

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON SEPTEMBER 20, 2016 AT 6:00 P.M. IN THE BOARDROOM OF SAID CITY.

|               |  |
|---------------|--|
| THOSE PRESENT | MAYOR HAL MARX   |
| ATTORNEY      | TOM TYNER  |
| ALDERMEN      | BRAD AMACKER<br>CRAIG BULLOCK<br>DAVID CLAYTON<br>TONY DUCKER<br>WILLIAM KING<br>CLINT MOORE<br>STEVE STRINGER |
| OTHERS        | ADA MADISON<br>VALERIE WILSON<br>AND MANY OTHERS   |

MAYOR MARX DECLARED A QUORUM PRESENT AND DECLARED THE CITY COUNCIL IN SESSION.

THE INVOCATION WAS OFFERED BY BRAD AMACKER

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR MARX PRESENTED THE AGENDA WITH THE FOLLOWING AMENDMENTS

GENERAL BUSINESS

REQUEST TO WAIVE LATE FEES BILLED TO 20 NORRELL DR IN THE AMOUNT OF \$16.69

SEMINARS & TRAVEL

REQUEST FOR ERIC VANFOSSEN TO ATTEND MS STATE FIRE ACADEMY ROPE RESCUE CLASS ON SEPT 19-22, 2016 IN PLACE OF PATE POWELL

REQUEST TO REIMBURSE ERIC VANFOSSEN \$72.00 FOR MEAL ALLOWANCE AT MS STATE FIRE ACADEMY ROPE RESCUE CLASS.

ORDERS & ORDINANCES

REQUEST TO REVIEW ORDINANCE 2006 (103-A3).

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO APPROVE THE MINUTES OF THE PUBLIC HEARING, BUDGET HEARING AND REGULAR MEETING OF SEPTEMBER 6, 2016 AND THE SPECIAL MEETING OF SEPTEMBER 15, 2016

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO APPROVE THE MINUTES OF THE PUBLIC HEARING, BUDGET HEARING AND REGULAR MEETING OF SEPTEMBER 6, 2016 AND THE SPECIAL MEETING OF SEPTEMBER 15, 2016 AS WRITTEN. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED FOR PUBLIC COMMENT

THEREUPON, JAMES BULLARD ADDRESSED THE BOARD IN OPPOSITION TO ANNEXATION.

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR THE CITY TO PROVIDE A SEWER MAIN UP TO THE CONNECTION OF THE SEWER SERVICE FOR TWO 4-PLEX APARTMENTS TO BE BUILT AT 200 E CHERRY DR

THEREUPON, ALDERMAN MOORE MADE A MOTION TO AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO INSTALL A SEWER MAIN UP TO THE CONNECTION OF THE SEWER SERVICE FOR TWO 4-PLEX APARTMENTS TO BE BUILT AT 200 E CHERRY DR. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO TRANSFER \$117,500.00 FROM THE WATER FUND TO THE GENERAL FUND FOR THE SALE OF PROPERTIES LOCATED ON W CENTRAL AVE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO TRANSFER \$117,500.00 FROM WATER TO GENERAL FOR THE SALE OF PROPERTIES LOCATED ON W CENTRAL AVE. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO CLOSE THE BANK ACCOUNT FOR CENTRAL FUELING STATION AND TRANSFER REMAINING BALANCE TO THE GENERAL FUND

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO CLOSE THE BANK ACCOUNT FOR THE CENTRAL FUELING STATION AND TRANSFER THE BALANCE TO THE GENERAL FUND. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE RESIGNATION OF DAVID HUTTO IN THE POLICE DEPT

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE RESIGNATION OF DAVID HUTTO IN THE POLICE DEPT EFFECTIVE SEPTEMBER 13, 2016. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON

ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE LEASE AGREEMENT FOR K9 DENA AND K9 TIPP

EXHIBIT "A"  
LEASE AGREEMENTS

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE LEASE AGREEMENTS FOR K9 DENA AND K9 TIPP IN THE POLICE DEPT. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO APPROVE A ZONING CHANGE FOR 1054 HWY 42

EXHIBIT "B"

ORDINANCE 1979 (42-A400)

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION AND ADOPT THE FOREGOING ORDINANCE GRANTING A ZONING CHANGE FOR 1054 HWY 42. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

ALDERMAN BRAD AMACKER

WHEREAS, MAYOR MARX PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF AUGUST 2016

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF AUGUST 2016. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE REVENUE & EXPENDITURES REPORT FOR THE MONTH OF AUGUST 2016

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE REVENUE & EXPENDITURES REPORT FOR THE MONTH OF AUGUST 2016. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ADJUST LATE FEES BILLED TO 20 NORRELL DR.

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE THE CITY CLERK TO WAIVE LATE FEES BILLED TO 20 NORRELL DR IN THE AMOUNT OF \$16.69. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR RYAN SMITH TO ATTEND TRI DISTRICT WATER OPERATOR TRAINING IN HATTIESBURG, MS

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE RYAN SMITH TO ATTEND TRI DISTRICT WATER OPERATOR TRAINING IN HATTIESBURG, MS ON OCTOBER 13, 2016 AT NO COST. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR RYAN SMITH TO ATTEND WASTEWATER OPERATOR TRAINING IN HATTIESBURG, MS

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE RYAN SMITH TO ATTEND WASTEWATER OPERATOR TRAINING IN HATTIESBURG, MS ON OCTOBER 5, 2016 AT NO COST. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO REIMBURSE DONNY WAGERS \$41.00 MEAL ALLOWANCE DURING WATER OPERATOR CONFERENCE IN SEPTEMBER.

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REIMBURSE DONNY WAGERS \$41.00 FOR ONE DAY MEAL ALLOWANCE AT THE WATER OPERATOR CONFERENCE IN SEPTEMBER. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR ERIC VANFOSSEN TO ATTEND THE MS STATE FIRE ACADEMY ROPE RESCUE CLASS ON SEPT 19-22, 2016 IN PLACE OF PATE POWELL

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE ERIC VANFOSSEN TO ATTEND THE MS STATE FIRE ACADEMY ROPE RESCUE CLASS ON SEPT 19-22, 2016 IN PLACE OF PATE POWELL. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO REIMBURSE ERIC VANFOSSEN \$72.00 FOR MEAL ALLOWANCE SEPT. 19-22, 2016.

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REIMBURSE ERIC VANFOSSEN \$72.00 FOR MEAL ALLOWANCE SEPT 19-22, 2016. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER RAISING THE RATE OF PAY FOR PHILLIP HAMILTON

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL DEEM IT NECESSARY TO RAISE THE RATE OF PAY FOR PHILLIP HAMILTON

IT IS HEREBY ORDERED THAT PHILLIP HAMILTON BE RAISED TO \$11.00 PER HOUR EFFECTIVE OCTOBER 26, 2016

SO ORDERED THIS THE 20<sup>TH</sup> DAY OF SEPTEMBER 2016

THEREUPON, ALDERMAN KING MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER RAISING THE RATE OF PAY FOR BENJAMIN PICKETT

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF PETAL DEEM IT NECESSARY TO  
RAISE THE RATE OF PAY FOR BENJAMIN PICKETT

IT IS HEREBY ORDERED THAT BENJAMIN PICKETT  
BE RAISED TO \$11.00 PER HOUR EFFECTIVE  
NOVEMBER 9, 2016

SO ORDERED THIS THE 20<sup>TH</sup> DAY OF SEPTEMBER 2016

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN KING  
SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDINANCE FOR REVIEW

EXHIBIT "C"

ORDINANCE 2006 (103-A3)

THEREUPON, ALDERMAN KING MADE A MOTION TO TAKE THE ORDINANCE UNDER REVIEW. ALDERMAN  
BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, MAYOR MARX REPORTED THAT SALES TAX HAS COME IN HIGHER THAN BUDGETED FOR THIS  
YEAR. MAYOR MARX ALSO ANNOUNCED THAT MERIT HEALTH HAS DONATED THE OLD CLINIC ON E  
CENTRAL AVE TO THE CITY TO BE UTILIZED AS A SENIOR CENTER/VETERANS CENTER

WHEREAS, MAYOR MARX CALLED FOR FURTHER PUBLIC COMMENT

THEREUPON, VALERIE WILSON ANNOUNCED THAT PETAL HAS FORMED A MILITARY AFFAIRS COMMITTEE  
TO HELP PETAL BECOME A MORE MILITARY FRIENDLY CITY. THEY ARE OPEN TO ANY VOLUNTEERS.

THERUPON, ADA MADISON STATED THAT SHE WOULD LIKE TO SEE BROAD STREET PAVED.

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ENTER INTO EXECUTIVE SESSION.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO CLEAR THE ROOM TO DETERMINE THE NEED FOR  
EXECUTIVE SESSION. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON

ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ENTER INTO EXECUTIVE SESSION. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

NO OFFICIAL ACTION WAS TAKEN IN EXECUTIVE SESSION.

THEREUPON, ALDERMAN KING MADE A MOTION TO ADJOURN THE REGULAR MEETING. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN DAVID CLAYTON  
ALDERMAN TONYDUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THERE BEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON SEPTEMBER 20, 2016.

SEAL

ATTEST



*Melissa Martin*  
MELISSA MARTIN, CITY CLERK

*Hal Marx*  
MAYOR HAL MARX



EXHIBIT "A"

**Petal Police Department**

127 West 8<sup>th</sup> Ave  
Petal, MS 39465  
Phone: 601-544-5331  
Fax: 601-544-5347



Chief of Police:  
Leonard Fuller  
Assistant Chief of Police:  
Matthew Hiatt

*[Handwritten signature]*

LEASE OF POLICE SERVICE DOG

This Lease Agreement is made this the 8 day of September, 2016 between Steven Smith, hereafter referred to as Lessor, and the Petal Police Department, hereafter referred to as Lessee.

Whereby in consideration of a one-time payment one dollar and other consideration, the receipt and sufficiency of which is acknowledged, Lessor agrees to lease Dena to the Lessee for police Canine work for one-year term commencing on September 8, 2016 and terminating on September 8, 2017.

As a part of the consideration of allowing lessee to lease Dena, Lessee agrees to indemnify Lessor against any and all claims, cause of action, damages, judgments, cost or expenses, including attorney fees and other litigation costs which may in any way arise from the actions of Dena while on duty. Said indemnification and waiver shall apply to all employees, representatives, contractors, an agents of Lessee, as well as any third parties.

This Lease Agreement represents the entire agreement between the parties and no provision may be waived or modified, except by an instrument in writing signed by both of the parties. Either party can terminate the agreement simply by giving a 30-day written notice. The undersigned represent that they have full authority to enter into the agreement on behalf of Lessor and lessee, respectively, after having first duly authorized so to do and to legally bind same.

Signatures

*[Signature]*  
Steven Smith, Lessor

*[Signature]*  
Petal Police Department, Lessee

September 12, 2016

**APPROVED**

SEP 20 2016

City of Petal  
Attn: Mayor Hal Marx  
Board of Aldermen  
Petal, MS 39465

Dear Sirs:

Please consider this request to allow the one year lease of K-9 Dena from Handler Officer Steven Smith and K-9 Tipp from Officer Matthew Shepherd. This lease is valid for one year beginning September 8, 2016 and ending on September 8, 2017.

Thank you for your consideration in this matter.

Sincerely,

*[Signature]*

Leonard Fuller  
Chief of Police

Attachment: Lease agreements (2)

mw

*[Handwritten signature]*

LEASE OF POLICE SERVICE DOG

This Lease Agreement is made this the 8 day of September, 2016 between Matthew S. Shepherd, hereafter referred to as Lessor, and the Petal Police Department, hereafter referred to as Lessee.

Whereby in consideration of a one-time payment one dollar and other consideration, the receipt and sufficiency of which is acknowledged, Lessor agrees to lease TIPP to the Lessee for police Canine work for one-year term commencing on September 8, 2016 and terminating on September 8, 2017.

As a part of the consideration of allowing lessee to lease Tipp, Lessee agrees to indemnify Lessor against any and all claims, cause of action, damages, judgments, cost or expenses, including attorney fees and other litigation costs which may in any way arise from the actions of TIPP while on duty. Said indemnification and waiver shall apply to all employees, representatives, contractors, an agents of Lessee, as well as any third parties.

This Lease Agreement represents the entire agreement between the parties and no provision may be waived or modified, except by an instrument in writing signed by both of the parties. Either party can terminate the agreement simply by giving a 30-day written notice. The undersigned represent that they have full authority to enter into the agreement on behalf of Lessor and lessee, respectively, after having first duly authorized so to do and to legally bind same.

Signatures

*[Signature]*  
Mathew S Shepherd, Lessor

*[Signature]*  
Police Department, Lessee

ORDINANCE NUMBER 1979 (42-A400)

**AN ORDINANCE CHANGING AND AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 1979 (42) OF THE CITY OF PETAL, MISSISSIPPI, AS AMENDED BY ORDINANCE NUMBERS 1979 (42-1) THROUGH 1979 (42-A399) SO AS TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 1054 HIGHWAY 42 FROM R-1 (LOW DENSITY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL DISTRICT) EXHIBIT "B"**

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL,

MISSISSIPPI:

SECTION 1. That the Comprehensive Zoning District Map, adopted as part of the Comprehensive Zoning Ordinance Number 1979 (42) of the City of Petal, Mississippi, as amended by Ordinance Numbers 1979 (42-1) through 1979 (42-A399) and the same is hereby changed and amended as per petition filed in connection therewith so that the land described as listed below. Change of current zoning from R-1 (Low Density Residential) to C-2 (General Commercial District).

Said land being more particularly described as follows, to wit:

LOT 6 BLOCK A OF FORREST ACRES SUBDIVISION, PARCEL #3-020M-33-003.00,  
FORREST COUNTY, MS

as per map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, is hereby classified and placed in the C-2 (General Commercial District) zoning.

SECTION 2. Except as hereby expressly changed and amended, the aforesaid Comprehensive Zoning Ordinance No. 1979 (42) of the City of Petal, Mississippi, as amended by Ordinance Numbers 1979 (42-1) through 1979 (42-A399) shall be and remain in full force and form as adopted on September 20, 2016.

SECTION 3. That this Ordinance shall take effect and be in full force within thirty (30) days from and after its passage as provided by law. The foregoing Ordinance having been reduced to writing, the same was introduced and read, and a vote was taken thereon, first section by section and then upon the Ordinance as a whole with the following results:

Those present and voting "AYE" and in favor of the passage, adoption and approval of Sections 1, 2 and 3 of the foregoing Ordinance:

- ALDERMAN BRAD AMACKER
- ALDERMAN CRAIG BULLOCK
- ALDERMAN DAVID CLAYTON
- ALDERMAN TONY DUCKER
- ALDERMAN WILLIAM KING
- ALDERMAN CLINT MOORE
- ALDERMAN STEVE STRINGER

Those present and voting "NAY" or against the adoption of any section of the foregoing Ordinance:

NONE

Those present and voting "AYE" and in favor of the adoption of the foregoing Ordinance as a whole:

- ALDERMAN BRAD AMACKER
- ALDERMAN CRAIG BULLOCK
- ALDERMAN DAVID CLAYTON
- ALDERMAN TONY DUCKER
- ALDERMAN WILLIAM KING
- ALDERMAN CLINT MOORE
- ALDERMAN STEVE STRINGER

Those present and voting "NAY" or against the adoption of the foregoing Ordinance as a whole:

NONE

WHEREUPON, the foregoing Ordinance be, and the same is hereby passed, adopted and approved on this the 20<sup>th</sup> day of September 2016.

  
HAL MARX, MAYOR



ATTEST:

  
MELISSA MARTIN, CITY CLERK

PUBLISH ONE TIME: NOVEMBER 6, 2016

EXHIBIT "C"

ORDINANCE NUMBER 2006 (103-A3)

AN ORDINANCE AMENDING THE BUILDING, PLUMBING, ELECTRICAL, GAS, FIRE PREVENTION, MECHANICAL, AND PROPERTY MAINTENANCE CODES FOR THE CITY OF PETAL, MISSISSIPPI

WHEREAS, the City of Petal, Mississippi, is authorized by Section 21-19-25 and Section 21-10-25 of the Mississippi Code Annotated (1972, as amended), to enact such Codes as may be necessary and proper to preserve the general public health, safety, and welfare of the people of the City of Petal, Mississippi; and

WHEREAS, the City of Petal, Mississippi, acting by and through its Mayor and Board of Aldermen, has found certain conditions to exist which make it necessary to adopt certain Codes in order to preserve the general health, safety, and welfare of its citizens; and

WHEREAS, the Mayor and Board of Aldermen have examined the following revised Codes and found them to be reasonable and necessary in providing the City of Petal, Mississippi adequate protection in preserving the general public health, safety, and welfare:

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, AS FOLLOWS:

SECTION 1: ADOPTION OF CODES

For the purpose of establishing uniform rules and regulations this body hereby adopts those certain Codes for building, plumbing, gas, electrical, fire prevention, mechanical, and property maintenance, all being incorporated herein by reference and specifically identified as follows:

**2015 International Residential Code**, exclusive of appendices, with the following sections amended as noted:

R302.5.1 **Garage opening protection**: Solid doors not less than 1 3/4" thick shall be allowed glazing in the top half of the door. Self-closing and self-latching devices shall not be required.

303.4 **Mechanical ventilation**: Blower door tests are not required. The mechanical contractor shall provide a statement to the building official with that mechanical systems have been designed and installed to provide safe air quality and adequate air changes. R309.5 **Garage fire sprinklers**: Delete section.

R312.2 **Window fall protection**: Delete section.

R313.1 **Townhouse automatic fire sprinklers**: Fire sprinklers shall not be required for Townhouses having a 2-hour fire separation between dwelling units as required by section 302.2.

903.2.1.5 **Fire sprinkler required for Group A-5**: Change 1,000 square feet to 5,000 square feet.

903.2.1.6 **Fire sprinkler required for assembly occupancies on roofs**: Change occupant load from 100 to 300 for Group A-2.

903.2.3 **Fire Sprinkler required for Group E**: Change fire area from 12,000 square feet to 5,000 square feet.

903.2.8 **Fire sprinkler required in Group R occupancies**: Fire sprinklers shall not be required in single-family residential dwelling units. Fire sprinklers shall not be required in two-family dwellings provided dwelling units are separated in accordance with section 302.3 of the International Residential Code. Fire sprinklers shall not be required in townhouses provided dwelling units are separated in accordance with section 302.2 of the International Residential Code.

903.2.9 **Fire sprinkler required for Group S-1 used for storage of upholstered furniture or mattresses**: Change to "used primarily for the storage of upholstered furniture or mattresses."

1009 **Accessible Means of Egress**: Replace with 2010 ADA Standards for Accessible Design, September 15, 2010 edition, as published by the U.S. Department of Justice.

1011.7 **Stairway Construction**: Add the following sentence: Stairways used as a means of egress in buildings exceeding two stories in height shall be of noncombustible construction.

1015.1 **Guards**: change 72 inches to 20 feet. See amendments to 1015.8 below.

1015.2 **Required Guard locations**: Remove "equipment platforms". See amendments to 1015.6 below.

1015.6 **Guards for mechanical equipment service**: Change 10 feet to 4 feet provided the walking surface is less than 20 feet above the surface below. Change 30 inches to 72 inches.

1015.7 **Roof access**: Change 10 feet to 4 feet provided the walking surface is less than 20 feet above the surface below. Change 30 inches to 72 inches.

1015.8 **Window Openings**: Change 36 inches to 24 inches. Change 72 inches to 20 feet. 1023 **Interior Exit Stairways and Ramps**: Delete section. Replace with section 1019 **Exit Access Stairways and Ramps**.

1101 through 1111 **Accessibility**: Delete sections. Replace with 2010 ADA Standards for Accessible Design, September 15, 2010 edition, as published by the U.S. Department of Justice.

R313.2 **One and two-family dwellings automatic fire sprinkler systems** shall not be required. Two-family dwellings shall be separated in accordance with section 302.3.

R316 **Foam Plastic**: Installers of foam insulation shall issue a statement to the building official that the insulation has been installed in compliance with manufacturer's installation instructions and complies with building code requirements, including but not limited to thermal and ignition barrier requirements in sections R316.4, R316.5 and R316.6.

R322 **Flood-Resistant Construction**: Where local flood-resistant construction ordinances have been adopted, local ordinances shall apply in lieu of this section.

R326 **Swimming Pools, Spas and Hot Tubs**: Applies only if the adopting jurisdiction adopts the International Swimming Pool and Spa Code.

N1101 through N1111 **Energy Efficiency**: Delete sections. Replace with sections 1101 through 1103 of the 2006 International Residential Code.

3902.2 **GFCI outlets in garages**: Receptacle outlets located on the ceiling used for garage door openers need not be GFCI.

E3902.16 **Arc-fault circuit-interrupter protection**: Delete section.

E3902.17 **Arc-fault circuit interrupter protection for branch circuit extensions or modifications**: Delete section.

**2015 International Building Code**, exclusive of appendices, with the following sections amended as noted:

406.3.4.1 **Garage/Dwelling unit separation**: Solid doors not less than 1 3/4 inches in thickness are allowed to contain glass in the top half of the door. Doors are not required to be self-closing and self-latching.

903.2.1.1 #1 **Fire sprinkler required for Group A1**: Change fire area from 12,000 square feet to 5,000 square feet.

903.2.1.2 #2 **Fire sprinkler required for Group A-2**: Change occupant load from 100 to 300 provided a 2-hour rated fire partition complying with the International Building Code section 708 is installed to separate kitchens which require a commercial hood system per the International Fire Code section 609.2.

903.2.1.3 #1 **Fire sprinkler required for Group A-3**: Change fire area from 12,000 square feet to 5,000 square feet.

1301.1.1 **Energy Efficiency**: Buildings shall be designed and constructed in accordance with the 2003 International Energy Conservation Code as amended.

2603.4 **Thermal barrier for foam plastic insulation**: The installer of foam plastic insulation shall provide a statement to the building official that insulation has been installed in accordance with manufacturers installation instructions and all building code requirements, including but not limited to section 2603.4.

2902.2, **Exception #2 Separate toilet facilities**: Change from 15 occupant load to 30 occupant load.

**2003 International Energy Conservation Code**, exclusive of appendices, with the following sections amended as follows:

401 **Though 605 Residential Energy Conservation**: Delete sections. Refer to Chapter 11 of the International Residential Code.

**2015 International Existing Building Code**, exclusive of appendices, with the following sections amended as follows:

403.2 **Flood Hazard Areas**: Where local flood-resistant construction ordinances have been adopted, local ordinances shall apply in lieu of this section.

406.2 **Window opening control devices**: Delete section.

410 **Accessibility**: Delete section. Replace with 2010 ADA Standards for Accessible Design, September 15, 2010 edition, as published by the U.S. Department of Justice.

**2014 National Electrical Code**, exclusive of appendices, with the following sections amended as follows:

210.8 (A) #2 **GFCI outlets in residential garages**: Receptacle outlets located on the ceiling used for garage door openers need not be GFCI.

**2015 International Fire Code**, exclusive of appendices, with the following sections amended as follows:

903.2.1.1 #1 **Fire sprinkler required for Group A1**: Change fire area from 12,000 square feet to 5,000 square feet.

903.2.1.2 #2 **Fire sprinkler required for Group A-2**: Change occupant load from 100 to 300.

EXHIBIT "C"

903.2.1.3 #1 Fire sprinkler required for Group A-3: Change fire area from 12,000 square feet to 5,000 square feet.

903.2.1.5 Fire sprinkler required for Group A-5: Change 1,000 square feet to 5,000 square feet.

903.2.1.6 Fire sprinkler required for assembly occupancies on roofs: Change occupant load from 100 to 300 for Group A-2.

903.2.3 Fire Sprinkler required for Group E: Change fire area from 12,000 square feet to 5,000 square feet.

903.2.8 Fire sprinkler required in Group R occupancies: Fire sprinklers shall not be required in single-family residential dwelling units. Fire sprinklers shall not be required in two-family dwellings provided dwelling units are separated in accordance with section 302.3 of the International Residential Code. Fire sprinklers shall not be required in townhouses provided dwelling units are separated in accordance with section 302.2 of the International Residential Code.

903.2.9 Fire sprinkler required for Group S-1 used for storage of upholstered furniture or mattresses: Change to "used primarily for the storage of upholstered furniture or mattresses."

**2015 International Fuel Gas Code**, exclusive of appendices, with the following sections amended as follows:

306.6 Guards: Change from 10 feet to edge of roof to 4 feet to edge of roof. Change from 30" above surface below to 72" above surface below.

**2015 International Mechanical Code**, exclusive of appendices,

**2015 International Plumbing Code**, exclusive of appendices, with the following sections amended as follows:

403.2. Exception #2 Separate toilet facilities: Change from 15 occupant load to 30 occupant load.

|                                 |  |
|---------------------------------|--|
| d. \$50,001.00 to \$100,000.00  | \$273.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.  |
| e. \$100,001.00 to \$500,000.00 | \$473.00 for the first \$100,000.00 plus \$2.50 for each additional thousand or fraction thereof, to and including \$500,000.00. |
| f. \$500,001.00 and up          | \$1,473.00 for the first \$500,000.00 plus \$1.50 for each additional thousand or fraction thereof.                              |

When the valuation of the proposed construction exceeds \$1,000.00 and a plan is required to be submitted by any Code, a plan-checking fee shall be paid to the City at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half of the building permit fee as set forth in 104.7 of the Building Code. Such plan-checking fee is in addition to the building permit fee.

3. Moving of Building or Structure: Total width of structure and equipment less than 14' -- \$100.00 per structure; total width of structure and equipment greater than 14' -- \$200.00 per structure. Plus police department escort fees based on applicable hourly rate.
4. Demolition of Building or Structure: \$25.00 per demolition.
5. Gas Permit: \$25.00 per gas meter.
6. Plumbing Permit: \$25.00 minimum inspection fee up to the first \$2,000.00, or fraction thereof, or as per outlined in Section 3, (F) (1) construction permit fees.
7. Mechanical Permit: \$25.00 minimum inspection fee up to the first \$2,000.00, or fraction thereof, or as per outlined in Section 3, (F) (1) construction permit fees.
8. Electrical Permit:
  - a. Mobile Homes: \$25.00
  - b. Fee for Addition to Residence: \$25.00
  - c. Fee for New Residence, 225 amps or less: \$40.00
  - d. Fee for New Residence, over 225 amps: \$60.00
  - e. Fee for Apartments, 4 plex or less: \$75.00
  - f. Fee for Apartments, 5 plex to 8 plex: \$125.00
  - g. Fee for Apartments larger than 8 plex: Apportioned according to above fees
  - h. All Industrial or Commercial: Based on total valuation of electrical work as levied above
  - i. Any service work or temporary supply of services that requires a permit: \$25.00 minimum.
9. Swimming Pool Permit: Based on total valuation of construction as levied above.
10. All reinspection fees per each permit for any trade: \$25.00.

Where work for which a permit is required by any Code is started or proceeded with prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of any Code in the execution of the work nor from any other penalties prescribed in any Code. Additionally, any firm, person or corporation who shall do anything prohibited by these regulations as the same exist or as they may hereafter be amended, or who shall fail to do anything required by these regulations as they now exist or as they may hereafter be amended, upon conviction of a violation shall be considered guilty of a misdemeanor punishable either by a fine not exceeding one thousand dollars (\$1,000.00) or not more than thirty (30) days in jail, or both. Each and every day that such violation exists shall be deemed a separate offence.

**2015 International Property Maintenance Code**

If there is a conflict between any code requirement and the above amendments, the amendments shall apply.

SECTION 2: COPIES

There shall be not less than three (3) copies of said Codes placed on file in the City Building Department for public inspection and use, said copies to be located in the office of the Building/Codes Official.

SECTION 3: DELETIONS, ADDITIONS, AND MODIFICATIONS:

- A. The provisions of this Ordinance shall be administered and enforced by a Building/Codes Official, or his designated representatives, and, as appropriate, the Fire Chief, the Fire Inspector, or their designated representatives.
- B. The provisions of this Ordinance dealing with appeals shall be administered and enforced by the City of Petal Planning Commission as set forth in Section 112 of the International Building Code.
- C. The method of appointment and the term of office of the City of Petal Planning Commission shall be established by the Mayor and Board of Aldermen of the City of Petal, Mississippi.
- D. Any person violating any provision of this Ordinance shall be fined, upon conviction, not less than \$10.00 nor more than \$500.00 and the cost of Court for each offense. Each day such violation continues shall constitute a separate offense.
- E. In case any building or other structure is erected, constructed, reconstructed, repaired, altered, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance, the Building/Codes Official of the municipality shall take appropriate action to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to correct or abate such violations, or to prevent occupancy of such a building, structure, or land.

F. Permit fees are hereby levied as follows:

1. Initial Permits:
  - a. Issuance Fee: \$25.00 (In addition to the actual permit fees)
2. Construction Permits:
 

|                               |   |
|-------------------------------|---|
| Total                         | Valuation: Fee:   |
| a. \$1,000.00 to \$2,000.00   | \$25.00 minimum.  |
| b. \$2,001.00 to \$15,000.00  | \$25.00 for the first \$2,000.00 plus \$6.00 for each additional thousand or fraction thereof, to and including \$15,000.00.  |
| c. \$15,001.00 to \$50,000.00 | \$98.00 for the first \$15,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00. |

G. Inspection fees are hereby levied as follows:

|                                 |                  |
|---------------------------------|------------------|
| Total Valuation                 | Each Inspection: |
| a. \$0 to \$100,000.00          | \$25.00.         |
| b. \$100,001.00 to \$500,000.00 | \$35.00.         |
| c. \$500,001.00 and up          | \$50.00.         |

SECTION 4:

Nothing in this Ordinance or in the Codes hereby adopted shall be constructed to affect any suit or proceeding now pending in Court, or any rights acquired, or liability incurred, nor any cause or causes of action existing under any act or Ordinance repealed hereby. No right or remedy of any character shall be lost, impaired, or affected by this Ordinance.

SECTION 5:

The invalidation of any Section or provision of this Ordinance or of the Codes adopted shall not invalidate other Sections or provisions thereof.

SECTION 6:

Ordinances or parts of Ordinances in force at the time this Ordinance shall take effect, and inconsistent herewith, are hereby repealed.

SECTION 7:

The adoption of changes in any of the rate schedules contained herein shall be by Order or Resolution of the Board of Aldermen, without the necessity of adoption by Ordinance.

SECTION 8:

This Ordinance shall take effect and be in full effect and force in thirty (30) days after its adoption. The Mayor of the City of Petal is hereby authorized and directed to give notice of the adoption of this Ordinance as required by the provisions of Section 21-19-25 and Section 21-10-25 of the Mississippi Code Annotated, (1972, as amended).

NOW THEREFORE, be it ordained by the Mayor and Board of Aldermen of the City of Petal, Mississippi, that this ordinance be adopted to preserve the general public health, safety, and welfare of the people of the City of Petal, Mississippi as stated above.

The above and foregoing Ordinance having been reduced to writing, the same was introduced and read, and a vote was taken thereon, first section by section, and then upon the ordinance as a whole with the following results:

Those present and voting "AYE" and in favor of the passage, adoption, and approval of Section 1,2,3,4,5,6,7,& 8 of the foregoing Ordinance:

- Alderman Brad Amacker
- Alderman Craig Bullock
- Alderman David Clayton
- Alderman Tony Ducker

EXHIBIT "C"

Alderman William King  
Alderman Clint Moore  
Alderman Steve Stringer

Those present and voting "NAY" or against the adoption of Sections 1, 2,3,4,5,6,7, & 8 of the foregoing Ordinance:

None

Those present and voting "AYE" and in favor of the adoption of the foregoing ordinance as a whole:

Alderman Brad Amacker  
Alderman Craig Bullock  
Alderman David Clayton  
Alderman Tony Ducker  
Alderman William King  
Alderman Clint Moore  
Alderman Steve Stringer

Those present and voting "NAY" or against the adoption of the foregoing Ordinance as a whole:

None

WHEREUPON, the above and foregoing Ordinance be, and the same is hereby passed, adopted and approved on this the 4<sup>th</sup> day of October, A.D., 2016.

\_\_\_\_\_  
Hal Marx, Mayor

(SEAL)

Attest:

\_\_\_\_\_  
Melissa Martin, City Clerk

PUBLISH 1 TIME: October 16, 2016

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