

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, of November 18, 1986 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 Michael Lewis Leroy Scott R. L. Hillum
Others present:	Kay Jenkins Clay Ray Harrington Jack Davis Paul Shows

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 November 4, 1986 were read by Priscilla C. Daniel.

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

THEREUPON, Kay Jenkins Clay submitted her resignation as School Board Trustee for the Petal Municipal Separate School District effective December 31, 1986.

THEREUPON Mayor Smith stated that he accepted the letter with regrets.

WHEREAS Jack Davis of Liberty National Life Ins. Co. presented an Auto Club Protection Plan that is available to City employees through a payroll deduction plan.

THEREUPON Mayor Smith stated that the Board would take this under advisement.

WHEREAS Mayor Smith stated that the County Engineer, Richard Simmons would like the City to approve and concur with a plan to post all bridges within the county with weight limit signs.

THEREUPON Alderman Boutwell made a motion to authorize the Mayor to execute a letter to Richard Simmons stating the City's approval and concurrence of the aforementioned plan. Alderman Campbell 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 stated that it is going to be necessary to pay Mrs. T. M. Hamilton \$1,000.00 for her sewer easement and that by obtaining this easement, the City will be saving approximately \$40,000.00 in road repairs by going across Mrs. Hamilton's property.

THEREUPON Alderman Boutwell made a motion to authorize the payment of \$1,000.00 to Mrs. T. M. Hamilton for the sewer easement. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following proofs of publication:

- 1) Public Notice - Bill Durham
- 2) Ord. 1986 (67)
- 3) Ord, 1979 (42-A36)
- 4) Ord. 1979 (42-A37)

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

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented an interim billing in the amount of \$3,000.00 from the City's auditors, Nicholson, Topp & McWhorter, for audit preparation on the City's Water & Sewer report.

THEREUPON Alderman Boutwell made a motion to authorize the interim payment of \$3,000.00 to Nicholson, Topp & McWhorter. Alderman Campbell seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Alderman Campbell stated that after reviewing a list of applicants, including Petal residents, he would like to recommend Alex Brinkley for the position of City Prosecutor.

THEREUPON Alderman Campbell made a motion to adopt the following order hiring Alex Brinkley as City Prosecutor effective 12/1/86 at an annual salary of \$4,534.00. Alderman Boutwell seconded the motion.

ORDER

WHEREAS The Mayor and Board of Aldermen of the City of Petal, Mississippi deem it necessary to employ a City Prosecutor.

IT IS THEREFORE ORDERED that Alex Brinkley be and he is hereby employed as City Prosecutor at a rate of pay of \$4534.00 annually effective December 1, 1986, 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 18th day of November, A.D., 1986.

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

Those present and voting "NAY": None

THEREUPON Alderman Boutwell made a motion to authorize the payment of \$1,000.00 to Mrs. T. M. Hamilton for the sewer easement. Alderman Scott 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

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THEREUPON Alderman Campbell made a motion that the foregoing proofs of publication be accepted and filed. 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

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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

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SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 18th day of November, A.D., 1986.

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 City Engineer Paul Shows, stated that it will be necessary that the City adopt the User Charge Ordinance.

THEREUPON Alderman Lewis made a motion to adopt the following User Charge Ordinance to be effective April 1, 1987. Alderman Scott seconded the motion.

ORDINANCE 1986 (68)

AN ORDINANCE TO PROVIDE FOR THE COLLECTION OF
USER CHARGES AND INDUSTRIAL WASTE SURCHARGES
FROM USERS OF THE PUBLIC SEWAGE WORKS

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

SECTION 1. USER CHARGE

1.1 User charge shall be the charge levied on all users including, but not limited to, persons, firms, corporations or governmental entities that discharge, cause or permit the discharge of sewage into the public sewage works.

1.2 The user charge shall reflect the costs of operation and maintenance (including minor replacement) of the public sewage works.

1.3 Each user shall pay its proportionate share of operation and maintenance (including minor replacement) costs based on volume of flow.

1.4 The Superintendent of the sewage works shall review not less often than every two years the sewage contributions of users, the total costs of operation and maintenance (including minor replacement) of the sewage works, and the user charge system. The Superintendent shall revise the user charge, if necessary, to accomplish the following:

1.4.1 Maintain the proportionate distribution of operation and maintenance costs among users as provided herein.

1.4.2 Generate sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including minor replacement) of the sewage works.

1.5 All flow to the sewage works not directly attributable to users (i.e. infiltration/inflow) shall be distributed among all users of the sewage works based upon the volume of flow of the users.

1.6 Each user shall be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charge which is attributable to operation and maintenance of the sewage works.

SECTION 2. SEWER RATE SCHEDULE

The following sewer rate schedule shall apply to each user of the sewage works. This schedule includes the user charge as established herein and the charge for debt service and recovery of other costs, each based on volume of flow.

SEWER RATE SCHEDULE

<u>Debt Service</u>	<u>Fixed O&M&R</u>
\$1.50 flat rate	\$1.00/1,000

Budget figures arrived at in accordance with formula as shown on Memo 1 and 2.

SECTION 3. INDUSTRIAL WASTE SURCHARGE

3.1 In the event that a user discharges industrial wastes to the sewage works having an average Biochemical Oxygen Demand (BOD) content in excess of 240 mg/l, and/or an average Suspended Solids (SS) content in excess of 300 mg/l, and/or an average Total Kjeldahl Nitrogen (TKN) content in excess of 40 mg/l, and/or an average grease content in excess of 100 mg/l, said industrial user shall pay a surcharge based upon the excess strength of their discharges.

3.2 Industrial user shall be defined as any nongovernmental, nonresidential user of the public sewage works which discharges more than the equivalent of 25,000 gallons per day (GPD) of sewage and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:

Division A - Agriculture, Forestry, and Fishing

Division B - Mining

Division D - Manufacturing

3.3 Any nongovernmental user of the sewage works shall also be considered an industrial user if such user discharges to the sewage works sewage which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the sewage works.

3.4 The costs of treatment for each pound of BOD, SS, TKN and grease removed by the sewage works shall be reviewed at the end of each fiscal year and appropriate surcharge rates applied to the sewage billing. These rates shall be in effect until the next annual rate review.

SECTION 4. METHOD OF BILLING SURCHARGE

4.1 The industrial waste surcharge shall be based on the following formula, with the total applied to the monthly bill of affected users:

$$A(E-300) + B(F-300) + C(G-40) + D(H-100)]8.34/1000 \times I \times J = \text{Surcharge Payment } (\$/\text{Mo})$$

WHERE:

- A. Surcharge Rate for BOD, in \$/Pound
- B. Surcharge Rate for SS, in \$/Pound
- C. Surcharge Rate for TKN, in \$/Pound
- D. Surcharge Rate for Grease, in \$/Pound
- E. Industrial User's BOD Concentration, in mg/l
- F. Industrial User's SS Concentration, in mg/l
- G. Industrial User's TKN Concentration in mg/l
- H. Industrial User's Grease Concentration in mg/l
- I. Industrial User's Flow to Sewage Works, in 1000 gallons/day
- J. Number of Days in Month

4.2 No reduction in sewage service charges, fees, or taxes shall be permitted because of the fact that certain industrial wastes discharged to the sewage works contain less than 240 mg/l of BOD, 300 mg/l of SS, 40 mg/l of TKN or less than 100 mg/l of grease.

SECTION 5. AMENDMENTS

This Ordinance shall be amended, as necessary, to comply with Federal Regulations.

SECTION 6. VALIDITY

6.1 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

6.2 The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION 7. ORDINANCE IN FORCE

This ordinance shall be in full force and effect from and after the date of April 1, 1987.

SECTION 8. USER CHARGE SYSTEM

This ordinance construed in accordance with the User Charge System, Ordinance Number ~~1984 (57)~~ & of which reference is hereto ~~1984 (57-A)~~

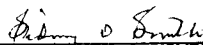
The above Ordinance was first reduced to writing and read and considered by Sections at the regular November 18, 1986, public meeting of the Mayor and Board of Aldermen and on motion duly made for the adoption of said Ordinance and seconded, a vote was taken as follows:

Alderman W. E. Boutwell voted	<u>YES</u>
Alderman W. H. Campbell voted	<u>YES</u>
Alderman Michael V. Lewis voted	<u>YES</u>
Alderman R. L. Hullum voted	<u>YES</u>
Alderman Leroy Scott voted	<u>YES</u>

Thereupon the Mayor declared the Ordinance duly adopted this the 18th day of November, 1986, and declared same to be in full force and effect according to law.

SECTION 12: ORDINANCE IN FORCE

1. This ordinance shall be in full force and effect from and after its passage, approval, recording, and publications as provided by law.


SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:


Priscilla C. Daniel, City Clerk

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 stated that the City has been advised by the City of Hattiesburg, that Estimate #2 on the East Hardy St. Bridge project was in the amount of \$20,598.75 and that the City of Petal's one-third share would be \$6,686.63.

THEREUPON Alderman Boutwell made a motion to pay the City of Hattiesburg \$6,686.63 on Estimate #2. 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 advised the Board of the need for public participation and comments on the City's plans for a BOR grant.

THEREUPON Alderman Campbell made a motion to set a public meeting for Dec. 2, 1986 at 7:00 P.M. 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 a statement for CDBG administration fees in the amount of \$6800.00 from Shows & Dearman.

THEREUPON Alderman Boutwell made a motion to pay Shows & Dearman the \$6800.00 for CDBG administration fees. 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 stated that Mrs. Ocie Wilson has been awarded the Mississippi Library Commission Service Award, and that it would be appropriate to proclaim Thursday, November 20, 1986 as Ocie Wilson Day.

THEREUPON Alderman Boutwell made a motion to proclaim November 20, 1986 as Ocie Wilson Day and to authorize the purchase of a plaque to be presented to Mrs. Wilson. 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 the proration for the month of October was presented to the Board.

WHEREAS Mayor Smith stated that since Christmas falls on a Thursday this year, he would like to request the wishes of the Board concerning giving the City employees a holiday the day after Christmas in lieu of the Memorial Day holiday this year only.

THEREUPON Alderman Lewis made a motion to give the City employees the day after Christmas in lieu of Memorial Day for this budget year only and that the holiday schedule would revert back for the 87-88 budget year. Alderman Scott seconded the motion.

Those present and voting "AYE": W. E. Boutwell

Leroy Scott
R. L. Hullum
Michael Lewis

Those present and voting "NAY": W. H. Campbell

WHEREAS Alderman Lewis stated that the Water Department backhoe has required extensive repairs in the past and in going to require another \$3,000.00 to \$5,000.00 in repairs currently. Therefore he would like for the Board to consider the purchase of a new backhoe for the Water Dept.

THEREUPON Alderman Hullum made a motion to authorize the advertising for bids for a backhoe. 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

THEREUPON Alderman Lewis made a motion to authorize the repairs to the backhoe that are currently a necessity. 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 Alderman Lewis made a motion to authorize the City Clerk to hire a part-time employee to assist in the voter-re-registration if it becomes necessary. Alderman Scott seconded the motion.

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

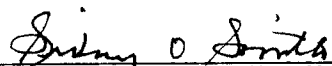
Those present and voting "NAY": None

THEREUPON Alderman Boutwell made a motion to adjourn. 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

There being no further business, the regular meeting of the Mayor and Board of Aldermen was adjourned on this the 18th day of November, A. D., 1986.



 SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:


 PRISCILLA C. DANIEL
 CITY CLERK