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 JULY 7, 1998 AT 7:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENTMAYOR JACK GAYCITY ATTORNEYTHOMAS W. TYNERALDERMENWILLIE W. HINTON

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

OTHERS PRESENT

CHIEF RODNEY JARRELL CAPTAIN ROY JOHNSON PERCY SCARBOROUGH JUANITA CROSS

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

THE INVOCATION WAS OFFERED BY WILLIE W. HINTON.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

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

ADD: X. GENERAL BUSINESS

11. REQUEST FOR WAIVER OF SECTION 75-65-1 THRU 75-65-17 FOR A "GOING OUT OF BUSINESS" LICENSE FOR EFIRD'S DEPARTMENT STORE

ADD: XI. SEMINARS AND TRAVELS A. LORRAINE DOVE REQUEST TO GO TO E911 SCHOOL

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 APPROVE THE MINUTES OF THE REGULAR MEETING OF JUNE 16, 1998 AND THE RECESSED MEETING OF JUNE 23, 1998 AS WRITTEN. 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 CALLED FOR PUBLIC COMMENT.

THEREUPON, PERCY SCARBOROUGH ADDRESSED THE BOARD CONCERNING THE PAVING THAT IS TO BE REQUIRED BY THE LATEST AMENDMENT TO THE ZONING ORDINANCE.

THEREUPON, MAYOR GAY STATED THAT MR. SCARBOROUGH SHOULD GET WITH DAN TOLBERT, ZONING ADMINISTRATOR, AND DISCUSS THE REQUIREMENTS AND A PLAN FOR HIS PROPERTY.

WHEREAS, JUANITA CROSS STATED THAT THE DITCH ON 6TH AVENUE IS VERY DRY AND NOW WOULD BE A GOOD TIME TO GET IT CLEANED OUT. MRS. CROSS STATED THAT SHE IS ALSO CONCERNED ABOUT THE CHILDREN THAT REMOVE THE GRATES TO THE DRAINAGE AREA AND PLAY IN THE DITCH.

THEREUPON, MAYOR GAY STATED THAT HE WOULD HAVE THE STREET SUPERINTENDENT TO LOOK INTO THE MATTER.

WHEREAS, MAYOR GAY STATED THAT THE CITY NEEDS TO ADVERTISE FOR BIDS FOR THE STORM SEWER REPAIR ON A TERM CONTRACT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADVERTISE FOR A TERM CONTRACT FOR STORM SEWER REPAIR. 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 KENNETH COOLEY'S RESIGNATION FROM THE WATER DEPARTMENT EFFECTIVE JUNE 16, 1998.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT MR. COOLEY'S RESIGNATION. 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 STATED THAT MARC BULLOCK HAS REACHED HIS FIRST ANNIVERSARY WITH THE CITY AND RECOMMENDED THAT HIS PAY BE INCREASED TO \$6.75 PER HOUR EFFECTIVE JULY 2, 1998.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ADOPT THE FOLLOWING ORDER INCREASING MR. BULLOCK'S PAY. ALDERMAN ROWELL SECONDED THE MOTION.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY DUE TO THE SUCCESSFUL COMPLETION OF HIS FIRST YEAR WITH THE CITY TO INCREASE MARC BULLOCK'S PAY.

IT IS HEREBY ORDERED THAT MARC BULLOCK'S PAY BE INCREASED TO THE RATE OF \$6.75 PER HOUR EFFECTIVE JULY 2, 1998.

SO ORDERED ON THIS THE 7TH DAY OF JULY, A.D., 1998.

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) ORDINANCE 1998 (93)
B) ORDINANCE 1979 (42-A-100)
C) ORDINANCE 1979 (42-A-99)
D) ORDINANCE 1979 (42-A-71)
E) ORDINANCE 1979 (42-A2)
F) ORDINANCE 1979 (42-A-102)
G) ORDINANCE 1979 (42-A-103)
H) ORDINANCE 1979 (42-A-104)

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 PRESENTED THE FOLLOWING ORDER OF FORFEITURE FROM THE DISTRICT ATTORNEY'S OFFICE FORFEITING ONE (1) 1995 TOYOTA CAMRY, VIN 4T1SK12E4SU512949, TO THE PETAL POLICE DEPARTMENT.

SEE EXHIBIT "A"

AGREED DECLARATION OF FORFEITURE

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ACCEPT THE 95 TOYOTA CAMRY AND TO ASSIGN THIS VEHICLE TO THE CITY OF PETAL METRO OFFICER AS AN UNMARKED CAR. 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 SENIOR CITIZENS MEAL CONTRACT FOR THE 1998-99 SCHOOL YEAR WITH THE PETAL SCHOOL DISTRICT TO THE BOARD.

SEE EXHIBIT "B"

SR CITIZENS MEAL CONTRACT 1998-99

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT WITH THE PETAL SCHOOL DISTRICT. 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 REQUESTED THE WISHES OF THE BOARD CONCERNING THE APPOINTMENT OF A MAYOR PRO-TEM.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO APPOINT ALDERMAN LEROY SCOTT AS MAYOR PRO-TEM. 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 A ZONING CHANGE FROM THE PETAL MASONIC LODGE # 516.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO SET THE ZONING HEARING FOR 7:00 P.M. ON JULY 30, 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 CLAIMS # 47750 - 48202 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO PAY CLAIMS # 47750 - 48202 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS.

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 CORDIA EFIRD FOR A WAIVER OF THE PROVISIONS OF SECTION 75-65-1 THRU 75-65-17 OF THE MISSISSIPPI CODE AND TO ALLOW EFIRD'S DEPARTMENT STORE A "GOING OUT OF BUSINESS" LICENSE AS OF JULY 1, 1998.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO GRANT MRS. EFIRD HER REQUEST. 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 FROM CHIEF JARRELL FOR PART-TIME DISPATCHER LORRAINE DAVIS TO ATTEND THE E911 SCHOOL IN HATTIESBURG.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE MS. DAVIS TO ATTEND THE E911 SCHOOL IN HATTIESBURG. 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 ORDER FOR THE ADOPTION OF THE MOTOR VEHICLE ASSESSMENT SCHEDULE FOR THE YEAR 1998-99.

> SEE EXHIBIT "C" ORDER-MOTOR VEHICLE ASSESSMENT SCHEDULE

THEREUPON, ALDERMAN LANGFORD 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 REQUEST FOR A SALARY INCREASE FOR HAROLD HUFFMAN DUE TO THE COMPLETION OF ONE YEAR OF SERVICE WITH THE CITY.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ADOPT THE FOLLOWING ORDER INCREASING HAROLD HUFFMAN'S PAY. ALDERMAN HOLBROOK SECONDED THE MOTION.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY DUE TO THE SUCCESSFUL COMPLETION OF HIS FIRST YEAR WITH THE CITY TO INCREASE HAROLD HUFFMAN'S PAY.

IT IS HEREBY ORDERED THAT HAROLD HUFFMAN'S PAY BE INCREASED TO THE RATE OF \$6.75 PER HOUR EFFECTIVE JULY 16, 1998.

SO ORDERED ON THIS THE 7TH DAY OF JULY, A.D., 1998.

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 STEPHEN WYLES AS PATROLMAN 4TH CLASS EFFECTIVE JULY 13, 1998 DUE TO THE RESIGNATION OF OFFICER ANTHONY BRYANT.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE AN OFFICER TO FILL THE VACANCY CREATED BY THE RESIGNATION OF OFFICER ANTHONY BRYANT. IT IS HEREBY ORDERED THAT STEPHEN WYLES BE HIRED AS A PATROLMAN 4TH CLASS AT A RATE OF \$18,000.00 ANNUALLY EFFECTIVE JULY 13, 1998. SO ORDERED ON THIS THE 7TH DAY OF JULY, A.D., 1998.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING ORDER HIRING STEPHEN WYLES. 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

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ADJOURN. 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":

THEREBEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN WAS ADJOURNED ON THIS THE 7TH DAY OF JULY, A.D., 1998.

GAY JACK MAYOR

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(SEAL)

ATTEST:

el PRÍSCILLA C DANIEL CITY CLERK

COUNTY OF FORREST

EXHIBIT "A" AGREED DECLARATION OF FORFEITURE

Pursuant to an agreement by the parties involved, Jimmy Arthur does hereby agree to waive judicial review of the forfeiture proceeding as allowed under Mississippi Code Annotated Section 41-29-176(5) and forfeit the following vehicle, to wit:

ONE 1995 TOYOTA CAMRY, VIN 4T1SK12B4SU512949:

which was the subject of a seizure by law enforcement of officers in Forrest County, Mississippi on the 22nd day of August, 1997. The fore mentioned property shall be forfeited in the following manner to wit:

ONE 1995 TOYOTA CAMRY, VIN 4T1SK12E4SU512949 is forfeited to the Petal Police Department to be used, distributed, or disposed of according to law.

Jimmy Arthur and his attorney, James K. Dukes, Jr., do hereby grant an absolute release of any and all claims or any future claims against the State of Mississippi, Forrest County, Perry County, Hattiesburg Police Department, Petal Police Department and their officers, employees, and agents concerning the circumstances of this action.

SO AGREED,	this the 22	day of	, 1998.
<u> </u>	A.D.S		

JIMY ARTHUR, DEFENDANT

JR. IAMES K. DIKES ATTORNEY FOR DEFENDANT

ASSISTANT DISTRICT ATTORNEY

STATE OF MISSISSIPPI COUNTY OF FORREST

Personally appeared before me, the undersigned authority for the jurisdiction aforesaid, the above named Jimmy Arthur and James K. Dukes, Jr., who solemnly and truly declared and affirmed before me that the matters and facts set forth in the foregoing AGREED DECLARATION OF FORFEITURE are true and correct as herein stated.

A

Affirmed	and Sul	oscribed 1998.	before	me	on	this	the	22nd	day	of
Chinad	th		- 4							
NOPARY PU	BLIC	Elm_								
My Commis April 5,		pires:								

THE PETAL SCHOOL DISTRICT AND EXHIBIT "B" THE CITY OF PETAL

The PETAL SCHOOL DISTRICT and the CITY OF PETAL, MISSISSIPPI, hereby agree to enter into the following contract whereby the PETAL SCHOOL DISTRICT agrees to the following regulations for serving lunches to SENIOR CITIZENS of Petal, and the CITY OF PETAL further agrees to the following regulations for reimbursement and payment for said SENIOR CITIZENS lunches.

The aforementioned regulations are as follows: SENIOR CITIZENS meals will be served on Monday and Wednesday of each school session week except on specified school holidays. Said meals will be served by Petal Middle School cafeteria staff.

SENIOR CITIZENS meals will be served by the PETAL SCHOOL DISTRICT beginning promptly at 10:00 a.m. on said days and those SENIOR CITIZENS participating will be completed with their meals before student serving time at 10:45 a.m. SENIOR CITIZENS participating will be responsible for picking up their lunch trays at the service line and taking the lunch trays to the dish room window upon completion of their meals.

SENIOR CITIZENS lunch menus will be the same as that served the students of the PETAL SCHOOL DISTRICT. Copies of said menus will appear weekly in the Petal News.

SENIOR CITIZENS participating who wish to bring a guest (grandchildren, children, etc.) will be responsible for paying for said lunches directly to the Food Service Cashier. These extra lunches will not be included in the total count for billing the CITY OF PETAL.

THE PETAL SCHOOL DISTRICT will submit a monthly billing to the CITY OF PETAL for the total number of SENIOR CITIZENS meals served during the specified month. The rate for reimbursement to the PETAL SCHOOL DISTRICT is set at Two Dollars and Fifty cents (\$2.50) per SENIOR CITIZEN meal served. The City of Petal will pay two dollars (\$2.00) and each SENIOR CITIZEN will pay fifty cents (.50) per Senior Citizen meal.

The CITY OF PETAL will reimburse the PETAL SCHOOL DISTRICT in accordance with said billed statement within ten (10) working days upon receipt of said statement of payment.

This agreement shall be effective from July 1, 1998 to June 30, 1999. It may be terminated by notice in writing given by any party hereto to the other parties at least 30 days prior to the date of termination.

PETAL SCHOOL OFFICIAL

SUPERINTENDENT TITLE DATE

OFFICIAL PETAL JUL 8 1998 MAYOR DATE TITLE

EXHIBIT "C"

ORDER

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, have received from the Mississippi State Tax Commission, notice of the adoption of the Motor Vehicle Assessment Schedule by said Commission for the fiscal year 1998-99; and

WHEREAS, the hard copy schedule of assessments by property code is no longer produced and the assessment schedule for passenger vehicles and light trucks is produced only through the computer system of the county tax collector, and is the schedule that is subject for adoption; and

WHEREAS, the Mayor and Board of Aldermen of said City desire to adopt the same for said City in assessing and collecting ad valorem taxes on Motor Vehicles for the ensuing year;

WHEREAS, the Mayor and Board of Aldermen are also desirous for the County Tax Collector to collect the City of Petal's Motor Vehicle Ad Valorem taxes as stated in Section 27-51-29 of the Mississippi Code of 1972, as annotated and recompiled;

IT IS THEREFORE ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, that;

The Motor Vehicle Assessment Schedule for the fiscal year 1998-99 adopted by the Mississippi State Tax Commission under the provisions of the Motor Vehicle Ad Valorem Act of 1958, as amended by the laws of 1960, (being Section 27-51-21 of the Mississippi Code of 1972, annotated and amended), is hereby adopted as the Motor Vehicle Assessment Schedule for the City of Petal, Mississippi for the fiscal year beginning October 1, 1998 and ending September 30, 1999.

EXHIBIT "C"

A regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, will be held in the City Hall of said City at 7:00 P.M., Tuesday July 21, 1998 for the purpose of hearing and taking action on any complaint or objection filed in writing objecting to and petitioning for a specified reduction of any portion or portions of said Motor Vehicle Assessment Schedule affecting the complainant directly.

SO ORDERED on this the 8th day of July, A.D., 1998.

(SEAL)

ATTEST: nul PRISCILLA C CITY CLERK

publish (1) time: July 10, 1998

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