

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 Tuesday, November 4, 1986 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. Hillum Michael Lewis
Others present:	Paul Shows Dan Hughes Ford Weatherford

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

The invocation was offered by W. E. Boutwell.

The minutes of the regular meeting of October 21, 1986 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. Hillum Michael Lewis
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Those present and voting "NAY":	None
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WHEREAS Mayor Smith 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 sale of one (1) 1978 International Sanitation Truck and one (1) 1967 cargo truck. The bids read as follows, to-wit:

J. C. Bennett - \$278.00 for the 1967 Cargo Truck

No bid was submitted on the sanitation truck.

THEREUPON Alderman Boutwell made a motion to accept J. C. Bennett's bid of \$278.00 for the Cargo Truck. Alderman Scott seconded the motion.

Those present and voting "AYE":	W. E. Boutwell W. H. Campbell Leroy Scott R. L. Hillum Michael Lewis
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Those present and voting "NAY":	None
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WHEREAS Paul Shows, City Engineer made a recommendation to the Board to purchase an easement from David Leigh and Mary J. Priest for the \$1000.00 appraised value.

THEREUPON Alderman Campbell made a motion to purchase the sewer easement for \$1000.00 from David L. & Mary J. Priest. Alderman Scott seconded the motion.

Those present and voting "AYE":	W. E. Boutwell W. H. Campbell Leroy Scott R. L. Hillum Michael Lewis
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Those present and voting "NAY":	None
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WHEREAS Mr. Shows presented a letter recommending the City extend Roland Pugh's Contract # 3. contract for 45 additional days because of problems encountered by the contractor in getting onto some property.

THEREUPON Alderman Boutwell made a motion to extend Roland Pugh's contract period for 45 days. Alderman Lewis seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mr. Shows requested the Board's approval for change order #1 to contract # 3 in the amount of \$2875.00. This change order would be to seal the pumping station with epoxy coating and to paint the exterior of the pumping station.

THEREUPON Alderman Boutwell made a motion to authorize change order # 1 to contract # 3 in the amount of \$2875.00. Alderman Lewis seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented a letter from the Petal Planning Commission recommending the granting of Ramon Napier's request to rezone his property from R-1 (Low Density Residential District) to C-2 (General Commercial).

THEREUPON Alderman Boutwell made a motion to accept the recommendation of the Planning Commission to adopt the following Ordinance 1979 (42-A37). Alderman Scott seconded the motion.

ORDINANCE NUMBER 1979 (42-A37)
AN ORDINANCE CHANG' ING AND AMENDING THE COMPRE-
HENSIVE ZONING DISTRICT MAP, ADOPTED AS PART OF
COMPREHENSIVE ZONING ORDINANCE NO. 1979 (42) OF
THE CITY OF PETAL, MISSISSIPPI, AS AMENDED BY
ORDINANCE NUMBERS 1979 (42-1) THROUGH 1979 (42-
A36) SO AS TO CHANGE THE ZONING CLASSIFICATION
OF CERTAIN LAND IN SAID CITY FROM R-1 (LOW
DENSITY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL)

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL, MISSISSIPPI:

SECTION 1. That the Comprehensive Zoning District Map,
adopted as part of the Comprehensive Zoning Ordinance
Number 1979 (42) of the City of Petal, Mississippi, as amended
by Ordinance Numbers 1979 (42-1) through 1979 (42-A36) be
and the same is hereby changed and amended as per petition
filed in connection therewith so that the land described as:

Begin 592.7 feet South of the NE Corner of the
SE 1/4 of the NE 1/4 of Section 2, T-4-N, R-13-W,
Forrest County, Mississippi, thence run West
210 feet, thence run South 82.82 feet, thence
run West 210 feet thence run North 82.82 feet
back to the Point of Beginning.

as per map or plat thereof on file in the Office of the
Chancery Clerk of Forrest County, Mississippi, is hereby
classified and placed in the C-2 (General Commercial)
District of said City.

SECTION 2. Except as hereby expressly changed and amended,
the aforesaid Comprehensive Zoning Ordinance Number 1979 (42)
of the City of Petal, Mississippi, as amended by Ordinance
Numbers 1979 (42-1) through 1979 (42-A36) shall be and remain
in full force and form as adopted on April 5, 1979.

SECTION 3. That this ordinance take effect and be
in full force from and after its passage as provided by law.

The foregoing ordinance having been reduced to writing,
the same was introduced and read, and a vote was taken thereon,
first section by section, and then upon the Ordinance as
a whole with the following results:

Those present and voting "AYE" and in favor of the
passage, adoption and approval of Sections 1,2 and 3 of the
foregoing Ordinance:

W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum
Michael Lewis

Those present and voting "NAY" or against the adoption
of any section of the foregoing Ordinance:

None

Those present and voting "AYE" and in favor of the
adoption of the foregoing ordinance as a whole:

W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum
Michael Lewis

Those present and voting "NAY" or against the adoption
of the foregoing Ordinance as a whole:

None

WHEREUPON the foregoing ordinance be, and the same
is hereby passed, adopted and approved on this the 4th
day of November, A.D., 1986.

Sidney O. Smith
SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:

Priscilla C. Daniel
PRISCILLA C. DANIEL
CITY CLERK

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented a letter from the Planning Commission recommending the granting of Kim Puckett's request to rezone his property from R-2 (Low to Medium Density Residential District) and C-2 (General Commercial) to R-3 (Medium Density Residential).

THEREUPON Alderman Boutwell made a motion to accept the recommendation of the Planning Commission and to adopt the following Ordinance 1979 (42-A36). Alderman Scott seconded the motion.

ORDINANCE NUMBER 1979 (42-A36)
AN ORDINANCE CHANGING AND AMENDING THE COMPREHENSIVE ZONING DISTRICT MAP, ADOPTED AS PART OF COMPREHENSIVE ZONING ORDINANCE NO. 1979 (42) OF THE CITY OF PETAL, MISSISSIPPI, AS AMENDED BY ORDINANCE NUMBERS 1979 (42-1) THROUGH 1979 (42-A35) SO AS TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN LAND IN SAID CITY FROM R-2 (LOW TO MEDIUM DENSITY RESIDENTIAL) AND C-2 (GENERAL COMMERCIAL) TO R-3 (MEDIUM DENSITY RESIDENTIAL)

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI:

SECTION 1. That the Comprehensive Zoning District Map, adopted as part of the Comprehensive Zoning Ordinance Number 1979 (42) of the City of Petal, Mississippi, as amended by Ordinance Numbers 1979 (42-1) through 1979 (42-A35) be and the same is hereby changed and amended as per petition filed in connection therewith so that the land described as:

Parcel #1A The South 75.0 feet of lot and the West 11.50 feet of lot 13 of Block 1 of the J. C. Herrod S/D

is per map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, is hereby classified and placed in the R-3 (Medium Density Residential) district of said City.

SECTION 2. Except as hereby expressly changed and amended, the aforesaid Comprehensive Zoning Ordinance Number 1979 (42) of the City of Petal, Mississippi, as amended by Ordinance Numbers 1979 (42-1) through 1979 (42-A35) shall be and remain in full force and form as adopted on April 5, 1979.

SECTION 3. That this ordinance take effect and be in full force from and after its passage as provided by law.

The foregoing ordinance having been reduced to writing, the same was introduced and read, and a vote was taken thereon, first section by section, and then upon the ordinance as a whole with the following results:

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

Those present and voting "NAY": None

WHEREAS Mayor Smith requested the wishes of the Board concerning the Mississippi Municipal Liability Plan.

THEREUPON Alderman Campbell made a motion to adopt the following Resolution authorizing the Mayor to contract with the plan for the city's participation in the program. Alderman Boutwell seconded the motion.

Those present and voting "AYE" and in favor of the passage, adoption and approval of Sections 1,2 and 3 of the foregoing ordinance:

W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum
Michael Lewis

Those present and voting "NAY" or against the adoption of any section of the foregoing ordinance:

None

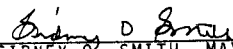
Those present and voting "AYE" and in favor of the adoption of the foregoing ordinance as a whole:

W. E. Boutwell
W. H. Campbell
Leroy Scott
R. L. Hullum
Michael Lewis

Those present and voting "NAY" or against the adoption of the foregoing ordinance as a whole:

None

WHEREUPON the foregoing ordinance be, and the same is hereby passed, adopted and approved on this the 4th day of November, A. D., 1986.


SIDNEY Q. SMITH, MAYOR

(SEAL)

ATTEST:


PRISCILLA C. DANIEL
CITY CLERK

RESOLUTION

A Resolution to provide for participation by the City of Petal, Mississippi in the Mississippi Municipal Liability Plan initially to share in risk of public official, automobile, law enforcement and general liability claims and to authorize the Mayor to contract to join in such Plan; and to authorize the Mayor to expend funds to the City of Petal, Mississippi to contribute to the Plan as to public official, automobile, law enforcement and general liability coverages. And subsequently at the option of the City of Petal, Mississippi to participate in the Plan for Worker's Compensation and Employer's Liability, Property and Employee Benefits.

WHEREAS, Senate Bill 2364 of the 1986 Mississippi Legislature authorizes two (2) or more municipalities to create an inter-local plan which might then establish a group fund.

WHEREAS, the Mississippi Municipal Liability Plan has been created by an Agreement between two or more municipalities adopted pursuant to Senate Bill 2364 of the 1986 Mississippi Legislature; and

WHEREAS, it is desirable for the City of Petal, Mississippi to join the Mississippi Municipal Liability Plan and participate in its plan in order to more efficiently provide a method of risk sharing for public officials liability, law enforcement liability, general liability, automobile liability, and/or property coverage, and/or worker's compensation and employer liability claims.

NOW THEREFORE:

BE IT RESOLVED, that the City of Petal, Mississippi join the Mississippi Municipal Liability Plan and participate

in its plan fund which has been formed to service the specified liability claims of the municipalities joining the Plan; and

BE IT FURTHER RESOLVED, that

the Mayor be authorized to execute and the Clerk attest the application to join the Mississippi Municipal Liability Plan and participate in its Plan with respect to liability and claims in the form and substance of the Application attached hereto.

BE IT FURTHER RESOLVED:

That the City of Petal, Mississippi expend the sum of \$33,904.00 as its contribution to the group Plan for liability coverage maintained or to be established by the Mississippi Municipal Liability Plan.

I hereby certify that the above and foregoing Resolution was adopted by the City of Petal, Mississippi on the 4th day of November, A.D., 1986.


PRISCILLA C. DANIEL
CITY CLERK

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

Those present and voting "NAY": Michael Lewis
R. L. Hullum

WHEREAS Alderman Boutwell made a motion to authorize the City Clerk to advertise for a bushog and tractor and to specify delivery on March 15, 1987. Alderman Campbell seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented a zoning change request from Bill Durham for property located on Green Street.

THEREUPON Alderman Campbell made a motion to set the hearing date for November 25th, 1986 at 7:00 P.M. Alderman Boutwell seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following proofs of publication:

- 1) Notice of Sale - Surplus property
- 2) Notice of Public Hearing - Creel
- 3) Ord. 1979 (42-A35)

THEREUPON Alderman Campbell made a motion that the foregoing proofs be accepted and filed. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following order increasing W. G. Barlow, Building Inspector's salary \$25.00 per month.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to increase the pay scale for William G. Barlow, Building Inspector.

IT IS THEREFORE ORDERED that the pay scale for William G. Barlow, be increased \$25.00 per month effective 11/4/86 until further orders of the Mayor and Board of Aldermen of the City of Petal.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 4th day of November, A.D., 1986.

THEREUPON Alderman Boutwell made a motion to adopt the foregoing order. Alderman Campbell seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented claim numbers 1 - 148 & 184 - 207 of the General Fund.

THEREUPON Alderman Scott made a motion to pay claim numbers 1 - 148 & 184 - 207 excepting claim # 197. Alderman Campbell seconded the motion.

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

Those present and voting "NAY": None

THEREUPON Alderman Scott made a motion to conditionally approve claim # 197 upon the receipt of an affidavit of no-lien from the contractor, Hemphill Construction Company. 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
Michael Lewis

WHEREAS Mayor Smith presented claim numbers 150-183 of the Water O & M Fund and claim number 216 of the Water R & E Fund.

THEREUPON Alderman Lewis made a motion to pay claim numbers 150 - 183 of the Water O & M Fund and claim number 216 of the Water R & E Fund. Alderman Hullum seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented a sewer easement from Mrs. T. M. Hamilton.

THEREUPON Alderman Campbell made a motion to accept Mrs. Hamilton's easement and to pay her \$10.00. Alderman Boutwell seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Alderman Boutwell made a motion to pay Davis Tree Service \$80.00 for the removal of a stump on city right-of-way at 301 W. 1st Ave. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Alderman Campbell read the letter of resignation from Tracey Klein, City Prosecutor, which advised the Board that he would be able to remain as City Prosecutor for six months to enable the Board to find a replacement.

LAW OFFICES OF
JERRY A. EVANS
 ATTORNEY AND COUNSELOR AT LAW
 JERRY A. EVANS
 H. H. KLEIN, III

813 WEST PINE STREET
 POST OFFICE BOX 1220
 HATTIESBURG, MS 39401
 TELEPHONE (601) 583-8404

November 3, 1986

City of Petal
 Judicial Department
 Petal, Ms. 39465

Atten: Liz Brewer

RE: City Prosecutor Position

Dear Ms. Brewer:

It is with extreme regret that I must enter this my official letter of resignation as City Prosecutor for the City of Petal. As I have recently been appointed to the position of Assistant District Attorney for Forrest and Perry Counties, I cannot practice law and cannot receive any compensation from any other source other than the State of Mississippi.

I have enjoyed working with everyone connected with the Courts and other law authorities in the City of Petal, and look forward to serving them in my official capacity as Assistant District Attorney in the future.

I will not specify a date upon which this letter is effective, as I am afforded six months to wind up my private practice, and am therefore willing to serve the City of Petal until a replacement prosecutor is selected. Further, should the occasion arise wherein I enter the private practice of law again, I would like to remain a potential candidate for any office that may become vacant in your City in the future.

Thank you and the entire City of Petal for the opportunity of working with such a fine group of people.

With kindest personal regards, I remain

Sincerely,


 Tracy Klein

TK:th

WHEREAS Mayor Smith presented an order hiring Linda Sue Doggett as Deputy Voter Registrar to assist in voter re-registration at a rate of pay of \$5.50 per hour effective Nov. 10, 1986.

SEE

ORDER

NEXT

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ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to employ help during the re-registration of voters.

IT IS THEREFORE ORDERED that Linda Sue Doggett be and she is hereby employed as a Deputy Voter Registrar at a rate of pay of \$5.50 per hour, effective Nov. 10, 1986, until further orders of the Mayor and Board of Aldermen.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 4th day of November, A.D., 1986.

THEREUPON Alderman Boutwell made a motion to adopt the foregoing order. Alderman Lewis seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented EPA request for reimbursement #5.

THEREUPON Alderman Boutwell made a motion to authorize the Mayor to execute EPA request #5. Alderman Hullum seconded the motion.

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


Those present and voting "NAY": None

THEREUPON Alderman Lewis made a motion to adjourn. Alderman Boutwell seconded the motion.

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

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, Mississippi was adjourned on this the 4th day of November, A.D., 1986.



SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL
CITY CLERK