

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD THE RECESSED MEETING OF JULY 2, 2002 OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON JULY 11, 2002 AT 5:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT	MAYOR TONY PHILLIPS
ALDERMEN	MICHAEL W DRAUGHN WILLIE W HINTON JOE C MCMURRY, SR STEVE STRINGER WILLIAM A TRAVIS
OTHER PRESENT	CARL SCOTT BEN DEARMAN

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

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER TO RESCIND THE ORDER OF JULY 2, 2002 TO CHANGE LEROY SCOTT'S PAY.

ORDER

WHEREAS, MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO INCREASE LEROY SCOTT'S PAY TO \$11,500.00 ANNUALLY.

IT IS HEREBY ORDERED THAT LEROY SCOTT'S RATE OF PAY BE \$11,500.00 ANNUALLY AS WATER DEPARTMENT SUPERVISOR.

SO ORDERED ON THIS THE 11<sup>TH</sup> DAY OF JULY, AD, 2002.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W DRAUGHN  
ALDERMAN WILLIE W HINTON  
ALDERMAN JOE C MCMURRY, SR  
ALDERMAN STEVE STRINGER  
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A TRAVEL REQUEST FOR CHIEF LEE SHELBOURN FOR OFFICERS MATTHEW HIATT AND MICHAEL BLOUNT TO ATTEND CRIMINAL INTERDICTION IN BILOXI, MS ON JULY 17-18, 2002.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE OFFICERS MATTHEW HIATT AND MICHAEL BLOUNT TO ATTEND THE SEMINAR IN BILOXI, MS ON JULY 17-18, 2002 AND TO PAY THERE EXPENSES. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W DRAUGHN  
ALDERMAN WILLIE W HINTON  
ALDERMAN JOE C MCMURRY, SR  
ALDERMAN STEVE STRINGER  
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A TRAVEL REQUEST FROM CHIEF LEE SHELBOURN FOR OFFICERS BRYAN MORSE AND DAVID BASSETT TO ATTEND THE STANDARDIZED FIELD SOBRIETY SEMINAR ON JULY 16-18, 2002 IN VICKSBURG, MS.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE OFFICERS BRYAN MORSE AND DAVID BASSETT TO ATTEND THE SEMINAR IN VICKSBURG, MS AND TO PAY THERE EXPENSES. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W DRAUGHN  
ALDERMAN WILLIE W HINTON  
ALDERMAN JOE C MCMURRY, SR  
ALDERMAN STEVE STRINGER  
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDINANCE REQUIRING MANDATORY FLOW OF MUNICIPAL SOLID WASTE, ESTABLISHING PENALTIES FOR VIOLATION THEREOF.

SEE EXHIBIT "A"

ORDINANCE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W DRAUGHN  
ALDERMAN WILLIE W HINTON  
ALDERMAN JOE C MCMURRY, SR  
ALDERMAN STEVE STRINGER  
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, STEVE STRINGER LEFT THE MEETING.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM HERBIE CLEARMAN TO RUN WATER LINE IN FERNCREST SUBDIVISION FOR THE EIGHT HOUSES THAT ARE BUILT.

THEREUPON, ALDERMAN HINTON MADE A MOTION FOR THE CITY OF PETAL TO RUN THE WATER LINE FOR HERBIE CLEARMAN TO THE EIGHT HOUSES IN FERNCREST FOR \$7,216.30 FOR THE PIPE. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON  
ALDERMAN JOE C MCMURRY, SR  
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

ALDERMAN MICHAEL W DRAUGHN

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

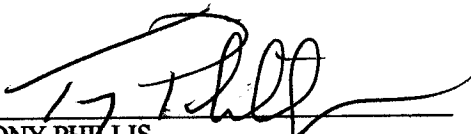
THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W DRAUGHN  
ALDERMAN WILLIE W HINTON  
ALDERMAN JOE C MCMURRY, SR  
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

THEREBING NO FURTHER BUSINESS, THE REGULAR RECESSED MEETING OF JULY 2, 2002 OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON THIS THE 11<sup>TH</sup> DAY OF JULY, AD,2002.

  
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TONY PHILLIS  
MAYOR

(SEAL)

ATTEST:

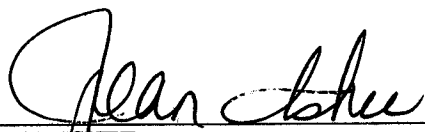
  
\_\_\_\_\_  
JEAN ISHEE  
CITY CLERK

EXHIBIT "A"

ORDINANCE NO. 2002 (101)

AN ORDINANCE REQUIRING MANDATORY FLOW  
OF MUNICIPAL SOLID WASTE, ESTABLISHING  
PENALTIES FOR VIOLATION THEREOF, ESTABLISHING  
AN EFFECTIVE DATE AND FOR RELATED PURPOSES

BE IT ORDAINED BY, the Mayor and Board of Aldermen of the City of Petal,

Mississippi, to wit:

**SECTION 1.** The Mayor and Board of Aldermen of the City of Petal, Mississippi, do hereby find and declare:

- a. The City of Petal, Mississippi, has received a certified copy of a resolution adopted by the Pine Belt Regional Solid Waste Management Authority (The Authority) dated July 10, 2002, directing each member of The Authority to adopt a resolution or ordinance to require the mandatory flow of municipal solid waste to The Authority solid waste landfill in Perry County, Mississippi, a copy of the resolution of The Authority received by the City of Petal, Mississippi, being attached hereto as Exhibit "A".
- b. The City of Petal, Mississippi, is a member of The Authority and is required to adopt such an ordinance pursuant to the terms and provisions of §17-17-319 (Supp. 2002) of the Mississippi Code of 1972.

**SECTION 2.** For the purposes of this ordinance, the following words and phrases shall have the meaning herein:

- a. **Municipal Solid Waste** means any non-hazardous solid waste resulting from the operation of residential, commercial, governmental, industrial or institutional establishments, except oil field exploration and production waste and sewage sludge.
- b. **Person** means a person as defined in §17-17-3 of the Mississippi Code of 1972.

**SECTION 3.** All municipal solid waste generated within the geographic boundaries of the City of Petal, Mississippi, that is placed in the waste stream shall be transported to, stored and managed at the Pine Belt Regional Solid Waste Management Authority's landfill in Perry County, Mississippi, or at a transfer station owned by the Pine Belt Regional Solid Waste Management Authority.

**SECTION 4.** It shall be unlawful for any person to violate any provision of this ordinance. Such violation shall be a misdemeanor, and shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), or imprisonment for a term not exceeding ninety (90) days, or by both such fine and imprisonment at the direction of the municipal judge. If a violation is continuing, each day's violation shall be deemed a separate offense.

**SECTION 5.** This ordinance shall take effect and in full force from and after thirty (30) days from the adoption and passage hereof.

The above and foregoing ordinance having been submitted to the Mayor and Board of Aldermen, first section by section, and then as a whole, the following vote was had, to wit:

EXHIBIT "A"

For the passage, adoption, and approval of Section 1, Section 2, Section 3, Section 4, and

Section 5:

Voting "YEA":

Alderman Michael W. Draughn  
Alderman Willie W. Hinton  
Alderman Joe C. McMurry, Sr.  
Alderman Steve Stringer  
Alderman William A. Travis

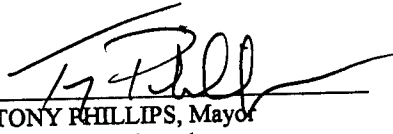
Voting "NAY" for the passage, approval and adoption of Sections 1, 2, 3, 4, and 5:

NONE

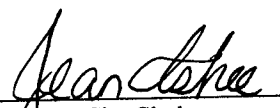
For the passage, adoption, and approval of the above and foregoing ordinance as a whole:

Alderman Michael W. Draughn  
Alderman Willie W. Hinton  
Alderman Joe C. McMurry, Sr.  
Alderman Steve Stringer  
Alderman William A. Travis

THE ABOVE AND FOREGOING ordinance having received the vote of a majority of  
the Board of Aldermen present and attending, the above and foregoing ordinance was hereby  
duly adopted, and approved on this the 11<sup>th</sup> day of July, A.D., 2002.

  
TONY PHILLIPS, Mayor  
City of Petal

ATTEST:

  
JEAN ISHÉE, City Clerk  
City of Petal

Publish 1 time: July 19, 2002

EXHIBIT "A"

**RESOLUTION DECLARING NECESSITY OF REQUIRING  
MANDATORY FLOW OF MUNICIPAL SOLID WASTE**

WHEREAS, the Pine Belt Regional Solid Waste Management Authority ("the Authority") is a regional solid waste management authority created under the provisions of Miss. Code Ann. §§ 17-17-301 through 17-17-319, and

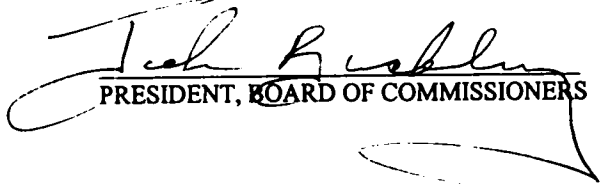
WHEREAS, the Authority operates a solid waste landfill in Perry County, Mississippi, as defined by Miss. Code Ann. § 17-17-305(w), and

WHEREAS, under Miss. Code Ann. § 17-17-319, the Authority may determine if the mandatory flow of municipal solid waste to its facility is necessary to ensure the viability of the facility,

NOW, THEREFORE, Be it resolved as follows:

That the Authority hereby determines that the mandatory flow of municipal solid waste to the Authority's solid waste landfill in Perry County, Mississippi, by any person located or residing within the territorial boundaries of a member of the Authority is necessary to ensure the viability of the Authority's facility in Perry County, Mississippi, and each member of the Authority is directed to comply with this resolution by adopting a resolution or ordinance to require such mandatory flow.

ADOPTED on this 10<sup>th</sup> day of July, A. D. , 2002.

  
PRESIDENT, BOARD OF COMMISSIONERS

ATTEST:

  
SECRETARY