

**RESOLUTION ACCEPTING PETITION, DISPENSING WITH ELECTION, AND
APPOINTING WARD 5 COUNCIL MEMBER**

Whereas, on August 6, 2024, the City Council of the City of Bay St. Louis (“City Council”) accepted the resignation of William “Buddy” Zimmerman as Ward 5 Council Member.

Whereas, on August 6, 2024, the City Council ordered that a nonpartisan special election be held on Tuesday, September 17, 2024, to elect a Council Member for Ward 5 to complete the remainder of the term expiring June 30, 2025.

Whereas, as set by the City Council, and as provided in Section 23-15-857, Mississippi Code of 1972, candidates were required to qualify by submitting a petition to the City Clerk by August 28, 2024.

Whereas, only one candidate, Linda Kay Perniciaro Davis, submitted a petition to the City Clerk by August 28, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI, AS FOLLOWS:

SECTION 1. The findings, conclusions and statements of fact contained in the preamble are hereby adopted, ratified and incorporated herein.

SECTION 2. Linda Kay Perniciaro Davis is the only candidate who properly submitted a petition personally signed by not less than fifty (50) qualified electors of Ward 5 of the City of Bay St. Louis on or before 5:00 p.m. August 28, 2024. The City Clerk is the certifying official as to the number of signatures of registered votes and has provided a certificate stating the number of required signatures of duly registered voters that appear on the petition are correct. The certificate is attached hereto as Exhibit A. The City Council hereby accepts the petition.

SECTION 3. Linda Kay Perniciaro Davis meets the residency requirements provided in Section 23-15-300, Mississippi Code of 1972 by residing in Ward 5 for over two (2) years preceding the day of the election.

SECTION 3. The City Council, pursuant to Section 23-15-857(2), Mississippi Code of 197, hereby dispenses with the election and appoints Linda Kay Perniciaro Davis as Ward 5 Council Member in lieu of the previously set election.

SECTION 4: The City Clerk shall certify the appointment to the Mississippi Secretary of State, and Linda Kay Perniciaro Davis shall be commissioned by the Governor.

SECTION 5: The Mayor, City Clerk, and legal counsel are hereby authorized and directed to take whatever steps necessary to fulfil the appointment of Linda Kay Perniciaro Davis as Ward 5 Council Member.

SECTION 6: This resolution shall take effect and be in force from and after adoption.

After being reduced to writing, the foregoing Resolution was read and considered, section by section, and then as a whole, whereupon Council Member DeSalvo moved for its adoption, and after a second by Council Member Knoblock, the following roll call vote was had:

Council Member Doug Seal	<u>YEA</u> /NAY
Council Member Gene Hoffman	<u>YEA</u> /NAY
Council Member Jeffrey Reed	<u>YEA</u> /NAY
Council Member Kyle Lewis	<u>YEA</u> /NAY
Council Member	Vacant
Council Member Josh DeSalvo	<u>YEA</u> /NAY
Council Member Gary Knoblock	<u>YEA</u> /NAY

Passed by the City Council of the City of Bay Saint Louis on the 3rd day of September 2024.


CERTIFICATION

I, Michael Reso, City Clerk for the City of Bay Saint Louis, Mississippi, do hereby certify that the foregoing Resolution was approved and adopted in the public meeting of the City Council held on September 3, 2024, a quorum being present, in the City Council Conference Chambers and to be recorded in the Minute Books, said Council being the duly elected, qualified, and acting governing body of Bay Saint Louis, Mississippi.

Presented by me to the Mayor on this, the 4th day of September 2024.


Michael Reso, City Clerk

Approved, and signed by me on this, the 4th day of September 2024.


Michael J. Favre, Mayor