

MINUTES - PETAL, MISS.

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, November, 5, 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
Other Present -	Mr. Johnny Watts

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

The invocation was offered by Thomas Tyner.

The minutes of the meeting held October 15, 1974, were read by Susan B. Smith. The motion to adopt, as read, was made by Alderman Mitchell Curry, and seconded by A. L. Henderson, Jr.

Those present and voting "Aye":

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

Those present and voting "Nay":

NONE

Mayor Byrd requested any persons wishing to speak on any matter other than Agenda Items, will be given an opportunity to do so now.

THEREUPON Mr. Johnny Watts stated to the Mayor and Board of Aldermen that he felt that the Mayor and Board of Aldermen were doing an excellent job. Mr. Watts questioned how soon the citizens of the City of Petal would have garbage service.

Mayor Byrd stated that these services will come into being approximately in 1976. The City of Petal being newly incorporated, is working on their first year budget, and this operating capital will depend upon the revenues received from taxes. So before there can be a definite date given the City will have to see how the first year expenditures will flow.

WHEREAS Thomas Tyner addressed the Mayor and Board of Aldermen with a Resolution designating polling places within the City of Petal.

RESOLUTION DESIGNATING POLLING PLACES
WITHIN THE CITY OF PETAL, MISSISSIPPI

WHEREAS, it has become necessary to designate polling places within the City of Petal, Mississippi; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Petal have made necessary agreements and have secured voting places and do now desire to designate the same.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, that the following voting precincts are hereby designated

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within the City of Petal, Mississippi, as follows, to-wit:

WARD I	Petal High School Old Richton Road
WARD II	Petal High School Old Richton Road
WARD III	W. L. Smith Elementary 400 Hill Crest Drive
WARD IV	W. L. Smith Elementary 400 Hill Crest Drive

BE IT FURTHER RESOLVED that this designation of voting precincts and polling places shall be subject to the approval of the Attorney General of the United States in accordance with Section 5 of the Voting Rights Act of 65.

BE IT FURTHER RESOLVED that upon approval of the location of the said voting precincts by the Attorney General of the United States that the same shall be published not less than three (3) times in the Hattiesburg American, a newspaper published in the County of Forrest, with a general circulation in the City of Petal, Mississippi.

SO ORDERED BY THE MAYOR AND BOARD OF ALDERMEN on this the 5th day of November, A. D., 1974.

/s/ Ulmer Byrd, Mayor
MAYOR

(SEAL)

ATTEST

Susan B. Smith, City Clerk
CITY CLERK

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

Those present and voting "Aye":

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

Those present and voting "Nay":

NONE

THEREUPON Thomas Tyner presented to the Mayor and Board of Aldermen a Resolution calling and providing for the registration of the qualified electors of the City of Petal.

RESOLUTION CALLING FOR AND PROVIDING FOR THE
REGISTRATION OF THE QUALIFIED ELECTORS OF THE CITY
OF PETAL, MISSISSIPPI, AND FOR RELATED PURPOSES

WHEREAS, the City of Petal, Mississippi, has just been incorporated and it has become necessary to provide for the registration before the Registrar of the qualified electors of the City of Petal, Mississippi; and,

WHEREAS, due and proper notice should be given to the qualified electors of the City of Petal to register with the Registrar.

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NOW, THEREFORE, BE IT RESOLVED, that the following notice shall be given and published to the said qualified electors of the City of Petal, Mississippi, as follows, to-wit:

"NOTICE OF REGISTRATION"

TO THE QUALIFIED ELECTORS OF THE CITY OF PETAL, MISSISSIPPI:

You are hereby notified that registration of qualified electors of the City of Petal, Mississippi will commence on November 11, 1974.

Registration will be before the Registrar of the City of Petal, Mississippi, in the City Hall in the City of Petal, Mississippi located in the East Forrest Utility District Office.

All qualified electors must present to the City of Petal's Registrar, the registration card received from the Circuit Clerk of Forrest County.

BE IT FURTHER RESOLVED that the above and foregoing Notice shall be published three (3) times in the Hattiesburg American, a newspaper published in the County of Forrest, with a general circulation in the City of Petal, Mississippi and by radio and television, and by such other means as shall be available.

SO ORDERED BY THE MAYOR AND BOARD OF ALDERMEN on this the 5th day of November, A. D., 1974.

/s/ Ulmer Byrd, Mayor
MAYOR

(SEAL)

ATTEST

/s/ Susan B. Smith
CITY CLERK

THEREUPON W.H. Clearman made a motion to adopt the aforesaid Resolution. and the motion was seconded by Alderman A. L. Henderson, Jr.

Those present and votion "Aye":

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

Those present and voting "Nay":

NONE

WHEREAS Mr. Tyner presented to the Mayor and Board of Aldermen a resolution accepting Moosa Equipment Company Bid for one (1) Fire Truck.

RESOLUTION ACCEPTING MOOSA EQUIPMENT
COMPANY BID FOR ONE (1) FIRE TRUCK

Hattiesburg American, a daily newspaper having a general circulation in the City of Petal, Mississippi, a Notice to Bidders for furnishing one (1) fire truck, as shown by the proof of publication now on file in the office of the City Clerk; and

WHEREAS, On Tuesday, October 15, at the time and place set forth in said Notice to Bidders, the Mayor and Board of Aldermen opened and publicly read all bids received, which said bids are recorded in Minute Book 1 at pages 144 through 148, inclusive; and

WHEREAS, after full and careful consideration of all bids received, the Mayor and Board of Aldermen do now find, determine and adjudge that the bid of Moosa Equipment Company for furnishing one (1) fire truck, at and for the sum of \$35,163.00 is the lowest and best bid received and said bid should be accepted:

NOW, THEREFORE, BE IT RESOLVED that the bid of Moosa Equipment Company be and the same is hereby accepted for furnishing one (1) fire truck in the amount of \$35,163.00 said one (1) fire truck to be furnished in strict compliance with the specifications and Notice to Bidders on file in the City Clerk's office.

BY ORDER OF MAYOR AND BOARD OF ALDERMEN this the 5th day of November, A. D., 1974.

THEREUPON Alderman A. L. Henderson, Jr., made a motion to adopt the afore-said resolution. The motion was seconded by Alderman Mitchell Curry.

Those present and voting "Aye":

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

Those present and voting "Nay":

NONE

THEREUPON Thomas Tyner suggested to the Mayor and Board of Aldermen that the Notice to Bidders for a Depository be presented at the December Council meeting.

WHEREAS the Mayor and Board of Aldermen agreed that the Notice to Bidders for the Depository would be taken up at the December Council meeting.

WHEREAS Mayor Byrd stated the need for an Ordinance requiring that gasoline service stations open to the public shall have an attendant on duty.

THEREUPON Thomas Tyner presented the following Ordinance:

ORDINANCE 1974 - (13)

AN ORDINANCE REQUIRING THAT GASOLINE SERVICE STATIONS, OPEN TO THE PUBLIC, SHALL HAVE AN ATTENDANT OR SUPERVISOR ON DUTY WHENEVER THE STATION IS OPEN FOR BUSINESS, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

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

Section 1: Supervisor or attendant required. All gasoline service stations, requiring a license to operate and requiring a privilege tax license and open to the public, shall have an attendant or supervisor on duty whenever the station is open for business.

THEREUPON Alderman W. H. Clearman made a motion to adopt Section 1, Supervisor or Attendant required, and the motion was seconded by Alderman Mitchell Curry.

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Those present and voting "Aye":

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

Those present and voting "Nay":

NONE

Section 2: Violation of ordinance provisions.

Any person violating any of the provisions of this ordinance, unless otherwise stated, or permitting another to violate this ordinance, shall be guilty of a misdemeanor and on conviction thereof shall be fined not more than \$300.00, or imprisoned not exceeding three months, or by both such fine and imprisonment. Such fine and imprisonment shall be in addition to any other penalty imposed by any particular section of this ordinance or applicable provision of State Law.

THEREUPON Alderman A. L. Henderson, Jr. made a motion to adopt Section 2, Violation of ordinance provisions, and the motion was seconded by Alderman George B. Draughn.

Those present and voting "Aye":

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

Those present and voting "Nay":

NONE

Section 3: Effective date.

The Mayor and Board of Aldermen of the City of Petal, Mississippi, having determined that an emergency exists, and that this ordinance should go into effect immediately, it shall be in full force and effect from and after its passage.

THEREUPON Alderman W. H. Clearman made a motion to adopt Section 3, Effective date, and the motion was seconded by Alderman George B. Draughn.

Those present and voting "Aye":

W. H. Clearman
Mitchell Curry
George B. Draughn
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 and 3 of the foregoing ordinances:

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

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 George B. Draughn
Alderman A. L. Henderson, Jr.

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 5th day of November, A. D., 1974.

/s/ Ulmer Byrd
Ulmer Byrd, Mayor

ATTEST:

/s/ Mrs. Susan B. Smith
Mrs. Susan B. Smith, City Clerk

(SEAL)

Thomas Tyner suggested to the Mayor and Board of Alderman the need to hire full time firemen, fire inspector's and establish a fire code as soon as possible.

WHEREAS Mayor Byrd read to the Board of Aldermen, Alderman Charles Z. Stevens letter of resignation. The letter read as follows:

September 23, 1974

Mayor Ulmer Byrd
P. O. Box 564
Petal, Mississippi 39465

Dear Mayor Byrd:

For the past five years it was my privilege to serve on the steering committee for the incorporation of Petal into a city. On April 5, 1974 a dream came true for several thousand residents of this City when the Mississippi Supreme Court ruled in favor of incorporation and a charter was issued to the City of Petal, Mississippi.

On May 3, 1974 it was a high honor for me along with four other men to be sworn in as one of the first Alderman of this city. Since that time all the city officials have spent numerous hours planning and putting together a workable plan for our city. These have been hours of joy as now we can see some of the programs working and a much brighter and better community for all to live in.

There comes a time in each persons life when he has to make a decision that effect more people than himself, even though we may not understand why things happen as they do. I have had such a decision to make that was not an easy one to make.

My job has taken me out of the City of Petal and the State of Mississippi, and with regret I am turning in my resignation as Alderman Ward Two, effective October 1, 1974.

I wish for you and the City of Petal the very best and my prayers will be with all of you as you lead this community.

We look forward to the future when my family and I will come back to be a part of this community.

If we may ever be of service in any way please do not hesitate to call on us.

Very truly yours,

Charles Z. Stevens
Alderman Ward Two

THEREUPON Mitchell Curry made a motion to accept Alderman Charles Z Stevens letter of resignation. The motion was seconded by A. L. Henderson, Jr.

Those present and voting "Aye":

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

Those present and voting "Nay":

NONE

WHEREAS Mayor Byrd and the Board of Aldermen discussed the possibilities of designating the date for a special election. After a lengthy discussion the Mayor and Board of Aldermen decided to wait and see how the registration of the qualified electors progressed, and then an election date could be set.

Mayor Byrd addressed the Board of Aldermen requesting November 11 through 17, 1974, to be proclaimed as Youth Appreciation Week. Mayor Byrd stated that the Optimist International has for the past twenty (20) years developed and promoted a program entitled Youth Appreciation Week and the citizens of Petal have indicated a desire to join with Optimists in expressing appreciation and approval of the contributions of the youth.

THEREUPON Alderman George B. Draughn made a motion to designate November 11 through 17 as Youth Appreciation Week. The motion was seconded by Alderman Mitchell Curry.

Mayor Byrd stated that due to an increase in clerical work that an additional typewriter was needed.

THEREUPON Susan Smith read the following order, to-wit:

O R D E R

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, have found that due to the increased clerical work it has become necessary to purchase another typewriter, and;

WHEREAS, the City of Petal has previously purchased an IBM Correcting Selectric II, the Mayor and Board of Aldermen deem it necessary to purchase another typewriter, same as the above, for purposes of identical typing in the Minute Book, and Ordinance Book;

NOW, THEREFORE, be it ordered by the Mayor and Board of Aldermen of the City of Petal that the Mayor of the City of Petal, Mississippi, be, and is hereby authorized to purchase one (1) IBM Correcting Selectric under the State Contract Bid Price of Six Hundred and Forty-Eight Dollars (\$648.00).

SO ORDERED on this the 5th day of November, A. D., 1974.

THEREUPON Alderman W. H. Clearman made a motion to adopt the aforesaid order. The motion was seconded by Alderman George B. Draughn.

Those present and voting "Aye":

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

Those present and voting "Nay":

NONE

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Mayor Byrd stated the need of a Deputy Tax Collector and Susan Smith presented the following order:

O R D E R

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, have found that due to the increased duties and responsibilities of the Tax Collector, it has become necessary that an individual be appointed to sign the Priviledge Licenses as Deputy Tax Collector;

IT IS, THEREFORE, ORDERED, that Kathy Parrett be and she is hereby appointed as Deputy Tax Collector, in order to sign Proviledge License issued for the City of Petal, Mississippi, until the further orders of the Mayor and Board of Aldermen of the City of Petal, Mississippi;

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 5th day of November A. D., 1974.

THEREUPON Alderman A. L. Henderson made a motion to adopt the aforesaid order. The motion was seconded by Alderman Mitchell Curry.

Those present and voting "Aye":

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

Those present and voting "Nay":

NONE

WHEREAS Mayor Byrd requested the wishes of the board on the following order:

O R D E R

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, have found the necessity of a City Directory for the City of Petal, Mississippi, and;

WHEREAS, R. L. Polk and Company is the only company offering to sell to the City of Petal Mississippi and Residents of the City of Petal, Mississippi, a City Directory, and;

WHEREAS, the aforesaid City Directory may be purchased for the sum of Forty-Five Dollars (\$45.00), and;

WHEREAS, the purchase price of said City Directory is Forty-Five Dollars (\$45.00), which the Mayor and Board of Aldermen deem reasonable;

NOW, THEREFORE, be it ordered by the Mayor and Board of Aldermen of the City of Petal, Mississippi, that the Mayor be, and is hereby ordered and authorized, to purchased for the City of Petal, Mississippi the aforesaid City Directory, for the sum of Forty-Five Dollars (\$45.00).

SO ORDERED on this the 5th day of November, A. D., 1974.

THEREUPON Alderman W. H. Clearman made a motion to adopt the order authorizing purchase on one city directory. The motion was seconded by A. L. Henderson, Jr., Alderman.

Those present and voting "Aye":

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

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Mayor Byrd stated to the Board of Aldermen that the Mayor and Board of Aldermen of the City of Petal have been requested to join the Mississippi Municipal Association and presented the following order:

O R D E R

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, have been requested to join the Mississippi Municipal Association, and;

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, have been investigated, determined and so find, that membership in the said Association will be of great and beneficial assistance to the Mayor and Board of Aldermen, and to other officers of City Government, and to the citizens of Petal as a whole;

NOW, THEREFORE, BE IT ORDERED BY THE MAYOR AND BOARD OF ALDERMEN that the Mayor of the City of Petal be, and is hereby authorized to complete the necessary forms and to pay the necessary fee and dues so as to become a member of the said Mississippi Municipal Association, including but not limited to the payment of the annual membership dues in the amount of Four Hundred and Fifty-Five Dollars (\$455.00).

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 5th day of November, A. D., 1974.

THEREUPON Alderman Mitchell Curry made a motion to accept the aforesaid Order, the motion was seconded by W. H. Clearman, Alderman.

Those present and voting "Aye":

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

Those present and voting "Nay":

NONE

THEREUPON the claims docket was read by Susan B. Smith. Claims 123 through 175 were read, totaling \$38,874.97.

Alderman Mitchell Curry made the motion to accept and pay in full claims 123 through 175 in the amount of \$38,874.97. The motion was seconded by A. L. Henderson, Jr., Alderman.

Those present and voting "Aye":

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

Those present and voting "Nay":

NONE

WHEREAS Alderman A. L. Henderson, Jr. stated the need of a mileage report on the vehicles used by the Police Department. Mr. Henderson suggested that the report should contain the tag number of the car, mileage, and Patrolman's names, and requested that Mrs. Smith at the next meeting present such a form.

Mitchell Curry addressed the Mayor and Board of Aldermen with a report on the city employee's insurance. Mr. Curry stated that right now his investigation is at a standstill. The reason for this is that the city is in question as to how much of the premium, on this particular plan the committee is considering to adopt, a municipality

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that Mr. Tyner sent a letter to the Attorney General inquiring as to the amount of premium that could be paid by the municipality. Mr. Tyner stated that such a letter had been sent last week and he hoped for an early reply.

Mayor Byrd requested that the Board of Aldermen review the proposed Manual on Rules and Regulations and denote on your copy anything the Board wishes to add or remove. Mayor Byrd requested that at the next Meeting the Board bring this proposed manual for further discussion.

THEREUPON the Mayor and Board of Aldermen discussed a proposed land site for a recreational area. Mayor Byrd requested Alderman George B. Draughn and Alderman A. L. Henderson, Jr. to get with Mr. James Parker, from Southern Planning, and gather all available information for further discussion.

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:

Ordinance 1974 (9) - An ordinance adopting the State of Miss. Local slot amusement machine tax and law and imposing the privilege tax thereon.

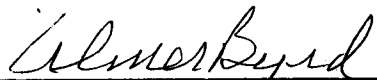
Ordinance 1974 (10) - An ordinance adopting the State of Miss. Tobacco tax law and imposing taxes thereon.

Ordinance 1974 (11) - An ordinance adopting the State of Miss. privilege tax law on alcoholic beverages.

Ordinance 1974 (12) - An ordinance restricting sale or consumption of alcoholic beverages near schools and churches and providing penalties for violations thereof.


There being no further business the meeting was ordered adjourned on this the 5th day of November A. D., 1974.

Minutes read and approved the 17th day of November., A. D.


Ulmer Byrd, Mayor

(SEAL)

ATTEST:


CITY CLERK, Susan B. Smith