

MINUTES - PETAL, MISS.

and the comprehensive Zoning Map. The motion was seconded by Alderman Mitchell Curry.

Those present and voting "Yea":

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

Those present and voting "Nay":

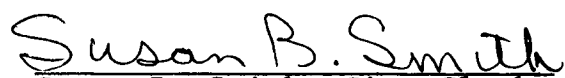
NONE

The Mayor ordered the Special Meeting adjourned on this, the 9th. day of February, A. D., 1976.


Ulmer Byrd, Mayor

(SEAL)

ATTEST:


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, Mississippi, at 7:30 P.M., Tuesday February 17th., 1976 in the Mayor's office in the City Hall.

Those present:

Mayor:	Ulmer Byrd
Alderman	W. H. Clearman Mitchell Curry George B. Draughn A. L. Henderson, Jr. Charles Sumrall

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

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

The minutes of the meeting held February 3, 1976 were read by Susan B. Smith.

THEREUPON, Alderman Mitchell Curry made a motion to accept the minutes as read.

The motion was seconded by Alderman George B. Draughn.

Those present and voting "Yea";

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

Those present and voting "Nay":

NONE

WHEREAS, Mayor Byrd recognized Mr. Vince Howard, an engineer from Hensley Schmidt, Inc.

Mr. Howard address the Mayor and Board of Aldermen stating that additional funds are still remaining under the City of Petal Federal Aid Urban Program and would like to know how the City of Petal would like to utilize these monies which amount to \$76,000.

Mr. Howard stated that 30 % of these monies are matching funds fo approximately \$32,000.00 which could be matched by in-kind services, but it would depend upon the utilization of these monies by the City. Mr. Howard requested the Board of Aldermen to take this into

consideration because the decision of the utilization of these funds would be based on either in-kind services or the City of Petal matching the 30% in monies.

Mr. Howard requested suggestions from the Board of Aldermen as to how they wished to utilize these monies.

Mayor Byrd requested from Mr. Howard if the monies could be accumulated from year to year. Mr. Howard stated "yes". After discussions with the Aldermen, Mayor Byrd and Mr. Howard of the possible improvements, the Mayor and Board of Aldermen agreed to make a survey with Mr. Howard to re-evaluate the present system and make a survey of the situation for all possible improvement.

WHEREAS, Mr. Tom Tyner stated to the Mayor and Board of Aldermen that his neighbor Mr. Joe Rogers, had requested that he bring to the Mayor and Board of Aldermen's attention that when the street lights were being installed he had a security light that he had been leasing from MPL. Mississippi Power and Light Company, stated to Mr. Rogers that the City was going to install a light on that same pole and suggested Mr. Rogers take his security light down and let the city light take that area. Mr. Tyner said the Mr. Rogers agreed and MPL removed his security light but when the light was replaced it was put on another pole down the street. Mr. Tyner said that since this happened there has been an attempted burglary and would the Mayor and Board of Aldermen or the Mississippi Power and Light Company, check and see if something could be done to put the light back. Mayor Byrd thereupon stated that he would call MPL.

WHEREAS, Mr. Thomas Tyner read the following resolution to the Board of Aldermen to-wit:

RESOLUTION OF THE CITY OF PETAL, MISSISSIPPI
AND THE BOARD OF SUPERVISORS OF FORREST COUNTY,
MISSISSIPPI CONTRACTING THAT WORK MAY BE
PERFORMED ON THE STREETS OF THE CITY OF
PETAL IN LIEU OF THE REFUND OF
ONE-HALF (1/2) OF ROAD TAXES FROM
THE COUNTY

WHEREAS, the City of Petal, Mississippi, and the Board of Supervisors of Forrest County, Mississippi agree that the County in cooperation with the City should do road maintenance work in the City of Petal and that said road work shall be in lieu of refund of one-half (1/2) of the road taxes for maintenance purposes, as provided in Section 65-15-21 of the Mississippi Code of 1972, as amended.

IT IS THEREFORE, RESOLVED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, and the Board of Supervisors of Forrest County, Mississippi, that the work to be performed on the streets in the City of Petal for the maintenance thereof, shall be done through the cooperation of Forrest County, Mississippi, and the City of Petal, Mississippi, and that such work shall be in lieu of the refund of one-half (1/2) of the ad valorem road taxes collected by Forrest County, Mississippi, on property within the City of Petal, Mississippi.

BE IT FURTHER RESOLVED that this Resolution shall be spread at length upon the Minutes of both the City of Petal and the Board of Supervisors of Forrest County, Mississippi.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Tax Collector of Forrest County, Mississippi, with instructions that all the said ad valorem tax levy for road maintenance purposes in Forrest County be paid directly to the County and no part thereof shall be paid directly to the

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect for one year from February 17, 1976.

The above resolution was presented to the Mayor and Board of Aldermen of the City of Petal, Mississippi, at its meeting on the 17th day of February, A. D., 1976, and its adoption was moved by Aldermen George B. Draughn seconded by Alderman Charles Sumrall, and was adopted by a majority vote, which was as follows:

Alderman Henderson voted "YEA"

Alderman Draughn voted "YEA"

Alderman Clearman voted "YEA"

Alderman Curry voted "YEA"

Alderman Sumrall voted "YEA"

The above resolution was presented to the Board of Supervisors of Forrest County, Mississippi, at its meeting on the 8th day of June, A. D., 1976 and its adoption was moved by Supervisor L. Cartlidge, seconded by Supervisor Archie Smith, and was adopted by a majority vote which was as follows:

Supervisor Allen voted Yea.

Supervisor Smith voted Yea.

Supervisor Cartlidge voted Yea.

Supervisor Carter voted Yea.

Supervisor Anderson voted Yea.

UNANIMOUSLY RESOLVED by the Mayor and Board of Aldermen of Petal, Mississippi, on this the 17th day of February, A. D., 1976.

CITY OF PETAL, MISSISSIPPI

By /s/ Ulmer Byrd
Ulmer Byrd, Mayor

(SEAL)

ATTEST:

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

UNANIMOUSLY RESOLVED by the Board of Supervisors of Forrest County, Mississippi, on this the 8th day of June A. D., 1976.

BOARD OF SUPERVISORS OF FORREST COUNTY
MISSISSIPPI

By: /s/ J. A. P. Carter, Jr.
President of Board of Supervisors

ATTEST:

By: /s/ William E. Rounsaville

by: Betty G. Miller, D. C.

MINUTES - PETAL, MISS.

WHEREAS, Tom Tyner read the following Resolution to the Board of Aldermen to-wit;

RESOLUTION OF THE CITY OF PETAL, MISSISSIPPI AND THE BOARD OF SUPERVISORS OF FORREST COUNTY, MISSISSIPPI CONTRACTING THAT WORK MAY BE PERFORMED ON THE STREETS OF THE CITY OF PETAL IN LIEU OF FUNDS OF THE CITY AS PROVIDED BY SECTION 27-5-103 OF THE MISSISSIPPI CODE OF 1972, AND FUNDS AS PROVIDED BY HOUSE BILL 775 OF THE REGULAR LEGISLATIVE SESSION OF 1974.

WHEREAS, the City of Petal, Mississippi, and the Board of Supervisors of Forrest County, Mississippi, agree that the County in cooperation with the City should do road maintenance, bridge, drainage, and culvert work in the City of Petal, and that said road maintenance, bridge, drainage, and culvert work shall be in lieu of the funds as provided by Section 27-5-103 of the Mississippi Code of 1972 and funds as provided by House Bill 775 of the regular legislative session of 1974.

IT IS , THEREFORE RESOLVED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, and the Board of Supervisors of Forrest County, Mississippi, that the work to be performed on the streets and bridges in the City of Petal, for the maintenance thereof, including culvert and drainage work, shall be done through the cooperation of Forrest County, Mississippi, and the City of Petal, Mississippi, and that such work shall be in lieu of the funds as provided by Section 27-5-103 of the Mississippi Code of 1972.

BE IT FURTHER RESOLVED that this resolution shall be spread at length upon the minutes of both the City of Petal and the Board of Supervisors of Forrest County, Mississippi.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Motor Vehicle Comptroller of the State of Mississippi, with instructions that all of said funds for the purposes set forth in said statutes and laws, be paid directly to Forrest County, Mississippi, and that no part thereof shall be paid to the City of Petal, Mississippi.

BE IT FURTHER RESOLVED that this resolution shall be in full force and effect for and until May 31, 1976.

The above resolution was presented to the Mayor and Board of Aldermen of the City of Petal, Mississippi, at its regular meeting on the 20th day of February A. D., 1976, and its adoption was moved by Alderman A. L. Henderson, Jr., seconded by Alderman Mitchell Curry, and was adopted by a majority vote, which is as follows:

- Alderman Henderson voted "YEA"
- Alderman Draughn voted "YEA"
- Alderman Curry voted "YEA"
- Alderman Sumrall voted "YEA"
- Alderman Clearman voted "YEA"

The above resolution was presented to the Board of Supervisors of Forrest County, Mississippi, at its regular meeting on the 8th day of June A. D., 1976, and its adoption was moved by Supervisor Lynn Cartlidge and seconded by Supervisor Archie Smith , and was adopted by a majority vote which was as follows:

- Supervisor Allen voted Yea
- Supervisor Smith voted Yea

MINUTES - PETAL, MISS.

Supervisor Cartlidge voted Yea

Supervisor Carter voted Yea

Supervisor Anderson voted Yea

UNANIMOUSLY RESOLVED by the Mayor and Board of Aldermen of Petal, Mississippi, on this, the 17th day of February, A.D. 1976.

CITY OF PETAL, MISSISSIPPI

By /s/ Ulmer Byrd
Ulmer Byrd, Mayor

(SEAL)

Attest:

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

UNANIMOUSLY RESOLVED by the Board of Supervisors of Forrest County, Mississippi, on this the 8th day of June A. D., 1976.

BOARD OF SUPERVISORS OF FORREST
COUNTY MISSISSIPPI

By /s/ J. A. P. Carter, Jr.
President, Board of Supervisors

Attest:

By /s/ William E. Rounsaville
by: Betty G. Miller, D. C.

WHEREAS, Tom Tyner read the following Notice to Bidders to-wit;

NOTICE TO BIDDERS

Sealed bids will be received by the City of Petal, Mississippi, until 7:30 P.M., on Tuesday, March 16, 1976, for 24,000 gallons of 90-95 octane rated un-leaded gasoline. This gasoline shall be delivered and will be received by the City of Petal, in the quantity of 2,000 gallons per month for one (1) year.

Proposals shall be marked "Sealed Proposal for Gasoline".

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

CITY OF PETAL, MISSISSIPPI

By _____

(SEAL)

February 19, 26
March 4, 1976

THERUPON, Alderman A. L. Henderson, Jr. Made a motion authorizing the City Clerk to publish the Notice to Bidders; the motion was seconded by Alderman Charles A. Sumrall.

Those present and voting "Yea":

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

Those present and voting "Nay":

NONE

WHEREAS Tom Tyner read the following Order, to-wit;

O R D E R

WHEREAS, due to the increased duties and responsibilities of the Tax Collector of the City of Petal, Mississippi; and

WHEREAS, the Tax Collector is desirous of having Mrs. Mary Wells to fill the position of Deputy Tax Collector for the purpose of issuing privilege licenses, and collection of personal and real property taxes; and

WHEREAS, Mrs. Mary Wells be hereby directed to be bonded for the sum of one-thousand (\$1,000.00) dollars; the premium for said bond to be paid from the General Fund of the City of Petal;

NOW, THEREFORE, BE IT ORDER THAT Mary Wells be and she is hereby appointed as Deputy Tax Collector for the City of Petal, Mississippi, effective February 2, 1976, until further orders of the Mayor and Board of Aldermen of the City of Petal, Mississippi.

SO ORDERED on this the 17th day of February, A. D. 1976.

THEREUPON, Adlerman Mitchell Curry made a motion adopting the aforesaid Order, the motion was seconded by Alderman Charles Sumrall.

Those present and voting "Yea":

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

Those presnet and voting "Nay":

NONE

WHEREAS, Mr. Tyner reported to the Mayor and Board of Aldermen on the status of the obtaining og the East Forrest Utility District. Mr. Tyner stated that he had to first obtain approval from HUD which is the principal bond holder. The response from HUD stated that they would agree provided that a bond attorney's opinion would state that their bond collateral would not be impaired. We have written Mr. Charels Trauernicht the bond attorney for supervision of these bonds and Mr. Trauernicht is of the opinion that a proper acknowledgment form the bond holders we could go ahead with the transfer. Mr. Trauernicht added to his opinion that pursuant to a certain statute of the State of Mississippi that

an election will be needed and the Attorney General agrees that the statute requires an election but he also added that perhaps a local and private bill in the State Legislature might solve the problem.

Mr. Tyner suggested to the Board of Aldermen that they need ot look into this as to whether or not negotiations should go forward with the East Forrest Utility District and what the terms and conditions of these negotiations would be, and really what would be best for the City of Petal; to go to the expense of an election or whether or not to present this to the Legislature as a local and private bill.

Mayor Byrd stated that the boundaries of the East Forrest Utility District are the same as the City of Petal and the people of the Ciyt of Petal will still own the EFUD Mr. Tom Tyner stated that if the City of Petal had woned the East Forrest Utility District last year it would have been eligible for Federal funds in the neighborhood of \$300,000.00 in order to improve the water and sewer system. The East Forrest Utility District is not elibible for the funds but the City of Petal can make application for these funds to provide better water and sewage facilities for the citizens.

Mayor Byrd made a suggestion that he and Mr. Tyner will contact HUD and Mr. Tyner will write Mr. Charles Trauernicht and request if their opinion would be the same if the Board of Aldermen chose to present this as a local and private bill in lieu of holding an election and with both of them working on this maybe there will be more information by the next meeting. So agreed by all the Aldermen.

WHEREAS, Mrs. Smith presented to the Board of Aldermen three bills from the Forrest County Sheriff and Tax Collector for jail fees from 10-23-75 thru 1-17-76 in the amount of \$706.50 and stated that the adjustments had been made and this is a true and correct amount.

THERUPON, Alderman Curry made a motion to authorize payment to the Forrest County Sheriff and Tax Collector for jail fees in the amount of 706.50; the motion was seconded by Alderman Charles Sumrall.

Those present and voting "Yea":

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

Those present and voting "Nay":

NONE

Mayor Byrd stated ot the Aldermen that the fire station is looking great and hopes everyone will go to look at this building as landscaping is being done and the building if going to be one of the finest stations in the area.

WHEREAS, Mayor Byrd stated that a decision had been made on the depositories and they are as follows to-wit;

O R D E R

The Mayor and Board of Aldermen of the City of PEtal, Mississippi find that First Mississippi National Bank of Hattiesburg has been duly and legally qualified according to law as a depository for the funds of the City of Petal, and the funds and accounts are as follows:

General Funds
Escrow Fund
Fire Protection Fund

The Board further finds that said money shall be withdrawn from said accounts or funds by warrants signed and executed by the Mayor and City Clerk.

MINUTES - PETAL, MISS.

to said bank as Municipal depository for the period January 1, 1976 through January 1, 1977.

IT IS FURTHER ORDERED that the Mayor and City Clerk of the City of Petal be, and they are hereby, authorized, empowered and directed to take all steps and perform all acts convenient, necessary and appropriate to accomplish the purposes and requirements of this Order and to complete the qualification of the said First Mississippi National Bank of Hattiesburg, as Municipal Depositories of the City of Petal for the period January 1, 1976, through January 1, 1977; and further, that all acts and things done and performed by said Mayor and City Clerk in the premises be, and the same are hereby fully ratified, confirmed and approved.

SO ORDERED by unanimous vote of the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this, the 17th day of February A. D., 1976.

O R D E R

The Mayor and Board of Aldermen of the City of Petal, Mississippi, find that Citizens Bank of Hattiesburg has been duly and legally qualified according to law as a depository for the funds of the City of Petal, and the funds and accounts are as follows:

Revenue Sharing Fund
Payroll Fund

The Board further finds that said money shall be withdrawn from said accounts or funds by warrants signed and executed by the Mayor and City Clerk.

IT IS FURTHER ORDERED that the Mayor and City Clerk issue the proper commission to said bank as Municipal depository for the period January 1, 1976, through January 1, 1977.

IT IS FURTHER ORDERED that the Mayor and City Clerk of the City of Petal be and they are hereby authorized, empowered and directed to take all steps and perform all acts convenient, necessary and appropriate to accomplish the purposes and requirements of this Order and to complete the qualification of the said Citizens Bank of Hattiesburg, as Municipal Depository of the City of Petal for the period January 1, 1976, through January 1, 1977; and further, that all acts and things done and performed by said Mayor and City Clerk in the premises be, and the same are hereby fully ratified, confirmed and approved.

SO ORDERED by unanimous vote of the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of February, A. D., 1976.

The Mayor and Board of Aldermen of the City of Petal, Mississippi, find that Southern National Bank of Hattiesburg has been duly and legally qualified according to law as a depository for the funds of the City of Petal, and the funds and accounts are as follows:

Disaster Fund
Capital Improvement Fund

The Board further finds that said money shall be withdrawn from said accounts or funds by warrants signed and executed by the Mayor and City Clerk.

IT IS FURTHER ORDERED that the Mayor and City Clerk issue the proper commission to said bank as Municipal depository for the period January 1, 1976 through January 1, 1977.

IT IS FURTHER ORDERED that the Mayor and City Clerk of the City of Petal be, and

and they are hereby authorized, empowered and directed to take all steps and perform all

MINUTES - PETAL, MISS.

convenient, necessary and appropriate to accomplish the purposes and requirements of this Order and to complete the qualification of the said Southern National Bank of Hattiesburg, as Municipal Depositories of the City of Petal for the period January 1, 1976 through January 1, 1977; and further, that all acts and things done and performed by said Mayor and City Clerk in the premises be, and the same are hereby fully ratified, confirmed and approved.

SO ORDERED by unanimous vote of the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this, the 17th day of February, A. D., 1976.

THEREUPON, Alderman Clearman made a motion to adopt the aforesaid orders; the motion was seconded by Alderman Henderson.

Those present and voting "Yea":

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

Those present and voting "Nay":

NONE

WHEREAS, Mayor Byrd read the following sealed bid as follows; to-wit;

BID FOR THE FOLLOWING

6 cylinder

Standard Transmission

240 Engine

Short Bed Wheel Base

69 Ford

White

Good Condition

\$750.00 or \$700.00

Mrs. John C. Brewer
P.O. Box 54
Bolton, Miss.

WHEREAS, the Board of Aldermen decided to have the truck delivered to Petal and let the Aldermen look at the condition of the truck and take it up at the next council meeting.

Mayor Byrd stated that he had talked with the City of Petal Police and they agreed that on South George from Central Ave. to 5th Street the speed limit should be set at 20 MPH and from 5th Street to the end of South George at 30 MPH.

Those present and voting "Yea":

Aldermen W. H. Clearmen
Alderman Mitchell Curry
Alderman George B. Draughn
Alderman A. L. Henderson, Jr.
Alderman Charles A. Sumrall

Those present and voting "Nay":

NONE

WHEREAS, Alderman Clearman made a motion proposing that Mayor Byrd and the Board of Aldermen adopt an Order suspending the enforcement of the Zoning Ordinance and to take the matter under advisement for further study and examination until further order, of the Mayor and Board of Aldermen, the motion was seconded by Alderman A. L. Henderson, Jr.

Those present and voting "Yea":

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

Those present and voting "Nay":

NONE

O R D E R

WHEREAS, on Tuesday, January 20, 1976, at a regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, the Mayor and Board of Aldermen of said City adopted Ordinance 1976 (29), being "AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF PETAL, MISSISSIPPI, TO REGULATE AND RESTRICT THE LOCATION, HEIGHT, NUMBER OF STORIES, SIZE OF BUILDINGS AND OTHER STRUCTURES; SIZE OF YARDS AND OPEN SPACES; OFF-STREET PARKING AND LOADING; DENSITY AND DISTRIBUTION OF POPULATION; USE OF BUILDINGS, STRUCTURES AND LAND; PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF; AND REPEALING ALL ORDINANCE AND CONFLICTING LAWS", and an Order adopting the comprehensive Zoning Map to be effective on the 20th. day of February, A. D., 1976, and

WHEREAS, A Public hearing was held on Monday, February 9th., 1976, at 7:30 P. M at the Optimist Club Building, and:

WHEREAS, due to the response of the citizens the meeting was adjourned until a larger facility could be obtained.

NOW, THEREFORE, BE IT ORDERED BY the Mayor and Board of Aldermen that due to the adjournment of the Public Hearing the effective date of the Zoning Ordinance 1976 (29) and Zoning Map be suspended until further study and examination of said Ordinance and Map can be conducted.

SO ORDERED on this the 17th. day of February A. D., 1976.

ORDERED BY THE Mayor and Board of Aldermen of the City of Petal, Mississippi, that the following Proofs of Publication be, and the same are hereby approved and filed, to:wit:

- Zoning Ordinance 1976 (29) - Establishing Comprehensive Zoning Regulations
- NOTICE OF PUBLIC HEARING - For the Zoning Ordinance 1976 (29)
- NOTICE TO BIDDERS - For the Truck

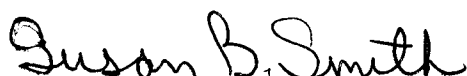
There being no further business the meeting was ordered adjourned on this the 17th. day of February A. D., 1976.



 Ulmer Byrd

(SEAL)

ATTEST:



 Susan B. Smith, City Clerk