

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 APRIL 6, 1999 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	TONY READY TIM AND CINDY WEDGEWORTH ASHLEY HENDERSON FIRE CHIEF AUBRA EVANS CHIEF RODNEY JARRELL CAPTAIN ROY JOHNSON

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:

ADD:

VII. BIDS

C) QUOTES LEASE PURCHASE FOR DUMP TRUCK

X. GENERAL BUSINESS

- 15) APPROVAL TO HIRE IRA DICKERSON IN THE STREET DEPT  
EFFECTIVE APRIL 12, 1999 AT A RATE OF \$6.25 PER HR
- 16) APPROVAL OF THE FIRE-PUP PROGRAM

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. 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 MINUTES OF THE REGULAR MEETING OF MARCH 16, 1999 TO THE BOARD.

THEREUPON, ALDERMAN ROWELL MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF MARCH 16, 1999 BE ACCEPTED 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, JUANITA CROSS STATED THAT THE MOSQUITOS AT HER HOUSE ARE WORSE THIS YEAR THAN LAST YEAR; THAT SHE AND HER DAUGHTER WERE NEARLY HIT BY A DRIVER USING THE TURN LANE ON CENTRAL AVENUE A PASSING LANE; THAT A TURNING LIGHT IS NEEDED AT MAIN STREET AND CARTERVILLE ROAD; AND THAT THE TEMPORARY SIGN AT THE SMOKE HOUSE IS IN A VERY DANGEROUS PLACE.

WHEREAS, JON WILDMAN STATED THAT HE WAS A FORMER MEMBER OF THE PETAL VOLUNTEER FIRE DEPARTMENT AND THAT HE FEELS LIKE HE IS BEING DISCRIMINATED AGAINST IN THE HIRING PROCESS FOR FULL-TIME FIREMEN BECAUSE HE IS NO LONGER A VOLUNTEER. MR. WILDMAN STATED THAT HE HAS BEEN PASSED OVER FOR HIRE TWICE AND THAT HE HAS MORE TIME ON THE VOLUNTEERS THAN EITHER ONE OF THE TWO BEING CONSIDERED CURRENTLY.

WHEREAS, TONY READY STATED THAT HE WANTED TO FOLLOW UP ON WHAT THE CITY IS GOING TO DO ABOUT THE DRAINAGE PROBLEM AT HIS HOUSE ON OLD RICHTON ROAD AND ARK LANE.

THEREUPON, MAYOR GAY STATED THAT THE CITY IS WAITING FOR THE CORMIERS TO GET BACK WITH THEM ON THE CITY'S PLAN TO CROSS THEIR PROPERTY WITH THE DRAINAGE.

WHEREAS, MAYOR GAY PRESENTED THE STATE CONTRACT PRICE FOR THE PURCHASE OF A 1999 INTERNATIONAL 4700 TRUCK, CAB AND CHASSIS AT \$30,208.30.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO TAKE THIS MATTER UNDER ADVISEMENT. 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 QUOTATIONS FOR THE PURCHASE OF A BADGER METER MODEL 4500 ULTRASONIC FOR TO REPLACE THE LIFT STATION AT THE LEAF RIVER DAMAGED BY LIGHTENING.

SEE EXHIBIT "A"

F H CONTROLS WALKER, LA	\$2,700.00
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BADGER METER, INC. TULSA, OK	\$2,700.00
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THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PURCHASE A MODEL 4500 ULTRASONIC BADGER METER FROM F H CONTROLS , WALKER, LA. 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 CITY ENGINEER TO AWARD THE BID FOR THE CDBG SANITARY SEWER REHABILITATION TO PERMA CORPORATION IN THE AMOUNT OF \$204,929.12.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AWARD THE CONTRACT TO PERMA CORPORATION. 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, ASHLEY HENDERSON ADDRESSED THE BOARD CONCERNING THE USE OF TOBACCO PRODUCTS BY JUVENILES IN THE PETAL SCHOOL DISTRICT AND THE CONCERN THAT HAS BROUGHT SOME OF THE STUDENTS TOGETHER IN AN ORGANIZATION CALLED STUDENTS OF PETAL LEADING AGAINST TOBACCO (SPLAT). MISS HENDERSON STATED THAT THE PRIMARY GOAL OF SPLAT IS TO EDUCATE THE STUDENTS AND THE COMMUNITY ON THE DANGERS OF TOBACCO AND TO ENCOURAGE KIDS NOT TO BEGIN USING TOBACCO PRODUCTS. MISS HENDERSON PRESENTED AN ORDINANCE FOR THE BOARD TO REVIEW AND POSSIBLY ADOPT.

SEE EXHIBIT "B"  
AN ORDINANCE BY THE CITY OF PETAL, MISSISSIPPI  
PROHIBITING THE USE OF TOBACCO AND/OR TOBACCO  
PRODUCTS

WHEREAS, TIM AND CINDY WEDGEWORTH ADDRESSED THE BOARD CONCERNING THE REPLACEMENT OF THEIR SINGLE MOBILE HOME WITH A DOUBLE WIDE MOBILE HOME 314 BAKER STREET.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO TAKE THIS MATTER UNDER ADVISEMENT UNTIL THE BOARD MEMBERS HAVE AN OPPORTUNITY TO GO AND LOOK AT THE SITUATION. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON  
ALDERMAN ROBERT F. LANGFORD  
ALDERMAN DONALD H. ROWELL

THOSE PRESENT AND VOTING "NAY":

ALDERMAN CHARLES E. HOLBROOK  
ALDERMAN LEROY SCOTT

WHEREAS, MAYOR GAY PRESENTED INVOICE #5-3286-04 IN THE AMOUNT OF \$500.00 FROM NEEL-SCHAFFER, INC. FOR ADMINISTRATION AND MANAGEMENT SERVICES ON THE CDBG PROJECT.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO PAY INVOICE #5-3286-04 UPON RECEIPT OF THE 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 A LETTER OF RESIGNATION FROM TIM HILL, PROCESS SERVER AND BALIFF FOR THE MUNICIPAL COURT DEPARTMENT.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ACCEPT MR. HILL'S RESIGNATION EFFECTIVE MARCH 31, 1999. 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 FROM FIREMAN SCOTT ROBERTS EFFECTIVE APRIL 2, 1999.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT MR. ROBERTS RESIGNATION WITH REGRETS. 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 RECOMMENDATION FROM FIRE CHIEF AUBRA EVANS TO APPOINT BRIAN TOWNSEND AS TRAINING OFFICER IN THE FIRE DEPARTMENT.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO APPOINT BRIAN TOWNSEND TO TRAINING OFFICER AND TO PAY HIM THE ADDITIONAL \$100.00 PER MONTH COMPENSATION FOR THOSE DUTIES. 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, FIRE CHIEF AUBRA EVANS REQUESTED PERMISSION TO HIRE TWO FIREMEN, ONE TO REPLACE SCOTT ROBERTS AND ONE ADDITIONAL FIREMAN.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE FOLLOWING ORDER HIRING SHANE KEVIN CLARK EFFECTIVE APRIL 22, 1999 AS A RECRUIT FIREMAN. ALDERMAN HOLBROOK SECONDED THE MOTION.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE A FIREMAN TO FILL A VACANCY CAUSED BY SCOTT ROBERTS RESIGNATION.

IT IS HEREBY ORDERED THAT SHANE KEVIN CLARK BE HIRED AS A FIREMAN RECRUIT AT A RATE OF \$7.256 EFFECTIVE APRIL 22, 1999.

SO ORDERED ON THIS THE 6TH DAY OF APRIL, A.D.,  
1999.

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 ROWELL MADE A MOTION TO HIRE AN  
ADDITIONAL FIREMAN. ALDERMAN HOLBROOK SECONDED THE MOTION.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM  
IT NECESSARY TO HIRE AN ADDITIONAL FIREMAN.

IT IS HEREBY ORDERED THAT DEREK SHANE PICKETT  
BE HIRED AS A FIREMAN RECRUIT AT A RATE  
OF \$7.256 PER HOUR EFFECTIVE APRIL 22, 1999.

SO ORDERED ON THIS THE 6TH DAY OF APRIL, A.D.,  
1999.

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 INVOICE FROM SHOWS, DEARMAN  
AND WAITS FOR ENGINEERING SERVICES ON THE WASTEWATER SYSTEM  
RENOVATIONS ON THE CDBG PROGRAM AS PER CONTRACT IN THE AMOUNT OF  
\$8,000.00.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO PAY SHOWS,  
DEARMAN AND WAITS, UPON RECEIPT OF THE FUNDS FROM THE CDBG PROGRAM.  
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 RECOMMENDATIONS FOR THE  
APPOINTMENTS TO THE ELECTRICAL AND PLUMBING COMMITTEES.

SEE EXHIBIT "C"

PROPOSALS FOR COMMITTEE APPOINTEES

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO REAPPOINT MILTON  
PALMER FOR TWO YEARS AND THAT JOE MCMURRAY BE APPOINTED FOR TWO  
YEARS TO REPLACE RON CORMIER ON THE ELECTRICAL BOARD. 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 ROWELL MADE A MOTION TO REAPPOINT GEORGE MOORE AND JOE BUSH FOR TWO MORE YEARS TO THE PLUMBING BOARD. 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 RODNEY JARRELL TO HIRE RICHARD PERKINS AS COURT BALIFF AND WARRANT SERVICER.

THEREUPON, MAYOR GAY ADVISED THE CHIEF THAT THIS EMPLOYEE IS UNDER THE MUNICIPAL JUDGE'S JURISDICTION AND THAT IT WOULD BE APPROPRIATE IF THE REQUEST CAME FROM THE JUDGE INSTEAD OF THE CHIEF OF POLICE.

WHEREAS, MAYOR GAY PRESENTED A REQUEST FOR THE CITY TO RUN WATER SERVICE TO 400 CEDAR STREET, WHICH IS OUTSIDE OF THE CITY LIMITS. MAYOR GAY ALSO PRESENTED THE FOLLOWING LETTER FROM THE SUNRISE UTILITY DISTRICT STATING THAT THEY HAVE NO OPPOSITION TO THE CITY EXTENDING THE WATER LINES INTO THAT AREA.

SEE EXHIBIT "D"

LETTER - SUNRISE UTILITY DISTRICT

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO RUN THE WATER SERVICE TO 400 CEDAR STREET. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE":

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

THOSE PRESENT AND VOTING "NAY":

NONE

THOSE PRESENT AND ABSTAINING:

ALDERMAN DONALD H. ROWELL

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM TRISH KING FOR THE CITY TO PURCHASE AN AD FOR THE 1999 MISSISSIPPI ALL-STAR SOFTBALL GAME.

THEREUPON, NO ACTION WAS TAKEN.

WHEREAS, MAYOR GAY PRESENTED CLAIMS # 51331 - 51776 OF THE CITY PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO PAY CLAIMS # 51331 - 51776 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 ORDER HIRING IRA DICKERSON IN THE STREET DEPARTMENT EFFECTIVE APRIL 12, 1999 AT A RATE OF \$6.25 PER HOUR.

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 SCOTT SHERMAN BE HIRED AS A LABORER IN THE STREET DEPARTMENT AT A RATE OF \$6.25 PER HOUR EFFECTIVE APRIL 12, 1999.

SO ORDERED ON THIS THE 6TH DAY OF APRIL, A.D., 1999.

THEREUPON, ALDERMAN ROWELL 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 REQUEST FROM FIRE CHIEF AUBRA EVANS TO PARTICIPATE IN THE FIREPUP PROGRAM THROUGH THE NATIONAL FIRE SAFETY COUNCIL, INC.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO TAKE THIS MATTER UNDER ADVISEMENT. 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 REQUESTED THE WISHES OF THE BOARD CONCERNING THE PROPOSED TOBACCO ORDINANCE.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE ORDINANCE AS PRESENTED BY THE YOUTH FROM THE SPLAT PROGRAM. ALDERMAN LANGFORD SECONDED THE MOTION.

SEE EXHIBIT "E"

ORDINANCE 1999 (96)

AN ORDINANCE BY THE CITY OF PETAL, MISSISSIPPI PROHIBITING THE USE OF TOBACCO AND/OR TOBACCO PRODUCTS BY JUVENILES

THOSE PRESENT AND VOTING "AYE":

ALDERMAN WILLIE W. HINTON  
ALDERMAN ROBERT F. LANGFORD  
ALDERMAN DONALD H. ROWELL

THOSE PRESENT AND VOTING "NAY":

ALDERMAN CHARLES E. HOLBROOK  
ALDERMAN LEROY SCOTT

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER INCREASING JANE PAGE'S PAY ON HER ANNIVERSARY WITH THE CITY.

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 HER OF HER FIRST YEAR OF SERVICE TO INCREASE CLARA JANE PAGE'S SALARY.

IT IS HEREBY ORDERED THAT CLARA JANE PAGE'S PAY BE INCREASED TO THE RATE OF \$7.04 PER HOUR EFFECTIVE APRIL 23, 1999.

SO ORDERED ON THIS THE 6TH DAY OF APRIL, A.D., 1999.

THEREUPON, ALDERMAN ROWELL 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 PROCLAMATION PROCLAIMING SATURDAY MAY 8TH "LITTER FREE PETAL" AS PART OF THE GREAT AMERICAN CLEANUP IN THE CITY OF PETAL.

SEE EXHIBIT "F"

PROCLAMATION

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE FOREGOING PROCLAMATION. 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 PROPOSAL FROM KATHRYN M. GARNER & ASSOCIATES, PLANNING AND DEVELOPMENT CONSULTANTS TO PROVIDE THE CITY WITH GUIDANCE FOR FUTURE PLANNING.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH MS. GARNER. 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 A PROPOSAL FROM NEEL-SCHAFFER, INC. TO PROVIDE TRAINING FOR THE WATER DEPARTMENT AND FIRE DEPARTMENT PERSONNEL ON THE ARC VIEW PROGRAM FOR THE GEOGRAPHIC INFORMATION SYSTEM

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF PETAL AND NEEL-SCHAFFER, INC. FOR THEM TO PROVIDE THE TRAINING FOR A FEE UP TO BUT NOT TO EXCEED \$1,500.00. 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, CITY ATTORNEY THOMAS W. TYNER REQUESTED AN EXECUTIVE SESSION TO ADDRESS PENDING LITIGATION.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO CLOSE THE MEETING TO DETERMINE IF AN EXECUTIVE SESSION IS NECESSARY. 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 REOPENED THE MEETING.

THEREUPON, ALDERMAN HINTON, UPON DETERMINING THAT AN EXECUTIVE SESSION IS NEEDED TO DISCUSS PENDING LITIGATION, MADE A MOTION TO ENTER INTO AN EXECUTIVE SESSION. 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

THEREUPON, ALDERMAN HOLBROOK 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 THE EXECUTIVE SESSION.

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

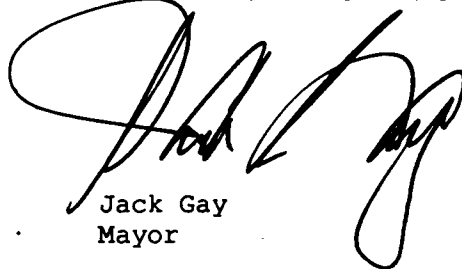
THOSE PRESENT AND VOTING "AYE":

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


THEREBEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN WAS ADJOURNED ON THIS THE 6TH DAY OF APRIL, A.D., 1999.



Jack Gay  
Mayor

(seal)

Attest:



Priscilla C. Daniel  
City Clerk

EXHIBIT A  
**F H CONTROLS  
WALKER, LA.**

FACSIMILE TRANSMITTAL SHEET

TO: RALPH BDDLEMON	FROM: ROY SRANS
COMPANY: CITY OF PETAL MS.	DATE: 3/29/99
FAX NUMBER: 1-601-545-6685	TOTAL NO. OF PAGES INCLUDING COVER: 1
PHONE NUMBER: 1-	SENDER'S REFERENCE NUMBER: N/A
RE: BADGER 4500 ULTRASONIC METER	YOUR REFERENCE NUMBER:

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

NOTES/COMMENTS: RALPH, AS PER OUR CONVERSATION, PLEASE SEE BELOW FOR DETAILS. IF YOU HAVE ANY QUESTIONS PLEASE GIVE ME A CALL.  
QTY (1) SET BADGER ELECTRONICS ONLY TO REPLACE UF 155 PRICE \$2700.00  
NOTE: IF THIS INQUIRY SHOULD BECOME AN ORDER PLEASE ADDRESS AS FOLLOWS:  
BADGER  
C/O F H CONTROLS  
DEL: 2-3 WKS.-ARO  
POB: TULSA OK

**Badger Meter, Inc.**  
Tulsa, OK  
Ph. (918) 836-8411  
Fax: (918) 832-9962

Telecopier Transmittal Cover Sheet

Date: 3/22/99

Please deliver the following pages to:

Name: Jack Gay Fax No.: (601) 545-6685

This Fax is from: Craig Stewart

Number of pages, including this cover sheet: 5

If you do not receive all pages, please call back as soon as possible.  
My phone number is 918/836-8411, Extension 296

**OUR FAX NO. IS 918/832-9962**

Jack, **COMMENTS:**  
Below is a quote for a Model 4500 to replace your obsoleted Model UF155.  
If your sensors are good the A500 electronics only is \$2700.00.  
A full unit with electronics and sensors and mounting hardware is \$4050.00.  
Delivery on either is 1-2 weeks ARO.  
If you suspect lightning damage as the existing electronics indicates, you might also want to replace the sensors.  
If you have any questions please call.

CITY OF PETAL ORDINANCE

**AN ORDINANCE BY THE CITY OF PETAL, MISSISSIPPI PROHIBITING THE USE OF TOBACCO AND/OR TOBACCO PRODUCTS BY JUVENILES.**

WHEREAS, the City of PETAL, pursuant to Section 21-17-5 of the Mississippi Code, is authorized to adopt ordinances with respect to its municipal affairs which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi; and

WHEREAS, the City of PETAL, pursuant to Section 21-19-1 of the Mississippi Code, is authorized to make regulations to secure the general health of the municipality; and

WHEREAS, the City of PETAL, has the duty to protect and promote the health of its citizenry; and

WHEREAS, the City of PETAL, in order to promote and protect the health of its citizenry, finds that the use of tobacco and/or tobacco products by the juveniles of this City is a significant public health problem with serious personal health consequences; and

WHEREAS, the City of PETAL, in order to promote and protect the health of its citizenry, finds that sixty Mississippi juveniles start using tobacco and/or tobacco products every day.

WHEREAS, the City of PETAL, in order to promote and protect the health of its citizenry, finds that one out of three juveniles who use tobacco and/or tobacco products will eventually die from a tobacco-related illness.

**THEREFORE, BE IT ORDAINED**, by the City of PETAL, as follows:

**Section 101. Definitions.**

- a. "Tobacco and/or Tobacco Product" shall mean any substance that contains tobacco including, but not limited to, cigarettes, cigars, pipes, snuff, smoking tobacco or smokeless tobacco.
- b. "Juvenile" shall mean any person under the age of eighteen (18).
- c. "Use" shall mean the smoking, chewing, oral consumption, spitting, inhaling or other ingestion of tobacco and/or tobacco products.
- d. "Educational Property" means any elementary or secondary school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used or operated by a school board or board of trustees or directors for the administration of any educational institution.
- e. "Educational Activity or Function" means a school sponsored event for athletics, academics, social or entertainment purposes, attended by students, including school transportation to and from, regardless of whether such activity is held on educational property.

**Section 102. Use of Tobacco/Tobacco Products by Juveniles Prohibited.** It shall be unlawful for any juvenile to use tobacco and/or tobacco products within the city limits of the City of PETAL and/or any educational property.

**Section 103. Possession of Tobacco/Tobacco Products by Juveniles Prohibited.** Except where the possession of tobacco products by juveniles is restricted by Miss. Code Ann. 97-32-9, it shall be unlawful for any juvenile to possess tobacco and/or tobacco products within the city limits of the City of PETAL.

**Section 104. Violation of Ordinance by Juveniles.** Any juvenile who is found guilty of violating this ordinance shall be punished as follows:

1. For a first conviction, a fine of no more than \$100.00 Dollars or 30 hours of community service.
2. For a second conviction, a fine of \$100.00 Dollars or 50 hours community service, or both
3. For a third conviction, a fine of \$100.00 Dollars and 75 hours of community service

**Section 105. Additional/Alternative Punishment.** In addition to or as an alternative to imposing punishment as prescribed in Section 104, the court may require any juvenile who is found guilty of violating this ordinance to attend and complete a Tobacco Cessation and/or Educational Program as approved by the court. Those juveniles found guilty of violating this ordinance who are required to attend one or both of the programs provided above, may be required to pay for the reasonable costs of their attendance and completion of such program.

**Section 106. Severability.** If any section, clause, paragraph, sentence or word of this ordinance is for any reason held to be unconstitutional, void or unenforceable, such invalid provision shall not affect the remaining portions of this ordinance nor render them invalid, and to this end the provisions of this ordinance are declared to be severable.

**Section 107. Date of Effect.** This ordinance shall take effect and be in force thirty (30) days after its passage.

**Section 108. Conflicting Ordinances, Resolutions and Orders Repealed.** All ordinances, resolutions and orders in conflict with this ordinance are hereby repealed to the extent of the conflict at the date of effect of this ordinance.

EXHIBIT "C"



## 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

TO: MAYOR AND BOARD OF ALDERMEN

RE: ELECTRICAL BOARD APPOINTMENTS

It is my recommendation that Milton Palmer be re-appointed for two more years (1999 & 2000), and that Joe McMurray be appointed for the same two years replacing Ron Cormier. Brian Lee, Jimmy Coston & Charlie Turner are currently serving the 1998-1999 terms.

Dan Tolbert  
Electrical Inspector

April 6, 1999

To: Mayor and Board of Aldermen

Re: Plumbing Board Appointments

It is my recommendation that George Moore and Joe Bush be re-appointed for two more years. (1999 & 2000). Joe Byrd, Jude Tisdale and Tony Tisdale are currently serving the 1998-1999 term.

Dan Tolbert  
Plumbing Inspector

EXHIBIT 'D'

*Sunrise Utility Association, Inc.*

*465 Batson Road  
Petal, Mississippi 39465  
Phone: 582-9354*

March 25, 1999

Mayor Jack Gay  
P.O. Box 564  
Petal, MS 39465

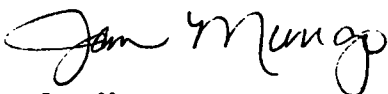
Dear Mr. Gay,

On Tuesday, March 23, 1999 we were contacted by Mr. Paul Powell concerning water service to his property at 400 Cedar Street. He stated that he had been in contact with your office and was informed that he would need a letter from Sunrise Utility Association stating that we can not offer him service.

At present, we supply water service to Forrest Barnes Road and to a section of Davis Road. However; Cedar Street is not in our district. Mr. Powell states that he only needs approximately 75 yards of water line run so that he can have service from the City of Petal. It is our understanding that the City can run water line up to one mile outside the city limits.

Since we cannot offer Mr. Powell service, please accept this letter as our confirmation that we do not plan to run water line on Cedar Street or apply for this area in our water district.

Sincerely,



Jan Mungo  
Office Manager

ORDINANCE 1999 (96)

AN ORDINANCE BY THE CITY OF PETAL, MISSISSIPPI  
PROHIBITING THE USE OF TOBACCO AND/OR TOBACCO PRODUCTS BY  
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WHEREAS, the City of Petal, pursuant to Section  
21-17-5 of the Mississippi Code, is authorized to adopt  
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inconsistent with the Mississippi Constitution of 1890, the  
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21-19-1 of the Mississippi Code, is authorized to make  
regulations to secure the general health of the municipality;  
and

WHEREAS, the City of PETAL, has the duty to protect  
and promote the health of its citizenry; and

WHEREAS, the City of Petal, in order to promote and  
protect the health of its citizenry, finds that the use of  
tobacco and/or tobacco products by the juveniles of this City  
is a significant public health problem with serious personal  
health consequences; and

WHEREAS, the City of PETAL, in order to promote and  
protect the health of its citizenry, finds that sixty  
Mississippi juveniles start using tobacco and/or tobacco  
products every day

WHEREAS, the City of Petal, in order to promote and  
protect the health of its citizenry, finds that one out of  
three juveniles who use tobacco and/or tobacco products will  
eventually die from a tobacco-related illness.

THEREFORE, BE IT ORDAINED, by the City of Petal, as  
follows:

Section 101. Definitions

a. "Tobacco and/or Tobacco Product" shall mean any  
substance that contains tobacco including, but not limited to,  
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b. "Juvenile" shall mean any person under the age of  
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c. "Use" shall mean the smoking, chewing, oral  
consumption, spitting, inhaling or other ingestion of tobacco  
and/or tobacco products.

d. "Educational Property" means any elementary or  
secondary school building or bus, school campus, grounds,  
recreational area, athletic field, or other property owned,  
used or operated by a school board or board of trustees or  
directors for the administration of any educational  
institution.

e. "Educational Activity of Function" means a school  
sponsored event for athletics, academics, social or  
entertainment purposes, attended by students, including school  
transportation to and from, regardless of whether school  
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who is found guilty of violating this ordinance to attend and  
complete a Tobacco Cessation and/or Educational Program as  
approved by the court. Those juveniles found guilty of  
violating this ordinance who are required to attend one or  
both of the programs provided above, may be required to pay  
for the reasonable costs of their attendance and completion of  
such program.

Section 106. Severability. If any section, clause,  
paragraph, sentence or word of this ordinance is for any  
reason held to be unconstitutional, void or unenforceable,  
such invalid provision shall not effect the remaining portions  
of this ordinance nor render them invalid, and to this end the  
provisions of this ordinance are declared to be severable.

Section 107. Date of effect. This ordinance shall  
take effect and be in force thirty (30) days after its  
passage.

Section 108. Conflicting Ordinances, Resolutions and  
Order Repealed. All ordinances, resolutions and orders in  
conflict with this ordinance are hereby repealed to the extent  
of the conflict at the date of effect of this ordinance.

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 a whole with the following results:

Those present and voting "Aye" and in favor of the  
passage, adoption, and approval of Sections 101, 102, 103,  
104, 105, 106, 107, and 108 of the foregoing Ordinance:

Alderman Hinton  
Alderman Langford  
Alderman Rowell

Those present and voting "Nay" or against the passage,  
adoption and approval of Sections 101, 102, 103, 104, 105,  
106, 107, and 108 of the foregoing Ordinance:

Alderman Holbrook  
Alderman Scott

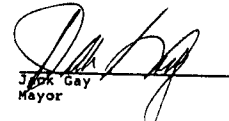
Those present and voting "Aye" and in favor of the  
adoption of the foregoing Ordinance as a whole:

Alderman Hinton  
Alderman Langford  
Alderman Rowell

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

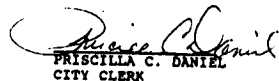
Alderman Holbrook  
Alderman Scott

Whereupon, the foregoing Ordinance be, and the same is  
hereby passed, adopted, and approved on this the 6th day of  
April, A. D., 1999.

  
Jack Gay  
Mayor

(SEAL)

ATTEST:

  
PRISCILLA C. DANIEL  
CITY CLERK

Proclamation

WHEREAS, the Great American Cleanup is sponsored by Keep Mississippi Beautiful/People Against Litter, the Mississippi Department of Transportation and local organizations in participating Mississippi cities in partnership with Keep America Beautiful, Inc., and national sponsors;

WHEREAS, the Great American Cleanup is America's largest litter cleanup held in the nation, and

WHEREAS, The City of Petal is rich in community spirit, volunteerism, pride and "Can Do" attitudes, and

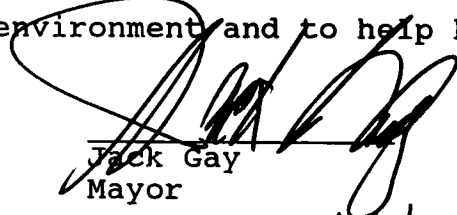
WHEREAS, all citizens can work together to preserve the clean air, fresh water and natural beauty of our surroundings, and

WHEREAS, the Great American Cleanup is committed to helping to educate American citizens about improving the quality of life in America's communities and taking responsibility for proper waste handling practices and

NOW, THEREFORE, I, JACK GAY, Mayor, do hereby proclaim May 8th, 1999 part of

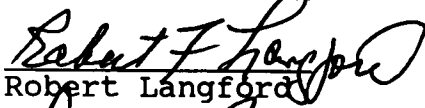
THE GREAT AMERICAN CLEANUP

in the state of Mississippi, and encourage all of our citizens to participate in preserving and maintaining our environment and to help keep our state clean and beautiful.

  
Jack Gay  
Mayor

  
Willie Hinton

  
Charles Holbrook

  
Robert Langford

  
Donald Rowell

  
Leroy Scott

