

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 MARCH 3, 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

FIRE CHIEF AUBRA EVANS  
DAN TOLBERT  
CAPTAIN RODNEY JARRELL  
MIKE SMITH

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 AGENDA TO THE BOARD WITH THE FOLLOWING AMENDMENTS:

X. GENERAL BUSINESS

7. MARK CLARK INCREASED TO \$6.50 PER HOUR
8. RESIGNATION OF RODNEY SESSIONS FROM TREE BOARD
9. RESIGNATION OF MIKE SMITH RECREATION DIRECTOR

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 FEBRUARY 17, 1998 AND THE SPECIAL CALL MEETING OF FEBRUARY 23, 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, BUT THERE WAS NONE.

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM THE OPTIMIST CLUB FOR THE CITY TO PURCHASE THREE (3) 4X8 AD SIGNS AT \$100.00 EACH.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PAY THE OPTIMIST \$300.00 FOR THE PURCHASE OF THE THREE (3) SIGNS. 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 RECOMMENDATION FROM THE PETAL PLANNING COMMISSION TO GRANT THE ZONING CHANGE REQUEST FROM LYNN RAY ROAD BAPTIST CHURCH.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE FOLLOWING ORDINANCE AMENDING THE COMPREHENSIVE ZONING MAP AND CHANGING THE ZONING OF THE LYNN RAY ROAD BAPTIST CHURCH FROM R-1 TO R-2. ALDERMAN HOLBROOK SECONDED THE MOTION.

SEE EXHIBIT "A"

ORDINANCE 1979 (42-A98)

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) CDBG - PUBLIC HEARING
- B) ORDINANCE 1979 (42-A97)

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT THE FOREGOING PROOFS OF PUBLICATION BE ACCEPTED AND FILED. 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 REQUEST FROM ALISHA PAGE, PETAL'S ALL-STAR REPRESENTATIVE, FOR THE CITY TO PURCHASE AN AD

THEREUPON, NO ACTION WAS TAKEN.

WHEREAS, MAYOR GAY PRESENTED A LETTER OF RESIGNATION FROM TERRY WHATLEY OF THE STREET DEPARTMENT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE MR. WHATLEY'S RESIGNATION. 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 STATED THAT THE BOARD SHOULD SET A DATE AND TIME FOR THE HEARING BY THE PLANNING COMMISSION TO RECEIVE PUBLIC COMMENT ON THE PROPOSED CHANGES CONCERNING THE PLACEMENT OF MOBILE HOMES.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO SET THE HEARING AT 7:00 P.M. ON MARCH 26, 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 PRESENTED CLAIMS #46161-46529 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO PAY CLAIMS # 46161 - 46529 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS. 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 ORDER INCREASING MARK CLARK'S PAY TO \$6.50 PER HOUR EFFECTIVE MARCH 12, 1998 SINCE HE HAS REACHED HIS ONE YEAR ANNIVERSARY.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY DUE TO THE RECOMMENDATION BY STREET SUPERINTENDENT REUBEN WARRICK AND THE COMPLETION OF HIS FIRST YEAR TO INCREASE MARK CLARK'S PAY TO \$6.50 PER HOUR.

IT IS HEREBY ORDERED THAT MARK CLARK'S PAY BE INCREASED TO THE RATE OF \$6.50 PER HOUR EFFECTIVE MARCH 12, 1998.

SO ORDERED ON THIS THE 3RD DAY OF MARCH, A.D., 1998.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ADOPT THE FOREGOING ORDER. 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 RESIGNATION OF RODNEY SESSIONS FROM THE CITY OF PETAL'S TREE BOARD.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT MR. SESSIONS RESIGNATION. 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 RESIGNATION OF MIKE SMITH, RECREATION DIRECTOR, EFFECTIVE MARCH 27, 1998.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO RELUCTANTLY ACCEPT MR. SMITH'S RESIGNATION. 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 REQUEST FROM CHERI STEWART, COURT CLERK, TO ATTEND THE MUNICIPAL COURT CLERK'S SPRING SEMINAR.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO AUTHORIZE THE COURT CLERK TO ATTEND THE SPRING SEMINAR ON MARCH 17, 1998. 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, CITY ATTORNEY THOMAS W. TYNER REQUESTED THAT THE BOARD ENTER INTO AN EXECUTIVE SESSION.

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

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION CONCERNING THE STANLEY CARPENTER VARIANCE MATTER. 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 THE EXECUTIVE SESSION. 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

NO ACTION WAS TAKEN IN THE EXECUTIVE SESSION.

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

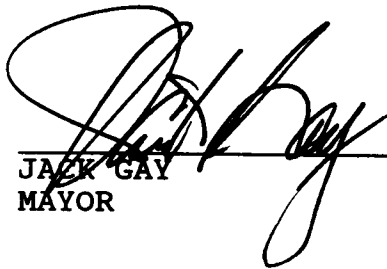
THOSE PRESENT AND VOTING "AYE":

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 OF THE CITY OF PETAL, MISSISSIPPI WERE  
ADJOURNED ON THIS THE 3RD DAY OF MARCH, A.D., 1998.

  
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JACK GAY  
MAYOR

(SEAL)

ATTEST:

  
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PRISCILLA C. DANIEL  
CITY CLERK

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-A97) SO AS TO CHANGE THE ZONING CLASSIFICATION OF SAID SECTIONS OF CERTAIN LAND IN SAID CITY FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO R-2 (LOW TO MEDIUM DENSITY RESIDENTIAL DISTRICT)

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-A97) 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-1 (Low Density Residential District) to R-2 (Low to Medium Density Residential District).

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

A part of the NE 1/4 of the NE 1/4 of Section 25, T-5-N, R-13-W, in the County of Forrest, State of Mississippi, and being more particularly described as commencing at the intersection of the West line of the said NE 1/4 of the NE 1/4 and the North margin line of Lynn Ray Road, thence run N00 deg 43' 28" W along a fence line for 123.44 feet, thence continue along said fence line N 00 deg 01' 38" E for 309.80 feet to the POB, thence continue along said fence line and N00 deg 13' 06" W for 130.00 feet, thence run S 88 deg 57' 59" E for 170.00 feet, thence run S 00 deg 13' 06" E for 130.00 feet to a fence line, thence run S 88 deg 57' 59" E along the fence line for 131.91 feet to a fence corner, thence run S 02 deg 08' 44" E along the fence for 180.67 feet, thence run N 22 deg 44' 10" W for 191.80 feet, thence run N 88 deg 59' 01" W for 234.53 feet to a fence, thence run N00 deg 01' 38" E along the fence for 4.93 feet, to the POB, comprising 0.68 acres, more or less.

as per map or plat thereof filed in the office of the Chancery Clerk of Forrest County, Mississippi, is hereby classified and placed in the R-2 (Low to Medium Density Residential 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-A97) shall be and remain in full force and form as adopted on March 3, 1998.

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

The foregoing Ordinance having been reduced to writing, the same was introduced and read, and a vote was taken thereon, first section by section and then upon the Ordinance as whole with the following results:

Those present and voting "AYE" and in favor of the passage, adoption and approval of Sections 1, 2, and 3 of the foregoing Ordinance:

Alderman 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



EXHIBIT "A"

WHEREUPON, the foregoing ordinance be, and the same is  
hereby passed, adopted and approved on  
this the 3rd day of March 1998.

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

(SEAL)

ATTEST:

  
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PRISCILLA C. DANIEL  
CITY CLERK

publish 1 one time: March 10, 1998

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