BE IT REMEMBERED THAT THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF PETAL, MISSISSIPPI HELD A BUDGET HEARING FOR THE 1997-98 BUDGET AT 6:00 P.M. ON SEPTEMBER 2, 1997.

THOSE PRESENT

ALDERMEN

MAYOR JACK GAY

WILLIE W. HINTON CHARLES E. HOLBROOK ROBERT F. LANGFORD DONALD H. ROWELL LEROY SCOTT

OTHERS PRESENT

RAYMOND BRANDLE W. H. CAMPBELL

THE MAYOR PRESENTED THE PROPOSED BUDGET FOR 1997-98 FISCAL YEAR.

THE MEETING WAS ADJOURNED.

JAQ MAYOR

(SEAL)

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INTENTIONALLY

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 SEPTEMBER 2, 1997 AT 7:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT

MAYOR JACK GAY

THOMAS W. TYNER

CITY ATTORNEY

ALDERMEN

WILLIE W. HINTON CHARLES E. HOLBROOK ROBERT F. LANGFORD DONALD H. ROWELL LEROY SCOTT

OTHERS PRESENT

CHIEF WAYNE MURPHY MIKE SMITH FIRE CHIEF AUBRA EVANS DAN TOLBERT TED BUCKALEW AND OTHERS

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

THE INVOCATION WAS OFFERED BY DONALD H. ROWELL.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR GAY PRESENTED THE AGENDA WITH THE FOLLOWING AMENDMENTS: ADD:

X. GENERAL BUSINESS

8. TERMINATION OF GARRY FOGLE DELETE:

X. GENERAL BUSINESS

2. JUDGE GEORGE GUNTER

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, ALDERMAN HOLBROOK MADE A MOTION TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF AUGUST 19, 1997 AS WRITTEN. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

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WHEREAS, CITY BUILDING INSPECTOR DAN TOLBERT STATED THAT HE NOW HAS A TITLE OPINION ON THE DALLAS SMITH PROPERTY ON GEORGE STREET AND AFTER ONE LIEN HOLDER IS NOTIFIED OF THE CITY'S INTENT TO DEMOLISH THE BUILDING, THE DEMOLITION OF THE PROPERTY WILL BEGIN.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION THAT THE BUILDING NOT BE BURNED BY THE FIRE DEPT. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

THEREUPON, MAYOR GAY STATED THAT THE STREET DEPARTMENT CREWS WILL BE GIVEN THE OPPORTUNITY TO DEMOLISH THE BUILDING BEFORE THE CITY OBTAINS A CONTRACTOR.

WHEREAS, MAYOR GAY PRESENTED HIS RECOMMENDATION TO THE BOARD CONCERNING THE BID RECEIVED FROM C.J.MORGAN FOR THE SEWER REPAIR AND REPLACEMENT SIX (6) MONTH CONTRACT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE BID FOR THE SEWER REPAIR AND REPLACEMENT FOR A SIX MONTH CONTRACT FROM C.J. MORGAN. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, TED BUCKALEW STATED THAT HE IS IN THE PROCESS OF PURCHASING A HOUSE AND FOUR (4) APARTMENT UNITS ON JACKSON STREET AND THAT HE WOULD LIKE TO REQUEST A WAIVER FOR ONE YEAR OF THE CITY'S REQUIREMENT THAT HE PUT IN A HARD SURFACE FOR THE DRIVEWAY AT THE APARTMENT COMPLEX.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO GIVE MR. BUCKALEW A ONE-YEAR EXTENSION FOR THE PLACEMENT OF THE DRIVE WITH THE YEAR BEGINNING ON THE DATE OF THE CERTIFICATE OF OCCUPANCY. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER INCREASING WAYNE STYRON'S PAY TO \$6.50 PER HOUR UPON COMPLETION OF HIS ONE YEAR ANNIVERSARY ON SEPTEMBER 16, 1997.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY DUE TO THE RECOMMENDATION BY MAYOR GAY AND THE COMPLETION OF HIS ONE YEAR ANNIVERSARY TO INCREASE THE PAY OF WAYNE STYRON.

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IT IS HEREBY ORDERED THAT WAYNE STYRON'S PAY BE INCREASED TO THE RATE OF \$6.50 PER HOUR EFFECTIVE SEPTEMBER 16, 1997.

SO ORDERED ON THIS THE 2ND DAY OF SEPTEMBER, A.D. 1997.

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER HIRING JOE MILSTEAD IN THE STREET DEPARTMENT EFFECTIVE SEPTEMBER 22, 1997.

ORDER

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

IT IS HEREBY ORDERED THAT JOE MILSTEAD BE HIRED AS A LABORER IN THE STREET DEPARTMENT AT A RATE OF \$6.25 PER HOUR EFFECTIVE SEPTEMBER 22, 1997. SO ORDERED ON THIS THE 2ND DAY OF SEPTEMBER, A.D, 1997.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROOFS OF PUBLICATION.

- VARIANCE HEARING LENA SOLEY A)
- NOTICE TO BIDDERS STORM SEWER REPAIR B)
- C)
- ORDINANCE 1997 (89) LOGGING ORDINANCE 1997 (90) MOVING OF BUILDINGS D)
- RESOLUTION AMENDING 96/97 BUDGET E)
- BUDGET AMENDMENTS F)

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

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM BUILDING INSPECTOR DAN TOLBERT THAT A HEARING DATE BE SET FOR PROPERTIES SITED FOR CONDITIONS THAT ARE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY LOCATED AT 102 DIXIE AVENUE AND OWNED BY GEORGE MERRITT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO SET OCTOBER 7, 1997 AT 6:30 P.M. AS THE HEARING DATE TO DETERMINE THE CONDITION OF THE PROPERTY LOCATED AT 102 DIXIE AVENUE. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED CLAIMS # 43915 - 44283 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS TO THE BOARD.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO PAY CLAIMS # 43915 - 44283 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING LETTER CONCERNING THE TERMINATION OF GARRY FOGLE, EMPLOYEE IN THE WATER DEPARTMENT.

SEE EXHIBIT "A"

LETTER

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT UNDER THE CIRCUMSTANCES TO TERMINATE GARRY FOGLE EFFECTIVE FRIDAY, AUGUST 29, 1997. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A TRAVEL REQUEST FROM THE CITY CLERK TO ATTEND THE 1997 ACADEMY FOR ADVANCED EDUCATION AT LAKE TIAK O'KHATA ON OCTOBER 12-15, 1997.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ATTEND THE ACADEMY FOR ADVANCED EDUCATION AND TO PAY HER EXPENSES. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A TRAVEL REQUEST FROM MIKE SMITH RECREATION DIRECTOR, TO ATTEND THE MRPA CONVENTION NOVEMBER 6-8, 1997 IN BILOXI, MS.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION THAT MR. SMITH BE AUTHORIZED TO ATTEND THE MRPA CONVENTION AND TO PAY HIS EXPENSES. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING REQUEST FROM AVA PICKETT TO ATTEND THE CERTIFICATION TRAINING SEMINAR IN HATTIESBURG ON OCTOBER 30-31.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO AUTHORIZE MS. PICKETT TO ATTEND THE CERTIFICATION TRAINING SEMINAR AND TO PAY HER EXPENSES. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A TRAINING REQUEST FOR DALE NUTTING TO ATTEND A WORKSHOP IN HATTIESBURG ON SEPTEMBER 10, 1997 ON THE SUBJECT OF MOTIVATING PUBLIC EMPLOYEES.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO AUTHORIZE MR. NUTTING TO ATTEND THE WORKSHOP AND TO PAY HIS REGISTRATION FEE. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A TRAVEL REQUEST FOR HIMSELF AND THE CITY CLERK TO ATTEND THE MISSISSIPPI MUNICIPAL ASSOCIATION BOARD OF DIRECTORS MEETING IN GREENVILLE, MS. SEPTEMBER 11, 1997.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO ATTEND THE MMA MEETING AND TO PAY THEIR EXPENSES. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A TRAVEL REQUEST FROM CHERI STEWART TO ATTEND THE MUNICIPAL COURT CLERK FALL STATEWIDE SEMINAR ON SEPTEMBER 10-11, 1997.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO AUTHORIZE MS. STEWART TO ATTEND THE MUNICIPAL COURT CLERK SEMINAR AND TO PAY HER EXPENSES. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A TRAVEL REQUEST FOR OFFICER ALVIN MILLER TO ATTEND THE ON SCENE TRAFFIC HOMICIDE INVESTIGATION SCHOOL ON OCTOBER 7-16, 1997 IN PEARL, MS.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION THAT OFFICER MILLER BE AUTHORIZED TO ATTEND THE SCHOOL AND TO PAY HIS EXPENSES. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED A TRAVEL REQUEST FOR JOHN DAVID BASSET TO ATTEND THE 10 WEEK BASIC LAW ENFORCEMENT TRAINING CLASS IN HARRISON COUNTY BEGINNING SEPTEMBER 7, 1997.

THEREUPON, ALDERMEN HOLBROOK MADE A MOTION TO AUTHORIZE JOHN DAVID BASSET TO ATTEND THE BASIC LAW ENFORCEMENT TRAINING CLASS AND TO PAY HIS EXPENSES. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDINANCE AMENDING ORDINANCE 1988 (73-F) PROVIDING AN INCREASE IN COMPENSATION FOR THE MAYOR AND BOARD OF ALDERMEN.

SEE EXHIBIT "B"

ORDINANCE 1988 (73-G)

AN ORDINANCE AMENDING ORDINANCE 1988 (73-F), TO PROVIDE FOR ADDITIONAL COMPENSATION FOR THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDINANCE AMENDING ORDINANCE 1984 (57-E) PROVING FOR AN INCREASE IN THE SEWER TREATMENT CHARGES.

SEE EXHIBIT "C"

ORDINANCE 1984 (57-D)

AN ORDINANCE AMENDING SECTION 14 (A) OF ORDINANCE 1984 (57) OF THE CITY OF PETAL, MISSISSIPPI, SO AS TO CHANGE THE CHARGES FOR THE SEWER USE AND TREATMENT WITHIN THE CITY OF PETAL, MISSISSIPPI, REPEALING SECTION 14 (A) OF ORDINANCE NUMBER 1984 (57) AND FOR RELATED PURPOSES. THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDINANCE AMENDING ORDINANCE 1979 (44-I) INCREASING THE GARBAGE FEES.

SEE EXHIBIT "D"

ORDINANCE 1979 (44-I)

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1979(44-H) TO AMEND THE AMOUNTS TO BE CHARGED FOR COLLECTION AND DISPOSAL OF GARBAGE, TRASH AND FOR RELATED PURPOSES

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE

WHEREAS, CITY ATTORNEY THOMAS W. TYNER STATED THAT HE HAS PREPARED TEMPORARY EASEMENTS WHICH WOULD ALLOW THE CITY TO ENTER ONTO AND TO CORRECT THE DRAINAGE DITCH ON MS. MYRTLE KINNARD AND MS. SHIRLEY COOLEY'S PROPERTY.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE TEMPORARY EASEMENTS FROM MS. KINNARD AND MS. COOLEY. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY":

NONE