

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 DECEMBER 19, 1989 AT 7:00 PM IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT

MAYOR JACK GAY, JR

CITY ATTORNEY

THOMAS W TYNER

ALDERMAN

REUBEN CLEPPER
JERRY CROWE
BOBBY RUNNELS
LEROY SCOTT

OTHERS PRESENT

RAYMOND DEARMAN
WALTER MEADOR

THE MAYOR DECLARED A QUORUM PRESENT AND DECLARED THE CITY COUNCIL IN SESSION.

THE INVOCATION WAS OFFERED BY BOBBY W RUNNELS.

WHEREAS, ALDERMAN CROWE MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF DECEMBER 5, 1989 BE ACCEPTED AS WRITTEN. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN BOBBY RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY CALLED FOR PUBLIC COMMENT.

THEREUPON, WALTER MEADOWS ADDRESSED THE BOARD CONCERNING THE WATER TREATMENT PROPOSED BY THE BOARD TO ELIMINATE THE DISCOLORATION PROBLEM IN THE WATER SYSTEM. MR MEADOWS REQUESTED THAT THE BOARD CONSIDER ALL AVENUES BEFORE A SUSPENSION SOLUTION IS USED IN THE WATER SUPPLY.

THEREUPON, MAYOR GAY STATED THAT THE FIRM THAT HAS PROPOSED TO CORRECT THE SITUATION WILL BE AT THE JANUARY 2, 1990 BOARD MEETING TO DISCUSS THIS PROBLEM WITH THE BOARD AND MR WALTERS WOULD BE WELCOME TO ATTEND THE MEETING.

WHEREAS, RAYMOND DEARMAN, SHOWS AND DEARMAN, INC., PRESENTED THE FOLLOWING ESTIMATES FOR THE SEWER CONSTRUCTION PROJECTS:

PHASE I - LYNN RAY-LEEVILLE EXTENSION PROJECT - \$223,000

PHASE II - GANDY EXTENSION - \$13,000
BAKER EXTENSION - \$55,000
WATTS EXTENSION - \$22,000

THEREUPON, MAYOR GAY STATED THAT UPON COMPLETION OF THE PLANS AND SPECIFICATIONS THE BOARD WILL REVIEW THE PLANS AND SPECIFICATIONS BEFORE ADVERTISING.

WHEREAS, MAYOR GAY PRESENTED THE ZONING CHANGE REQUEST FROM JAMES STEWART FOR HIS PROPERTY AT 202 SOUTH GEORGE STREET.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO SET THE ZONING HEARING FOR JAMES STEWART FOR JANUARY 9, 1990 AT 7:00 PM. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN BOBBY RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING LETTER FROM THE PETAL PLANNING COMMISSION RECOMMENDING THE ZONING CHANGE REQUESTED BY AVA HOWINGTON FOR THE BRIDGES PROPERTY ON OLD RICHTON ROAD BE DENIED.

THEREUPON, ALDERMAN CROWE MADE A MOTION TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION AND DENY THE ZONING REQUEST MADE BY AVA HOWINGTON. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN BOBBY RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE PLANNING COMMISSIONS RECOMMENDATION TO ADOPT THE AMENDMENT TO SECTION 6.1113 OF THE ORDINANCE 1979(42) TO READ AS FOLLOWS:

SINGLE MOBILE HOME UNITS OR MODULAR HOME UNITS NOT IN MOBILE HOME PARKS

MOBILE HOME UNITS OR MODULAR HOME UNITS PLACED UPON LOTS OUTSIDE OF MOBILE HOME PARKS SHALL COMPLY WITH THE FOLLOWING REGULATIONS:

1. A SINGLE MOBILE HOME UNIT OR MODULAR HOME UNIT ON A PARCEL OF LAND OUTSIDE OF A MOBILE HOME PARK SHALL BE A PERMITTED USE IN THE RF DISTRICT ONLY.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO ADOPT THE FOLLOWING ORDINANCE AMENDING ORDINANCE 1979(42) SECTION 6.1113. ALDERMAN CLEPPER SECONDED THE MOTION.

EXHIBIT "A"

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN BOBBY RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A COPY OF THE LETTER SENT TO ALEXANDER GRADY BRAMLETT, METER READER IN THE WATER DEPARTMENT, NOVEMBER 22, 1989 AND RECEIVED BY MR BRAMLETT ON NOVEMBER 29, 1989 CONCERNING HIS TERMINATION OF EMPLOYMENT AND ADVISING HIM OF HIS RIGHT TO A HEARING IF REQUESTED WITHIN 10 DAYS OF THE RECEIPT OF

THIS LETTER. MAYOR GAY STATED THAT AS OF THIS DATE THE CITY HAS RECEIVED NO RESPONSE FROM MR BRAMLETT AND IT IS HIS RECOMMENDATION THAT MR BRAMLETT'S EMPLOYMENT BE TERMINATED EFFECTIVE DECEMBER 31, 1989.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION THAT DUE TO THE AFOREMENTIONED FACTS MR BRAMLETT'S EMPLOYMENT WITH THE CITY BE TERMINATED EFFECTIVE DECEMBER 31, 1989. ALDERMAN CROWE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

- ALDERMAN REUBEN CLEPPER
- ALDERMAN JERRY CROWE
- ALDERMAN BOBBY RUNNELS
- ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROOFS OF PUBLICATION:

- 1) PUBLIC NOTICE-ZONING HEARING - HOWINGTON
- 2) PUBLIC NOTICE-ZONING HEARING - ORDINANCE AMENDMENT

THEREUPON, ALDERMAN RUNNELS MADE A MOTION THAT THE FOREGOING PROOFS OF PUBLICATION BE ACCEPTED AND FILED. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

- ALDERMAN REUBEN CLEPPER
- ALDERMAN JERRY CROWE
- ALDERMAN BOBBY RUNNELS
- ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, THE REPORT OF REVENUES AND EXPENDITURES FOR THE MONTH OF NOVEMBER WAS PRESENTED TO THE BOARD.

THEREUPON, ALDERMAN CROWE MADE A MOTION TO ACCEPT THE REPORT OF REVENUES AND EXPENDITURES FOR NOVEMBER. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

- ALDERMAN REUBEN CLEPPER
- ALDERMAN JERRY CROWE
- ALDERMAN BOBBY RUNNELS
- ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, CITY ATTORNEY THOMAS W TYNER PRESENTED THE FOLLOWING ORDER NUNC PRO TUNC:

EXHIBIT "B"

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN BOBBY RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, CITY ATTORNEY THOMAS W TYNER PRESENTED THE GROUND LEASE FOR THE 3 YEAR LEASE OF THE OLD LAGOON SITE FOR AGRICULTURAL USE BETWEEN THE CITY OF PETAL AND JOHN DAVIS.

EXHIBIT "C"

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE LEASE. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN BOBBY RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING LETTER FROM FIRE CHIEF HARRY HOOKS RECOMMENDING THE APPOINTMENT OF JIMMY BARDING TO THE HAZARDOUS MATERIAL RESPONSE TEAM.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT CHIEF HOOK'S RECOMMENDATION TO APPOINT JIMMY BARDING TO THE HAZARDOUS MATERIAL RESPONSE TEAM. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN BOBBY RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE REGISTRATION FOR THE MMA MID-WINTER CONFERENCE IN JACKSON, MS. JANUARY 24 & 25, 1990.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION FOR THE CITY OFFICIALS TO ATTEND THE CONFERENCE AND FOR THE CITY TO PAY THE EXPENSES. ALDERMAN CROWE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN BOBBY RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY REQUESTED THE WISHES OF THE BOARD CONCERNING RESERVATIONS AND REGISTRATION FOR THE MMA CONVENTION IN BILOXI ON JUNE 12 - 15, 1990.

THEREUPON, ALDERMAN CROWE MADE A MOTION TO AUTHORIZE THE CITY CLERK TO MAKE THE RESERVATIONS AND REGISTRATIONS FOR THE MMA CONVENTION IN JUNE, 1990. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN BOBBY RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT CHIEF BOUNDS HAS RECOMMENDED THAT MIKE HOWARD, UPON HIS REQUEST, BE RETURNED FROM METRO TO REGULAR DUTY AND THAT MIKE SMITH BE APPOINTED TO METRO DUTY.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO TRANSFER MIKE HOWARD FROM METRO TO REGULAR DUTY AND TO APPOINT MIKE SMITH TO METRO DUTY. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

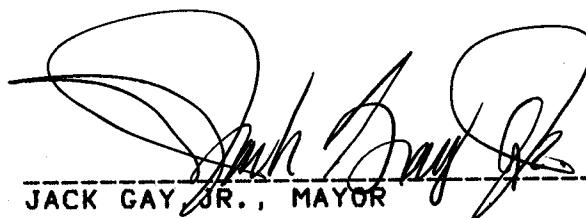
ALDERMAN REUBEN CLEPPER
ALDERMAN JERRY CROWE
ALDERMAN BOBBY RUNNELS
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO ADJOURN. ALDERMAN CLEPPER SECONDED THE MOTION.

THEREBEING NO FURTHER BUSINESS THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN WAS ADJOURNED ON THIS THE 19TH DAY OF DECEMBER, A D , 1989.



JACK GAY JR., MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL
CITY CLERK

EXHIBIT "A"

ORDINANCE 1979 (42-A 60)

ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE 1979 (42) OF THE COMPRE-
HENSIVE ZONING REGULATIONS FOR THE CITY OF PETAL, MISSISSIPPI, AMENDING
SINGLE HOME UNITS OR MODULAR HOME UNITS NOT IN MOBILE HOME PARKS

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

SECTION I. The following article of ordinance 1979 (42) be amended
as follows:

6.113. Single Mobile Home Units or Modular Home Units Not in Mobile
Home Parks. Mobile home units or Modular Home units placed upon lots
outside of mobile home parks shall comply with the following regulations:

1. A single mobile home unit or modular home unit on a parcel of land
outside of a mobile home park shall be a permitted use in the RF (Rural
Fringe) district only.

SECTION II. All ordinances in conflict herewith, be and the same are
hereby repealed.

SECTION III. This ordinance shall take effect and be in full force
from and after its passage.

SECTION IV. That except as amended herein, Ordinance Number 1979 (42)
be and remains in full force and effect.

The above and foregoing ordinance having been reduced to writing, the
same was read and voted upon, first section by section, and then upon the
ordinance as a whole.

Those present and voting "AYE" and in favor of the passage, adoption
and approval of Sections 1, 2, 3 and 4 of the foregoing Ordinance:

Reuben Clepper
Jerry Crowe
Bobby Runnels
Leroy Scott

Those present and voting "NAY" or against any of said Sections of the
foregoing Ordinance:

None

Those present and voting "Aye" and in favor of the passage, adoption
and approval of the ordinance as a whole:

EXHIBIT "B"

ORDER NUNC PRO TUNC

WHEREAS, there came on for consideration the adoption of the municipal budget for the fiscal year 1989 - 1990; and

WHEREAS, the Mayor and Board of Aldermen reviewed the financial status of the Water and Sewer Department, and the bonded indebtedness thereof; and

WHEREAS, pursuant to that certain Bond Resolution adopted by the Mayor and Board of Aldermen of the City of Petal on March 8, 1989, as recorded in Minute Book 10, at pages 385-391, required an appropriate tax levy for payment of the principal and interest on said water and sewer refunding bonds; and

WHEREAS, the Mayor and Board of Aldermen have found, determined, and adjudicated that the revenues of the combined Water and Sewer System are sufficient to pay the financial obligations arising from the operation of the Water and Sewer System, including the payment of the principal and interest of the water and sewer refunding bonds of 1989, without the need nor necessity of making the tax levy as required by said Bond Resolution, it is

ORDERED, that the tax levy required by the Series 1989 Bond Issue in the principal amount of \$700,000.00, be deferred for this fiscal year, and that the obligations of the City to pay principal and interest pursuant to the terms and provisions of the Bond Resolution as found in Minute Book 10 at pages 385-391 be funded from revenues of the combined Water and Sewer System;

IT IS FURTHER ORDERED that the tax levy required by said Bond Resolution, series 1989, in the principal amount of 700,000.00, be deferred until the further actions of the Mayor and Board of Aldermen of the City of Petal, Mississippi, and at until so ordered, the financial obligations of the City to the principal and interest on said bond issue, shall be met through and by the revenues generated from the operation of the Water and Sewer System of the City of Petal, Mississippi;

EXHIBIT "B" CONTINUED

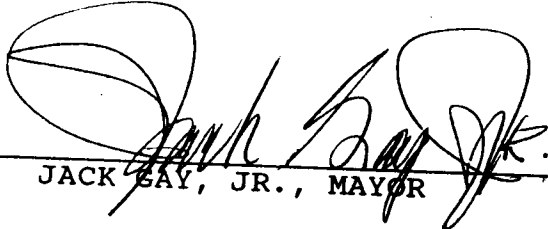
IT IS FURTHER ORDERED that this Order be adopted as the official action of the Mayor and Board of Aldermen of the City of Petal, Mississippi, nunc pro tunc, effective September 5, 1989.

The above and foregoing Order having been presented to the Mayor and Board of Aldermen, Alderman Scott moved the adoption of the Order; Alderman Clepper seconded the motion.

Upon motion duly made, and seconded, the following vote was had:


Alderman Scott voted	<u>Yea</u>
Alderman Runnels voted	<u>Yea</u>
Alderman Clepper voted	<u>Yea</u>
Alderman Rowell voted	<u>Absent</u>
Alderman Crowe voted	<u>Yea</u>

The above and foregoing Order having received a vote of the majority of the Aldermen of the City of Petal, said Order was passed, adopted, and approved, on this, the 19th day of December, 1989.



JACK BAY, JR., MAYOR

ATTEST:



Priscilla Daniel
City Clerk

STATE OF MISSISSIPPI

EXHIBIT "C"

COUNTY OF FORREST

GROUND LEASE

FOR AND IN CONSIDERATION of the mutual promises made between the Lessor, the City of Petal, a municipal corporation, and John Davis, Lessee, the City of Petal does hereby lease to the said John Davis, 43 acres of land, the legal description of which is as follows:

Beg. 660ft S NWC SW $\frac{1}{4}$ NW $\frac{1}{4}$ E 726ft S 330ft
E 500ft S to Leaf River NWLY alg river to
W/L Sec. N 1626ft to Beg. (This includes
pt Blks 1 & 2 Etheridge) S. 012 T.04N R.13W

TERM: The term of this Lease shall be for a period of three years, to begin on January 1, 1990, and to end on December 31, 1992.

PAYMENT: As consideration for the granting of this Lease, the Lessee, John Davis, will pay to the Lessor, the City of Petal, a municipal corporation, the sum of Forty-Three Dollars (\$43.00) per year, said sum to be paid annually, the first payment to be made prior to January 1, 1990, and subsequent payments to be made prior to January 1 of 1991, and January 1 of 1992.

CANCELLATION: Lessor, the City of Petal, reserves the right to cancel this Lease by giving written notice to the Lessee, thirty (30) days prior to the end of each calendar year with no penalty provision; the City of Petal, Lessor, reserves the right to cancel this Lease during a yearly rental period, by giving thirty (30) days' written notice to the Lessee, and refunding to Lessee pro-rata, the annual rental paid in advance.

USE: The property hereby leased by the Lessor to the Lessee, shall be used for agricultural purposes only, and no

EXHIBIT "C" CONTINUED

improvements shall be made to the real property by the Lessor nor shall any of the property be removed from the demised premises by said Lessee.

WITNESS THE SIGNATURES of the Lessor and Lessee on this the _____ day of December, 1989.

CITY OF PETAL, A MUNICIPAL CORPORATION, Lessor

BY: 
JACK GAY, JR., Mayor

JOHN DAVIS, Lessee

JOHN DAVIS

STATE OF MISSISSIPPI
COUNTY OF FORREST

ACKNOWLEDGMENT

Personally came and appeared before me, the undersigned authority, in and for said county and state, Jack Gay, Jr., who after being by me first duly sworn, stated upon his oath that he is the Mayor of the City of Petal, a municipal corporation, and that he is authorized to execute the above and foregoing Lease by the Board of Aldermen of said city, and that he did, for and on behalf of the City of Petal, a municipal corporation, sign and deliver the above and foregoing Ground Lease on the day and date therein set forth.

THIS, the _____ day of December, A.D., 1989.

NOTARY PUBLIC

My Commission Expires:

(Seal)

Lessor's Name, Address,
and Telephone Number:

City of Petal,
P. O. Box 564
Petal, Mississippi 39465
545-1776

Lessee's Name, Address,
and Telephone Number:

