



PHIL BRYANT  
GOVERNOR

March 20, 2017

Honorable George Flaggs, Jr.  
Mayor, City of Vicksburg  
1401 Walnut Street  
Vicksburg, MS 39181

Dear Mayor Flaggs:

We received your letter requesting approval of the proposed amendments to the Charter of the City of Vicksburg. In accordance with Miss. Code Ann. Section 21-17-9, the Governor submitted the proposed amendments to the Attorney General for his opinion.

Based on the attached opinion letter, the Attorney General's Office approved the proposed amendments. Accordingly, the Governor has also approved the amendments, as reflected in the enclosed documents. Feel free to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in blue ink that reads "Bobby Waites".

Bobby Waites  
Chief Counsel

BW:baw  
Enclosures

STATE OF MISSISSIPPI

*Office of the Governor*



The within and foregoing Amendments to the  
Charter of Incorporation of

THE CITY OF VICKSBURG

VICKSBURG, MISSISSIPPI

are hereby approved.



In testimony whereof, I have hereunto  
set my hand and caused the Great  
Seal of the State of Mississippi to be  
affixed this 20th day of March, 2017.

A handwritten signature in blue ink that reads "Phil Bryant".

PHIL BRYANT  
GOVERNOR

BY THE GOVERNOR

A handwritten signature in blue ink that reads "C. Delbert Hosemann, Jr.".

C. DELBERT HOSEMAN, JR.  
SECRETARY OF STATE

STATE OF MISSISSIPPI



JIM HOOD  
ATTORNEY GENERAL

OPINIONS  
DIVISION

March 16, 2017

Bobby Waites, Esquire  
Chief Legal Counsel  
Office of the Governor  
Post Office Box 139  
Jackson, Mississippi 39205

Re: Charter Amendment, City of Vicksburg

Dear Mr. Waites:

By letter dated February 6, 2017 you submitted a proposed amendment to the City of Vicksburg's Special Charter.

Our office recommended to the City of Vicksburg that it revise Section 21 of the proposed amendment in order to clearly comply with State law.

By letter dated March 14, 2017 after a revision of Section 21 of the originally proposed amendment by the City of Vicksburg you again submitted for the consideration of the Attorney General the proposed charter amendment pursuant to Mississippi Code Annotated Section 21-17-9 (Revised 2015).

The proposed amendment would amend the charter provision regarding the inspection of city books; to require corporate officers to be qualified electors of the City of Vicksburg; to delete certain provisions relating to the election of city officers; to amend the provisions regarding the jurisdiction of the municipal court to comply with state law; to amend the provision regarding the assessor and collector of taxes; to amend the provisions regarding the municipal court clerk; to amend the provision regarding the city sexton; to amend the provisions regarding the meetings of the board of mayor and aldermen; to amend the provisions regarding the city jail and city prisoners; to amend the provision regarding the building and repairing of sidewalks; to amend the provision regarding the speed of horses; to repeal the provision authorizing the appropriation of funds to a public hospital; to repeal the establishment, jurisdiction and regulations regarding the Vicksburg Harbor and Port Commission, and for related matters.

Bobby Waites, Esquire  
March 16, 2017  
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Included with your letter of February 6, 2017 is a statement from the Vicksburg City Clerk that the originally proposed charter amendment was published in accordance with Mississippi Code Annotated Section 21-17-9.

Included with your letter of March 14, 2017 is proof of publication of the revised Section 21 of the originally proposed charter amendment showing that the proposed revision was published in the Vicksburg Post, a newspaper published in the City of Vicksburg on February 17<sup>th</sup> and 24<sup>th</sup> and March 3<sup>rd</sup>.

Also included with your letter of February 6, 2017 is the statement of the City Clerk of the City of Vicksburg that there were no objections or protests to the originally proposed charter amendment.

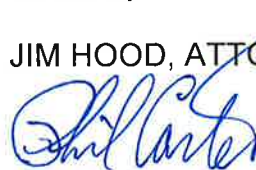
Also included in your letter of March 14, 2017 is the statement of the City Clerk for the City of Vicksburg that no objections or protests of the proposed revision of Section 21 of the proposed charter as amended have been received.

Based on the above information and a review of the proposed amendment and the revised Section 21 thereof pursuant to Section 21-17-9, it is the opinion of this office that the proposed amendment, as revised, is consistent with the Constitution and laws of the United States and the Constitution of the State of Mississippi.

Sincerely,

JIM HOOD, ATTORNEY GENERAL

By:



Phil Carter  
Special Assistant Attorney General

MAR 11 2017

RECEIVED

GEORGE FLAGGS, JR.  
MAYORWILLIS T. THOMPSON  
ALDERMANMICHAEL A. MAYFIELD, SR.  
ALDERMAN

## City of Vicksburg

1401 WALNUT STREET • VICKSBURG, MS 39181 • (601) 636-3411

March 10, 2017

Governor Phil Bryant  
State of Mississippi  
P.O. Box 139  
Jackson, MS 39205

RE: Charter Amendments for the City of Vicksburg

Dear Governor Bryant:

The City of Vicksburg is in the process of amending its Special Charter. We previously sent to you a letter dated January 26, 2017, with a Resolution of the Board of Mayor and Aldermen of the City of Vicksburg Giving Notice of Its Intent to Amend its Special Charter. In that Resolution, there were thirty-seven amendments. As required, you forwarded that Resolution to the Attorney General to determine whether or not the amendments were consistent with Mississippi law.

Thereafter, the City Attorney for Vicksburg received a call from a Special Assistant to the Attorney General, who stated that one of the provisions of the proposed Charter Amendments was not consistent with state law. Specifically, the proposed SECTION SIX of the Resolution which amended Sec. 21, Qualifications of Office, was not consistent with state law.

The Board then adopted a second RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF VICKSBURG, MISSISSIPPI GIVING NOTICE OF ITS INTENTION TO AMEND THE SPECIAL CHARTER OF THE CITY OF VICKSBURG TO AMEND THE PROVISION REGARDING QUALIFICATIONS FOR OFFICE. This Resolution was adopted on February 10, 2017.

Pursuant to §21-17-9 of the Mississippi Code of 1972, as amended, please find enclosed the following documents:

1. Resolution of the Board of Mayor and Aldermen of the City of Vicksburg, Mississippi Giving Notice of Its Intent to Amend the Special Charter of the City of Vicksburg, Mississippi to Amend the Provision Regarding Qualifications for Office.

*Incorporated 1825*City Website: <http://www.vicksburg.org>

Governor Phil Bryant  
March 10, 2017  
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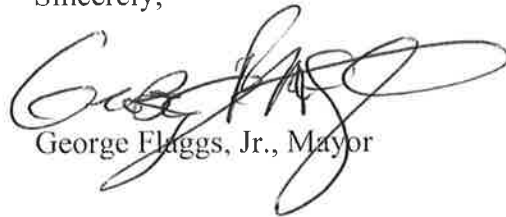
2. Proof of Publication of the Resolution dated February 10, 2017.

3. Certificate of the City Clerk that there have been no protests or objections filed pursuant to §21-17-9 of the Mississippi Code of 1972, as amended.

I would appreciate you forwarding this to the Attorney General of the State of Mississippi to issue an opinion as to whether or not the amendment is consistent with the laws and Constitution of the State of Mississippi and the laws and Constitution of the United States of America.

We will be happy to provide additional information if needed. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "George Flaggs, Jr.", with a stylized, cursive script.

George Flaggs, Jr., Mayor

cc: Alderman Michael A. Mayfield, Sr.  
Alderman Willis T. Thompson  
City Clerk, Walter Osborne, Jr.

RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF  
VICKSBURG, MISSISSIPPI GIVING NOTICE OF ITS INTENTION TO AMEND THE  
SPECIAL CHARTER OF THE CITY OF VICKSBURG TO AMEND THE PROVISION  
REGARDING QUALIFICATIONS FOR OFFICE

**WHEREAS**, The Board of Mayor and Aldermen of the City of Vicksburg, Mississippi adopted a Resolution Giving Its Notice of Intent to Amend the Special Charter of the City of Vicksburg, Mississippi on January 3, 2017 and published the Resolution in accordance with §21-17-9 of the Mississippi Code of 1972, as amended; and

**WHEREAS**, The Board of Mayor and Aldermen sent the Resolution and Proof of Publication to Governor Phil Bryant who sent it to the Attorney General; and

**WHEREAS**, the Attorney General has notified the City of Vicksburg that SECTION SIX of the Resolution which sets forth Sec. 21. *Qualifications of Office*, as proposed, does not conform to the Mississippi law; and

**WHEREAS**, The Board of Mayor and Aldermen of the City of Vicksburg does hereby substitute the following language in lieu of the proposed language for Sec. 21 of the Special Charter of the City of Vicksburg, Mississippi.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF CITY OF VICKSBURG, MISSISSIPPI** that the Special Charter of the City of Vicksburg, Mississippi be amended as follows:

**SECTION ONE:** Sec. 21. *Qualifications of office*. as it presently exists and proposed in the Resolution date January 3, 2017 shall be deleted.

**SECTION TWO:** The following language shall be substituted in place of the deleted language in Sec. 21:

Sec. 21. Qualifications for office.

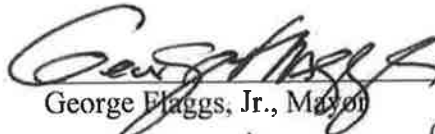
(A) The Mayor and Aldermen shall meet all qualifications for office as required by Mississippi law. The Mayor shall reside within the city and a change of residence from the city will vacate the office. The Aldermen shall reside in their respective wards from which they are chosen; change of residence from the ward he may have been chosen to represent, shall, ipso facto, make vacant the office of any alderman.

(B) All other corporate officers, unless grand-fathered in by the terms of this provision, set forth in Section 20(A) shall, if not registered voters of the city and residents of the city at the date of their election or appointment, become registered voters and residents of the city within one hundred and eighty (180) days of their appointment. This provision does not apply to those directors who were hired prior to July 2017 and living outside of the city limits, and reappointed after the new administration takes office in July of 2017. It will apply to any newly appointed director who has not previously held the position of director.

**BE IT FURTHER RESOLVED** that this proposed Charter Amendment be published in accordance with §21-17-9 of the Mississippi Code of 1972, as amended, that the proposed amendment, after publication, be submitted to the Governor of the State of Mississippi, unless there is a protest in accordance with §21-17-9 of the Mississippi Code of 1972, as amended, that the Clerk of the City of Vicksburg be authorized and empowered to conform with the requirements of §21-17-9 of the Mississippi Code of 1972, as amended, as the same applies to the amendment of the Special Charter of the City of Vicksburg, Mississippi.

**SO RESOLVED** this the 10th day of February, 2017.

The Mayor and Aldermen of the  
City of Vicksburg, Mississippi

  
George Flagg, Jr., Mayor

  
Michael A. Mayfield Sr., Alderman


  
Willis T. Thompson, Alderman




CERTIFICATE OF CITY CLERK, VICKSBURG, MISSISSIPPI

I, Walter W. Osborne, Jr., the duly appointed and qualified City Clerk of the City of Vicksburg, Mississippi, do certify that the foregoing Resolution of the Board of Mayor and Aldermen of the City of Vicksburg, Mississippi giving its Notice of Intent to Amend the Special Charter of the City of Vicksburg to Amend the Provision Regarding Qualifications for Office was unanimously adopted on February 10, 2017 and published in accordance with §21-17-9 of the Mississippi Code of 1972, as amended, and that there have not been any objections or protests to the proposed Special Charter Amendment filed with the City Clerk's office.

This the 10<sup>th</sup> day of March, 2017.

  
Walter W. Osborne, Jr., City Clerk




STATE OF MISSISSIPPI,  
Warren County

Personally appeared before me, the undersigned Notary Public for Warren County, State of Mississippi, Tim Reeves, one of the publishers of the VICKSBURG POST, a newspaper published in Vicksburg, in the aforesaid County and State, who made oath that the notice of Intention to Amend Special Charter of City of Vicksburg. Qualifications of Office

a true copy of which is hereto attached, was published in said newspaper on the following dates:

Friday, the 17<sup>th</sup> day of February, 2017  
Friday, the 24<sup>th</sup> day of February, 2017  
Friday, the 3<sup>rd</sup> day of March, 2017

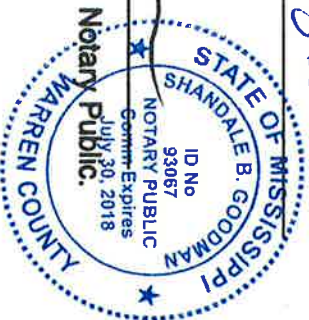
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the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

  
\_\_\_\_\_

Sworn to and subscribed before me, the undersigned Notary Public, this 3<sup>rd</sup>

day of March, 2017.





**RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF VICKSBURG, MISSISSIPPI GIVING NOTICE OF ITS INTENTION TO AMEND THE SPECIAL CHARTER OF THE CITY OF VICKSBURG TO AMEND THE PROVISION REGARDING QUALIFICATIONS FOR OFFICE**

**WHEREAS**, The Board of Mayor and Aldermen of the City of Vicksburg, Mississippi adopted a Resolution Giving Its Notice of Intent to Amend the Special Charter of the City of Vicksburg, Mississippi on January 3, 2017 and published the Resolution in accordance with §21-17-9 of the Mississippi Code of 1972, as amended; and

**WHEREAS**, The Board of Mayor and Aldermen sent the Resolution and Proof of Publication to Governor Phil Bryant who sent it to the Attorney General; and

**WHEREAS**, the Attorney General has notified the City of Vicksburg that SECTION SIX of the Resolution which sets forth Sec. 21. Qualifications of Office, as proposed, does not conform to the Mississippi law; and

Sec. 21 of the Special Charter of the City of Vicksburg, Mississippi.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF CITY OF VICKSBURG, MISSISSIPPI** that the Special Charter of the City of Vicksburg, Mississippi be amended as follows:

**SECTION ONE:** Sec. 21. Qualifications of office, as it presently exists and proposed in the Resolution date January 3, 2017 shall be deleted.

**SECTION TWO:** The following language shall be substituted in place of the deleted language in Sec. 21:

Sec. 21. Qualifications for office.

(A) The Mayor and Aldermen shall meet all qualifications for office as required by Mississippi law. The Mayor shall reside within the city and a change of residence from the city will vacate the office. The Aldermen shall reside in their respective wards from which they are chosen; change of residence from the ward he may have been chosen to represent, shall, ipso facto, make vacant the office of any alderman.

(B) All other corporate officers, unless grand-fathered in by the terms of this provision, set forth in Section 20(A) shall, if not registered voters of the city and residents of the city at the date of their election or appointment, become registered voters and residents of the city within one hundred and eighty (180) days of their appointment. This provision does not apply to those directors who were hired prior to July 2017 and living outside of the city limits, and reappointed after the new administration takes office in July of 2017. It will apply to any newly appointed director who has not previously held the position of director.

**BE IT FURTHER RESOLVED** that this proposed Charter Amendment be published in accordance with §21-17-9 of the Mississippi Code of 1972, as amended, that the proposed amendment, after publication, be submitted to the Governor of the State of Mississippi, unless there is a protest in accordance with §21-17-9 of the Mississippi Code of 1972, as amended, that the Clerk of the City of Vicksburg be authorized and empowered to conform with the requirements of §21-17-9 of the Mississippi Code of 1972, as amended, as the same applies to the amendment of the Special Charter of the City of Vicksburg, Mississippi.

**SO RESOLVED** this the 10th day of February, 2017.

The Mayor and Aldermen of the  
City of Vicksburg, Mississippi

/s/ George Flaggs, Jr.  
George Flaggs, Jr., Mayor

/s/ Michael A. Mayfield, Sr.  
Michael A. Mayfield, Sr., Alderman

/s/ Willis T. Thompson  
Willis T. Thompson, Alderman

GEORGE FLAGGS, JR.  
MAYOR



WILLIS T. THOMPSON  
ALDERMAN

GOVERNOR'S OFFICE  
FEB 01 2017

RECEIVED  
MICHAEL A. MAYFIELD, SR.  
ALDERMAN

## City of Vicksburg

1401 WALNUT STREET • VICKSBURG, MS 39181 • (601) 636-3411

January 26, 2017

17-0043  
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FEB 06 2017

ATTORNEY GENERAL'S OFFICE  
OPINIONS DIVISION

Governor Phil Bryant  
State of Mississippi  
Post Office Box 139  
Jackson, MS 39205

RE: Charter Amendments for the City of Vicksburg

Dear Governor Bryant:

The City of Vicksburg is in the process of amending its Special Charter to provide structure and accountability for the elected officials and to delete or revise outdated provisions. The Board of Mayor and Aldermen of the City of Vicksburg believes that these changes to the Special Charter will be beneficial for the citizens of the City of Vicksburg.

Pursuant to §21-17-9 of the Mississippi Code of 1972, as amended, please find enclosed the following documents:

1. Resolution of the Board of Mayor and Aldermen of the City of Vicksburg, Mississippi Giving Notice of its Intent to Amend the Special Charter of the City of Vicksburg, Mississippi.
2. Proof of Publication of the Resolution.
3. Certificate of the City Clerk that there have been no protests or objections filed pursuant to §21-17-9 of the Mississippi Code of 1972, as amended.

I would appreciate you forwarding this to the Attorney General of the State of Mississippi to issue an opinion as to whether or not the amendment is consistent with the laws and Constitution of the State of Mississippi and the laws and Constitution of the United States of America.

*Incorporated 1825*

City Website: <http://www.vicksburg.org>

Governor Phil Bryant  
January 26, 2017  
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We will be happy to provide additional information if needed. Thank you for your attention to this matter.

Sincerely,



George Flagg, Jr., Mayor

cc: Alderman Michael A. Mayfield, Sr.  
Alderman Willis T. Thompson  
City Clerk, Walter Osborne, Jr.



RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF VICKSBURG, MISSISSIPPI GIVING NOTICE OF ITS INTENTION TO AMEND THE SPECIAL CHARTER OF THE CITY OF VICKSBURG TO AMEND THE PROVISION REGARDING THE INSPECTION OF CITY BOOKS BY PROVIDING FOR COMPLIANCE WITH THE MISSISSIPPI PUBLIC RECORDS ACT, TO AMEND THE CORPORATE OFFICERS AND PROVIDE FOR THE APPOINTMENT OF CORPORATE OFFICERS, TO REQUIRE CORPORATE OFFICERS APPOINTED ON OR AFTER JULY 3, 2017 TO BE QUALIFIED ELECTORS OF THE CITY OF VICKSBURG UNLESS ALREADY EMPLOYED AND LIVING OUTSIDE OF THE CITY LIMITS, TO DELETE PROVISIONS RELATING TO THE ELECTION OF CITY OFFICERS BY QUALIFIED VOTERS, TO AMEND THE PROVISION REGARDING THE JURISDICTION OF THE MUNICIPAL COURT TO COMPLY WITH STATE LAW; TO AMEND THE PROVISION REGARDING APPEALS FROM MUNICIPAL COURT TO COMPLY WITH STATE LAW; TO AMEND THE PROVISION REGARDING THE ASSESSOR AND COLLECTOR OF TAXES; TO AMEND THE PROVISIONS REGARDING THE MUNICIPAL COURT CLERK; TO AMEND THE PROVISION REGARDING THE CITY SEXTON; TO AMEND THE PROVISIONS REGARDING THE MEETINGS OF THE BOARD OF MAYOR AND ALDERMEN; TO AMEND THE PROVISIONS REGARDING THE CITY JAIL AND CITY PRISONERS; TO AMEND THE PROVISION REGARDING THE BUILDING AND REPAIRING OF SIDEWALKS; TO AMEND THE PROVISION REGARDING THE SPEED OF HORSES; TO REPEAL THE PROVISION AUTHORIZING THE APPROPRIATION OF FUNDS TO A PUBLIC HOSPITAL; TO REPEAL THE ESTABLISHMENT, JURISDICTION AND REGULATIONS REGARDING THE VICKSBURG HARBOR AND PORT COMMISSION, AND FOR OTHER RELATED MATTERS

Whereas, the Board of Mayor and Aldermen desires to Amend the Special Charter of the City of Vicksburg and the changes will specifically amend the provision regarding the inspection of city books by providing for compliance with the Mississippi Public Records Act, to amend the corporate officers and provide for the appointment of corporate officers, to require corporate officers not previously employed, appointed after July 3, 2017 to be qualified electors of the city of Vicksburg, unless already employed as a director and living outside of the city limits, to delete provisions relating to the election of city officers by qualified voters, to amend the provision regarding the jurisdiction of the municipal court to comply with state law; to amend the provision regarding appeals from municipal court to comply with state law; to amend the provision regarding the chief of police and police force; to amend the provision regarding the assessor and collector of taxes; to amend the provisions regarding the municipal court clerk; to amend the provision regarding the city sexton; to amend the provisions regarding the meetings of the Board of Mayor and Aldermen; to amend the provisions regarding the city jail and city prisoners; to amend the provision regarding the building and repairing of sidewalks; to amend the provision regarding the speed of horses; to repeal the provision authorizing the appropriation of funds to a public hospital; to repeal the establishment, jurisdiction and regulations regarding the Vicksburg Harbor and Port Commission, and for other related matters.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF VICKSBURG, MISSISSIPPI that the SPECIAL CHARTER of the City of Vicksburg be amended as follows:

**SECTION ONE:** Sec. 12. *Same - open for inspection.* as it presently exists shall be deleted:

**SECTION TWO:** The following language shall be substituted in place of the deleted language in Sec. 12.:

Sec. 12. Same - open for inspection.

All books, bonds, papers and records on file, or held in any department of the city government shall be open for the inspection, examination and the procurement of copies by any person in accordance with the Mississippi Public Records Act.

**SECTION THREE:** Sec. 20. *Enumeration of officers, salaries.* as it presently exists shall be deleted on July 2, 2017.

**SECTION FOUR:** The following language shall be substituted in place of the deleted language in Sec. 20:

Sec. 20 - Enumeration of officers; salaries from and after July 3, 2017.

(A) Enumeration. The corporate officers of the city shall consist of one (1) Mayor, two (2) Aldermen, each of whom shall be elected as provided in Section 3 and Section 37.1, one (1) city clerk, one (1) chief of the police department, one (1) chief of the fire department, one (1) city attorney, one (1) director of parks and recreation, one (1) director of human resources, one (1) director of finance and administration, one (1) director of information technology, one (1) director of public works, one (1) director of community development and one (1) director of economic development. These corporate officers, other than the Mayor and Aldermen, shall each be a director and head a division of the government. The Mayor and Aldermen shall be elected by the qualified voters of the city and shall hold their offices for four (4) years and until their successors are elected and qualified.

(B) Division Heads/ Directors: The City Clerk and City Attorney shall be appointed by the majority of the Board of Mayor and Aldermen and shall serve at the will and pleasure of the Board. The Mayor shall have authority to select and appoint the Director of Economic Development who shall serve in the Mayor's office with the consent of at least one of the Aldermen. These appointments should be made at the first board meeting in July or as soon thereafter as practical. The Mayor shall be the Police Commissioner and shall have authority to select and appoint the Police Chief with the consent of at least one of the Aldermen. The Board of Mayor and Aldermen shall, by a majority vote, within thirty (30) days of taking office, designate an elected official to be superintendent of each remaining division and shall define his

powers and duties as superintendent. The elected official chosen to be superintendent over a particular division shall have authority to select and appoint the director of the division over which he is superintendent, with the consent of one other elected official, within sixty (60) days of taking office. Each division head will serve at the will and pleasure of the Board of Mayor and Aldermen and will not be subject to civil service.

(C) Departments: The municipality may have such departments under each division as the Board of Mayor and Aldermen may establish by organizational chart set forth in its Official Minutes within thirty (30) days of taking office. All of the administrative functions, powers and duties of the municipality shall be allocated and assigned among and within such departments. The Board of Mayor and Aldermen shall determine the powers and duties to be exercised and performed by each department and shall assign the various employees of the city to the appropriate department. The Board shall prescribe the powers and duties of the officers and employees of the city and make all such rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

(D) Mayor Pro tem: The Board of Mayor and Aldermen shall also elect by ballot, one (1) of the Aldermen to be Mayor Pro Tem of the Board of Aldermen, who shall, in the absence of the Mayor, or of inability on his part to discharge the duties of the office of Mayor for and during the time of such absence or inability for which time and service he shall be allowed by the Board the same salary, pro-rata, received by the Mayor.

(E) Salaries. The Mayor and Aldermen of the City of Vicksburg shall set the salaries of the Mayor and Aldermen by placing an ordinance in the Code of ordinances of the City of Vicksburg, Mississippi, from time to time as needed. The salaries of all other officers and employees of the city shall be fixed and determined by the Mayor and Aldermen as needed. The amount, the time of payment and the manner of payment for the Mayor and Aldermen shall be set by the said ordinance. The Mayor and Aldermen shall devote their entire time, or so much thereof as may be necessary to the operation of the civic government and the performance of their respective duties, and they shall not be engaged in any business, avocation or pursuit that shall in any manner interfere with the efficient and faithful performance of their duties under the laws of the State of Mississippi and this Charter.

**SECTION FIVE:** Sec. 21. *Qualifications for office.* as it presently exists shall be deleted.

**SECTION SIX:** The following language shall be substituted in place of the deleted language in Sec. 21.

Sec. 21. Qualifications for office.

(A) The Mayor and Aldermen shall be legal voters for a period of at least thirty (30) days of the city at the time of qualifying for office. The Aldermen shall reside in their respective wards from which they are chosen; change of residence from the ward he may have been chosen to represent, shall, ipso facto, make vacant the office of any Alderman.



(B) All other corporate officers, unless grand-fathered in by the terms of this provision, set forth in Section 20(A) shall, if not registered voters of the city and residents of the city at the date of their election or appointment, become registered voters and residents of the city within one hundred and eighty (180) days of their appointment. This provision does not apply to those directors who were hired prior to July 2017 and living outside of the city limits, and reappointed after the new administration takes office in July of 2017. It will apply to any newly appointed director who has not previously held the position of director.

**SECTION SEVEN:** Sec. 23. *Accounting for money; removal from office; specifying duties by ordinance* as it presently exists shall be deleted.

**SECTION EIGHT:** The following language shall be substituted in place of the deleted language in Sec. 23:

Sec. 23: Accounting for money; specifying duties by ordinance.

Every city officer shall make a monthly report to the Mayor and Aldermen of all money that may have come to his hands by virtue of his office, within the month reported for. The duties of all officers, not specified by this charter, may be prescribed by ordinance or resolution not contrary to law.

**SECTION NINE:** Sec. 29. *Holding municipal court; imposing punishment; acting judge* as it presently exists shall be deleted.

**SECTION TEN:** The following language shall be substituted in place of the deleted language in Sec. 29:

Sec. 29. Holding municipal court; imposing punishment; acting judge.

The Board of Mayor and Aldermen of the city shall appoint one or more municipal judges to preside over municipal court. The municipal judge shall hold court as needed, except on Saturdays and Sundays, at any convenient locality designated by the Mayor and Aldermen, which shall be considered in constant session for hearing and determining all causes arising under its jurisdiction. All fines and forfeitures imposed by the municipal court judge for violation of the laws of the State of Mississippi and the ordinances of the City of Vicksburg shall be paid into said treasury of said city. If the municipal judge shall be absent, or unable to preside, the municipal judge pro tem shall act in his place. The chief of police or a law enforcement officer appointed by the chief of police, shall also attend sessions of the court held by the municipal judge, and shall keep order and execute its orders and judgments.

**SECTION ELEVEN:** Sec. 30. *Same - Appeals.* as it presently exists shall be deleted.

**SECTION TWELVE:** The following language shall be substituted in place of the deleted language in Sec. 30:

Sec. 30. Same - Appeals:

All appeals from the municipal court shall be taken to the County Court of Warren County, Mississippi, with bond and within the time period as provided by the laws of the State of Mississippi

**SECTION THIRTEEN:** Sec. 33. *Assessor and collector of taxes.* as it presently exists shall be deleted.

**SECTION FOURTEEN:** The following language shall be substituted in place of the deleted language in Sec. 33:

Sec. 33. Assessor and collector of taxes.

The Board of Mayor and Aldermen may enter into a contract with the Warren County elected officials to assess and collect the city taxes. Or, the Mayor and Aldermen may appoint an assessor and collector of city taxes. The assessor and collector shall collect all taxes levied by the Mayor and Aldermen and pay same to the city treasurer at the expiration of each month. The Board shall provide the assessor with the assessment rolls, tax list and receipts necessary for the conduct of his office. The assessor and collector shall preserve in his or her office all the records and proceedings had therein. The Board shall provide an office for the assessor and collector and furnish the same as it may deem proper.

**SECTION FIFTEEN:** Sec. 34. *Municipal Court Clerk.* as it presently exists shall be deleted.

**SECTION SIXTEEN:** The following language shall be substituted in place of the deleted language in Sec.34:

Sec. 34. Municipal Court Clerk.

The municipal court clerk shall be appointed by a majority of the Board of Mayor and Aldermen and shall serve at the will and pleasure of the Mayor and Aldermen. The clerk of the municipal court shall perform all of the duties required by law, and such other duties as may be prescribed by the Mayor and Aldermen. The municipal court clerk shall deposit daily in the city account all collections of fines imposed and make a monthly accounting to the Board of Mayor and Aldermen a statement of the names of the persons upon whom the fines have been imposed during the preceding month, the date of the judgment, the amount of the fine imposed and the amount collected.

When discharging the duties of the clerk while the court is sitting or in session, or attendant to the performance of activities required by the municipal judge, the clerk shall perform such duties and responsibilities under the supervision and direction of the municipal judge.

**SECTION SEVENTEEN:** Sec. 37. *Sexton.* as it presently exists shall be deleted.

**SECTION EIGHTEEN:** The following language shall be substituted in place of the deleted language in Sec. 37:

Sec. 37: Sexton.

The city sexton shall have the supervision and control of the city cemetery under the directions and orders of the Mayor and Aldermen. He shall bury all paupers at the expense of the county or city at such times and places as the Board may fix, and shall see that all city ordinances for the regulation and preservation of the city cemetery are carried into effect.

**SECTION NINETEEN:** Sec.39.*Same- Time, appointing special committees, exemption from jury duty.* as it presently exists shall be deleted.

**SECTION TWENTY:** The following language shall be substituted in place of the deleted language in Sec. 39:

Sec. 39. Same - Time, appointing special committees.

There shall be four (4) regular meetings of the Mayor and Aldermen in each month, to be held on the first and third Mondays of the month and the tenth (10<sup>th</sup>) day and twenty-fifth (25<sup>th</sup>) day of each month if not on a weekend or holiday. If the tenth (10<sup>th</sup>) day or twenty-fifth (25<sup>th</sup>) day will fall on a weekend or holiday, the Mayor and Aldermen shall announce at the regular meeting preceding that date, the date and time of when the meeting shall be held. The Mayor shall appoint all regular or special committees of the Board; but no committee shall be vested with plenary power over any subject that may be submitted to it, but all matters so referred shall be reported back to the Board for confirmation or final action.

**SECTION TWENTY-ONE:** Sec. 40(9). *City jail.* as it presently exists shall be deleted.

**SECTION TWENTY-TWO:** The following language shall be substituted in place of the deleted language in Sec. 40(9):

Sec. 40 General powers exercisable by ordinance or resolution.

(9) : City jail.

To establish and regulate a city jail in the city for the confinement of all persons sentenced to imprisonment by the city court, and all persons held under arrest for trial for offenses within the jurisdiction of the city court. But all persons arrested by the officers of said city, charged with felony shall be received and kept in the jail of Warren County on a mittimus signed by the municipal judge or assistant municipal judge, to be kept in like manner and subject to the same rules and regulations as if such commitment had been made by a justice court judge of said county.

Or the Mayor and Aldermen may dispense with the city jail altogether and may sell or rent the same, and the city prisoners may be confined in the county jail of Warren County or other correctional facility authorized by the State of Mississippi, and the Mayor and Aldermen are authorized and empowered to contract with the proper parties for the confinement, safe-keeping and sustenance of the city prisoners in the county jail of Warren County or other authorized correctional facility, at a rate to be negotiated by the proper authorities per head per day, and turnkey's fees; or the said Board may have them fed by some person appointed for that purpose, at the cost and charges of the city. Good and sufficient food shall be provided for them.

**SECTION TWENTY-THREE:** Sec. 40(14). *Building and repairing of sidewalks.* as it presently exists shall be deleted.

**SECTION TWENTY-FOUR:** The following language shall be substituted in place of the deleted language in Sec. 40(14):

Sec. 40(14) Building and Repairing of sidewalks.

Building and repairing of sidewalks. To provide for the building, renewing or repairing of all sidewalks and gutters with stone, brick, wood, concrete or other material, at the expense of the property upon which the same may front, extending to the adjoining or intersecting street or streets, in case such property be a corner lot, properly apportioned, and on the neglect, failure or refusal of the property owner to build, renew or repair, the sidewalks and gutters fronting on his property, extended as aforesaid, within such time and in such manner as may be prescribed by the Mayor and Aldermen, to provide for having the same done, at the expense of the city, by the Director of Public Works or some other person, to be appointed for that purpose, and the Director of Public Works or other person having such work done shall report in writing to the assessor and collector the cost to the city of such work upon the front of each lot or part of lot of each owner, and the assessor and collector shall assess the same upon said property, with twenty-five (25) per cent damages with the next accruing city taxes, to be collected thereon, and collect the same with said taxes in the same mode as provided for the collection of taxes on real estate, or the said costs and damages may be recovered of the property owner by the city in any court of competent jurisdiction. Such cost and damages shall be a lien upon the property to which the same is chargeable. Before any person shall be required to lay a new sidewalk the city shall establish the proper grades of such work. But the owner of such lot or part of lot may pay one-tenth of the cost of building, renewing or repairing such sidewalk and gutter in cash, and shall thereupon be entitled to an extension of the balance payable in equal installments in one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), and nine (9) years, with interest at the rate of not exceeding eight (8) per cent per annum, provided such owner will execute his promissory notes for each said installments, payable as aforesaid to the Mayor and Aldermen of the City of Vicksburg, with interest aforesaid, and deliver the same to the city treasurer for the use of the City of Vicksburg. Said installment notes shall be assessed by the assessor and collector against the property of the maker, fronting or abutting upon the sidewalks so built, renewed or repaired as aforesaid, and shall constitute a first lien thereon until paid. In default of the payment of any of said installment notes at maturity, the assessor and collector of taxes shall add twenty-five (25) per cent damages thereto, and shall collect the same with the taxes next

accruing on such lot or part of lot, and with the same remedies. The Mayor and Aldermen shall have the power to contract with someone by the year to build, renew or repair sidewalks and gutters.

**SECTION TWENTY- FIVE:** Sec. 40(23). *Speed of horses and vehicles.* as it presently exists shall be deleted.

**SECTION TWENTY-SIX:** The following language shall be substituted in place of the deleted language in Sec. 40(23):

Sec. 40 (23). Speed of vehicles. To regulate the speed of vehicles in the city, so as to secure the safety of the people.

**SECTION TWENTY-SEVEN:** Sec. 40(41). *Hospital* as it presently exists shall be deleted and reserved.

**SECTION TWENTY-EIGHT:** Sec. 40(58) *Membership (Vicksburg Harbor and Port Commission)* as it presently exists shall be deleted and reserved.

**SECTION TWENTY-NINE:** Sec. 40(59) *Organization, meetings, quorum (Vicksburg Harbor and Port Commission)* as it presently exists shall be deleted and reserved.

**SECTION THIRTY:** Sec. 40(60) *Subordinate employees - Certifying nomination, appointment (Vicksburg Harbor and Port Commission)* as it presently exists shall be deleted and reserved.

**SECTION THIRTY-ONE:** Sec. 40(61) *Same-Discharge (Vicksburg Harbor and Port Commission)* as it presently exists shall be deleted and reserved.

**SECTION THIRTY-TWO:** Sec. 40(62) *Revenue, Disbursement. (Vicksburg Harbor and Port Commission)* as it presently exists shall be deleted and reserved.

**SECTION THIRTY-THREE:** Sec. 40(63) *Jurisdiction- Supervision and control (Vicksburg Harbor and Port Commission)* as it presently exists shall be deleted and reserved.

**SECTION THIRTY-FOUR:** Sec. 40(64) *Same-Designation of area (Vicksburg Harbor and Port Commission)* as it presently exists shall be deleted and reserved.

**SECTION THIRTY-FIVE:** Sec. 40(65) *Rules and regulations, promulgation; regulating movement, etc. of vessels. (Vicksburg Harbor and Port Commission)* as it presently exists shall be deleted and reserved.

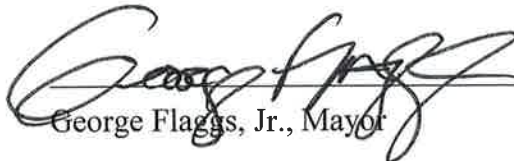
**SECTION THIRTY-SIX:** Sec. 40(66) *Filing reports and accounts. (Vicksburg Harbor and Port Commission)* as it presently exists shall be deleted and reserved.


**SECTION THIRTY-SEVEN:** Sec. 40(67) *Fixing rates, charges and wharfage; granting permits (Vicksburg Harbor and Port Commission)* as it presently exists shall be deleted and reserved.


**BE IT FURTHER RESOLVED** that these proposed Charter Amendments be published in accordance with §21-17-9 of the Mississippi Code of 1972, as amended, that the proposed amendment, after publication, be submitted to the Governor of the State of Mississippi, unless there is a protest in accordance with §21-17-9 of the Mississippi Code of 1972, as amended, that the Clerk of the City of Vicksburg be authorized and empowered to conform with the requirements of §21-17-9 of the Mississippi Code of 1972, as amended, as the same applies to the amendment of the Special Charter of the City of Vicksburg, Mississippi.

**SO RESOLVED** this the 3rd day of January, 2016.

The Mayor and Aldermen of the  
City of Vicksburg, Mississippi

  
George Flagg, Jr., Mayor

  
Michael A. Mayfield, Sr., Alderman

  
Willis T. Thompson, Alderman

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# CERTIFICATE

**I, Walter W. Osborne, Jr., the duly appointed, qualified and acting City Clerk and lawful custodian of the Minutes of The Mayor and Aldermen of the City of Vicksburg and Seal of said City, Certify that the foregoing is a true and exact copy of a Resolution Adopted by the Mayor and Aldermen of the City of Vicksburg at a Regular Board Meeting held on Tuesday, January 03, 2017.**

**WITNESS my signature and official seal of office this 3<sup>rd</sup> day of January, 2017.**



  
Walter W. Osborne, Jr., City Clerk

# **CERTIFICATE**

**I, Walter W. Osborne, Jr., the duly appointed, qualified and acting City Clerk and lawful custodian of the Minutes of The Mayor and Aldermen of the City of Vicksburg and Seal of said City, Certify that the foregoing is a true and exact copy of a Resolution Adopted by the Mayor and Aldermen of the City of Vicksburg at an Adjourned Board Meeting held on Friday, February 10, 2017.**

**WITNESS my signature and official seal of office this 10<sup>th</sup> day of February, 2017.**

  
\_\_\_\_\_  
Walter W. Osborne, Jr., City Clerk



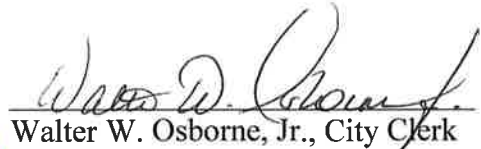


CERTIFICATE OF CITY CLERK, VICKSBURG, MISSISSIPPI

I, Walter W. Osborne, Jr., the duly appointed and qualified City Clerk of the City of Vicksburg, Mississippi, do certify that the foregoing Resolution of the Board of Mayor and Aldermen of the City of Vicksburg, Mississippi giving its Notice of Intent to Amend the Special Charter, was unanimously adopted on January 3, 2017 and published in accordance with §21-17-9 of the Mississippi Code of 1972, as amended, and that there have not been any objections or protests to the proposed Special Charter Amendments filed with the City Clerk's office.

This the 26<sup>th</sup> day of January, 2017.



  
Walter W. Osborne, Jr., City Clerk