

BE IT REMEMBERED THAT THERE IS BEGUN AND HELD THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON JUNE 2, 1998 AT 7:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT

MAYOR JACK GAY

CITY ATTORNEY

THOMAS W. TYNER

ALDERMEN

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

OTHERS PRESENT

CHIEF RODNEY JARRELL  
CAPTAIN ROY JOHNSON  
DR. AND MRS. KIM PUCKETT

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

THE INVOCATION WAS OFFERED BY RODNEY JARRELL.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

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

ADD: X. GENERAL BUSINESS

8. TERMINATION OF EMPLOYEE # 9042 IN THE STREET DEPT.
9. APPOINTMENT OF BOARD MEMBER FOR THE REGIONAL SOLID WASTE AUTHORITY

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. 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, ALDERMAN ROWELL MADE A MOTION TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF MAY 19, 1998 AS WRITTEN. 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 CALLED FOR PUBLIC COMMENT.

THEREUPON, DR. KIM PUCKETT ADDRESSED THE BOARD CONCERNING A DOUBLE-WIDE MOBILE HOME HE HAD RECEIVED A VARIANCE TO PLACE ON THE LOT ADJOINING HIS OFFICE IN 1987 FOR HIS MOTHER-IN-LAW AND FATHER-IN-LAW TO LIVE IN. DR. PUCKETT STATED THAT THEY REMOVED THE AXLES AND TONGUE, ADDED A PORCH AND CARPORT ALL IN AN EFFORT TO MAKE THIS LOOK AS MUCH LIKE A HOUSE AS POSSIBLE. NOW, DR. PUCKETT, STATES THEIR SITUATION HAS CHANGED THE MOTHER-IN-LAW NOW LIVES WITH HE AND HIS WIFE AND THEY HAVE MOVED THEIR OFFICE, THEREFORE, HE NOW HAS AN OPPORTUNITY TO SELL THE OFFICE AND THE LOT WITH THE MOBILE HOME BUT HE NEEDS SOMETHING IN WRITING FROM THE CITY FOR THE PROSPECTIVE BUYER.

THEREUPON, MAYOR GAY STATED THAT THE PROPER ACTION WOULD BE TO PETITION THE BOARD OF ZONING APPEALS FOR ANOTHER VARIANCE TO ALLOW THE MOBILE HOME TO STAY UNDER A NEW OWNER.

WHEREAS, MAYOR GAY PRESENTED THE RECOMMENDATION FROM THE PLANNING COMMISSION TO GRANT THE ZONING CHANGE REQUEST FROM W. T. MCWILLIAMS TO C-2.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION AND TO ADOPT THE FOLLOWING ORDINANCE AMENDING THE COMPREHENSIVE ZONING MAP OF THE CITY OF PETAL. ALDERMAN ROWELL SECONDED THE MOTION.

SEE EXHIBIT "A"

ORDINANCE 1979 42(42-A99)

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 RECOMMENDATION FROM THE PLANNING COMMISSION TO GRANT DICKIE CARPENTER THE ZONING CHANGE REQUESTED FOR HIS PROPERTY ON SOUTH MAIN STREET TO C-2.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE RECOMMENDATION FROM THE PLANNING COMMISSION AND TO ADOPT THE FOLLOWING ORDINANCE AMENDING AND CHANGING THE COMPREHENSIVE ZONING MAP OF THE CITY OF PETAL. ALDERMAN ROWELL SECONDED THE MOTION.

SEE EXHIBIT "B"

ORDINANCE 1979 (42-A100)

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 RECOMMENDATION FROM THE PLANNING COMMISSION TO GRANT THE ZONING CHANGE REQUESTED BY HUBERT AND MARGARET FREEMAN TO CHANGE THEIR PROPERTY TO C-2.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION AND TO ADOPT THE FOLLOWING ORDINANCE AMENDING AND CHANGING THE COMPREHENSIVE ZONING MAP OF THE CITY OF PETAL. ALDERMAN ROWELL SECONDED THE MOTION.

SEE EXHIBIT "C"

ORDINANCE 1979 (42-A101)

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 RECOMMENDATION FROM THE PLANNING COMMISSION FOR THE PROPOSED CHANGE IN ARTICLE VIII. SECTION 1, 8.3 OF THE OFFICIAL ZONING ORDINANCE.

SEE EXHIBIT "D"

RECOMMENDATION - PLANNING COMMISSION

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE FOLLOWING ORDINANCE AMENDING ARTICLE VIII. SECTION 1, 8.3 OF THE ZONING ORDINANCE. ALDERMAN HOLBROOK SECONDED THE MOTION.

SEE EXHIBIT "E"

ORDINANCE 1979 (42-A2)

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 TO THE BOARD:

- A) PUBLIC NOTICE - CLIFFORD AND MARGARET BAYLIS
- B) PUBLIC NOTICE - A. J. MERRITT
- C) PUBLIC NOTICE - MARY YEAGER
- D) PUBLIC NOTICE - HUBERT & MARGARET FREEMAN

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT THE FOREGOING PROOFS OF PUBLICATION BE ACCEPTED AND FILED. 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 STATED THAT THE APPLICATION FOR THE ACCEPTANCE OF PROFESSIONAL PARKWAY BY THE CITY IS NOT COMPLETE IT DID NOT CONTAIN A LEGAL DESCRIPTION OF THE STREET.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO TAKE THIS MATTER UNDER ADVISEMENT UNTIL THE LEGAL DESCRIPTION IS RECEIVED. 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 CLAIMS #47340- #47749 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO PAY CLAIMS # 47340-47749 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS. 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 RECOMMENDATION TO TERMINATE JONATHAN MAY, STREET DEPARTMENT EMPLOYEE # 9042 BECAUSE OF HIS FAILURE TO REPORT FOR DUTY AND FAILURE TO NOTIFY HIS SUPERVISOR.

SEE EXHIBIT "E"

RECOMMENDATION

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ACCEPT MAYOR GAY'S RECOMMENDATION AND TERMINATE JONATHAN MAY EFFECTIVE MAY 29, 1998. 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 STATED THAT HIS TERM ON THE PINE BELT SOLID WASTE AUTHORITY EXPIRES ON JUNE 30, 1998.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO REAPPOINT MAYOR JACK GAY TO ANOTHER TERM ON THE PINE BELT SOLID WASTE AUTHORITY BOARD EFFECTIVE JULY 1, 1998. 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 A REQUEST FOR AVA PICKETT TO ATTEND THE SUMMER SESSION OF THE CERTIFICATION UPDATE ON JULY 23-24, 1998 IN HATTIESBURG, MS.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE MS. PICKETT TO ATTEND THE CERTIFICATION UPDATE AND TO PAY HER EXPENSES. 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 CERTAIN SECTIONS OF THE COMPREHENSIVE ZONING REGULATIONS CONCERNING MANUFACTURED HOMES OR MODULAR HOMES NOT IN A MOBILE HOME PARK.

SEE EXHIBIT "F"

ORDINANCE 1979 (42-A 71)

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE 1979 (42) OF THE COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF PETAL, MISSISSIPPI AMENDING SINGLE MANUFACTURED HOMES, SINGLE MOBILE HOME UNITS OR MODULAR HOME UNITS NOT IN MOBILE HOME PARKS

THEREUPON, ALDERMAN ROWELL 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 RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION OF AN EQUIPMENT LEASE-PURCHASE FOR THE NEW HOLLAND TRACTOR PURCHASED FOR THE STREET DEPARTMENT.

SEE EXHIBIT "G"

RESOLUTION

RESOLUTION AUTHORIZING AND APPROVING EXECUTION  
OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH  
FIRST CONTINENTAL LEASING, A DIVISION OF BANCORPSOUTH  
BANK FOR THE PURPOSE OF LEASE-PURCHASING CERTAIN EQUIPMENT

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ADOPT THE  
FOREGOING RESOLUTION. 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 REQUESTED THAT THE  
BOARD AUTHORIZE THE EXECUTION BY THE MAYOR OF THE CANCELLATION ON A  
DEED OF TRUST ON JOHNNY PEARCE RELEASING LOTS 4 AND 5 OF MAGNOLIA  
PARKS SUBDIVISION, FORREST COUNTY, MISSISSIPPI ON A RENTAL  
REHABILITATION PROJECT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE THE  
MAYOR TO EXECUTE THE CANCELLATION OF THE DEED OF TRUST. 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, UPON REQUEST OF POLICE CHIEF JARRELL, MAYOR GAY  
REQUESTED AN EXECUTIVE SESSION TO DISCUSS POLICE PERSONNEL  
PROBLEMS.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO CLEAR THE ROOM TO  
DETERMINE IF AN EXECUTIVE SESSION IS NEEDED. 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 REOPENED THE MEETING.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS PERSONNEL PROBLEMS RESULTING FROM AN INCIDENT CONCERNING OFFICER KEITH HENRY. 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, ALDERMAN SCOTT MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION. 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

NO ACTION WAS TAKEN IN EXECUTIVE SESSION.

WHEREAS, ALDERMAN LANGFORD MADE A MOTION THAT PURSUANT TO THE CHIEF'S RECOMMENDATION AND AS A RESULT OF THE INCIDENT INVOLVING SERGEANT KEITH HENRY THAT SGT HENRY BE PLACED ON SIX (6) MONTHS PROBATION, REDUCED IN RANK TO PATROLMAN 1ST CLASS IMMEDIATELY AND BE REQUIRED TO SEEK COUNSELING THROUGH THE EMPLOYEE ASSISTANCE PROGRAM. 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

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADJOURN. ALDERMAN HINTON SECONDED THE MOTION.

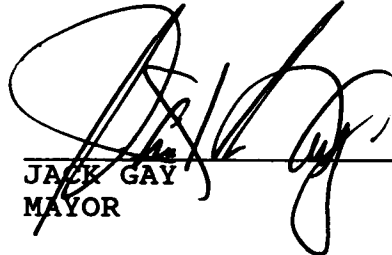
THOSE PRESENT AND VOTING "AYE":

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

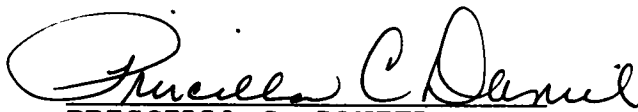
THEREBEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE  
MAYOR AND BOARD OF ALDERMEN WAS ADJOURNED ON THIS THE 2ND DAY OF  
JUNE, A.D., 1998.



JACK GAY  
MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL  
CITY CLERK



EXHIBIT "A"  
ORDINANCE NUMBER 1979 (42-A99)

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-A98) SO AS TO CHANGE THE ZONING CLASSIFICATION OF SAID SECTIONS OF CERTAIN LAND IN SAID CITY FROM R-F (RURAL FRINGE) TO C-2 (GENERAL COMMERCIAL)

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-A98) 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-F (Rural Fringe) to C-2 (General Commercial).

Said land being more particularly described as follow, to wit:

E 3/4 NW 1/4 SE 1/4 LESS 146 X 300 INSW  
COR AND LESS 100 X 150 TO H FAIRHILD AND  
BEGINNING AT NE COR SW 1/4 SE 1/4 W 252  
FT TO RD NE ALG RD TO E LN SW 1/4 SE 1/4  
N TO NE COR SW 1/4 SE 1/4 TO BEG TOTAL  
ACRES: 26.68

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-2 (General Commercial) District.

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-A98) shall be and remain in full force and form as adopted on June 2, 1998.

SECTION 3. That this Ordinance take effect and be in full force from and after its passage as provided by law.

EXHIBIT "A"

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 Willie W. Hinton  
Alderman Charles E. Holbrook  
Alderman Robert F. Langford  
Alderman Donald H. Rowell  
Alderman Leroy Scott

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 Willie W. Hinton  
Alderman Charles E. Holbrook  
Alderman Robert F. Langford  
Alderman Donald H. Rowell  
Alderman Leroy Scott

Those present and voting "NAY" or against the adoption of the foregoing ordinance as a whole:

None

WHEREUPON, the foregoing ordinance be, and the same is hereby passed, adopted and approved on this the 2nd day of June 1998

  
\_\_\_\_\_  
Jack Gay  
Mayor

(SEAL)

ATTEST:

  
PRISCILLA C. DANIEL  
CITY CLERK

publish 1 one time: June 11, 1998

EXHIBIT "B"

ORDINANCE NUMBER 1979 (42-A100)

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-A99) SO AS TO CHANGE THE ZONING CLASSIFICATION OF SAID SECTIONS OF CERTAIN LAND IN SAID CITY FROM R-3 (MEDIUM DENSITY RESIDENTIAL DISTRICT) TO C-2 (GENERAL COMMERCIAL)

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-A99) 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-3 (Medium Density Residential District) to C-2 (General Commercial).

Said land being more particularly described as follow, to wit:

Lot 4 of the T.M. Hamilton S/D  
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-2 (General Commercial) District.

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-A99) shall be and remain in full force and form as adopted on June 2, 1998.

SECTION 3. That this Ordinance take effect and be in full force from and after its passage as provided by law.

EXHIBIT "B"

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 Willie W. Hinton  
Alderman Charles E. Holbrook  
Alderman Robert F. Langford  
Alderman Donald H. Rowell  
Alderman Leroy Scott

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 Willie W. Hinton  
Alderman Charles E. Holbrook  
Alderman Robert F. Langford  
Alderman Donald H. Rowell  
Alderman Leroy Scott

Those present and voting "NAY" or against the adoption of the foregoing ordinance as a whole:

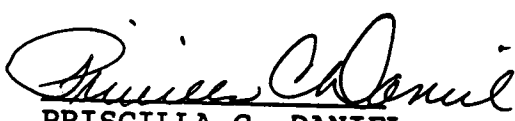
None

WHEREUPON, the foregoing ordinance be, and the same is hereby passed, adopted and approved on this the 2nd day of June 1998.

  
\_\_\_\_\_  
Jack Gay  
Mayor

(SEAL)

ATTEST:

  
PRISCILLA C. DANIEL  
CITY CLERK

publish 1 one time: June 11, 1998

EXHIBIT "C"  
ORDINANCE NUMBER 1979 (42-A101)

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-A100) SO AS TO CHANGE THE ZONING CLASSIFICATION OF SAID SECTIONS OF CERTAIN LAND IN SAID CITY FROM R-I ( LOW DENSITY RESIDENTIAL DISTRICT) TO C-2 (GENERAL COMMERCIAL)

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-A100) 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-I ( Low Density Residential District) to -2 (General Commercial).

Said land being more particularly described as follow, to wit:

Lot 8 Indian Springs S/D

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-2 (General Commercial) District.

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-A100) shall be and remain in full force and form as adopted on June 2, 1998.

SECTION 3. That this Ordinance take effect and be in full force from and after its passage as provided by law.

EXHIBIT "C"

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 Willie W. Hinton  
Alderman Charles E. Holbrook  
Alderman Robert F. Langford  
Alderman Donald H. Rowell  
Alderman Leroy Scott

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

None

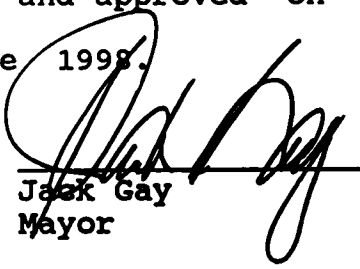
Those present and voting "AYE" and in favor of the adoption of the foregoing Ordinance as a whole:

Alderman Willie W. Hinton  
Alderman Charles E. Holbrook  
Alderman Robert F. Langford  
Alderman Donald H. Rowell  
Alderman Leroy Scott

Those present and voting "NAY" or against the adoption of the foregoing ordinance as a whole:

None

WHEREUPON, the foregoing ordinance be, and the same is hereby passed, adopted and approved on this the 2nd day of June 1998.

  
\_\_\_\_\_  
Jack Gay  
Mayor

(SEAL)

ATTEST:

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

publish 1 one time: June 11, 1998

EXHIBIT "D"

May 28, 1998

Minutes of the public hearing held on May 28, 1998, at 8:00 P.M., with the Planning Commission to discuss proposed changes in the definition of parking spaces of the official zoning ordinance in Article V. 5.56.

Committee members present:

Earl Lee  
Pat Ware  
Rachel McKenzie  
Verna Smith  
E. R. Myrick  
Bud Crosby

Others Present:

Dan Tolbert

The meeting was called to order by Mrs. Smith. There was no public present. Dan Tolbert explained that the existing ordinance was for paved surface which was very costly and restrictive for most businesses and suggested that this amendment change be made to allow Clay gravel surface parking. The committee agreed, however, they did want clarification on the Class 4, Group "B" clay gravel as specified in the MS State-Aid Specification Book and asked Dan Tolbert to contact the City Engineer for this information. Rachel McKenzie made a motion to recommend to the Board of Aldermen this amendment change, the motion was seconded by Mr. Grady Crosby, the vote was unanimous.

Verna Smith  
Chairman



CITY OF PETAL

POST OFFICE BOX 564  
PETAL, MISSISSIPPI 39465  
(601) 545-1776  
Fax No. (601) 545-6685

JACK GAY  
MAYOR

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

PRISCILLA C. DANIEL  
CITY CLERK

THOMAS W. TYNER  
CITY ATTORNEY

AMENDMENT TO ORDINANCE 1979 (42-A1)  
SECTION 1, 8.3

Automotive vehicles, trailers, manufactured homes & etc., offered for sale/lease on new or used dealer lots shall not be required to park on spaces described in Article V, 5.56 (definition of parking space) of the official zoning ordinance.

However, the area where automotive vehicles, trailers, manufactured homes & etc. are parked, shall be a prepared surface using Class 4, Group "B" Clay Gravel as specified in the MS State-Aid Specification Book or other similar materials that has been prior approved by the City Building Inspector and/or City Engineer.

All other spaces for customer and employee parking, access areas to sales offices and etc. shall comply with Article V, 5.56. Any access to public street or rights-of-way shall be from hard surfaces as described in Article V, 5.56. No access shall be allowed from the the prepared surface used for parking.

The areas in which the automotive vehicles, trailers, manufactured homes & etc. offered for sale or lease shall be neatly maintained at all times.

EXHIBIT "E"

ORDINANCE 1979 (42-A2)

AN ORDINANCE AMENDING THE COMPREHESIVE ZONING ORDINANCE FOR THE CITY OF PETAL, MISSISSIPPI, TO ADD AN ADDITIONAL SECTION TO SAID ORDINANCE TO PROHIBIT THE PARKING OR STORING OF AUTOMOBILES OR TRAILERS WITHOUT CURRENT LICENSE PLATES, MAKING EXCEPTIONS THERETO AND ESTABLISHING AN EFFECTIVE DATE THEREFORE

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

SECTION 1. That Ordinance 1979 (42) be amended by adding to said Ordinance and making a part thereof the following:

8.3 Parking of Automotive Vehicles or Trailers

Automotive vehicles or trailers of any kind not in operable condition and/or without current license plates shall not be parked or stored on any property within the City of Petal, except on property holding a permit from the municipal authorities of the City of Petal for the operation of a junk yard as defined in Section 5.36 of this Ordinance.

However, in the case of new and/or used car dealers, not more than 10 wrecked vehicles used for parts or to be rebuilt, may be kept on the dealers lot provided they are behind the principle building used for sales and totally out of the public view. Any question as to what constitutes out of the public view shall be determined by the City Building Official.

The intent of this Ordinance is to prohibit new and/or used car dealers from becoming or appearing to become a junk yard.

Automotive vehicles, trailers, manufactured homes and etc., offered for sale/lease on new or used dealer



EXHIBIT "E"

lots shall not be required to park on spaces described in Article V, 5.56 (definition of parking space) of the official zoning ordinance.

However, the area where automomotive vehicles, trailers, manufactured homes & etc. are parked, shall be a prepared surface using Class 4, Group "B" Clay Gravel as specified in the MS State-Aid Specification Book or other similar materials that has been prior approved by the City Building Inspector and/or City Engineer.

All other spaces for customer and employee parking, access areas to sales offices and etc. shall comply with Article V, 5.56. Any access to public street or rights-of-way shall be from hard surfaces as described in Article V, 5.56.

The areas in which the automotive vehicles, trailers, manufactured homes & etc. offered for sale or lease shall be neatly maintained at all times.

The above and foregoing ordinance amending Ordinance 1979 (42-A) SECTION 1, 8.3 Parking of Automotive Vehichles or Trailers, 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 Section I, amendment of the foregoing Ordinance:

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

Those present and voting "NAY" or against the passage, adoption, and approval of Section 1 amendment of the foregoing Ordinance:

NONE

EXHIBIT "E"

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

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

Those present and voting "NAY" or against the adoption of the foregoing Ordinance as a whole:

NONE

WHEREUPON, the foregoing Ordinance be and the same is hereby passed, adopted and approved on this the 2nd day of June, A.D., 1998.

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

(SEAL)

ATTEST:

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

EXHIBIT "F"



## CITY OF PETAL

POST OFFICE BOX 564  
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Fax No. (601) 545-6685

JACK GAY  
MAYOR

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

PRISCILLA C. DANIEL  
CITY CLERK

THOMAS W. TYNER  
CITY ATTORNEY

June 2, 1998

To: Board of Aldermen  
From: Jack Gay, Mayor  
Subject: Employee termination

Jonathan May, Street Dept. employee #9042 failed to show for work Monday, 6/1/98 and Tuesday, 6/2/98 and did not call or report what the problem was. This is the second time that it occurred. We accepted his first excuse being an emergency with expecting wife. Last week he brought an emergency room excuse for being absent the day after a holiday.

We are recommending termination effective Friday, May 29, 1998.

Thanks for your consideration.

EXHIBIT "G"

ORDINANCE 1979 (42-A 71)

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE 1979 (42) OF THE COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF PETAL, MISSISSIPPI AMENDING SINGLE MANUFACTURED HOMES, SINGLE MOBILE 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:

6.111 Statement of Intent.

The purpose of this Section is for the establishment of areas within Petal, Mississippi, for the development and expansion of mobile home parks. Furthermore, this article provides for the placement of single manufactured home or mobile home units in the rural fringe district only. These individual home sites and mobile home parks shall be developed and located so as to provide safe and sanitary living conditions for the occupants and to be convenient to employment, shopping centers, schools, and other community facilities.

SECTION II. That the following article of Ordinance 1979 (42) be amended as follows:

6.113 Single Manufactured Homes or Mobile Home Units or Modular Home Units Not in Mobile Home Parks Manufactured Homes, Mobile Home Units or Modular Home Units existing upon parcels of land outside of mobile home parks shall comply with the following regulations:

1. Mobile Home Units or Modular Home Units presently existing, in Rural Fringe only, may continue as a non-conforming use, even on change of ownership, or occupancy. However, no replacement of presently existing Mobile Home

EXHIBIT "G"

Units or Modular Home Units in Rural Fringe will be permitted unless they meet the requirements of #2 Below.

2. Placement of Manufactured Homes in Rural Fringe only shall meet the following requirements:

A. FOUNDATION

The home must be placed on a permanent foundation that complies with the City's building code for residential structures.

The hitch, axles, and wheels must be removed.

B. LANDSCAPING

The lot must be landscaped to ensure compatibility with surrounding properties and provide proper drainage away from the home.

C. EXTERIOR COVERING

The home must be covered with an exterior material customarily used on conventional dwellings to the satisfaction of the Building Department. The exterior covering material shall extend to the ground except that, when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.

Exterior siding cannot have a high-gloss finish and must be residential in appearance, including, but not limited to clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, shakes, or similar material, but excluding smooth, ribbed, or corrugated metal or plastic panels.

Color or texture of exterior materials shall be compatible with the adjacent single-family structures.

D. ROOF

The roof must be constructed of shingles or other material customarily used for conventional dwellings that is residential in appearance, including, but not limited to, approved wood, asphalt composition shingles or fiberglass.

EXHIBIT "G"

The roof must be pitched so there is at least a three-inch vertical rise for each 12 inches of horizontal run.

The roof overhang must not be less than one foot measured from the vertical side of the mobile home. When carports, garages, porches, or similar structures are attached as an integral part of the mobile home, the City may waive the eaves requirement.

E. GARAGE

A garage or carport is required. The external material and roofing of the garage or carport must be the same as that of the dwelling unit.

F. SQUARE FOOTAGE

The minimum square footage of the heated area shall be 950 feet.

G. SET BACK REQUIREMENTS

The unit shall be set back a minimum of 500 feet from any property line of parcels zoned R-1, R-2, R-3, R-4, C-1, C-2, C-3 and street right-of-ways: also a 250 foot set back is required from any property line of parcels zoned I-1, I-2, MHP or RF.

SECTION III. All Ordinances in conflict herewith, and the same are hereby repealed.

SECTION IV. This ordinance shall be in full force and effect thirty (30) days after its passing.

SECTION V. 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 introduced and read, and a vote was taken thereon, first section by section, and then upon the Ordinance as a whole with the following results:

Those present and voting "aye" and in favor of the passage, adoption, and approval of Section I, II, III, IV, and V of the foregoing Ordinance:

Willie Hinton  
Charles E. Holbrook  
Robert F. Langford  
Donald H. Rowell  
Leroy Scott

EXHIBIT "G"

Those present and voting "nay" or against the adoption  
-- Sections I, II, III, IV and V of the foregoing Ordinance:

None

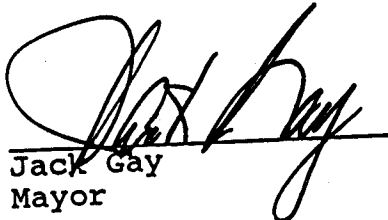
Those present and voting "aye" and in favor of the  
adoption of the foregoing Ordinance as a whole:

Willie W. Hinton  
Charles E. Holbrook  
Robert F. Langford  
Donald H. Rowell  
Leroy Scott

Those present and voting "nay" or against the adoption  
of the foregoing Ordinance as a whole:

None

WHEREUPON, the above and foregoing Ordinance be, and the  
same is hereby passed, adopted, and approved on this the 2nd  
day of June, 1998.

  
Jack Gay  
Mayor

(SEAL)

ATTEST:


  
Priscilla C. Daniel  
City Clerk

EXHIBIT "H"

**RESOLUTION AUTHORIZING AND APPROVING EXECUTION  
OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH  
FIRST CONTINENTAL LEASING, A DIVISION OF BancorpSouth Bank  
FOR THE PURPOSE OF LEASE-PURCHASING CERTAIN EQUIPMENT**

WHEREAS, the Mayor and Board of Aldermen (the "Governing Body") of City of Petal, Mississippi (the "Lessee"), acting for and on behalf of the Lessee hereby finds, determines and adjudicates as follows:

1. The Lessee desires to enter into an Equipment Lease-Purchase Agreement with the Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" (the "Agreement") with First Continental Leasing, a division of BancorpSouth Bank (the "Lessor") for the purpose of presently purchasing the equipment as described therein for the total cost specified therein (collectively the "Equipment") and to purchase such other equipment from time to time in the future upon appropriate approval;
2. The Lessee is authorized pursuant to Section 31-7-13(e) of the Mississippi Code of 1972, as amended, to acquire equipment and furniture by Lease-Purchase agreement and pay interest thereon by contract for a term not to exceed 5 years;
3. It is in the best interest of the residents served by Lessee that the Lessee acquire the Equipment pursuant to and in accordance with the terms of the Agreement; and
4. It is necessary for the Lessee to approve and authorize the Agreement.
5. The Lessee desires to designate the Agreement as a qualified tax-exempt obligation of Lessee for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986 (the "Code").

NOW, THEREFORE, BE IT RESOLVED by this Governing Body for and on behalf of the Lessee as follows:

Section 1. The Agreement and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" by and between the Lessor and the Lessee is hereby approved and Mayor Jack Gay (the "Authorized Officer") is hereby authorized and directed to execute said Agreement on behalf of the Lessee.

Section 2. The Agreement is being issued in calendar year 1998.

Section 3. Neither any portion of the gross proceeds of the Agreement nor the Equipment identified to the Agreement shall be used (directly or indirectly) in a trade or business carried on



EXHIBIT "H"

by any person other than a governmental unit, except for such use as a member of the general public.

Section 4. No portion of the rental payments identified in the Agreement (a) is secured, directly or indirectly, by property used or to be used in a trade or business carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to Lessee) in respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a governmental unit.

Section 5. No portion of the gross proceeds of the Agreement are used (directly or indirectly) to make or finance loans to persons other than governmental units.

Section 6. Lessee hereby designates the Agreement as a qualified tax-exempt obligation for purposes of Section 265(b) of the Code.

Section 7. In calendar year 1998, Lessee has designated \$ 172,022.00 of tax-exempt obligations (including the Agreement) as qualified tax-exempt obligations. Including the Agreement herein so designated, Lessee will not designate more than \$10,000,000 of obligations issued during calendar year 1998 as qualified tax-exempt obligations.

Section 8. Lessee reasonably anticipates that the total amount of tax-exempt obligations (other than private activity bonds) to be issued by Lessee during calendar year 1998 will not exceed \$10,000,000.

Section 9. For purposes of this resolution, the amount of Tax-exempt obligations stated as either issued or designated as qualified tax-exempt obligations includes tax-exempt obligations issued by all entities deriving their issuing authority from Lessee or by an entity subject to substantial control by Lessee, as provided in Section 265(b)(3)(E) of the Code.

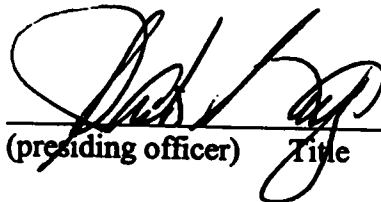
Section 10. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Lessee to do all things necessary in furtherance of the obligations of the Lessee pursuant to the Agreement, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

EXHIBIT "H"

Following the reading of the foregoing resolution, ALDERMAN LANGFORD moved that the foregoing resolution be adopted, ALDERMAN HOLBROOK seconded the motion for its adoption. The MAYOR put the question to a roll call vote and the result was as follows:

ALDERMAN WILLIE HINTON Voted: YEA  
ALDERMAN C. HOLBROOK Voted: YEA  
ALDERMAN R. LANGFORD Voted: YEA  
ALDAERMAN D. ROWELL Voted: YEA  
ALDERMAN I. SCOTT Voted: YEA

The motion having received the affirmative vote of all members present, the MAYOR declared the motion carried and the resolution adopted this the 2nd day of JUNE, 19 98.

  
\_\_\_\_\_  
(presiding officer) Title

ATTEST:



(SEAL)