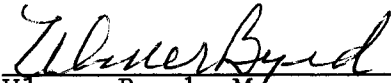



Ordinance 1974 (14) - An ordinance requiring that gasoline service stations, open to the public, will have an attendant or supervisor on duty whenever the station is open for business.

There being no further business the meeting was ordered adjourned on this, the 19th day of November A. D., 1974.


Ulmer Byrd, Mayor

(SEAL)

ATTEST:


CITY CLERK, Susan B. Smith

BE IT REMEMBERED that there was begun and held a regular meeting of the Mayor and Board of Aldermen of the City of Petal at 7:30 P. M., Tuesday, December 3, 1974, in the Mayor's office in the City Hall.

Those present:

Mayor	Ulmer Byrd
Aldermen	W. H. Clearman Mitchell Curry George B. Draughn A. L. Henderson, Jr.
City Attorney	Thomas W. Tyner
Others Present	Larry Rumsey

Mayor Byrd then declared a quorum was present and declared the City Council in session.

The invocation was offered by Alderman, Mitchell Curry.

The minutes of the meeting held November 19, 1974, were read by Susan B. Smith. The motion to adopt, as read, was made by Alderman, Mitchell Curry, and seconded by Alderman, W. H. Clearman.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

WHEREAS Thomas Tyner, City Attorney stated that he has not received a reply from the Attorney General's office concerning the amount of premium that could be paid by the municipality. Mr. Tyner stated that in his research he had found a law passed by the 1974 Legislation that the municipalities may pay up to 40% of the premium, for the plan set forth in the statute. This law is very vague as to the type of premium this 40% covers. Mr. Tyner suggested to the Mayor and Board of Aldermen that since there has not been written approval from the Attorney General's office that the Board of Aldermen could pass a resolution adopting the payment of 40% of the employee's share of the premium as stated in the Mississippi Code of 1972.

THEREUPON Mitchell Curry, Alderman, stated to the Mayor and Board of Aldermen that the representative of Aetna Insurance had contacted Mr. Black, Assistant Attorney General in the Insurance Commission Department, and that Mr. Black had some additional information concerning the amount of premium the municipalities could pay.

After a lengthy discussion, Mayor Byrd stated to the Board of Aldermen that the City of Petal should receive written approval from the proper officials before any ruling on the employee's insurance could be made. Therefore, Mayor Byrd requested Mr. Tyner to get in contact with Mr. Black of the Insurance Commission, and Mr. Curry, Mr. Tyner and the Aetna Representative to compile all available information and present the compiled information at the next council meeting.

THEREUPON Mr. Tyner presented to the Mayor and Board of Aldermen the Notice to Bidders for a Depository.

THEREUPON Alderman, A. L. Henderson, Jr., made a motion to adopt the Notice to Bidders and to send copies to all banks pursuant to provisions of Section 27-105-305, Mississippi Code 1972 Annotated; the motion was seconded by Alderman, Mitchell Curry.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

ORDERED BY the Mayor and Board of Aldermen of the City of Petal, Mississippi, that the following Notice to Bidders be and the same is hereby approved for publication for the time and in the manner required by law, to-wit;

NOTICE TO BIDDERS

PURSUANT to the provisions of Section 27-105-305, and 27-105-353, Mississippi Code 1972 Annotated, and amendments thereto, Notice is hereby given to all banks in Forrest County, Mississippi, that bids will be received from banks at the regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, to be held in the office of the Mayor in the City Hall of the City of Petal until 7:00 P.M., Tuesday, January 7, 1975, for the privilege of keeping funds of said

and particularly as provided by Sections 27-105-305, and 27-105-353, Mississippi Code 1972 Annotated, and amendments thereto.

The City of Petal, Mississippi reserves the right to reject any and all bids and to waive any formalities. Any bid accepted will be on the basis on the lowest and best bid.

WITNESS my signature and the seal of said City on this, the 3rd day of December, A. D., 1974.

CITY OF PETAL, MISSISSIPPI

BY: /s/ Susan B. Smith
CITY CLERK

(SEAL)

THEREUPON the Claims Docket was read by Susan B, Smith. Claims 176 through 209 were read, totaling \$8,883.93.

Alderman, George B. Draughm, made the motion to 'accept and pay in full, Claims 176 through 209 in the amount of \$8,883.93. The motion was seconded by A. L. Henderson, Jr.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman Geroge B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

Mayor Byrd stated to the Board of Aldermen that a representative from the Bureau of Outdoor Recreation was in town last week to review the proposed land sites the City of Petal are interested in buying for proposed recreational land sites. Mayor Byrd said that this representative was only in the position of reporting an observational survey of the proposed land site.

Mayor Byrd requested from Mr. Curry the consideration of the committee on the Proposed Personnel Policy Manual for the City of Petal's employee's.

Mitchell Curry stated that the committee had recommended some adjustments, and they read as follows:

On Page four (4), Section two (2), Residency Requirements reads as follows:

2. Residency Requirements.

(a) All employees of the City of Petal, Mississippi, shall maintain their domicile and principal place of residence within Forrest County during the period of their employment with the City.

(b) New employee's of the City who do not maintain their domicile and principal place of residence within Forrest County at the time of their employment shall move their domicile and principal place of residence into the corporate limits of Forrest County before the expiration of the first six (6) months of the probationary period. Failure to comply with the policy will be cause for consideration of removal from the position occupied.

Alderman, Mitchell Curry stated that the committee felt that these

Residency Requirements should be deleted.

On Page four (4), Section three (3), Disqualification read as follows:

3. Disqualification. The Director of Personnel may remove from further consideration at any time the application of an applicant who: (a) does not possess the minimum qualifications; (b) has established an unsatisfactory employment or personnel record as evidenced by reference check of such a nature as to demonstrate unsuitability for employment; (c) has made false statement of any material fact or practiced deception in his application; (d) is afflicted with any mental or physical disqualifying disease or defect that would prevent satisfactory performance of his duties; (e) is believed to be addicted to the habitual use of drugs or intoxicants; (f) has been convicted of crimes other than traffic or other than traffic or other minor violations; (g) does not reply to a mail inquiry within ten business days or does not return a telephone inquiry within two business days; (h) fails to accept appointment within two business days or to report for duty within the time prescribed in the offer; (i) or does not meet residency requirements.

Alderman Mitchell Curry stated that Section (i) should be deleted completely as in accordance with the deletion of Section two (2), Residency Requirements.

On Page 12, Section Two (2), Holidays with Pay reads as follows:

2. Holidays with Pay.

(a) Authorized Holidays. The following days are official holidays for regular full-time employee's whose work does not require being on duty on holidays:

New Years Day (January 1)
 Washington's Birthday (3rd Monday in February)
 Memorial Day (May 30 or other appropriate day)
 Independence Day (July 4)
 Labor Day (1st Monday in September)
 Columbus Day (2nd Monday in October)
 Veteran's Day (4th Monday in October)
 Thanksgiving Day
 Friday after Thanksgiving
 Christmas Eve
 Christmas Day

Alderman, Mitchell Curry stated that the committee felt this section should be changed to read as follows, to-wit;

2. Holidays with Pay.

(a) Authorized Holidays. The following days are official Holidays for regular full-time employee's whose work does not require being on duty on holidays:

New Years Day (January 1)
 Independence Day (July 4)
 Labor Day (1st Monday in September)
 Thanksgiving Day
 Christmas Day

On Page Fourteen (14), Section four (4), Sick Leave, read as follows:

4. Sick Leave.

(1) Eligible City employees who have worked six (6) months

are credited with six (6) work days sick leave at the end of that period.

(c) Amount of Sick Leave. Each employee working a minimum of forty (40) hours, five (5) days or more per week shall earn sick leave credits at the rate on one day per month. Sick leave may be accumulated up to a maximum of sixty (60) working days.

Alderman, Mitchell Curry stated that the committee desired this section to read as follows to-wit:

On Page Fourteen (14), Section Four (4), Sick Leave, General Information.

4. Sick Leave.

General Information.

(b) Eligible City employee's who have worked six months are credited with three (3) work days sick leave at the end of that period.

(c) Amount of Sick Leave. Each employee working a minimum of forty (40) hours, five (5) days or more per week shall earn sick leave credits at the rate of one day every two months. Sick leave may be accumulated up to a maximum of thirty (30) working days.

Mayor Byrd then stated to the Board of Aldermen that they had reviewed and considered the adjustments on the Personnel Manual, and requested the wishes of the Board, as per the recommended changes and adjustments to the adoption of the Proposed Personnel Policy Manual for the City of Petal.

THEREUPON Mitchell Curry, Alderman, made the motion to adopt the Proposed Personnel Policy Manual for the City of Petal, with adjustments as stated above. Alderman, A. L. Henderson, Jr. seconded the motion.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

WHEREAS Mayor Byrd requested the Board of Aldermen to seriously consider the Analysis report of the Department of Labor FLSA regulations on Police and Firefighters. Mayor Byrd stated the City of Petal will have to establish by January 1, 1975, two (2) work periods - one (1) for the Police Department and one (1) for the Firefighters. Mayor Byrd stated that he and Mitchell Curry, Alderman, will establish with Chief Garwood a positive declaration determining the work periods for the Police Department, and that he and George B. Draughn, will establish with Chief Perry the work periods for the Fire Department. After this information is gathered, Mayor Byrd said that the inclusion of this information would give the City of Petal a positive work period for their two departments.

WHEREAS Mayor Byrd stated to the Board of Aldermen that Walter C. McDavid, Court Clerk and Dispatcher has resigned. Mr. McDavid's date of resignation was effective November 29, 1974.

ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, that the following Resolutions of Publication be and the same is hereby

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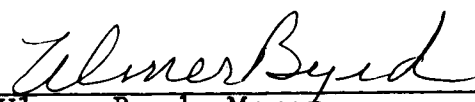
approved and filed, to-wit:

Resolution calling for and providing for the registration of the qualified electors of the City of Petal, Mississippi.

Resolution designating polling places within the City of Petal, Mississippi.

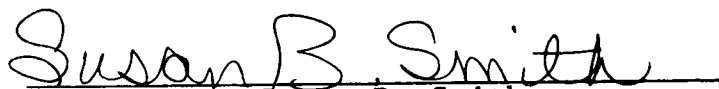
Ordinance 1974 (14) - An ordinance providing for compensation of the Mayor and Board of Aldermen.

There being no further business the meeting was ordered and adjourned on this, the 3rd day of December 1974.


Ulmer Byrd, Mayor

(SEAL)

ATTEST:


CITY CLERK, Susan B. Smith

BE IT REMEMBERED that there was begun and held a regular meeting of the Mayor and Board of Aldermen of the City of Petal at 7:30 P. M., Tuesday, December 17, 1974, in the Mayor's office in the City Hall.

Those present:

Mayor	Ulmer Byrd
Aldermen	W. H. Clearman Mitchell Curry George B. Draughn A. L. Henderson, Jr.
City Attorney	Thomas W. Tyner
Others Present	Larry Rumsey Chief Bruce Garwood

Mayor Byrd then declared a quorum was present and declared the City Council in session.

The invocation was led by Alderman, George B. Draughn.

The minutes of the meeting held December 3, 1974, were read by Susan B. Smith. The motion to adopt as read was made by Alderman, W. H. Clearman and seconded by Alderman, A. L. Henderson, Jr.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

WHEREAS Thomas W. Tyner presented to the Mayor and Board of Aldermen a Resolution endorsing construction of South Mississippi Electric Power Association's electric generating plant in Lamar County, Mississippi. The Resolution read as follows to-wit;

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL, MISSISSIPPI ENDORSING
CONSTRUCTION OF SOUTH MISSISSIPPI ELECTRIC
POWER ASSOCIATION'S ELECTRIC GENERATING PLANT
IN LAMAR COUNTY, MISSISSIPPI

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi is vitally concerned with all aspects of development relating to the quality of life, as well as to economic development; and

WHEREAS, South Mississippi Electric Power Association proposes to construct an electric generating plant in our trade area; and

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi has sought to inform itself as to both the environmental and economic impact on the surrounding area, and has consulted with the environmental, design and construction engineers for the proposed project, and has considered the environmental studies of the same, and from said consultations and studies finds as follows:

1. That the proposed project will meet all state and federal environmental requirements.
2. That the proposed site of said plant was located upon Black Creek in Lamar County only after an extensive engineering evaluation was made of other proposed locations; that the location on Black Creek constitutes the most feasible site both from an engineering, environmental and economic standpoint, for the location of such plant of this section of our state.
3. The proposed electric generating plant of said utility has been designed in accordance with the most modern technology available, and shall be constructed to such design and engineering specification, as will meet all state and federal environmental laws, regulations and requirements; that, therefore said plant, when constructed, will be one of the most modern electric generating plants in this nation by virtue of its advance environmental technological and engineering design.
4. The antipollution equipment to be utilized in South Mississippi Electric Power Association's proposed new generating plant has been designed in accordance with the latest, most modern technology and will be

- constructed and utilized in such a manner as to prevent any adverse effect upon the area's environment, either air or water; that therefore neither Black Creek, its tributaries, nor surrounding area shall be adversely affected by construction and operation of said plant.
5. The location of such plant in this area will greatly benefit the people of our area by providing an additional local source of electric energy, thereby increasing the economic development of this section of our state, both rural and urban.
 6. The critical nature of the energy crisis facing this nation makes it imperative that the construction of additional power plants, such as that proposed by South Mississippi Electric Power Association, not be delayed.
 7. The expenditure by said utility of approximately \$160,000,000 in the construction of said project will add impetus to the economic growth of the area by the addition of both construction workers and permanent jobs to the area's labor market; that the long-range financial impact is of even more importance and will add to the growing industrial base of South Mississippi and will be of benefit to all of our people as its financial returns circulate through the area.
 8. That the construction of said plant has been delayed, however, due to the failure of the Permit Board of the Mississippi Air and Water Pollution Control Commission to issue a permit for such construction pending a public hearing, which delay is long continued, will cause serious economic problems to the Association, due to the necessity of renegotiation of outstanding construction and manufacturing contracts, all of which will adversely affect the ultimate cost of power to thousand or rural and urban consumers of electric energy in the area served by said Association.
 9. That, therefore, such permits as are required by Law should be promptly issued so that said construction may proceed immediately.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen unanimously endorses the construction of South Mississippi Electric Power Association's proposed coal fired steam electric generating plant on Black Creek, near Purvis, Mississippi.

RESOLVED FURTHER that we do hereby respectfully request and urge the Mississippi Air and Water Pollution Control Commission to quickly issue such Air and Water discharge permits as are

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necessary in order that construction may be immediately commenced;
and

BE IT RESOLVED FURTHER that copies of this Resolution be furnished to the Mississippi Air and Water Pollution Control Commission, South Mississippi Electric Power Association and news media.

The above and foregoing Resolution was unanimously adopted on this the 17th day of December, A. D. 1974.

/s/ Ulmer Byrd
MAYOR

(SEAL)

ATTEST:

/s/ Susan B. Smith
CITY CLERK

THEREUPON Alderman, George B. Draughn made a motion to adopt the aforesaid Resolution. The motion was seconded by Alderman, Mitchell Curry.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

WHEREAS Thomas W. Tyner presented to the Mayor and Board of Aldermen Ordinance 1974-15 prohibiting the sale and use of fireworks. The Ordinance read as follows, to-wit;

ORDINANCE 1974 (15)

AN ORDINANCE PROHIBITING OR REGULATING THE SALE, POSSESSION OR USE OF FIRECRACKERS, ROMAN CANDLES, TORPEDOES, SKY ROCKETS AND ANY AND ALL EXPLOSIVES COMMONLY KNOWN AND REFERRED TO AS FIREWORKS AS HEREIN DEFINED AND EXCEPT AS HEREIN PROVIDED AND PROVIDING PENALTY FOR THE VIOLATION THEREOF

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, do now find, determine and adjudge that the sale, possession and use of those articles and devices commonly known and referred to as fireworks within the corporate limits of the City of Petal, Mississippi, is inimicable and dangerous to the safety, peace, and welfare of the inhabitants of the City of Petal, Mississippi, and that the possession, sale and use

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corporate limits of the City of Petal, Mississippi except as hereinafter expressly provided;

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

SECTION I. Definition of the term "Fireworks".

The term "fireworks" where used in this Ordinance shall mean and shall embrace all those articles, devices and explosives commonly known and designated as firecrackers, Roman candles, torpedoes, sky rockets, and any and all products of an explosive nature commonly known and referred to as fireworks.

THEREUPON Alderman, Mitchell Curry made a motion to adopt Section 1: Definition of the term "Fireworks". The motion was seconded by Alderman, W. H. Clearman.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

SECTION II. Selling of fireworks in corporate limits prohibited.

Except as expressly authorized in Section 4 of this Ordinance, it shall be unlawful for any person, firm or corporation to possess, store, handle, deal in, sell or offer for sale within the corporate limits of the City of Petal, Mississippi, any fireworks as defined in Section 1 of this Ordinance.

THEREUPON Alderman, George B. Draughn made a motion to adopt Section II: Selling of fireworks in corporate limits prohibited. The motion was seconded by Alderman, A. L. Henderson, Jr.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

SECTION III. Discharging of Fireworks in corporate limits prohibited.

Except as expressly authorized in Section 4 of this Ordinance, it shall be unlawful for any person, firm or corporation to shoot, discharge, fire, explode, or otherwise use any fireworks on or in any of the streets, sidewalks, alleys, or other public places or elsewhere within the corporate limits of the City of Petal, Mississippi.

THEREUPON Alderman, W. H. Clearman made a motion to adopt Section III: Discharging of Fireworks in corporate limits prohibited. The motion was seconded by Alderman, George B. Draughn.

Those present and voting "Aye":

Alderman W. H. Clearman

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Those present and voting "Nay":

NONE

SECTION IV. Permits required for fireworks display.

The Mayor and Board of Aldermen of the City of Petal, Mississippi, acting by and through the Mayor or City Clerk may grant permits under which fireworks, which are otherwise prohibited, may be used for exhibition purposes. Any person granted such a permit shall be experienced in the handling of fireworks, and the members of the public attending such exhibitions shall be kept at a safe distance therefrom. All fireworks held in storage for such exhibitions shall be kept in a closed box until removed therefrom for firing, and in no event shall fireworks for such exhibitions include dangerous items as prohibited by State or Federal Law.

THEREUPON Alderman, A. L. Henderson, Jr. made a motion to adopt Section IV. Permits required for fireworks display. The motion was seconded by Alderman, W. H. Clearman.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

SECTION V. Violations of Ordinance Provisions.

Any person, firm or corporation who violates the terms and conditions of this Ordinance shall be guilty of a misdemeanor, and shall be punishable as such, by fine and or imprisonment in the discretion of the Municipal Judge.

THEREUPON Alderman, George B. Draughn made a motion to adopt Section V: Violations of Ordinance provisions. The motion was seconded by Alderman, A. L. Henderson, Jr.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

SECTION VI. Exemptions.

The illustrations set out in Section 1 are illustrative only and shall not be construed to exclude from the operation of this Ordinance any fireworks of an explosive nature; however, this Ordinance is not intended to prohibit the use of sale of devices in which paper caps manufactured in accordance with United States Interstate Commerce Commission regulations for packing and shipping of toy paper caps are used and toy pistol caps manufactured as provided herein, and the use or sale of sparklers, pinwheels, or other items not of an explosive nature within the corporate limits of the City of Petal, Mississippi.

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THEREUPON Alderman, George B. Draughn made a motion to adopt Section VI. Exemptions. The motion was seconded by Alderman, Mitchell Curry.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

SECTION VII. Effective Date.

The above and foregoing Ordinance shall take effect and be enforced from and after January 13, A. D., 1975.

THEREUPON Alderman, A. L. Henderson, Jr. made a motion to adopt Section VII: Effective Date. The motion was seconded by Alderman, Mitchell Curry.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

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

Those present and voting "Yea" and in favor of the passage, adoption and approval of Sections 1, 2, 3, 4, 5, 6, and 7 of the foregoing Ordinance:

Alderman W. H. Clearman
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.
Alderman Mitchell Curry

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

NONE

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

Alderman W. H. Clearman
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.
Alderman Mitchell Curry

Those present and voting "Nay" or against the foregoing Ordinance as a whole:

NONE

WHEREUPON, the foregoing Ordinance be, and the same is hereby passed, adopted, and approved on this 17th day of December, A. D., 1974.

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/s/ Ulmer Byrd
MAYOR

(SEAL)

ATTEST:

/s/ Susan B. Smith
CITY CLERK

THEREUPON Alderman, Mitchell Curry made a motion to adopt the aforesaid Ordinance, and the motion was seconded by Alderman, A. L. Henderson, Jr.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

WHEREAS Thomas W. Tyner presented to the Mayor and Board of Aldermen an order authorizing Susan B. Smith, City Clerk, to invest \$20,000.00 in U. S. Treasury Bills, the order read as follows, to-wit;

O R D E R

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to make a transfer of \$20,000.00 from the General Funds of said City in order to invest in U. S. Treasury Bills on a ninety (90) day basis;

NOW THEREFORE BE IT SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, that the City Clerk transfer \$20,000.00 from General Funds in order to purchase said U. S. Treasury Bills.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of December, A. D., 1974.

THEREUPON Alderman, A. L. Henderson, Jr. made a motion to adopt the aforesaid order. The motion was seconded by Alderman George B. Draughn.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

WHEREAS Mrs. Smith presented to the Mayor and Board of Aldermen the Cash Flow statement of the various funds for the period of November 1 through November 30, 1974. Mrs. Smith stated that the General Fund Receipts totaled \$64,916.64.

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The General Fund expenditures total \$9,118.43 bringing the balance in the General Fund account as of November 30, 1974, to \$55,798.21.

In the Escrow account as of November 30, 1974, \$30.00 was deposited for Penalties for Driver's Education. The beginning balance was \$44.00 making the total amount of Penalties for Driver's Education \$74.00. The Escrow account fees for boarding prisoners had a beginning balance of \$44.00 with \$49.50 deposited for the month of November bringing the total in the Escrow account for fees for boarding prisoners to \$93.50. The total amount of revenue received in the Escrow account amounted to \$167.50.

The Fire Fund was inactive for the month of November leaving the balance of \$33,379.18. The Capital Improvement Fund was also inactive leaving the balance as \$11,518.00. The Disaster Fund was inactive leaving the balance as \$7,250.00.

WHEREAS Mrs. Smith read the reports for Privilege License collected for the months of September, October and November totaling \$2,106.00.

WHEREAS Chief Bruce C. Garwood addressed the Mayor and Board of Aldermen requesting their consideration on bonding the members of the Petal Reserve Police Force, and the three policemen now employed by the city. Chief Garwood stated that this would be a total of 15 men. Mr. Tyner asked Chief Garwood what would be a reasonable amount of bond for these men. Chief Garwood stated that \$1,000.00 per man would be a reasonable amount of bond. After a lengthy discussion Mayor Byrd stated that he would check with the insurance agencies and this will be discussed at the next meeting.

WHEREAS Mitchell Curry, Alderman, stated to the Mayor and Board of Aldermen the need of a decision on the insurance for the city employee's.

Mr. Tyner stated to the Mayor and Board of Aldermen that he had received an opinion from Mr. Maurice R. Black, Attorney for Evelyn Gandy, and it read as follows, to-wit;

December 9, 1974

Honorable Thomas W. Tyner
City Attorney
City of Petal
Post Office Box 564
Petal, Mississippi 39465

Dear Mr. Tyner:

This will acknowledge receipt of your letter of December 5, 1974, regarding the proper interpretation of Sections 25-15-101 and 25-15-103, Mississippi Code of 1972, as amended by House Bill No. 1204 of the 1973 Session of the Mississippi Legislature.

As we discussed by telephone, this Department has no facilities for calculating the cost of the benefits for employees as authorized by the statutes so as to separate the parts thereof which may be totally funded by the municipality and those which may be only partially funded. You will note that Section 25-15-102, *ibid.*, as found in the Code places a limit of 40% of the participation of the municipality in the cost of certain hospital and life insurance benefits. The amendment of 1974 partially removes this limitation when it provides in the last paragraph of Section 2 as follows:

Honorable Thomas W. Tyner
December 9, 1974
Page Two

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life insurance coverage up to Ten Thousand Dollars (\$10,000) for all or specified groups of its public employees and group hospitalization benefits not to exceed Thirty-five Dollars (\$35.00) per day room and board for such public employees and their dependents; and the municipality may pay the total of the cost of all benefits under this section."

This Department construes this statute as amended to mean that the municipality may pay the total cost of the benefits set out in the said last paragraph of said Section 2 but that the other benefits authorized by the statute are subject to the 40% participation by the municipality. Accordingly, it seems that it would be in order for the insurance company to make some calculation so that it would be clear to you just what the premium for the portion of the coverage provided under the said last paragraph would be and what the cost of the other benefits would be in order that you could apply the 40% rule to the latter.

I regret very much that we would be unable as an administrative agency or formulating of a legal rule to state what these particular divisions would be. It would seem that the company would have readily available such facilities and I feel such that they will make such available to you.

Sincerely yours,

EVELYN GANDY
COMMISSIONER OF INSURANCE

By: _____

Maurice R. Black
Her Attorney

MRB:ph

THEREUPON Mr. Tyner said that based upon this letter it would be his opinion that the group hospitalization plan proposal by the Aetna Life and Casualty Insurance Company could be adopted by the city with the city paying 100% of the employee's premium for hospitalization coverage, and the employee's paying all of the premium for the coverage of his or her dependents if such coverage is desired.

THEREUPON Mitchell Curry, Alderman, stated to the Mayor and Board of Aldermen that this proposed plan has a \$250,000.00 Major Medical and many other extra benefits. There is also included a \$5,000.00 life insurance policy. Alderman, Mitchell Curry stated that if this proposed policy is adopted, that Mr. Pierce Stevens will be in the office to explain to all the employee's individually the cost, benefits, etc. Also, if this proposed plan is adopted, the Aetna Insurance Company will need a written statement from Thomas W. Tyner approving the insurance plans. There will also be withholding statements submitted to the employees authorizing the withholding of the employees premiums for dependents.

THEREUPON Alderman, A. L. Henderson, Jr. made a motion to adopt the proposed plan of Aetna Life and Casualty Insurance Company with the aforesaid proposed plan becoming effective January 1, 1975. The motion was seconded by Alderman, W. H. Clearman.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

MINUTES - PETAL, MISS.

WHEREAS Mayor Byrd presented to the Board of Aldermen a petition from the residents on McInnis Street. The petition read as follows, to-wit;

Honorable Ulmer J. Byrd
Mayor
City of Petal

The residents of McInnis Street are requesting that a 20 mile per hour speed zone be enforced in this area. The safety of our children is endangered almost daily by vehicles that travel almost 50 or 60 M.P.H.

Signatures of a majority of the residents is presented below.

1. Mrs. Vernetta P. Fairley
2. Louis Fairley

THEREUPON Mayor Byrd stated to the Board of Aldermen that the City of Petal has 18 stop signs, and he is trying to locate some speed signs. Mayor Byrd asked Chief Garwood if a stop sign on McInnis Street would help the McInnis Street residents until the City of Petal could advertise for additional signs. Chief Garwood stated that a stop sign on 7th Street before entering McInnis Street would help the residents until speed zone signs could be procured.

Thomas W. Tyner suggested to the Mayor and Board of Aldermen that since Chief Garwood is head of the traffic division that he should make a survey of the City of Petal and gather information as to where and what types of signs are needed.

THEREUPON Mayor Byrd requested Chief Garwood to make a study and to report to the Police Committee as soon as the study is completed.

Mayor Byrd stated to the Board of Aldermen that before any signs could be procured, the City of Petal would have to advertise for bids for the signs to be sued to resolve the traffic control problem of the City of Petal.

THEREUPON Alderman, W. H. Clearman made a motion to authorize advertisement for bids for traffic control signs. The motion was seconded by A. L. Henderson, Jr.

Those present and voting "Aye":

Alderman W. H. Clearman
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

Mayor Byrd stated to the Board of Aldermen as soon as the survey was complete, the City of Petal will advertise for the aforesaid bid.

Alderman, A. L. Henderson stated that due to the success of the Christmas Parade, a letter of appreciation should be sent from the City of Petal to all who participated in correlating the 1974 Christmas Parade.

THEREUPON Mayor Byrd requested Susan B. Smith to send a letter of appreciation to the Petal Chamber of Commerce, Petal Band and Petal Reserve Police Force.

Ordered by the Mayor and Board of Aldermen of the City of Petal, Mississippi that the following Proof of Publication be and the same is hereby approved and filed, to-wit;

Notice to Bidders for one Depository

WHEREAS Alderman, George B. Draughn addressed the Mayor and Board of

MINUTES - PETAL, MISS.

Aldermen on the proposed land site for a recreational area. After a lengthy discussion Alderman, George B. Draughn was directed to investigate an additional land site and to give his report at the next council meeting.

There being no further business the meeting was ordered adjourned on this, the 17th day of December 1974.

Ulmer Byrd
Ulmer Byrd, Mayor

(SEAL)
ATTEST:

Susan B. Smith
Susan B. Smith, City Clerk

BE IT REMEMBERED that there was begun and held a regular meeting of the Mayor and Board of Aldermen of the City of Petal at 7:30 P. M., Tuesday, January 7, 1975, in the Mayor's office in the City Hall.

Those present:

- | | |
|----------------|---|
| Mayor | Ulmer Byrd |
| Aldermen | W. H. Clearman
Mitchell Curry
George B. Draughn
A. L. Henderson, Jr. |
| City Attorney | Thomas W. Tyner |
| Others Present | Larry Rumsey
George Kane
Billy Padgett |

Mayor Byrd then declared a quorem was present and declared the City Council in session.

The invocation was led by Alderman, A. L. Henderson, Jr.

The minutes of the meeting held December 17, 1974, were read by Susan B. Smith. The motion to adopt as read was made by Alderman, A. L. Henderson, Jr., and seconded by Alderman, W. H. Clearman.

Those present and voting "Aye":

- Alderman W. H. Clearman
- Alderman Mitchell Curry
- Alderman George B. Draughn
- Alderman A. L. Henderson, Jr.

Those present and voting "Nay":

NONE

WHEREAS Mayor Byrd presented a petition filed by Mr. George Kane. The