

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., on May 7, 1985, in the Board Room of said City.

Those present: Mayor Sidney O. Smith  
 City Attorney: Thomas Tyner  
 Aldermen: W. H. Campbell  
 W. E. Boutwell  
 Michael Lewis  
 Leroy Scott  
 Bobby Runnels  
 Others present: Mr. & Mrs. C. T. Anderson  
 Homer Bridges

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 April 16, 1985 were read by Priscilla C. Daniel.

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

Those present and voting "AYE": W. H. Campbell  
 W. E. Boutwell  
 Michael Lewis  
 Leroy Scott  
 Bobby Runnels

Those present and voting "NAY": None

The minutes of the recessed meeting of April 29, 1985 were read by Priscilla C. Daniel

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

Those present and voting "AYE" W. H. Campbell  
 W. E. Boutwell  
 Michael Lewis  
 Leroy Scott  
 Bobby Runnels

Those present and voting "NAY": None

WHEREAS, Mayor Smith called for public comment.

THEREUPON, C. T. Anderson stated that there is still a problem with his bridge that was replaced during the drainage project on South Main and he would like to know when the city is going to correct his situation.

THEREUPON, Alderman Runnels stated that the Street Department will try to get the problems on Mr. Anderson's bridge corrected this week.

WHEREAS, Mayor Smith presented the following Proofs of Publication:

- 1) Public Notice- W. T. McWilliams
- 2) Public Notice- Monroe Yates
- 3) Public Notice- Robert Wade

THEREUPON, Alderman Campbell made a motion that the foregoing Proofs of Publication be accepted and filed. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
 W. E. Boutwell  
 Michael Lewis  
 Leroy Scott  
 Bobby Runnels

Those present and voting "NAY": None

WHEREAS, Mayor Smith presented change order #1 on the contract with C. J. Morgan for the West 6th Street Sewer Project to increase the contract in the amount of \$741.00 for gravel and changing the location of the pipe.

THEREUPON, Alderman Lewis made a motion to authorize the execution of the change order. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
W. E. Boutwell  
Michael Lewis  
Bobby Runnels  
Leroy Scott

Those present and voting "NAY": None

WHEREAS, Mayor Smith presented the statement from Shows & Dearman in the amount of \$11,227.68 for engineering services in preparation of the collection systems.

THEREUPON, Alderman Boutwell made a motion to pay Shows & Dearman \$11,227.68 from the R & E Fund of the Petal Water Department. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. H. Campbell  
W. E. Boutwell  
Michael Lewis  
Bobby Runnels  
Leroy Scott

Those present and voting "NAY": None

WHEREAS, Mayor Smith presented the contractor's 2nd estimate on the construction of the tennis courts in the amount of \$21,648.50.

THEREUPON, Alderman Runnels made a motion to pay Herring Construction Company \$21,648.50. Alderman Lewis seconded the motion.

Those present and voting "AYE": W. H. Campbell  
W. E. Boutwell  
Michael Lewis  
Bobby Runnels  
Leroy Scott

Those present and voting "NAY": None

WHEREAS, Mayor Smith presented the first and final contractor's estimate in the amount of \$13,146.00 on the replacement of the sanitary sewer lines on West 6th street.

THEREUPON, Alderman Boutwell made a motion to advertise the Notice of Completion for this project and if no claims are received to pay C. J. Morgan and Sons \$13,146.00. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
W. E. Boutwell  
Michael Lewis  
Bobby Runnels  
Leroy Scott

Those present and voting "NAY": None

WHEREAS, Mayor Smith stated that the contractor's estimate #2 for Warren Paving was in the amount of \$80,630.00 and estimate #2 for the engineering estimate was for \$5,837.00 on the North Main Street Project.

THEREUPON, Alderman Lewis made a motion that upon receipt of the funds from the State Highway Department, the City Clerk be authorized to pay the aforementioned amounts. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. H. Campbell  
W. E. Boutwell  
Michael Lewis  
Bobby Runnels  
Leroy Scott

WHEREAS, Mayor Smith presented claim numbers 14401-14551 of the General Fund of the City of Petal.

THEREUPON, Alderman Runnels made a motion to pay claim numbers 14401-14551 of the General Fund of the City of Petal. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. H. Campbell  
W. E. Boutwell  
Michael Lewis  
Leroy Scott  
Bobby Runnels

Those present and voting "NAY": None

WHEREAS, Mayor Smith presented claim numbers 2897-2943 of the O & M Fund of the Petal Water and Sewer Department.

THEREUPON, Alderman Runnels made a motion to pay claim numbers 2897-2943 of the O & M Fund of the Petal Water and Sewer Department. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. H. Campbell  
W. E. Boutwell  
Michael Lewis  
Leroy Scott  
Bobby Runnels

Those present and voting "NAY": None

WHEREAS, Mayor Smith stated that the contracts for the Rental Rehabilitation Program and the Community Development Block Grant Program have arrived.

THEREUPON, Alderman Boutwell made a motion to authorize the Mayor to execute the aforementioned contracts. Alderman Runnels seconded the motion.

Those present and voting "AYE": W. H. Campbell  
W. E. Boutwell  
Michael Lewis  
Leroy Scott  
Bobby Runnels

Those present and voting "NAY": None

WHEREAS, Alderman Campbell stated that the Board needs to make a decision on the request made by Donald Funderburk on April 16, 1985, to operate ice cream sales trucks on the city streets. Alderman Campbell expressed concern over the safety factors involved in this type operation.

THEREUPON, Alderman Scott made a motion to reject Mr. Funderburk's request because of the safety factor and this type of business might be detrimental to the local merchants. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. H. Campbell  
W. E. Boutwell  
Michael Lewis  
Leroy Scott  
Bobby Runnels

Those present and voting "NAY": None

WHEREAS, the City Clerk requested permission to hire Lisa Davis part-time in the Financial Department effective May 13, 1985 at a rate of \$3.50 per hour.

ORDER

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to employ part-time help in the Financial Department.

IT IS THEREFORE ORDERED, that Lisa Davis be and she is hereby employed in the Financial Department on a part-time basis at a rate of pay of \$3.50 per hour, effective May 13, 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 7th day of May, A.D., 1985.

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Those present and voting "AYE": W.E. Boutwell  
W. H. Campbell  
Leroy Scott  
Bobby Runnels  
Michael Lewis

Those present and voting "NAY": None

WHEREAS, Alderman Lewis made a motion to adopt the following order hiring Craig Fletcher part-time in the Recreation Department effective May 8, 1985 at a rate of \$3.50 per hour. Alderman Runnels seconded the motion.

ORDER

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to employ part-time help in the Recreation Department.

IT IS THEREFORE ORDERED, that Craig Fletcher be, and he is hereby employed in the Recreation Department on a part-time basis at a rate of pay of \$3.50 per hour, effective May 8, 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 7th day of May, A.D., 1985.

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Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Bobby Runnels  
Michael Lewis

Those present and voting "NAY": None

WHEREAS, Alderman Lewis made a motion to advertise for bids for an ice maker for the city Street and Water Department. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Bobby Runnels  
Michael Lewis

Those present and voting "NAY": None

WHEREAS, Alderman Lewis made a motion to advertise for sale one (1) 1970 Dodge 1/2 ton pick-up, serial # D14ABOU140369 surplus property in the Street Department. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Bobby Runnels  
Michael Lewis

Those present and voting "NAY": None

WHEREAS City Attorney Thomas Tyner presented the following resolution approving the retainment and services of Thomas W. Tyner as Special Bond Counsel, and to approve the retainment and services of Watkins, Ludlam and Stennis of Jackson, Mississippi as General Bond Counsel on an hourly and expense fee basis. Alderman Campbell made a motion approving the resolution. Alderman Runnels seconded the motion.

Those present and voting "AYE": W. H. Campbell  
W. E. Boutwell  
Leroy Scott  
Michael Lewis  
Bobby Runnels

Those present and voting "NAY": None

The Mayor and Board of Aldermen of the City of Petal, Mississippi, took up for consideration the matter of approving a bond fee of one percent (1%) in connection with the general obligation sewer bonds of said municipality in the maximum principal amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00), pursuant to Section 21-15-25, Mississippi Code of 1972, and approving bond counsel. After a discussion of the subject, Alderman Campbell offered and moved the adoption of the following resolution:

RESOLUTION DECLARING THE INTENTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, TO APPROVE THE STATUTORY BOND FEE OF ONE PERCENT (1%) ON THE BOND ISSUE, TO APPROVE THE RETAINMENT AND SERVICES OF THOMAS W. TYNER AS SPECIAL BOND COUNSEL AT SAID STATUTORY FEE, AND TO APPROVE THE RETAINMENT AND SERVICES OF WATKINS, LUDLAM AND STENNIS OF JACKSON, MISSISSIPPI AS GENERAL BOND COUNSEL ON AN HOURLY AND EXPENSE FEE BASIS.

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi (the "Governing Body" of the "Municipality"), acting for and on behalf of the Municipality, hereby finds, determines, adjudicates and declares as follows:

- 1. It was necessary and in the public interest to issue general obligation sewer bonds of the Municipality in the maximum principal amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) for the purpose of establishing sanitary or sewerage systems, repairing, improving and extending the same.
- 2. As a consequence of the issuance of said general obligation sewer bonds, Thomas W. Tyner and the law firm of Watkins, Ludlam and Stennis of Jackson, Mississippi were retained as special bond counsel and general bond counsel, respectively, to render valuable legal assistance.
- 3. The Governing Body proposes to authorize Thomas W. Tyner as special bond counsel and issuing attorney at the statutory fee of one percent (1%), pursuant to Section 21-15-25, Mississippi Code of 1972. Further the Governing Body proposes to approve the law firm of Watkins, Ludlam and Stennis of Jackson, Mississippi, as general bond counsel on an hourly and expense fee schedule.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY AS FOLLOWS:

SECTION 1. The Governing Body hereby approves Thomas W. Tyner as special bond counsel at the statutory fee of one

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

Those present and voting "AYE": W. H. Campbell  
W. E. Boutwell  
Leroy Scott  
Michael Lewis  
Bobby Runnels

Those present and voting "NAY": None

Therebeing no further business, the regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, was adjourned on this the 7th day of May, A.D., 1985.

percent (1%) and, further, the Governing Body approves the law firm of Watkins, Ludlam and Stennis of Jackson, Mississippi, as general bond counsel on an hourly and expense fee schedule.

Alderman Runnels seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Alderman W. E. Boutwell voted: Aye  
Alderman W. H. Campbell voted: Aye  
Alderman Michael V. Lewis voted: Aye  
Alderman Bobby W. Runnels voted: Aye  
Alderman Leroy Scott voted: Aye

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this the 29th day of April, 1985.

Sidney O. Smith  
MAYOR

ATTEST:

Priscilla C. Daniel  
City Clerk

Sidney O. Smith  
SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST

Priscilla C. Daniel  
PRISCILLA C. DANIEL  
CITY CLERK