

THEREUPON Alderman Campbell made a motion to adjourn. Alderman Scott seconded the motion.

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

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, Ms was adjourned on this the 3rd day of November, A.D., 1987.

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. on November 17, 1987 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
Willie H. Ratliff
Others present: Paul Shows
David Hamm
Lloyd Ward

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

WHEREAS Alderman Campbell made a motion that the minutes be accepted as written. Alderman Boutwell seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith called for public commentbut 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 construction of the concrete sidewalk on Ford Drive. The bids read as follows, to-wit:

Lynn Knight, Sr. \$1.78 per sq. ft.
P.O. Box 267
Mt. Olive, Ms 39119
South Ms. Mechanical \$.1.85 per sq. ft.
P.O. Box 277
Petal, Ms 39465
Bush Construction Co. \$2.49 per sq. ft.
P.O. Box 327
Laurel, Ms 39441

THEREUPON Alderman Boutwell made a motion to take the foregoing bids under advisement. Alderman Campbell seconded the motion.

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

WHEREAS Mayor Smith presented a letter from the Petal Planning Commission recommending that the Board grant Petal United Methodist Church the zoning request to change their property at 419 South Main from R-2 to C-2.

THEREUPON Alderman Boutwell made a motion to adopt the following Ordinance amending the Comprehensive Zoning Ordinance to grant the Petal United Methodist Church their zoning change request. Alderman Scott seconded the motion.

ORDINANCE NUMBER
 1979 (42-A45)
 AN ORDINANCE CHANGING AND AMENDING THE
 COMPREHENSIVE ZONING DISTRICT MAP, ADOPTED
 AS PART OF COMPREHENSIVE ZONING ORDINANCE
 NUMBER 1979 (42) OF THE CITY OF PETAL, MS
 AS AMENDED BY ORDINANCE NUMBERS 1979 (42-1)
 THROUGH 1979 (42-A44) SO AS TO CHANGE THE
 ZONING CLASSIFICATION OF CERTAIN LAND IN
 SAID CITY FROM R-2 (LOW TO MEDIUM RESID-
 ENTIAL) 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, Ms, as amended by Ordinance Numbers
 1979 (42-1) through 1979 (42-A44) be and the same
 is hereby changed and amended as per petition
 filed in connection therewith so that the land
 described as:

A part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, T-4-
 N, R-13-W, in the County of Forrest, State of
 Mississippi and more particularity described as
 follows, to-wit:

Commencing at the SE corner of the said SE $\frac{1}{4}$ of
 NE $\frac{1}{4}$ of said Section Township and Range, and run
 thence North for a distance of 110 yards to the
 point of beginning, run thence West for a distance
 of 70 yards, run thence North for a distance of
 35 yards, run thence East for a distance of 70
 yards, run thence South for a distance of 35 yards
 to the point of beginning.

as per map thereof on file in the office of the
 Chancery Clerk of Forrest County, Ms, 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 No. 1979 (42) of the City of Petal,

Ms., as amended by Ordinance Numbers 1979 (42-
 1) through 1979 (42-A44) 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
 Willie H. Ratliff

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
 Willie H. Ratliff

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 17th day of November, A.D., 1987.

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
 Willie H. Ratliff

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following proofs of publication to the Board:

1) Notice to Bidders - Concrete sidewalk on Ford Drive

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

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented a zoning change request from Robert B. Hollingsworth to rezone property at 128 N. Main from R-2 to C-2.

THEREUPON Alderman Boutwell made a motion to set the public hearing date for December 8, 1987 at 7:00 P.M. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS the proration for the month of October was presented to the Board.

WHEREAS Alderman Boutwell presented the estimates for overlaying the following streets:

Page Drive	\$ 1,932.00
Old Corinth & Hillcrest	17,871.00
Bryant & West Streets	17,008.50
Edwards Street	5,106.00
Forrest Drive	3,829.50
Richton Drive	2,553.00

THEREUPON Alderman Boutwell made a motion to pave the foregoing streets at an estimated cost of \$48,300.00. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Alderman Boutwell made a motion to write a letter to sewer customers with damaged sewer lines indicated by the City's smoke testing giving them 30 days to repair the lines on their property and asking them to notify the City Inspector when the repairs are complete. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS David Hamm, Fire Cheif presented a proposal to the Board for the City to issue burn permits to have open fires within the City.

THEREUPON Mayor Smith stated that this proposal would be taken under advisement.

THEREUPON Alderman Boutwell made a motion to recess until 10:00 A.M., Tuesday November 24, 1987. Alderman Campbell seconded the motion.

There being no further business the regular meeting of the Mayor and Board

Sidney O. Smith

SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:

Priscilla C. Daniel

PRISCILLA C. DANIEL
CITY CLERK

The regular recessed meeting of November 17, 1987 of the City of Petal, Ms. Mayor and Board of Aldermen was called to order on this the 24th day of November, 1987 in the Board Roo, of said City at 10:00 A.M.

Those present Mayor Sidney O. Smith

Aldermen: W. E. Boutwell
W. H. Campbell
Willie Ratliff
Leroy Scott

Others present: Paul Shows

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

WHEREAS the hour of 10:00 A.M. having arrived the Mayor and Board of Aldermen proceeded to open and read the sealed bid for the sale of the 1978 International Sanitation Truck SN# D0512HHB39743. The bid read as follows, to-wit:

Truck Equipment Sales, Inc. \$2,000.00

THEREUPON Alderman Boutwell made a motion to accept Truck Equipment Sales Bid of \$2,000.00. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Paul Shows, City Engineer, after review of the bids for replacement of the sidewalk on Ford Drive received November 17, 1987, recommended that the Board accept Herring Constructions bid of \$1.78 per square feet.

THEREUPON Alderman Boutwell made a motion to award Herring Construction Company the contract for the construction of the sidewalk on Ford Drive. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mr. Shows presented change order #1 to the contract with Herring Construction Company for the construction of the sidewalk, since the City crews will be removing the existing sidewalk the cost per square feet for the contract will be reduced to \$1.54 per sq. feet.

THEREUPON Alderman Boutwell made a motion to authorize the Mayor to execute the change order. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mr. Shows stated that a 8" water line which crosses Central Ave.

dition that a change order be issued to W. T. Construction on the Central Avenue water line replacement contract to perform this work.

THEREUPON Alderman Boutwell made a motion to authorize the Mayor to execute change order #1 with W. T. Construction Company in the amount of \$4,421.00 to lower the water line at Central & George. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the letter from the City Engineer certifying the completion of the Drainage Rehabilitation Project No. CDBG 5-99-112-CD-01.

THEREUPON Alderman Scott made a motion to advertise the Notice to Interested Parties on the completed contract with Herring Construction Co. Alderman Boutwell seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following proof of publication to the Board:

1) Notice of Sale - 1978 International Sanitation Truck

THEREUPON Alderman Boutwell made a motion that the foregoing proof be accepted and filed. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented a tax deed to John McInnis for parcel #61235442-050 which sold at the April 1, 1985 tax sale and matured to him on April 1, 1987.

THEREUPON Alderman Boutwell made a motion to authorize the City Clerk to issue the tax deed to Mr. McInnis. Alderman Campbell seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented a corrected easement from David Cox for the easement at the Charlie Brown Trailer Park on Central Avenue.

THEREUPON Alderman Boutwell made a motion to accept the corrected easement. Alderman Scott seconded the motion.

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

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following Resolution for the City to consent to Panther Vision transferring their franchise rights to Futurevision.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, APPROVING AND CONSENTING TO THE TRANSFER AND ASSIGNMENT OF RIGHTS AND DUTIES OF LICENSEE/FRANCHISEE OF CABLE TELEVISION AND AUDIO COMMUNICATIONS SERVICES UNDER AGREEMENT DATED FEBRUARY 20, 1987, BY AND BETWEEN THE CITY OF PETAL, MISSISSIPPI, AND PANTHER VISION CABLE SYSTEMS, INC.

WHEREAS, at a regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, there came on this date for consideration and determination a request for approval of and consent to a transfer and assignment of all of the rights, powers, privileges, immunities and obligations of Panther Vision Cable Systems, Inc. to operate, conduct and maintain a cable television system in the City of Petal, Mississippi, as set forth in agreement entered into and approved by the Mayor and Board of Aldermen on February 20, 1987, which is recorded and appears of record in Minute Book 9 at pages 435-437, inclusive, in the office of the City Clerk of the City of Petal, Mississippi; and

WHEREAS, said agreement grants unto Panther Vision Cable Systems, Inc., the right for a term of fifteen (15) years from February 20, 1987, to erect, install, construct, reconstruct, replace, remove, repair, maintain and operate lines, wires, cables, conduits, equipment, appliances and other facilities in, under, over, across, along and upon the streets, avenues, highways, sidewalks, bridges and other public ways within the City of Petal, Mississippi, for the purposes of reception, transmission and distribution by cable of television signals, impulses and energy for sale to the residents of said City and to generally engage in the business, services and activities generally known as cable television and audio communications services; and

WHEREAS, representatives of Panther Vision Cable Systems, Inc., have advised the City that Panther Vision Cable Systems, Inc., has requested authority of the Mayor and Board of Aldermen of the City of Petal, Mississippi, for transfer and assignment by Panther Vision Cable Systems, Inc., of all rights, duties, obligations, privileges and immunities under said

agreement unto Futurevision Cable Systems, a Mississippi corporation.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Board of Aldermen of the City of Petal, Mississippi, as follows:

1. That the transfer and assignment by Panther Vision Cable Systems, Inc., to Futurevision Cable Systems, a Mississippi corporation, of all of the rights, duties, obligations, powers, privileges and immunities of Panther Vision Cable Systems, Inc., under said agreement of February 20, 1987, as the same appears of record in Minute Book 9 at Pages 435-437, inclusive, on file in the office of the City Clerk of the City of Petal, Mississippi, be, and the same are hereby, consented to and approved.

2. Futurevision Cable Systems, a Mississippi corporation, shall be substituted for Panther Vision Cable Systems, Inc., as the licensee/franchisee in and under said agreement of February 20, 1987.

3. The Mayor and Board of Aldermen of the City of Petal, Mississippi, hereby recognize the transfer and assignment by Panther Vision Cable Systems, Inc., to Futurevision Cable Systems, a Mississippi corporation, of all rights, duties, obligations, powers, privileges and immunities of Panther Vision Cable Systems, Inc., under, pursuant to, contained in and granted by said agreement of February 20, 1987; and the Mayor and Board of Aldermen of the City of Petal, Mississippi, do hereby impose upon Futurevision Cable Systems, a Mississippi corporation, all of the obligations and liabilities of Panther Vision Cable Systems, Inc., under, pursuant to and by virtue of said agreement of February 20, 1987, as of the effective date of said transfer and assignment by Panther Vision Cable Systems, Inc., to Futurevision Cable Systems, a Mississippi corporation, as set forth in paragraph 4 below.

4. The transfer and assignment of said rights, duties, powers, obligations, privileges and immunities under agreement of February 20, 1987, by Panther Vision Cable Systems, Inc., to

Futurevision Cable Systems, a Mississippi corporation, shall be and become effective immediately upon the filing by Futurevision Cable Systems, a Mississippi corporation, in the office of the City Clerk of the City of Petal, Mississippi, of an instrument, duly executed, reciting that the assignment of Panther Vision Cable Systems, Inc., to Futurevision Cable Systems, a Mississippi corporation, has been duly effected and consummated and that Futurevision Cable Systems, a Mississippi corporation, accepts and agrees to perform all of the terms, provisions and conditions of said agreement of February 20, 1987.

THEREUPON Alderman Boutwell made a motion to adopt the foregoing Resolution. Alderman Scott seconded the motion.

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

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
Willie Ratliff

Those present and voting "NAY": None

Therebeing no further business, the regular recessed meeting of the Mayor and Board of Aldermen was adjourned on this the 24th day of November, A.D.,

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. on December 1, 1987 in the Board Room of said City.

Those present: Mayor Sidney O. Smith

Aldermen: W. E. Boutwell
W. H. Campbell
R. L. Hullum
Willie H. Ratliff
Leroy Scott

Others present: Pat Harrington
Wes Goodwin
Richard Cox
and others

The Mayor declared a quorum present and declared the City Council in session. The invocation was offered by W. E. Boutwell.

WHEREAS Aldermen Boutwell made a motion that the minutes of the regular meeting of November 17, 1987 and the minutes of the recessed meeting of November 24, 1987 be adopted as written. Alderman Scott seconded the motion.

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

Those present and voting "NAY": NOne

WHEREAS Mayor Smith called for public comment.

THEREUPON Pat Harrington of Chain Lighting and appliance, presented to the Mayor and Board of Aldermen a letter explaining a stock reduction sale that will begin immendiately. Mr. Harrington explained that the building they are occupying will not be suitable for their needs after Central Avenue is widened leaving them without parking at the entrance. Therefore Chain's will make a decision after the street project is complete as to what direction they will take with their building.

WHEREAS Wes Goodwin addressed the Board concerning the possibility of having a set rate for the sewer bills instead of the rate based on the water consumption. Mr. Goodwin stated that he is being penalized for watering his yard, gardening, washing cars, etc. because he is paying for sewer usage when the water is not going into the sewer.

THEREUPON Alderman Hullum stated that the City will be considering a break for these activities when the Board feels that it has enough history on the revenues and expenditures of the new system to know if the current rates are adequate to support the system.