

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 on April 4, 1989 at 7:30 P.M. in the Board Room of said City.

Those present: Mayor Sidney O. Smith  
 City Attorney: Thomas Tyner  
 Aldermen: W. H. Campbell  
 Reuben Clepper  
 Willie H. Ratliff  
 Leroy Scott  
 Others present: Claudia Muli  
 and others

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

WHEREAS Alderman Scott made a motion to amend the minutes of March 21, 1989 to delete the reference to the letter from the Planning Commission concerning H. C. Clearman's zoning change and to allow the minutes to refer only to Mr. Clearman's letter requesting that the zoning change request be withdrawn. Alderman Clepper seconded the motion.

Those present and voting "AYE": W. H. Campbell  
 Reuben Clepper  
 Willie H. Ratliff  
 Leroy Scott

Those present and voting "NAY": None

THEREUPON Alderman Scott made a motion to accept the minutes of March 21, 1989 with the aforementioned amendment and the minutes of the Special Meeting of March 31, 1989 as written. Alderman Clepper seconded the motion.

Those present and voting "AYE": W. H. Campbell  
 Reuben Clepper  
 Willie H. Ratliff  
 Leroy Scott

Those present and voting "NAY": None

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 proposals for the administration and preparation of the Community Development Block Grant application. The proposals read as follows, to-wit:

Neel-Schaffer, Inc. P.O. Box 982 Hattiesburg, Ms 39401	Continental Consultants, Inc. 820 North Street Jackson, Ms 39202
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THEREUPON Alderman Clepper made a motion to take the foregoing proposals under advisement. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
 Reuben Clepper  
 Willie H. Ratliff  
 Leroy Scott

Those present and voting "NAY": None

WHEREAS Claudia Muli presented a petition for the residents of the Beverly Hill Subdivision bordering on property owned by David Cox. Mrs. Muli requested that the City require Mr. Cox to clean up the lots where he has cut the timber and left the stumps and limbs and tree tops pursuant to Section 21-19-11. The petition reads as follows, to-wit:

SEE

PETITION

FOLLOWING

PAGE

We the undersigned do petition the Mayor and the Board of Aldermen for assistance in the cleanup of the property belonging to David Cox situated on Mark Dr. and Standone Drive. Mr. Cox has had the land clear out of timber the people he hired left the property in a mess with tree limbs and stumps everywhere. We have asked Mr. Cox if he had any plan to clean the property up - he said he did not, and was not going to do anything. If we didn't like it we could buy the property and clean it up ourselves. Mr. Cox is in violation of his own covenantee he established and filed at the Planning Clerk office. We believe that this problem falls under the jurisdiction of the city due to the Mississippi Code Section 21-19-11 - and we therefore request action from the Mayor and board.

- Claudia Nubi - 126 Sherry Lynn Dr. Petal <sup>544</sup> 7065 <sub>2453</sub>
- Robert J. Nubi - 126 Sherry Lynn Dr. Petal
- Van B. Strahan Jr 201 Oakdown Dr. Petal
- Bobbie L. Strahan ~ 201 Oakdown Dr. Petal

- John Paul Davis 123 Sherry Lynn Dr. Petal
- W. George Thompson 103 Highland Circle Petal
- Kathleen Kelly 107 Highland Cir. Petal
- R. Michael Hill 109 Highland Circle Petal
- Debra M. Hicks 109 Highland Circle Petal
- Robert S. Hill 126 Sherry Lynn Dr. Petal
- Joan Rogers 113 Highland Circle Petal
- Craig Boyman 117 Highland Circle Petal
- Luth Winter 128 Highland Circle Petal
- Phyllis Adams " " " "
- Nick Chance 128 Sherry Lynn Drive Petal
- First Chance " " " "
- Patricia Dumas Bailey 123 Sherry Lynn Dr. Petal, MS. 39465
- Eleanor Eider 107 Skyland Terr. Petal, MS. 39465
- Joy Eide 107 Skyland Terr. PETAL MISS 39465
- Carl E. Johnson 100 Ridgemoor Ln. PETAL, MS. 39465
- Vera W. Johnson 100 Ridgemoor Ln. Petal, MS 39465
- Patsy Ramsey 117 Sherry Lynn Dr. Petal MS. 39465
- Mike Klose 200 Skyland Terrace Petal MS 39465
- Kathy Klose " " " "
- Bobbie Jones 113 Skyland Terr. Petal, MS.
- Barnett Cedotal 111 Skyland Terr. Petal, MS.
- Etzel Cedotal 111 Skyland Terr. Petal, MS.
- Daniel C. Yeager 109 Skyland Terr. Petal, MS.
- Dick Yeager 109 Skyland Terrace Petal MS
- Mary M. Yeager 109 Skyland Terrace Petal, MS.

- Betsy D. Taylor 105 Skyland Terr. Petal, MS
- Diana J. Taylor 105 Skyland Terr. Petal, MS

THEREUPON Mayor SMITH stated that the Aldermen and the City's Fire Inspector will look at the property in question and at the next meeting will determine whether this situation falls under the guidelines set forth in Section 21-19-11.

WHEREAS Mayor Smith presented the following letter from the City Engineers, Shows & Dearman, recommending that the City award the bid for the yard piping modification at Plant "C" to W. T. Construction Co. at a bid price of \$5,736.00.

THEREUPON Alderman Ratliff made a motion to award the bid for the yard piping modification to W. T. Construction Company at a bid price of \$5,736.00 and to authorize the Mayor to execute the contract with W. T. Construction Company.

Alderman Scott seconded the motion.

- Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott
- Those present and voting "NAY": None

WHEREAS Mayor Smith presented the final estimate for Herring Construction Co. for the construction of bathroom facilities at the Petal City Park.

THEREUPON Alderman Scott made a motion to authorize the final payment of \$10,400.00 to Herring Construction company after the Notice to Interested Parties is advertised. Alderman Clepper seconded the motion.

- Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

WHEREAS Mayor SMith presented the following letter from the Petal Planning Commission recommending that the City grant the zoning change request from Robert M. Lowe, Jr. to rezone his property from R-f to R-1.

THEREUPON AldermanCampbell made a motion to adopt the following Ordinance amending the zoning ordinance and to allow the zoning change. AldermanClepper seconded the motion.

ORDINANCE NUMBER 1979 (42-A53)  
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-A52) SO AS TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN LAND IN SAID City FROM R-F (RURAL FRINGE) TO R-1 (LOW 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-A52) 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 SE $\frac{1}{4}$  of Section 31, and part of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 32, all in T-5-N, R-12-W, in the City of Petal, County of Forrest, State of Mississippi, and more particularly described as follows, to-wit:

Commence at the SW corner of the SE $\frac{1}{4}$  of Section 31, T-5-N, R-12-W, in the City of Petal, County of Forrest, State of Mississippi, and run East along the South line of said Quarter for a distance of 863.5 feet to the West margin line of a public road (3 Mile Cutoff); thence run North 25° 24' E along the West margin of public road for a distance of 200 ft. thence run North 21° 45' East along the West margin of public road for a distance of 300 ft; thence run North 23° 33' East along the West margin of public road for a distance of 100 feet; thence N 26° 40' E along the West margin of public road for a distance of 100 feet; thence run N 35° 2' E along the West margin of public road for a distance of 100 feet; thence run N 40° 32' E along the West margin of public road for a distance of 31 feet to the Point of Beginning; from the POB continue N 40° 32' E along the West margin of public road for a distance of 280 feet; thence run N 16° W for a distance of 100 ft; thence run S 82° 38' W for a distance of 185 feet; thence run S 43° 41' W for a distance of 101.7 feet to the Northeast margin of a public drive; thence run in an arc for a radius of 318.6 feet and along said Northeast margin of public drive for a distance of 55 feet; thence continue along said Northeast margin of public drive S 49° 29' E for a distance of 163.4 feet back to the POB and contains 1.0 acres more or less.

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 R-1 (Low 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-A52) 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 Section 1, 2 and 3 of the foregoing Ordinance:

W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY" or against the passage, adoption and approval of Sections 1, 2 and 3 of the foregoing Ordinance:

None

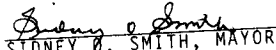
Those present and voting "AYE" and in faovr of the adoption of the foregoing Ordinance as a whole:

W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

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 April, A.D., 1989.

  
SIDNEY B. SMITH, MAYOR

(SEAL)

ATTEST:

  
PRISCILLA C. DANIEL  
CITY CLERK

Publish 1 time: 4/10/89

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mayor Smith presented a letter from the Petal Planning Commission recommending that the City grant the zoning change request from Earnest A. Davis to rezone his property from R-F to R-1.

THEREUPON Alderman Campbell made a motion to adopt the following Ordinance amending the zoning ordinance to allow the zoning change. Alderman Clepper seconded the motion.

ORDINANCE NUMBER 1979 (42-A54)  
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-A53) SO AS TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN LAND IN SAID CITY FROM R-F (RURAL FRINGE) TO R-1 (LOW 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-A53) be and the same is hereby changed and amended as per petition filed in connection therewith so that the land described as:

Parcel #5 Oak Tara - Commence at the SW corner SE $\frac{1}{4}$ , SE $\frac{1}{4}$  Section 31, T-5-N, R-12-W, Forrest County, Ms thence run East along South line of said quarter for 863.5 feet to the West margin line of public road, thence run N 25° 24' E along West margin for 200.00 feet; thence run N 21° 45' E along West margin for 245.0 feet to the point of beginning. From the POB run N 64° 52' W for 238.3 feet; thence run N 25° 08' E for 120.0 feet; thence run S 64° 52' E to the West margin of public road for 233.1 feet; thence run S 23° 33' W along the West margin for 65.0 feet; thence run 521° 45' W along West margin for 55.0 feet back to the POB. Parcel of land is part of the SE $\frac{1}{4}$ , SE $\frac{1}{4}$  Section 31, T-5-N, R-12-W, Forrest County, Ms and contains 0.64 acres more or less.

Commence at the SW corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 31, T-5-N, R-12-W, Forrest County, Ms and run East along the South forty for 584.7 feet; thence run N 25° 08' E for 563.50 feet to and for the POB. From the POB run N 64° 52' W for 250.0 feet; thence run N 25° 08' E for 120.0 feet; thence run S 64° 52' E for 250.0 feet; thence run S 25° 08' W for 120.0 feet back to the POB. Said parcel of land is part of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 31, T-5-N, R-12-W, Forrest County Mississippi and contains 0.69 acres more or less.

as per map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Ms.

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 R-1 (Low 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-A52) 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 Section 1, 2 and 3 of the foregoing Ordinance:

W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY" or against the passage, adoption and approval of Sections 1, 2 and 3 of the foregoing Ordinance:

None

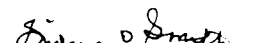
Those present and voting "AYE" and in favor of the adoption of the foregoing Ordinance as a whole:

W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

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 April, A.D., 1989.

  
SIDNEY J. SMITH, MAYOR

(SEAL)

ATTEST:

  
PRISCILLA C. DANIEL  
CITY CLERK

Publish 1 time: 4/10/89

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mayor Smith stated that the City has a sewer problem on Holly Drive and Old Corinth Road. Mayor Smith stated that the sewer lines need to be replaced with larger lines to prohibit the sewer overflow being experienced currently.

THEREUPON Alderman Clepper made a motion to authorize the City Engineers to prepare the plans and specifications for this project and to authorize the City Clerk to advertise for bids upon receipt of the specifications. Alderman Ratliff seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

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

- A) Public Notice - Robert M. Lowe, Jr.
- B) 1988 Tax Sale
- ± C) Validation \$700,000 Refunding Bond Issue
- D) Notice to Bidders CDBG

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

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mayor Smith presented claims numbers 8971 - 9232 of the City of Petal General funds and the City of Petal Water & Sewer Funds.

THEREUPON Alderman Campbell made a motion to pay claim numbers 8971 - 9232 of the City of Petal General funds and the City of Petal Water & Sewer Funds. Alderman Clepper seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Alderman Scott made a motion to award the contract to refurbish and remodel FireHall #1 and to replace the roof on FireHall #1 to Steel Building Enterprises at their bid price of \$27,000.00. Alderman Clepper seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Alderman Clepper made a motion to pay Forrest County \$31,09.53 for the paving of certain streets in Petal pursuant to the Interlocal Agreement entered into between Forrest County and the City of Petal upon receipt of the invoice from Forrest County. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mayor Smith stated that the City of Petal has been awarded a Rental

THEREUPON Alderman Clepper made a motion to authorize the Mayor to execute the contract for the Rental Rehabilitation Grant. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the request for a process payment on Charles Hutson's Rental Rehab Project in the amount of \$4,000.00.

THEREUPON Alderman Clepper made a motion to pay Charles Hutson \$4,000.00 upon the receipt of the funds. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the request from Neel-Schaffer, Inc. for payment in the amount of \$640.00 for 100% of the inspection phase of the Rental Rehab Project #7-99-112-CN-01.

THEREUPON Alderman Clepper made a motion to pay Neel-Schaffer \$640.00 for the inspection phase of Rental REhab Project #7-99-12-CN-01. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following order for Tax Sale cancellation on parcel #516460-050 in the name of Aaron & Darlene Bazor because of a double assessment on the 1986 roll.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal Mississippi deem it necessary to cancel the tax sale on parcel #516460-050 in the name of Aaron and Darlene Bazor due to double assessment.

IT IS THEREFORE ORDERED that cancellation of tax sale on parcel #516460-050 be granted.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal Mississippi on this the 4th day of April, A.D., 1989.

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THEREUPON Alderman Scott made a motion to adopt the foregoing order to cancel the tax sale on the aforementioned parcel. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mayor Smith presented a construction easement on Central Avenue property owned by H. C. Clearman and Mary Alice Smith.

THEREUPON Alderman Scott made a motion to pay H. C. Clearman and Mary Alice Smith \$10.00 for the construction easement.. Alderman Clepper seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Leroy Scott  
Reuben Clepper  
Willie Ratliff

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following sewer easements for property belonging to Jessie Odom and wife, Mildred Lois Odom Simmons Hess and Jessie Odom et al.

THEREUPON Alderman Clepper made a motion to pay each grantor \$10.00 for the sewer easements. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Leroy Scott  
Reuben Clepper  
Willie Ratliff

Those present and voting "NAY": None

WHEREAS Alderman Clepper made a motion to pay all of the expenses which were necessarily incurred during issuance of the \$700,000.00 General Obligation Water & Sewer refunding issue, 1989. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Leroy Scott  
Reuben Clepper  
willie Ratliff

Those present and voting "NAY": None

WHEREAS Alderman Clepper made a motion to authorize the City Clerk to advertise for bids for term contracts on Gasoline, Water & Sewer supplies, Highways & Streets Supplies, Janitorial, Office & Printing Supplies from March 2, 1989 to September, 1989 or until another contract is let. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Leroy Scott  
Reuben Clepper  
Willie Ratliff

Those present and voting "NAY" None

WHEREAS Alderman Clepper made a motion to enter into executive session to discuss pending litigation. Alderman Campbell seconded the motion,

Those present and voting "AYE": W. H. Campbell  
Leroy Scott  
Reuben Clepper  
Willie Ratliff


Those present and voting "NAY": None

THEREUPON Alderman Scott made a motion to adjourn the executive session. Alderman Clepper seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Leroy Scott  
Reuben Clepper  
willie 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 4th day of April, A.D., 1989.

  
SIDNEY D. SMITH, MAYOR

(seal)

Attest:

  
PRISCILLA C. DANIEL  
CITY CLERK