th day of September, 1989.

MOTION TO APPROVE
OTHER FUND BUDGETS
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1990

Councilman McQueen moved the adoption of the following, and was seconded by Councilman Smith:

1. That the following budgets for the Fiscal Year 1990 are hereby approved:

FUND 09: Neighborhood Parks and Recreation	
Fund Balance, 9/30/89	$ 3,880.76
Revenues:	
Federal Grant Proceeds	3,881.05
Expenditures:	
Complete Park Improvements	7,761.81
Fund Balance, 9/30/90	0.00
FUND 11: Library (Operations)	
Fund Balance, 9/30/89	1.00
Revenues:	0.00
Expenditures:	
Transfer to General Fund	1.00
Fund Balance, 9/30/90	0.00
FUND 12: CDBG Westside Redevelopment	
Fund Balance, 9/30/89	$ 200.70
Revenues:	
Transfer from Capital Projects Fund	100,000.00
Federal Grand Funds	601,195.34
Transfer from 1982 CDBG Fund	48,680.74
TOTAL REVENUES	749,876.08
Expenditures:	
Administration	18,532.03
Audit	2,000.00
Housing	450,348.74
Public Facilities	278,995.31
TOTAL EXPENDITURES	749,876.08
Fund Balance, 9/30/90	200.70

OTHER FUND BUDGETS CONTINUED:

FUND 13: CDBG Urgent Needs Grant	
Fund Balance, 9/30/89	$ 2.95
Revenues:	0.00
Expenditures:	
Transfer to General Fund	2.95
Fund Balance, 9/30/90	0.00
FUND 14: Title XX	
Fund Balance, 9/30/89	0.00
Revenues:	0.00
Expenditures:	0.00
Fund Balance, 9/30/90	0.00
FUND 15: Community Development	
Fund Balance, 9/30/89	80.00
Revenues:	0.00
Expenditures:	
Transfer to CDBG 1982 Fund	80.00
Fund Balance, 9/30/90	0.00
FUND 18: UDAG - Majestic Inn	
Fund Balance, 9/30/89	25,217.41
Revenues:	
Majestic Inn Rental	24,554.28
Interest Earnings	2,800.00
TOTAL REVENUES	27,354.28
Expenditures:	0.00
Fund Balance, 9/30/90	52,571.69
FUND 19: CDBG 1982	
Fund Balance, 9/30/89	13,500.74
Revenues:	
Sale of Lots	36,600.00
Transfer from Community Development Fund	80.00
TOTAL REVENUES	36,680.00
Expenditures:	
Project Completion (driveway construction)	1,500.00
Transfer to CDBG Westside Redevelopment	48,680.74
TOTAL EXPENDITURES	50,180.74
Fund Balance, 9/30/90	0.00

OTHER FUND BUDGETS CONTINUED:

FUND 20: School Bond and Interest Fund	
Fund Balance, 9/30/89	4,288.63
Revenues:	
Transfer from School Short Term Loan Fund	2,763.38
Expenditures:	
Repay Loan from General Bond and Interest Fund	6,992.01
Fund Balance, 9/30/90	0.00

FUND 21: School Short Term Loan Fund	
Fund Balance, 9/30/89	12,050.00
Revenues:	0.00
Expenditures:	
Transfer to School Bond and Interest	2,763.38
Transfer to Picayune Schools, District Maintenance Fund	9,286.62
TOTAL EXPENDITURES	12,050.00
Fund Balance, 9/30/90	0.00

FUND 25: General Bond and Interest Fund	
Fund Balance, 9/30/89	35,000.00
Revenues:	
Repayment from School Bond and Interest Fund	6,992.01
Transfer from General Fund	253,100.00
Interest Earnings	200.00
TOTAL REVENUES	260,292.01
Expenditures:	
Bond and Interest Payments	253,080.00
Repayment of Loan From General Fund	42,000.00
TOTAL EXPENDITURES	295,080.00
Fund Balance, 9/30/90	212.01

FUND 26: Industrial Revenue Fund	
Fund Balance, 9/30/89	39.45
Revenues:	0.00
Expenditures:	
Transfer to General Fund	39.45
Fund Balance, 9/30/90	0.00

OTHER FUND BUDGETS CONTINUED:

FUND 29: Library Construction	
Fund Balance, 9/30/89	900.00
Revenues:	0.00
Expenditures:	
Transfer to General Fund	900.00
Fund Balance, 9/30/90	0.00
FUND 30: 201 Facility Fund	
Fund Balance, 9/30/89	0.00
Revenues:	
Transfer from General Fund Sales Taxes	473.40
Expenditures:	
Loan Payments to the state	473.40
Fund Balance, 9/30/90	0.00
FUND 33: Special Capital Projects	
Fund Balance, 9/30/89	45,000.00
Revenues:	
Interest Earnings	2,025.00
Expenditures:	
Renovation of City Hall and Annex	4,000.00
Renovation of Criminal Justice Center	
Material and Supplies	1,500.00
Renovation and Repairs	2,200.00
Street & Drainage Improvements	
Street Materials and Supplies	27,500.00
Other Materials and Supplies	8,000.00
Upgrading Friendship Park	
Tables and Stackable Chairs	1,700.00
Street Engineering, Professional Services	2,000.00
TOTAL EXPENDITURES	46,900.00
Fund Balance, 9/30/90	125.00
FUND 62: Unemployment Compensation Trust Fund	
Fund Balance, 9/30/89	31,339.74
Revenues:	
Interest Earnings	1,200.00
Expenditures:	
Unemployment Compensation Charges	8,000.00
Transfer of excess fund deposits to General Fund	4,000.00
TOTAL EXPENDITURES	12,000.00
Fund Balance, 9/30/90	20,539.74

OTHER FUND BUDGETS CONTINUED:

FUND 64: Palestine Cemetary Trust Fund

Fund Balance, 9/30/89	260,222.47
Revenues:	
Sale of Lots	13,500.00
Interest Earnings	19,500.00
TOTAL REVENUES	33,000.00
Expenditures:	
Transfer to General Fund	19,500.00
Repurchase of Lots	300.00
TOTAL EXPENDITURES	19,800.00
Balance, 9/30/90	273,422.47

2. That the City Manager is directed to publish these budgets, as required by law.

3. That the following clearing funds are approved for internal fund transfers and for tax collection accounting:

   Fund 53: Intragovernmental Service Fund
   Fund 63: Tax Collector Fund

4. That before any transferred to or from bond and interest funds are made, the City Manager shall consult with the City Attorney and City Auditor for their concurrence in the formalities of advertising and documentation.

5. That the following funds shall be closed following approved transfers and expenditures which result in a zero balance, provided that the city manager shall first consult with the City Attorney and City Auditor for their concurrence in the formalities of advertising and documentation.

   Fund 09: Neighborhood Parks and Recreation
   Fund 11: Library (Operations)
   Fund 13: CDBG Urgent Needs Grant
   Fund 14: Title XX
   Fund 15: Community Development
   Fund 19: CDBG 1982
   Fund 20: School Bond and Interest Fund
   Fund 21: School Short Term Loan Fund
   Fund 26: Industrial Revenue Fund
   Fund 29: Library Construction Fund

The motion being reduced to writing, the following roll call was recorded:

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Guy and MacQueen

Voting Nay: None

Abstaining: None

Absent and Not Voting: None

The motion was declared carried this the 26th day of September, 1989.

Attachment "A" General Fund Budget

CITY OF PICAYUNE

FY90 BUDGET

GENERAL FUND SUMMARY

REVENUES	TOTAL
Current Taxes	$ 570,700
Delinquent Taxes	59,600
Licenses and Permits	272,000
Sales Tax	1,391,000
County Support	
Ambulance	45,000
Road Maintenance	10,000
Payment in Lieu of Rent	12,000
Homestead Exemption Rebate	42,300
Fire Insurance Premium	36,000
Residential Garbage	318,000
Commercial Garbage	154,000
Fines and Forfeitures	130,000
INS Prisoner Fees	88,000
Contingent Sales Tax Growth	71,000
Transfer from Utilities	277,000
All Other Revenues	251,000
TOTAL GENERAL FUND REVENUES	$ 3,727,600

EXPENDITURES	
Municipal Council	107,400
Municipal Court	38,100
City Manager	137,800
Elections	0
General Financial Supervision	32,000
Tax Administration & Licensing	41,700
Accounting and Internal Auditing	52,050
Grant Administration	45,850
Title XX	18,600
Code Enforcement	27,550
General Services - City Hall	101,100
Community Promotions	23,850
Police Administration	73,600
Patrol & Investigation	520,600
Custody of Prisoners	97,650
Communications & Records	97,760
Patrol & Auxilary Services	12,800
Animal Control	37,185
General Services - CJC	21,800
Fire Administration	34,300
Fire Fighting	532,250
General Services - Fire Station	14,700
Street & Drainage	432,400
Street Engineering	105,600
Sanitation	515,200
Health & Welfare	7,000
Recreation	77,150
Park & Cemetery	69,800
Equipment Maintenance	80,900
Previous Millage Support	
Library	70,600
Bond & Interest	253,100
TOTAL GENERAL FUND EXPENDITURES	$ 3,680,395
EXCESS REVENUES OVER EXPENDITURES	$ 47,205

Attachment "A", Utility Budget

CITY OF PICAYUNE

FY90 BUDGET

UTILITY FUND SUMMARY

REVENUES	TOTAL
Metered Sales	$ 2,468,000
Transportation Fees	75,000
Other Sales and Service	10,000
Miscellaneous Revenue	81,000
TOTAL UTILITY FUND REVENUES	$ 2,634,000
EXPENDITURES	
Utility Administration	185,800
Treatment & Purification	181,300
Sewer Construction	50,650
Sewer Maintenance	125,150
Water Operations	173,000
Gas Operations	1,138,400
Debt Service	230,200
Working Capital	
Transfer to Capital Projects	200,000
Transfer to General Fund	277,000
TOTAL UTILITY FUND EXPENDITURES	$ 2,561,500
EXCESS REVENUES OVER EXPENDITURES	$ 72,500

MOTION TO APPROVE
THE CAPITAL PROJECTS FUND BUDGET
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1990

Councilman McQueen moved the adoption of the following, and was seconded by Councilman Watkins:

1. That the Capital Projects Fund Budget for Fiscal Year 1990 shall be as follows:

REVENUE		
Balance from FY89	$	153,300
Transfer from Utilities		200,000
Proceeds of Notes		150,000
TOTAL AVAILABLE REVENUE		503,300
EXPENDITURES		
Complete gas extension		38,000
Transfer to Westside		100,000
Cooper Rd/Hwy. 43		20,000
I-59 water line		80,000
Street Lighting Engineering, FAUS		23,000
Library Roof		55,800
City Hall Roof		10,000
Criminal Justice Center Roof		26,000
Gas Line Rennovations		150,000
TOTAL EXPENDITURES	$	502,800
EXCESS OF REVENUES OVER EXPENDITURES	$	500

2. Further, that the City Manager is directed to publish this budget, as required by law.

The motion being reduced to writing, the following roll call was recorded:

Voting Yea: Mayor Spiers, Councilmen Watkins, McQueen, Guy and Smith

Voting Nay: Jones

Abstaining: None

Absent and Not Voting: None

The motion was declared carried this the 26th day of September, 1989.

IN THE MATTER OF DISCUSSION

Acting City Manager, Victor Franckiewicz stated he had prepared a memo recommending reporting guidelines for any other organizations funded by subsidy by the City. The stated Kelly contributed significantly to this. We set up catagories based on the level of support from the City. There are different leves of financial reporting. Under $1,000 is very simply, reporting on an annual basis. Over $15,000 a year would require a full-blown audit. I am recommending some additional guidelines where any agency receiving funds from us would have to comply with the purchasing guidelines by state law, since this is public funds. This will be placed on the agenda for October 3, 1989 for council action.

Mayor Woody Spiers commended Acting City Manager, Victor Franckiewicz, for an excellent job preparing the budget. Franckiewicz then commended Jackie Booth, who was instrumental and Audrey Dunn, who was extremely helpful too.

ORDER TO ADJOURN

Motion was made by Councilman Smith, seconded by Councilman Watkins to adjourn until Tuesday, October 3, 1989 at 6:00 p.m.

APPROVED:

Woody Spiers

MAYOR WOODY SPIERS

ATTEST:

Raymond A. Seal

RAYMOND A. SEAL, CITY CLERK

TAPE NO. 89-48, 49 & 50

October 3, 1989

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 in the Council Chambers at City Hall in regular session Tuesday, October 3, 1989, at 6:00 p.m., with the following officials present: Mayor Woody Spiers, Councilmen Larry E. Watkins, Luther T. Jones, Harvey Smith, Leavern Guy and Kelly L. McQueen: Interim City Manager, Victor Franckiewicz; City Clerk, Raymond A. Seal; and City Attorney, Lonnie Smith.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

The opening prayer was given by Councilman Larry Watkins, followed by the Pledge of Allegiance.

ORDER TO ACCEPT MINUTES FROM THE PEARL RIVER COUNTY LIBRARY BOARD MEETING ON AUGUST 1, 1989

Motion was made by Councilman Smith, seconded by Councilman Watkins to accept the minutes from the Pearl River County Library Board meeting of August 1, 1989. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE DOCKET OF CLAIMS FOR SEPTEMBER , 1989

Motion was made by Councilman Guy to approve the Docket of Claims for the month of September, 1989 as foolows:

CLAIMS NO. 6610 - 7239

FUNDS	DOCKET TOTAL
General Fund	$ 512,243.62
Neighborhood Parks and Recreation	1,100.00
Library Fund	7,200.94
CDBG west Side Re-Development	95,967.17
UDAG Majestic Inn Rental	23,100.00
Capital Projects Fund	68,861.35
Utility Fund	1,338,083.38
Intragovernmental Service Fund	119,156.41
Tax Collector Fund	312,450.00
Palestine Cemetery Trust Fund	18,254.59
DOCKET TOTALS:	$2,496,417.46

Motion was seconded by Councilman Smith, with the following roll call vote recorded.

Voting yea: Mayor S piers, Councilmen Watkins, Smith, Guy, Jones and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE WALK-A-THON FOR CYSTIC FIBROSIS FOUNDATION ON OCTOBER 28, 1989

A representative from the Cystic Fibrosis Foundation came before the Mayor and Council requesting permission to host a Walk-A-Thon on October 28, 1989 on Goodyear Blvd. Motion was made by Councilman Guy, seconded by Councilman Smith to approve said request provided route is discussed and approved by the City Manager and Police Department. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Guy, Watkins, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF DISCUSSING PEARL RIVER CITIZENS AGAINST DRUG ABUSE

Mr. Cleve Dawsey and Mr. Mack Stewart came before the Mayor and Council to present information concerning the organization "Pearl River Citizens Against Drug Abuse". Mr. Stewart stated this organization is chartered in the State of Mississippi and their commitment is to raise funds for the local police departments to help fight against drug abuse in Pearl River County. Literature was distributed to the Council and citizens in an effort to help the organization become better known and solicit funds for this worthy cause. No Council action was taken.

ORDER TO APPROVE ORDINANCE NO. 620 TO REPLACE ORDINANCE NO. 605, AS DESCRIPTION WAS INCORRECT

ORDINANCE NO. 620

AN ORDINANCE REVISING SECTION 2 OF ORDINANCE NO. 605, AN ORDINANCE VACATING A PART OF 8TH AVENUE, LOCATED BETWEEN BLOCK A CROSBY ADDITION AND BLOCK 80 WILLIAMS GOODYEAR ADDITION, CITY OF PICAYUNE, PEARL RIVER COUNTY, MISSISSIPPI.

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

1. That Section 2 of Ordinance No. 605 Shall be revised as follows:

   SECTION 2. That the City of Picayune shall retain the following described easement of drainage ditch:

   Commencing at an iron pipe at the Southwest corner of Lot 7, Block 80 of the Williams-Goodyear Addition to the City of Picayune, said point being at the Southwest corner of the Howard Smith property, said point also being on the East margin of Glenwood Street; thence South 26 degrees 20 feet 05 inches West along the East margin of Glenwood Street for a distance of 10.00 feet to the Point of Beginning; thence South 86 degrees 45 feet 29 inches East 167.64 feet to a point that is South 26 degrees 20 feet 05 inches West and 22.32 feet from an existing iron pin at the Southeast corner of the Howard Smith property; thence South 26 degrees 20 feet 05 inches West 33.47 feet to the North boundary of the Sam Massey property; thence West along the said North boundary of the Sam Massey property for a distance of 85.00 feet, more or less, to an existing iron pipe in the edge of a drainage ditch, said pipe being at the Northwest corner of the said Sam Massey

continued

ORDINANCE NO. 620 CONTINUED:

property and at the Northeast corner of the Robert Triplett property; thence North 81 degrees 26 feet 12 inches West 79.85 feet, more or less, to the East margin of Glenwood Street; thence North 26 degrees 20 feet 05 inches East along the said East margin of Glenwood Street for a distance of 30.79 feet, more or less, to the Point of Beginning, and being a part of the Northeast Quarter of the Northwest Quarter and a part of the Northwest Quarter of the Northwest Quarter all in Section 15, Township 6 South, Range 17 West in Pearl River County, Mississippi.

2. That any ordinance or section of any ordinance in conflict herewith is hereby repealed.

3. That this ordinance shall be effective thirty (30) days after its adoption by the City Council of the City of Picayune, Pearl River County, Mississippi.

ADTOPED this the 3rd day of October, 19 89.

Woody Spiers, Mayor

ATTEST:

Raymond A. Seal, City Clerk

The above and foregoing Ordinance was adopted upon motion by Councilman Guy, seconced by Councilman Watkins, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF TRANSIENT VENDORS

Mr. Paul Legarde, Picayune Chamber of Commerce, came before the Mayor and Council expressing concern over the transient vendors who come in the city selling merchandise without paying sales tax. He asked that tighter restrictions are enforced. It was the consensus of the Mayor and Council that more research is needed on this matter.

IN THE MATTER OF PROPOSAL FOR TRASH COLLECTION

Mr. Byrle Stockstill presented a proposal to the Mayor and Council for trash collection in the City. The City had recently voiced their intention of taking over the trash collection from Gulf Coast Waste. It would be necessary for the City to purchase equipment and hire additional personnel. Mr. Stockstill stated he has equipment and experience to do this type of work. Motion was made by Councilman Jones, seconded by Councilman Watkins to take the proposal presented by Byrle Stockstill under advisement. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, McQueen and Smith

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE MINUTES OF THE PLANNING COMMISSION MEETING OF SEPTEMBER 26, 1989

Motion was made by Councilman Jones, seconded by Councilman Guy, to approve the minutes of the Planning Commission meeting held on September 26, 1989. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO DENY REQUEST TO REZONE PROPERTY LOCATED ON DAVIS STREET, POST #244 JEFF WASHINGTON VFW

A public hearing was held on September 26, 1989 concerning rezoning property located on Davis Street and owned by Jeff Washington Post #244 VFW. This building was previously allowed to remain open under the grandfather clause, but has since then been closed for more than six months. Rezoning would be necessary before they could reopen. Several residents of the area spoke against the rezoning, stating this is a residential area and is zoned R-3. Motion was made by Councilman Jones, seconded by Councilman Wakins to deny the request for rezoning this portion of Davis Street. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting nay: None

Abstained and not voting: Councilman Guy

Motion was declared carried.

ORDER TO DENY REZONING REQUEST ON PROPERTY LOCATED ON ELM STREET FROM R-2 TO R-3

A public hearing was held on September 26, 1989, concerning rezoning property, located on Elm Street, behind the Pine Tree Plaza Shopping Center, and owned by R.J. Williams, from R-2 to R-3. There were no written or voiced objections at this public hearing. An apartment complex for the elderly is planned for three acres of the 6.961 acres proposed for rezoning. A group of concerned residents of the area stated they were not present for the hearing as they knew nothing about it. The hearing was held at the Criminal Justice Center as the Council met in the Council Chambers. Councilman Guy questioned the legality of holding the public hearing at another location. City Attorney Lonnie Smith, stated the public hearing was advertised as the law requires.. Motion was made by Councilman Smith, seconded by Councilman Watkins, to deny the request to rezone property on Elm Street from R-2 to R-3. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, and McQueen

Voting nay: Councilman Guy

Motion was declared carried.

ORDER TO GRANT VARIANCE FOR CALE'S FARM SUPPLY ON 211 SEAL STREET

Upon recommendation from the Planning Commission, motion was made by Councilman Watkins, to allow a 10' rear yard and a 13' front yard variance for Cale's Farm Supply, located at 211 Seal Street. This variance is needed in order for Mr. Cale to make an addition to his building. Said motion was seconded by Councilman Smith with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith McQueen and Guy

Voting nay: None

Motion was declared carried.

ORDER TO ADOPT REPORTING QUIDELINES FOR CITY-FUNDED ORGANIZATIONS

Following up the Council's request, Acting City Manager Victor J. Franckiewicz, Jr., recommended the following guidelines for any organization funded by an appropriation from the city:

1. Financial and activity reporting shall be as follows:

ANNUAL LEVEL OF SUPPORT FROM CITY	FINANCIAL REPORTING REQUIREMENTS	ACTIVITY REPORTING REQUIREMENTS
Under $1,000	Annual Expenditure Report	Annual Report
1,000 - 5,000	Annual Expenditure Report	Monthly meeting minutes, or single annual report if monthly meetings are not held.
5,000 - 10,000	Annual Financial Statement	Monthly meeting minutes, or monthly activity report if meetings are not held.

continued

REPORTING QUIDELINES CONTINUED:

ANNUAL LEVEL OF SUPPORT FROM CITY	FINANCIAL REPORTING REQUIREMENTS	ACTIVITY REPORTING REQUIREMENTS
10,000 - 15,000	Annual Review Report by a CPA	Monthly meeting minutes, or monthly activity report if meetings are not held.
15,000 - or more	Monthly Expenditure Report and Annual Audit by a CPA	Monthly meeting minutes, or monthly activity report if meetings are not held.

2. Any purchase made with city funds shall be in accordance with Title 31 of the Mississippi Code, expecially Chapter 5, dealing with Public Works Contracts and Chapter 7 dealing with Public Purchases. Generally, purchases over $500.00 require at least two competitive letter bids; purchases over $2,500.00 require sealed bids received after advertising at least once each week for two consecutive weeks.

3. Any organization receiving city funds must conduct its operations in full compliance with local ordinances and state and federal statutes. Particular attention is called to compliance with the Fair Labor Standards Act, the Equal Employment Opportunity Act., Worker Compensation laws and regulations.

For your information the following organizations would fall within the specified support levels:

Under $1,000	Mississippi National Guard Picayune Jaycees
1,000 - 5,000	Chamber of Commerce PRIDE PRCDA
5,000 - 10,000	Airport Authority South Mississippi Retardation
10,000 - 15,000	None
15,000 - or over	None

Motion was made by Councilman McQueen, seconded by Councilman Watkins to adopt the above reporting guidelines for city funded organizations, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF CREATION OF EMPLOYEE/CITY COUNCIL COMMITTEE APPOINTMENTS

Victor Francikewicz, in follow-up to the budget adoption, stated we have discussed the creation of employee/city council committee to address the issue of future raises and the ways we could go about funding that. We would recommend one employee representative from the fire, police, public works, utilities, city hall/annex and two (2) council members. Mayor Spiers appointed Councilmen Jones and McQueen to serve on said committee.

ORDER TO APPOINT CITY MANAGER AS CITY CLERK

Acting City Manager, Victor Franckiewicz, stated lay-off recommendations would designate the City Manager as city clerk under provisions of our Code of Ordinances Section 2-50. Also, a number of deputy clerks would need to be designated. Motion was made by Councilman Watkins to appoint the City Manager as city clerk, seconded by Councilman Smith, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith and Guy

Voting nay: Councilman Jones and McQueen

Motion was declared carried.

ORDINANCE NO. 621

AN ORDINANCE TO AMEND SECTION 2-50 OF THE CITY OF PICAYUNE CODE OF ORDINANCES.

BE IT ORDAINED by the Mayor and Council of the City of Picaune, Mississippi:

Part 1: That Section 2-50 of the City of Picayune Code of Ordinances be amended to read as follows:

The city clerk and treasurer of the city shall not be appointed by the City Manager, but shall be appointed by the Council, provided, however, that the Council may, in its discretion, appoint the City Manager as City Clerk and in such event may give him authority to employ not more then five deputy clerks.

Part 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Part 3: This ordinance shall be effective thirty (30) days after its adoption.

ADOPTED this the 3rd day of October, 1989.

Woody Spiers

Mayor Woody Spiers

ATTEST:

Raymond R Beal

The foregoing Ordinance was adopted upon motion of Councilman Smith, seconded by Councilman Watkins, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Larry Watkins, Kelly L. McQueen and Harvey Smith

Voting nay: Councilmen Luther T. Jones and Leavern Guy

Motion was declared carried.

IN THE MATTER OF DISCUSSION

The use of plastic pipe for culverts was discussed as a possibility for certain uses where heavy traffic and heavy vehicles are not involved. It was noted the city ordinance refers to concrete pipe only. More information will be obtained before plastic pipe will be used in this area. No Council action was taken.

ORDER TO INSTALL CULVERTS ON GILCREASE AVENUE PROVIDED PIPE IS FURNISHED; REQUESTED BY ROSELAND PARK SCHOOL PTA

Councilman Watkins stated Roseland Park School PTA has requested the City install culverts on the north end of Gilcrease Ave. as this is a hazard for the children and school buses that walk and travel this street. After discussion, it was the consensus of the Mayor and Council the culvert for project be furnished by the county. Motion was made by Councilman Watkins for the City to furnish labor and equipment to install 390 feet of 15" concrete pipe on Gilcrease Ave., provided said pipe is supplied by the county or school. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO GRANT 120 DAY EXTENSION TO CONTRACTOR, VALENTINE & LEBLANC FOR GAS IMPROVEMENT PROJECT FROM FIFTH STREET TO MITCHELL STREET

Mr. Buddy S. Broadway of Broadway Engineers presented a written request to the Mayor and Council for approval of 120 day extension of time for contractor, Valentine and LeBlanc, in order to complete the gas improvements from 5th Street to Mitchell Street. In a letter to Broadway from Valentine and LeBlanc, the reasons for requesting an extension are:

1) At the beginning of this project the unusually wet summer caused very slow progress.

2) Mississippi State Highway Department inspector held us up on bore.

3) Congested utilities in alley parallel to US Hwy 11 and additional services slowed progress considerably.

Motion was made by Councilman Guy, seconded by Councilman Jones to grant extension of 120 days for Valentine and LeBlanc to complete the gas improvements from 5th St. to Mitchell St. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy and Smith

Voting nay: None

Absent and not voting: Councilman McQueen (stepped out of room)

Motion was declared carried.

ORDER TO APPROVE VENDORS FOR SEMI-ANNUAL SUPPLIES

Purchasing Agent, Reggie Frierson, presented recommendations to the Mayor and Council for the lowest and best bids to furnish semi-annual supplies for a period of six months, Motion was made by Councilman Smith, seconded by Councilman Watkins to approve the recommendations of the Purchasing Agent for semi-annual supplies of household supplies, office supplies, gas & oil, chemical supplies, asphalt mix and concrete pipe. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy and Smith

Voting nay: None

Absent and not voting: Councilman McQueen (stepped out of room)

Motion was declared carried.

ORDER TO POSTPONE DECISION ON BIDS FOR TRASH TRUCKS, TRUCK CHASIS AND GARBAGE BAGS.

Motion was made by Councilman Smith, seconded by Councilman Watkins to postpone action on flat-bed trash body and truck chasis and garbage bags. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Jones, Guy and Watkins

Voting nay: None

Absent and not voting: Councilman McQueen (stepped out of room)

Motion was declared carried.

ORDER TO ADVERTISE FOR BID PROPOSALS FOR REUSE APPRAISAL SERVICES IN THE WEST SIDE REDEVELOPMENT AREA

To dispose of the redeveloped sites within the West Side Redevelopment Area, it is necessary to obtain a final appraisal of each site. Motion was made by Councilman Guy to advertise for Reuse Appraisal Services as follows:

NOTICE FOR BIDS

The City of Picayune will accept sealed bid proposals for Reuse Appraisal Services of redevelopment sites in the West Side Redevelopemnt Area, Community Development Block Grant Program number 7-99-133-CN-02.

Bid proposals should state compensation to be paid for appraisal of each lot and include a brief resume of the appraiser's qualification, work experience.

For detailed description of appraisal requirements contact Barbara McGrew, City Hall, 798-9778.

Qualified appraisers are invited to submit proposals, in accordance with this request, to the City of Picayune, 203 Goodyear Blvd., Picayune, MS, 39466, not later than 3:00 p.m., November 1, 1989. Bids will be opened and read on November 1, 1989 at 4:00 p.m. or shortly thereafter.

The Mayor and Council reserve the right to reject any or all proposals, and to waive any irregularities or informalities in the proposal process.

The City of Picayune is an Equal Opportunity Employer.

Victor Franckiewicz,
Interim City Manager

continued

ADVERTISEMENT CONTINUED

Motion was seconded by Councilman Watkins, to advertise for proposals to be received by November 1, 1989. Recommendations will then be presented to the Mayor and Council on November 7, 1989. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, and Smith

Voting nay: None

Absent and not voting: Councilman McQueen (stepped out of room)

Motion was declared carried.

ORDER AUTHORIZING MAYOR TO SIGN QUITCLAIM DEED TO JAMES B. WATTS

Motion was made by Councilman Smith, seconded by Councilman Watkins authorizing Mayor Spiers to sign a quitclaim deed to James B. Watts for 1986 taxes matured to the city in the amount of $94.36 . The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR TO SIGN QUITCLAIM DEED TO ROBERT BARNES

Motion was made by Councilman Smith, seconded by Councilman Watkins authorizing Mayor Spiers to sign a quitclaim deed to Robert Barnes for 1986 taxes matured to the city in the amount of $124.91. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR TO SIGN QUITCLAIM DEED FOR TINA W. WESTBROOK

Motion was made by Councilman Smith, seconded by Councilman Watkins authorizing Mayor Spiers to sign a quitclaim deed to Tina W. Westbrook for 1986 taxes matured to the city in the amount of $64.62. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Jones, Guy, Watkins and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR TO SIGN QUITCLAIM DEED TO CLARENCE BERRY

Motion was made by Councilman Smith, seconded by Councilman Watkins authorizing Mayor Spiers to sign a quitclaim deed to Clarence Berry for 1986 taxes matured to the city in the amount of $82.69. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Jones, Guy, Watkins and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF LICENSE FOR PETS

A concerned resident came before the Mayor and Council stating that he was number #38 to obtain a license for his pet for $5.00. He stated if more people purchased these license at $5.00 each, then more money would be available to serve the animal shelter. Mayor Spiers suggested this matter be on the agenda for the next meeting and requested a copy of Ordinance #612 on animal control.

ORDER TO RECESS

Motion was made by Councilman Jones, seconded by Councilman Guy to recess until Tuesday, October 17, 1989 at 6:00 p.m.

APPROVED:

MAYOR WOODY SPIERS

ATTEST:

TAPE NO. 51 and 52

October 10, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Pearl River County, Mississippi, met in the Council Chambers at City Hall in said City, October 10, 1989 at 6:00 p.m., pursuant to waiver of notice and consent to so meet duly signed and executed by each and every member of the said Council, including the Mayor, in accordance with the provisions of the law, ordered spread upon these minutes and filed for record with the following officials present: Mayor Woody Spiers; Councilmen Luther T. Jones, Leavern Guy, Harvey Smith, Larry Watkins and Kelly L. McQueen: Interim City Manager, Victor Franckiewicz.

It Being Determined a quorum was present, the Mayor declared the meeting open and the following proceedings were held.

NOTICE AND CONSENT TO SPECIAL MEETING

Councilman Luther T. Jones
Councilman Larry Watkins
Councilman Leavern Guy
Councilman Harvey Smith
Councilman Kelly L. McQueen

You are HEREBY NOTIFIED that a special meeting of the Mayor and City Council is called to meet in the Council Chambers, Tuesday, October 10, 1989 at 6:00 p.m. to discuss decision on trash collection and City Clerk supervisory responsibilities.

Mayor Woody Spiers

Councilman Larry Watkins

Councilman Luther T. Jones

Councilman Harvey Smith

Councilman Kelly L. McQueen

Councilman Leavern Guy

ORDER FOR THE CITY TO PROCEED WITH TRASH COLLECTION AND AWARD BIDS FOR FLAT BED BODIES AND TRASH TRUCKS

Mr. Byrle Stockstill came before the Mayor and Council to discuss his proposal for contracting trash collection for the city. Mr. Stockstill stated his cost would be $3.80 per household. Victor Franckiewicz stated the city's cost, if they resume trash collection, would be $2.50 per household. After a lengthy discussion on what would be best for the city residents, motion was made by Councilman McQueen, seconded by Councilman Watkins to proceed with plans for the city to begin trash collecion and accept recommendations from the Purchasing Agent to accept bids from Lambert Distributors, Inc. for two (2) flat bed trash bodies for a total cost of $8,978.00 and from McMullan Equipment Company for two (2) diesel trash trucks at a total cost of $38,946.86. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones and McQueen

Voting nay: Councilman Guy

Abstained and not voting: Councilman Smith

Motion was declared carried.

IN THE MATTER OF CITY CLERK SUPERVISORY RESPONSIBILITIES

Acting City Manager, Victor Franckiewicz left the meeting at this time. Councilman McQueen stated basically we need a management-accounting type of person in the annex, someone with a strong back ground in accounting that could provide financial information as well as assist people at the counter on the tax and utility side as needed. McQueen stated other positions would have to be eliminated to make room for this person. Both Councilman Jones and Guy agreed that letting other personnel go would cut down on services to the people. Jones added this would also add an undue burden on remaining personnel without additional pay. Councilman Guy stated that 4 years ago when the city clerk position came up, a strong back ground in accounting was in the qualifications but was not considered when the city clerk was hired. Mayor Spiers stated we need employees who will provide the service for the people. He said the city is not in business to make jobs but to serve the people and the city manager will have to decide how best to supply these services at the least expense. It was the consenus of the Mayor and Council that Mr. Franckiewicz look at the reorganization again and make recommendations, and that all Councilmen talk to the auditors for their suggestions.

ORDER TO RECESS

Motion was made by Councilman Jones, seconded by Councilman Guy to recess until Tuesday, October 17, 1989 at 6:00 p.m.

APPROVED: Woody Spiers

Mayor Woody Spiers

ATTEST:

TAPE NO. 89-53

October 17, 1989

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 in the Council Chambers at City Hall in regular session Tuesday, October 17, 1989, at 6:00 p.m., with the following officials present: Mayor Woody Spiers, Councilmen Larry E. Watkins, Luther T. Jones, Harvey Smith, Leavern Guy and Kelly L. McQueen; Interim City Manager, Victor Franckiewicz; City Attorney, Lonnie Smith.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

The opening prayer was given by Councilman Luther T. Jones, followed by the pledge of allegiance.

ADOPTED PROCLAMATION DECLARING OCTOBER 22 - 29, 1989 AS NATIONAL RED RIBBON CAMPAIGN WEEK

Linda Malone, a representative of P.R.I.D.E., came before the Mayor and Council seeking their support and participation for the National Red Ribbon Campaign October 22 - 29, 1989. Red ribbons were given out to the Mayor and Council as a UNIFIED VISIBLE sign of an OUTWARD COMMITMENT for the creation of a DRUG-FREE AMERICA. Motion was made by Councilman Guy, seconded by Councilman Smith, to adopt a Proclamation in observance of National Red Ribbon Campaign Week. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE MINUTES OF AUGUST 1, 1989 AND AUGUST 10, 1989 COUNCIL MEETINGS

Motion was made by Councilman Jones, seconded by Councilman Smith, to approve minutes of council meetings on August 1, and August 10, 1989. Said minutes are found in minute book 21, pages 304 through 329 on file in the office of the City Clerk. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO RESCIND MOTION TO LOCATE VETERANS' MEMORIAL AT GAZEBO

President Cheryl Smith of the Women's Career Club came before the Mayor and Council to give a progress report on the Veterans' Memorial activities and requested to change the site of the proposed monument from the gazebo to the circular area in front of City Hall. Smith stated the Greater Picayune Area, Inc. has adopted a resolution stating it will match dollar for dollar, up to $15,000, any funds the club raises for the memorial. Motion was made by Councilman Smith, seconded by Councilman McQueen to rescind the motion on July 18, 1989 to place the veterans memorial at the gazebo. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ALLOW VETERANS' MEMORIAL TO BE PLACED IN FRONT OF CITY HALL

Motion was made by Councilman Smith, seconded by Councilman McQueen to place the veterans' memorial on the circular area in front of City Hall. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Jones, Guy, Watkins and McQueen

Voting nay: None

Motion was decalred carried.

P R O C L A M A T I O N

WHEREAS, American Energy Month, first organized in 1981, is dedicated to promoting a better understanding of the need for continuing development of all the nation's energy resources and technoligies in order to assure greater energy security for America; and

WHEREAS, the theme of American Energy Month '89 is "Energy Builds A Better America"' and

WHEREAS, the citizens of Picayune are urged to become involved in activities and initiatives recognizing the vital need to promote the prudent management and responsible development of energy resources to ensure a prosperous and secure future.

NOW, THEREFORE, I Woody Spiers, Mayor of Picayune, Mississippi, do hereby proclaim OCTOBER, 1989, ENERGY AWARENESS MONTH IN PICAYUNE, and encourage all citizens to honor this observance.

NONE this the 17th day of October, 1989.

Woody Spiers

Woody Spiers, Mayor

ATTEST:

ENERGY PROCLAMATION CONTINUED:

Motion was made by Councilman Smith, seconded by Councilman Guy to adopt the above and foregoing Proclamation on American Energy Month.

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Coucilmen Watkins Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO AMEND GULF COAST CONTRACT

Interim City Manager, Victor Franckiewicz, stated a formal motion is needed to make two (2) revisions in the Gulf Coast Waste Contract. One will be to reduce the per unit charge to $4.31 and the other will be to delete all trash collections references from the contract. Motion was made by Councilman McQueen that we ask the City Manager and City Attorney to prepare the amended contract that would be effective November 1, 1989; that Gulf Coast Waste be notified that we intend to amend their contract on November 1, 1989 for the city to take over the trash collection provided the city is cleaned as per their agreement and that said contract will be acted on November 7, 1989, retroactive to November 1, 1989. Motion was seconded by Councilman Watkins with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO PROCEED WITH PROCESS OF AMENDMENTS TO TWO ORDINANCES

Interim City Manager, Victor Franckiewicz, brought before the Mayor and Council ordinance revisions for referral to the Planning Commission. Motion was made by Councilman Watkins, seconded by Councilman McQueen to proceed with referral of two ordinance revisions; one to prohibit flat roofs on public buildings; and one to add restrictions on bulk trash collection (pulpwood and contract work, lot clearing, etc. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy and Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF ANIMAL ORDINANCE

Police Chief Freddie Drennan stated that the present animal ordinance presents problems in that it can not be enforced in a way that would be equal to everyone. He stated the animal shelter not only serves the city but also the county. Councilman McQueen suggested that a record be kept of all the things we do that effects not only people in the city but also in the county and at a later date present this to the Board of Supervisors for some type of reimbursement. It was the consensus of the Mayor and Council to have Franckiewicz review the present ordinance and make recommendations at January 17, 1990 meeting.

IN THE MATTER OF APPOINTING HOUSING AUTHORITY MEMBER

Housing Authority member Mr. R.B. Vaughn's term will expire November 1, 1989. This is a five year term. Mrs Davis at the Housing Authority recommends reappointment of Mr. Vaughn. Councilman Guy requested this matter be postponed.

Interim City Manager, Victor Franckiewicz left the meeting at this time.

ORDER TO ACCEPT THE BID FROM POLYFLEX M FOR GARBAGE BAGS AND REJECT BID FROM DIBS CHEMICALS

Purchasing Agent Reggie Frierson stated two (2) bids were submitted for garbage bags as follows:

Polyflex M	52 bags per roll @$3.67
Dibs Chemicals	50 bags per roll @$2.99

Frierson recommended the bid from Polyflex M @ $3.67 be accepted and the bid from Dibs be rejected as their bid did not meet specifications. Their bags were thinner plastic and 50 per roll rather than 52 per roll as we required. Motion was made by Councilman Guy, seconded by Councilman Smith to accept the bid from Polyflex M in the amount of $3.67 and reject the bid from Dibs Chemicals. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Jones, Guy and McQueen

Voting nay: Councilman Watkins

Motion was declared carried.

ORDER TO POSTPONE DECISION ON MOORE AND POWELL, CPAS', ENGAGEMENT LETTER

Auditors, Moore and Powell, submitted their engagement letter to the Mayor and Council. Said letter included auditing procedures and a base estimated fee of $22,519. This fee will include additional charges if significant additional time is necessary to complete the audit for the year ended September 30, 1989. Motion was made by Councilman McQueen, seconded by Councilman Smith, that a closed-end figure on the fee as opposed to the open-ended contract is discussed and also consider a four (4) year contract at the next council meeting. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR TO SIGN A QUITCLAIM DEED FOR EVA TOOTLE FOR 1985 and 1986 TAXES MATURED TO THE CITY

Motion was made by Councilman Smith, seconded by Councilman McQueen, authorizing Mayor Spiers to sign a quitclaim deed for Eva Tootle for 1985 and 1986 taxes matured to the city in the amount of $253.97. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ACCEPT CHANGES TO THE PERSONAL PROPERTY LAND ROLL FROM PEARL RIVER COUNTY TAX ASSESSOR/COLLECTOR FOR 1988 TAXES

The following changes to the 1988 land roll for personal property taxes was submitted by the Pearl River County Tax Assessor/Collector:

OUT OT BUSINESS	DECREASE
Aquarius Water Bed, and Acces	408
ATV Cycle Shop	968
Batter Box	349
Body Shop	3251
Bright Beginnings	256
Bud's Used Cars	1052
CDR Snow Cone Stand	658
Cards and Gifts	4200
CBL and Assoc. Inc.	588
Chelpea's	7559
Coffee Distributors	34
Connie's Hair Shop	143
Coline's Beauty Shop	181
Country Bridal	7618
Country Stuff Antiques	149
The Crystal Rose	1431
Decimus Corp	44
Dexter's Place	142
Dixie Land Buy & Sell Auto Parts	203
Double SS Riding Ranch Inc.	1329
Earl Grissmer CC.	244
F & B Contractors	526
Finery from Farris	924
Furniture by Appointment	3820
G & B Contractors	458
George Pop A Top	254
Georgianna Apts.	347
Gipson, Del	167
Gloria's Fabrics	1059
Gray, Cary F. Dr.	360
Guy's and Doll's	341
Heads up Hair and Boutique	608
Hometown Cards and Gifts	1833
Household Research	90
House of Interiors	732
Hub Refrigeration and Fixture	25
Huey's Farm and Garden Center	3323
Interstate Battery	188
Joy's Place	831
ITT Commercial Finance	390
La Vision Chateau Inc.	1311

continued

CHANGES TO THE 1988 PERSONAL PROPERTY LAND ROLL CONTINUED:

OUT OF BUSINESS	DECREASE
Le Jean Bath and Linen	1380
Lighting by Georgia	1625
Liquid Carbonic	1461
Liquid Carbonic	17
Liquid Carbonic	74
Liquid Carbonic	203
Liquid Carbonic	86
Mae's Ceramics	721
Mars Motors	4025
McGraw Hill	71
McGraw Hill	50
Miss. Co. Leasing	58
Moore and Nixon	861
New York Life Ins.	52
Nicholson One Stop	5446
Ole Filling Stations	10395
Onna Lee	160
Pearl River Oil Co.	39
Phillips-Doby Security Sys.	45
Pine Tree Plaza	579
Pit Stop, The	182
Playhouse	1191
Pops and Pans Restaurant	870
Quality Interiors	443
Regal Vans	8178
Ryan Realty Co.	930
SD Leasing	194
SD Leasing	197
Seal's Breakfast and Steak House	2419
Self Expressions	1380
Service Finance	626
Shelly's Styling Salon	245
Simpson, Terrell	814
Simpson, Terrell	351
Smith Music	1714
Smith's Fabrics	1058
St. Tammany Amus. And Rec.	351
Steve Furniture	1309
Terrel Simpson	814
Terrell Simpson	855
Tom Henning	714
Uncle Bob's Cafe	367
United Press International	2548
Valley Forge Parts	75
White Rose Cafe	119
Whitfield Tile and Marble	687
Whitfield Service and Supply Co.	847
Williams, R.J.	525
Yester Year Antiques	644
	106,389

Motion was made by Councilman McQueen, seconded by Councilman Watkins to accept the above changes for the 1988 personal property land roll from the Pearl River County Tax Collector/Assessor. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

COMMUNITY DEVELOPMENT REQUEST SEMI-MONTHLY APPROVAL OF WARRANTS FOR CDBG PROJECTS

Barbara McGrew, C.D. Director, stated in order to meet the State Department of Community Development targeted date for completion, July 31, 1990, of 1987 CDBG projects, it is necessary for having warrants signed during the month on an as need basis. It was the consensus of the Mayor and Council that the recommendation by Acting City Manager, Victor Franckiewicz to approve payments for the real estate transactions for that period at each Council meeting would eliminate a time barrier. No further action is needed.

ORDER TO EXTEND CONTRACT FOR WEST SIDE REDEVELOPMENT PROJECT

The contract ending date for the West Side Redevelopment Project was September 30, 1989. Motion was made by Councilman McQueen, seconded by Councilman Guy authorizing the contract be extended until July 31, 1990. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO NEGOTIATE WITH PROPERTY OWNERS FOR EASEMENTS FOR SUB-SURFACE DRAINAGE

Barbara McGrew, Community Development Director, requested authorization to negotiate with property owners, based on appraisal recommendations, to obtain easement for sub-surface drainage in the West Side Redevelopment Area. Motion was made by Councilman Guy, seconded by Councilman Jones, to authorize said negotiations. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ENTER INTO EXECUTIVE SESSION

Upon motion by Councilman Smith, seconded by Councilman McQueen, and unanimously carried, the Mayor and Council will now enter into Executive Sesssion to discuss personnel matters.

Executive Session followed, at the conclusion of which the Mayor and Council returned to regular session. Mayor Spiers stated that during their session, they unanimously voted to offer the position of City Manager to an applicant who will be contacted tomorrow.

RECESSED MEETING OF OCTOBER 17, 1989

ORDER TO ADJOURN

Motion was made by Councilman McQueen, seconded by Councilman Smith to adjourn until 4:00 p.m. on Tuesday, November 7, 1989.

APPROVED:

MAYOR WOODY SPIERS

ATTEST:

TAPE NO. 89-54 & 55

November 7, 1989

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 in the Council Chambers at City Hall in regular session Tuesday, November 7, 1989, at 6:00 p.m., with the following officials present: Mayor Woody Spiers; Councilmen Larry E. Watkins, Luther T. Jones, Leavern Guy, Harvey Smith and Kelly L. McQueen; City Attorney, Lonnie Smith.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

The opening prayer was given by Councilman Luther Jones, followed by the pledge of allegiance.

ORDER TO ACCEPT MINUTES OF PEARL RIVER COUNTY AIRPORT BOARD

Motion was made by Councilman McQueen, seconded by Councilman Smith to accept the minutes of the Pearl River County Airport Board for their meeting held on October 12, 1989. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Smith, Watkins, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE DOCKET OF CLAIMS FOR MONTH OF OCTOBER, 1989

Councilman Smith inquired about claim to Gulf Coast Waste and Disposal. Street Superintendent, Bobby Kelly, stated he was satisfied with the city being clean at this time. Therefore payment to GCW was approved. Councilman Jones inquired about claim #558 to Judge R.R. Seal, Justice Court Judge. City Attorney, Lonnie Smith, stated that Judge Seal could assist as Judge Pro-tem. Motion was made by Councilman Guy, seconded by Councilman Smith, to approve the docket of claims for the month of October, 1989 as follows:

CLAIMS NO. 1 - 599

FUND NAME	AMOUNT
General Fund	$ 371,802.23
Library Fund	1,417.85
CDBG West Side Redevelopment	59,800.38
UD A G Majestic Inn Rental	25,300.00
Capital Projects Fund	263,805.78
Special Capital Projects	47,000.00
Utility Fund	1 193,014.62
Invoices Payable as of 9-30-89	18,779.13
Intragovernmental Service Fund	128,438.49
Unemployment Compensation Trust Fund	31,300.00
Tax Collector Fund	139,134.55
Palestine Cemetery Trust Fund	260,200.00
DOCKET TOTALS:	$2,539,993.03

continued

DOCKET OF CLAIMS CONTINUED:

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Guy, Jones, Smith, Watkins and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO GRANT PARADE PERMIT FOR DR. MARTIN LUTHER KING, JR. PARADE IN JANUARY, 1990

Van Bolden, President of NAACP, requested a parade permit for January 13, 1990 or January 20, 1990. The actual date would depend on when the Alcorn State University Band would be available to march in said parade. Motion was made by Councilman Guy, seconded by Councilman Jones to grant a parade permit for Dr. Martin Luther King, Jr. parade on January 13, or January 20, 1990 as requested. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Guy, Watkins, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE PERMIT FOR CHRISTMAS PARADE ON DECEMBER 4, 1989

Mayor Spiers presented a letter from the Civic Woman's Club requesting permission to have the annual Christmas Parade on Monday, December 4, 1989. Motion was made by Councilman Smith, seconded by Councilman Watkins to approve their request for the parade on December 4, 1989. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO WAIVE FEE FOR CARNIVAL DURING FALL FEST AND APPROVE STREET CLOSING FOR ARTS AND CRAFTS

Robert Thigpen came before the Mayor and Council requesting two streets be closed around the City Hall for arts and crafts during the fall fest on November 18, 1989. He also requested approval for a carnival to be set up in the parking lot of Picayune Shopping Center. Councilman McQueen suggested the carnival locate on Highway 43 South where more parking space is available. Mr. Thigpen stated he would make these arrangements if possible. Motion was made by Councilman McQueen, seconded by Council Smith to grant request to close streets on November 18, 1989 and waive fee for the carnival provided it is held in another area other than the Picayune Shopping Center. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, McQueen and Smith

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE AMENDED CONTRACT WITH GULF COAST WASTE AND DISPOSAL

The city began trash collection on November 1, 1989, leaving Gulf Coast Waste with garbage collection only. Amending their contract to remove trash collection, retroactive to November 1, 1989 was approved upon motion by Councilman McQueen, seconded by Councilman Smith. Councilman Guy stated he opposed the increased fee for trash collection which will be charged to the residents. The following roll call vote was recorded. Said contract is on file in the City Manager's office.

Voting yea: Mayor Spiers, Councilman Watkins, Jones, Smith and McQueen

Voting nay: Councilman Guy

Motion was declared carried.

ORDER TO ENTER INTO AGREEMENT WITH CROSBY MEMORIAL HOSPITAL FOR THE PREFERRED CUSTOMER SERVICE PROGRAM

Mr. Tim Crowley, with Crosby Memorial Hospital, stated they have established preferred customer service program for businesses and industries in our community. This program will write-off up to 50% deductible amount on the City's insurance carrier, Connecticut General. Crowley stated they have a cradle club as well as many other benefits available under this program. He stated Forrest General Hospital in Hattiesburg will honor all discounts offered by Crosby Memorial Hospital under this program. Councilman Guy suggested that #5B, employer is responsible for pick-up of preferred customer cards from terminated employees, be removed. Mr. Crowley was in agreement with this. After more discussion, Mayor Spiers asked Mr. Crowley if he would like for the city to notify him when the details are worked out. Mr. Crowley stated he would be satisfied to sign the agreement tonight with the changes discussed and tomorrow if your employee comes in, they will be covered. Motion was made by Councilman McQueen that the city enter into an agreement for preferred customer service and Crosby Memorial Hospital contingent upon the city attorney reviewing the agreement. The motion was seconded by Councilman Smith, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Guy, Jones, Watkins, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE FY 89 AUDIT PROPOSAL FROM MOORE AND POWELL, CPAS

At a previous meeting the audit proposal from Moore and Powell was delayed because their proposal did not have a firm fixed price and because there were some concerns about the audit being completed on time. Mayor Spiers and Vic Franckiewicz, Acting City Manager, met with Tom Tucei to discuss these issues. Mr. Tucei has agreed to a fixed price of $22,519 and completion date (report issued) of January 15, 1990. Motion was made by Councilman McQueen to accept said proposal, seconded by Councilman Jones. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith, and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ACCEPT MINUTES FROM PLANNING COMMISSION MEETING HELD OCTOBER 31, 1989

Motion was made by Councilman Smith, seconded by Councilman Jones to accept minutes from the Planning Commission meeting held on October 31, 1989. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Jones, Guy, Watkins and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE HOME OCCUPATION FOR MRS. LEAVERN GUY AT 404 BRUCE ST.

Motion was made by Councilman Smith, seconded by Councilman Watkins, to accept the recommendation from the Planning Commission to issue a home occupation license to Mrs. Leavern Guy to operate a mail order business from her home, located at 404 Bruce Street. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, and McQueen

Voting nay: None

Abstained and not voting: Councilman Guy

Motion was declared carried.

ORDER TO APPROVE HOME OCCUPATION FOR MRS. SUE WATTS, 2801 COOPER RD.

Motion was made by Councilman Smith, seconded by Councilman Watkins, to accept the recommendation from the Planning Commission to issue a home occupation license to Mrs. Sue Watts to operate a telephone order business from her home, located at 2801 Cooper Road. Product will be shipped directly to the customer and there will be no stock in trade. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE A DRIVE-THRU OIL CHANGE BUILDING AT HIGHWAY 43 SOUTH AND S. HAUGH AVE.

A request to place a drive-thru oil change building on property located at Highway 43 South and S. Haugh Ave. was recommended for approval in this C-3 zone provided service for any vehicle is done in an enclosed building and also recommended all vehicles enter the building from the back side and exit to the main street in front of the building, to cut down on traffic congestion. Motion was made by Councilman Smith, seconded by Councilman McQueen, to accept the recommendation from the Planning Commission to allow the construction of a drive-thru oil change building on property at Highway 43 South and S. Haugh Ave. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Smith, Guy, Watkins and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF PUBLIC HEARING SET FOR NOVEMBER 28, 1989 CONCERNING FLAT ROOFS

After a request from the Mayor and Council concerning flat roofs on public buildings, the Planning Commission set the date of November 28, 1989 to hold a public hearing concerning an amendment to the Building Code eliminating flat roofs on all public buildings, also the roof pitch which would allow better drainage will be discussed. No Council action was taken at this time.

IN THE MATTER OF APPOINTMENT TO THE PICAYUNE HOUSING AUTHORITY BOARD

Motion was made by Coucilman McQueen, seconded by Councilman Watkins, to reappoint Mr. R.B. Vaughn to a position on the Picayune Housing Authority Board. Councilman Guy stated he has a nomination for this position but board meetings are at a time that is not appropriate for him. Councilman Guy requested Mayor Spiers contact Mrs. Davis to discuss changing their meeting time. The following roll call vote was recorded to Councilman McQueen's motion.

Voting yea: Mayor Spiers, Councilmen Watkins and McQueen

Voting nay: Councilmen Smith, Jones and Guy

Motion was not carried.

IN THE MATTER OF PUBLIC HEARING
RE: DILAPIDATED BUILDING - Mr. R.C. GRIFFITH

This being the date set for a public hearing to determine if the slum condition of a building on property owned by R.C. Griffith, located on the corner of South Monroe and Fifth Street, constitutes a menace to the community. After discussion, it was the consensus of the Mayor and Council to declare said building a menace to the public health and safety of the community. Motion was made by Councilman Jones and seconded by Councilman Smith to allow property owner thirty (30) days to bring the building up to code, or demolish. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF PUBLIC HEARING
RE: DILAPIDATED BUILDING - EXQUISITO SERVICES

This being the date set for a public hearing to determine if the slum condition of a building on property owned by Exquisito Services, located at 814 E. Canal Street, constitutes a menace to the community. After discussion, it was the consensus of the Mayor and Council to declare said building a menace to the public health and safety of the community. Motion was made by Councilman Jones and seconded by Councilman Smith to allow property owner thirty (30) days to being the building up to code, or demolish. The following

PROPERTY CLEAN-UP CONTINUED:

roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING ADVERTISEMENT FOR BACKHOE AND SEWER PUMPS

Motion was made by Councilman Smith, seconded by Councilman Watkins to advertise for a backhoe with an expendable boom for the gas department, and two (2) self priming horizontal centrifugal pumps to be placed at the Beech Street and Highway 11 North stations. Both are budgeted items. Bids are due in by Wednesday, November 29, 1989. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Guy, Watkins, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF ADDITIONAL FUNDS NEEDED TO COMPLETE WORK ON THE GAS IMPROVEMENT PROJECT

Buddy Broadway, Engineeer, gave a brief report on the status of the gas system improvement project. He reported the Public Service Commission was well pleased with the progress. According to Broadway, the project has spent $99,139.50 of the contracted amount of $106,707.50, leaving $7,568. Broadway stated an additional $12,900.95 is needed to finish the project, reasons being additional customers located after plans were drawn up and the boring method implemented rather than trenching as was contracted for. In the absence of Acting City Manager, Vic Franckiewicz, it was the consensus of the Mayor and Council that Mr. Broadway meet with him concerning obtaining said additional funds.

Broadway stated another slight increase in the project was the alley way between Hancock Bank and Smith, Smith, Tate and Cruthirds'offices. This is a heavy drop-off there which was not included in the original proposal. After we started, the contractor make one attempt in that area and was very successful with it, so we tied that loop in, which makes for better distribution.

ORDER AUTHORIZING PAYMENT OF $4,320.00 TO WEATHERPROOF SERVICES FOR REPAIRS TO CRIMINAL JUSTICE CENTER ROOF

Motion was made by Councilman Smith, seconded by Councilman Jones to approve payment of $4,320.00 to Weatherproof Services for repairs to the Criminal Justice Center roof, although the work did not completely stop the leaks. Reggie Frierson, Purchasing Agent, stated the original price of the contract was $4,120.00 plus repairs to a 10 X 20 ft. area in the amount of $200.00 on September 19, 1989. The following roll call vote was recorded: All votes YEAS.

ORDER TO APPROVE RE-USE APPRAISAL BIDS FOR WESTSIDE REDEVELOPMENT AREA

Barbara McGrew, Community Development Director, stated the bids for re-use appraisal services of redevelopment sites in the Westside Redevelopment Area have been reviewed. The proposals received were as follows:

SUMMARY

BIDDER	AMOUNT/Parcel
Jimmy Loe/ Loe Realty	$100.00
Preston Lott/Appraisal Services	125.00
Don Ginn/Appraisal LTD	125.00
Andy Cooper/Cooper Associates	140.00

McGrew stated in establishing re-use appraisals a minimum of two appraisals is required on each parcel. With the lowest bid being $100.00 per parcel, the remaining three appraisers were contacted to see if they would consider doing the appraisals for $100.00 per parcel. They all agreed. Motion was made by Councilman Smith, seconded by Councilman Jones to approve the lowest bid of $100.00 as recommended by Barbara McGrew. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, and Smith

Voting nay: Councilman McQueen

Motion was declared carried.

ORDER TO ESTABLISH RE-USE VALUE ON WEST SIDE PROPERTIES

Barbara McGrew, Community Development Director, recommended we establish Fair Market Value of the West Side Properties as follows:

Parcel No.	Amount
6.21	$2,500.00
Easement (Lot 5, Block D)	$3,000.00

Motion was made by Councilman Guy, seconded by Councilman Jones to approve the recommendation of Barbara McGrew for Fair Market Value of West Side Properties. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPROVE USE OF NEIGHBORHOOD PARK RESIDUAL FUNDING

Upon recommendation from Barbara McGrew, motion was made by Councilman Jones, seconded by Councilman Guy to approve the Use of Neighborhood Park Residual Funding. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Guy, Smith, Watkins and McQueen

Voting nay: None

Motion was declared carried.

ORDER AUTHORIZING MAYOR TO SIGN A REQUEST FOR NINETY DAY EXTENSION FOR COMPLETION DATE ON NEIGHBORHOOD PARKS

Barbara McGrew stated that since the October 17, meeting we have been advised by the Department of Wildlife, Fisheries and Parks that they will grant us an extension for the completion of the Neighborhood Parks Project. Motion was made by Councilman Jones, seconded by Councilman Guy authorizing Mayor Spiers to sign a request for a ninety (90) day extension, thereby establishing March 31, 1990 as the completion date. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Guy, Watkins and McQueen

Voting nay: None

Absent and not voting: Councilman Smith (stepped out of room)

Motion was declared carried.

ORDER TO ADVERTISE FOR MATERIALS NEEDED FOR JOGGING TRAIL AT CARVER PARK AND EQUIPMENT FOR PARKS (ASPHALT, BENCHES, WATER FOUNTAINS)

Motion was made by Councilman Guy, seconded by Councilman Jones authorizing Barbara McGrew to advertise for needed materials to complete the jogging trail at Carver Park and equipment needed for all parks. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ACCEPT DISALLOWANCE OF HOMESTEAD EXEMPTIONS BY STATE

Motion was made by Councilman Jones, seconded by Councilman Watkins to accept disallowance of Homestead Exemption by Mississippi State Tax Commission as follows:

Nixon, Roger Dale
Davis, Elmer Jr.
Siebenkittel, Don
Tucker, Connie S.
Spiers, Samuel C.
Ryals, John H. Jr.
McQueen, Alva Nell
Lott, Joel Stephen
Houston, John W.
Guy, Evon S.
Geraci, Arasino Jr.
Brown, Rosa Breland

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, McQueen and Smith

Voting nay: None

Motion was declared carried.

ORDER TO OBJECT TO DISALLOWANCE OF HOMESTEAD EXEMPTION BY STATE

Motion was made by Councilman Jones, seconded by Councilman Smith to object to disallowance of Homestead Exemption by Mississippi State Tax Commission on the following:

Landrum, Justina
Seal, Rufus Ray

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Waktins, Smith, Jones and McQueen

Voting nay: None

Abstained and not voting: Councilman Guy

Motion was declared carried.

ORDER TO APPROVE CHANGES TO THE 1989 LAND ROLL AS SUBMITTED BY PEARL RIVER COUNTY TAX ASSESSOR/COLLECTOR

Motion was made by Councilman Smith, seconded by Councilman Jones to approve a change to the 1989 land roll as submitted by the Pearl River County Tax/Assessor as follows:

Harvey, Lewis Out side-decrease 3426

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Guy, Smith, Watkins and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF FOUR (4) PROJECTS THE CITY PLANS TO COMPLETE

Four (4) projects were discussed as having been approved by Council and now need to be completed. Water line to Rainbow Vans East of I-59, Cooper Road off of Highway 43 North, the Library roof and Criminal Justice Center roof are the projects discussed. Mayor Spiers stated he would meet with Vic Franckiewicz, Acting City Manager, to finalize starting date on said projects.

ORDER TO PREPARE RESOLUTION SUPPORTING ASRM PROJECT AT NASA TEST FACILITY

Mr. Ted LaMunyon and Mr. Henry F. Auter came before the Mayor and Council seeking over-all support of the ASRM project at the NASA Test Facility. They stated we should rely on the integrity of the Mississippi Bureau of Air and Pollution Control and sufficient investigation by the Environmental Protection Agency to insure health and safety to the people in our community. After discussion, motion was made by Councilman Jones, seconded by Councilman McQueen to prepare a resolution in support of the ASRM project to be presented at the next Council meeting. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

REGULAR MEETING OF NOVEMBER 7, 1989

IN THE MATTER OF COMPLAINTS CONCERNING SCHOOL BUSES

Police Chief, Freddy Drennan, came before the Mayor and Council stating he had received a number of complaints concerning school buses being passed while they are stopped. He asked that an article be put in the newspaper concerning this. The traffic tickets are set at $260.00 by the Judge. Drennan stated we must get a message to the people somehow before a child gets hurt.

IN THE MATTER OF PICAYUNE AIRPORT BOARD

Frank Egger came before the Mayor and Council inquiring if an audit on the Airport Board is required. He also informed them that a major gasoline spill had occured recently causing approximately 50 gallons to spill, part of which ran into the city sewer system. Mr. Egger stated that the airport charter required their year-end to be based on a calendar year, but that they are in the process of changing this to a fiscal year. Councilman McQueen informed Mr. Egger that the Council had requested the Airport Board to change their year-end to a fiscal year and also that the City has adopted new policies which will require any agency receiving $15,000 or more funding from the City to present an annual audit report to the Mayor and Council.

ORDER TO RECESS

Motion was made by Councilman Smith, seconded by Councilman Jones to recess until Tuesday, November 21, 1989 at 6:00 p.m.

APPROVED:

Woody Spiers

Mayor Woody Spiers

ATTEST:

TAPE NO. 89-56 & 57

November 21, 1989

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 in the Council Chambers at City Hall in regular session Tuesday, November 21, 1989, at 6:00 p.m., with the following officials present: Mayor Woody Spiers ; Councilmen Larry E. Watkins, Luther T. Jones, Leavern Guy, Harvey Smith and Kelly L. McQueen; City Attorney, Lonnie,Smith; and Acting City Manager, Victor Frankciewicz.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

The opening prayer was given by Councilman Larry Watkins, followed by the pledge of allegiance.

IN THE MATTER OF PICAYUNE-PEARL RIVER COUNTY AIRPORT MINUTES OF NOVEMBER 9, 1989

Councilman Smith requested action be postponed on minutes of November 9, 1989 meeting of the Picayune-Pearl River County Airport Board due to the absence of a letter from Mr. Randy Lee which was not attached to the minutes as was noted. Councilman Guy asked City Attorney Lonnie Smith if it is a conflict of interest for Ed Bass to own 2 hangers at the airport and also be on the board. Mr. Smith stated he would look into that matter. No action was taken.

ORDER TO ACCEPT MINUTES FROM THE PEARL RIVER COUNTY LIBRARY SYSTEM BOARD

Motion was made by Councilman Smith, seconded by Councilman McQueen to accept minutes of September 26, 1989 from the Pearl River County Library System. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Guy, Smith, Watkins and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ADOPT PROCLAMATION AS PRESENTED BY DR. C.J. WALLACE OF PRIDE

Upon behalf of the Picayune Housing Authority and the Pearl River Information and Drug Education (PRIDE), Dr. C.J. Wallace presented a Proclamation and requested support from the Mayor and Council on the following:

continued

PROCLAMATION CONTINUED:

P R O C L A M A T I O N

WHEREAS, drug-related crimes are increasing Nationally, State-Wide, and locally, and a large number of criminal activities which are drug related are occurring in and around the premises of the Picayune Housing Authority; and

WHEREAS, such crimes often deprive the residents of the Picayune Housing Authority of the right to life, the pursuit of happiness and justice; and

WHEREAS, the U.S. Department of Housing and Urban Development is now accepting grant applications for funding under the Public Housing Drug Elimination Program; and

WHEREAS, the Director of the Picayune Housing Authority, the Chief of Police and the Pearl River Information and Drug Education (PRIDE) are joining resources to develop and formulate a grant proposal to be submitted; and

WHEREAS, the grant will provide funds for: (1) Police officers to patrol the grounds of the Housing Authority forty hours per week, (2) Enhance the safety and security of the residents by providing security doors and screens, increased lighting, and provide additional fencing of property where necessary, and (3) Provide training of residents for their involvement and participation in programs on : Enhancement of Self-Esteem, Drug Abuse Prevention, Drug Education, Drug Intervention for referral to treatment centers, and after-care programs; and

NOW, THEREFORE, BE IT RESOLVED, that, WE of the City Council and Mayor's Office, hereby proclaim our support and encouragement for the application to the U.S. Department of Housing and Urban Development for a grant under Public Housing Drug Elimination Program.

FURTHER, BE IT RESOLVED, that all residents of the Community as well as the Housing Authority be urged to join in accomplishing the goals and objectives of the program.

BE IT FURTHER RESOLVED, that a copy of this Resolution be included in the grant application.

Woody Spiers

Mayor Woody Spiers

The above and foregoing Proclamation was adopted upon motion by Councilman McQueen, seconded by Councilman Smith, with the following roll call vote recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF POLICE BRUTALITY ALLEGED BEFORE MAYOR AND COUNCIL

A resident, Evelyn Brooks, came before the Mayor and Council and Police Chief Drennan to complain about alleged police harassment. Brooks stated instances where people were not read their rights upon arrest or given the reason for their arrest. Also, she added, at court hearings some suspects have not been able to give their side of the story nor have they been able to bring forth their witnesses. She stated complaints of officers allegedly following and stopping residents. Brooks stated a group of concerned residents had some other areas of concern but were able to work them out with Chief Drennan. Police Chief Drennan told the Council that the issues have been reviewed and will be looked into.

ORDER TO CHANGE CHRISTMAS SCHEDULE FOR CITY EMPLOYEES IN 1989

Motion was made by Councilman Smith, seconded by Councilman Watkins to change the Christmas holiday schedule for city employees fromFriday, December 22, 1989 to Tuesday, December 26, 1989. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Jones, Smith, Guy, McQueen and Watkins

Voting nay: None

Motion was declared carried.

IN THE MATTER OF DELINQUENT UTILITY BILLS

Acting City Manager, Victor Franckiewicz, reported on the progress being made with delinquent utility bills. He stated on July 7, 1989 a total of 352 customers were $70,600.00 over 60 days past due and on November 6, 1989 a total of 158 customers are now $33,900.00 past due over 60 days. Councilman Jones voiced his concern over a large delinquent account of Dixie Utilities owned by Nicholas Smith and asked that it be brought up to date as soon as possible.

ORDER AUTHORIZING FRANK DUNAWAY, ENGINEER, TO UPDATE REPORT ON HYDRAULIC MODEL WATER SYSTEM

Frank Dunaway, Engineer, met with the Mayor and Council to discuss alternatives for providing water service to the east side of I-59 where Rainbow Vans and Carrubba Motors are located. Dunaway recommended a 12" water line run under the Interstate and looped to join E. Canal Street at Highway 43. Prior to any decision, Dunaway recommended an update to the hydraulic model on the City's water system be completed. Victor Frankciewicz stated the report on the hydraulic model has not been updated in approximately six (6) years. Motion was made by Councilman McQueen, seconded by Councilman Smith authorizing Frank Dunaway to up date said report for a fee not to exceed $1,000. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting nay: Councilman Guy, stating larger areas need fire hydrants..

Motion was declared carried.

RECESSED MEETING OF NOVEMBER 21, 1989

ORDER TO ACCEPT PROPOSAL FROM ESKEW & FILSON, ARCHITECTS FOR CRIMINAL JUSTICE CENTER ROOF

Victor Franckiewicz presented a proposal in the amount of $4,700 from Eskew and Filson, Architects which includes cost of 2 alternatives: 1) a slopped metal roof, and 2) a semi-flat roof which is a tapered, insulated roof. After we have decided which of the alternatives we want to build, then the alternative we select would be fully designed and specifications drawn up. Their services would also include construction inspections of the project. Motion was made by Councilman Smith, seconded by Councilman Watkins to accept the proposal of Eskew & Filson, Architects for the Criminal Justice Center roof plans. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Guy, and McQueen

Voting nay: Councilman McQueen

Motion was declared carried.

ORDER AUTHORIZING MAYOR SPIERS TO SIGN AN AGREEMENT WITH DICKY TRAVIS

Motion was made by Councilman Smith, seconded by Councilman McQueen, authorizing Mayor Spiers to sign an agreement with property owners of Chimney Square to release right for city to clean property and bill owner for cost of cleaning. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF INSURANCE COVERAGE FOR CITY EMPLOYEES

Victor Franckiewicz informed the Mayor and Council he had received a proposal for renewal of health insurance for city employees which is proposing a 39% increase. We have budgeted for a 20% increase. Councilman Guy recommended we shop around for insurance. Franckiewicz stated we are in a difficult group with a high number of claims. Not many companies want to take on groups like that. Our dental plan is with another company and will be due for renewal within the next two months. Both will be on the agenda for December 5, 1989 meeting. No action was taken.

ORDER TO APPROVE WORK ORDER CHANGE ON CURRENT CONTRACT WITH VALENTINE AND LEBLANC FOR GAS EXTENSION PROJECT

Motion was made by Councilman Guy, seconded by Councilman Jones to approve a change to the work order by adding up to $11,500 for additional work at the current bid prices on the gas extension project with Valentine and LeBlanc. This change was necessary due to boring under the streets rather than digging up all the streets. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Jones, Guy, Watkins

Voting nay: None

Absent and not voting: Councilman McQueen stepped out of Council Chambers

Motion was declared carried.

Acting City Manager, Victor Franckiewicz left the meeting at this time.

IN THE MATTER OF GAS LINE EXTENSION PROJECT REPORT

Wayne Wise, Superintendent of the Utility Department, presented a map outlining the progress on the gas line extension project. Wise stated this has cut down on the gas leaks, but still have a considerable amount of work to be done. We are presently working from Fifth Street to Mitchell Street and from Highway 11 to Monroe Street. This is where the additional funds are needed to complete this phase of the project.

IN THE MATTER OF UNDERGROUND STORAGE TANKS

Fire Chief Vaughn stated he has had several inquiries concerning underground storage tanks. The EPA is requiring tanks to be on top of the ground. This will produce a safety hazard and would require some guidelines in the form of an ordinance, according to Franckiewicz. He stated Chief Vaughn and Johnny Ingram, Zoning Administrator, are in the process of getting information from other cities to see how they are handling this matter. They will have something firm at a later date for Council to act on.

ORDER TO APPROVE REPLACEMENT OF XEROX EQUIPMENT IN CITY OFFICES

Reggie Frierson, Purchasing Agent, reported he researched the Xerox equipment being used in the City Annex, Police Department, City Manager's office and CD office. Some of the copiers are old and require constant maintenance. After meeting with a Zerox representative, Mr. Frierson reported it is possible to replace 4 machines with 3 new machines for a cost of $262.75 per month, which is less than we are paying now for these leased machines. This equipment is on state contract. Motion was made by Councilman Smith, seconded by Councilman Watkins authorizing Reggie Frierson to replace said Xerox equipment. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO APPOINT MR. R.B. VAUGHN TO A FIVE YEAR TERM ON THE PICAYUNE HOUSING AUTHORITY BOARD

Motion was made by Councilman Smith, seconded by Councilman Watkins to appoint Mr. R.B. Vaughn to a five (5) year term on the Picayune Housing Authority Board. Councilman Guy asked that the floor be left open for other nominations in the future. Guy also directed statements to Mary Davis, Housing Authority Manager, concerning cutting the grass and board meetings held at 2:30 in the afternoon. Councilman Guy stated working people are unable to attend those meetings. Mrs. Davis stated in order to keep the grass up properly, we need tenant participation by picking up in the yards and playgrounds so the mowers can get in there to mow. Mrs. Daivs also stated she has no authority over the time board meetings are held but would relay Councilman Guy's suggestion to the board. The following roll call vote was recorded to appoint Mr. R. B. Vaughn to the Housing Authority Board for a five (5) year term.

HOUSING AUTHORITY BOARD CONTINUED:

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO REAPPOINT BILL MOSELEY TO SERVE ON THE AIRPORT BOARD FOR A FOUR YEAR TERM

Motion was made by Councilman Watkins, seconded by Councilman Smith, to reappoint Mr. Bill Moseley to serve another four (4) year term on the Picayune-Pearl River County Airport Board. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Smith, Jones, Guy and McQueen

Voting nay: None

Motion was declared carried.

IN THE MATTER OF STREET LIGHTS ON GOODYEAR BLVD.

Dallas Penton, Public Safety Director, gave the following brief history of street lights on Goodyear Blvd.:

A total of 96 city owned 400 watt mercury vapor lamps were installed on Goodyear Blvd. In 1973 when the energy crunch hit, the city ordered a total of 32 lamps turned off according to Mississippi Power Company.

This left 64 lamps burning on Goodyear Blvd. at a cost of $636.80 per month. If the city turned back on the other 32 lamps it would be an added cost of $318.40 per month. The cost of electricity to operate one lamp on Goodyear Blvd. is $9.95 per month.

Mr. Penton informed the Mayor and Council that as the 400 watt mercury vapor lamps burn out, they will no longer to available and will have to be replaced by 250 watt sodium vapor lights. Mayor Spiers requested Mr. Penton to look into the cost of replacement with the 250 watt bulbs. No action was taken.

ORDER TO ENTER INTO EMINENT DOMAIN PROCEEDINGS ON WESTSIDE REDEVELOPMENT PROPERTY

Barbara McGrew, Community Development Director, informed the Mayor and Council that July 31, 1990 is completion date for the Westside Redevelopment Project. She requested authorization to enter into eminent domain proceedings on property owned by Joe Louis Stubbs located in the Westside Redev. area. Property owners were contacted several times and made an offer, but with no response. Motion was made by Councilman Smith, seconded by Councilman Guy to enter into eminent domain proceedings as requested. The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Smith, Jones, Watkins, Guy and McQueen

Voting nay: None

Motion was declared carried.

RECESSED MEETING OF NOVEMBER 21, 1989

ORDER TO APPROVE REQUEST FROM MAJESTIC INN TO DEFER MONTHLY PAYMENTS FOR TWO MONTHS

A request from Majestic Inn for deferment of two (2) monthly payments to the City of Picayune was received. After discussion, motion was made by Councilan Guy, seconded by Councilman Watkins, to approve their request and defer the payments until March, 1990.

The following roll call vote was recorded.

Voting yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting nay: None

Motion was declared carried.

ORDER TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATIONS

Upon a request by Mayor Spiers, motion was made by Councilman Smith, seconded by Councilman Jones and unanimously carried, the Mayor and Council will now go into Executive Session.

Executive Session followed, at the conclusion of which the Mayor stated no action was taken on possible litigations.

ORDER TO ADJOURN

Motion was made by Councilman Smith, seconded by Councilman Jones to adjourn until December 5, 1989 at 6:00 p.m.

APPROVED: _____
MAYOR WOODY SPIERS

ATTEST:

_____

TAPE NO. 89-58 & 59

December 5, ~~1988~~ 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at 6:00 p.m., with the following officials present: Mayor Woody Spiers; Councilmen Larry Watkins, Luther T. Jones, Sr., Harvey Smith, Kelly McQueen; City Manager/City Clerk James M. Young; and City Attorney Lonnie Smith; and Councilman Leavern Guy.

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

The Opening Prayer was given by Councilman Luther T. Jones, Sr, followed by the Pledge of Allegiance.

AT THIS TIME COUNCILMAN LEAVERN GUY ENTERED MEETING.

IN THE MATTER OF APPOINTING JAMES M. YOUNG AS CITY CLERK

Mayor Spiers introduced and welcomed Mr. James M. Young as the new City Manager for the City of Picayune.

Motion was made by Councilman Watkins and seconded by Councilman McQueen to appoint Mr. James M. Young as City Clerk. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting Nay: None

Motion was declared carried.

ORDER TO APPROVE THE MINUTES OF THE COUNCIL MEETING ON AUGUST 15, SEPTEMBER 5, AND SEPTEMBER 19, 1989

Motion was made by Councilman Jones and seconded by Councilman Watkins to approve the minutes of the Council meeting of August 15, September 5 and September 19, 1989. Said minutes are on file in the office of the City Clerk in minute book 21, pages 330 through 365. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting Nay: None

Motion was declared carried.

ORDER TO APPROVE DOCKET OF CLAIMS FOR THE MONTH OF NOVEMBER 1989 WITH EXCEPTION TO CLAIM #1031

Motion was made by Councilman Smith and seconded by Councilman Watkins to approve the Docket of Claims for the month of November, 1989 with the exception of Claim #1031 to Buddy Broadway in the amount of $300.00. This claim needs to be checked and made sure that it is not a duplicate bill.

CLAIMS NO. 560-1030
1032-1095

FUND NAME	AMOUNT
General Fund	$ 609,716.27
CDBG West Side ReDevelopment	24,854.15
Community Development	12.19
UDAG Majestic Inn Rental	27,500.00
General Bond & Interest Fund	36,200.00
Capital Projects Fund	245,791.17
Special Capital Projects	47,300.00
Utility Fund	1,329,125.68
Invoices Payable as of 9-30-89	7,422.34
Intragovernmental Service Fund	84,713.67
Unemployment Compensation Trust Fund	31,704.31
Tax Collector Fund	31,630.46
Palestine Cemetery Trust Fund	262,750.00
DOCKET TOTALS	$2,738,720.24

The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting Nay: None

Motion was declared carried.

ORDER TO APPROVE MINUTES OF PLANNING COMMISSION MEETING HELD NOVEMBER 28, 1989

Motion was made by Councilman McQueen and seconded by Councilman Guy to approve the minutes of the Planning Commission meeting held November 28, 1989. Said minutes are on file in the office of the City Clerk. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Guy, Smith and McQueen

Voting Nay: None

Motion was declared carried.

ORDER TO APPROVE HOME OCCUPATION LICENSE FOR ROBERT BEEBE TO OPERATE A TAXIDERMY SERVICE FROM HIS HOME

Motion was made by Councilman Smith and seconded by Councilman Guy to approve a home occupation license to Robert Beebe to operate a taxidermy service from his home at 2708 Victoria Drive. There will be no stock in trade. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Smith, Guy and McQueen

Voting Nay: Councilman Jones

Motion was declared carried.

ORDER FOR CITY MANAGER TO NOTIFY RESIDENTS IN AREA SURROUNDING CHIMNEY SQUARE OF ASSOCIATION FOR RETARDED CITIZENS PROPOSED USE OF BUILDING

After some discussion motion was made by Councilman Guy and seconded by Councilman Jones to have the City Manager notify residents in the area surrounding Chimney Square of the Association for Retarded Citizens proposed use of the building before a decision is to be made. . .

PRESENTATION FROM MISSISSIPPI VIETNAM VETERANS MEMORIAL COMMITTEE

Mr. Stan Parrish and Mr. Terry Schultz presented the Mayor and Council information regarding the Mississippi Vietnam Veterans Memorial. Mr. Parrish listed three Picayune natives who were killed in the Vietnam War and requested that the City donate $2,000.00 for each of these veterans for 1990 and $2,000.00 for each the following year. Mr. Parrish and Mr. Schultz explained the history of the committee as well as its intent and purpose.

Motion was made by Councilman Guy and seconded by Councilman Smith to take this request under advisement. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting Nay: None

Motion was declared carried.

ORDER TO APPROVE ADVERTISEMENT OF POLICE UNIFORMS, BULLET PROOF VESTS AND TRAFFIC CONTROL SIGNS

Purchasing Agent, Reggie Frierson, requested approval to advertise for Police Uniforms, Bullet Proof Vests and Traffic Control Signs.

NOTICE FOR BIDS

Public Notice is hereby given that the Mayor and City Council of the City of Picayune, MS will receive bids up to 3:00 p.m., Wednesday, December 27, 1989 for the following:

Police Uniforms and Bullet Proof Vests

Specifications are available upon request in the office of the Purchasing Agent, 203 Goodyear Blvd., Picayune, MS 39466 (601) 798-9770.

SEALED BID must be written on the envelope and delivered to City Clerk, 203 Goodyear Blvd., Picayune, MS 39466. Said bids will be opened December 27, 1989 at 3:00 p.m., or shortly thereafter. The Mayor and Council reserve the right to waive informalities, reject any or all bids, or increase or decrease quantities.

Done by Order of the Mayor and Council this the 5th day of December, 1989.

ADVERTISEMENTS (CONTINUED)

NOTICE FOR BIDS

SUBCONTRACT NUMBER 89-06-613-06

Seperate sealed Bids for Traffic Control Signs will be received by the Mayor and Council at their office in the City Hall, until 3:00 p.m., December 27, 1989 at which time the bids will be opened and read aloud.

The Form or Bid may be examined at the following:

CITY OF PICAYUNE 203 Goodyear Blvd. Picayune, MS 39466	OR	FRANK DUNAWAY, CIVIL ENGINEER 210 Mitchell Street Picayune, MS 39466

This project is financed by a Federal Grant from the Governor's Highway Safety Program and is subject to the rules and regulations thereof.

The City of Picayune reserves the right to waive any informalities or to reject any or all bids.

No Bidder may withdraw his Bid thirty (30) days after the actual date of the opening thereof.

Done by Order of the Mayor and Council this the 5th day of December 1989.

The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting Nay: None

Motion was declared carried.

ORDER TO APPROVE PURCHASE OF TWO SEWER PUMPS FROM D & L PUMPS, INC.

Purchasing Agent, Reggie Frierson, recommended the city purchase (2) sewer pumps from D & L Pumps, Inc. who had the lowest and best bid to meet the specifications. He stated that Pump and Power had the lowest price, however, pumps did not meet specifications. Motion was made by Councilman Smith and seconded by Councilman Guy to approve the purchase of two pumps from D & L Pumps, Inc. in the amount of $4,550.00 total. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and Guy

Voting Nay: Councilman McQueen

Motion was declared carried.

ORDER TO ADOPT STANDARD DWELLING RELOCATION AND LAND DISPOSITION POLICIES

Upon recommendation of Barbara McGrew, Community Development Director, motion was made by Councilman Guy and seconded by Councilman Watkins to adopt the Standard Dwelling Relocation and Land Disposition Policies. Said policies are on file in the office of Community Development.

The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and Guy

Voting Nay: Councilman McQueen

Motion was declared carried.

ORDER TO ESTABLISH REPLACEMENT HOUSING PAYMENT CEILINGS

Upon recommendation of Barbara McGrew, Community Development Director, motion was made by Councilman Guy and seconded by Councilman Jones to establish replacement housing cost ceilings for owners occupied dwellings that will acquire demolished and re-built as follows:

1,000 sq. ft.	$ 34,500
1,100 sq. ft.	35,900
1,200 sq. ft.	38,800.

The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Jones, Smith and Guy

Voting Nay: Councilmen Watkins and McQueen

Motion was declared carried.

ORDER TO APPROVE LAND ROLL CHANGES TO PERSONAL PROPERTY AS PRESENTED BY THE COUNTY

The following changes were accepted upon motion by Councilman Smith and seconded by Councilman Guy:

	1988 Personal Inside Decrease
Aubrey Penton	2573
Caroles Sandwich	78
Caroles Sandwich	155
D.C. Stanford	145
Dales Insurance	432
Kenwin Shop	2492
Dr. Earl Lohnes	1050
Murphy Oil	3774
Murphy Oil	2577
Mitchell's Dept. Store	4042
Picayune French Market	354
Picayune One Stop	749
Spiers Welding & Repair	1500
Tri Continental Leasing	581
U.S. Leasing	84
U.S. Leasing	328
	20914

	Outside Decrease
Nicholson One Stop	2700
	2700

	1988 Personal Outside Decrease
Allen Beverages	164
Allen Beverages	104
Allen Beverages	396
Allen Beverages	207
Brown's Velvet Ice Cream	135
Colonal Amusement	1116
Little Ed's Ranch Wagon	1699
Stewart Machine & Eng.	8433
	12254

LAND CHANGES (CONTINUED)

	1988 Personal Inside Decrease
Allen Beverage	121
Allen Beverage	620
Allen Beverage	405
Allen Beverage	783
Allen Beverage	92
Bills Quick Stop #2	527
Brown's Playhouse	172
Cain's Coffee Service	15
Ceramic Shop	145
Clock Development	3570
The Country Store	1553
Formby's Flower Shop	1112
Family Hair Care Center	477
Frierson Trucking	1985
Intregrity Credit Corp.	204
Intregrity Credit Corp.	1302
Larson's Carpet Cleaning	110
Nor-gate Apt.	891
Pic A Dilly	2829
Picayune Item	11
Picayune Item	23
Picayune Item	68
Republic Leasing Co.	765
S & S Food Service - Change Name to Carol Sandwich	
S & S Food Service - Change Name to Carol Sandwich	
Snyder's Grocery & Market	2362
Sound Center	2986
White, Grady	363
	23491

	1988 Personal Increase
Stewart Machine & Eng.	8433
	8433

The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting Nay: None

Motion was declared carried.

ORDER TO CONVEY OWNERSHIP OF LOT AT PALESTINE CEMETERY THROUGH WARRANTY DEED

Motion was made by Councilman Smith and seconded by Councilman Watkins to authorize Mayor to sign Warranty Deed conveying ownership of lot at Palestine Cemetery from heirs of Mr. Joe Mitchell to Mrs. Octavia Odom. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, Guy and McQueen

Voting Nay: None

Motion was declared carried.

IN THE MATTER OF DISCUSSION

Mayor Spiers requested City Manager Jim Young to prepare a Resolution to be presented to Mr. Danny Ware, former Councilman from Precinct I, in condolence to the Ware family upon the death of Pamela Ware.

Faced with a 39% increase in its insurance premiums by present carrier Connecticut General Insurance, the council discussed their policy but, in the absense of expected clarifications from the carrier the council did not reach a decision.

IN THE MATTER OF DISCUSSION (CONTINUED)

Mr. Thomas Stubbs representing the American Legion Post 244, located on Davis Street, requested that the Council grant them a privilege license to open the establishment for their meetings and to have a Christmas Party. The post had allowed their privilege and beer license to expire for more than 6 months. Mayor Spiers stated that there was nothing that the council could do to allow the reopening for such meetings. Other facilities were recommended to him for consideration.

ORDER TO RECESS

Motion was made by Councilman Smith and seconded by Councilman Watkins to recess until December 19, 1989 at 6:00 p.m.

APPROVED:

WOODY SPIERS, MAYOR

ATTEST:

JAMES M. YOUNG, CITY MANAGER/CITY CLERK

December 19, 1989

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

Be It Remembered that the Mayor and Council of the City of Picayune, Mississippi, Pearl River County, met in the Council Chambers at 6:00 p.m., with the following officials present: Mayor Woody Spiers, Councilmen Larry Watkins, Luther T. Jones, Sr., Harvey Smith, Kelly McQueen; City Manager/City Clerk James M. Young; and City Attorney Lonnie Smith

It Being Determined a quorum was present, Mayor Spiers declared the meeting open and the following proceedings were held.

The Opening Prayer was given by Councilman Larry Watkins followed by the Pledge of Allegiance.

IN THE MATTER OF ESTABLISHING AN EPILEPSY SUB-UNIT IN PEARL RIVER COUNTY

Mrs. Treava Smart, representing the Epilepsy Foundation of Mississippi, requested that the Council allow her use of city office space from 1-5 p.m. on weekdays so that she can establish a sub-unit of the foundation in Picayune. Mayor Spiers responded favorably to the office space request.

Mrs. Smart also requested that the Council adopt a resolution, which will be taken to the Legislature in January, to support a bill to be introduced that would allow us to fund the Epilepsy Foundation for not more than $10,000 per year. If the resolution were passed it would not obligate the council to donate any funds to the program.

The Council delayed any action on Mrs. Smart's request until its Tuesday, January 2, 1990 meeting.

IN THE MATTER OF GROUP HEALTH INSURANCE

Mrs. Jane Smoot, representing Connecticut General, presented the Mayor and Council with some information on reducing group health premiums for the 1989-1990 fiscal year. After some discussion motion was made by Councilman Smith and seconded by Councilman Watkins to continue our group health insurance with Connecticut General and have no reduction in benefits. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilman Watkins, Jones, Smith and McQueen

Voting Nay: None

Absent and Not Voting: Councilman Guy

Motion was declared carried.

ORDER TO ACCEPT MINUTES FROM PEARL RIVER COUNTY LIBRARY SYSTEM

Motion was made by Councilman Jones and seconded by Councilman McQueen to accept the minutes from Pearl River County Library System dated November 7, 1989. The minutes are on file in the office of the City Manager. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting Nay: None

Absent and Not Voting: Councilman Guy

Motion was declared carried.

IN THE MATTER OF NOMINATION TO CEMETERY BOARD

Mr. Joe Pearson's term expires December 31, 1989. This is a five year term. Motion was made by Councilman McQueen and seconded by Councilman Watkins to nominate Mr. Steve McDonald to the Cemetery Board for a five year term to expire January 1995. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting Nay: None

Absent and Not Voting: Councilman Guy

Motion was declared carried.

IN THE MATTER OF NOMINATION TO LIBRARY COMMISSION

Mrs. Mary Pollitz's term expires December 31, 1989. This is a five year term. Motion was made by Councilman Smith and seconded by Councilman Watkins to reappoint Mrs. Mary Pollitz to the Library Commission for a five year term to expire January 1995. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting Nay: None

Absent and Not Voting: Councilman Guy

Motion was declared carried.

IN THE MATTER OF NOMINATION TO DOWNTOWN REVITALIZATION COMMITTEE

Motion was made by Councilman Jones and seconded by Councilman Watkins to postpone the nominations to the Downtown Revitalization Committee until next meeting, January 2, 1990. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting Nay: None

Absent and Not Voting: Councilman Guy

Motion was declared carried.

IN THE MATTER OF NOMINATION TO PARK COMMISSION

Mr. Willie Ellis's term expires December 31, 1989. This is a one year term. Motion was made by Councilman Jones and seconded by Councilman Smith to reappoint Mr. Willie Ellis to the Park Commission with his term to expire January 1991. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith, and McQueen

Voting Nay: None

Absent and Not Voting: Councilman Guy

Motion was declared carried.

IN THE MATTER OF PLANNING COMMISSION RECOMMENDATION

Upon recommendation of the Planning Commission, motion was made by Councilman Smith and seconded by Councilman Watkins to allow Mr. and Mrs. F.E. Morgan a temporary permit in order to place a mobile home on their property for a period of no longer than 90 days. The Morgan's home burned and the insurance company will furnish them with a trailer until the house can be repaired. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting Nay: None

Absent and Not Voting: Councilman Guy

Motion was declared carried.

IN THE MATTER OF DISCUSSION

Mr. Frank Egger thanked the Council for listening to him regarding his problems with the Picayune-Pearl River County Airport Board.

Councilman Jones requested that the City Manager investigate the possibility of erecting a 4-way stop sign at East Canal and Blanks Ave.

Motion was made by Councilman Jones and seconded by Councilman Watkins to request the City Manager to prepare resolutions for Mr. Fred Jackson, a former police officer in the Picayune Police Department and Mr. John Wesley Guy, Jr., father of Councilman Leavern Guy. The following roll call vote was recorded.

Voting Yea: Mayor Spiers, Councilmen Watkins, Jones, Smith and McQueen

Voting Nay: None

Absent and Not Voting: Councilman Guy

Motion was declared carried.

ORDER TO ADJOURN

Motion was made by Councilman Jones and seconded by Councilman Watkins to adjourn until January 2, 1990 at 6:00 p.m.

APPROVED:

WOODY SPIERS, MAYOR

ATTEST:

JAMES M. YOUNG, CITY MANAGER/CITY CLERK