

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, April 7, 1987 in the Board Room of said City.

Those present: Mayor Sidney O. Smith  
 Aldermen: W. E. Boutwell  
 W. H. Campbell  
 Leroy Scott  
 R. L. Hullum  
 Michael Lewis  
 City Attorney: Thomas Tyner  
 Others present: Bill Durham  
 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 March 17, 1987 were read by Thomas Tyner.

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

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

Those present and abstaining: Michael Lewis

The minutes of the special meeting of March 31, 1987 were read by Thomas Tyner.

THEREUPON Alderman Campbell made a motion that the foregoing minutes be accepted as read. 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 called for public comment but there was none.

WHEREAS Paul Shows, City Engineer requested the wishes of the Board concerning the rehab of the sewer pipes on Central Ave. and Dawson Cutoff.

THEREUPON Alderman Lewis made a motion to advertise for bids for the installation of Insituform in the sewer pipes on Central Ave. and Dawson Cutoff. 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 Mr. Shows stated that Associated Contractors have asked for an extension of 50 calendar days on their contract, May 4, 1987 due to inclement weather.

THEREUPON Alderman Boutwell made a motion to grant Associated Contractors a 50 day calendar extension from the May 4th deadline, 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 Boutwell made a motion to authorize the Mayor to execute change order # giving Associated Contractors the additional 50 calendar days. 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 Mr. shows stated that Associated Contractors have had to lay additional pipes that were in the plans but not included in the bids.

THEREUPON Alderman Boutwell made a motion to authorize the Mayor to execute a change order to include the additional pipe left out of the bid.

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 a request from Carterville Baptist Church for the City to consider vacating Watts Street which will be used for church property.

THEREUPON Alderman Boutwell made a motion to set the hearing date for abandoning the street for 7:00 P.M., May 5, 1987. 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 a sewer easement from Jerry Holifield.

THEREUPON Alderman Boutwell made a motion to accept the easement and to pay Mr. Holifield \$10.00. 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 proofs of publication:

- 1) Ordinance 1979 (42-A40)
- 2) Ordinance 1980 (46-A)

THEREUPON Alderman Campbell made a motion that the foregoing proofs 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 Mayor Smith presented a zoning change request from Ed and Mary Hancock.

THEREUPON Alderman Boutwell made a motion to set Mr. & Mrs. Hancock's zoning hearing for April 28, 1987 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  
Michael Lewis

Those present and voting "NAY": None

WHEREAS Mayor Smith presented claim numbers 1526 - 1745 of the General Fund.

THEREUPON Alderman Campbell made a motion to pay claim numbers 1526- 1745 of the General Funds. Alderman Boutwell seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented claim numbers 1651 - 1673 of the Water O & M Fund and claim numbers 1648 - 1650 of the Sewer O & M Fund.

THEREUPON Alderman Campbell made a motion to pay claim numbers 1651 - 1673 of the Water O & M and claim numbers 1648 - 1650 of the Sewer O & M Fund. 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 Scott made a motion to adopt the following order hiring Floyd Wigley as a part-time employee in the Recreation Dept. effective 4/1/87 at \$3.35 per hour. Alderman Campbell seconded the motion.

#### ORDER

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

IT IS THEREFORE ORDERED that Floyd Wigley be, and he is hereby employed in the Recreation Department on a part-time basis at a rate of pay of \$3.35 per hour, effective April 1, 1987, 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 April, A.D., 1987

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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

WHEREAS Alderman Campbell made a motion to advertise for bids for the purchase of new uniforms for the Policemen. Alderman Hullum 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 accept Herring Construction's bid of \$139,712.46 for the CDBG Drainage Project and to authorize the Mayor to execute the appropriate contracts. 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 Boutwell presented the following letter from Zollie Stevens, Superintendant of the Street Dept. concerning the suspension of James Sartin.



CITY OF PETAL  
POST OFFICE BOX 564  
PETAL, MISSISSIPPI 39465

SIDNEY O. SMITH  
MAYOR

W. E. BOUTWELL  
W. H. CAMPBELL  
MICHAEL V. LEWIS  
R. L. HULLMAN  
LEROY SCOTT  
ALDERMAN

PRISCILLA C. DANIELS  
CITY CLERK

HENRY BOUNDS  
CHIEF OF POLICE

THOMAS W. TYNER  
CITY ATTORNEY

April 6, 1987

To: Mayor Smith and Board of Alderman

Subject: James Sartin

Please be advised that James Sartin was suspended from work at the close of business on Thursday, April 2, 1987.

James had been cautioned several times for using vulgar language and trying to talk to women. This particular day he cursed another employee (Cab Lambert), caught Cab in the shirt collar, pushing him over and drew his fist back as though he was going to hit him.

This we cannot and will not tolerate from any employee. For this reason James was indefinitely suspended.

Respectfully Submitted,

Z. Stevens, Street Superintendent

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THEREUPON Alderman Boutwell made a motion to concur with Mr. Steven's actions suspending James Sartin effective 4/2/87 and to terminate Mr. Sartin's employment effective that same day and to advise Mr. Sartin of his right to a hearing before the Mayor and Board of Aldermen. 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 Boutwell made a motion to advertise for bids for one (1) 1987 Dump Truck for the Street Department. 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 letter of resignation from Marie NeCaise, interim Deputy City Clerk, effective 4/10/87.

Honorable Mayor and Board of Aldermen  
City of Petal  
Petal, Mississippi 39465

Gentlemen:

Please accept my resignation to become effective Friday, April 10, 1987.

It has been my pleasure to work with each and every one of you. I trust I have made some contributions to the City of Petal.

I would like to be paid for my vacation and any accrued vacation time at date of resignation.

Thank you all for the courtesies that have been extended to me. I will miss being associated with all of you.

Sincerely,

/s/ Marie NeCaise

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WHEREAS Alderman Campbell made a motion to accept Mrs. NeCaise's resignation. Alderman Boutwell seconded the motion.

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

(Alderman Lewis left)

Those present and voting "NAY": None

WHEREAS Mayor Smith presented a request for refund of Homestead Exemption (1985) for Leno and Peggy Parker.

THEREUPON Alderman Boutwell made a motion to refund \$83.62 1985 Homestead to Leno and Peggy Parker on Parcel #61102476-050. 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 EPA request #10 for reimbursement.

THEREUPON Alderman Boutwell made a motion to authorize the Mayor to execute EPA request for reimbursment #10. 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 Tom Tyner presented the following ordinance regulating garage sales.

SEE

NEXT

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## ORDINANCE NO. 1987(69)

AN ORDINANCE TO REPEAL ORDINANCE 1984(58) AND ORDINANCE 1984(58-A) AND TO ESTABLISH A PERMIT REQUIREMENT AND OTHER REGULATIONS OF GARAGE, CARPORT, YARD, OR RUMMAGE SALES WITHIN THE CITY LIMITS OF THE CITY OF PETAL, MISSISSIPPI

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

SECTION 1. ORDINANCES REPEALED

Ordinance 1984(58) and Ordinance 1984(58-A) are hereby repealed.

SECTION 2. SALES PROHIBITED IN COMMERCIAL ZONES

No garage, carport, yard, rummage sales, or other similar sales, shall be permitted within the City of Petal, Mississippi, in any area or on any premises zoned commercial. Garage, carport, yard, rummage sales, or similar sales, will be permitted provided the terms and provisions of this Ordinance are met, in any areas zoned rural fringe, low density residential, low to medium density residential, medium density residential, and high density residential.

SECTION 3. APPLICATION FOR PERMIT

Any person, firm, or corporation, desiring to carry on a garage, carport, yard, rummage sale, or similar sale, must be the occupant or legal owner of the property where the sale is held and shall first make application for such privilege. Such permit when issued shall authorize the sale for a period not to exceed two consecutive days, and no sales shall be allowed on Sunday; no permit shall be valid for a period of more than two (2) weeks. The application, in addition to such other information as the Tax Collector of the City of Petal may require, shall provide the following information:

- (1) Name;
- (2) Address of place of residence; and
- (3) Address of sale, if other than address of place of residence.

SECTION 4. POST PERMIT IN A VISIBLE PLACE

Each permit shall be kept posted in a visible place at the site of the garage, carport, yard, rummage sale, or similar sale. Any officer of the law shall have the right to demand that any person exhibit the permit to him, and failure of the person to so exhibit the permit shall be prima facie evidence that the permit has not been procured.

SECTION 5. ADDITIONAL SALES

No permit for a garage, carport, yard, rummage sale, or similar sale, shall be issued for any one location in the City of Petal, nor to any one person, firm, corporation, or organization, regardless of the location, for more than two (2) such sales during any twelve (12) month period, except by application for an additional permit. The fee for additional permits shall be as follows: For the first additional permit, the sum of \$50.00; for the second additional permit, the sum of \$100.00; for all other additional permits, the sum of \$200.00 for each additional permit. No garage, carport, yard, rummage sale, or similar sale shall start before 8:00 A.M.

SECTION 6: PENALTIES

Any person, firm, corporation, or organization violating the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not more than \$300.00 for each violation.

SECTION 7: EFFECTIVE DATE

Based upon a finding of urgent necessity and circumstances, this Ordinance shall be effective immediately.

SECTION 8: CONSTITUTIONALITY PROVISION

That if any part or provision of this Ordinance is found to be unlawful, or unconstitutional, it will not affect any of the remaining portions or provisions of this Ordinance.

The above and 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 on 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 through 8 of the foregoing

Ordinance:

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

Those present and voting "Nay" or against the adoption of any Section of the foregoing Ordinance:

None

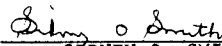
Those present and voting "Aye" and in favor of the adoption of the foregoing Ordinance as a whole:

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

Those 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 7th day of April, A.D., 1987.

  
SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:

  
PRISCILLA C. DANIEL,  
CITY CLERK

THEREUPON Alderman Campbell made a motion to adopt the foregoing ordinance.  
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 Mayor Smith stated it will be necessary to appoint a interim Deputy City Clerk.

THEREUPON Alderman Boutwell made a motion to adopt the following order appointing Melleen Moore as interim Deputy City Clerk effective 4/10/87 until further orders of the Mayor and Board of Aldermen. Alderman Campbell seconded the motion.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to appoint a interim Deputy City Clerk.

IT IS THEREFORE ORDERED that Melleen Moore be and she is hereby appointed as interim Deputy City Clerk effective 4/10/87 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 7th day of April, A.D., 1987

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

Those present and voting "NAY": None

THEREUPON Alderman Campbell made a motion to adjourn. 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

There being no further business, the regular meeting of the Mayor and Board of Aldermen was adjourned on this the 7th day of April, A.D., 1987.

  
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SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:

  
PRISCILLA C. DANIEL  
CITY CLERK

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