

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON APRIL 6, 2004 AT 7:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT	MAYOR TONY PHILLIPS
CITY ATTORNEY	THOMAS W TYNER
ALDERMEN	MICHAEL W DRAUGHN WILLIE W HINTON JOE C MCMURRY, SR STEVE STRINGER WILLIAM A TRAVIS
OTHERS PRESENT	B C LEWIS PATRICIA BUXTON REV LELAND HOGAN ANNE CLARK TRUMAN ROBERTS JO DOHERTY AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY REV LELAND HOGAN.

WHEREAS, MAYOR PHILLIPS PRESENTED THE AGENDA WITH THE FOLLOWING CHANGES:

- IX. GENERAL BUSINESS
  - 14. OMIT
  - 22. REQUEST TO SET HEARING DATE OF APRIL 27, 2004 AT 7:00 P.M. FOR COOLHART PROPERTIES, INC ZONING CHANGE REQUEST FOR PROPERTY LOCATED ON GADSBY ROAD.
  - 23. REQUEST TO SET HEARING DATE OF APRIL 27, 2004 AT 7:00 P.M. FOR WEST OAKS SHOPPING CENTER ZONING CHANGE REQUEST FOR PROPERTY LOCATED AT 1229 HW 42 EAST.
  - 24. REQUEST TO SET HEARING DATE OF MAY 11, 2004 AT 7:00 P.M. FOR JAMES JOHNSON ZONING CHANGE REQUEST FOR PROPERTY LOCATED BETWEEN ASBURY CHURCH AND CHURCH OF GOD.
  - 25. REQUEST TO PAY INVOICE FROM JOE BYRD PLUMBING FOR WORK DONE ON CARTERVILLE ROAD.
- X. ORDERS & ORDINANCES
  - 11. REQUEST TO ADOPT ORDINANCE SETTING FORTH AND ESTABLISHING BY APPROPRIATE LEGAL DESCRIPTION THE FOUR WARDS OF THE CITY OF PETAL, MISSISSIPPI

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE AGENDA AS AMENDED. 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 THE MINUTES FOR THE REGULAR MEETING OF MARCH 16, 2004 AND THE MINUTES FOR SPECIAL MEETING OF MARCH 31, 2004.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF MARCH 16, 2004 AND THE SPECIAL MEETING OF MARCH 31, 2004 BE ACCEPTED AS WRITTEN. ALDERMAN STRINGER SECONDED THE MOTION. ALDERMAN DRAUGHN STATED THAT HE WOULD VOTE FOR THE SPECIAL MEETING AND NOT THE REGULAR MEETING SINCE HE WAS ABSENT AT THAT MEETING.

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 CALLED FOR PUBLIC COMMENT.

THEREUPON, ADA MADISON ADDRESSED THE BOARD ABOUT THE WATER DRAINAGE ON GRAY CROSSROAD NEAR HER HOME AND ALSO, WOULD LIKE A "CHILDREN AT PLAY" SIGN POSTED ON GRAY CROSSROAD.

THEREUPON, ED SAULTERS ADDRESSED THE BOARD ABOUT THE JUNK CAR ORDINANCE. HE THOUGHT THAT WAS A GOOD THING FOR THE CITY TO DO IS TO GET RID OF ALL THE OLD CARS.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO PURCHASE THE GPS SYSTEM FROM WAG CORP.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO PURCHASE THE GPS SYSTEM FROM WAG CORP FOR \$3,495.00 FOR THE SOFTWARE AND TRAINING, PROVIDING WHEN WE RECEIVED THE GPS SYSTEM THAT THE CITY PUTS AN EMPLOYEE ON IT TO GET STARTED FINDING THE LINES. 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 REQUEST FOR PAYROLL TO BE DIRECT DEPOSIT WITH HANCOCK BANK.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ALLOW PAYROLL TO BE DIRECT DEPOSIT WITH HANCOCK BANK. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN JOE C MCMURRY, SR  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

ALDERMAN MICHAEL W DRAUGHN  
ALDERMAN WILLIE W HINTON  
ALDERMAN WILLIAM A TRAVIS

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO ADOPT THE RESOLUTION TO GRANT AD VALOREM TAX EXEMPTIONS FOR EL PASO GAS COMPANY.

DIED FROM LACK OF MOTION.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO APPROVE SUPPLEMENTAL AGREEMENT #4 FOR DRAINAGE IMPROVEMENTS FROM LAMPKIN CONSTRUCTION.

SEE EXHIBIT "A"  
DRAINAGE IMPROVEMENT (CITY WIDE)

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE SUPPLEMENTAL AGREEMENT #4 FOR DRAINAGE IMPROVEMENTS FROM LAMPKIN CONSTRUCTION. 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, MAYOR PHILLIPS PRESENTED A REQUEST TO PAY KATHY GARNER \$1,237.50 FOR TECHNICAL ASSISTANCE IN AMENDING THE ZONING ORDINANCE.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY KATHY GARNER FOR THE TECHNICAL ASSISTANCE IN AMENDING THE ZONING ORDINANCE IN THE AMOUNT OF \$1,237.50. ALDERMAN HINTON 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 REQUEST TO REFUND TOD HUDSON \$22.60 DUE TO CREDIT ON WATER BILL.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND TOD HUDSON \$22.60 DUE TO A CREDIT ON HIS WATER BILL AFTER IT HAS BEEN CLOSED. ALDERMAN TRAVIS 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 REQUEST FROM CINGULAR WIRELESS TO GRANT AN EXCEPTION FOR PERMITTED USES OF CELL PHONE TOWER, PER SECTION 6.063 OF THE OFFICIAL ZONING ORDINANCE.

THEREUPON, ALDERMAN TRAVIS MADE A MOTION TO GRANT THE EXCEPTION FOR CINGULAR WIRELESS TO ERECT A CELL PHONE TOWER LOCATED ON MORRIS STREET. 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, MAYOR PHILLIPS PRESENTED THE FOLLOWING PROOFS OF PUBLICATION TO THE BOARD.

- A. ORDINANCE NUMBER 1979-(42A-129)
- B. PUBLIC NOTICE-PUBLIC HEARING PERTAINING TO BUFFER REQUIREMENTS
- C. PUBLIC NOTICE-AMENDING COMPREHENSIVE ZONING ORDINANCE 1979(42)

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION THAT THE FOREGOING PROOFS OF PUBLICATION BE ACCEPTED AND FILED. 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 THE CLAIMS #75728-76195 OF THE CITY OF PETAL GENERAL FUNDS AND THE CITY OF PETAL WATER AND SEWER FUNDS FOR THE MONTH OF MARCH 2004.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO PAY CLAIMS #75728-76195 OF THE CITY OF PETAL GENERAL FUNDS AND THE CITY OF PETAL WATER AND SEWER FUNDS FOR THE MONTH OF MARCH 2004. ALDERMAN MCMURRY SECONDED THE MOTION.

ALDERMAN DRAUGHN APPROVES THE CLAIM DOCKET WITH THE EXCEPTION OF PAYING THE MAYOR AND CITY CLERK SALARIES.

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 REQUEST FOR THE CITY CLERK TO ADVERTISE FOR A FULL-TIME WATER DEPARTMENT CLERK.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR A FULL-TIME WATER DEPARTMENT CLERK TO REPLACE WILMA SWILLEY, WHO IS RETIRING. 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 CANCELLATION OF THE DEED OF TRUST ON SUSAN SANSING RENTAL PROPERTY LOCATED AT 106 N GEORGE STREET AS HE HAS SOLD THE PROPERTY AND SATISFIED THE REMAINING BALANCE ON HIS LOAN.

SEE EXHIBIT "B"

DEED OF TRUST CANCELLATION

THEREUPON, ALDERMAN HINTON MADE A MOTION TO CANCEL THE DEED OF TRUST ON SUSAN SANSING'S PROPERTY. 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, MAYOR PHILLIPS PRESENTED A CANCELLATION OF THE DEED OF TRUST ON WILLIAM G DAVIS'S RENTAL PROPERTY AT 107 CORA STREET AS HE HAS SATISFIED THE REMAINING BALANCE ON HIS LOAN.

SEE EXHIBIT "C"

DEED OF TRUST CANCELLATION

THEREUPON, ALDERMAN HINTON MADE A MOTION TO CANCEL THE DEED OF TRUST ON WILLIAM G DAVIS'S PROPERTY. 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, MAYOR PHILLIPS PRESENTED A REQUEST TO PAY INVOICE FROM BANCORP SOUTH FOR \$600,000 TAX INCREMENT LIMITED OBLIGATION BONDS IN AMOUNT OF \$11,800.00.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY THE INVOICE FROM BANCORP SOUTH ON \$600,000 TAX INCREMENT LIMITED OBLIGATION BONDS IN AMOUNT OF \$11,800.00. 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, MAYOR PHILLIPS PRESENTED A REQUEST TO PURCHASE AN AD FOR THE 2004 BOY SCOUTS OF AMERICA COUNCIL ANNUAL AD PROGRAM.

DIED TO LACK OF MOTION.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO PAY INVOICE FROM SOUTHERN FINANCIAL SYSTEMS IN THE AMOUNT OF \$817.92 FOR COLLECTION OF OLD FINES IN THE POLICE DEPT.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO PAY INVOICE FROM SOUTHERN FINANCIAL SYSTEMS IN THE AMOUNT OF \$817.92 FOR COLLECTION OF OLD FINES IN THE POLICE DEPT. ALDERMAN HINTON 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 REQUEST FROM CHIEF LEE SHELBORN TO REIMBURSE OFFICER JOHN SMITH \$128.94 FOR HIS HOTEL EXPENSE DUE TO A CLASS HE ATTENDED IN JACKSON, MS.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE OFFICER JOHN SMITH TO ATTEND THE CLASS IN JACKSON, MS AND TO PAY HIS EXPENSES OF \$128.94. 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 REQUEST FROM CHIEF RICHARD BRYANT TO APPLY FOR THE 2004 OFFICE OF DOMESTIC PREPAREDNESS ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE APPLICATION FOR THE GRANT AT A 90/10 MATCH. 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, MAYOR PHILLIPS PRESENTED A REQUEST FROM CHIEF RICHARD BRYANT TO RECEIVE A CELL PHONE TO BE ADDED TO THE POOL WITH ALLTEL.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION FOR CHIEF RICHARD BRYANT TO RECEIVE A CELL PHONE FROM ALLTEL AND TO CONTRACT UP TO \$35.00 PER MONTH AND ANYTHING OVER THAT AMOUNT, THE INDIVIDUAL USING THE PHONE WILL HAVE TO PAY THE BALANCE. 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, MAYOR PHILLIPS PRESENTED THE RECOMMENDATION FROM THE PLANNING COMMISSION TO GRANT THE ZONING CHANGE REQUEST FROM D & P CONSTRUCTION, LLC TO CHANGE THE PROPERTY ON LEEVILLE ROAD FROM RURAL FRINGE TO R-1.

SEE EXHIBIT "D"

ORDINANCE 1979(42A-132)

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE AMENDING THE CITY OF PETAL'S ZONING ORDINANCE. ALDERMAN TRAVIS 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 RECOMMENDATION FROM BUILDING INSPECTOR, DAN TOLBERT, TO REAPPOINT JOE BYRD, JUDE TISDALE, AND TONY TISDALE TO THE PLUMBING COMMITTEE FOR A TERM OF 2 YEARS.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO REAPPOINT JOE BYRD, JUDE TISDALE, AND TONY TISDALE TO THE PLUMBING COMMITTEE FOR A TERM OF TWO YEARS. 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 RECOMMENDATION FROM BUILDING INSPECTOR, DAN TOLBERT, TO REAPPOINT BILLY RICHARDSON, JIMMY COSTON, AND JEFF ZIZ TO THE ELECTRICAL COMMITTEE FOR A TERM OF 2 YEARS.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO REAPPOINT BILLY RICHARDSON, JIMMY COSTON, AND JEFF ZIZ TO THE ELECTRICAL COMMITTEE FOR A TERM OF 2 YEARS. 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, MAYOR PHILLIPS PRESENTED THE RECOMMENDATION FROM THE PLANNING COMMISSION TO FURTHER STUDY THE PROPOSED AMENDMENTS FOR THE ZONING ORDINANCE.

THEREUPON, ALDERMAN TRAVIS MADE A MOTION TO ACCEPT THE RECOMMENDATION FROM THE PLANNING COMMISSION TO DO FURTHER STUDY ON THE ZONING ORDINANCE. 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 THE RECOMMENDATION FROM THE ZONING ADMINISTRATOR, DAN TOLBERT, IN REGARDS TO PROPOSED ZONING ORDINANCE AMENDMENTS.

SEE EXHIBIT "E"

ORDINANCE 1979(42A-133)

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ADOPT THE RECOMMENDATION IN REGARDS TO THE ZONING ORDINANCE AMENDMENTS FOR THE PUD AND THE BUFFER ZONE AND TO AMEND THE ZONING ORDINANCE ACCORDINGLY. 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, MAYOR PHILLIPS PRESENTED A ZONING CHANGE REQUEST FOR JOSEPH BRADY'S PROPERTY LOCATED AT 928 HWY 42 EAST.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO SET THE HEARING DATE FOR APRIL 27, 2004 AT 7:00 P.M. IN THE BOARDROOM. 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 ZONING CHANGE REQUEST FOR COOLHART PROPERTIES, LLC LOCATED ON GADSBY ROAD.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO SET THE HEARING DATE FOR APRIL 27, 2004 AT 7:00 P.M. IN THE BOARDROOM. 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 ZONING CHANGE REQUEST FOR WEST OAKS SHOPPING CENTER 1229 HWY 42 EAST.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO SET THE HEARING DATE FOR APRIL 27, 2004 AT 7:00 P.M. IN THE BOARDROOM. 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 ZONING CHANGE REQUEST FOR JAMES JOHNSON PROPERTY LOCATED AT HYW 42 EAST.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO SET THE HEARING DATE FOR MAY 11, 2004 AT 7:00 P.M. IN THE BOARDROOM. ALDERMAN TRAVIS 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 AN INVOICE FROM JOE BYRD PLUMBING FOR \$251.30 FOR WORK DONE AT 425 CARTERVILLE ROAD TO DIG UP SEWER LINE.

THEREUPON, ALDERMAN TRAVIS MADE A MOTION TO PAY THE INVOICE FROM JOE BYRD PLUMBING FOR \$251.30.

MOTION DIED DUE TO LACK OF SECOND.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO PAY \$155.00 OF THE INVOICE FOR THE LABOR, NOT TO PAY FOR THE TRACTOR RENTAL. ALDERMAN TRAVIS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON  
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

ALDERMAN MCHAEL W DRAUGHN  
ALDERMAN JOE C MCMURRY, SR  
ALDERMAN STEVE STRINGER

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FOR JEAN ISHEE AND LYNN WHEAT TO ATTEND THE BBI PRIVILEGE LICENSE WORKSHOP ON APRIL 14, 2004 IN JACKSON, MS.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE JEAN ISHEE AND LYNN WHEAT TO ATTEND THE BBI PRIVILEGE LICENSE WORKSHOP IN JACKSON, MS APRIL 14, 2004 AND TO PAY HER MILEAGE. 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, MAYOR PHILLIPS PRESENTED A REQUEST FOR CHIEF RICHARD BRYANT TO ATTEND THE MISSISSIPPI FIRE CHIEFS AND FIREFIGHTERS SEMINAR ON JUNE 9-12, 2004 IN GULFPORT, MS.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE CHIEF RICHARD BRYANT TO ATTEND THE MISSISSIPPI FIRE CHIEFS AND FIREFIGHTERS SEMINAR JUNE 9-12, 2004 IN GULFPORT, MS AND TO PAY HIS 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 REQUEST FOR ERIC HARDING TO ATTEND FIRE INSTRUCTOR 1041-I ON APRIL 5-9, 2004 AT THE MISSISSIPPI STATE FIRE ACADEMY IN JACKSON, MS.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE ERIC HARDING TO ATTEND THE FIRE INSTRUCTOR 1041-I APRIL 5-9, 2004 AT THE MISSISSIPPI STATE FIRE ACADEMY IN JACKSON, MS AND TO PAY HIS 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 REQUEST FOR BENJAMIN TOWNSEND TO ATTEND DRIVER OPERATOR SCHOOL 1002 ON MARCH 29-APRIL 9, 2004 AT THE MISSISSIPPI STATE FIRE ACADEMY IN JACKSON, MS.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE BENJAMIN TOWNSEND TO ATTEND THE DRIVER OPERATOR SCHOOL MARCH 29-

APRIL 9, 2004 AT THE MISSISSIPPI STATE FIRE ACADEMY IN JACKSON, MS AND TO PAY HIS 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 REQUEST FOR SHANE PICKETT TO ATTEND FIRE INSTRUCTOR 1041-I ON APRIL 5- 9, 2004 AT THE MISSISSIPPI STATE FIRE ACADEMY IN JACKSON, MS.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE SHANE PICKETT TO ATTEND THE FIRE INSTRUCTOR 1041-I APRIL 5-9, 2004 AT THE MISSISSIPPI STATE FIRE ACADEMY IN JACKSON, MS AND TO PAY HIS 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 REQUEST FOR SHAROLD FEDRICK TO ATTEND THE MML SUMMER COURT CLERK SEMINAR IN BILOXI, MS JUNE 27-29, 2004.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO AUTHORIZE SHAROLD FEDRICK TO ATTEND THE MML SUMMER COURT CLERK SEMINAR IN BILOXI, MS JUNE 27-29, 2004 AND TO PAY HER EXPENSES. 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 REQUEST FOR MICHELLE MITCHELL TO ATTEND THE MML SUMMER COURT CLERK SEMINAR IN BILOXI, MS JUNE 27-29, 2004.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO AUTHORIZE MICHELLE MITHCELL TO ATTEND THE MML SUMMER COURT CLERK SEMINAR IN BILOXI, MS JUNE 27-29, 2004 AND TO PAY HER EXPENSES. 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 REQUEST TO ATTEND THE 2004 ANNUAL PDD CONFERENCE IN BILOXI, MS MAY 4-7, 2004.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE MAYOR TONY PHILLIPS TO ATTEND THE 2004 ANNUAL PDD CONFERENCE IN BILOXI, MS MAY 4-7, 2004 AND TO PAY HIS EXPENSES. 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, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER INCREASING PAY OF JAMES SCHUTTE IN THE STREET DEPARTMENT.

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO INCREASE THE PAY OF JAMES SCHUTTE IN THE STREET DEPARTMENT.

IT IS HEREBY ORDERED THAT JAMES SCHUTTE PAY BE INCREASED TO \$6.49 PER HOUR EFFECTIVE COMPLETION OF SIX MONTH PROBATION PERIOD ON MAY 12, 2004.

SO ORDERED ON THIS THE 6<sup>TH</sup> DAY OF APRIL, 2004.

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 THE FOLLOWING ORDER INCREASING PAY OF DERRICK BROWN IN THE WATER DEPARTMENT.

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO INCREASE THE PAY OF DERRICK BROWN IN THE WATER DEPARTMENT.

IT IS HEREBY ORDERED THAT DERRICK BROWN PAY

BE INCREASED TO \$6.49 PER HOUR EFFECTIVE ON MARCH 31, 2004.

SO ORDERED ON THIS THE 6<sup>TH</sup> DAY OF APRIL, 2004.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN TRAVIS 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 ORDER INCREASING PAY OF LARRY FLOYD IN THE WATER DEPARTMENT.

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO INCREASE THE PAY OF LARRY FLOYD IN THE WATER DEPARTMENT.

IT IS HEREBY ORDERED THAT LARRY FLOYD PAY BE INCREASED TO \$6.49 PER HOUR EFFECTIVE ON APRIL 7, 2004.

SO ORDERED ON THIS THE 6<sup>TH</sup> DAY OF APRIL, 2004.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDER. 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, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER INCREASING PAY OF JEFFERY ESTERS IN THE WATER DEPARTMENT.

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO INCREASE THE PAY OF JEFFERY ESTERS IN THE WATER DEPARTMENT.

IT IS HEREBY ORDERED THAT JEFFERY ESTERS PAY BE INCREASED TO \$8.48 PER HOUR EFFECTIVE ON APRIL 7, 2004.

SO ORDERED ON THIS THE 6<sup>TH</sup> DAY OF APRIL, 2004.

THEREUPON, ALDERMAN DRAUGHN 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 THE FOLLOWING ORDER PROMOTING MIRANDA DAVENPORT TO THIRD CLASS DISPATCHER.

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO PROMOTE MIRANDA DAVENPORT TO 3<sup>RD</sup> CLASS DISPATCHER.

IT IS HEREBY ORDERED THAT MIRANDA DAVENPORT PAY BE INCREASED TO \$8.105 PER HOUR EFFECTIVE ON APRIL 7, 2004.

SO ORDERED ON THIS THE 6<sup>TH</sup> DAY OF APRIL, 2004.

THEREUPON, ALDERMAN DRAUGHN 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 THE RESIGNATION OF POLICE OFFICER MICHAEL BLOUNT EFFECTIVE MARCH 29, 2004.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO ACCEPT THE RESIGNATION OF OFFICER MICHAEL BLOUNT IN THE POLICE DEPARTMENT EFFECTIVE MARCH 29, 2004. 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 ORDER PROMOTING OFFICER PHILLIP BROSSETTE TO 3<sup>RD</sup> CLASS PATROLMAN.

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO PROMOTE OFFICER PHILLIP BROSSETTE IN THE POLICE DEPARTMENT.

IT IS HEREBY ORDERED THAT OFFICER PHILLIP BROSSETTE'S BE PROMOTED TO 3<sup>RD</sup> CLASS PATROLMAN AT A RATE OF \$9.79 PER HOUR EFFECTIVE APRIL 3, 2004.

SO ORDERED ON THIS THE 6<sup>TH</sup> DAY OF APRIL, 2004.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDER. 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, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER PROMOTING OFFICER WILLIAM JOHN TO 3<sup>RD</sup> CLASS PATROLMAN.

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO PROMOTE OFFICER WILLIAM JOHN IN THE POLICE DEPARTMENT.

IT IS HEREBY ORDERED THAT OFFICER WILLIAM JOHN BE PROMOTED TO 3<sup>RD</sup> CLASS PATROLMAN AT A RATE OF \$9.79 PER HOUR EFFECTIVE APRIL 3, 2004.

SO ORDERED ON THIS THE 6<sup>TH</sup> DAY OF APRIL, 2004.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ADOPT THE FOREGOING ORDER. 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, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER PROMOTING OFFICER JOEY SCOTT TO 1<sup>ST</sup> CLASS POLICE OFFICER.

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO PROMOTE OFFICER JOEY SCOTT IN THE POLICE DEPARTMENT.

IT IS HEREBY ORDERED THAT OFFICER JOEY SCOTT BE PROMOTED TO 1<sup>ST</sup> CLASS PATROLMAN AT A RATE OF \$10.67 PER HOUR EFFECTIVE MARCH 29, 2004.

SO ORDERED ON THIS THE 6<sup>TH</sup> DAY OF APRIL, 2004.

THEREUPON, ALDERMAN DRAUGHN 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 THE FOLLOWING ORDER PROMOTING FIREFIGHTER CURTIS HOWELL IN THE FIRE DEPARTMENT.

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO PROMOTE FIREFIGHTER CURTIS HOWELL TO 2<sup>ND</sup> CLASS IN THE FIRE DEPARTMENT.

IT IS HEREBY ORDERED THAT OFFICER CURTIS HOWELL HAS SATISFIED ALL OF THE REQUIREMENTS FOR 2<sup>ND</sup> CLASS FIREFIGHTER, IS HEREBY PROMOTED AT A RATE OF \$9.11 PER HOUR EFFECTIVE APRIL 14, 2004.

SO ORDERED ON THIS THE 6<sup>TH</sup> DAY OF APRIL, 2004.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ADOPT THE FOREGOING ORDER. 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 SETTING FORTH AND ESTABLISHING BY APPROPRIATE LEGAL DESCRIPTION THE FOUR WARDS OF THE CITY OF PETAL, MISSISSIPPI.

SEE EXHIBIT "F"

ORDINANCE 2004(100)

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. 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 ORDER FROM THE STATE OF MISSISSIPPI GOVERNOR'S OFFICE PROCLAIMING APRIL 26, 2004 BE OBSERVED AS A LEGAL HOLIDAY.

SEE EXHIBIT "G"

STATE OF MISSISSIPPI

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO APPROVE THE HOLIDAY FOR APRIL 26, 2004. 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 THE FOLLOWING RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN TO ISSUE GENERAL OBLIGATION BONDS, SERIES 2004.

SEE EXHIBIT "H"

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI (THE "CITY"), TO ISSUE GENERAL OBLIGATION BONDS, SERIES 2004, OF SAID CITY IN THE MAXIMUM PRINCIPAL AMOUNT OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) TO RAISE MONEY FOR THE PURPOSE OF ERECTING MUNICIPAL BUILDINGS AND PURCHASING BUILDINGS OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME; PURCHASING FIRE-FIGHTING EQUIPMENT AND APPARATUS, AND PROVIDING HOUSING FOR SAME, AND PURCHASING LAND THEREFOR; CONSTRUCTING, PREPARING EQUIPPING AND ADORNING PARKS, PUBLIC PLAYGROUNDS, ATHLETIC FIELDS AND OTHER RECREATIONAL FACILITIES, AND PURCHASING LAND THEREFOR; REPAIRING, IMPROVING, AND EXTENDING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS; CONSTRUCTING, IMPROVING OR PAVING STREETS SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; AND REPAIRING, IMPROVING AND EXTENDING WATERWORKS, GAS, ELECTRIC AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS OR FRANCHISES; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. 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

THOSE PRESENT AND VOTING "NAY"

ALDERMAN WILLIAM A TRAVIS

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ENGAGING CERTAIN PROFESSIONALS CONCERNING THE ISSUE ON GENERAL OBLIGATION BONDS, SERIES 2004.

SEE EXHIBIT "I"

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI (THE "CITY"), ENGAGING CERTAIN PROFESSIONALS TO ISSUE GENERAL OBLIGATION BONDS, SERIES 2004, OF SAID CITY IN THE MAXIMUM PRINCIPAL AMOUNT OF TWO MILLION FIVE HUNDRED DOLLARS (\$2,500,000) TO RAISE MONEY FOR THE PURPOSE OF ERECTING MUNICIPAL BUILDINGS AND PURCHASING BUILDINGS OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME;

REPAIRING, IMPROVING AND EDXTENDING SANITARY, STORM,  
DRAINAGE OR SEWERAGE SYSTEMS; CONSTRUCTING, IMPROVING  
OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS,  
OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR;  
AND REPAIRING, IMPROVING AND EXTENDING WATERWORKS, GAS,  
ELECTRIC AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS OR  
FRANCHISES

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE  
FOREGOING RESOLUTION. 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

THOSE PRESENT AND VOTING "NAY"

ALDERMAN WILLIAM A TRAVIS

THEREUPON, ALDERMAN TRAVIS 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 STEVE STRINGER  
ALDERMAN WILLIAM A TRAVIS

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 WAS  
ADJOURNED ON THIS THE 6<sup>TH</sup> DAY OF APRIL, 2004.

  
\_\_\_\_\_  
TONY PHILLIPS  
MAYOR

(SEAL)

ATTEST

  
\_\_\_\_\_  
JEAN ASHEE  
CITY CLERK

EXHIBIT "A"

CITY OF PETAL  
DRAINAGE IMPROVEMENTS (CITY WIDE)  
FORREST COUNTY, MISSISSIPPI

SUPPLEMENTAL AGREEMENT NO. 4

PETAL, MISSISSIPPI

WHEREAS: It is proposed that the following items be added to the contract documents:

WHEREAS: We, Lampkin Construction Company, Contractor and St. Paul, Surety entered into a contract with the City of Petal on the September 11, 2003 for the Drainage Improvements (City Wide).

WHEREAS: Due to excessive rainfall within the last month the Contractor has requested an additional 45 days extension from March 04, 2004 completion date.

THEREFORE: The Contractor has been granted an additional 45 days to complete the project and establishing the new completion date as April 18, 2004.

NOW THEREFORE, We, Lampkin Construction Company, Contractor and St. Paul, Surety, hereby agree that said Supplemental Agreement is hereby made a part of the Original Contract to be performed under the specifications thereof, and that the Original Contract is in full force and effect, except insofar as it might be modified by this Supplement Agreement.

DATED, this 6 day of April, 2004.

LAMPKIN CONSTRUCTION COMPANY

CITY OF PETAL

By: [Signature]  
Contractor

By: [Signature]  
Mayor - Tony Phillips

Witness [Signature]

Witness [Signature]

EXHIBIT "B"

CANCELLATION OF DEED OF TRUST

TO THE CHANCERY CLERK OF FORREST COUNTY, MISSISSIPPI

YOU ARE HEREBY AUTHORIZED AND DIRECTED TO MARK SATISFIED AND CANCEL OF RECORD, BY MARGINAL ENTRY THEREON, THAT DEED OF TRUST EXECUTED ON THE 23<sup>RD</sup> DAY OF MARCH, 1992, BY WILLIAM GLENN SANSING, MARTIN G JONES, ROBERT MADISON LOWE, AND CHALES STEVEN SINGLETON IN FAVOR OF THE CITY OF PETAL, MISSISSIPPI OF RECORD BOOK 781 PAGE 490 IN YOUR OFFICE.

WITNESS THE SIGNATURE OF THE DULY AUTHORIZED OFFICE OF THE CITY OF PETAL, MISSISSIPPI ON THIS THE 6<sup>TH</sup> DAY OF APRIL 2004.

CITY OF PETAL, MISSISSIPPI

BY: Jean Ishee

**LEGAL DESCRIPTION: A PART OF LOT 1, BLOCK 5 OF THE BRADSHAW HEIRS SUBDIVISION IN THE CITY OF PETAL, COUNTY OF FORREST, STATE OF MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF THE SAID LOT 1, AND THENCE RUN NORTH ALONG THE WEST LINE OF NORTH GEORGE STREET FOR 160 FEET TO AND FOR THE POINT OF BEGINNING, THENCE CONTINUE NORTH ALONG THE WEST LINE OF NORTH GEORGE STREET FOR 95 FEET, THENCE RUN WEST FOR 85 FEET, THENCE RUN SOUTH FOR 95 FEET, THENCE RUN EAST FOR 85 FEET TO THE POINT OF BEGINNING, TOGETHER WITH ALL IMPROVEMENTS LYING THEREON AND APPURTENANCES THEREUNTO BELONGING.**

STATE OF MISSISSIPPI

COUNTY OF FORREST

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR THE COUNTY AND STATE AFOREMENTIONED, JEAN ISHEE, WHO ACKNOWLEDGED THAT SHE IS AN OFFICER OF THE CITY OF PETAL, MISSISSIPPI, SIGNED AND DELIVERED THE ABOVE AND FOREGOING INSTRUMENT ON THE DAY AND YEAR THEREIN MENTIONED FOR AND ON BEHALF OF THE CITY OF PETAL, MISSISSIPPI BEING DULY AUTHORIZED TO DO SO.

GIVEN UNDER HAND AND SEAL OF OFFICE, ON THIS THE 6<sup>TH</sup> DAY OF APRIL 2004.

Jean Ishee  
NOTARY PUBLIC

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: Sept 28, 2004  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

EXHIBIT "C"

CANCELLATION OF DEED OF TRUST  
TO THE CHANCERY CLERK OF FORREST COUNTY, MISSISSIPPI

YOU ARE HEREBY AUTHORIZED AND DIRECTED TO MARK SATISFIED AND  
CANCEL OF RECORD, BY MARGINAL ENTRY THEREON, THAT DEED OF TRUST EXECUTED  
ON THE 28<sup>TH</sup> DAY OF SEPTEMBER, 1989, BY WILLIAM G DAVIS IN FAVOR OF THE CITY OF  
PETAL, MISSISSIPPI OF RECORD BOOK 721 PAGE 627 IN YOUR OFFICE.

WITNESS THE SIGNATURE OF THE DULY AUTHORIZED OFFICE OF THE CITY OF  
PETAL, MISSISSIPPI ON THIS THE 6<sup>TH</sup> DAY OF APRIL 2004.

CITY OF PETAL, MISSISSIPPI

BY: Jean Ishee

**LEGAL DESCRIPTION: ALL OF LOT EIGHT (8), AND THE NORTH TEN FEET (10') OF  
LOTS SIX (6) AND SEVEN (7), IN BLOCK ONE (1) OF THE LEAF RIVER SUBDIVISION IN  
THE CITY OF PETAL, COUNTY OF FORREST, STATE OF MISSISSIPPI, AS PER THE MAP  
OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY  
CLERK OF FORREST COUNTY, MISSISSIPPI, IN PLAT BOOK 8, PAGE 36; TOGETHER  
WITH ALL IMPROVEMENTS THEREON AND APPURTENANCES THEREUNTO  
BELONGING.**

STATE OF MISSISSIPPI

COUNTY OF FORREST

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR  
THE COUNTY AND STATE AFOREMENTIONED, JEAN ISHEE, WHO ACKNOWLEDGED THAT  
SHE IS AN OFFICER OF THE CITY OF PETAL, MISSISSIPPI, SIGNED AND DELIVERED THE  
ABOVE AND FOREGOING INSTRUMENT ON THE DAY AND YEAR THEREIN MENTIONED FOR  
AND ON BEHALF OF THE CITY OF PETAL, MISSISSIPPI BEING DULY AUTHORIZED TO DO  
SO.

GIVEN UNDER HAND AND SEAL OF OFFICE, ON THIS THE 6<sup>TH</sup> DAY OF APRIL 2004.

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: Sept 28, 2004  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Judy Anne McCarty  
NOTARY PUBLIC

EXHIBIT "D"

CITY OF PETAL  
ORDINANCE BOOK 3

ORDINANCE NUMBER 1979 (42-A132)

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-A131) SO AS TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY LOCATED ON LEEVILLE ROAD, PETAL, MS FROM R-F (RURAL FRINGE) TO R-1 (LOW DENSITY RESIDENTIAL).

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-A131) 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 from R-F (Rural Fringe) to R-1 (Low Density Residential).

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

COMM AT A 4" X 4" CONCRETE MONUMENT AT THE SW COR OF THE NE 1/4 OF THE SW 1/4 OF S25, T5N, R13W, FORREST COUNTY, MS FOR THE POB AND RUN N00°30'50"E FOR 728.59' TO A 4-1/2" ROUND CONCRETE MONUMENT; THENCE RUN S89°37'24"E FOR 1327.84' TO A 4-1/2" ROUND CONCRETE MONUMENT AT THE WEST ROW LINE OF LEEVILLE PAVED PUBLIC ROAD; THENCE RUN S05°04'37"E ALG SAID W ROW LINE FOR 108.86' TO A 1/2" REBAR; THENCE RUN SWTRLY ALG SAID W ROW LINE AND ALG THE ARC OF A CURVE WHICH CURVES TO THE R AND HAS A RADIUS OF 1080.21', A CENTRAL ANG OF 07°29'03", A LONG CHORD OF 501°35'53"W FOR 141.43'; FOR AN ARC LENGTH OF 141.10' TO A 4-1/2" ROUND CONCRETE MONUMENT; THENCE LEAVING SAID W ROW LINE, RUN N78°43'15"W FOR 366.99' TO A 4-1/2" ROUND CONCRETE MONUMENT; THENCE RUN S12°16'14"W FOR 281.83' TO A 4-1/2" ROUND CONCRETE MONUMENT; THENCE RUN N86°59'27"E FOR 386.11' TO A 4-1/2" ROUND CONCRETE MONUMENT AND BACK TO THE AFOREMENTIONED W ROW LINE OF LEEVILLE PAVED PUBLIC ROAD; THENCE RUN S18°07'23"W ALG SAID W ROW LINE FOR 62.42' TO A 1/2" REBAR; THENCE RUN SWTRLY ALG SAID W ROW LINE AND ALG THE ARC OF A CURVE WHICH CURVES TO THE L AND HAS A RADIUS OF 939.47', A CENTRAL ANGL OF 14°53'59", A LONG CHORD OF 511°22'52"W FOR 243.62'; FOR AN ARC LENGTH OF 244.31' TO A 4-1/2" ROUND CONCRETE MONUMENT; THENCE LEAVING SAID W ROW LINE, RUN N89°29'20"W FOR 1238.41' BACK TO THE POB. SAID PARCELF OF LAND IS PART OF THE NE 1/4 OF THE NW 1/4 AND THE NW 1/4 OF THE NE 1/4 OF S25, T13W, R13W, FORREST COUNTY, MS AND CONTAINS 19.64 ACRES, MORE OR LESS

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 R-1 (Low Density Residential).

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 (42-1) through 1979 (42-A131) shall be and

remain in full force and form as adopted on April 6<sup>th</sup> 2004.

SECTION 3. That this Ordinance shall 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 a 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 Michael W. Draughn  
Alderman Willie W. Hinton  
Alderman Joe C. McMurry, Sr.  
Alderman Steve Stringer  
Alderman William A. Travis

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

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 6<sup>th</sup> day of April 2004.

  
TONY PHILLIPS, MAYOR

(SEAL)

ATTEST

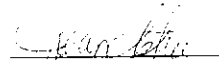
  
JEAN ISHEE, CITY CLERK  
PUBLISHING TIME: April 19, 2004

EXHIBIT "E"

CITY OF PETAL  
ORDINANCE BOOK 3

ORDINANCE NO. 1979 (42-A133)

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-A132) SO AS TO CHANGE AND ADD TO ARTICLE V. DEFINITIONS, INCLUDE SECTION 6.20 PLANNED UNIT DEVELOPMENT, UNDER ARTICLE VI. SCHEDULE OF REGULATIONS AND DISTRICT REGULATIONS AND TO INCLUDE SECTION 7.6 BUFFER STRIP UNDER ARTICLE VII. SUPPLEMENTARY PROVISIONS.

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

SECTION 1. The following articles of Ordinance 1979 (42) be amended as follows:

ARTICLE V. DEFINITIONS. SECTION 5.06 replace with the following definition:

**Buffer Strip.** An area set aside as a nonbuildable area, but which may include landscaping, berms, walls, fences or any combination thereof that partially blocks, in a continuous manner, the view from one area to another, which shall not be penetrated by vehicular access.

ARTICLE V. DEFINITIONS. TO INCLUDE A SECTION 5.57.01: **PLANNED UNIT DEVELOPMENT** which reads: The Planned Unit Development (PUD) is a special overlay that provides an alternate approach to conventional land use controls. As a type of development and as a regulatory process, the PUD offers increased design flexibility for a large site and is subject to special review procedures.

ARTICLE VI. SCHEDULE OF REGULATIONS AND DISTRICT REGULATIONS. Add the following sections:

6.068 **Buffer Strip.** Buffer strip are required in this zoning district. Regulations can be found in Section 7.6.

6.078 **Buffer Strip.** Buffer strip are required in this zoning district. Regulations can be found in Section 7.6.

6.086 **Buffer Strip.** Buffer strip are required in this zoning district. Regulations can be found in Section 7.6.

6.096 **Buffer Strip.** Buffer strip are required in this zoning district. Regulations can be found in Section 7.6.

6.106 **Buffer Strip.** Buffer strip are required in this zoning district. Regulations can be found in Section 7.6.

plains or steep slopes. PUD offers greater opportunities for providing mixed-income housing.

6.203. **Specific Goals**

The PUD District will be applied where it will help to accomplish the following specific purposes:

- (a) Encourage diversified living environments, and accommodate a mixture of land uses that otherwise would not be allowed together on the same site;
- (b) Permit flexibility within the development with respect to area and density standards to best utilize the physical features of a particular tract of land;
- (c) Provide and preserve meaningful open space, particularly where it is necessary or desirable for such common areas to be shared by more than one owner;
- (d) Encourage a more efficient use of land, public services, and natural resources than is generally achieved through conventional development;
- (e) Provide a smooth transition from surrounding densities, intensities, and uses with those proposed in the PUD; and
- (f) Provide amenities beyond the minimum requirements of conventional development.

6.204 **Application of District**

The requirements of this Section shall apply to all proposed PUDs. The review and approval of PUDs shall be coordinated with the review and approval of any Subdivision Plat and/or site plan required. An application for PUD approval and any required application for Preliminary Subdivision Plat and/or site plan approval shall be filed simultaneously and coordinated.

6.205 **Permitted Uses**

At the time of recommending approval of a PUD, the Planning Commission shall designate a list of Permitted Use groups and categories for the PUD, subject to the following conditions:

(a) Where there is more than one zoning district applicable to the property subject to a PUD application, the Permitted Uses in the PUD shall be proportional to the respective land areas contained in each underlying zoning district.

(b) The Board of Aldermen, after considering the recommendations of the Planning Commission, may do any of the following:

- (1) Eliminate from a proposed PUD one or more use groups or categories permitted in the districts applicable to the property prior to the application of the PUD;
- (2) Impose limitations on the quantity or intensity of one or more use groups or use categories.

6.20 **PUD - Planned Unit Development:**

6.201 **Statement of Intent.**

The Planned Unit Development is a special overlay that provides an alternate approach to conventional land use controls. As a type of development and as a regulatory process, the PUD offers increased design flexibility for a large site and is subject to special review procedures. Once the Planned Unit Development is approved, it becomes an overlay for the property it represents. The PUD designation shall be applied as an overlay to any one or more conventional districts, except the A, MHP, and I Districts, which shall delineate segments of the PUD for the purpose of establishing the Permitted Uses. The PUD shall be designated by a special symbol for its boundaries on the Zoning District Map. The housing types, minimum lot requirements, maximum height, minimum yard requirements and accessory signs shall be determined by the requirements and procedures set forth in this Article, which shall prevail over conflicting requirements of this Chapter. An approved PUD designation shall be subject to the conditions imposed thereon. In addition, the PUD shall be subject to the regulations of the district(s) in which it is located not in conflict with any of the imposed conditions.

6.202. **Purpose**

The purpose of the Planned Unit Development designation is to provide a means for developing open space in larger developments, to take advantage of natural features of the landscape in this design, to improve the quality of the urban environment and to reduce the costs of developing and providing public resources and utilities. The owners of any tract of land containing at least ten acres may submit a plan for the use and development of the entire tract for residential, compatible business, and related uses as a single and unified project. The basic control of development intensity shall be the requirements of one or more of the residential districts. The cluster development concept may be used under the Planned Unit Development regulations. The Planned Unit Development shall be an overlay district providing broader latitude of design to achieve the stated goals.

The Planned Unit Development allows a development to be planned and built as a unit and which, as a result, permits variations in many of the traditional controls related to density, land use, setbacks, open space, and other design elements, and the timing and sequencing of the development. PUD, therefore, is both a type of development and a regulatory process. As a development type, PUD permits: flexibility in site design that allows buildings to be clustered; mixtures of housing types such as detached houses, townhouses, or garden apartments; combining housing with such other ancillary uses as neighborhood shopping centers; better design and arrangement of open space; and retention of such natural features as flood

- (3) Impose restrictions on the locations of particular use groups or categories;
- (4) Remand to the PUD application to the Planning Commission; or
- (5) Approve or deny the PUD application.

6.206 **Minimum District Size**

Minimum area for a PUD district shall be ten (10) contiguous acres. In designated redevelopment areas and tax abatement districts, the Board of Aldermen may reduce the minimum area required for a PUD by up to 50%.

6.207 **Recreational and Open Space Requirements**

(a) A PUD shall provide appropriate open space as recommended by the Planning Commission and as approved by the Planning Commission to serve as a buffer between a PUD and the surrounding neighborhood when deemed necessary and approved by the Planning Commission for a smooth transition.

(b) Each PUD shall provide at least 20 percent of the total development proposed for passive or active recreational purposes, suitable for the proposed development, and shall be developed in accordance with appropriate standards and be contiguous except where otherwise deemed necessary.

(c) Any required open space which is not dedicated to the City shall be conveyed to a property owners' association with appropriate restrictions recorded in the deed to the property which restrict the use of such land and facilities to open space and recreational uses, as shown on the PUD's Subdivision Final Plat.

(d) Any proposed dedication of open space or recreational property to the City within a PUD must be appropriately documented in writing prior to action by the Planning Commission. If open space or recreational property within a PUD is dedicated to the City, public access to the property must be maintained.

6.208 **Minimum Lot Size**

The minimum area and width of residential lots established within a PUD shall not be less than two-thirds of the requirement of the district in which the lot is located. In no case shall a single family residential lot be created with an area of less than 5,000 square feet or a lot frontage of less than 35 feet.

6.209 **Buffer Areas**

All landscape buffer areas installed in the PUD, pursuant to the requirements of Section 7.6 of this Ordinance, shall be conveyed to a property owners' association for the purpose of ongoing maintenance of the buffer area. Such landscape buffer areas shall not be platted into individual building lots or as part of an individual building lot, unless the lot into which the buffer area is platted exceeds 10,000 square feet.



EXHIBIT "E"

6.210 Minimum Off-Street Parking

Off-street parking shall meet the minimum requirements of this Ordinance. Design and improvements of such parking shall also conform to this Ordinance and other applicable regulations. Innovative design, arrangement and improvements of streets and driveways shall be considered, and may be approved as long as they are designed and implemented in compliance with city standards.

6.211 Streets and Street Connections

(a) The Board of Aldermen may approve a PUD with private streets, provided that such streets shall conform to the minimum design widths and other design specifications as set by the City of Petal and shall be constructed in accordance with the City's Standards applicable to public streets.

(b) If a PUD is approved with private streets, then such streets shall be subject to reciprocal easements providing full rights of access to all property owners, their servants and guests; the applicant shall also provide a fiscally sound mechanism for the ongoing maintenance of the streets. The reciprocal easements shall provide for full access to all public vehicles conducting official business, including emergency vehicles. Easements must be provided at a minimum width to allow access for emergency vehicles. To the extent that the easements limit access to delivery or service vehicles, that fact shall be clearly disclosed on the face of the plat and on all sales documents for the project. The instruments providing for the protection of rights-of-way and maintenance of the streets shall be subject to review and approval by the Board of Aldermen; approval of the project may be made contingent on changes to the instruments to address issues of access and maintenance. The applicant shall provide the City with an executed, recorded copy of such instruments prior to final approval of a plat for all or any portion of the project.

6.212 Sidewalks and Pedestrian Connections

Sidewalk standards shall not be waived for a PUD but may be replaced by equivalent, alternative pedestrian/bicycle connections, which shall link with the sidewalk and pedestrian circulation system of the City.

6.213 Development Standards and Improvement Requirements

(a) Unless approved as an exception by the Board of Aldermen as a part of the approval of a PUD, all development within a PUD shall conform to the applicable development standards and improvement requirements for underlying district(s).

(b) The Board of Aldermen may, as a part of the approval of a PUD, approve the following exceptions to development standards, provided that the Board of Aldermen determines that other proposed improvements and buffers will

(c) All public open space accepted by the City shall be dedicated and completed before the Final Plat is filed and recreational amenities completed before Certificates of Occupancy are issued for more than 50 percent of the dwelling units in the PUD or, if the approved PUD Subdivision Final Plat divides the PUD into phases, in that phase of the PUD in which the amenity is located.

6.215 Effect

Approval of a PUD plan shall create a special PUD Overlay District for the affected property. The provisions of the PUD plan shall, to the extent inconsistent with otherwise applicable regulations for the underlying district, supercede such regulations. The entire PUD plan shall be construed as a single, interrelated approval. Failure of the applicant to conform to the provisions of the PUD plan shall provide grounds for the City to vacate the plan approval, subjecting undeveloped portions of the property to the regulations of the underlying district.

ARTICLE VII. SUPPLEMENTARY PROVISIONS. Add a Section 7.6 BUFFER STRIP which reads as follows:

7.6 Buffer Strip

The purpose and intent of the Buffer Strip Regulations is to maintain many of the environmental features and amenities of the City of Petal for present and future generations. Adherence to these regulations will improve the appearance and compatibility of land uses and other development within the City through the installation and maintenance of plantings and fencing for screening and aesthetic effects, thereby to protect and preserve the appearance, character, value and safety of the total urban area and nearby properties. It is intended that these provisions shall constitute minimum requirements.

1. Buffer Strip Relating to Abutting Properties: In the table below, when a district abuts a use indicated, a buffer strip in addition to required setbacks shall be provided as listed below.

Use District	Abutting Use District	Buffer Strip Minimum Width
C-1	RF, R-1, R-2, R-3, R-4	20
C-2	Rural Fringe and Residential Districts and C-1	20
C-3	Rural Fringe and Residential Districts and C-1	20
I-1	All Districts	60
I-2	All Districts	60

perform as well as or better than those required by minimum standards set out in this Chapter:

- (1) Lot dimensions;
- (2) Setbacks;
- (3) Parking;
- (4) Interior landscaping; and/or
- (5) Buffering.

Non-residential uses in PUDs containing both residential and nonresidential uses shall be designed, located, and oriented on the site so that such uses are directly accessible to residents of the PUD. For the purposes of this Section, directly accessible shall mean pedestrian/bicycle and automobile access by way of improved sidewalks or paths and streets that do not involve leaving the PUD or using a major thoroughfare. "Directly accessible" does not necessarily mean that nonresidential uses need to be located in a particular location but that the siting of such uses considers the accessibility of the residential component of the PUD to the nonresidential use.

6.214 Phasing of Development

(a) In the case of a phased PUD where a majority of the PUD is residential, construction of the nonresidential portions of the PUD, phase or section, shall be designed and phased to ensure that the impacts of the development upon the surrounding community and properties will not be detrimental or a deterrent to further residential development of the community and adjacent properties. Impact of the nonresidential portion includes, but is not limited to, the visual impact and perception of the nonresidential development.

Construction of the nonresidential development which is part of the PUD shall commence no earlier than such time as the Building Official has determined that Building Permits have been issued for 25 percent of the dwelling units in the PUD, or that phase of the PUD of which the residential development is part, unless another schedule which fulfills the intent of this Section has been approved by the Board of Aldermen as part of the PUD's Subdivision Final Plat.

(b) In the case of a phased PUD in which a majority of the PUD is non-residential, construction of the residential portions of the PUD, phase or Section, shall be designed and phased to ensure that the impacts of the nonresidential development upon the surrounding community and properties will not be detrimental or a deterrent to further residential development of the community and adjacent properties. Impact of the nonresidential portion includes but is not limited to the visual impact and perception of the residential development. Construction of the residential development which is part of the PUD shall commence no earlier than such time as the Building Official has determined that Building Permits have been issued for 25 percent of the total floor area of the nonresidential uses in the PUD, or that phase of the PUD of which the residential development is part.

A buffer strip unbroken by vehicular access way of the minimum width shall be located parallel to the property line. Any easements shall not be included in a buffer strip or be used or otherwise employed to meet the requirements of this section. This buffer strip may be accompanied by either of the following, as determined by the Zoning Administrator:

- a. A six (6) foot, masonry wall or solid chain link fence or a fence of approved wood of natural decay resistance shall be placed along the property line or along the inner perimeter of the buffer strip so as to provide one hundred percent (100%) visual screening at the time of issuance of the Certificate of Occupancy.
  - b. Trees and other vegetation, as needed, shall be planted so as to provide an eighty-percent (80%) year-round visual screening at maturity. Maturity of planting shall be reached within two (2) years. Staggered planting may be required to achieve this thicket effect.
2. Buffer Strip Adjacent to Public Right-of-way: A buffer strip shall be provided along but not in the public right-of-way in the following districts: C-1, C-2, C-3 I-1, I-2. A buffer strip of a minimum of ten (10) feet in depth shall be located parallel to the public right-of-way on all frontages, unless there is a difference in districts, then the distances provided shall apply. Any easements shall not be included in a buffer strip or be used or otherwise employed to meet the requirements of this section. One (1) tree for each thirty-five (35) feet shall be planted in the right-of-way buffer strip.
3. Grass and Ground Cover: Each ROW planting area shall have a ground cover of grass or other approved landscaping material, excluding paving or sand.
  4. Installation and Maintenance: All buffer strips shall be installed in a sound workmanship like manner and according to accepted good planting procedures with the quality of plant material as herein described. All elements of buffer strips exclusive of plant material, except hedges, shall be installed so as to meet all other applicable ordinances and code requirements. Buffer strips shall require protection from encroachment. (Encroachment is defined as any protrusion of a vehicle outside of a parking space, display area or access way into a landscaped area.)

EXHIBIT "E"

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The owner shall be responsible for the maintenance of all buffer strips which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from weeds, refuse and debris.

In the event that trees or other landscaped materials should die, such materials shall be replaced at the appropriate planting time. Such time shall not exceed nine (9) months. Failure of the owner of the property to maintain the premises in good condition, as set forth above, shall make him liable for the penalties as set forth in this Code. No buffer strip area shall be abandoned, paved, or otherwise employed.

5. Visibility at Intersections: Public ROW: On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impair or block vision between a height of three (3) and seven (7) feet above the center line grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines thirty (30) feet from the point of intersection.

6. Intersection of Driveway and Public Row and/or Private Street: In any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impair or block vision between a height of three (3) and seven (7) feet above the center line grades of any intersecting street/driveways in the area bounded by the street lines/driveway lines of such corner and a line joining points along said street lines fifteen (15) feet from the point of intersection.

7. Credit for Existing Plant Material: If the owner(s) can demonstrate that healthy plant material exists on a site prior to its development for the purposes of buffer strip, the application of the above landscape standards may be adjusted by the Planning Commission to allow credit for such plant material if such an adjustment is in keeping with and will preserve the intent of these regulations.

SECTION 2. All ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force on May 6<sup>th</sup>, 2004.

SECTION 4. That except as amended herein, Ordinance Number 1979 (42) be and remains in full force and effect.

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

38

Those present and voting "AYE" and in favor of the passage, adoption and approval of Sections 1, 2, 3 and 4 of the foregoing Ordinance:

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

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 6th day of April 2004.

  
TONY PHILLIPS, MAYOR

(SEAL)

ATTEST:

  
JEAN SHEE, CITY CLERK

PUBLISH 1 TIME: April 26, 2004

EXHIBIT "F"

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ORDINANCE 2004 (100)

AN ORDINANCE SETTING FORTH AND ESTABLISHING BY APPROPRIATE  
LEGAL DESCRIPTION THE FOUR WARDS OF THE  
CITY OF PETAL, MISSISSIPPI

The Mayor and Board of Aldermen of the City of Petal, Mississippi, as a result of annexation approved by the Chancery Court of Forrest County, Mississippi, the Supreme Court of the State of Mississippi, and the United States Department of Justice, find it reasonable and necessary to amend the boundaries of Wards within the City of Petal, Mississippi.

Section 2: That public hearings having been conducted, and an appropriate analysis made in order to equalize the population of the City of Petal, Mississippi, between the four (4) Wards, as near as practical, do hereby ordain and establish by legal description the four (4) Wards of the City of Petal, Mississippi as follows, to wit:

Ward 1

Begin at a point where the centerline of S. Main Street intersects the Western boundary line of the City limits of the City of Petal in the Leaf River; from said point of beginning thence run Northerly along the thread of the main channel of said Leaf River to its intersection with the South line of the Northeast quarter of the Northeast quarter of Section 27, Township 5 North, Range 13 West; thence run East to the Southeast corner of the Northeast quarter of the Northeast quarter of Section 26, Township 5 North, Range 13 West; thence run North to the Northwest corner of Section 25, Township 5 North, Range 13 West; thence run East along the North line of said Section 25 to its intersection with the centerline of Leeville Road; thence run Southerly along the centerline of said Leeville Road to its intersection with the centerline of North Main Street; thence run Southerly along the centerline of said North Main Street to its intersection with the centerline of East 2nd Avenue; thence run Easterly along the centerline of said East 2nd Avenue to its intersection with the centerline of Old Richton Road; thence run in a Southwesterly direction along the centerline of said Old Richton Road to its intersection with the centerline of Holly Drive; thence run Easterly along the centerline of said Holly Drive to its intersection with the centerline of Louise Street; thence run Southerly along the centerline of said Louise Street to its intersection with the centerline of Old Corinth Road; thence run Westerly along the centerline of said Old Corinth Road to its intersection with the centerline of Central Avenue (Miss. Hwy. 42); thence run Westerly along the centerline of said Central Avenue to its intersection with the centerline of Morris Street; thence run in a Southwesterly direction along the centerline of said Morris Street to its intersection with the centerline of East 4th Avenue; thence run Westerly along the centerline of East 4th Avenue to its intersection with the centerline of South Main Street; thence run Southerly along the centerline of said South Main Street to the point of beginning.

Ward 2

Begin at the intersection of the centerline of Old Richton Road and the centerline of East 2nd Avenue; thence run Westerly along the centerline of said East 2nd Avenue to its intersection with the centerline of North Main Street; thence run Northerly along the centerline of said North Main Street to its intersection with the centerline of Leeville Road; thence run Northerly along the centerline of said Leeville Road to its intersection with the North line of Section 25, Township 5 North, Range 13 West, said point lying on the present corporate limits of the City of Petal; thence run East to the Northeast corner of the Northwest quarter of Section 29, Township 5 North, Range 12 West; thence run South to the Southeast corner of the Southwest quarter of said Section 29; thence run East to the Northeast corner of Section 34, Township 5 North, Range 12 West; thence run

feet to a nail; thence run North 37 degrees 27 minutes 50 seconds West for 44.23 feet to a nail; thence run North 21 degrees 22 seconds 07 minutes West for 50.49 feet to a nail; thence run North 08 degrees 43 minutes 40 seconds West for 43.47 feet to a nail; thence run North 05 degrees 45 minutes 57 seconds West for 68.25 feet to a nail; thence run North 14 degrees 11 minutes 28 seconds West for 40.85 feet to a nail; thence run North 33 degrees 43 minutes 46 seconds West for 33.59 feet to a nail; thence run North 88 degrees 11 minutes 55 seconds West for 28.91 feet; thence run South 83 degrees 53 minutes 34 seconds West for 32.94 feet to a nail; thence run South 81 degrees 24 minutes 35 seconds West for 53.00 feet to a nail; thence run South 85 degrees 09 minutes 45 seconds West for 41.11 feet to a nail; thence run North 85 degrees 25 minutes 32 seconds West for 59.88 feet to a cotton spindle; thence run West to a point on the East line of the Southeast quarter of the Southwest quarter of said Section 5; thence run South to the Southeast corner of the Southwest quarter of said Section 5, Township 4 North, Range 12 West; thence run East to a point being 200 feet East of the SW corner of Section 2, Township 4 North, Range 12 West; thence run North and parallel with the West line of said Section 2 to the intersection with the North line of said Section 2; thence run West to the intersection with the Eastern right-of-way line of the Sunrise Public Road; thence run Northeastly along the Eastern right-of-way line of the Sunrise Public Road to its intersection with the centerline of Central Avenue (Miss. Hwy. 42); thence run Westerly along the centerline of said Central Avenue to its intersection with the centerline of Dogwood Lane; thence run Southerly along the centerline of said Dogwood Lane to its intersection with the centerline of Maple Drive; thence run Westerly along the centerline of said Maple Drive to its intersection with the centerline of Magnolia Lane; thence run Northerly along the centerline of said Magnolia Lane to its intersection with the centerline of said Central Avenue; thence run Westerly along the centerline of said Central Avenue to its intersection with the East line of Section 31, Township 5 North, Range 12 West; thence run North along the East line of said Section 31 to a point due East of the intersection of the centerline of Old Richton Road and Fairchild Drive; thence run due West to the intersection of the centerline of Old Richton Road and Fairchild Drive; thence run Southwesterly along the centerline of said Old Richton Road to its intersection with the centerline of Holly Drive; thence run Easterly along the centerline of said Holly Drive to its intersection with the centerline of Louise Street; thence run Southerly along the centerline of said Louise Street to its intersection with the centerline of Old Corinth Road; thence run Westerly along the centerline of said Old Corinth Road to its intersection with the centerline of Central Avenue (Miss. Hwy. 42) and Charles Street; thence run South along the centerline of said Charles Street to its intersection with the centerline of East 4th Avenue; thence run Westerly along the centerline of said East 4th Avenue to its intersection with the centerline of Smith Street; thence run Southerly along the centerline of said Smith Street to its intersection with the centerline of East 5th Avenue; thence run Easterly along the centerline of said East 5th Avenue to its intersection of the centerline of James Street; thence run Southerly along the centerline of James Street to its intersection with the centerline of Hillcrest Loop; thence run Southwesterly along the centerline of said Hillcrest Loop to its intersection with the centerline of Collins Street; thence run Easterly along the centerline of said Collins Street to its intersection with the centerline of Pecan Terrace; thence run Southerly along the centerline of said Pecan Terrace to its intersection with the centerline of Ogilvie Street; thence run Easterly along the centerline of said Ogilvie Street to its intersection with the centerline of Corinth Road; thence run Northeastly along the centerline of said Corinth Road to its intersection with the centerline of Trussel Road; thence run Easterly along the centerline of said Trussel Road to its intersection with the West line of Section 5, Township 4 North, Range 12 West, said point also being the point of beginning.

Ward 3

Begin at the intersection of the main channel of Leaf River with the South boundary line of Section 12, Township 4 North, Range 13 West, said point lying on the present corporate limits of the City of Petal; thence run East and along the South boundary line of said Section 12 to the Southeast corner of said Section 12; thence run South along the East boundary line of Section 13, of said Township and Range to the Southwest corner of the North half of Section 18, Township 4 North, Range 12 West; thence run East to the Southeast corner of the North half of said Section 18; thence run North to the Northeast corner of the Southeast quarter of Section 7, Township 4 North, Range 12 West; thence run West to the Northwest corner of the Southeast quarter of said Section 7; thence run North to the Northwest corner of the Northeast quarter of said Section 7; thence run East

South along the East line of said Section 34 to its intersection with the North right-of-way line of Central Avenue (Miss. Hwy. 42); thence run Easterly along the North right-of-way line of said Central Avenue to its intersection with the North right-of-way line of Sunrise Road; thence run Southwesterly along the said Easterly right-of-way line extended to its intersection with the centerline of said Central Avenue; thence run Westerly along the centerline of said Central Avenue to its intersection with the centerline of Dogwood Lane; thence run Southerly along the centerline of said Dogwood Lane to its intersection with the centerline of Maple Drive; thence run Westerly along the centerline of said Maple Drive to its intersection with the centerline of Magnolia Lane; thence run Northerly along the centerline of said Magnolia Lane to its intersection with the centerline of said Central Avenue; thence run Westerly along the centerline of said Central Avenue to its intersection with the East line of Section 31, Township 5 North, Range 12 West; thence run North along the East line of said Section 31 to a point due East of the intersection of the centerline of Old Richton Road and Fairchild Drive; thence run due West to the intersection of the centerline of Old Richton Road and Fairchild Drive; thence run Southwesterly along the centerline of said Old Richton Road to its intersection with the centerline of East 2nd Avenue; said point also being the point of beginning.

Ward 4

Beginning at the intersection of the centerline of Trussel Road and the West line of Section 5, Township 4 North, Range 12 West; thence run North to the Northwest corner of the Southwest quarter of the Northwest quarter of said Section 5; thence run East to a point being 140 yards West of the Northeast corner of the Southwest quarter of the Northwest quarter of said Section 5; thence run South for 70 yards; thence run East for 140 yards; thence run North for 70 yards to the Northeast corner of the Southwest quarter of the Northwest quarter; thence run East to the Northeast corner of the Southeast quarter of the Northwest quarter of said Section 5; thence run South to a point on the North line of the Kathleen J. Lowery property being on the West line of the Northwest quarter of the Southeast quarter of said Section 5; thence run South 49 degrees 06 minutes 11 seconds East for 229.04 feet to a 1/2" rebar; thence run North 87 degrees 10 minutes 17 seconds East for 355.34 feet to a 1/2" rebar; thence run South 84 degrees 49 minutes 11 seconds East for 240.62 feet to a 1/2" rebar; thence run North 87 degrees 10 minutes 17 seconds East for 278.92 feet to a 1/2" rebar; thence run South 71 degrees 42 minutes 47 seconds East for 83.60 feet to a 1/2" rebar; thence run South 83 degrees 23 minutes 50 seconds East for 159.78 feet to a 1/2" rebar and the centerline of paved drive; thence run along said centerline the following 46 courses and distances: South 27 degrees 48 minutes 01 seconds East for 39.92 feet to a nail; thence run South 14 degrees 39 minutes 09 seconds East for 40.74 feet to a nail; thence run South 01 degrees 07 minutes 06 seconds East for 49.31 feet to a nail; thence run South 07 degrees 33 minutes 13 seconds West for 55.43 feet to a nail; thence run South 14 degrees 14 minutes, 44 seconds West for 41.38 feet to a nail; thence run South 23 degrees 39 minutes 34 seconds West for 54.20 feet to a nail; thence run South 35 degrees 08 minutes 58 seconds West for 110.74 feet to a nail; thence run South 26 degrees 18 minutes 10 seconds West for 50.87 feet to a nail; thence run South 17 degrees 59 minutes 15 seconds West for 64.07 feet to a nail; thence run South 11 degrees 18 minutes 11 seconds West for 127.91 feet to a nail; thence run South 21 degrees 39 minutes 21 seconds West for 57.73 feet to a nail; thence run South 29 degrees 52 minutes 05 seconds West for 90.31 feet to a nail; thence run South 33 degrees 52 minutes 20 seconds West for 49.82 feet to a nail; thence run South 28 degrees 31 minutes 20 seconds West for 46.05 feet to a nail; thence run South 18 degrees 00 minutes 11 seconds West for 76.74 feet to a nail; thence run South 09 degrees 27 minutes 16 seconds West for 109.49 feet to a nail; thence run South 06 degrees 54 minutes 53 seconds West for 57.27 feet to a nail; thence run South 01 degrees 58 minutes 49 seconds West for 46.53 feet to a nail; thence run South 00 degrees 44 minutes 10 seconds East for 95.95 feet to a nail; thence run South 08 degrees 56 minutes 43 seconds West for 48.67 feet to a nail; thence run South 18 degrees 48 minutes 06 seconds West for 49.70 feet to a nail; thence run South 29 degrees 12 minutes 33 seconds West for 43.16 feet to a nail; thence run South 42 degrees 42 minutes 41 seconds West for 45.24 feet to a nail; thence run South 48 degrees 27 minutes 11 minutes West for 66.46 feet to a nail; thence run South 45 degrees 19 minutes 09 seconds West for 56.59 feet; thence run South 39 degrees 23 minutes 19 West for 49.75 feet to a nail; thence run South 38 degrees 38 minutes 16 seconds West for 377.22 feet to a nail; thence run South 52 degrees 07 minutes 53 seconds West for 59.42 feet to a nail; thence run South 52 degrees 00 minutes 14 seconds West for 46.29 feet to a nail; thence run South 86 degrees 08 minutes 51 seconds West for 33.99 feet to a nail; thence run North 61 degrees 06 minutes 03 seconds West for 31.42

to the Southwest corner of the Southwest quarter of Section 5, Township 4 North, Range 12 West; thence run North to the centerline of Trussel Road; thence run Westerly along the centerline of said Trussel Road to its intersection with the centerline of Corinth Road; thence run Southwesterly along the centerline of said Corinth Road to its intersection with the centerline of Ogilvie Street; thence run Westerly along the centerline of said Ogilvie Street to its intersection with the centerline of Pecan Terrace; thence run Northerly along the centerline of said Pecan Terrace to its intersection with the centerline of Collins Street; thence run Westerly along the centerline of said Collins Street to its intersection with the centerline of Hillcrest Loop; thence run Northeastly along the centerline of said Hillcrest Loop to its intersection with the centerline of James Street; thence run Northerly along the centerline of said James Street to its intersection with the centerline of East 5th Avenue; thence run Westerly along the centerline of said East 5th Avenue to its intersection with the centerline of Smith Street; thence run Northerly along the centerline of said Smith Street to its intersection with the centerline of East 4th Avenue; thence run Easterly along the centerline of said East 4th Avenue to its intersection with the centerline of Charles Street; thence run Northerly along the centerline of said Charles Street to its intersection with the centerline of Central Avenue (Miss Hwy. 42); thence run Westerly along the centerline of said Central Avenue to its intersection with the centerline of Morris Street; thence run Southwesterly along the centerline of said Morris Street to its intersection with the centerline of East 4th Avenue; thence run Westerly along the centerline of said East 4th Avenue to its intersection with the centerline of South Main Street; thence run Southerly along the centerline of said South Main Street to its intersection with the main channel of the Leaf River, said point also being on the corporate limits line of the City of Petal; thence run Southeastly along the thread of the main channel of said Leaf River to its intersection with the South line of Section 12, Township 4 North, Range 13 West, said point also being the Point of Beginning.

Section 3:

Any Ordinances in conflict with this Ordinance are hereby repealed.

Section 4:

This Ordinance will take effect from and after thirty (30) days from its passage

The above and foregoing Ordinance having been reduced to writing, and having been read section by section, and then as a whole, and upon motion duly made, and seconded, the following vote was had:

To adopt Sections 1, 2, 3 and 4:

Aldermen voting "YEA", or in favor of the sections of said Ordinance:

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

Aldermen voting "NAY", or in opposition to said sections of the Ordinance:

None

The above and foregoing Ordinance having been approved, section by section, upon motion duly made, and seconded, the following vote was had regarding the passage and enactment of said Ordinance as follows, to wit

EXHIBIT "F"

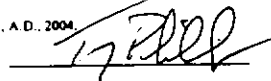
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Those Aldermen voting "YEA", and in favor of the passage and adoption of said Ordinance:

Alderman Michael W. Draught  
Alderman Willie W. Hinson  
Alderman Joe C. McMurry, Sr.  
Alderman Steve Stringer  
Alderman William Travis

Those Aldermen voting "NAY", or in opposition to the passage of said Ordinance  
None

The above and foregoing Ordinance having received a majority vote of the Board of Aldermen, first section by section and then as a whole, the above and foregoing Ordinance was enacted and adopted on this, the 6<sup>th</sup> day of April, A. D., 2004.

  
TONY PHILLIPS,  
Mayor

(Seal)

Attest:   
JEAN ISHIEE  
City Clerk

EXHIBIT "G"

**TO THE OFFICERS AND EMPLOYEES OF THE STATE OF MISSISSIPPI:**

WHEREAS, the Legislature has designated the last Monday in April as the day for the observance of **CONFEDERATE MEMORIAL DAY** and under the provisions of Section 3-3-7, Mississippi Code of 1972, is a legal holiday in the State of Mississippi;

THEREFORE, all officers and employees of the State of Mississippi are authorized and empowered, at the discretion of the executive head of the department or agency, to close their respective offices in observance of the holiday on

**MONDAY, APRIL 26, 2004**

GIVEN under my hand and seal of office at Jackson, Mississippi, this the 24th day of March, 2004.



*Eric Clark*

ERIC CLARK  
SECRETARY OF STATE  
STATE OF MISSISSIPPI

EXHIBIT "H"

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI (THE "CITY"), ENGAGING CERTAIN PROFESSIONALS TO ISSUE GENERAL OBLIGATION BONDS, SERIES 2004, OF SAID CITY IN THE MAXIMUM PRINCIPAL AMOUNT OF TWO MILLION FIVE HUNDRED DOLLARS (\$2,500,000) TO RAISE MONEY FOR THE PURPOSE OF ERECTING MUNICIPAL BUILDINGS AND PURCHASING OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME; PURCHASING FIRE-FIGHTING EQUIPMENT AND APPARATUS, AND PROVIDING HOUSING FOR SAME, AND PURCHASING LAND THEREFOR; CONSTRUCTION, PREPARING, EQUIPPING AND ADORNING PARKS, PUBLIC PLAYGROUNDS, ATHLETIC FIELDS, AND OTHER RECREATIONAL FACILITIES, AND PURCHASING LAND THEREFOR; REPAIRING, IMPROVING AND EXTENDING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS; CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; AND REPAIRING, IMPROVING AND EXTENDING WATERWORKS, GAS, ELECTRIC AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS OR FRANCHISES.

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi (the "Governing Body") of (the "City"), hereby finds, determines, adjudicates and declares as follows:

1. The Governing Body has determined the necessity for erecting municipal buildings and purchasing buildings or land therefor, and for repairing, improving, adorning and equipping the same, purchasing fire-fighting equipment and apparatus, and providing housing for same, and purchasing land therefor; constructing, preparing, equipping and adorning parks, public playgrounds, athletic fields and other recreational facilities, and purchasing land therefor; repairing, improving and extending sanitary, storm, drainage or sewage systems; constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; and repairing, improving and extending waterworks, gas, electric and other public plants or distribution systems or franchises (the "Project").
2. It is necessary and in the public interest for the City to issue General Obligation Bonds, Series 2004 (the "Bonds"), to finance the cost of the Project.
3. That in order to prepare the necessary resolutions and documents for the sale and issuance of the Bonds it is in the best interest of the City to authorize the law firm of Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Jackson, Mississippi, as Bond Counsel; Attorney Thomas W. Tyner, Hattiesburg, Mississippi, as Counsel to the City, and Holley, Grubbs, Mitcham & Phillips, Jackson, Mississippi, as Financial Advisor to the City, to prepare and distribute such resolutions and documents necessary in order to facilitate the sale and issuance of such Bonds at a subsequent date subject to the approval of the Governing Body.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body hereby declares its intention to issue General Obligation Bonds, Series 2004 (the "Bonds"), of the City to raise money for the purpose of providing funds for the Project.

SECTION 2. The Governing Body herein employs the law firm of Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Jackson, Mississippi, as Bond Counsel; Attorney Thomas W. Tyner, Hattiesburg, Mississippi, as Counsel to the City, and Holley, Grubbs, Mitcham & Phillips, Jackson, Mississippi, as Financial Advisor to the City, in connection with the sale and issuance of the Bonds, and authorizes them to prepare the necessary of the Bonds. No fee will be due to Butler, Snow, O'Mara, Stevens & Cannada, PLLC or Holley, Grubbs, Mitcham & Phillips unless the Governing Body approves the sale and issuance of said Bonds.

Alderman Hinton moved and Alderman McMurry seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

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

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this the 6<sup>th</sup> day of April, 2004.

  
Mayor

(SEAL)

ATTEST:

  
CITY CLERK

EXHIBIT "I"

Mayor and Board of Aldermen of the City of Petal, Mississippi (the "City"), took up for consideration the matter of issuing General Obligation Bonds, Series 2004, of said City. At the conclusion of the subject, Alderman Hinton offered and moved the adoption of the following resolution:

**RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI (THE "CITY"), TO ISSUE GENERAL OBLIGATION BONDS, SERIES 2004, OF SAID CITY IN THE MAXIMUM PRINCIPAL AMOUNT OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) TO RAISE MONEY FOR THE PURPOSE OF ERECTING MUNICIPAL BUILDINGS AND PURCHASING BUILDINGS OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME; PURCHASING FIRE-FIGHTING EQUIPMENT AND APPARATUS, AND PROVIDING HOUSING FOR SAME, AND PURCHASING LAND THEREFOR; CONSTRUCTING, PREPARING, EQUIPPING AND ADORNING PARKS, PUBLIC PLAYGROUNDS, ATHLETIC FIELDS AND OTHER RECREATIONAL FACILITIES, AND PURCHASING LAND THEREFOR; REPAIRING, IMPROVING AND EXTENDING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS; CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; AND REPAIRING, IMPROVING AND EXTENDING WATERWORKS, GAS, ELECTRIC AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS OR FRANCHISES; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.**

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

1. The City is authorized by Section 21-33-301 through 21-33-329, Mississippi Code of 1972, as amended (the "Act"), to issue bonds hereinafter proposed to be issued for the purposes and the amounts set forth in paragraph 2 of this preamble.

2. It is necessary and in the public interest to issue General Obligation Bonds, Series 2004, of the City in the principal amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000) (the "Bonds"), to raise money for the purpose of erecting municipal buildings and purchasing buildings or land therefor, and for repairing, improving, adorning and equipping the same; purchasing fire-fighting equipment and apparatus, and providing housing for same, and purchasing land therefor; constructing, preparing, equipping and adorning parks, public playgrounds, athletic fields and other recreational facilities, and purchasing land therefor; repairing, improving and extending sanitary, storm, drainage or sewerage systems; constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; and repairing, improving and extending waterworks, gas, electric and other public utility plants or distribution systems or franchises (the "Project").

The assessed value of all taxable property within the City, according to the last assessment for taxation, is Forty Six Million Two Hundred Thirty Four Thousand Six Hundred Sixty Four Dollars (\$46,234,664); the City has outstanding bonded indebtedness of One Million Two Hundred Four Thousand Two Hundred Dollars (\$1,204,200); the fifteen percent (15%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended, in the amount of One Million Two Hundred Four Thousand Two Hundred Dollars (\$1,204,200), and outstanding bonded and floating indebtedness subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended, (which amount includes the sum set forth above subject to the 15% debt limit), in the amount of One Million Two Hundred Four Thousand Two Hundred Dollars (\$1,204,200); the issuance of the Bonds hereinafter proposed to be issued pursuant to the Act, when added to the outstanding bonded indebtedness of the City, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of taxable property within the City, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City.

4. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds in anticipation of the issuance of the Bonds is made pursuant to Department of Treasury Regulations Section 1.150-2 (the reimbursement regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body hereby declares its intention to issue General Obligation Bonds, Series 2004, of the City in the principal amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000) pursuant to the Act to raise money for the purpose of providing fund for the Project. The Bonds may be issued in one or more series and will be general obligations of the City payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate, or amount upon all the taxable property within the geographical limits of the City.

SECTION 2. The Governing Body proposes to direct the issuance of the Bonds in the amounts, for the purposes and secured as aforesaid at a meeting place of the Governing Body at its meeting place in the City Hall of the City of Petal, Mississippi, at the hour of 7:00 o'clock p.m. on May 18, 2004.

SECTION 3. If on or before 5:00 o'clock p.m. on May 18, 2004, ten percent (10%) of the qualified electors of the City or fifteen hundred (1,500), whichever is less, shall file a written protest with the Clerk of the City of Petal, Mississippi against the issuance of the Bonds pursuant to the Act, then Bonds for such purpose or purposes shall not be issued unless authorized at an election on the question of the issuance of such Bonds to be called and held as provided by law. If no protest be filed on or before 5:00 o'clock p.m. on May 18, 2004, against the issuance of Bonds, then the Bonds may be issued without an election on the question of the issuance thereof, at any time within a period of two (2) years after the date specified in Section 2 hereof.

SECTION 4. This resolution shall be published once a week for at least three (3) consecutive weeks in *The Times Petal and Advertiser News*, a newspaper published in and having a general circulation in the City of Petal, Mississippi and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended. The first publication of this resolution shall be made not less than twenty-one (21) days prior to the date fixed herein for the issuance of the Bonds, and the last publication shall be made not more than seven (7) days prior to such date.

SECTION 5. The Clerk of the City shall be and is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and have the same before the Governing Body on the date and hour specified in Section 2 hereof.

SECTION 6. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds in anticipation of the issuance of the Bonds is made pursuant to Department of Treasury Regulations Section 1.150-2 (the reimbursement regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

SECTION 7. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

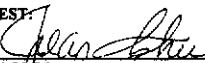
Alderman McMurry seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Alderman Willie Hinton	Voted: Aye
Alderman William A. Travis	Voted: Nay
Alderman Steve Siringar	Voted: Aye
Alderman Joe C. McMurry, Sr.	Voted: Aye
Alderman Michael W. Draughn	Voted: Aye

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this the 6th day of April, 2004.

(SEAL)

  
MAYOR

ATTEST:   
CITY CLERK

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INTENTIONALLY!