

## 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, in the Board Room of said City on March 6, 1979, at 7:30 P. M.

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

Others present: Harrison Ford  
Larry Scott  
Chris Gulam  
Mark Smith  
Paul Shows  
Dr. Claude Fike  
Carter Carroll  
and many others

WHEREAS, Mayor Smith declared a quorum present and declared the City Council in session.

The invocation was offered by Bobby Runnels.

The minutes of the regular meeting of the Mayor and Board of Aldermen of February 20, 1979, were read by Priscilla C. Daniel.

THEREUPON, Alderman Boutwell made a motion that the minutes be accepted as read. 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 H. Russell

WHEREAS, Mayor Smith called for public comment. There was none.

WHEREAS, Harrison Ford and Larry Scott of Gulf South Engineers and Mark Smith of Mississippi Air & Water Pollution Control addressed the Board concerning the status of the Sewer System Evaluation Survey and the 201 Facility plan of the Petal Sewer and the Regional Treatment Facility in Hattiesburg. Mr. Scott stated that the Regional Treatment Facility would have to be in operation, which would be approximately three years, or an approval for the temporary improvement and use of the Petal lagoon before the Beverly Hills area could be added to the sewer system.

THEREUPON, after lengthy discussion, Mark Smith stated that in order to obtain eligibility for the Beverly Hills area for 75% EPA funding, the submission of an addendum to the 201 plan by the engineers is necessary. After the addendum is submitted, the grant application for the design of the transportation and the collection systems can be submitted after May 1, 1979. Mr. Smith also stated that Mississippi Air and Water Pollution Control would pursue the possibility of the use of the existing lagoon for an interim treatment facility for the added Beverly Hills area. If this is approved, then possibly the EPA will fund construction of the Beverly Hills collection system prior to construction of the transportation system to Hattiesburg.

THEREUPON, Mark Smith stated that he would try to inform the Board in approximately two weeks of the decision on the use of the existing lagoon as an interim treatment plant.

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WHEREAS, Dr. Claude Fike stated that the Forrest County Board of Supervisors has approved the formation of the Department of Archives and Records. Dr. Fike stated that a joint venture was formed to microfilm and preserve the records of Forrest County, Hattiesburg, and the City of Petal. The proposed budget for this project will be approximately \$20,000 for the first year, with the City of Petal's share being \$3,000 and Forrest County and the City of Hattiesburg's shares being \$8,500 each. Dr. Fike stated that the duplicate copies of the microfilm will be stored at a different location.

THEREUPON, Mayor Smith stated that this would be taken under advisement.

WHEREAS, Carter Carroll stated that the maintenance of the cemetery is becoming very costly because of cave-ins around the grave sites. Mr. Carroll stated that this is caused by the use of wooden boxes instead of concrete vaults.

THEREUPON, Alderman Boutwell made a motion to add as an additional requirement to the rules and regulations of the Hillcrest Cemetery, the following paragraph to be effective immediately. The additional paragraph read as follows, to-wit:

6. Requirements of Vaults. In order to insure proper maintenance and to protect the health and welfare of the citizens of Petal, it is hereby ordered that vaults must be used in all burials in Hillcrest Cemetery, with a minimum of a concrete box allowed. Wooden boxes will not be allowed.

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, Mr. Carroll stated that the two lawn mowers owned by the City are in very bad shape and upon the advise of the city mechanic, Mr. Carroll requested that the Board consider replacing these mowers.

THEREUPON, Alderman Runnels made a motion to authorize Mr. Carroll to purchase two self-propelled mowers at the State Contract Bid Price and to charge one to the recreation department and one to the cemetery department. 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 H. Russell

Those present and voting "NAY":

None

WHEREAS, Mayor Smith requested the wishes of the Board concerning the addendum to the 201 plan, discussed by Mark Smith of Mississippi Air and Water Pollution Control.

THEREUPON, Alderman Runnels made a motion to authorize Shows and Dearman, city engineers, to proceed with the preparation of the addendum to the 201

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Boutwell 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 from Shows & Dearman concerning the emergency situation in the sewer lines on Ogilsvie Street. The letter read as follows, to-wit:

SHOWS & DEARMAN  
 Post Office Box 1711  
 1507 Hardy Street  
 Hattiesburg, Ms 39401

February 27, 1979

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

Re: Sanitary Sewer  
 Ogilsvie Street

Gentlemen:

The 8" sanitary sewer on Ogilsvie Street has caved in due to the large amount of rainfall that has occurred recently. This cave-in is blocking the flow in this area, approximately 800 feet East of Hillcrest Street, causing the sewer line to back up in the manholes, thus creating a health hazard. This break permits sand to infiltrate into the system effecting the flow below the break and detrimental to the pumping station.

The City does not have the equipment to repair the line below 10 feet in depth, therefore it will be necessary to hire or rent proper equipment to make the emergency repair to the sewer line.

Yours truly,

SHOWS & DEARMAN  
 City Engineers

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

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THEREUPON, Alderman Draughn made a motion to adopt the following order authorizing the emergency low bidder to proceed with the repairs to the sewer lines under the supervision of the City Engineers. Alderman Campbell 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 Ogilsvie 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 due to raw sewage running in the open ditches, and do hereby authorize the repair of the broken sewer line by Central Mechanical Construction Company and to pay for the reasonable cost of furnishing heavy equipment and personnel in order to correct the cave-in and the hazardous condition which exists there, as per Central Mechanical Construction Company's bid.

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SO ORDERED by the Mayor and Board of Aldermen on this the 6th day of March, 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 the letter of resignation from Homer Joe Pearce, effective March 15, 1979. The letter read as follows, to-wit:

March 2, 1979

To Mayor and Board of Aldermen:

I therefore submit my resignation to you as Superintendent of the Street and Sanitation Department, effective March 15, 1979, at 5:00 o'clock p. m.

/s/ Homer Joe Pearce  
Homer Joe Pearce  
Superintendent Streets and Sanitation Department

\* \* \* \* \*

THEREUPON, Alderman Runnels made a motion to accept the foregoing letter of resignation. 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 presented claims numbers 4625 through 4685 for the general fund of the City of Petal to the Board.

THEREUPON, Alderman Russell made a motion to pay claims numbers 4625 through 4685 with the exception of claim number 4671. 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 claims numbers 132B through 135B for the R & E fund of the water and sewer department.

THEREUPON, Alderman Russell made a motion to pay claims numbers 132B through 135B for the R & E fund. 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

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Those present and voting "NAY":

None

WHEREAS, Mayor Smith presented claims numbers 525A through 547A for the O & M fund of the Petal Water and Sewer Department.

THEREUPON, Alderman Russell made a motion to pay claims numbers 525A through 547A for the O & M fund. Alderman Campbell 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 stated the zoning map was on display in the City Hall. Mayor Smith presented the zoning ordinance to the Board. The Ordinance read as follows, to-wit:

ORDINANCE 1979 (42) 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 ORDINANCES AND CONFLICTING LAWS. Re: Ordinance Book Number 1, Pages (Full Context of Ordinance)

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THEREUPON, Alderman Boutwell made a motion to adopt the foregoing ordinance and map. 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

THEREUPON, Alderman Draughn made a motion to give the city clerk permission to have the ordinance printed and bound and to charge the cost of the printing and binding for a copy of the ordinance. Alderman Boutwell 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 Russell made a motion to go into executive session. 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

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None

THEREUPON, Alderman Runnels made a motion to adjourn the executive session. 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, City Attorney, Thomas W. Tyner, presented the following order to the Board. The order read as follows, to-wit:

ORDER NUNC PRO TUNC

ORDER ESTABLISHING A JOINT AGREEMENT  
BETWEEN FORREST COUNTY, MISSISSIPPI,  
AND THE CITY OF PETAL, MISSISSIPPI,  
REGARDING THE USE OF BEAT THREE  
SANITARY LANDFILL

HERETOFORE, and at a regular meeting of the Mayor and Board of Aldermen of the City of Petal, held and conducted on August 15, 1978, the following matters were considered, and the following resolution was adopted, but through inadvertence, the said resolution was not made an official part of the minutes of said meeting, and the Mayor and Board of Aldermen having considered the same, adopts the following resolution, upon motion duly made, seconded, and unanimously carried, nunc pro tunc.

RESOLUTION

WHEREAS, Forrest County, Mississippi, and the City of Petal are desirous of operating a joint sanitary landfill facility in Section 16, Township 5 North, Range 13 West, Forrest County, Mississippi, and

WHEREAS, in order that said sanitary landfill may be operated and supported and used by both Forrest County, Mississippi, and the City of Petal, it is necessary that certain agreements be made by both parties in how to best operate and support said sanitary landfill operation, and

WHEREAS, both Forrest County, Mississippi, and the City of Petal believe that the best interest of the people of Forrest County and the City of Petal would be served by entering into a joint agreement as hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED that Forrest County, Mississippi, does hereby agree to establish and operate a sanitary landfill operation in Section 16, Township 5 North, Range 13 West, Forrest County, Mississippi, and to furnish all necessary equipment and labor for the establishment of, operation and maintenance of said sanitary landfill.

BE IT FURTHER RESOLVED that the City of Petal shall have the right to use said sanitary landfill to dispose of

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all garbage, rubbish and trash accumulated within the City limits of said municipality by delivering to said sanitary landfill such garbage, rubbish and trash.

BE IT FURTHER RESOLVED that Forrest County, Mississippi, shall be responsible for disposing of said garbage, rubbish and trash at said sanitary landfill in a matter consistent with the requirements of state law.

BE IT FURTHER RESOLVED that the City of Petal shall pay to Forrest County, Mississippi, the sum of \$15,000.00 representing one-half (1/2) of the initial cost of establishing and creating said sanitary landfill; the sum of fifteen hundred (\$1,500.00) dollars each month beginning with the month of October, 1978, representing one-half (1/2) of the monthly cost of operating and maintaining said sanitary landfill and upon claim filed with the City of Petal, Mississippi, shall pay one-half (1/2) of the cost of the repair to all equipment used in connection with the operation and maintenance of the said sanitary landfill.

BE IT FURTHER RESOLVED that this agreement may be terminated or amended by either of the parties heretofore mentioned upon reasonable notice to the other party and upon an order entered upon the Minute Record of the party desiring to terminate or amend said agreement to become effective upon ratification of said agreement or amendment thereto by the other party.

RESOLVED on this, the 15th day of August, A. D., 1978.

CITY OF PETAL, MISSISSIPPI

/s/ Sidney O. Smith  
Mayor

/s/ W. E. Boutwell  
Alderman

/s/ Robert E. Russell  
Alderman

/s/ Bobby W. Runnels  
Alderman

/s/ George B. Draughn  
Alderman

/s/ William H. Campbell  
Alderman

ATTEST:

/s/ Priscilla C. Daniel  
Clerk

(SEAL)

SO ORDERED on this, the 15th day of August, A. D., 1978.

\* \* \* \* \*

THEREUPON Alderman Draughn made a motion to adopt the foregoing order

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nunc pro tunc, authorizing the mayor and city clerk to pay the county for use of its landfill. 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, Alderman Draughn reported to the board concerning the offer by R. G. Mooney to the sole occupancy of the garage now rented by the city and the use of his tools.

THEREUPON, Alderman Campbell made a motion to rent on a month by month basis at a rate of \$275.00 per month, effective March 31, 1979, with a 30-day cancellation notice. 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, Alderman Draughn stated that Robert Powell had requested the transfer of Ralph Eddlemon to the water department.

THEREUPON, Alderman Draughn made a motion to adopt the following order transferring Ralph Eddlemon to the water department, effective March 8, 1979. Alderman Campbell 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, deem it necessary to transfer Ralph Eddlemon from the Highways & Streets Department, to the City of Petal Water and Sewer Department.

IT IS THEREFORE ORDERED that Ralph Eddlemon be, and is hereby appointed as maintenanceman for the City of Petal Water and Sewer Department at a salary of \$3.50 per hour, to serve from March 8, 1979, until 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 6th day of March, A. D., 1979.

\* \* \* \* \*

WHEREAS, Alderman Draughn stated that the water department and the maintenance department are in need of new pickup trucks.

THEREUPON, Alderman Boutwell made a motion to give the City Clerk permission to advertise for bids for two pickup trucks. Alderman Draughn seconded the motion. The notice read as follows, to-wit:

NOTICE TO BIDDERS



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Sealed bids shall be received by the Mayor and Board of Aldermen of the City of Petal, Mississippi, until 7:30 P. M., on April 3rd, 1979, in the Board Room of said City for the following:

One or more 1979 One-half ton Pickup Trucks for the Water & Sewer and the Maintenance Departments

Specifications will be on file in the office of the City Clerk of Petal, Mississippi.

Said specifications may be examined during office hours of the City Clerk and arrangements made for securing copies of same.

No bid will be considered which fails to contain the following statement:

"The bid herein made does not exceed the State Contract Price fixed by the Current Indexed List of Commodities, or the item herein bid upon is not contained on said Current List".

The lowest and best bid received will be accepted subject to the State Contract Price fixed by the "Indexed List of Commodities" published by the State Commission of Budget and Accounting, and in the event said item does not appear on said "Indexed List of Commodities", then the lowest and best bid may be accepted, but the Board of Aldermen of the City of Petal, Mississippi, reserves the right to reject any and all bids and to waive any formalities.

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

\* \* \* \* \*

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 possibility of putting the payroll on computer is being studied.

THEREUPON, Alderman Russell made a motion to authorize the Mayor and City Clerk to contract with Ross-King-Walker for computer services for the payroll. Alderman Boutwell 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

THEREUPON, Alderman Russell made a motion to adjourn. Alderman

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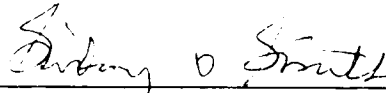
Those present and voting "AYE":

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 March 6, 1979, was adjourned at 11:40 P. M.

  
 \_\_\_\_\_  
 SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:

  
 \_\_\_\_\_  
 Priscilla C. Daniel, 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, on March 20, 1979, at 7:30 P. M., in the Board Room of said City.

Those present:

Mayor Sidney O. Smith

City Attorney, Thomas Tyner

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

Others present:

William Page, Jr.  
 W. L. Page, Sr.  
 Fred Page  
 Raymond Dearman  
 Robert Drake and  
 many others

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

The invocation was offered by George B. Draughn.

The minutes of the regular meeting of March 6, 1979, were read by Priscilla C. Daniel.

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