

MINUTES — Petal, Mississippi

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 April 17, 1979, in the Board Room of the said City at 7:30 P. M.

Those present: Mayor Sidney O. Smith
 City Attorney, Thomas Tyner
 Aldermen: W. E. Boutwell
 W. H. Campbell
 George B. Draughn
 Bobby W. Runnels
 Robert E. Russell

Others present: Gary Lukens
 Jane Kennedy
 Ruth Stewart
 Dick Harlow
 Joe Barron

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

The invocation was offered by W. H. Campbell.

The minutes of the regular meeting of April 3, 1979, were read by Priscilla C. Daniel.

THEREUPON, Alderman Runnels made a motion that the minutes be accepted as read. Alderman Draughn seconded the motion.

Those present and voting "AYE":

Alderman W. H. Boutwell
 Alderman W. E. Campbell
 Alderman George B. Draughn
 Alderman Robert E. Russell
 Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Mayor Smith called for public comment, but there was none.

WHEREAS, Gary Lukens of South Mississippi Planning and Development District addressed the Board concerning the appropriate channels to be taken in requesting the assistance of the Planning District. Mr. Lukens requested that the board identify their priority problems and to do as much as possible to approach these problems on a local level and finally to make the planning district aware of the problems so that they may work toward available federal and state assistance. Mr. Lukens encouraged the Board to take advantage of the services offered by South Mississippi Planning and Development District.

THEREUPON, Mrs. Jane Kennedy of the Aging Division of South Mississippi Planning and Development District and Mrs. Ruth Stewart, Forrest County Co-ordinator of the Aging Program, reported to the Board the activities for the elderly taking place in the City of Petal. Mrs. Kennedy requested that the Board consider in the future budgeting a nutrition program for this community.

WHEREAS, Joe Barron presented the pro-ration for the month of March.

WHEREAS, Mayor Smith presented the following Proof of Publication to the Board.

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THEREUPON, Alderman Runnels made a motion that the Proof of Publication be accepted and filed. Alderman Campbell seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Robert E. Russell
- Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Mayor Smith presented the following change order submitted by B. W. Sullivan, contractor, and Ysidro Salinas, draftsman, for the police station. The change order read as follows, to-wit:

C H A N G E O R D E R

PROJECT: A Police Department Building CHANGE ORDER
for City of Petal, Miss NUMBER: 1
146 West Eighth Street
Petal, Ms

TO: Billy W. Sullivan CONTRACT FOR:
Construction Co. Total Contract (General)
McLaurin, Ms Mechanical and
Electrical

CONTRACT DATE:
March 1, 1979

YOU ARE DIRECTED TO MAKE THE FOLLOWING CHANGES IN THIS CONTRACT:

- Item #1. Install nine (9) telephone lines in conduit.
Location of lines where directed. \$108.00
 - Item #2. Change Finish Schedule on Page 2 of the drawings
by installing the following as follows:
Room: Storage #1; Base: Wood; Wall: ½" sheetrock
Includes A/C duct and Registers. \$225.00
- TOTAL \$333.00

The original Contract Sum was..... \$72,700.00
The Contract Sum will be increased by
this Change Order..... 333.00
The New Contract Sum including this
Change Order will be..... \$73,033.00
The Contract Time will be unchanged
by this Change Order.

DRAFTSMAN: Ysidro Salinas
#3 Salinas Avenue
Petal, Ms 39465

CONTRACTOR: Billy W. Sullivan
Construction Company
McLaurin, MS

By: /s/ Ysidro Salinas By: /s/ Billy W. Sullivan
Date: April 12, 1979 Date: April 12, 1979

OWNER: Sidney O. Smith, Mayor
Petal, MS 39465

OWNER: Priscilla C. Daniel, City Clerk
Petal, MS 39465

By: /s/ Sidney O. Smith By: /s/ Priscilla C. Daniel
Date: April 17, 1979 Date: April 17, 1979

THEREUPON, Alderman Runnels made a motion to accept the change order. Alderman Draughn seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Robert E. Russell
- Alderman Bobby W. Runnels

Those present and voting "NAY":

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None

THEREUPON, Alderman Boutwell made a motion to pay B. W. Sullivan, contractor, \$34,016.00, the first draw on the police station. Alderman Russell seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Bobby W. Runnels
Alderman Robert E. Russell

Those present and voting "NAY":

None

THEREUPON, Alderman Boutwell made a motion to pay Ysidro Salinas, draftsman, \$1,000.00 of his fee. Alderman Russell seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Bobby W. Runnels
Alderman Robert E. Russell

Those present and voting "NAY":

None

WHEREAS, Mayor Smith presented the following agreement with the City of Jackson to allow the Mississippi State Highway Department to transfer Federal Aid Urban funds in the amount of \$54,500 from the City of Petal to the City of Jackson. The agreement read as follows, to-wit:

AGREEMENT

WHEREAS, the City of Jackson, Mississippi, has undertaken the reconstruction of its Downtown Traffic Signal System; and

WHEREAS, the City of Jackson finds that it is deficient in Federal Aid Urban Systems funds with which to proceed with the reconstruction of the Downtown Traffic Signal System; and

WHEREAS, the Mississippi State Highway Department has advised that it will approve an arrangement whereby Federal Aid Urban Systems funds may be borrowed by the City of Jackson from another city's entitlement; and

WHEREAS, the Mayor and Commissioners of the City of Jackson, Mississippi, did by Resolution passed unanimously at its Regular April 3, 1979, meeting, authorize the Mayor of said City to enter into an agreement with any city having such funds entitlement for the loan of such funds as may be available and to obligate the City of Jackson to repay such loan upon request by transfer of similar Federal Aid Urban Systems fund from the 1980 and future entitlements of said City; and

WHEREAS, the City of Petal, Mississippi, has Federal Aid Urban Systems funds entitlement which the Mayor and Aldermen of the City of Petal, Mississippi, are willing to transfer to the City of Jackson, Mississippi, under the

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above terms and has authorized its Mayor to enter into this agreement.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE PREMISES, the City of Jackson, Mississippi, and the City of Petal, Mississippi, agree as follows:

1. That the City of Petal, Mississippi, hereby authorizes the Mississippi State Highway Department to transfer to the account of the City of Jackson, Mississippi, for use in its Downtown Traffic Signal System Project, funds in the amount of \$54,500 from its Federal Aid Urban Systems fund entitlement.

2. That the City of Jackson, Mississippi, hereby authorizes the Mississippi State Highway Department, upon request of the City of Jackson, to transfer to the account of the City of Petal, Mississippi, from its 1980 and future Federal Air Urban Systems funds entitlements, such sums as are necessary to repay the sums advanced in accordance herewith from the City of Petal's entitlement to the City of Jackson.

WITNESS THE SIGNATURE of the City of Jackson, Mississippi, this the 5th day of April, 1979.

CITY OF JACKSON, MISSISSIPPI

BY: /s/ Dale Danks, Jr.
Dale Danks, Jr., Mayor

Attest: /s/ Evelyn Ballard
Evelyn Ballard, City Clerk

CITY OF PETAL, MISSISSIPPI

BY: /s/ Sidney O. Smith
Sidney O. Smith

Attest: /s/ Priscilla C. Daniel
Priscilla C. Daniel, City Clerk

THEREUPON, Alderman Boutwell made a motion authorizing the Mayor and City Clerk to execute the foregoing agreement. Alderman Campbell seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Robert E. Russell
Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, City Attorney, Thomas Tyner, presented the following Resolution amending the East Forrest Utility District Bond Resolution of September 14, 1962. The Resolution read as follows, to-wit:

RESOLUTION

A RESOLUTION AUTHORIZING AND DIRECTING THE

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MISSISSIPPI, TO EXECUTE AN AMENDMENT TO
SECTION 9(d) OF THE BOND RESOLUTION OF THE
EAST FORREST UTILITY DISTRICT OF FORREST
COUNTY, MISSISSIPPI, DATED SEPTEMBER 14,
1962

WHEREAS, the East Forrest Utility District of Forrest County, Mississippi, had heretofore adopted a Resolution entitled:

A RESOLUTION AUTHORIZING AND DIRECTING THE
ISSUANCE OF NEGOTIABLE INTEREST-BEARING
WATER WORKS AND SEWER REVENUE BONDS OF THE
EAST FORREST UTILITY DISTRICT OF FORREST
COUNTY, MISSISSIPPI, IN THE PRINCIPAL AMOUNT
OF ONE MILLION, TWO HUNDRED TWENTY THOUSAND
DOLLARS (\$1,220,000.00); PRESCRIBING THE
FORM AND INCIDENCE OF SAID BOND: PROVIDING
FOR THE COLLECTION, SEGREGATION AND DISTRI-
BUTION OF THE REVENUES TO BE DERIVED FROM
THE OPERATION OF THE WATER WORKS AND SEWER
SYSTEM OF SAID DISTRICT IN AN AMOUNT SUFFI-
CIENT TO PAY THE PRINCIPAL OF AND INTEREST
ON SAID BONDS; AND MAKING PROVISION FOR
OTHER FUNDS IN RELATION TO THE OPERATION
AND MAINTENANCE OF SAID WATER WORKS AND
SEWER SYSTEM

WHEREAS, the City of Petal, Mississippi, a municipal corporation, did duly and lawfully assume the assets and obligations of the East Forrest Utility District of Forrest County, Mississippi, which action substituted the City of Petal, Mississippi, a municipal corporation in the place and stead of the East Forrest Utility District of Forrest County, Mississippi, as to the rights, duties, and obligations contained in the aforesaid Resolution previously adopted by the East Forrest Utility District; and

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, have previously adjudicated and found necessary, the issuance of additional water and sewer bonds in the amount of \$1,100,000.00 to improve the water distribution system of the City of Petal, Mississippi, at a regular meeting held and conducted on the 15th day of August, A. D., 1978, and

WHEREAS, in order to effect the issuance of said additional bonds in the amount of \$1,100,000.00, it is necessary to amend Section 9(d) of the 1962 bond resolution adopted by the East Forrest Utility District of Forrest County, Mississippi, in the following particulars:

After making the allocations and deposits provided for in paragraphs (a), (b), and (c), above, which are cumulative, the Trustee, within sixty (60) days after the end of each fiscal year, shall transfer the balance of excess funds in the Revenue Fund on such date to a special account in the Sinking Fund to be known as the "BOND REDEMPTION ACCOUNT," to be used in redeeming bonds in inverse numerical order or acquiring outstanding bonds for retirement at not exceeding the then applicable call price, or the said excess funds may be pledged to and used for the payment of the principal of and interest on junior lien bonds issued for the purpose of improving, repairing, and extending the combined Water-

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, that the Mayor and City Clerk of the City of Petal, Mississippi, be and they are hereby authorized pursuant to Section 15 of the existing bond resolution of the East Forrest Utility District of Forrest County, Mississippi, as adopted on September 14, 1962, to enter into an agreement with the holder or holders of sixty-five (65%) in principal amount of all of the bonds then outstanding, such consent to be evidenced by an instrument or instruments of such holder and holders and duly acknowledged in the manner of a deed for the conveyance of real estate in the State of Mississippi, and such instrument or instruments shall contain or be accompanied by proof of ownership of the bond or bonds concerning which such consent is given, to modify Section 9(d) of the said Bond Resolution as follows:

After making the allocations and deposits provided for in paragraphs (a), (b), and (c) above, which are cumulative, the Trustee, within sixty (60) days after the end of each fiscal year, shall transfer the balance of excess funds in the Revenue Fund to be known as the "BOND REDEMPTION ACCOUNT", to be used in redeeming bonds in inverse numerical order or acquiring outstanding bonds for retirement at not exceeding the then applicable call price, or the said excess funds may be pledged to and used for the payment of the principal of and interest on junior lien bonds issued for the purpose of improving, repairing, and extending the combined Waterworks and Sewer System.

SO RESOLVED on this, the 17th day of April, A. D., 1979.

/s/ Sidney O. Smith
SIDNEY O. SMITH, Mayor

ATTEST:

/s/ Priscilla C. Daniel
Priscilla C. Daniel, City Clerk

* * * * *

THEREUPON, Alderman Boutwell made a motion to adopt the foregoing resolution. Alderman Russell seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Robert E. Russell
- Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Alderman Campbell stated that the Highways and Streets Department is in need of a new pickup truck.

THEREUPON, Alderman Campbell made a motion to authorize the City Clerk to purchase a pickup at the State Contract Bid Price. Alderman Boutwell seconded the motion.

Those present and voting "AYE":

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Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Robert E. Russell
Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Alderman Draughn stated that Teddy Denham, City Mechanic, has had to purchase parts for his truck which he is using until the city furnishes him a vehicle.

THEREUPON, Alderman Runnels made a motion to authorize the reimbursement of \$53.35 to Mr. Denham. Alderman Campbell seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Robert E. Russell
Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Mayor Smith presented the following letter of resignation from R. G. McMillon, as Civil Defense Director. The letter read as follows, to-wit:

April 16, 1979

To: Mayor Smith and Board of Aldermen

Dear Sirs;

After much thought and consideration and in what I believe to be in the best interest of myself and my family, I take this means to ask you that I be relieved from the duties of Civil Defense Director for the City of Petal.

If this letter becomes a part of any official record or publication, I would like it to be known to the general public of the City of Petal, that it was an appointed job and without pay.

I do not regret the time that was given and only wish that I had been able to do more for this position in the time that I served. I have always worked for the growth and interest of our community, and along with many others, have given freely of my time in emergency situations.

If the need arises, I will continue to help any person or persons that I can as an individual, or through the City of Petal or any of their departments, but not in the official capacity as Civil Defense Director.

Respectfully Submitted,

R. G. McMillon

* * * * *

THEREUPON, Alderman Boutwell made a motion to regretfully accept Mr. McMillon's resignation from his position with the Civil Defense. Alderman Russell seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Robert E. Russell
Alderman Bobby W. Runnels

Those present and voting "NAY":

None

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Aubra Evans as City of Petal Civil Defense Director.

THEREUPON, Alderman Runnels made a motion to appoint Aubra Evans as Civil Defense Director. Alderman Boutwell seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Bobby W. Runnels
- Alderman Robert E. Russell

Those present and voting "NAY":

None

WHEREAS, Alderman Campbell stated that Ed Anderson has been with the City for a year and he would like to make a motion to adopt the following order increasing Mr. Anderson's salary to \$3.75 per hour. 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 increase the pay scale for Ed Anderson, foreman of the Highways and Streets Department.

IT IS THEREFORE ORDERED that the new pay scale for Ed Anderson shall be \$3.75 per hour.

IT IS THEREFORE ORDERED that this pay scale shall be effective as of April 17, 1979.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 17th day of April, A. D., 1979.

* * * * *

Alderman Draughn seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Robert E. Russell
- Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Mayor Smith stated that the city needs to advertise for bids for gasoline.

THEREUPON, Alderman Russell made a motion to authorize the City Clerk to advertise for bids for 48,000 gallons of gasoline for the city vehicles. Alderman Boutwell seconded the motion. The notice read as follows, to-wit:

NOTICE TO BIDDERS

Sealed bids will be received by the City of Petal, Mississippi, until 7:30 P. M., on Tuesday, May 15, 1979, for 48,000 gallons of 90-95 Octane rated unleaded gasoline. This gasoline shall be delivered and will be received by the City of Petal in the quantity of 4,000 per month for one (1) year.

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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/s/ Priscilla C. Daniel
Priscilla C. Daniel
City Clerk

April 23 and 30, May 7th

* * * * *

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Robert E. Russell
Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, City Attorney, Thomas Tyner, stated that the letter from Mississippi Air & Water Pollution Control, dated April 4, 1979, listed items that are deficient in the Sewer System Evaluation Survey report submitted by Gulf South Engineers. Mr. Tyner requested permission to write Gulf South Engineers in reference to their letter.

THEREUPON, Alderman Russell made a motion authorizing Mr. Tyner to write Gulf South Engineers requesting that they correct the deficiencies of the Sewer System Evaluation Survey within thirty days. Alderman Runnels seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Robert E. Russell
Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Mayor Smith read the letter from Shows and Dearman, City Engineers, stating that an emergency situation exists in the sewer lines on Ford Drive, which requires a well point system to repair. The letter read as follows, to-wit:

SHOWS & DEARMAN
P. O. Box 1711
Hattiesburg, Ms 39401

April 13, 1979

Mayor and Board of Aldermen
City of Petal
Petal, Ms 39465

RE: Sanitary Sewer
Ford Drive

Gentlemen:

The sanitary sewer line on Ford Drive has deteriorated to the extent of not being repairable. thereby, it is

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necessary to relay a section of this line to make it operable.

The water table is high and the sewer line is below the water table making it impossible to repair or relay this part of the line. Well Points is the only solution to this and since the City does not have well points, they will have to be rented.

This is an emergency since the line serves all of Ford Drive and must be repaired immediately.

Your truly,

SHOWS & DEARMAN
City Engineers

/s/ Paul J. Shows
Paul J. Shows, P. E.

* * * * *

THEREUPON, Alderman Draughn made a motion to adopt the following order declaring an emergency situation on Ford Drive and authorizing the rental of a well point system. Alderman Russell seconded the motion. 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, due to broken sewer lines on Ford Drive, do find that an emergency exists in this area pursuant to the finding of the city engineer, Paul Shows, that a health hazard is being created in the area, and do hereby authorize the rental of a wellpoint system from Griffin Well Point Corporation of Gulfport, in order to repair the broken sewer line, and to correct the cave-in and the hazardous condition which exists there.

SO ORDERED by the Mayor and Board of Aldermen on this the 17th day of April, A. D., 1979.

* * * * *

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Robert E. Russell
- Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Mayor Smith presented claims numbers 4850 through 4853 to the board.

THEREUPON, Alderman Russell made a motion to pay claims numbers 4850 through 4853. Alderman Campbell seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Robert E. Russell
- Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Mayor Smith read a letter requesting that the Board purchase an ad in the program for the Little Miss State Pageant.

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THEREUPON, Alderman Boutwell made a motion to purchase a \$12.50 ad in the program. Alderman Runnels seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman Bobby W. Runnels
Alderman George B. Draughn

Those present and abstaining:

Alderman W. H. Campbell

Those present and voting "NAY":

Alderman Robert E. Russell

WHEREAS, Alderman Draughn made a motion to give the City Clerk permission to send the checks for registration and reservations to the Mississippi Municipal Association for the Convention to be held June 27-29, 1979. Alderman Campbell seconded the motion.

THEREUPON, Alderman Russell made a motion to adjourn. Alderman Campbell seconded the motion.

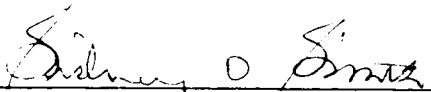
Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Robert E. Russell
Alderman Bobby W. Runnels

Those present and voting "NAY":

None

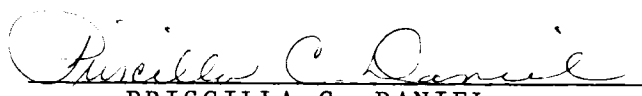
There being no further business, the regular meeting of the Mayor and Board of Aldermen of the City of Petal was adjourned on this the 17th day of April, A. D., 1979, at 11:30 P. M.



SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL
CITY CLERK