

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 7:00 P.M. ON JUNE 6, 1995 IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT	MAYOR JACK GAY
CITY ATTORNEY	VICKIE LEGGETT IN MR. TYNER'S ABSENCE
ALDERMEN	RAYMOND C. BRANDLE WILLIAM H. CAMPBELL REUBEN CLEPPER LEROY SCOTT SHELBY L. TIMS
OTHERS PRESENT	CHIEF WAYNE MURPHY CHIEF AUBRA EVANS DAN TOLBERT GEORGE GUNTER JIMMY DUKES LI BREWER MARIA DURHAM BILL DURHAM AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY SHELBY TIMS.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING AMENDMENTS TO THE AGENDA:

- 1) TO MOVE ITEM # 3, JUDGE GUNTER ADDRESS THE BOARD, UP TO THE DEPARTMENT HEAD REPORTS
- 2) TO ADD HAZARDOUS WASTE RESPONSE AS NUMBER 18 UNDER GENERAL BUSINESS

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO ADOPT THE FOREGOING AMENDMENTS TO THE AGENDA. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE MINUTES OF MAY 16, 1995 AS WRITTEN. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY CALLED FOR PUBLIC COMMENT, BUT THERE WAS NONE.

WHEREAS, FIRE CHIEF AUBRA EVANS STATED THAT CHRIS HORNICK WILL NOT BE ABLE TO ATTEND THE FIREFIGHTERS CONFERENCE IN TUPELO THIS MONTH AND THAT HE WOULD RECOMMEND THAT SCOTT ROBERTS BE ALLOWED TO TAKE MR. HORNICK'S PLACE AT THE CONFERENCE.

THEREUPON, ALDERMAN CAMPBELL MADE A MOTION TO AUTHORIZE SCOTT ROBERTS TO TAKE MR. HORNICK'S PLACE AT THE FIREFIGHTER'S CONFERENCE THIS MONTH IN TUPELO. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MUNICIPAL JUDGE GEORGE GUNTER ADDRESSED THE BOARD CONCERNING AN ALTERNATIVE SENTENCING PROGRAM THROUGH COURT WATCH, INC. JUDGE GUNTER STATED THAT THIS PROGRAM IS BEING USED IN SEVERAL CITIES IN MISSISSIPPI AND HAS BEEN HIGHLY RECOMMENDED AND WILL COME AT NO COST TO THE CITY.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO AUTHORIZE THE USE OF THIS PROGRAM IN THE PETAL MUNICIPAL COURT. ALDERMAN BRANDLE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A LETTER FROM THE CITY ENGINEER RECOMMENDING THAT THE BOARD REJECT THE BIDS RECEIVED AT THE MAY 16, 1995 FOR THE REPLACEMENT OF THE WATER LINES ON HYLAND DRIVE AND TO READVERTISE THE PROJECT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT THE CITY REJECT ALL BIDS RECEIVED FOR THE REPLACEMENT OF THE WATER LINE ON HYLAND DRIVE AND TO READVERTISE FOR BIDS ON THE PROJECT. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED PRESENTED A RECOMMENDATION TO THE BOARD CONCERNING THE REQUEST OF REV. BILL PROUT FOR THE CITY TO CLEAN-UP DEBRIS LEFT ON THE CHRISTIAN SERVICE PROPERTY AT 210 MITCHELL AVENUE AFTER THE STRUCTURE ON THIS PROPERTY WAS TORN DOWN AND BURNED. MAYOR GAY STATED THAT, AFTER HIS INVESTIGATION OF THE REQUEST AND THE LETTER THAT WAS PRESENTED TO THE BOARD AT THE MAY 16, 1995 MEETING, IT IS HIS RECOMMENDATION TO WRITE MR. PROUT AND TELL HIM THAT IF THE DEBRIS IS MOVED TO THE STREET, THE CITY WILL DISPOSE OF IT, BUT THAT THE CITY WILL NOT COME ONTO PRIVATE PROPERTY TO PICK UP THE DEBRIS.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO AUTHORIZE THE MAYOR TO WRITE REV. PROUT AND EXPLAIN TO HIM THAT THE CITY WILL PICK UP THE DEBRIS AT THE STREET. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY REQUESTED PERMISSION FOR THE STREET DEPARTMENT TO REPLACE THE CULVERT AT 208 NAPOLEON AVENUE.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO REPLACE THE CULVERT AT 208 NAPOLEON AVENUE WITH A 20 FOOT SECTION OF 12 INCH PIPE. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, BILL AND MARIA DURHAM ADDRESSED THE BOARD CONCERNING THE LETTERS THAT THEY HAVE RECEIVED FROM THE CITY CONCERNING THE CLEAN-UP OF AND THE REMOVAL OF THE ILLEGAL VEHICLE ON THEIR PROPERTIES ON SOUTH MAIN STREET. MR. AND MRS. DURHAM PRESENTED PICTURES OF OTHER PROPERTIES IN PETAL WHICH THEY STATED WERE IN WORSE CONDITION THAN THEIR PROPERTY AND THAT THE CITY SHOULD BE PURSUING THE CLEAN-UP OF THE OTHER PROPERTIES ALSO. MRS. DURHAM STATED THAT THEY NOT ONLY OPERATE A SALVAGE OPERATION BUT THEY ARE ALSO IN THE RECYCLING BUSINESS TO RECYCLE PAPER, CARDBOARD AND SCRAP.

WHEREAS, MAYOR GAY PRESENTED A ZONING CHANGE REQUEST FROM HUGH DRAUGHN FOR HIS PROPERTY LOCATED AT 1308 AND 1312 CARTERVILLE ROAD.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO SET THE HEARING DATE FOR JUNE 29, 1995 AT 7:00 P.M. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE RECOMMENDATION FROM THE PLANNING COMMISSION FOR THE BOARD TO GRANT THE ZONING CHANGE REQUESTED BY RON CORMIER ON PROPERTY LOCATED AT 816 OLD RICHTON ROAD FROM R-2 TO C-1 CLASSIFICATION.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO ADOPT THE FOLLOWING ORDINANCE AMENDING THE COMPREHENSIVE ZONING MAP TO REFLECT THE ZONING CHANGE AT 816 OLD RICHTON ROAD FROM R-2 TO C-1 CLASSIFICATION. ALDERMAN CAMPBELL SECONDED THE MOTION.

SEE EXHIBIT "A"

ORDINANCE 1979 (42-A83)

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

WHEREAS, MAYOR GAY STATED THAT ARK LANE FROM THE OLD RICHTON ROAD TO THOMPSON BOULEVARD SHOULD BE DESIGNATED AS A "ONE WAY STREET".

THEREUPON, ALDERMAN CLEPPER MADE A MOTION THAT ARK LANE FROM OLD RICHTON ROAD TO THOMPSON BOULEVARD BE DESIGNATED AS A ONE WAY STREET AND POSTED AS SUCH. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM NEEL-SCHAFFER, INC. THAT EDDIE LOPER BE PAID \$10,493.00 FOR THE PROGRESS PAYMENT ON THE 1994 HOME PARTICIPANT NUMBER M94-SG-28-0158 WILLIAM SMITH PROJECT NUMBER 3319500001.

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT EDDIE LOPER BE PAID \$10,493.00. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED CONTRACT DOCUMENTS BETWEEN THE CITY OF PETAL, MS. AND BUSH CONSTRUCTION COMPANY FOR THE WIDENING, DRAINAGE, OVERLAY, CURB AND GUTTER ON WEST FIRST AVENUE PROJECT # STP-9333(2).

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT DOCUMENTS BETWEEN THE CITY OF PETAL AND BUSH CONSTRUCTION COMPANY. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROOFS OF PUBLICATION TO THE BOARD:

- A) NOTICE OF AUCTION - SURPLUS EQUIPMENT
- B) PUBLIC NOTICE - ZONING REQUEST - RON CORMIER

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A GROUND LEASE BETWEEN THE CITY OF PETAL AND JIMMY DALE ODOM FOR THE LEASE OF THE FOLLOWING PROPERTY:

BET 371.9 FT W SWC SE 1/4 W 100 FT N 200 FT E 100 FT S 200 FT TO BEG SECTION 35 4N RNG 13W

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE LEASE AND TO PAY MR. ODOM \$97.15 FOR THE ONE YEAR LEASE FOR THE AFOREMENTIONED PROPERTY. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING INVOICES FROM NEEL-SCHAFFER, INC.:

- 1) INVOICE # 504579 \$500.00 GENERAL ADMINISTRATION HOME PROGRAM
- 2) INVOICE # 504580 \$2,835.00 HOUSING INSPECTION HOME PROGRAM
- 3) INVOICE # 504584 \$900.00 GENERAL ADMINISTRATION CDBG PROGRAM

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO PAY THE FOREGOING INVOICES TO NEEL-SCHAFFER, INC. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY REQUESTED THAT THE ORDER ADOPTED MAY 16, 1995 HIRING ROBERT BUTTS IN THE WATER DEPARTMENT BE RESCINDED SINCE MR. BUTTS HAD FOUND OTHER EMPLOYMENT.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO RESCIND THE ORDER HIRING ROBERT BUTTS. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER HIRING CARDIC BLACKWELL IN THE WATER DEPARTMENT AT A RATE OF \$5.50 PER HOUR EFFECTIVE JUNE 8, 1995.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE A MAINTENANCE MAN IN THE WATER DEPARTMENT.

IT IS HEREBY ORDERED THAT CARDIC BLACKWELL BE HIRED AT A RATE OF \$5.50 PER HOUR EFFECTIVE JUNE 8, 1995.

SO ORDERED ON THIS THE 6TH DAY OF JUNE, A.D., 1995.

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT FORREST COUNTY HAS BEEN PAYING AN INSTRUCTOR FOR AEROBICS CLASSES THREE DAYS A WEEK FOR THE SENIOR CITIZENS BUT HE HAS BEEN ADVISED BY SUPERVISOR LYNN CARTLIDGE THAT THE COUNTY WILL NO LONGER INCUR THE TOTAL COST OF THIS PROGRAM. MAYOR GAY STATED THAT THE COUNTY HAS AGREED TO PAY \$750 TOWARD THE PROGRAM AND THE CITY WILL BE REQUIRED TO PICK UP AN ADDITIONAL \$1350.00 ANNUALLY FOR THE SENIOR CITIZENS AEROBIC PROGRAM.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PAY FOR THE INSTRUCTOR FOR THE SENIOR CITIZENS AEROBICS CLASSES. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED CLAIMS # 33953-34321 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO PAY CLAIMS # 33953 - 34321 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A TRAVEL REQUEST FROM DAN TOLBERT TO ATTEND THE BUILDING OFFICIALS ASSOCIATION CONFERENCE JUNE 21-24, 1995 IN BILOXI, MISSISSIPPI.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO AUTHORIZE MR. TOLBERT TO ATTEND THE BUILDING OFFICIALS ASSOCIATION CONFERENCE. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING RESOLUTION TO THE BOARD:

SEE EXHIBIT "B"

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL APPROVING AND CONSENTING TO (i) AN EXTENSION OF THE MATURITY DATE OF A PROMISSORY NOTE FROM PINE BELT REGIONAL SOLID WASTE MANAGEMENT AUTHORITY TO TRUSTMARK NATIONAL BANK; (ii) THE EXTENSION OF THE TERM OF A GUARANTY AGREEMENT FROM PERRY AND COVINGTON COUNTIES AND THE CITIES OF LAUREL, HATTIESBURG AND PETAL TO TRUSTMARK NATIONAL BANK; AND (iii) THE EXTENSION OF THE TERM OF A MEMORANDUM OF AGREEMENT AMONG PERRY COUNTY, COVINGTON COUNTY AND THE CITIES OF LAUREL, HATTIESBURG AND PETAL; AND FOR RELATED PURPOSES.

THEREUPON, ALDERMAN TIMS MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE CITY HAS BEEN REQUESTED BY WOODMEN OF THE WORLD TO PROCLAIM JUNE 14, 1995 AS FLAG DAY.

THEREUPON, ALDERMAN TIMS MADE A MOTION TO PROCLAIM JUNE 14, 1995 AS FLAG DAY IN THE CITY OF PETAL. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING RESOLUTION SUPPORTING THE EFFORTS OF THE FORREST COUNTY HUMANE SOCIETY TO REBUILD THEIR ANIMAL SHELTER.

SEE EXHIBIT "C"

RESOLUTION - HUMANE SOCIETY

THEREUPON, ALDERMAN TIMS MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE STREET DEPARTMENT HAS NEED FOR A NEW PICK-UP TRUCK.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ADVERTISE FOR BIDS FOR A NEW 1995 3/4 TON PICK-UP TRUCK. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN TIMS MADE A MOTION TO DONATE \$50.00 TO TRIAD FOR EXPENSES NEEDED FOR A SENIOR CITIZENS SURVEY CONCERNING POLICE PROTECTION IN THEIR COMMUNITY. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY CALLED FOR CITIZENS COMMENT.

THEREUPON, TIM PARKER STATED THAT HE WAS BORN AND RAISED IN PETAL AND THAT THE MATERIALS AND EQUIPMENT ON BILL DURHAM'S PROPERTY PROVIDES HIM WITH THE MEANS OF MAKING A LIVING IN THE CITY OF PETAL AND THAT HE LOVES THE CITY OF PETAL AND LOVES WHAT HE IS DOING AND IF THE CITY SHOULD SHUT MR. DURHAM'S OPERATION DOWN THAT HE WILL HAVE TO GO ELSEWHERE TO MAKE A LIVING AND HE REALLY DOES NOT WANT TO DO THAT.

WHEREAS, MAYOR GAY STATED THAT THE FIRST MEETING IN JULY WILL FALL ON THE 4TH OF JULY AND IN THIS CASE THE STATE CODE READS THAT THE MEETING "SHALL" BE HELD ON THE FOLLOWING DAY.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO HOLD THE FIRST MEETING IN JULY ON WEDNESDAY JULY 5, 1995 AT 5:00 P.M. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT CHIEF MURPHY HAS A PERSONNEL MATTER TO DISCUSS WITH THE MAYOR AND BOARD OF ALDERMEN.

THEREUPON, ALDERMAN CAMPBELL MADE A MOTION TO CLEAR THE ROOM TO DETERMINE WHETHER OR NOT THE BOARD SHOULD DECLARE AN EXECUTIVE SESSION. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO REOPEN THE MEETING. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

THEREUPON, ALDERMAN TIMS MADE A MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE POSSIBLE DEMOTION OF A POLICE OFFICER. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN CLEPPER MADE A MOTION TO HONOR THE RECOMMENDATION OF POLICE CHIEF WAYNE MURPHY AND DEMOTION EMPLOYEE # 6040 FROM SERGEANT TO FIRST CLASS PATROLMAN. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT CITY ATTORNEY THOMAS TYNER WILL BE OUT FOR AN INDEFINITE PERIOD WHILE RECOVERING FROM OPEN HEART SURGERY AND DURING HIS ABSENCE HE WOULD RECOMMEND THAT VICKIE LEGGETT BE APPOINTED AS INTERIM CITY ATTORNEY.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO ADOPT THE FOLLOWING ORDER APPOINTING VICKIE R. LEGGETT AS INTERIM CITY ATTORNEY AT A RATE OF \$200.00 PER MONTH EFFECTIVE IMMEDIATELY. ALDERMAN SCOTT SECONDED THE MOTION.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO APPOINT AN INTERIM CITY ATTORNEY TO ACT IN THE ABSENCE OF CITY ATTORNEY THOMAS W. TYNER DURING HIS CONVALESCENCE FROM OPEN HEART SURGERY.

IT IS HEREBY ORDERED THAT VICKIE R. LEGGETT BE APPOINTED AS INTERIM CITY ATTORNEY AT A RATE OF \$200.00 PER MONTH EFFECTIVE JUNE 1, 1995.

SO ORDERED ON THIS THE 6TH DAY OF JUNE, A.D., 1995.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY STATED THAT THE UNIVERSITY OF MISSISSIPPI WILL BE HOLDING A SEMINAR FOR CITY ATTORNEYS AT THE MISSISSIPPI MUNICIPAL ASSOCIATION CONFERENCE ON THE COAST JUNE 28-29, 1995.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO AUTHORIZE MS. LEGGETT TO ATTEND THE UNIVERSITY OF MISSISSIPPI SEMINAR AND TO PAY HER EXPENSES. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN CLEPPER MADE A MOTION TO ADJOURN. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIAM H. CAMPBELL
ALDERMAN RAYMOND C BRANDLE
ALDERMAN REUBEN CLEPPER
ALDERMAN LEROY SCOTT
ALDERMAN SHELBY L TIMS

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, MISSISSIPPI WAS ADJOURNED ON THIS THE 6TH DAY OF JUNE, A.D., 1995.



JACK GAY
MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL
CITY CLERK

EXHIBIT "A"

ORDINANCE NUMBER 1979 (42-A83)

AN ORDINANCE CHANGING AND AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO 1979 (42) OF THE CITY OF PETAL, MISSISSIPPI, AS AMENDED BY ORDINANCE NUMBERS 1979 (42-1) THROUGH 1979 (42-A82) SO AS TO CHANGE THE ZONING CLASSIFICATION OF SAID SECTIONS OF CERTAIN LAND IN SAID CITY FROM R-2 (LOW TO MEDIUM RESIDENTIAL DISTRICT) TO C-I (NEIGHBORHOOD COMMERCIAL)

Numbers 1979 (42-A82) shall be

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-A82) be and the same is hereby changed and amended as per petition filed in connection therewith so that the land described as listed below. Change of current zoning classification from R-2 (Low to Medium Residential District) to C-I (Neighborhood Commercial) Said land being more particularly described as follow, to wit:

COMMENCE AT A 3/4" IRON PIPE AT THE NE COR OF THE SE 1/4 OF THE NE 1/4 OF SECTION 3 TOWNSHIP 5 NORTH, RANGE 13 WEST, FORREST COUNTY, MISSISSIPPI FOR THE P O B AND RUN S 66' 36' 25" W FOR 380.01 FEET TO A 1/2" REBAR; THENCE RUN N 61' 11' 23" W FOR 74.67 FEET TO A 1/2" REBAR THENCE RUN N 28' 48' 37" E FOR 37.91 FEET TO A 3/4 " IRON PIPE; THENCE RUN N 51' 06' 36" W FOR 36.30 FEET TO A 3/4" IRON PIPE; THENCE RUN N 41' 14' 39" E FOR 22.70 FEET TO A 3/4 " IRON PIPE; THENCE RUN N 51' 25' 03" W FOR 90.22 FEET TO A COTTON SPINDLE; THENCE RUN N 46' 30' 00" E FOR 29.53 FEET TO A COTTON SPINDLE; THENCE RUN S 57' 37' 10" E FOR 64.92 FEET TO A 3/4" IRON PIPE; THENCE RUN EAST FOR 403.50 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS PART OF THE NE 1/4 OF THE NE AND THE SE 1/4 OF THE NE 1/4 ALL BEING IN SECTION 36, TOWNSHIP 5 NORTH, RANGE 13 WEST, FORREST COUNTY, MISSISSIPPI AND CONTAINS 0.85 ACRES, MORE OR LESS.

EXHIBIT "A"

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 C-1 (Neighborhood 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, Mississippi, as amended by Ordinance Numbers 1979 (42-A82) shall be and remain in full force and (SEAL) form as adopted on June 6, 1995.

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 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:

Alderman Raymond C. Brandle
Alderman William H. Campbell
Alderman Reuben Clepper
Alderman Leroy Scott
Alderman Shelby Tims

Those present and voting "NAY" or against the adoption of any section of the foregoing Ordinance.

None

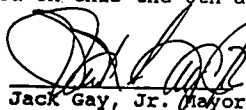
Those present and voting "AYE" and in favor of the adoption of the foregoing Ordinance as a whole:

Alderman Raymond C. Brandle
Alderman William H. Campbell
Alderman Reuben Clepper
Alderman Leroy Scott
Alderman Shelby Tims

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 6th day of June A.D. 1995.


Jack Gay, Jr. Mayor

(SEAL)

ATTEST:


PRISCILLA C. DANIEL
CITY CLERK

publish 1 one time: JUNE 14, 1995

EXHIBIT "B"

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL APPROVING AND CONSENTING TO (i) AN EXTENSION OF THE MATURITY DATE OF A PROMISSORY NOTE FROM PINE BELT REGIONAL SOLID WASTE MANAGEMENT AUTHORITY TO TRUSTMARK NATIONAL BANK; (ii) THE EXTENSION OF THE TERM OF A GUARANTY AGREEMENT FROM PERRY AND COVINGTON COUNTIES AND THE CITIES OF LAUREL, HATTIESBURG AND PETAL TO TRUSTMARK NATIONAL BANK; AND (iii) THE EXTENSION OF THE TERM OF A MEMORANDUM OF AGREEMENT AMONG PERRY COUNTY, COVINGTON COUNTY AND THE CITIES OF LAUREL, HATTIESBURG AND PETAL; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen (the "Board") of the City of Petal, Mississippi (the "City") has heretofore, by resolution dated June 7, 1994, approved interim financing with Trustmark National Bank in an amount not to exceed \$1,500,000 for and on behalf of Pine Belt Regional Solid Waste Management Authority ("Pine Belt");

WHEREAS, in connection with such interim financing, this Board approved the execution of a Guaranty Agreement dated as of June 15, 1994 (the "Guaranty") from Perry County and Covington County and the Cities of Laurel, Hattiesburg and Petal (the "Participating Subdivisions") to Trustmark National Bank securing the debt of Pine Belt;

WHEREAS, the Participating Subdivisions entered into a Memorandum of Agreement dated as of June 15, 1994 (the "Memorandum of Agreement") providing for the repayment of the interim debt of Pine Belt by and among the Participating Subdivisions in the event of failure to pay such debt by Pine Belt;

WHEREAS, Pine Belt's Promissory Note to Trustmark National Bank is due on June 15, 1995 and the extension of such due date is necessary in order for Pine Belt to move forward with obtaining a permit to construct and operate the landfill and incur long term indebtedness to pay the cost of the landfill project and the indebtedness outstanding under Pine Belt's Promissory Note to Trustmark National Bank.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI THAT:

1. This Board consents and approves the extension of Pine Belt's Promissory Note to Trustmark National Bank to June 15, 1996.
2. All subsequent Promissory Notes executed and delivered by Pine Belt and secured by the resolution and the Guaranty Agreement shall mature prior to July 1, 1996.
3. That the term and binding effect of the Guaranty Agreement is hereby extended until July 1, 1996 and this Board hereby acknowledges, consents and agrees that the Guaranty

EXHIBIT "B"

Agreement shall be and remain a legal and binding obligation of the City enforceable in accordance to its terms until July 1, 1996 or until such time as the Promissory Note is paid in full (unless extended in writing by each Participating Subdivision).

4. That the term and binding effect of the Memorandum of Agreement is hereby extended to July 1, 1996 and this Board hereby acknowledges, consents and agrees that the Memorandum of Agreement shall be and remain a legal and binding obligation of the City enforceable in accordance to its terms until July 1, 1996 or until such time as the Promissory Note is paid in full (unless extended in writing by each Participating Subdivision).

5. This resolution is adopted and approved as full satisfaction of the requirements set forth in Section 2.2 of the Guaranty Agreement and Section 1 of the Memorandum of Agreement and except as amended and changed by this resolution with respect to extending the term of each of the Guaranty Agreement and the Memorandum of Agreement to July 1, 1996, and the maturity of Pine Belt's Promissory Note to Trustmark National Bank to June 15, 1996, both of the Guaranty Agreement and Memorandum of Agreement shall remain in full force and effect.


Alderman Shelby Tims moved the adoption of the foregoing resolution. Alderman Leroy Scott seconded the motion.

A roll call vote of all Aldermen present was as follows:

Alderman	<u>Brandle</u>	voted:	<u>Yea</u>
Alderman	<u>Campbell</u>	voted:	<u>Yea</u>
Alderman	<u>Clepper</u>	voted:	<u>Yea</u>
Alderman	<u>Tims</u>	voted:	<u>Yea</u>
Alderman	<u>Scott</u>	voted:	<u>Yea</u>

A majority of the Aldermen present voted in favor of adoption of the resolution and the Mayor declared the resolution approved, this the 6th day of June A.D., , 1995.

CITY OF PETAL, MISSISSIPPI

BY: 
MAYOR

ATTEST:

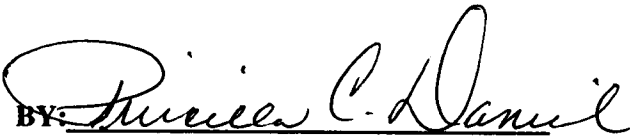
BY: 
CLERK

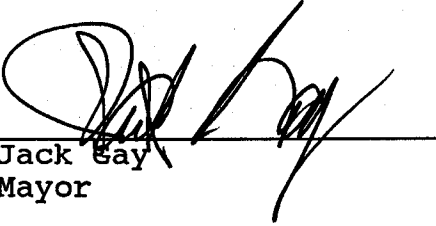
EXHIBIT "C"

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi do hereby recognize the Forrest County Humane Society for the outstanding service they provide to the community, and;

WHEREAS, the Mayor and Board of Aldermen deeply regret the loss, by fire, of the Humane Society's facilities and shelters for the animals they so generously care for, and;

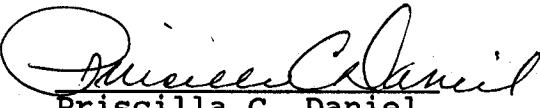
WHEREAS, we do wholeheartedly support the efforts of the Humane Society to raise the necessary funds to replace the loss of the shelter with a new and more up to date facility;

SO BE IT RESOLVED, that the Mayor and Board of Aldermen of the City of Petal on this the 6th day of June 1995, do hereby pledge their support to the Humane Society for construction of a new facility.



Jack Gay
Mayor

Attest:


Priscilla C. Daniel
City Clerk

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