

ORDER

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to increase the pay scale for Jimmy D. Stafford, employed in the Sanitation Department.

IT IS THEREFORE ORDERED, that the new pay scale for Jimmy D. Stafford shall be increased to \$4.75 per hour effective October 1, 1985.

SO ORDERED, by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 10th day of September, 1985

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
R. L. Hullum
Leroy Scott

Those present and voting "NAY": None

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

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
R.L. Hullum
Leroy Scott

Those present and voting "NAY": None

Therebeing no further business, the regular recessed meeting of September 3, 1985 was adjourned on this the 10th day of September, A.D. 1985.

Sidney O. Smith

SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:

Priscilla C. Daniel

PRISCILLA C. DANIEL, CITY CLERK

BE IT REMEMBERED, that there was begun and held the regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, at 7:30 P.M., Tuesday, September 17, 1985 in the Board Room of said City.

Those present: Mayor Sidney O. Smith
City Attorney: Thomas Tyner
Aldermen: W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum
Michael Lewis (Arrived Late)
Others present: Paul Shows

The Mayor declared a quorum present and declared the City Council in session. The invocation was offered by Leroy Scott.

WHEREAS, Alderman Campbell made a motion to dispense with the reading of the minutes and to accept them as written. Alderman Hullum seconded the motion.

Those present and voting "AYE":	W. E. Boutwell	Those present and voting "NAY":
	W. H. Campbell	None
	Leory Scott	
	R. L. Hullum	

WHEREAS, City Attorney Thomas Tyner presented the revised contract between the City of Hattiesburg and the City of Petal with regard to the receipt and process of Petal's sewage by the City of Hattiesburg. The contract read as follows, to-wit:

CONTRACT

WHEREAS, the City of Hattiesburg, a municipal corporation, is presently operating a sewage system in Hattiesburg, Forrest County, Mississippi, with a capacity to dispose of said sewage, with an excess in said capacity; and

WHEREAS, the City of Petal, Mississippi, is presently considering and has immediate plans to discontinue treatment of its own sewage, and wishes to construct necessary facilities to cause its sewage to be transported to the City of Hattiesburg for processing; and

WHEREAS, the City of Hattiesburg has been designated by the federal government, and/or its operating divisions, and the State of Mississippi, and/or its operating divisions, as the regional authority for treatment of sewage; and

WHEREAS, both the City of Hattiesburg and the City of Petal, find and believe that it is in the best interest of their respective municipalities, and in the citizens thereof, for the parties to enter into an agreement whereby the City of Hattiesburg may receive and process the sewage from the City of Petal, through facilities maintained and constructed by the City of Petal, at an agreed upon price, the parties do hereby contract and agree as follows, to-wit:

I.

That the City of Petal will construct, maintain and operate a sewage collection and transportation system to deliver sewage from the City of Petal to the City of Hattiesburg, at a point on the Hattiesburg side of the Leaf River designated by the City of Hattiesburg, and will construct appropriate engineering standards and requirements, and also appropriate standards and requirements of the State of Mississippi, and its agencies, and the United States Government, and its agencies, and will maintain said collection and transportation system to transport said sewage to a point at the Hattiesburg waste water treatment facility designated by the City of Hattiesburg.

II.

That the City of Petal, Mississippi, will bear all costs and expense of the construction, collection and transportation of sewage, within its boundaries, and to that certain point at the City of Hattiesburg sewage collection system designated by the City of Hattiesburg.

III.

That it is understood and agreed by the City of Petal and the City of Hattiesburg that the actual cost to be imposed on the City of Petal for the processing of sewage transported to the City of Hattiesburg by the City of Petal is not subject to easy calculation, but the parties agree that the cost shall be determined by taking the annual operation and maintenance cost for the waste water treatment facility of the City of Hattiesburg, deducting therefrom any cost not directly related to treatment of sewage, said cost to be determined by the City of Hattiesburg and agreed upon by the City of Petal on an annual basis and dividing the same by the annual discharge per thousand of gallons per year. Further, the City of Petal does hereby agree to establish and maintain a special fund for capital expenditures with regard to Petal's share of the improvements and unusual maintenance to the waste water treatment facilities of the City of Hattiesburg to be funded by the City of Petal at a rate of twenty-five percent (25%) of the cost paid by the City of Petal to the City of Hattiesburg for the treatment of sewage. The City of Petal does hereby further agree to provide an annual accounting of said capital expenditures fund to the City of Hattiesburg. Said capital expenditure fund shall be reviewed annually to determine adequacy and need for adjustments to said fund. It is currently agreed and understood that the City of Petal will pay to the City of Hattiesburg the sum of eight cents (\$.08) per thousand of gallons of sewage delivered by the City of Petal to the waste water treatment facilities of the City of Hattiesburg. Further, it is agreed that the City of Petal's share of expenses regarding the improvement and unusual maintenance of the waste water treatment facilities of the City of Hattiesburg shall be assessed by the City of Hattiesburg to the City of Petal based on the amount of discharge of sewage from the City of Petal to the total discharge of City of Hattiesburg's waste water treatment facility. The parties do further agree that the City of Petal shall be limited to the amount of sewage delivered to the waste water treatment facilities of the City of Hattiesburg on a per capita basis of all users of the waste water treatment facilities of the City of Hattiesburg, and that for all amounts of sewage that exceed this limitation, the City of Petal shall pay double the cost per thousand of gallons of sewage.

IV.

The charges to be imposed by the City of Hattiesburg as set forth in the paragraph precedent shall be determined by calculating the metered flow of the sewage transported by the City of Petal to the City of Hattiesburg, with the City of Petal furnishing, installing, operating and maintaining at a point where the sewage will leave the City of Petal's transportation and collection system and enter the City of Hattiesburg's waste water treatment facility, the necessary equipment and devices for measuring properly all sewage and other waste waters to be discharged into the City of Hattiesburg's waste water treatment facility from the City of Petal's transportation and collection system. It is agreed and understood that each municipality shall have ready access to such metering equipment at all reasonable times for inspection and examination and that said metering equipment shall be calibrated by the City of Petal on an annual basis and certification of same provided to the City of Hattiesburg. All readings of the meters shall be entered upon the books and records maintained by the respective municipalities and/or by any designated third party.

V.

It is agreed and understood by the City of Hattiesburg and the City of Petal that the charges for the services provided by the City of Hattiesburg to the City of Petal can be renegotiated on an annual basis, and that this agreement may be amended to take into consideration any change in circumstances found by the governing authorities of either municipality.

VI.

It is agreed and understood by the parties that upon the receipt of the calibrated statement for monthly flow, the City of Hattiesburg will submit to the City of Petal an invoice for the number of gallons received by the Hattiesburg waste water treatment facility from the City of Petal collection and transportation system, and that payment of the same will be made by the City of Petal to the City of Hattiesburg within fifteen (15) days thereafter.

VII.

It is further agreed and understood by and between both parties that the loading on the Hattiesburg South Lagoon shall not exceed fifty (50) pounds B.O.D. per acre.

VIII.

It is further agreed and understood that the terms and provisions of this agreement may be amended, changed, deleted or otherwise altered by the respective parties to the agreement on an annual basis.

IX.

It is further agreed and understood that any other necessary and appropriate agreements required by the State of Mississippi, and/or its operating divisions, or the federal government, and/or its operating divisions, necessary and appropriate to be made in order to permit transportation of sewage and operation of the waste water treatment facility by the City of Hattiesburg at the least amount of cost to the respective municipalities shall be duly and properly acted and agreed upon.

WITNESS THE SIGNATURES of the parties on this, the 17th day of September, A. D., 1985.

CITY OF HATTIESBURG, MISSISSIPPI

BY: H. D. Williams
MAYOR

ATTEST:

Chasie Wansley
CITY CLERK

CITY OF PETAL, MISSISSIPPI

BY: Quincy D. Smith
MAYOR

ATTEST:

Priscilla C. Daniel
CITY CLERK

THEREUPON, Alderman Boutwell made a motion to adopt the foregoing revised contract. Alderman Scott seconded the motion.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum

Those present and voting "NAY": None

WHEREAS, City Attorney Thomas Tyner presented the drafts of the Ordinance providing for the collection of user charges and industrial waste surcharges from user of the public sewage works and the Ordinance regulating the use of public and private sewers and drains, the installation and providing for penalties for violations and establishing an effective date thereof.

THEREUPON, Alderman Boutwell made a motion to adopt, at an appropriate time, the proposed draft ordinances. Alderman Scott seconded the motion.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum

Those present and voting "NAY": None

WHEREAS, Paul Shows presented the standard form of engineering agreement for the proposed sewer project which consists of detailed explanations of engineering services and duties of the resident engineers and the insurance coverage carried by the engineers. Mr. Shows stated that the amount of the contract is \$229,947.77.

THEREUPON, After discussion of the procurement and negotiation memorandum between the City of Petal and Shows & Dearman, Alderman Boutwell made a motion authorizing the Mayor and City Clerk to execute the procurement and negotiation

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum

Those present and voting "NAY": None

THEREUPON, Alderman Scott made a motion to authorize the Mayor to execute the standard form of agreement between the City of Petal and Shows & Dearman, Inc., consulting engineers for the proposed sewer project. Alderman Boutwell seconded the motion.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum

Those present and voting "NAY": 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 a used computer printer. The sealed bid read as follows:

BBI, Inc. - \$3750.00

THEREUPON, Alderman Boutwell made a finding if the Notice to Bidders was re-advertised, the City would not receive any other bids and therefore made a motion to accept BBI, Inc. bid of \$3750.00. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell Those present and voting "NAY"
W. H. Campbell None
Leroy Scott
R. L. Hullum

WHEREAS, Mayor Smith presented a zoning change request from James H. Stewart on property at the corner of Kola and East 2nd Avenue.

THEREUPON, Alderman Boutwell made a motion to set the hearing for James H. Stewart for October 8, 1985 at 7:00 P.M. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum

Those present and voting "NAY": None

WHEREAS, Mayor Smith presented the following Proof of Publication:

1) Notice to Bidders - Used printer

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

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum

Those present and voting "NAY": None

WHEREAS, the proration for the month of August was presented to the Mayor and Board of Aldermen.

WHEREAS, Alderman Hullum made a motion to desginate Monroe "Mac" McArdle as Civil Defense Director. Alderman Scott seconded the motion.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum

Those present and voting "NAY": None

WHEREAS, Alderman Hullum made a motion to send Wesley Hughes to the Fire Investigation Training Program on arson investigation October 16-18, 1985, in Jackson, MS., and for the city to pay his \$125.00 registration fee and expenses. Alderman Boutwell seconded the motion.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum

Those present and voting "NAY": None

THEREUPON, Alderman Hullum made a motion to adopt the following order to pay Ford Weatherford \$100.00 per month as part-time Fire Chief for the City of Petal effective 10-1-85. Alderman Scott seconded the motion.

ORDER

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to employ a part-time Fire Chief for the City of Petal Fire Department.

IT IS THEREFORE ORDERED, that Ford Weatherford be and he is hereby employed as part-time Fire Chief at a rate of pay of \$100.00 per month, effective October 1, 1985, to serve 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 17th day of September, A.D., 1985.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum

Those present and voting "NAY": None

WHEREAS, Mayor Smith presented the following order to cancel the following parcels from the 1983 tax sale for 1982 taxes.

ORDER

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to delete from the land sale the following parcels:

PETAL MUNICIPAL SEPARATE SCHOOL DISTRICT

<u>DATE OF SALE</u>	<u>PCL #</u>	<u>NAME</u>	<u>TO WHOM SOLD</u>	<u>AMT</u>	<u>REASON</u>
9/19/83	616010	Gatlin, Roy	City of Petal	\$203.47	Reclassified
"	616020	Herrington Est.	"	36.85	"
"	616040	Gatlin, Benny & Delores	"	30.69	"
"	616100	Smith, T.T.	"	45.57	"
"	616140	Tanner, Leona Estate	"	50.29	"
"	616210	Tanner, Leona Estate	"	44.48	"
"	616220	Tanner, L.B.	"	43.02	"

CITY OF PETAL

9/19/83	60507820-050	Cooley, Glenda M.	James S. Welch	67.78	Double Assessed
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Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Leroy Scott
Michael Lewis
R. L. Hullum

Those present and voting "NAY": None

Therebeing no further business, the regular meeting of the Mayor and Board of Aldermen was adjourned on this the 17th day of September, A.D., 1985.

Sidney O. Smith

SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:

Priscilla C. Daniel

PRISCILLA C. DANIEL
CITY CLERK

BE IT REMEMBERED that there was begun and held the regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi on October 1, 1985 at 7:30 P.M., in the Board Room of said City.

Those present: Mayor Sidney O. Smith
City Attorney: Tim Lindsey (serving in Tom Tyner's absence)
Aldermen: W. E. Boutwell
W. H. Campbell
Leroy Scott
Michael Lewis
R. L. Hullum

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 September 17, 1985 were read by Priscilla C. Daniel.

THEREUPON, Alderman Campbell made a motion that the foregoing minutes be accepted as read. Alderman Scott seconded the motion.

Those present and voting "AYE": W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum

Michael Lewis (Abstained)

Those present and voting "NAY": None

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

WHEREAS, Mayor Smith presented the following letter from Ruby Watkins, owner of Watkins-Harding Jewelry stating that due to health reasons she is going out of business and requested that the Mayor and Board of Aldermen waive the requirements of