

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., on December 16, 1980, in the Board Room of said City.

Those present:                     Sidney O. Smith, Mayor  
   Thomas Tyner, City Attorney

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

Others present:                   Leroy Scott  
   and others

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 December 2, 1980, were read by Priscilla C. Daniel.

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

Those present and voting "AYE":

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

Those present and voting "NAY":

None

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

WHEREAS, the hour of 7:30 P. M. having arrived, the Mayor and Board of Aldermen proceeded to publicly open and read the sealed bids for the test well for the water department. The bids read as follows, to-wit:

SEE

FOLLOWING

PAGES

FOR

BIDS

BID

Proposal of Layne Central Co, <sup>A Division of</sup> Layne Western, Inc  
(hereinafter called "BIDDER"), organized and existing under the laws of the  
State of Alawarc, doing business as \_\_\_\_\_  
A Corporation. To the City of  
petal, Mississippi (hereinafter called  
"Owner").

In compliance with your Advertisement for Bids, BIDDER hereby pro-  
poses to perform all WORK for the construction of A water  
test well and Appurtenances  
in strict accordance with the CONTRACT DOCUMENTS, within the time set  
forth therein, and at the prices stated below.

By submission of this BID, each BIDDER certifies, and in the case of  
a joint BID each party thereto certifies as to his own organization, that this  
BID has been arrived at independently, without consultation, communication,  
or agreement as to any matter relating to this BID with any other BIDDER or  
with any competitor.

BIDDER hereby agrees to commence work under this contract on or  
before a date to be specified in the NOTICE TO PROCEED and to fully complete  
the PROJECT with in 30 consecutive calendar days thereafter. BIDDER  
further agrees to pay as liquidated damages, the sum of \$ —0— for  
each consecutive calendar day thereafter as provided in Section 15 of the Gen-  
eral Conditions:

BIDDER acknowledges receipt of the following ADDENDUM:

None  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BID  
**C. P. CLARK**  
WATER WELL DRILLING

Proposal of \_\_\_\_\_  
(hereinafter called "BIDDER"), <sup>LAUREL, Miss. 39440</sup> existing under the laws of the  
State of Mississippi, doing business as C. P. Clark  
Water Well Drilling. To the City of Petal  
Petal, Mississippi - 39465 (hereinafter called  
"Owner").

In compliance with your Advertisement for Bids, BIDDER hereby pro-  
poses to perform all WORK for the construction of Water  
Test Well  
in strict accordance with the CONTRACT DOCUMENTS, within the time set  
forth therein, and at the prices stated below.

By submission of this BID, each BIDDER certifies, and in the case of  
a joint BID each party thereto certifies as to his own organization, that this  
BID has been arrived at independently, without consultation, communication,  
or agreement as to any matter relating to this BID with any other BIDDER or  
with any competitor.

BIDDER hereby agrees to commence work under this contract on or  
before a date to be specified in the NOTICE TO PROCEED and to fully complete  
the PROJECT with in 30 consecutive calendar days thereafter. BIDDER  
further agrees to pay as liquidated damages, the sum of \$ 25.00 for  
each consecutive calendar day thereafter as provided in Section 15 of the Gen-  
eral Conditions:

BIDDER acknowledges receipt of the following ADDENDUM:

None

BID

Proposal of Griner Drilling Service, Inc.  
(hereinafter called "BIDDER"), organized and existing under the laws of the  
state of Mississippi, doing business as Griner  
Drilling Service, Inc.. To the City of  
Petal, Mississippi (hereinafter called  
"Owner").

In compliance with your Advertisement for Bids, BIDDER hereby pro-  
poses to perform all WORK for the construction of One Water  
Test Well  
in strict accordance with the CONTRACT DOCUMENTS, within the time set  
forth therein, and at the prices stated below.

By submission of this BID, each BIDDER certifies, and in the case of  
a joint BID each party thereto certifies as to his own organization, that this  
BID has been arrived at independently, without consultation, communication,  
or agreement as to any matter relating to this BID with any other BIDDER or  
with any competitor.

BIDDER hereby agrees to commence work under this contract on or  
before a date to be specified in the NOTICE TO PROCEED and to fully complete  
the PROJECT with in 30 consecutive calendar days thereafter. BIDDER  
further agrees to pay as liquidated damages, the sum of \$ \_\_\_\_\_ for  
each consecutive calendar day thereafter as provided in Section 15 of the Gen-  
eral Conditions:

BIDDER acknowledges receipt of the following ADDENDUM:

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THEREUPON, Alderman Boutwell made a motion to take these bids under advisement. 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 the proration for the month of November to the Board.

WHEREAS, Alderman Boutwell made a motion to accept Clark's bid for the test well upon the review and approval of Paul Shows, City Engineers. 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 stated that the hearing for Charles McSwain zoning change request will have to be rescheduled due to an error in posting the required signs.

THEREUPON, Alderman Draughn made a motion to reschedule Charles McSwain's hearing for the 13th day of January, 1981, at 7:00 o'clock P. M. 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, Mayor Smith presented a letter of resignation from Tommy Cross, a member of the planning commission. The letter read as follows, to-wit:

December 9, 1980

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

Gentlemen:

I am sorry to have to inform you of my forced resignation from the Zoning Committee. I have moved inside the City of Hattiesburg. It has been my pleasure to serve on this committee with you.

If I can be of assistance to you, please contact me.

Sincerely,

/s/ Tommy E. Cross  
Tommy E. Cross

THEREUPON, Alderman Draughn made a motion that Mr. Cross's resignation be accepted. 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 presented the following proof of publication to the Board:

ADVERTISEMENT FOR BIDS - Test Well

THEREUPON, Alderman Draughn made a motion that the foregoing 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, City Attorney, Thomas Tyner, presented the following resolution concerning the Hillcrest Cemetery. The resolution read as follows, to-wit:

R E S O L U T I O N

WHEREAS, at a regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, conducted on March 21, 1978, said city was authorized to enter into negotiations to accept from Petal-Harvey Baptist Church, that certain real property known as Hillcrest Cemetery; and

WHEREAS, at a special meeting of the Mayor and Board of Aldermen conducted on June 27, 1978, there was tendered to said City, an Indenture Deed by the Petal-Harvey Baptist Church, by and through the Trustees of Petal-Harvey Baptist Church and the Trustees of Hillcrest Cemetery, certain real property known and being operated as Hillcrest Cemetery; and

WHEREAS, accompanying the conveyance of said real property by Indenture Deed to the City of Petal, were funds in the total amount of Eighteen Thousand Five Hundred and Fifty-two Dollars (\$18,552.00) of which \$18,000.00 was to be and has been deposited in an interest bearing account, to be used to maintain and operate the premises known as Hillcrest Cemetery, for and on behalf of the citizens of the City of Petal; and

WHEREAS, the said City of Petal, Mississippi, did accept the Hillcrest Cemetery, and assume operation thereof, but since assumingsaid ownership and operation of said Hillcrest Cemetery, it is becoming increasingly difficult to operate and maintain said cemetery due to the expenses thereof, and the

Hillcrest Cemetery to the Petal-Harvey Baptist Church and to tender back to the Petal-Harvey Baptist Church the funds previously tendered, in the amount of \$18,552.00, and the said Petal-Harvey Baptist Church is agreeable to accepting the return of said real property, and the sum of \$18,552.00; and

WHEREAS, the City of Petal, Mississippi, is not authorized under the laws of the State of Mississippi, to make the grant of real property to the Petal-Harvey Baptist Church, nor to return to the Petal-Harvey Baptist Church, the funds previously tendered to it in the amount of \$18,552.00, without authorizing legislation from the State of Mississippi.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, that the legislature of the State of Mississippi, be requested, and they are hereby requested to adopt and pass a local and private bill authorizing the City of Petal, Mississippi, to convey the real property known as Hillcrest Cemetery to the Petal-Harvey Baptist Church, and to pay to the Petal-Harvey Baptist Church the sum of \$18,552.00, previously tendered to the City of Petal, Mississippi, by the Petal-Harvey Baptist Church, and for related purposes.

The above and foregoing Resolution, having been presented to the Mayor and Board of Aldermen, Alderman Draughn moved the adoption of said Resolution; Alderman Boutwell seconded the adoption of the said Resolution:

Those present and voting "AYE":

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

Those present and voting "NAY":

Alderman W. H. Campbell  
Alderman Robert E. Russell

WHEREAS, the above and foregoing Resolution having received the affirmative vote of a majority of the Board of Aldermen, the same be, and is hereby duly adopted, on this the 16th day of December, A. D., 1980.

/s/ Sidney O. Smith  
MAYOR

ATTEST:

/s/ Priscilla C. Daniel  
CITY CLERK

\* \* \* \* \*

Mr. Russell and Mr. Campbell abstained on the grounds that they are deacons of the Petal-Harvey Baptist Church.

WHEREAS, Mayor Smith presented the following letter from Robert Powell recommending the dismissal of Mark Randall Davis. The letter read as follows, to wit:

December 15, 1980

Mayor and Board of Aldermen:

Please be advised that Mark Davis, water department employee, was arrested by Police Department on North Main Street in Petal, Friday night, December 12, 1980, about 10:30 driving a water department vehicle while under the influence of alcohol.

Mark had been informed more than once that this truck was not to be used for any personal use. He had in his possession a six-pack of beer and some glue. It was believed by the investigating officer that he had been sniffing glue. He was placed in jail.

I feel I have no other alternative but to discharge him, effective December 13, 1980.

/s/ Robert Powell  
R. W. Powell  
Superintendent, Water & Sewer Department

\* \* \* \* \*

THEREUPON, Alderman Boutwell made a motion to accept Mr. Powell's recommendation to dismiss Mark Randall Davis from the water department. 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 stated that it is necessary to advertise for bids for depositories for the city funds.

THEREUPON, Alderman Draughn made a motion to authorize the city clerk to advertise for bids for depositories. Alderman Campbell seconded the motion. The notice read as follows, to-wit:

NOTICE TO BIDDERS

Pursuant to provisions of Section 27-105-305, and 27-105-353, Mississippi Code of 1972, and amendments thereto, notice is hereby given to all banks in Forrest County, Mississippi, that bids will be received from banks at the regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, to be held in the Board Room of the City Hall of the City of Petal, Mississippi, until 7:30 P. M., Tuesday, January 6, 1981, for the privilege of keeping funds for the City of Petal, Mississippi, with added territory, such bids to be submitted as provided by law, and particularly as provided by Sections 27-105-305, and 27-105-353, Mississippi Code of 1972, as annotated and amendments thereto.

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

WITNESS my signature and the seal of said City on this the 17th day of December, A. D., 1980.



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 claim number 365-B of the R & E fund of the City of Petal Water Department to Ryan Motors.

THEREUPON, Alderman Boutwell made a motion to pay claim number 365-B in the amount of \$7,966.77 to Ryan Motors for the 1981 Chevrolet van. 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 request for reimbursement for invoice number seven from Smith and Sanders, Engineers.

THEREUPON, Alderman Draughn made a motion to authorize the Mayor to execute the request for reimbursement and to forward it to EPA. 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 requested the wishes of the Board concerning the Christmas holidays for the city employees.

THEREUPON, Alderman Boutwell made a motion to give the city employees December 26, as well as December 25, off in lieu of the Memorial Day holiday in 1981. 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 Draughn made a motion to adopt the following order hiring Edward O. Fite as the meter reader in the water department. 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 hire a meter reader in the water department.

IT IS THEREFORE ORDERED that Edward O. Fite be, and he is hereby appointed as meter reader for the water department, at a rate of pay of \$4.25 per hour to serve from December 17, 1980, 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 16th day of December, A. D., 1980.

\* \* \* \* \*

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

Those present and voting "NAY":

- Alderman Robert E. Russell

WHEREAS, Mayor Smith stated that due to the new purchasing law, it will be necessary to advertise for bids for gasoline on a monthly basis.

THEREUPON, Alderman Draughn made a motion to authorize the city clerk to advertise for bids for 4,000 gallons of unleaded gasoline for the month of January. 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, January 6, 1981, for 4,000 gallons of 90-95 Octane rated unleaded gasoline. This gasoline shall be purchased as needed by the City of Petal during the month of January, 1981.

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

\* \* \* \* \*

Those present and voting "AYE":

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

Those present and voting "NAY":

None

THEREUPON, Alderman Draughn made a motion to purchase at the state contract bid price and to buy locally if items are priced at the state contract

bid price - or less. Alderman Campbell seconded the motion.

Those present and voting "AYE":

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

Those present and voting "NAY":

None

WHEREAS, Alderman Runnels made a motion to adopt the following order hiring John McIntosh as the recreation director, effective January 15, 1981, at a salary of \$1,000 per month. Alderman Boutwell 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 appoint a recreation director.

IT IS THEREFORE ORDERED that John William McIntosh, Jr., is hereby appointed as a recreation director at a monthly salary of \$1,000.00 per month to serve from January 15, 1981, 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 16th day of December, A. D., 1980.

\* \* \* \* \*

Those present and voting "AYE":

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

Those present and voting "NAY":

None

WHEREAS, City Attorney, Thomas Tyner, stated that an agreement has been reached for a settlement of the suit filed against the city by Robert Mitchell.

THEREUPON, Alderman Runnels made a motion to authorize the payment of \$1,000 to the Mitchells upon the decree of the judge as settlement for the damage suit. Alderman Boutwell seconded the motion.

Those present and voting "AYE":

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

Those present and voting "NAY":

None

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

Those present and voting "NAY":


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There being no further business, the regular meeting of the mayor and Board of Aldermen was adjourned on this the 16th day of December, A. D., 1980.

  
\_\_\_\_\_  
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, at 7:30 P. M., on January 6, 1981, in the Board Room of said City.

Those present:

Sidney O. Smith, Mayor

Thomas Tyner, City Attorney

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

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

The invocation was offered by Bobby W. Runnels.

The minutes of the regular meeting of December 16, 1980, were read by Priscilla C. Daniel.

THEREUPON, Alderman Boutwell made a motion that the minutes be accepted 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

The Mayor called for public comment, but there was none.

WHEREAS, the hour of 7:30 P. M. having arrived, the Mayor and Board of Aldermen proceeded to publicly open and read the sealed bids for the gasoline for the month of January. The bid read as follows, to-wit:

Pine Belt Oil Company  
P. O. Box 668  
Hattiesburg, Ms 39401

December 22, 1980

Honorable Mayor and Aldermen  
City of Petal  
Post Office Box 564  
Petal, Mississippi 39465