

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 6, 2016 AT 6:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT	MAYOR HAL MARX
ATTORNEY	TOM TYNER
ALDERMEN	BRAD AMACKER CRAIG BULLOCK TONY DUCKER WILLIAM KING CLINT MOORE STEVE STRINGER
OTHERS	VALERIE WILSON ADA MADISON ALLEN FLYNT AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY TONY DUCKER

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR MARX PRESENTED THE AGENDA WITH THE FOLLOWING AMENDMENTS

GENERAL BUSINESS

REQUEST TO FORWARD FIELD SPONSORSHIP OF \$1250.00 TO PETAL BASEBALL ASSOC.

REQUEST TO ALLOW EIGHT (8) SEPARATE WATER CONNECTIONS INTO THE EXISTING 2" FORCE MAIN AT 200 E CHERRY DR.

REQUEST FOR THE CITY TO INSTALL SEWER MAIN UP TO THE CONNECTION OF THE SEWER SERVICE FOR BOTH 4 PLEX APARTMENTS TO BE BUILT AT 200 E CHERRY

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN TONY DUCKER  
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 REGULAR MEETING OF AUGUST 16, 2016.

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO MAKE A CHANGE TO THE MINUTES TO REFLECT JIMMY D ODOM'S OFFER FOR FUEL CENTER TO BE \$125,000.00 NOT \$135,000.00. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN KING MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF AUGUST 16, 2016 AS AMENDED. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK

CITY OF PETAL  
MINUTE BOOK 35

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ALDERMAN TONY DUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED FOR PUBLIC COMMENT

THERE WAS NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING RESOLUTIONS REGARDING PROPERTY CLEAN UP

EXHIBIT "A"

RESOLUTIONS  
310 FORD DR  
413 SMITH ST  
200 SUNSET DR  
26 GRAYS CROSSROAD  
154 CORINTH RD  
106 GLENWOOD DR  
201 HERROD ST  
155 N RAILROAD ST

THEREUPON, ALDERMAN KING MADE A MOTION TO ADOPT THE FOREGOING RESOLUTIONS. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING RESOLUTION ASSESSING CLEAN UP COSTS TO 214 E 6<sup>TH</sup> AVE.

EXHIBIT "B"

RESOLUTION – 214 E 6<sup>TH</sup> AVE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FY 2015 FINANCIAL AUDIT

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE FY2015 FINANCIAL AUDIT FOR FILING. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE DONATION OF TWO (2) TASERS FROM MS POWER COMPANY

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE DONATION OF TWO (2) TASERS FROM MS POWER COMPANY. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PARTNER WITH THE CHAMBER OF COMMERCE FOR A FEASIBILITY STUDY AT A COST NOT TO EXCEED \$6,000.00

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE THE MAYOR TO PARTNER WITH THE CHAMBER OF COMMERCE FOR A FEASIBILITY STUDY AT A COST NOT TO EXCEED \$6,000.00. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE RESIGNATION OF BENJI HENSARLING IN THE POLICE DEPT

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE RESIGNATION OF BENJI HENSARLING IN THE POLICE DEPT EFFECTIVE AUGUST 30, 2016. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ADOPT THE FIRE DEPT DIVE OPERATIONS MANUAL

EXHIBIT "C"

DIVE OPERATIONS MANUAL

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO ADOPT THE FIRE DEPT DIVE OPERATIONS MANUAL. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO SEND THE FOLLOWING EQUIPMENT IN THE RECREATION DEPT TO AUCTION

EXHIBIT "D"

LIST OF EQUIPMENT

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE AUCTION OF THE FOREGOING EQUIPMENT IN THE RECREATION DEPT. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING PROOFS OF PUBLICATION

- PUBLIC NOTICE – 200 E CHERRY DR
- PUBLIC NOTICE – DOLLAR GENERAL CARTERVILLE
- PUBLIC NOTICE – ZAXBY'S SIGN VARIANCE
- PUBLIC NOTICE – 1054 HWY 42
- PUBLIC NOTICE – AUDIT AVAILABLE

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE FOREGOING PROOFS OF PUBLICATION FOR FILING. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY ESTIMATE #2 IN THE AMOUNT OF \$153,978.76 TO WARREN PAVING FOR 2016 CORINTH RD OVERLAY

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY ESTIMATE #2 IN THE AMOUNT OF \$153,978.76 TO WARREN PAVING FOR 2016 CORINTH RD OVERLAY PER SHOWS, DEARMAN & WAITS RECOMMENDATION. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR THE CITY TO FURNISH THE FIRE HYDRANT REQUIRED AT 1313 CARTERVILLE RD FOR THE NEW DOLLAR GENERAL STORE.

THEREUPON, ALDERMAN STRINGER MADE A MOTION FOR THE CITY TO FURNISH THE FIRE HYDRANT REQUIRED AT 1313 CARTERVILLE RD FOR THE NEW DOLLAR GENERAL STORE. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO DISPOSE OF ONE (1) TROYBILT MOWER IN THE STREET DEPT

THEREFORE, ALDERMAN KING MADE A MOTION TO AUTHORIZE THE DISPOSAL OF ONE (1) TROYBILT MOWER IN THE STREET DEPT. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE RESIGNATION OF GEORGE SPICER IN THE STREET DEPT

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE RESIGNATION OF GEORGE SPICER IN THE STREET DEPT EFFECTIVE JULY 21, 2016. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN BRAD AMACKER  
ALDERMAN CRAIG BULLOCK  
ALDERMAN TONY DUCKER  
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 REZONE 1313 CARTERVILLE RD FROM R-1 TO C-1 BY ADOPTING THE FOLLOWING ORDINANCE

EXHIBIT "E"

ORDINANCE 1979 (42-A399)

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE REZONING 1313 CARTERVILLE RD PER THE PLANNING COMMISSION RECOMMENDATION. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE PLANNING COMMISSION RECOMMENDATION TO GRANT A VARIANCE LOWERING THE NUMBER OF REQUIRED PARKING SPACES FOR 1313 CARTERVILLE RD

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO GRANT A VARIANCE LOWERING THE NUMBER OF REQUIRED PARKING SPACES TO THIRTY (30) FOR 1313 CARTERVILLE RD PER THE PLANNING COMMISSION RECOMMENDATION. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE PLANNING COMMISSION RECOMMENDATION TO GRANT A VARIANCE ALLOWING A FREESTANDING SIGN WITH AN OVERALL HEIGHT OF 23' AND TO ALLOW THREE (3) WALL MOUNTED SIGNS ON THE ZAXBY'S BUILDING AT 1122 EVELYN GANDY PARKWAY

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO GRANT A VARIANCE ALLOWING A FREESTANDING SIGN WITH AN OVERALL HEIGHT OF 23' AND TO ALLOW THREE (3) WALL MOUNTED SIGNS ON THE ZAXBY'S BUILDING AT 1122 EVELYN GANDY PARKWAY PER THE PLANNING COMMISSION RECOMMENDATION. ALDERMAN KING SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE PLANNING COMMISSION RECOMMENDATION TO GRANT VARIANCES FOR 200 E CHERRY AS FOLLOWS

- RELEASE FROM BUFFER ZONE ON AND ALONG THE WEST PROPERTY LINE BUT WILL INSTALL A 6' HIGH BOARD FENCE
- DUMPSTER ENCLOSURE TO BE SCREENED AS REQUIRED AND REQUESTING THE DUMPSTER BE ALLOWED INSIDE THE SIDE SETBACK TO AVOID LOSS OF ADDITIONAL PARKING
- REQUEST FOR NO BUFFER TO BE REQUIRED ON THE EAST SIDE OF THE PROPERTY DUE TTO A FUTURE DUPLEX PROJECT BY LEE EVERETT CONSTRUCTION, LLC WHO IS THE OWNER OF ADJOINING PROPERTY
- REQUEST SIX PARKING SPACES ALONG E CHERRY DR AND IN FRONT OF THE 4-PLEX BUILDING BE ALLOWED TO BACK UP ACCESS INTO E CHERRY DR

THEREUPON, ALDERMAN KING MADE A MOTION TO GRANT THE FOREGOING VARIANCES PER THE PLANNING COMMISSION RECOMMENDATION CONTINGENT ON THE DEVELOPER SUBMITTING A PLAN FOR THE NORTH SIDE OF THE PROPERTY FOR EITHER FENCING OR VEGETATION AND FOR THE EAST SIDE TO REPLACE MR. MINTER'S FENCING. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A GRANT AWARDED FROM THE MS DEPT OF WILDLIFE, FISHERIES AND PARKS FOR IMPROVEMENTS TO PETAL RIVER PARK

EXHIBIT "F"

AWARD LETTER

THEREUPON, ALDERMAN BULLOCK MADE A MOTION TO ACCEPT THE GRANT IN THE AMOUNT OF \$100,000.00 FOR IMPROVEMENTS TO PETAL RIVER PARK. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT TYNER ROAD EXTENSION AS A CITY STREET UPON COMPLETION OF CONSTRUCTION AND APPROVAL OF CITY ENGINEER.

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT TYNER ROAD EXTENSION AS A CITY STREET UPON COMPLETION OF CONSTRUCTION AND APPROVAL OF CITY ENGINEER. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN CRAIG BULLOCK  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

ALDERMAN BRAD AMACKER

WHEREAS, MAYOR MARX PRESENTED A MAINTENANCE AGREEMENT WITH MS POWER COMPANY FOR THE LIGHTING ALONG EVELYN GANDY PARKWAY

EXHIBIT "G"

AGREEMENT

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE AGREEMENT WITH MS POWER COMPANY FOR MAINTENANCE OF LIGHTING ALONG EVELYN GANDY PARKWAY. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED QUOTES FOR WORK ON MANHOLE COVERS ON CORINTH ROAD

THEREUPON, ALDERMAN KING MADE A MOTION TO ACCEPT THE QUOTE FROM FAIRLEY CONSTRUCTION IN THE AMOUNT OF \$8,400.00 FOR WORK ON MANHOLE COVERS ON CORINTH ROAD. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN CLAYTON ENTERED THE MEETING

WHEREAS, MAYOR MARX PRESENTED THE DOCKET OF CLAIMS FOR THE MONTH OF AUGUST 2016

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY THE DOCKET OF CLAIMS FOR THE MONTH OF AUGUST 2016. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO REMOVE THE FOLLOWING FROM THE PART TIME LIST IN THE FIRE DEPT

- RONNIE HAIGLER
- AUSTIN HARPER
- CHARLES SMITH
- JAMES YAWN

THEREUPON, ALDERMAN KING MADE A MOTION TO TERMINATE THE FOREGOING EMPLOYEES IN THE FIRE DEPT. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO FORWARD FIELD SPONSORSHIP OF \$1250.00 TO PETAL BASEBALL ASSOCIATION

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE THE CITY CLERK TO FORWARD FIELD SPONSORSHIP RECEIVED FROM HAVARD PEST CONTROL TO PETAL BASEBALL ASSOCIATION IN THE AMOUNT OF \$1250.00. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ALLOW EIGHT (8) SEPARATE WATER CONNECTIONS INTO THE EXISTING 2" FORCE MAIN AT 200 E CHERRY DR

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE EIGHT (8) SEPARATE WATER CONNECTIONS INTO THE EXISTING 2" FORCE MAIN AT 200 E CHERRY DR. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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"

NONE

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

THEREUPON, ALDERMAN MOORE MADE A MOTION TO TABLE THE REQUEST UNTIL COST ESTIMATES COULD BE OBTAINED. ALDERMAN BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR AMY HEATH TO ATTEND M.A.C.E. CONFERENCE IN GULFPORT, MS

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE AMY HEATH TO ATTEND M.A.C.E. CONFERENCE IN GULFPORT, MS ON OCT 12- 14, 2016 AT A COST OF \$286.40. ALDERMAN AMACKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR THE FOLLOWING TO ATTEND "BULLETPROOF MIND TRAINING" IN BILOXI, MS

- CHIEF LEONARD FULLER
- ASST CHIEF MATTHEW HIATT
- CAPTAIN JASON JAMES
- MICKEY HURT

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE THE FOREGOING TO ATTEND "BULLETPROOF MIND TRAINING" IN BILOXI, MS AT NO COST. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR JIMMY BUSBY TO ATTEND AMERICAN PUBLIC WORKS ASSOCIATION CONFERENCE IN BILOXI, MS

THEREUPON, ALDERMAN KING MADE A MOTION TO AUTHORIZE JIMMY BUSBY TO ATTEND AMERICAN PUBLIC WORKS ASSOCIATION CONFERENCE IN BILOXI, MS AT A COST OF \$635.97. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER PROMOTING SCOTT HINNANT TO ENGINEER ORDER

WHEREAS THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF PETAL DEEM IT NECESSARY  
TO PROMOTE SCOTT HINNANT

IT IS HEREBY ORDERED THAT SCOTT HINNANT  
BE PROMOTED TO ENGINEER AT A RATE OF \$12.95  
PER HOUR EFFECTIVE SEPT 14, 2016

SO ORDERED THIS THE 6<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 TONY DUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER HIRING MARK RUSSELL PART TIME IN THE FIRE DEPT

ORDER

WHEREAS THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF PETAL DEEM IT NECESSARY TO  
HIRE A PART TIME FIREFIGHTER

IT IS HEREBY ORDERED THAT MARK RUSSELL  
BE HIRED PART TIME IN THE FIRE DEPT AT A RATE  
OF \$10.00 PER HOUR EFFECTIVE SEPTEMBER 7, 2016

SO ORDERED THIS THE 6<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 TONY DUCKER  
ALDERMAN WILLIAM KING  
ALDERMAN CLINT MOORE  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER HIRING JONATHON WALLEY PART TIME IN THE FIRE DEPT

ORDER

WHEREAS THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF PETAL DEEM IT NECESSARY TO  
HIRE A PART TIME FIREFIGHTER

IT IS HEREBY ORDERED THAT JONATHON WALLEY  
BE HIRED PART TIME IN THE FIRE DEPT AT A RATE  
OF \$10.00 PER HOUR EFFECTIVE SEPTEMBER 7, 2016

SO ORDERED THIS THE 6<sup>TH</sup> DAY OF SEPTEMBER 2016

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

THOSE PRESENT AND VOTING "AYE"

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"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER HIRING FRANK MYERS PART TIME IN THE FIRE DEPT

ORDER

WHEREAS THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF PETAL DEEM IT NECESSARY TO  
HIRE A PART TIME FIREFIGHTER

IT IS HEREBY ORDERED THAT FRANK MYERS  
BE HIRED PART TIME IN THE FIRE DEPT AT A RATE  
OF \$10.00 PER HOUR EFFECTIVE SEPTEMBER 7, 2016

SO ORDERED THIS THE 6<sup>TH</sup> DAY OF SEPTEMBER 2016

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

THOSE PRESENT AND VOTING "AYE"

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"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDINANCE ADJUST WATER RATES

EXHIBIT "H"

ORDINANCE 2014 (132-A2)

THEREUPON, ALDERMAN KING MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN  
CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING PROCLAMATION HONORING TONI MARINO

EXHIBIT "I"

PROCLAMATION

THEREUPON, ALDERMAN AMACKER MADE A MOTION TO ADOPT THE FOREGOING PROCLAMATION.  
ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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"

NONE

WHEREAS, MAYOR MARX CALLED FOR A SPECIAL MEETING ON THURSDAY, SEPTEMBER 15, 2016 TO ADOPT  
THE BUDGET FOR FY2016-2017.

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 BULLOCK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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"

NONE

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

THOSE PRESENT AND VOTING "AYE"

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"

NONE

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

THOSE PRESENT AND VOTING "AYE"

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"

NONE

NO OFFICIAL ACTION WAS TAKEN IN EXECUTIVE SESSION.

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

THOSE PRESENT AND VOTING "AYE"

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"

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 6, 2016.



SEAL  
ATTEST

  
MELISSA MARTIN, CITY CLERK

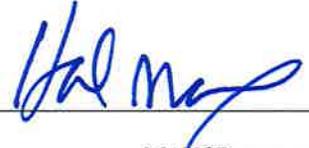
  
MAYOR HAL MARX

EXHIBIT "A"

RESOLUTION

Resolution finding and determining that the property located at 413 Smith St in Petal, Mississippi and owned by TDK Investments, is in such a state of uncleanness as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 413 Smith St, Parcel# 3-030G-01-022.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned,

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED:

SECTION 1.

That the property located at 413 Smith St, Parcel #3-030G-01-022.00, in Petal, Mississippi is in such a state of uncleanness as to be a menace to the public health and safety of the community, and

SECTION 2.

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11.

SECTION 3.

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 6<sup>th</sup> day of September, 2016 A.D.



(SEAL)

*Hal Marx*  
Hal Marx, Mayor

ATTEST:  
*Melma Math*  
Melissa Martin, City Clerk

RESOLUTION

Resolution finding and determining that the property located at 26 Grays Crossroad in Petal, Mississippi and owned by Ora Williams, is in such a state of uncleanness as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 26 Grays Crossroad Parcel# 3-0211-32-008.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned,

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED:

SECTION 1.

That the property located at 26 Grays Crossroad, Parcel #3-0211-32-008.00, in Petal, Mississippi is in such a state of uncleanness as to be a menace to the public health and safety of the community, and

SECTION 2.

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11.

SECTION 3.

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 6<sup>th</sup> day of September, 2016 A.D.



(SEAL)

*Hal Marx*  
Hal Marx, Mayor

ATTEST:  
*Melma Math*  
Melissa Martin, City Clerk

RESOLUTION

Resolution finding and determining that the property located at 310 Ford Dr in Petal, Mississippi and owned by Arthur Cohens, is in such a state of disrepair as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 310 Ford Dr, Parcel# 3-030B-01-158.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned,

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED:

SECTION 1.

That the property located at 310 Ford Dr, Parcel #3-030B-01-158.00, in Petal, Mississippi is in such a state of disrepair as to be a menace to the public health and safety of the community, and

SECTION 2

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11.

SECTION 3.

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 6<sup>th</sup> day of September, 2016 A.D.



(SEAL)

*Hal Marx*  
Hal Marx, Mayor

ATTEST:  
*Melma Math*  
Melissa Martin, City Clerk

RESOLUTION

Resolution finding and determining that the property located at 200 Sunset Dr in Petal, Mississippi and owned by Michelle McKinney, is in such a state of uncleanness as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 200 Sunset Dr, Parcel# 3-0221-36-073.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned,

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED:

SECTION 1.

That the property located at 200 Sunset Dr, Parcel #3-0221-36-073.00, in Petal, Mississippi is in such a state of uncleanness as to be a menace to the public health and safety of the community, and

SECTION 2

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11.

SECTION 3.

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 6<sup>th</sup> day of September, 2016 A.D.



(SEAL)

*Hal Marx*  
Hal Marx, Mayor

ATTEST:  
*Melma Math*  
Melissa Martin, City Clerk

EXHIBIT "A"

RESOLUTION

Resolution finding and determining that the property located at 106 Glenwood Dr in Petal, Mississippi and owned by Sheila Warden, is in such a state of disrepair and uncleanness as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 106 Glenwood Dr, Parcel# 3-030F-02-157.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned,

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED:

SECTION 1.

That the property located at 106 Glenwood Dr., Parcel # 3-030F-02-157.00, in Petal, Mississippi is in such a state of disrepair and uncleanness as to be a menace to the public health and safety of the community, and

SECTION 2.

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11,

SECTION 3

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 6<sup>th</sup> day of September, 2016 A.D.

(SEAL)



ATTEST:

Melina Martin, City Clerk

Hal Marx, Mayor

RESOLUTION

Resolution finding and determining that the property located at 155 N Railroad St in Petal, Mississippi and owned by Arthur Cohens, is in such a state of disrepair and uncleanness as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 155 N Railroad St, Parcel# 3-022N-35-086.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned,

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED:

SECTION 1

That the property located at 155 N Railroad St, Parcel #3-022N-35-086.00, in Petal, Mississippi is in such a state of disrepair and uncleanness as to be a menace to the public health and safety of the community, and

SECTION 2.

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11,

SECTION 3.

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 6<sup>th</sup> day of September, 2016 A.D.

(SEAL)



ATTEST:

Melina Martin, City Clerk

Hal Marx, Mayor

RESOLUTION

Resolution finding and determining that the property located at 154 Corinth Rd in Petal, Mississippi and owned by William & Dorothy Home, is in such a state of uncleanness as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 154 Corinth Rd, Parcel# 3-030H-01-214.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned,

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED:

SECTION 1.

That the property located at 154 Corinth Rd, Parcel #3-030H-01-214.00, in Petal, Mississippi is in such a state of uncleanness as to be a menace to the public health and safety of the community, and

SECTION 2.

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11,

SECTION 3.

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 6<sup>th</sup> day of September, 2016 A.D.

(SEAL)



ATTEST:

Melina Martin, City Clerk

Hal Marx, Mayor

RESOLUTION

Resolution finding and determining that the property located at 201 Herrod St in Petal, Mississippi and owned by Brenda J White, is in such a state of uncleanness as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 201 Herrod St, Parcel# 3-030B-01-327.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned,

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED:

SECTION 1.

That the property located at 201 Herrod St., Parcel # 3-030B-01-327.00, in Petal, Mississippi is in such a state of uncleanness as to be a menace to the public health and safety of the community, and

SECTION 2.

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11,

SECTION 3.

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 6<sup>th</sup> day of September, 2016 A.D.

(SEAL)



ATTEST:

Melina Martin, City Clerk

Hal Marx, Mayor

EXHIBIT "B"

Prepared by and return to:  
City of Petal  
P O Box 564  
Petal, MS 39465  
601-545-1776

RESOLUTION

WHEREAS, Section 21-19-11 of the Mississippi Code of 1972, Annotated, authorizes the governing authorities of municipalities to adjudicate the actual cost to the City of Petal for cleaning properties that have been determined to be in such a state of uncleanness as to be a menace to the public health and safety of the community, and that the owner has failed, after appropriate notice, to clean said property; and

WHEREAS, the following property has been cleaned by the City of Petal on or about the 24<sup>TH</sup> day of August 2016, on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Petal, Mississippi:

Section 1. That the City Board of the City of Petal, Mississippi does hereby adjudicate and direct the placement as an assessment the cleanup cost, not to exceed the value of the property per State Law, against the following described property:

<u>OWNER/LEGAL</u>	<u>ADDRESS</u>	<u>PARCEL NUMBER</u>	<u>CLEAN-UP COST</u>
Mickel L Dye	214 E 6 <sup>th</sup> Ave	3-030B-01-228.00	\$150.00

*E75FT OF LOTS 9 & 10 BLK 2  
OAK PARK S/D B510 P639 7/82  
PREV#P63760112  
SEC 01, TWN 04N, RGE 13W*

Section 2. That public interest and necessity requiring same, this resolution shall become effective immediately from and after passage.

Section 3. A copy of this Resolution will be certified and recorded in the Chancery Clerk's Office of Forrest County, Mississippi and the Forrest County Tax Collector's Office.

The foregoing Resolution having been reduced to writing, the same was introduced by Alderman Amacker. Seconded by Alderman Moore and was adopted by the following vote, to-wit:

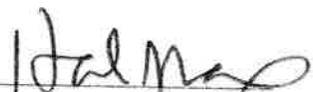
Those present and voting "AYE"

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

Those present and voting "NAY"

NONE

The Mayor hereby declared the motion carried and the Resolution adopted, this the 6<sup>TH</sup> day of September, A. D., 2016.

  
Hal Marx, Mayor

*The foregoing instrument was acknowledged before me this the 7<sup>th</sup> day of September 2016 by Mayor Hal Marx, City of Petal, who is personally known to me or who has produced identification.*

  
Melissa Martin, City Clerk



EXHIBIT "C"

# PETAL FIRE DEPARTMENT DIVING / SWIFTWATER OPERATIONS MANUAL



8/2016

PETAL FIRE DEPARTMENT DIVING / SWIFTWATER OPERATIONS MANUAL 2

## 1. PURPOSE

### 1.1 PFD. Diving / Swiftwater Safety Program

The purpose of the Diving/ Swiftwater Safety Program is to assure that all diving/ swiftwater which is carried out under the auspices of the Department is conducted in such a manner as to minimize accidental injury or occupational illness; and to set forth rules, regulations and standards for training, qualification, endorsement, equipment and operations.

### 1.2 AUSPICES

PFD. auspices include all diving/ swiftwater operations or activities which the Department controls because of ownership of the equipment or location used, or relationship of the individual involved to the Department.

PFD. shall be deemed to control the activities of employees acting within the scope of their employment including any civilian diving/ swiftwater instructors employed by the Department.

While joint auspices may exist with other agencies, organizations or groups, the Department does not surrender either its responsibilities or authority when divers/ swiftwater rescuers operate in conjunction with divers/ swiftwater rescuers who are part of another administrative structure unless an agreement to do so is reached between the Chief of Rescue Operations and his/her counterpart in the other agency or agencies.

Diving/ Swiftwater under the auspices of the PFD, are limited to:

1. Occupational requirements
2. Qualification dives/ swiftwater
3. Maintenance dives
4. Teaching diving/swiftwater courses
5. Training for any of the above

### 1.3 PFD. Diving/Swiftwater Operations Manual

This Manual sets forth the diving/swiftwater safety policy, the organization and general regulations for all diving conducted under the Petal Fire Department. This Manual is to be updated regularly with the information published in the Diving/ Swiftwater Safety Bulletin which will be compiled and issued by the Chief of Rescue Operations.

### 1.4 Diving/ Swiftwater Safety Bulletin

Addenda to and changes in the Manual as promulgated by the Chief of Rescue Operations shall be published in Diving/Swiftwater Safety Bulletins and distributed to all dive units. Material contained in such Bulletins will supersede material in the Manual as well as earlier issues of the Diving/ Swiftwater Safety Bulletins.

All PFD divers/ swiftwater technicians are required to observe the provisions of the Diving/ Swiftwater Operations Manual, the Diving/Swiftwater Safety Bulletins and any specific instructions issued by the Chief of Rescue Operations.

PETAL FIRE DEPARTMENT DIVING / SWIFTWATER OPERATIONS MANUAL 3

## 1.5 Required Endorsements

Diving/ Swiftwater will be authorized only for individuals who are:

- a. Physically qualified by PFD
- b. Hold a certification that is recognized by the PFD.
- c. Have a medical physical and doctor's signature before start of class.

## 2. ADMINISTRATION

### 2.1 Responsibilities of the Chief of Rescue Operations

1. Issue the Diving/Swiftwater Operations Manual.
2. Update the Manual by issuing Safety Bulletins.
3. Establish or approve training programs.
4. Insure medical examinations and surveillance of endorsed divers and applicants for endorsements.
5. Approve and recommend procedures for all diving and swiftwater.
6. Establish or approve facilities and procedures for the inspection and maintenance of diving and swiftwater equipment used by PFD divers.
7. Recommend budgets for the dive and swiftwater units.
8. Promulgate changes in policy, standards and regulations covering diving/ swiftwater under the auspices of the PFD

### 2.2 AUTHORITY

The Chief of Rescue Operations has the authority to:

1. Establish requirements for endorsements and qualifications for diving and swiftwater.
2. Issue, restrict or revoke diving/ swiftwater endorsements and qualifications
3. Restrict or suspend any diving or swiftwater operation or program which the Chief of Rescue Operations considers unwise or unsafe.
4. Restrict or remove from service any diving or swiftwater equipment which does not conform to the standards set forth by the Chief of Rescue Operations

## 3. DIVER LIAISON OFFICER

Liaison Officers duties shall include the coordination of activities between:

1. Chief of Rescue Operations
2. Equipment Vendors
3. Petal Police
4. Other agencies

### 3.2 Dive Liaison Officers Qualifications

1. Shall be an Officer

PETAL FIRE DEPARTMENT DIVING / SWIFTWATER OPERATIONS MANUAL 4

2. Shall be a Certified Diver and/or Swiftwater Technician
3. Shall be active in all training programs

## 4. DIVER/ SWIFTWATER TRAINING

### 4.1 Diver/ Swiftwater Training

The Chief of Rescue Operations shall establish or approve facilities for the testing and training of divers and swiftwater technician. Divers/ Swiftwater Technician are required, at the Chief of Rescue Operations option, to undergo training or testing at such facility. Any training received prior to affiliation with the PFD is subject to review.

### 4.2

The Chief of Rescue Operations shall insure that each member of a diving/ swiftwater unit, whether divers/ swiftwater rescuers or tenders, attend at least four days of training per year. The purpose of this training is to insure uniform operations by all diving and swiftwater units.

### 4.3

Additional company training shall be conducted by each shift in accordance with the schedules and procedures established by the lieutenants of each unit.

### 4.4

Members shall only dive/swiftwater rescue with PFD. approved equipment for emergencies. During training members may get their personal gear approved to use.

## 5. ENDORSEMENTS

### 5.1

All members at the conclusion of the required basic training or those already certified and joining the Petal Technical Rescue Team must submit photocopies of all pertinent documents to the Chief of Rescue Operations. Submission of these documents does not automatically result in an endorsement. In each case the diver/ swiftwater technician must satisfy the Chief of Rescue Operations that he or she is sufficiently skilled and proficient.

### 5.2 Denial of Endorsement

Any candidate who, in the judgment of the Chief of Rescue Operations does not appear to possess the judgment or skills required for the safety of the candidate and / or his or her co-workers will be denied endorsement.

### 5.3 Suspension, Revocation or Restriction of Endorsement

An endorsement may be suspended, revoked or restricted by the Chief of Rescue Operations for cause. Non-compliance with regulations, safety procedures or medical requirements may be considered cause. The diver shall be informed of the reason(s) for revocation and will be given the opportunity to present justifications as to why he or she should not have their diving/ swiftwater status revoked.

EXHIBIT "C"

PETAL FIRE DEPARTMENT DIVING / SWIFTWATER OPERATIONS MANUAL 5

5.4 Endorsement Expiration

An endorsement will expire if, for any reason, the minimum training requirements for the previous twelve month period have not been maintained. If a good reason exists as to why this was unavoidable, the Chief of Rescue Operations may permit the diver/ swiftwater technician to retain and obtain Re-endorsement.

5.5 Endorsement Records

Petal Technical Rescue Team Leaders shall maintain a complete record for the divers and swiftwater technician assigned. In addition a copy of all information (i.e. date of training, depth of dive, bottom time, and search pattern used).

6. OPERATIONS

6.1 Dive/ Swiftwater Technician Supervisor

The Dive/ Swiftwater Technician Supervisor are the individual in charge of a particular dive/ swiftwater operation. In cases where the Dive/ Swiftwater Supervisor are a firefighter, he/she will be charged with briefing the Officer in Command of all planned diving/swiftwater operations.

The Dive/swiftwater Supervisor has the authority to restrict or suspend any dive/swiftwater operation that he or she deems unsafe or ill advised.

6.2 Dive/ Swiftwater Supervisor Responsibilities

The Diving/ Swiftwater Supervisor shall be in complete charge of the diving/ swiftwater operation. His or her primary function is to plan, organize and manage the diving/ swiftwater operation. He or she is the liaison with the Officer in Charge of the incident, and will keep that officer informed of all current or planned dives and swiftwater operations. The Dive/ Swiftwater Supervisor will assure that all divers/ swiftwater technician are briefed before every dive/swiftwater operation.

It is absolutely necessary that an individual designated as Dive/Swiftwater Supervisor be in charge at the surface during all major dive/swiftwater operation. He or she should not be burdened with added responsibilities such as line-tending, time keeping communications etc.

At the conclusion of operations, the Dive/ Swiftwater Supervisor shall be responsible for recording all information pertinent to the dive/ swiftwater operation. This includes maintaining a current log of all members that have entered the water. A report must be entered in the reporting system

7. DIVING/ SWIFTWATER REGULATIONS MINIMUM REQUIREMENTS

7.1

All diving/ swiftwater will be conducted with a surface tender, safety line, tethered diver and a Incident Commander. All divers/ swiftwater technician and tenders must be trained in and

PETAL FIRE DEPARTMENT DIVING / SWIFTWATER OPERATIONS MANUAL 6

understand the Petal Technical Rescue, line pull signals. The exception to diving/ swiftwater tethered will be that a Student or Instructor may dive untethered on a training dive/swims.

7.2

Unless a dive site has been confirmed by the Chief of Rescue operations as safe for "step-in" or "shoulder roll" entries, all divers shall enter the water by descending a ladder and then putting face on, once in the water.

7.3

All divers are to observe and remain within the no-decompression limits. No diver is to return to the surface with less than 500 psi. of air.

7.4

Every diver/ swiftwater technician in the water will have a backup diver fully dressed (with the exception of the mask in place) ready to give assistance to the primary diver if needed. On penetration dives, a third diver will be positioned at the entrance to the object being penetrated. This diver will function as in water tender and control the primary diver's tether line. The backup diver shall be briefed along with the primary diver.

7.5

The standby diver, when in the water, is to be line tended.

7.6

No diving/ swiftwater swimming is to be conducted where the Officer determines that the water movement (i.e. current or surge) unreasonably compromises safety.

7.7

A dry suit / wetsuit will be worn by all divers/ swiftwater technician. These suit will be completely in place, including the hoods if there is one attached to the suit

7.8

Every diver/ swiftwater technician will be checked by a tender before entering the water. All gear must be in place and operational.

7.9

There will be no "live-boating" operations. When divers are operating from a boat, the boat will be anchored, moored or tied off, with the engines off.

7.10

In order to operate a boat with the City of Petal and the Petal Technical Rescue team on mission, he or she must have passed a boater ED course that is recognized by the PFD and the State of Mississippi

7.11

Dive/ Swiftwater Supervisor to see that all expended SCUBA cylinders are immediately removed from the area surrounding the dive/ swiftwater operation.

PETAL FIRE DEPARTMENT DIVING / SWIFTWATER OPERATIONS MANUAL 7

8. SAFETY PROCEDURES - MINIMUM REQUIREMENTS

8.1

The ultimate responsibility for safety rests with the individual diver/ swiftwater technician,

8.2

At each dive/swiftwater site there shall be available a resuscitator, trauma kit, stokes stretcher and basic first aid equipment. It is the responsibility of all divers and tenders to maintain their familiarization with this equipment and be aware of its location at the dive/ swiftwater site.

8.3

Petal Technical Rescue shall have available to them at all times a list containing the following contact numbers:

1. Emergency aid/transportation.
2. Divers Alert Network (D.A.N.) telephone number.
3. Re-compression Chamber facility phone number and location.

8.4

All diving/ swiftwater equipment must be in good, serviceable condition. Divers shall perform basic inspections of their own and their team member's equipment prior to each dive.

8.5

All diving/ swiftwater equipment shall be considered to be expendable if it causes the safety of anyone to be in jeopardy.

8.6

All members must be alert to the need for decontaminating the divers/ swiftwater technician and the equipment

8.7

It is the Petal Technical Rescue members and Dive/ Swiftwater Unit Officers responsibility and the diver's duty to insure that all dive/ swiftwater regulations and safety procedures are adhered to.

  
Chief

  
Assistant Chief

  
Chief of Rescue Ops/ Dive Instructor

Approved by the Mayor and Board of Alderman



EXHIBIT "D"

**City Of Petal  
Recreation Department  
605 Hillcrest Loop  
Petal, Ms 39465  
601 - 554 - 5440**



**APPROVED**

SEP 06 2016

**August 31<sup>st</sup>, 2016**

To: Mayor and Board of Alderman  
Fr: Recreation Director

I am requesting your approval for the following items to be taken to the Auction:

Item Description	Manufacturer	Model Number	Serial Number
Push Mower	Troy Bilt	12ANB26N725	1204245605569
Push Mower	Troy Bilt	11ANB29N711	1C241K30527
Push Mower	Troy Bilt	11ANB21N711	1K199KA6045
Push Mower	Toro	20372	312016923
Push Mower	Toro	20372	312016925
Sand Blaster	Clarke Blaster	SB9008	5224901193
Chain Saw	Shindiwaw	357	0023239
Chain Saw	Poulan Pro	PP4620AVHD80206	05130D102892
Chain Saw	Wild Thang	N/A	051223D302035
Chain Saw	Homelite	Timberman45	AH01470683
Chain Saw	Eager Beaver	2116AV	0011010880
Generator	Syzamore	35001	04110704
Cots	QTY: 38		

Sincerely,

Tom Hardges Jr.

Recreation Department

**Tom Hardges Jr**  
Recreation Director

**Josh Young**  
Assistant Director

**Katherine Yarnell**  
Program Director

Phone:  
(601) 554-5440

Fax:  
(601) 705-0219

Website:  
[www.cityofpetal.com](http://www.cityofpetal.com)

Email:  
[petalrecreation@cityofpetal.com](mailto:petalrecreation@cityofpetal.com)

ORDINANCE NUMBER 1979 (42-A399)

**AN ORDINANCE CHANGING AND AMENDING THE COMPREHENSIVE ZONING EXHIBIT "E" ORDINANCE NO. 1979 (42) OF THE CITY OF PETAL, MISSISSIPPI, AS AMENDED BY ORDINANCE NUMBERS 1979 (42-1) THROUGH 1979 (42-A398) SO AS TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 1313 CARTERVILLE ROAD FROM R-1 (LOW DENSITY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL DISTRICT)**

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-A398) 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-1 (Neighborhood Commercial District).

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

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 12 WEST, FORREST COUNTY, MS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMM AT THE NORTHWEST COR OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 12 WEST, FORREST COUNTY, MS, THENCE SOUTH 556 FEET; THENCE S45°E 24 FEET TO A MAG NAIL FOUND IN ASPHALT ON THE NORTHEASTERLY EDGE OF CARTERVILLE ROAD; THENCE N79°19'47"E 452.48 FEET TO A NAIL SET; THENCE S01°37'49"W 150.17 FEET TO A CAPPED 1/2" IRON ROD SET; THENCE S45°40'01"W 265.84 FEET TO A 1/2" IRON ROD FOUND LYING ON THE NORTHEASTERLY EDGE OF ASPHALT OF CARTERVILLE ROAD; THENCE ALONG THE NORTHEASTERLY EDGE OF ASPHALT OF CARTERVILLE ROAD, N44°47'10"W 355.21 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1.84 ACRES

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-1 (Neighborhood 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-A398) shall be and remain in full force and form as adopted on September 6, 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 6<sup>th</sup> day of September 2016,

  
HAL MARX, MAYOR



(SEAL)

ATTEST:

  
MELISSA MARTIN, CITY CLERK

PUBLISH ONE TIME: SEPTEMBER 11<sup>TH</sup>, 2016



MISSISSIPPI  
DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS

Sam Polles, Ph.D.  
Executive Director

August 2, 2016

Ms. Valerie Wilson  
Executive Director, Petal Chamber of Commerce, City of Petal  
117 North Main Street  
Petal, MS 39465

RE: 2016 Recreational Trails Program Application  
Petal River Park Trail

Dear Ms. Wilson:

The Outdoor Recreation Grant Division is pleased to inform you that your application for funding assistance through the Recreational Trails Program has been approved. The Mississippi Department of Wildlife, Fisheries and Parks and the Federal Highway Administration approved \$100,000.00 of reimbursable grant funds for your trail project.

Your application demonstrated local commitment and addressed the community's need for recreational trail development. I commend you for this initiative and for helping to improve the quality of life in your community.

Enclosed please find forms that need to be completed and returned as soon as possible. A Project Agreement will be prepared and mailed for your signature once all forms have been received and reviewed.

Please be reminded that trail project costs incurred before a project agreement is signed are not eligible for reimbursement. Project work is to begin within 90 days of signed Project Agreement; if on-site work cannot be documented funding may be revoked.

If you have any questions, please contact this office at 601-432-2227 or email [terrym@mdwfp.state.ms.us](mailto:terrym@mdwfp.state.ms.us).

Sincerely,

Terry McDill  
Grant Administrator

Enclosures

**OUTDOOR LIGHTING MAINTENANCE AGREEMENT**

CITY OF PETAL  
MINUTE BOOK 35

This Outdoor Lighting Maintenance Agreement ("Agreement") is made and entered into this 1 day of September, 2016, ("Commencement Date") between Mississippi Power Company ("MPC") of Gulfport, Mississippi and The City of Petal, Mississippi.

MPC Account# \_\_\_\_\_ ("Customer"), in accordance with the terms, specifications and conditions hereinafter set forth.

EXHIBIT "G"

**Section 1. Scope of Work.** During the Term of this Agreement, MPC shall, pursuant to the terms and conditions contained herein, maintain, furnish and replace, when necessary, all of the outdoor street lighting equipment owned by the Customer and subject to this Agreement as is more particularly described below.

**1.1 Description of Equipment.**

Pole Count: \_\_\_\_\_  
Pole Type: \_\_\_\_\_  
Light Count: 186  
Light Description: 400W MH Interstate flood lights  
Location: Evelyn Gandy Parkway  
Job Order Number: \_\_\_\_\_

**1.2 Maintenance Services.** Subject to Section 4 below, in exchange for the monthly Maintenance Fee, MPC shall furnish, repair, or replace when necessary all defective capacitors, starters, lamps, ballasts, and photo cells of the above described equipment. This Agreement does not govern the repair or replacement of service conductor wiring to the outdoor lighting equipment and the cost of any such repair or replacement conducted by MPC shall be charged to Customer separately.

**1.3 Requests for Service.** Customer is responsible for notifying MPC of any maintenance required under this Agreement. MPC service calls will be made between 8:00 am and 4:30 pm, Monday through Friday, within five business days from receipt of Customer's notification.

**1.4 Additional Equipment.** By written addendum executed by both parties and attached hereto, additional outdoor street lighting equipment owned or to be owned by the Customer may be added to or removed from the Description of Equipment and shall be subject to the terms and conditions of this Agreement as if fully stated herein.

**Section 2. Term.** The initial Term of this Agreement shall be one year from the Commencement Date and shall remain in effect unless cancelled by either party after 90 days written notice or as is otherwise provided in Section 3.1 below.

41791.4

design, operation, location, sufficiency of lighting, legality or safety of, and undertaken any responsibility or liability in connection with Customer's outdoor street lighting equipment inspected, furnished, repaired or installed pursuant to this Agreement.

**Section 6. Indemnity.**

**6.1 MPC's Indemnification.** Customer specifically agrees to indemnify and hold harmless MPC for all costs and expenses, including attorney's fees, from any and all claims for damages, injury, loss or death arising out of MPC's performance of this Agreement that is caused directly or indirectly by the negligent or intentional acts of the Customer, its employees, agents or contractors.

**6.2 Customer's Indemnification.** MPC specifically agrees to indemnify and hold harmless Customer for all costs and expenses, including attorney's fees, from any and all claims for damages, injury, loss or death arising out of MPC's performance of this Agreement that is caused directly or indirectly by the negligent or intentional acts of MPC, its employees, agents or contractors.

**Section 7. Force Majeure.** MPC will not be liable for the replacement or repair of any Customer-owned equipment damaged as a result of a Force Majeure. "Force Majeure" means an event or condition that is unforeseeable and is beyond either Party's control and includes, but is not limited to, orders of government agencies, strikes, lockouts and other labor disturbances (even if terminable by the affected party according to the demands of any labor group); war, riots, terrorism and civil insurrection; and lightning, fire, flood, hurricane, earthquake and other severe weather events.

**Section 8. Right of Subrogation.** Customer hereby assigns to MPC and MPC shall be subrogated to all rights of the City to pursue collection of any and all costs incurred by MPC from any third party causing damage to or destruction of any Customer-owned equipment subject to this Agreement that has been repaired or replaced by MPC.

**Section 9. Rights Incident to Agreement.**

**9.1 Right of Entry.** Customer hereby provides MPC the limited right to enter upon and use any land owned or controlled by Customer, including access to all easements and rights-of-way, necessary, in MPC's sole discretion, to perform the services provided for under this Agreement.

**9.2 Traffic Control.** If applicable, Customer agrees to provide traffic control personnel upon request for all maintenance procedures and must be present, unless otherwise released by MPC, until all work is complete.

**Section 10. Entire Agreement.** This is the entire agreement between the parties and it is expressly agreed that no promises or agreements other than those contained in this written Agreement have been made between the parties and that no agent or representative of MPC has any authority to obligate MPC by any agreement terms or conditions not herein expressly contained.

41791.4

**Section 3. Fee.** In exchange for the services provided by MPC under this Agreement, Customer shall pay to MPC the following:

**3.1 Maintenance Fee.** Starting with the first billing cycle after the Commencement Date, Customer shall pay monthly to MPC the total sum of **\$930.00** for lighting maintenance as modified by the parties in accordance with the following terms:

(a) MPC may request an adjustment to the Maintenance Fee to become effective on the anniversary date of the Commencement Date of this Agreement by providing written notice of such request to Customer at least 90 days prior to the effective date. On the anniversary date of the Commencement Date of this Agreement, any requested adjustment in the Maintenance Fee shall automatically go into effect unless previously rejected in writing by the Customer. This Agreement shall terminate 60 days after receipt by MPC of Customer's written rejection and Customer shall continue to pay the most recent approved Maintenance Fee until termination.

(b) In the event that additional outdoor street lighting equipment is added to this Agreement pursuant to Section 1.4, MPC may request an adjustment to the Maintenance Fee to become effective on the date such equipment is added.

**3.2 Energy Fee.** Customer lights referenced in Section 1.1 will be metered in accordance with the most recent Commission approved applicable rate schedule. Any conflicts with any terms or conditions contained in MPC's approved Rate Schedule shall supersede this agreement.

**Section 4. Inspection.**

**4.1 Inspection Report.** Prior to or within 30 days following the Commencement Date, MPC shall perform an inspection of the outdoor street lighting equipment described in this Agreement and prepare a report detailing all Customer-owned equipment that is damaged, defective, obsolete, or otherwise in need of repair or replacement.

**4.2 Duty to Repair.** Customer has the duty to repair or replace, at its sole cost and expense, all of the outdoor street lighting equipment identified by MPC in the inspection performed pursuant to Section 4.1. Any and all costs incurred by MPC to maintain, furnish, repair or replace any equipment identified pursuant to this Section by MPC shall be separately billed to the Customer and not covered under the monthly Maintenance Fee described in Section 3 above.

**4.3 Exclusion of Equipment.** Any and all outdoor street lighting equipment identified by MPC in the inspection performed pursuant to Section 4.1 shall not be maintained by MPC or subject to any other terms and conditions of this Agreement until repaired or replaced.

**Section 5. Maintenance Agreement Only.** Unless otherwise specifically stated in this Agreement, it is understood by and between the Customer and MPC that this Agreement is for maintenance services only and that in performing under this Agreement MPC is not providing any representations or warranties, expressed or implied, as to the reasonableness of the

41791.4

**Section 11. Hazardous Material.** MPC will not, at any time nor under any circumstances, accept ownership from Customer of any environmentally hazardous material. In the event that Customer desires MPC to dispose of any environmentally hazardous material on behalf of Customer, then such disposal shall be done at the sole option of MPC and for an additional charge.

**Section 12. Assignment.** Neither this Agreement nor any right or obligation hereunder shall be assigned by any party hereto without the prior written consent of the other party.

**Section 13. Modification.** This Agreement may be amended or otherwise modified only by mutual agreement of the parties in writing.

**Section 14. Choice of Law.** This agreement shall be interpreted and construed under the laws of the State of Mississippi.

**Section 15. Authority to Execute.** The undersigned representatives of both MPC and the Customer represent that each are duly authorized and have complied with all applicable laws, ordinances, resolutions and procedures necessary to obtain the authority to do so.

**Section 16. Confidentiality.** This Agreement contains confidential and proprietary data and information that shall be kept as confidential to the fullest extent permitted by Mississippi law. Customer shall notify MPC of any third party requests to disclose any of the confidential information contained herein.

BY THEIR SIGNATURES BELOW, the undersigned parties to this Agreement have agreed to the terms and conditions provided herein.

MISSISSIPPI POWER COMPANY

By: \_\_\_\_\_  
David Buckner

Its: Director, Marketing and Sales

Date: \_\_\_\_\_

CUSTOMER

By: Heal Mayo

Its: Mayor

Date: 9-8-16

41791.4

CITY OF PETAL  
MINUTE BOOK 35  
EXHIBIT "H"

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Petal, Mississippi:

SECTION 1. Section 13 of Ordinance Number 2014 (132) as originally adopted on March 4, 2014 is hereby amended to read as follows. To-wit:

SECTION 13: Schedule of rates.

The following schedule of rates is hereby ascertained, found and declared to be reasonable, and the same are established as the rates to be charged for sewer subject to minimum charges shown below:

**RATE SCHEDULE**

**RESIDENTIAL WATER**

0-2,000 GALLONS	\$ 12.00
EACH ADD'L 1,000	\$ 4.00/1000

**COMMERCIAL WATER**

0-2,000 GALLONS	\$12.00
<b>ADDITIONAL GALLONS</b>	
2,000 - 50,000 GALLONS	\$ 4.00/1000
51,000 - 100,000	\$ 3.00/1000
ABOVE 100,000	\$ 2.50/1000

SECTION 2. All Ordinances in conflict herewith, be, and are hereby repealed.

SECTION 3. That this ordinance shall take effect and be in force (30) days from and after its passage.

The above and foregoing ordinance having been reduced to writing, the same was read and voted upon, section by section, and then as a whole.

Those present and voting "YEA" and in favor of the passage, adoption and approval of Sections 1, 2 & 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 passage, adoption and approval of Sections 1, 2, & 3 of the foregoing ordinance:

None

Those present and voting "YEA" or against the passage, adoption and approval of the 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 passage, adoption, and approval of the foregoing ordinance as a whole:

None

WHEREFORE the foregoing ordinance was duly passed, adopted and approved on this the 6<sup>th</sup> day of September A.D., 2016.



*Hal Mark*  
Hal Mark  
Mayor

ATTEST:  
*Melissa Martin*  
Melissa Martin  
City Clerk

## Proclamation

**Whereas** Toni Marino is a citizen of Petal who has bravely battled Acute Myeloid Leukemia; and

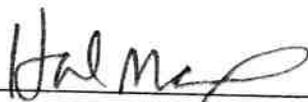
**Whereas** Toni has won the hearts of many of her fellow citizens with her determination, strength, and faith as she has endured bone marrow transplants and lengthy hospital stays; and

**Whereas** she even has her own fan base on social media, called Team Toni Macaroni; and

**Whereas** she is an inspiration to those who know her, the epitome of a fighter, with an ever-present smile; and

**Whereas** Toni is leaving Petal to move with her parents to Arkansas, but she will remain in our hearts, our thoughts, and our prayers, and will always be an Honorary Citizen of Petal;

**Therefore**, be it proclaimed by the Mayor and Board of Aldermen of the City of Petal, Mississippi, that Sunday, September 11, 2016 be recognized as **Toni Marino Day** within the City of Petal, and we join with the citizens of Petal in wishing her a healthy and happy future.

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

Attest

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