

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, Mississippi, on January 4, 1977, at 7:30 P.M., in the Mayor's office in the City Hall.

Those present: Mayor Ulmer Byrd
City Attorney, Thomas W. Tyner
Aldermen: George Draughn
Mitchell Curry
A. L. Henderson, Jr.
Charles Sumrall

Others Present: James Clements
Robert Paine

Mayor Byrd declared a quorum was present and declared the city council in session.

The invocation was offered by Alderman Curry.

The minutes of the meeting held December 21, 1976, were read by Susan B. Smith.

THEREUPON, Alderman Draughn made a motion that the minutes be adopted as read. Alderman Curry seconded the motion.

Those present and voting "Yea":

Mitchell Curry
George Draughn
A. L. Henderson, Jr.
Charles Sumrall

Those present and voting "Nay":

None

WHEREAS, Mr. Clements and Mr. Paine addressed the Board concerning the restriction of the firing of pellet and air rifles within the city limits. Mr. Paine explained to the Board that the reason for concern is that his son was injured by a pellet rifle while riding a motorcycle. It was requested by the men present that the Board consider adopting an ordinance restricting the use of such rifles in the city limits.

THEREUPON, Mayor Byrd expressed his regrets of Mr. Paine's son's injury. Mayor Byrd stated that a committee has already been appointed to investigate the situation and to establish some guidelines.

WHEREAS, Mayor Byrd stated that the hour of 7:30 P. M. having arrived for the opening of bids for depositories. Mr. Tyner read the first bid from Citizen's Bank of Hattiesburg. The bid read as follows, to-wit:

CITIZENS BANK OF HATTIESBURG/January 4, 1977

Honorable Mayor and Board of Aldermen
of the City of Petal, Mississippi

Pursuant to your notice, dated December 7, 1976, that you will receive bids from banks until 7:30 P. M., Tuesday, January 4, 1977, for the privilege of keeping funds for the City of Petal, Mississippi, and the Petal Municipal Separate School District, with added territory, pursuant to Sections 27-105-305, and 27-105-353, of the Mississippi Code of 1972, we hereby apply for designation for depository for funds for the City of Petal, Mississippi.

If designated as the depository, we agree to receive and disburse all funds in strict conformity with and pursuant to the depository law governing municipal depositories, accounting for all funds deposited and rendering periodic statements as you or the law may direct.

We also agree to post eligible bonds as security in the amount required under the depository laws of the State of Mississippi, after giving effect to the Federal Deposit Insurance Corporation guaranty on each account having a beneficial interest and insured separately.

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We also agree on proper order or warrant to render such other service as the City may require in connection with the administration of its funds, subject to regulations of Federal and State Supervisory authorities.

Your favorable consideration of our application will be very much appreciated.

Yours very truly,

/s/ E. A. Pledger
E. A. Pledger
President

The next bid was from First Mississippi National Bank. The bid read as follows, to-wit:

FIRST MISSISSIPPI NATIONAL BANK/December 22, 1976

Honorable Mayor and Board of Aldermen
City of Petal
P. O. Box 564
Petal, Mississippi 39465

Gentlemen:

The First Mississippi National Bank of Hattiesburg, Mississippi, does hereby respectfully offer to serve as depository for all funds of the City of Petal, Mississippi, and the Petal Municipal Separate School District, or any part thereof, for the year 1977 as outlined in your notice, and will comply with all the laws of the State of Mississippi in respect thereto. We propose to secure the payment of all of said funds so deposited in this bank in accordance with the laws.

Respectfully submitted,

FIRST MISSISSIPPI NATIONAL BANK

By: /s/ D. V. Downs
General Executive Vice President

The last bid was from Southern National Bank. The bid read as follows, to-wit:

SOUTHERN NATIONAL BANK/December 17, 1976

The Honorable Ulmer Byrd, Mayor, and
the Board of Aldermen
City of Petal
Petal, Mississippi 39465

Gentlemen:

Pursuant to your call for bids to qualify as a depository for the funds of the City of Petal and the Petal Municipal Separate School District as per your public notice dated December 7, 1976, the Southern National Bank, Hattiesburg, requests that it be considered and so designated for the period beginning January 1, 1977, to January 1, 1978, or until a successor has been named and qualified. The Southern National Bank can and will meet all the requirements under the state and federal laws to serve as a depository.

If the Southern National Bank is designated as a depository for the period aforesaid, we agree to receive and disburse all funds in strict conformity with and pursuant to the depository laws governing city depositories, accounting for all funds deposited and rendering periodic statements as required.

The Southern National Bank will also pledge eligible bonds as security in the amounts as required under the depository laws of the State of Mississippi. Such funds would also be secured by the F. D. I. C. up to \$40,000 on demand deposits and up to \$100,000 on savings deposits, and any amount not covered by the F. D. I. C. would be secured by eligible bonds. We also agree on proper order or warrant to render other such services as the City may require in connection with administration of its funds subject to federal and state supervisory authority.

Should the City have excess funds which may be deposited to savings or time deposits for specified periods, the bank will accept such deposits and will pay the maximum interest rate allowable under the state and federal laws, or if not restricted by law, at the current market rate.

We would welcome the privilege of serving as the sole depository for all the City's funds, or should you elect to name one or more banks, then we would appreciate the privilege of serving on

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an equal basis with the other banks so named. We would appreciate your favorable consideration of this bid.

Yours very truly.

SOUTHERN NATIONAL BANK

/s/ Clarence B. Davis
Clarence B. Davis
President

THEREUPON, Alderman Sumrall made a motion to continue using all three banks as depositories for the City of Petal and the Petal Municipal Separate School District with added territories for the following year. Alderman Henderson seconded the motion.

Those present and voting "Yea":

All

Those present and voting "Nay":

None

THEREUPON, the following commissions were read.

STATE OF MISSISSIPPI
COUNTY OF FORREST
CITY OF PETAL

TO ALL TO WHOM THESE PRESENTS COME, GREETINGS:

Citizen's Bank of Hattiesburg, Mississippi, having complied with all requirements of law, is hereby created the depository of the City of Petal, Forrest County, Mississippi, for a term ending on the first Monday of January, A. D., 1978, and is hereby authorized and empowered to receive and disburse the funds of said City according to law and the rules of the Mayor and Board of Aldermen.

/s/ Ulmer Byrd
MAYOR

(SEAL)

ATTEST:

/s/ Susan B. Smith
CITY CLERK

* * * * *

STATE OF MISSISSIPPI
COUNTY OF FORREST
CITY OF PETAL

TO ALL TO WHOM THESE PRESENTS COME, GREETINGS:

First Mississippi National Bank, Hattiesburg, Mississippi, having complied with all requirements of law, is hereby created the depository of the Petal Municipal Separate School District with added territories of the City of Petal, Forrest County, Mississippi, for a term ending on the first Monday of January, A. D., 1978, and is hereby authorized and empowered to receive and disburse the funds of said Petal Municipal Separate School District, according to law and the rules of the Mayor and Board of Aldermen.

/s/ Ulmer Byrd
MAYOR

(SEAL)

ATTEST:

/s/ Susan B. Smith
CITY CLERK

* * * * *

STATE OF MISSISSIPPI
COUNTY OF FORREST
CITY OF PETAL

TO ALL TO WHOM THESE PRESENTS COME, GREETINGS:

Southern National Bank, Hattiesburg, Mississippi, having complied with all requirements of law, is hereby created the depository of the City of Petal, Forrest County, Mississippi, for a term ending on the first Monday of January A. D., 1978, and

is hereby authorized and empowered to receive and disburse the funds of said City according to law and the rules of the Mayor and Board of Aldermen.

/s/ Ulmer Byrd
MAYOR

(SEAL)

ATTEST:

/s/ Susan B. Smith
CITY CLERK

* * * * *

WHEREAS, Mr. Tyner presented an ordinance for aldermanic at large elections.

The ordinance read as follows: to-wit:

ORDINANCE 1977 (34)

AN ORDINANCE PROVIDING FOR THE METHOD OF ELECTION OF THE FIVE (5) ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, BY PROVIDING THAT FOUR (4) ALDERMEN BE SELECTED FROM EACH OF THE FOUR (4) WARDS, ONE (1) ALDERMAN SELECTED FROM THE MUNICIPALITY AT LARGE, SAID ALDERMEN TO QUALIFY AND BE ELECTED BY POSTS, AND FURTHER PROVIDING THAT ALL ALDERMEN BE ELECTED BY MAJORITY VOTE OF THE ENTIRE ELECTORATE OF THE MUNICIPALITY.

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, as follows, to-wit:

Section 1. The five (5) Aldermen of the City of Petal, Mississippi, shall be selected, one (1) Alderman from each of the four (4) wards of the municipality, and one (1) Alderman to be selected at large, all Aldermen to qualify and be elected by Post.

Section 2. The five (5) said Aldermen of the City of Petal, Mississippi, be, and the same are hereby designated as follows: Post No. 1, to be a resident of Ward 1; Post No. 2 to be a resident of Ward 2; Post No. 3 to be a resident of Ward 3; Post No. 4 to be a resident of Ward 4; and Post No. 5 to be a resident of the municipality. Any candidate for the office of Aldermen in any special, primary, or general election shall announce and qualify for the specific Post which he seeks to occupy. Ballots for all elections of Aldermen shall be prepared so as to designate the candidates for each of the five (5) Posts, and all the electors of the municipality may vote for the candidates of their choice for each of said five (5) Posts, one candidate for each Post to be selected by majority vote of the entire electorate of the municipality.

Section 3. This Ordinance shall become operative and be in full force and effect, within thirty (30) days, subject to any objections from the Attorney General of the United States, or the Attorney General of the State of Mississippi, pursuant to the Voting Rights Act of 1965, 42 U.S.C. 1973 (c).

The above and foregoing Ordinance having been reduced to writing and considered section by section and then as a whole with the following result:

Those Aldermen in favor of Sections 1, 2, and 3, of the

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above and foregoing Ordinance and signifying their vote and saying "YEA", are as follows:

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

Those Aldermen in favor of the above and foregoing Ordinance as a whole and signifying their vote and saving "YEA" are as follows:

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

SO ORDAINED on this the 4th day of January, A. D., 1977.

/s/ Ulmer Byrd
MAYOR

(SEAL)

ATTEST:

/s/ Susan B. Smith
CITY CLERK

THEREUPON, Alderman Curry made a motion to adopt Ordinance 1977 (34) section by section. Alderman Henderson seconded the motion.

Those present and voting "Yea":

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

Those present and voting "Nay":

None

THEREUPON, Alderman Curry made a motion to adopt ordinance 1977 (34) as a whole. The motion was seconded by Alderman Sumrall.

Those present and voting "Yea":

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

Those present and voting "Nay":

None

WHEREAS, Alderman Sumrall made a motion to pay claims 1818 through 1887. Alderman Draughn seconded the motion.

Those present and voting "Yea":

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

Those present and voting "Nay":

None

WHEREAS, Mayor Byrd asked for authority to purchase certificates of deposit for the period of ninety days with First Mississippi National Bank.

THEREUPON, Alderman Sumrall made a motion that the Mayor be given the authority to deposit the money on certificates of deposit. Alderman Curry seconded the motion.

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Those present and voting "Yea":

Alderman Mitchell Curry
Alderman A. L. Henderson, Jr.
Alderman Charles Sumrall
Alderman George Draughn

Those present and voting "Nay":

None

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 \$71,900 from revenue sharing funds, \$151,750 from general funds, \$30,000 from the fire fund, \$2,000 from the capital improvement fund, in order to invest for ninety (90) days into certificates of deposit with First Mississippi National Bank, at the rate of 5½ percent.

NOW THEREFORE, be it ordered by the Mayor and Board of Aldermen of the City of Petal, Mississippi, that the clerk invest \$255,650 in certificates of deposit with First Mississippi National Bank for ninety (90) days.

SO ORDERED on this the 4th day of January, A. D., 1977.

* * * * *

WHEREAS, Mr. Tyner stated that he had received a letter from the attorney general's office stating that there were no statutory prohibitions regarding a possible contract between the City of Petal and the Board of Supervisors of Forrest County, Mississippi, for the appraisal of the City of Petal and the Petal Municipal Separate School District. After discussion, Alderman Sumrall made a motion authorizing a contract between the Board of Supervisors and the City of Petal for a reappraisal. Alderman Curry seconded the motion.

Those present and voting "Yea":

Alderman Mitchell Curry
Alderman A. L. Henderson, Jr.
Alderman George Draughn
Alderman Charles Sumrall

Those present and voting "Nay":

None

WHEREAS, Mayor Byrd stated that he had talked with Mr. Jim Gladden about the redistricting of the wards and Mr. Gladden proposed to submit two or three alternatives for the redistricting.

WHEREAS, the city hall committee reported that the bid received from Newell C. Sullivan was accepted for the construction of a new City Hall for the City of Petal.

THEREUPON, Mr. Henderson made a motion that the bid from Newell Sullivan be accepted. The motion was seconded by Mr. Curry.

Those present and voting "Yea":

Alderman Mitchell Curry
Alderman A. L. Henderson, Jr.
Alderman George Draughn
Alderman Charles Sumrall

Those present and voting "Nay":

None

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TO: The Mayor and Board of Aldermen
City of Petal
City Clerk's Office
Petal, Mississippi 39465

We hereby submit our proposal for furnishing all labor and materials for the General Construction, including site work, electrical work, plumbing work, and heating and air conditioning work of the City Hall for the City of Petal, Mississippi, according to the Plans and Specifications prepared by Ysidro Salinas, Draftsman, Petal, Mississippi.

Having examined all Instructions to Bidders, General and Special Conditions, Plans, Specifications, Bulletins, Addenda, and other Contract Documents, and having visited the site of the work and examined all conditions effecting labor, materials, and equipment for the entire General Construction work, including electrical work, site work, etc., as required by said documents for the stipulated Lump Sum of

One hundred two thousand nine hundred five and no/100- - - - DOLLARS

If the undersigned is notified of Proposal acceptance within thirty (30) calendar days after proposal date, he agrees to execute a Contract, furnish Performance, Labor and Material Bonds for the above work for the above stated compensation. Undersigned further agrees to complete work in 180 calendar days after awarding of contract.

It is understood by the undersigned that the Owner reserves the right to accept or reject any bid.

Contractor's License No.	Respectfully Submitted,
<u>4410</u>	<u>/s/ Newell C. Sullivan</u>
	Contractor
Certificate of Responsibility No.	<u>724 Edgewood Drive</u>
<u>3216</u>	Address
Date	<u>Hattiesburg, Mississippi 39401</u>
<u>12/21/76</u>	Address

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WHEREAS, Mayor Byrd read a letter of resignation from James McCartney, resigning from the job of dog catcher. The letter read as follows, to-wit:

December 6, 1976

TO: CHIEF OF POLICE
FROM: James McCartney
SUBJECT: Resignation

Due to medical reason, I regret that I will have to resign for an indefinite period of time. Effective this date the 6th of December, 1976.

I have enjoyed working as the Animal Warden for this city, and regret having to leave.

/s/ James A. McCartney
J. A. McCartney

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THEREUPON, Alderman Sumrall made a motion to adjourn. Alderman Henderson seconded the motion.

Those present and voting "Yea":

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

Those present and voting "Nay":

None

There being no further business, the meeting was ordered adjourned on this the 4th day of January, A. D., 1977.

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A 5595 KETCHUM-NATCHEZ

Ulmer Byrd
ULMER BYRD, MAYOR

(SEAL)

ATTEST:

Susan B. Smith
Susan B. Smith, City Clerk

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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., January 18, 1977, in the Mayor's office in the City Hall.

Those Present: Ulmer Byrd, Mayor
 Thomas W. Tyner, City Attorney
 A. L. Henderson, Jr., Alderman
 Charles Sumrall, Alderman
 George Draughn, Alderman
 W. H. Clearman, Alderman

Others present: H.R. Nobles

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

The invocation was offered by Alderman Clearman.

The minutes of the meeting held January 4, 1977, were read by Susan B. Smith.

THEREUPON, Alderman Sumrall made a motion to adopt the minutes as read.

Alderman Henderson seconded the motion.

Those present and voting "Yea":
 A. L. Henderson, Jr.
 Charles Sumrall
 George Draughn
 W.H. Clearman

Those present and voting "Nay":
 None

WHEREAS, Mr. Nobles addressed the Board concerning a loan to the Separate School District of \$27,600.00 to purchase three buses that are being held for the school. After discussion, Mayor Byrd asked the wishes of the Board.

THEREUPON, Alderman Sumrall made a motion to grant the petition of the Separate School District concerning the borrowing of funds for the purchase of the three buses. Alderman Clearman seconded the motion.

Those present and voting "Yea":
 A. L. Henderson, Jr.
 Charles Sumrall
 W. H. Clearman
 George Draughn

Those present and voting "Nay":
 None

WHEREAS, Mr. Clearman stated that he would have an ordinance regarding pellet guns, air rifles, etc., in the city by the next council meeting.

WHEREAS, Mr. Sumrall stated that he has been consulting with the Motorola representative to obtain a better communication system for the fire department. Mr. Sumrall stated that the system he is now considering is very expensive and requested permission from the Board to research the communication systems and report at the next council meeting.

THEREUPON, Alderman Draughn made a motion that Mr. Sumrall and Mayor Byrd