

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 OCTOBER 1, 1996 AT 7:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT	MAYOR JACK GAY
CITY ATTORNEY	THOMAS W. TYNER
ALDERMEN	RAYMOND C. BRANDLE WILLIAM H. CAMPBELL REUBEN CLEPPER LEROY SCOTT SHELBY TIMS
OTHERS PRESENT	FIRE CHIEF AUBRA EVANS CHIEF WAYNE MURPHY DAN TOLBERT MIKE SMITH ED SAULTERS LARRY NOBLES KEITH MOORE THOMAS ETHERIDGE AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY THOMAS W. TYNER.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

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

- ADDITIONS:
- IX. OTHER BUSINESS - B) REFER TO PLANNING COMMISSION FOR CONSIDERATION PAVING OF PARKING AREAS.
  - X. GENERAL BUSINESS - 8) RESIGNATION - ROBBIE DEARMAN
  - XII. ORDERS & ORDINANCES
    - B) PROMOTION OF ANTHONY BRYANT TO 2ND CLASS
    - C) ORDINANCE AMENDING THE SUBDIVISION ORDINANCE

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN BRANDLE MADE A MOTION TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 19, 1996 WITH CORRECTIONS, AS NOTED. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY CALLED FOR PUBLIC COMMENT.

THEREUPON, ED SAULTERS ADDRESSED THE BOARD CONCERNING A DRAINAGE DITCH BY HIS HOUSE.

THEREUPON, LARRY NOBLES ADDRESSED THE BOARD CONCERNING THE BOARD'S FAILURE TO GO FORWARD WITH ANNEXATION. MR. NOBLES ALSO ADDRESSED THE BOARD CONCERNING THE AFTER SCHOOL ENRICHMENT PROGRAM. MR. NOBLES STATED THAT HE WILL LOOSE 13 CHILDREN FROM HIS DAYCARE CENTER AND THAT HE WILL HAVE TO DOWNSIZE HIS STAFF.

THEREUPON, KEITH MOORE REQUESTED A COPY OF THE ANNEXATION FEASIBILITY STUDY.

THEREUPON, THOMAS ETHERIDGE STATED THAT HE WOULD LIKE TO BE CONSIDERED FOR DOING THE DRUG TESTING FOR THE CITY OF PETAL.

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING QUOTATIONS FOR THE STREET SWEEPING FOR CERTAIN STREETS IN THE CITY.

SEE EXHIBIT "A"

HATTIESBURG SWEEPING SERVICE                   \$300. PER MONTH  
P O BOX 17104  
HATTIESBURG, MS.

SOUTHERN LANDSCAPES                           \$360. PER MONTH  
522 OLD RIVER RD  
PETAL, MS. 39465

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO TAKE THE FOREGOING QUOTATIONS UNDER ADVISEMENT. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED HIS VETO FOR THE BOARD'S ACTION OF SEPTEMBER 19, 1996 WHICH GAVE PERCY SCARBROUGH ANOTHER 12 MONTHS TO PAVE HIS PARKING LOT AT HIS USED CAR BUSINESS ON HIGHWAY 11.

SEE EXHIBIT "B"

LETTER - MAYOR GAY

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO OVERRIDE THE MAYOR'S VETO. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

THOSE PRESENT AND VOTING "NAY":

ALDERMAN RAYMOND BRANDLE

THOSE PRESENT AND ABSTAINING:

ALDERMAN WILLIAM H. CAMPBELL

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO REFER TO THE PLANNING COMMISSION FOR THEIR CONSIDERATION THE SECTION OF THE ZONING ORDINANCE WHICH REQUIRES THE PAVING OF THE PARKING AREAS AT COMMERCIAL LOCATIONS. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, JIMMIE DALE ODOM REQUESTED THAT THE BOARD GIVE HIM A ONE (1) YEAR EXTENSION ON THE PAVING OF HIS PARKING AREA AT HIS AUTO SALES BUSINESS ON HIGHWAY 11.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO GIVE MR. ODOM A ONE YEAR EXTENSION ON HIS PARKING AREA. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE INVOICE FROM THE CLYDE C. SCOTT INSURANCE AGENCY FOR PREMIUM FOR THE COMPREHENSIVE INSURANCE ON CERTAIN CITY VEHICLES IN THE AMOUNT OF \$10,750.48.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO PAY THE INSURANCE. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED INVOICE #961067 IN THE AMOUNT OF \$13,757.85 FROM C. J. MORGAN, INC. FOR THE SEWER LINE EXTENSION ON FAIRVIEW DRIVE.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE THE NOTICE OF COMPLETION ON THE AFOREMENTIONED CONTRACT AND AFTER 10 DAYS OF PUBLICATION TO PAY C. J. MORGAN #13,757.85. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE STATEMENT FOR THE QUARTERLY PAYMENT ON THE CITY'S WORKER'S COMPENSATION PREMIUM TO THE MISSISSIPPI MUNICIPAL WORKER'S COMPENSATION POOL IN THE AMOUNT OF \$8,077.50.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PAY \$8,077.50 TO THE MISSISSIPPI WORKER'S COMPENSATION POOL. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENT THE GROUND LEASE FOR THE MARTHA HAMILTON PROPERTY ON FAIRCHILD DRIVE.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO RENEW THE LEASE WITH MRS. HAMILTON AND TO PAY HER \$1,000 FOR THE ANNUAL LEASE. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED CLAIMS # 39844 - 40169 OF THE CITY OF PETAL GENERAL FUNDS AND THE CITY OF PETAL WATER AND SEWER FUNDS.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO PAY CLAIMS # 39844 - 40169. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
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:

- A) RESOLUTION FIXING THE AD VALOREM TAX LEVY ON REAL AND PERSONAL PROPERTY
- B) RESOLUTION AMENDING THE 1995-1996 BUDGET

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

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A LETTER OF RESIGNATION FROM PATROLMAN ROBBIE DEARMAN EFFECTIVE OCTOBER 3, 1996.

THEREUPON, ALDERMAN CAMPBELL MADE A MOTION TO ACCEPT OFFICER DEARMAN'S RESIGNATION. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER PROMOTING FIREMAN ERIC JONES TO FIREMAN 3RD CLASS EFFECTIVE OCTOBER 10, 1996.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY DUE TO THE RECOMMENDATION BY CHIEF EVANS AND THE COMPLETION OF THE REQUIREMENTS TO PROMOTE ERIC JONES TO FIREMAN 3RD CLASS.

IT IS HEREBY ORDERED THAT ERIC JONES'S PAY BE INCREASED TO THE RATE OF \$7.202 PER HOUR EFFECTIVE OCTOBER 10, 1996.

SO ORDERED ON THIS THE 1ST DAY OF OCTOBER, A.D., 1996.

THEREUPON, ALDERMAN CLEPPER MADE A MOTION TO ADOPT THE FOREGOING ORDER PROMOTING ERIC JONES TO FIREMAN 3RD CLASS. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER PROMOTING ANTHONY BRYANT TO PATROLMAN SECOND CLASS EFFECTIVE OCTOBER 13, 1996.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY DUE TO THE RECOMMENDATION OF CHIEF MURPHY AND THE COMPLETION OF THE REQUIREMENTS TO PROMOTE ANTHONY BRYANT TO PATROLMAN 2ND CLASS.

IT IS HEREBY ORDERED THAT ANTHONY BRYANT'S SALARY BE INCREASED TO THE RATE OF \$19,959.32 EFFECTIVE OCTOBER 13, 1996.

SO ORDERED ON THIS THE 1ST DAY OF OCTOBER, A.D., 1996.

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO ADOPT THE FOREGOING ORDER PROMOTING ANTHONY BRYANT TO PATROLMAN 2ND CLASS. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDINANCE AMENDING THE SUBDIVISION ORDINANCE OF THE CITY OF PETAL.

SEE EXHIBIT "C"

ORDINANCE 1991 (75) (A-1)

AN ORDINANCE AMENDING ORDINANCE 1991 (75) PERTAINING TO SUBDIVISION PLATS AND SUBDIVISION REGULATION OF THE CITY OF PETAL, IN ORDER TO ENHANCE AND IMPROVE THE APPLICATION AND ENFORCEMENT OF THE SUBDIVISION REGULATIONS OF THE CITY OF PETAL, MISSISSIPPI, AND FOR RELATED PURPOSES:

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED QUOTATIONS FOR THE REPAIR OF THE ANIMAL CONTROL OFFICER'S VEHICLE.

SEE EXHIBIT "D"

MINTER AUTOMOTIVE MACHINE SHOP 116 STEVENS STREET PETAL, MS. 39465	\$1,317.00
MAIN ST AUTO REPAIR 300 SOUTH MAIN STREET PETAL, MS. 39465	\$1,500.00

THEREUPON, ALDERMAN BRANDLE MADE A MOTION TO AUTHORIZE THE REPAIR TO THE ANIMAL CONTROL OFFICER'S VEHICLE. ALDERMAN CAMPBELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, CITY ATTORNEY THOMAS W. TYNER PRESENTED THE FOLLOWING OCCUPANCY AGREEMENT, WITH CHANGES FROM BILL JONES, ATTORNEY FOR THE PETAL SCHOOL DISTRICT, BETWEEN THE CITY OF PETAL AND THE PETAL SCHOOL DISTRICT FOR THE AFTER SCHOOL ENRICHMENT PROGRAM.

SEE EXHIBIT "E"

OCCUPANCY AGREEMENT WITH CHANGES

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO TAKE THE FOREGOING AGREEMENT UNDER ADVISEMENT. ALDERMAN TIMS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A PLAN FOR THE RE-DESIGN OF THE INTERSECTION OF HIGHWAY 42 AND HIGHWAY 11 PREPARED BY THE MISSISSIPPI STATE HIGHWAY DEPARTMENT.

THEREUPON, AFTER LENGTHY DISCUSSION, THE MAYOR WAS INSTRUCTED TO OBTAIN AN ESTIMATED COST OF INSTALLING FLASHING SIGNALS AT THE STOP SIGNS ON HIGHWAY 11.

WHEREAS, ALDERMAN BRANDLE MADE A MOTION TO RECONSIDER THE VOTE OF THE BOARD ON SEPTEMBER 3, 1996 ON THE RESCINDING OF THE ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF PETAL.

THE MOTION DIED FOR LACK OF A SECOND.

WHEREAS, ALDERMAN SCOTT STATED HE WANTED TO TALK ABOUT TRAILERS. ALDERMAN SCOTT STATED THAT HE WANTS TO DO SOMETHING FOR PEOPLE WHO WOULD LIKE TO BUILD ON TO THEIR TRAILERS.

THEREUPON, CITY ATTORNEY THOMAS W TYNER STATED THAT THE BOARD NEEDS TO DECIDE HOW THEY WANT TO HANDLE THE MATTER EITHER BY VARIANCES THROUGH THE BOARD OF ZONING APPEALS OR BY CHANGING THE ZONING ORDINANCE.

WHEREAS, JIMMIE DALE ODOM STATED THAT EVERYBODY HAS HIS WAY OF THINKING BUT THAT HE IS OPPOSED TO ANNEXATION AND THAT HE DOES VOTE IN PETAL.

WHEREAS, ED SAULTERS STATED THAT SPEED SIGNS NEED TO BE PUT ON OGILSVIE, THAT PEOPLE ARE DRIVING TOO FAST BY THE SCHOOL AND POSSIBLY A SLOW SCHOOL ZONE SHOULD BE PUT IN PLACE.

WHEREAS, ALLEN FLYNT STATED THAT IF A PROFESSIONAL HAS MADE A RECOMMENDATION TO PREVENT ACCIDENTS AT THE HIGHWAY 11 & 42 INTERSECTION IT WOULD BE BETTER TO ACCEPT THE PROFESSIONALS RECOMMENDATION THAN TO LOOK AT THE INCONVENIENCE CAUSED BY THE CHANGES IN THE TRAFFIC FLOW. MR. FLYNT STATED THAT THE BOARD SHOULD BE LOOKING AT THE SAFETY ASPECTS INVOLVED.

WHEREAS, ALDERMAN SCOTT MADE A MOTION TO CLEAR THE ROOM TO DETERMINE IF AN EXECUTIVE SESSION IS NECESSARY. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY REOPENED THE MEETING.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS RELATING TO THE FIRE DEPARTMENT. ALDERMAN CLEPPER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

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

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

NO ACTION WAS TAKEN IN EXECUTIVE SESSION.

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

THOSE PRESENT AND VOTING "AYE":

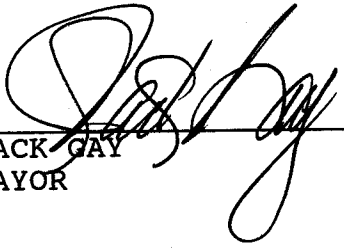
ALDERMAN RAYMOND C. BRANDLE  
ALDERMAN WILLIAM H. CAMPBELL  
ALDERMAN REUBEN CLEPPER  
ALDERMAN LEROY SCOTT  
ALDERMAN SHELBY L TIMS

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 1ST DAY OF OCTOBER, A.D., 1996.

  
\_\_\_\_\_  
JACK GAY  
MAYOR

(SEAL)

ATTEST:

  
\_\_\_\_\_  
PRISCILLA C. DANIEL  
CITY CLERK

Contract with City shall be four months beginning Oct. 1, 1996 and ending September 30, 1997. This contract can be voided upon 30 day written notice by either party

**CITY OF PETAL**

**BILLING: MINUTE BOOK 16**

**PAGE 122**

Invoices shall be submitted to City on monthly basis by the 25th of month. (CITY PAYS BY 10TH ON MONTH)

**EXHIBIT "A"**

**INSURANCE:**

Company must furnish City a copy of certificate of insurance

**CONTRACT PRICE:**

\$ 125 PER SWEEP PER NIGHT ON CENTRAL AVE AND NORTH & SOUTH MAIN STREET (EVERY OTHER WEEK)

\$ 150 PER SWEEP PER NIGHT ON OLD RICHTON ROAD (ONCE MONTHLY)

\$ 50 PER SWEEP PER NIGHT ON WEST FIRST AVENUE (ONCE MONTHLY)

\$ 50 PER SWEEP ON BRIDGE (ON REQUEST)

**NAME OF COMPANY:**

Hattiesburg Sweeping # 300 per month

P.O. Box 17104

Hattiesburg, Ms 39404

*Chuck Walker*  
SIGNATURE

DATE Sept. 20, 1996

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word2 - sweep

**TERM OF CONTRACT:**

Contract with City shall be four months beginning Oct. 1, 1996 and ending September 30, 1997. This contract can be voided upon 30 day written notice by either party

**BILLING:**

Invoices shall be submitted to City on monthly basis by the 25th of month. (CITY PAYS BY 10TH ON MONTH)

**INSURANCE:**

Company must furnish City a copy of certificate of insurance

**CONTRACT PRICE:**

\$ 140<sup>00</sup> PER SWEEP PER NIGHT ON CENTRAL AVE AND NORTH & SOUTH MAIN STREET (EVERY OTHER WEEK)

\$ 75<sup>00</sup> PER SWEEP PER NIGHT ON OLD RICHTON ROAD (ONCE MONTHLY)

\$ 65<sup>00</sup> PER SWEEP PER NIGHT ON WEST FIRST AVENUE (ONCE MONTHLY)

\$ 80<sup>00</sup> PER SWEEP ON BRIDGE (ON REQUEST)

**NAME OF COMPANY:**

Southern Landscapes

522 Old River Rd

Petal, ms 39465

*Robert W. King*  
SIGNATURE

DATE 9-23-96

EXHIBIT "B"

September 18, 1996

To: Board of Aldermen

From: Jack Gay, Mayor

Subject: Extention of exemption of paving car lot located on  
Highway 11

Section 5.56 of Article V of the City of Petal's OFFICIAL ZONING ORDINANCE refers in part to hard-surface parking that we are presently enforcing.

I am sure that when this wording was included in our Zoning Ordinance there was much thought and reasoning for it. I believe that it is more important and applicable today than when it was originally adopted. And eventhough it has been controversial sometimes in the past, you as a board have not deemed it necessary to delete or change any of this section.

However, as we discussed at our last meeting, I feel that parking lots utilized for the sale of used vehicles may need to be revised so that reasonable decisions can be made without having to bring each case before you for an exemption.

Until this is done, I think it is important that we enforce our ordinances as written on the books and therefore I am exercising my right as mayor to veto the action taken at the Sept. meeting which gave an exemption on hard-surfacing the existing property located on Highway 11.

cc:Tom Tyner

ORDINANCE NO. 1991 (75) (A-1)  
EXHIBIT C

AN ORDINANCE AMENDING ORDINANCE 1991 (75) PERTAINING TO SUBDIVISION PLATS AND SUBDIVISION REGULATIONS OF THE CITY OF PETAL, IN ORDER TO ENHANCE AND IMPROVE THE APPLICATION AND ENFORCEMENT OF THE SUBDIVISION REGULATIONS OF THE CITY OF PETAL, MISSISSIPPI, AND FOR RELATED PURPOSES:

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

SECTION 1: Ordinance 1991 (75), and the sections affected, shall be amended to read as follows, to-wit:

Section 202. SCOPE

202.02 All land subdivision of three (3) or more lots or parcels, any one of which has an area less than three (3) acres, either by plat of metes and bounds description for the purpose of transfer of ownership or building development, or regardless of size or number of lots when the dedication or vacation of any street, road, or alley is involved, the lot or parcel has been subdivided previously, or such subdivision would create a lot which could only access any public right of way via an adjacent lot, shall require a plat to be filed with the Mayor and Board of Aldermen. Land subdivision resulting in no more than two (2) lots or parcels, either of which has less than three (3) acres either by plat or metes and bounds description for the purpose of transfer of ownership or building development, shall be permitted without the filing of a plat or the approval of such by the Mayor and the Board of Aldermen, providing that said lot or parcel has not been previously subdivided since the enactment of this amendment, and providing that such subdivision does not require the owner of either of the newly formed lots to access any public right of way via the other newly formed lot.

Section 203. DEFINITIONS

203.01-16 Subdivision - Any division of any tract or parcel of land into three (3) or more lots or parcels any of which has an area of less than three (3) acres, for the purpose, whether immediate or future, of sale or building development. It also includes resubdivision or replatting of land, lots, or tracts. Division of land into parcels of land, lots, or tracts. Division of land into parcels of three (3) acres or more shall not be included within this definition, unless any such division of three (3) acres or more includes the planning or development of a new street or access easement.

203.01-17 Subdivision Review Committee - An official subcommittee made up of three (3) or more members of the Petal Planning Commission. The purpose of which is to review all proposed subdivision material.

SECTION 300. PREAPPLICATION CONFERENCE

300.01 A preapplication conference shall be held with the subdivision review committee, the City Engineer, and the zoning administrator prior to the preparation of the preliminary plat.

SECTION 301. PRELIMINARY PLAT

301.03 Four (4) copies of the preliminary plat with a letter requesting approval shall be submitted initially to the City Clerk. The Clerk will distribute copies to the Subdivision Review Committee and the City Engineer, and the zoning administrator. This data shall be submitted at least

EXHIBIT "C"  
fifteen (15) days prior to the Planning Commission meeting at which it is to be considered.

SECTION 401. STREETS

401.01-02 Local-Streets that are used primarily for access to abutting properties.

Street right-of-way widths shall be as follows:

<u>Type of Street</u>	<u>Minimum Right-of-Way Width</u>
Collector	50 feet
Local	50 feet
Curb and gutter	50 feet
Open ditch	50 feet

401.03 Entire section deleted.

401.04-01

<u>Type of Street</u>	<u>Width of Paved Surface</u>
Collector	26 feet
Local	20 feet
Cul-de-sac	72 feet in diameter
Alley	16 feet
Curb and gutter	27 feet (Back to back of curb)

SECTION 402. MONUMENTS

402.01 All monuments shall comply with the minimum standards for land surveying in the State of Mississippi as outlined by the Mississippi State Board of registration for professional engineers and land surveyors.

402.02 Entire section deleted as presently set out and changed as follows:

All monuments or markers shall be set with the top thereof flush with the finished grade. When necessary to prevent disturbance, the monument shall be sunk underground and referenced to permanent landmarks.

SECTION 406. Lots

406.02 All lots shall comply with the official zoning ordinance of the City of Petal in regards to lot size and building set-back lines.

SECTION 501. Variances

501.01 Entire section deleted as presently set out and changed as follows:

Where the Mayor and Board of Aldermen find that extraordinary hardships may result in strict compliance with these regulations it may grant appropriate variances as may be necessary, provided that such variances will not have the effect of nullifying the intent and purpose of these regulations.

501.02 The Mayor and Board of Aldermen may waive, vary, or modify so that the standards and requirements of these regulations if, in its judgment, an unusual or experimental

SECTION 503. AMENDMENTS

EXHIBIT "C"

The Mayor and Board of Aldermen may from time to time propose and adopt amendments that will tend to increase the effectiveness of these subdivision regulations. The Planning Commission shall have thirty (30) days to review such proposed amendments, after which time the Mayor and Board of Aldermen may choose to adopt or revise such amendments, based on the recommendations of the Planning Commission. If the Planning Commission does not comment within that thirty (30) day period provided, such amendments shall become law.

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 upon the foregoing ordinance as a whole, with the following results:

Those present and voting "Aye" and in favor of the passage, adoption and approval of the proposed changes of the foregoing Ordinance:

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

Those present and voting "Nay" or against the passage, adoption and approval of the proposed changes 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 L. 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 15<sup>th</sup> day of October, A.D., 1996.

  
\_\_\_\_\_  
JACK GAY, JR., MAYOR

(SEAL)

ATTEST:

  
\_\_\_\_\_  
PRISCILLA C. DANIEL  
CITY CLERK

EXHIBIT "D"  
MAIN ST. AUTO REPAIR  
300 S. Main St.  
PETAL, MS. 39465  
(601) 544-8858

Customer's Order No. _____		Date <u>8-14</u> 19 <u>96</u>				
Name <u>Estimate</u>						
Address <u>84 Gold Range</u>						
Phone: _____						
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE REID	PAID OUT
QUAN.	DESCRIPTION		PRICE	AMOUNT		
	<u>Complete Rebuild</u>			<u>1100.00</u>		
	<u>LABOR</u>			<u>300.00</u>		
	<u>oil, belts, hoses, Coolant</u>			<u>100.00</u>		
				<u>1500.00</u>		
AN claims and returned goods MUST be accompanied by this bill.				TAX		
003037 Received By _____				TOTAL		

09-202-3  
PRINTED IN U.S.A.



Thank You

MINTER AUTOMOTIVE MACHINE SHOP  
116 STEVENS STREET  
PETAL, MS 39465

Date 8-13-96  
Name City of Petal Your Order No. \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Make \_\_\_\_\_ Model \_\_\_\_\_ Year \_\_\_\_\_ TERMS \_\_\_\_\_  
Special Instructions \_\_\_\_\_  
Cylinders \_\_\_\_\_ Oversize Rods \_\_\_\_\_ Undersize Main \_\_\_\_\_ Undersize \_\_\_\_\_  
Remarks \_\_\_\_\_

CAUTION  
This work has been completed using the highest grade parts and workmanship.  
CAUTION should be used in assembling and running in.  
CHECK CARBURETOR, as any error must be reported BEFORE ASSEMBLING.

INVOICE NO. \_\_\_\_\_

X	OPERATION	TOTAL	QUAN	PARTS USED	UNIT	TOTAL
	Fit Pins, Align Rods, R & R Rods			<u>Kit 298-500</u>		<u>525.00</u>
	Recondition Rods, Magnaflex, Polish			<u>Buy 2.8 feel block</u>		<u>60.00</u>
	Cleaning, Disassemble			<u>Clean Parts</u>		<u>25.00</u>
	Recondition - Magnaflex Heads			<u>Turn Crank</u>		<u>56.00</u>
	Pressure Test - Install Injector Tubes			<u>Press Pistons</u>		<u>24.00</u>
	Install, Grind Seats			<u>Install Cam bearings</u>		<u>23.00</u>
	Install, Knurlize, Fit Guides			<u>Valve Job</u>		<u>56.00</u>
	Surface Heads, block, Misc.			<u>Mill Heads</u>		<u>43.00</u>
	Bore - Hone Block - Install Sleeves			<u>Grinder in head of feel</u>		<u>56.00</u>
	Align Bore Main - Cam Bearings			<u>Polish</u>		<u>150.00</u>
	Assemble - Install Cam Bearings			<u>LABOR for pulling &amp; installing engine</u>		<u>300.00</u>
	Balance Work - Dynamometer Work					
	Flywheel Grinding					<u>1317.00</u>
	Lathe & Gen. Machining					
	Magnaflex, Grind, - Polish Crankshaft					
	Crankshaft Welding					
	Heat Treat - Straighten					
	OPERATION TOTAL					

In return for and in consideration of the extension of credit on the above bill, the address by the undersigned authorized signatory agrees to pay the same when due and to use the bill for as he authorized by him or demand of an attorney. Further agrees to pay all costs and expenses for making such collection including a reasonable attorney's fee and interest on the bill at the highest legal rate.

OCCUPANCY AGREEMENT

EXHIBIT "E"

THIS AGREEMENT, made and entered into by and between the Petal School District, with added territories, hereinafter referred to as "Landlord" and the City of Petal, a Municipal Corporation, hereinafter referred to as "Tenant" do hereby covenant and agree as follows, to-wit:

1.

That the Tenant wishes to fund, staff, organize, direct, and administer an after school program for certain designated school age children through the Tenant's recreation department.

2.

That Tenant does not have adequate facilities to conduct such programs, and desires to use and occupy certain premises belonging to Landlord and presently designated as W.L. Smith Elementary School.

3.

That Tenant has and maintains liability insurance for all programs sponsored by it through the recreation department which liability insurance will be in full force and effect during the time and upon the premises occupied and utilized by Tenant for conduct of its after school recreation program. Tenant agrees to indemnify and hold harmless the Landlord from any and all claims of any kind, nature and description arising out of or in any way connected with the operation of tenant's after school recreation program as contemplated herein.

4.

That the employees of the Tenant will organize, administer, and direct the program without supervision, direction, or administration provided by Landlord; it being fully understood, that Landlord is only providing the facility at which the program will be conducted, and assumes no responsibility for the conduct or administration of such programs. Tenant agrees to offer such recreational and/or educational activities as are consistent with the age groups of the children identified in the promotional brochure and information packet supplied to Landlord.

5.

That by furnishing and permitting occupancy of its school building, W.L. Smith Elementary School, the Landlord does not assume any liability for any accidents occurring to the participants in the program administered and directed by the Tenant nor are the employees of the Tenant administering and directing said programs to be considered agents, servants, or employees of the Landlord.

6.

It is fully agreed and understood between Landlord and Tenant that Landlord has no legal obligation nor liability to any participant in the activities sponsored by the Tenant, but is merely furnishing occupancy of premises as a courtesy and to assist Tenant in enhancement of its recreational program.

7.

Landlord reserves the right to designate the area or areas at the W.L. Smith Elementary School, which may be used, utilized, and occupied by Tenant, for its recreational programs, and the dates and times when such occupancy may be permitted.

8.

Landlord reserves the right to cancel the Tenant's permission to use, and occupy the designated premises upon ten (10) days written notice to the Mayor of the City of Petal.

WITNESS THE SIGNATURE of the parties by and through their authorized representatives, on this the \_\_\_\_\_ day of \_\_\_\_\_, 1996.

PETAL SCHOOL DISTRICT,  
LANDLORD

BY: \_\_\_\_\_

CITY OF PETAL, A MUNICIPAL  
CORPORATION, TENANT

BY: \_\_\_\_\_