

CITY OF PETAL
MINUTE BOOK 24

1

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 OCTOBER 5, 2004 AT 7:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT	MAYOR TONY PHILLIPS
CITY ATTORNEY	THOMAS W TYNER
ALDERMEN	WILLIE W HINTON JOE C MCMURRY, SR STEVE STRINGER
OTHERS PRESENT	JAMES WALLACE B C LEWIS PAUL HIATT KATHY HERRING JO DOHERTY GIL LUCKEL AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY ALDERMAN JOE C MCMURRY, SR.

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

- IX. GENERAL BUSINESS
20. REQUEST TO ACCEPT THE RESIGNATION OF ANN CLARKE FROM THE PLANNING COMMISSION EFFECTIVE IMMEDIATELY.
 21. REQUEST TO APPOINT KENNY MOORE TO THE PLANNING COMMISSION TO FINISH THE TERM OF ANN CLARKE.
 22. REQUEST TO APPOINT SHIRLEY MCDONALD TO THE ELECTION COMMISSION.
 23. REQUEST TO APPROVE THE PETAL SCHOOL DISTRICT TO USE THE CITY OF PETAL PROPERTY AT LAGOON FOR DUCK DERBY FUND RAISER.
 24. REQUEST TO ACCEPT THE PLANS SCHEME "B" FOR NEW FIRE STATION.
 25. REQUEST TO PAY INVOICE FROM BANCORP SOUTH IN AMOUNT OF \$62,550.00 FOR 2002 TAX INCREMENT OBLIGATION BOND

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE AGENDA AS AMENDED. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 21, 2004.

THEREUPON, ALDERMAN STRINGER MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF OCTOBER 21, 2004 BE APPROVED AS WRITTEN. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS CALLED FOR PUBLIC COMMENT. THERE WAS NONE.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM THE PLANNING COMMISSION TO AMEND THE SUBDIVISION REGULATIONS OF THE CITY OF PETAL.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED ESTIMATE #6 FROM SHOWS, DEARMAN & WAITS, INC FOR BUILDING CONTRACTOR SERVICES FOR PROJECT #STP-8790-00 (04)/104089301000 FOR SOUTH MAIN STREET PROJECT.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE PAYMENT OF ESTIMATE #6 IN THE AMOUNT OF \$212,557.00 TO SHOWS, DEARMAN & WAITS, INC AND \$11,419.12 TO GULF EQUIPMENT FOR SOUTH MAIN STREET PROJECT. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED INVOICE FROM SHOWS, DEARMAN, AND WAITS, INC IN AMOUNT OF \$117,450.00 FOR DESIGN OF SEWER EXPANSION FOR ANNEXED AREAS.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE PAYMENT OF INVOICE FROM SHOWS, DEARMAN, AND WAITS, INC IN AMOUNT OF \$117,450.00 FOR DESIGN OF SEWER EXPANSION FOR ANNEXED AREA. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM SHOWS, DEARMAN, AND WAITS, INC FOR INVOICE IN AMOUNT OF \$4,333.87 FOR PREPARATION OF PLANS FOR PROPOSED WATER LINE ALONG SOUTH MAIN STREET.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE PAYMENT OF INVOICE TO SHOWS, DEARMAN, AND WAITS, INC IN AMOUNT OF \$4,333.87 FOR PREPARATIONS OF PLANS FOR PROPOSED WATER LINE ALONG SOUTH MAIN STREET. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING PROOFS OF PUBLICATION:

- A. ORDINANCE 1988(73-M)
- B. RESOLUTION ADOPTING AND APPROVING FINAL BUDGET
- C. RESOLUTION FIXING THE AD VALOREM TAX LEVY
- D. PUBLIC NOTICE-GIL AND PENNY LUCKEL ZONING CHANGE HEARING
- E. PUBLIC NOTICE-NETTERVILLE ZONING CHANGE HEARING
- F. PUBLIC NOTICE-MARK WARD ZONING CHANGE HEARING
- G. PUBLIE NOTICE OF PUBLIC HEARING FOR TAX INCREASE FY 2004

THEREUPON, ALDERMAN STRINGER MADE A MOTION THAT THE FOREGOING PROOFS OF PUBLICATION BE ACCEPTED AND FILED. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE QUOTES FOR TRACTOR, IH 60 WITH CANOPY.

SEE EXHIBIT "A"

QUOTES

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT THE QUOTE FROM CRAIN TRACTOR AND EQUIPMENT, INC FOR CASE IH TRACTOR, MODEL JX55, AND 45 HORSEPOWER WITH CANOPY IN THE AMOUNT OF \$14,980.00 FROM STATE CONTRACT. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM LARRY BYRD, STREET SUPERVISOR, TO PURCHASE THE NEW HOLLAND TRACTOR IN THE AMOUNT OF \$35,375.00 FROM CRAIN TRACTOR & EQUIPMENT, INC.FROM THE BIDS TAKEN AUGUST 17, 2004.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO PURCHASE THE NEW HOLLAND TRACTOR FROM CRAIN TRACTOR & EQUIPMENT, INC. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED CLAIMS #78188-78671 OF THE CITY OF PETAL GENERAL FUNDS AND THE CITY OF PETAL WATER AND SEWER FUNDS.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO PAY CLAIMS #78188-78671 OF THE CITY OF PETAL GENERAL FUNDS AND THE CITY OF PETAL WATER AND SEWER FUNDS. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED AN INVOICE FROM FLYNT AND ASSOCIATES, PLLC FOR SERVICES RENDERED FOR THE PETAL SCHOOL DISTRICT PROPERTY FOR NEW FIRE STATION.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO PAY INVOICE #P294-04 FOR SERVICES RENDERED FROM FLYNT AND ASSOCIATES, PLLC IN AMOUNT OF \$1,962.50 FOR NEW FIRE STATION. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM FIRE CHIEF RICHARD BRYANT TO CONTRACT WITH COMCAST CABLE TO GET INTERNET.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE CHIEF BRYANT TO CONTRACT WITH COMCAST CABLE TO RECEIVE INTERNET SERVICE FOR STATION #2 IN AMOUNT OF \$96.00 PER MONTH. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM CAPTAIN SHAWN ELLIS TO PURCHASE TWO (2) 800 MHz RADIOS FOR \$400.00 FROM CHARLES SUGGS FOR THE POLICE DEPARTMENT.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE POLICE DEPARTMENT TO PURCHASE THE TWO 800 MHz RADIOS FOR \$400.00 FROM CHARLES SUGGS. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM ASST. CHIEF DON SEALY TO CHANGE THE HOURLY RATE OF PAY FOR THE POLICE OFFICERS FROM 86 HOURS TO 84 HOURS PER PAY CHECK.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO CHANGE THE HOURLY RATE OF THE POLICE OFFICERS FROM 86 HOURS TO 84 HOURS PER PAY CHECK. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR

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ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM MDOT FOR EASEMENT AND CONSTRUCTION AGREEMENT FOR THE S R HIGHWAY 42 PROJECT.

SEE EXHIBIT "B"

CONTRACT

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT WITH MDOT FOR THE EASEMENT AND CONSTRUCTION AGREEMENT FOR THE SR HIGHWAY 42 PROJECT. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM DAN TOLBERT, BUILDING INSPECTOR, TO REAPPOINT DAVID ALLISON TO THE VARIANCE COMMITTEE.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO REAPPOINT DAVID ALLISON TO THE VARIANCE COMMITTEE FOR A TERM OF FIVE YEARS TO EXPIRE JULY 2009. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A ZONING REQUEST TO SET A HEARING DATE FOR MICHAEL DAVIS FOR PROPERTY LOCATED AT 909 HIGHWAY 42.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO SET A ZONING HEARING DATE WITH THE PLANNING COMMISSION FOR MICHAEL DAVIS AT 909 HIGHWAY 42 FOR OCTOBER 12, 2004 AT 7:00 P.M. IN THE BOARDROOM. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE RECOMMENDATION FROM THE PLANNING COMMISSION FOR PROPERTY LOCATED AT 647 HIGHWAY 42.

SEE EXHIBIT "C"

ORDINANCE 1979 (42A-151)

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION TO REZONE PROPERTY LOCATED AT 647 HIGHWAY 42 FOR MARK WARD FROM R-1 TO C-O AND TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE RECOMMENDATION FROM THE PLANNING COMMISSION FOR PROPERTY LOCATED AT 643 HIGHWAY 42.

SEE EXHIBIT "D"

ORDINANCE 1979 (42A-152)

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION TO REZONE PROPERTY LOCATED AT 643 HIGHWAY 42 FOR B G NETTERVILLE FROM R-1 TO C-O AND TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE RECOMMENDATION FROM THE PLANNING COMMISSION FOR PROPERTY LOCATED AT 1172 HIGHWAY 42.

SEE EXHIBIT "E"

ORDINANCE 1979 (42A-153)

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION TO REZONE PROPERTY LOCATED AT 1172 HIGHWAY 42 FOR GIL LUCKEL FROM R-1 TO C-2 AND TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE RECOMMENDATION FROM THE PLANNING COMMISSION FOR PROPERTY LOCATED AT 946 HIGHWAY 42.

SEE EXHIBIT "F"

ORDINANCE 1979 (42A-154)

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION TO REZONE PROPERTY LOCATED AT 946 HIGHWAY 42 FOR ROBERT CASADA FROM R-1 TO C-2 AND TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO ADVERTISE FOR BIDS FOR SEWER CONSTRUCTION ALONG HIGHWAY 42 E.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE TO ADVERTISE FOR THE BIDS FOR SEWER CONSTRUCTION ALONG HIGHWAY 42 E. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM THE PETAL ROTARY CLUB FOR THE CITY TO PURCHASE A \$70.00 AD IN SUPPORT OF SPAGHETTI DINNER.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO PURCHASE THE \$70.00 AD FOR THE PETAL ROTARY CLUB SPAGHETTI DINNER. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE RESIGNATION OF ANN CLARKE FROM THE PLANNING COMMISSION EFFECTIVE OCTOBER 4, 2004.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE LETTER OF RESIGNATION OF ANN CLARKE FROM THE PLANNING COMMISSION EFFECTIVE OCTOBER 4, 2004. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM ALDERMAN STEVE STRINGER TO APPOINT KENNY MOORE TO THE PLANNING COMMISSION TO FINISH THE TERM OF ANN CLARKE.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO APPOINT KENNY MOORE TO THE PLANNING COMMISSION TO FINISH THE TERM OF ANN CLARKE UNTIL JULY 2008. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO APPOINT SHIRLEY MCDONALD TO THE ELECTION COMMISSION.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO APPOINT SHIRLEY MCDONALD TO THE ELECTION COMMISSION. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM THE PETAL SEPARATE SCHOOL DISTRICT TO USE LAGOON CITY PROPERTY FOR DUCK DERBY FUND RAISER FOR PETAL SHOWCHOIR.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION FOR THE PETAL SCHOOL DISTRICT TO USE LAGOON CITY PROPERTY FOR PETAL SHOWCHOIR TO HOLD DUCK DERBY FUND RAISER. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED PLANS FOR FIRE STATION FROM LOUIS GRIFFIN.

SEE EXHIBIT "G"

PLANS SCHEME "B"

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT SCHEME "B" PLAN FOR THE NEW FIRE STATION FROM LOUIS GRIFFIN. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED AN INVOICE FROM BANCORP SOUTH FOR PAYMENT ON TAX INCREMENT LTD OBLIGATION BOND 2002 IN AMOUNT OF \$62,550.00.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY INVOICE FOR TAX INCREMENT LTD OBLIGATION BOND 2002 IN AMOUNT OF \$62,550.00. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM TOM HARDGES, RECREATION DIRECTOR, FOR GERRY STANDLEY AND STANLEY MCCRAY TO ATTEND THE MRPA SPORTS FACILITY WORKSHOP IN GULFPORT, MS OCTOBER 20, 2004.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE GERRY STANDLEY AND STANLEY MCCRAY TO ATTEND THE MRPA SPORTS FACILITY WORKSHOP IN GULFPORT, MS OCTOBER 20, 2004 AND TO PAY THEIR EXPENSES. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM FIRE CHIEF RICHARD BRYANT FOR WESLEY HUGHES TO ATTEND THE MS FIRE INVESTIGATOR'S CONFERENCE IN PHILADELPHIA, MS NOVEMBER 2-5, 2004.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE WESLEY HUGHES TO ATTEND THE MS FIRE INVESTIGATOR'S CONFERENCE ON NOVEMBER 2-5, 2004 IN PHILADELPHIA, MS AND TO PAY HIS EXPENSES. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO PARTICIPATE IN THE MML VIDEO TELECONFERENCE ON OCTOBER 28, 2004 AT JONES COUNTY JUNIOR COLLEGE, ELLISVILLE, MS.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE MAYOR TONY PHILLIPS TO ATTEND THE MML VIDEO TELECONFERENCE IN ELLISVILLE, MS AT JONES COUNTY JUNIOR COLLEGE OCTOBER 28, 2004. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM POLICE CHIEF LEE SHELBOURN FOR OFFICER BRIAN AUST TO ATTEND THE CRIME SCENE PROCESSING SCHOOL AT THE HATTIESBURG TRAINING ACADEMY OCTOBER 25-27, 2004.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE OFFICER BRIAN AUST TO ATTEND THE CRIME SCENE PROCESSING SCHOOL AT THE HATTIESBURG TRAINING ACADEMY OCTOBER 25-27, 2004 AND TO PAY HIS EXPENSES. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER PROMOTING FIREFIGHTER CURTIS HOWELL TO 1ST CLASS, UPON THE RECOMMENDATION OF FIRE CHIEF RICHARD BRYANT.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO PROMOTE FIREFIGHTER CURTIS HOWELL TO 1ST CLASS, UPON THE RECOMMENDATION OF FIRE CHIEF RICHARD BRYANT.

IT IS HEREBY ORDERED THAT FIREFIGHTER CURTIS HOWELL BE PROMOTED TO 1ST CLASS AT A RATE OF \$9.49 PER HOUR EFFECTIVE OCTOBER 13, 2004.

SO ORDERED ON THIS THE 5TH DAY OF OCTOBER 2004.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER PROMOTING FIREFIGHTER STAN KINMON TO 1ST CLASS, UPON THE RECOMMENDATION OF FIRE CHIEF RICHARD BRYANT.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO PROMOTE FIREFIGHTER STAN KINMON TO 1ST CLASS, UPON THE RECOMMENDATION OF FIRE CHIEF RICHARD BRYANT.

IT IS HEREBY ORDERED THAT FIREFIGHTER STAN KINMON BE PROMOTED TO 1ST CLASS AT A RATE OF \$9.49 PER HOUR EFFECTIVE OCTOBER 13, 2004.

SO ORDERED ON THIS THE 5TH DAY OF OCTOBER 2004.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO PROMOTE FIREFIGHTER GARY HARTFIELD TO THE RANK OF 1ST CLASS FIREFIGHTER.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TABLE THE REQUEST. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER HIRING JASON STOKES IN THE STREET DEPARTMENT.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE A LABORER IN THE STREET DEPARTMENT.

IT IS HEREBY ORDERED THAT JASON STOKES BE HIRED AS A LABORER IN THE STREET DEPARTMENT EFFECTIVE OCTOBER 11, 2004 AT A RATE OF \$6.50 PER HOUR.

SO ORDERED ON THIS THE 5TH DAY OF OCTOBER, 2004.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER HIRING JASON JAMES IN THE POLICE DEPARTMENT UPON THE RECOMMENDATION FROM ASST. CHIEF DON SEALY.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE AN OFFICER TO FILL THE VACANCY IN THE POLICE DEPARTMENT.

IT IS HEREBY ORDERED THAT JASON JAMES BE HIRED AS AN OFFICER IN THE POLICE DEPARTMENT AT 1ST CLASS AT A RATE OF \$11.61 PER HOUR EFFECTIVE OCTOBER 13, 2004.

SO ORDERED ON THIS THE 5TH DAY OF OCTOBER, 2004.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER HIRING JEROMY ROBB IN THE POLICE DEPARTMENT, UPON THE RECOMMENDATION OF ASST. CHIEF DON SEALY.

ORDER

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

IT IS HEREBY ORDERED THAT JEROMY ROBB BE HIRED AS AN OFFICER IN THE POLICE DEPARTMENT AS 4TH CLASS AT A RATE OF \$10.23 PER HOUR EFFECTIVE OCTOBER 13, 2004

SO ORDERED ON THIS THE 5TH DAY OF OCTOBER, 2004.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER HIRING JASON HIGGINS IN THE POLICE DEPARTMENT, UPON THE RECOMMENDATION OF ASST. CHIEF DON SEALY.

ORDER

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

IT IS HEREBY ORDERED THAT JASON HIGGINS BE HIRED AS A 4TH CLASS OFFICER IN THE POLICE DEPARTMENT EFFECTIVE OCTOBER 13, 2004 AT A RATE OF \$10.23 PER HOUR.

SO ORDERED ON THIS THE 5TH DAY OF OCTOBER, 2004.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING RESOLUTION AMENDING PINE BELT REGIONAL SOLID WASTE AUTHORITY TO INCLUDE STONE COUNTY.

SEE EXHIBIT "H"

RESOLUTION

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON

ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED CERTIFICATE OF ATTENDANCE FROM
SHAROLD FRANKLIN-FEDRICK.

SEE EXHIBIT "I"

CERTIFICATE OF ATTENDANCE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE
CERTIFICATE OF ATTENDANCE. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, ALDERMAN HINTON MADE A MOTION TO ADJOURN. ALDERMAN
STRINGER SECONDED THE MOTION.


THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE


THEREBEING NO FURTHER BUSINESS OF THE REGULAR MEETING OF THE MAYOR
AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON
THIS THE 5TH DAY OF OCTOBER, 2004.



TONY PHILLIPS
MAYOR

(SEAL)

ATTEST:



JEAN SHEE
CITY CLERK

EQUIPMENT PROPOSAL

TO: City of Petal
Petal, ms.
Attn: Larry Byrd

DATE: 9-22-04
SALESMAN: Ed Tappin

CUSTOMER APPROVAL: _____
CUSTOMER PURCHASE ORDER #: _____

1-601-545-1685

QTY.	DESCRIPTION OF MATERIAL	BOOK #	PRICE
1	New Holland Turbo Tractor w/ 45 PTO Horsepower w/ 12x12 Transmission w/ Front weight w/ canopy		15,250.00
	The above price includes Delivery.		
SUB-TOTAL			
TRADE-IN MODEL/SERIAL #			(-)
SALES TAX			(+)
TOTAL TO BE PAID OR FINANCED			\$

TERMINATE: EQUIPMENT MANUFACTURER'S WARRANTY APPLIES TO EQUIPMENT ON LEASE EQUIPMENT UNDER OPTION. FINANCE AGREEMENT FOR _____ FROM THE DATE OF THE RECEIPT.

APPLICABLE SALES TAX WILL BE IN ADDITION TO THE PRICE OF THE EQUIPMENT. THE PRICE OF THE EQUIPMENT IS SUBJECT TO CHANGE WITHOUT NOTICE AND WITHOUT OBLIGATION TO CONTRACT. THE PRICE OF THE EQUIPMENT IS SUBJECT TO CHANGE WITHOUT NOTICE AND WITHOUT OBLIGATION TO CONTRACT.

Crain Tractor & Equipment Inc.
508 Highway 98 By-Pass, P. O. Box 88
Columbia, Mississippi 39429
(601) 736-4517 Fax (601) 736-5212

City of Petal

Dear Sirs:

Thank you for allowing Crain Tractor & Equipment, Inc. to provide this bid on one (1) new Case IH Tractor, model no. JX35, with 45 PTO h.p., 12x12 transmission, front weights and canopy.

Bid Price \$ 14,900.00 - includes delivery

Direct any questions to the address above.

Thank you,

Kath Ramshur
Kath Ramshur
Bid Representative

CITY OF PETAL
MINUTE BOOK 24

EASEMENT AND CONSTRUCTION AGREEMENT

This Easement and Construction Agreement made and entered into by and between the Mississippi Transportation Commission, (COMMISSION), by and through the duly authorized Executive Director of the Mississippi Department of Transportation, and the Mayor of the City of Petal (CITY), effective as of the latest date of execution below.

WITNESSETH:

WHEREAS, the COMMISSION proposes a highway construction project of approximately 5.98 miles of State Route No. 42, said project currently known as ROW/CONSTRUCTION Project No. STP-0063-02(012)/STP-0063-02(017), to begin at US 11 and extending in an easterly direction on new location a distance of approximately 2.27 miles to Corinth Road and parallel to existing SR 42 a distance of approximately 3.71 miles to just east of its intersection with Sunrise Macedonia Road, hereinafter the PROJECT; and

WHEREAS, the COMMISSION has prepared plans and specifications for the said proposed construction, relevant excerpts of which are attached hereto, and the entirety of which are on file in the office of the COMMISSION in Jackson, Mississippi, reference to which is made for all purposes as if copied herein in words and figures; and

WHEREAS, the CITY is the current owner of the property or the easements underlying all city streets shown on said plans and specifications; and

WHEREAS, the COMMISSION has requested permission from the CITY to make certain adjustments and/or grade changes to all known city streets which now cross connect or are adjacent to the PROJECT, and to turn back to CITY jurisdiction certain sections of SR 42 bypassed by the PROJECT; and

WHEREAS, the CITY has agreed to this request and both parties desire to evidence this agreement by written instrument;

NOW, THEREFORE, in consideration of the promises and agreements of the parties hereto, as shown below, it is hereby agreed as follows:

The COMMISSION will:

EXHIBIT "B"

- (1) construct by contract said section of SR 42 in accordance with the PROJECT plans and specifications.
- (2) be responsible for maintaining all roadway, rights of way, and traffic control devices in accordance with the MDOT policies, rules and regulations for the duration of the PROJECT.
- (3) acquire all right of way left and right of centerline as required by said plan;
- (4) be responsible for overseeing all utility adjustments.
- (5) at the conclusion of the PROJECT, return to the CITY for control and maintenance, portions of the adjusted city streets listed below:

- (a) Leeville Road
- (b) Old Richton Road
- (c) Fairchild Drive
- (d) Corinth Road
- (e) Springfield Road
- (f) Walnut Drive
- (g) Beech Lane
- (h) Maple Drive
- (i) Magnolia Lane
- (k) Herrington Lane
- (l) Mulberry Lane
- (m) Dogwood Lane
- (n) Petal School Entrance
- (o) Trailwood West

- p) Twin Lake Road
- (q) Deerwood Drive
- (r) Wildwood Trail
- (s) West Sherwood Forest Drive
- (t) East Sherwood Forest Drive
- (u) Manor Drive
- (v) Sunrise Road

(6) In accordance with Section 65-1-59, Mississippi Code of 1972, return to CITY jurisdiction:

(z) a portion of State Route 42 approximately 2.30 miles long beginning east of US 11 at the western limit of the Kansas City Southern Railroad Right of Way and continuing east along existing SR 42 to its intersection with the PROJECT at existing SR 42 survey station 9+900.

(7) deed to the CITY certain segments of rights-of-way, which were acquired for the purposes of constructing the PROJECT, at the locations generally described as being:

- (a) Leeville Road (Sta 9+875 to 9+905 and Sta 10+070 to 10+115)
- (b) Old Richton Road (Sta 9+850 to 9+924 and Sta 10+102 to 10+136)
- (c) SR 42 Connection (Sta 9+772 to 9+900)
- (d) Corinth Road (Sta 9+900 to 9+920)
- (n) Petal School Entrance (Sta 0+030 to 0+150)
- (m) Trailwood West (Sta 19+003 to 19+105)
- (v) Sunrise Road (Sta 9+920 to 9+778)

The CITY will:

(1) release the COMMISSION from any and all damages arising or to arise in its favor and on its account as a result of the COMMISSION altering, relocating or changing the grade of intersecting said PROJECT or the altering or changing the grade of any other street including existing streets, unplatted streets or unopened streets in any location adjacent to said PROJECT.

(2) and does hereby grant, bargain, sell, convey and warrant unto the COMMISSION an unlimited easement on, over and across all city street rights of way within the construction limits as shown on the PROJECT plans for the purpose of constructing and maintaining the storesaid PROJECT, until said PROJECT is concluded.

(3) upon completion of construction of the designated improvements on all city streets to assume responsibility for all maintenance of said adjusted city streets and traffic control devices as shown above upon notice from the COMMISSION.

(4) accept and record the deeds to all Right-of-Way conveyed by the COMMISSION.

(5) execute warranty deeds to the COMMISSION covering all parts of its right-of-way which are incorporated into the final PROJECT when requested to do so by the COMMISSION.

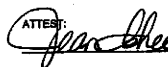
Both parties hereto represent that they have authority to enter into this CONTRACT and certified copies of the applicable Council or Commission Orders are attached hereto.

WITNESS this my signature in execution hereof, this the 5th day of October, 2004.

MAYOR, CITY OF PETAL, MISSISSIPPI

BY: 

(Affix Seal)

ATTEST: 

WITNESS this my signature in execution hereof, this the 9th day of November, 2004.

THE MISSISSIPPI TRANSPORTATION COMMISSION
BY AND THROUGH THE EXECUTIVE DIRECTOR OF
THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION


LARRY L. BUTCH BROWN

EXHIBIT "B"

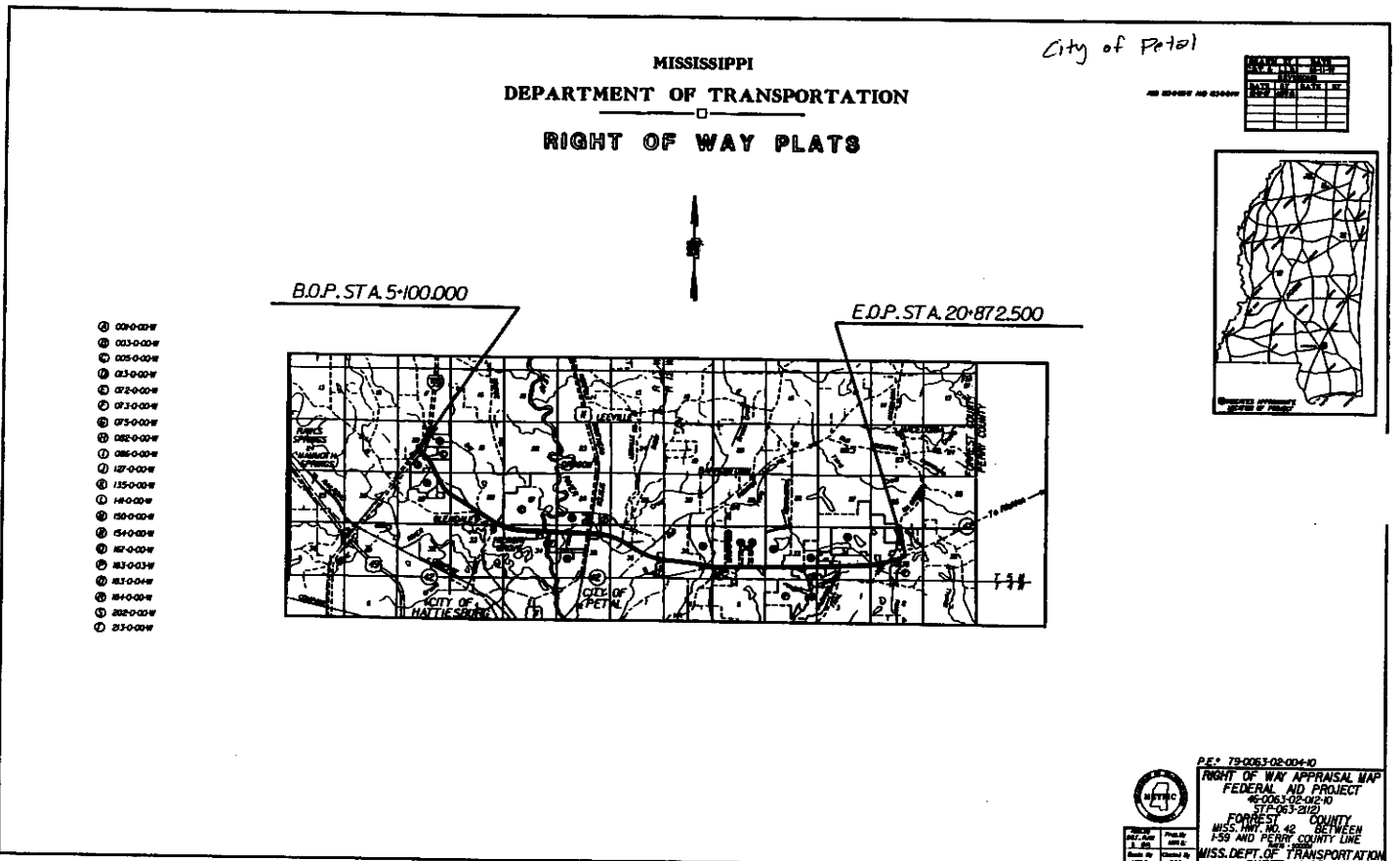
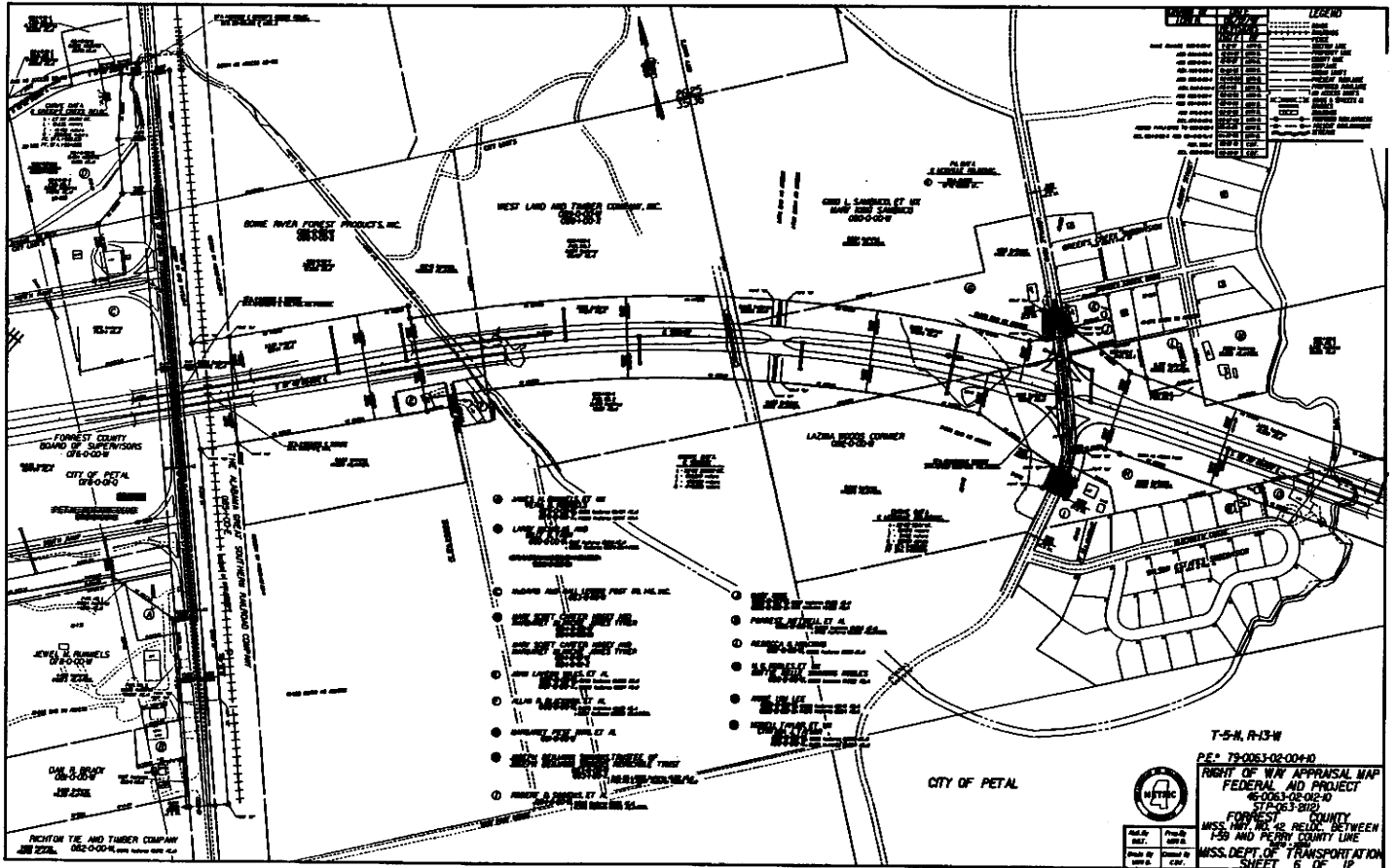


EXHIBIT "B"

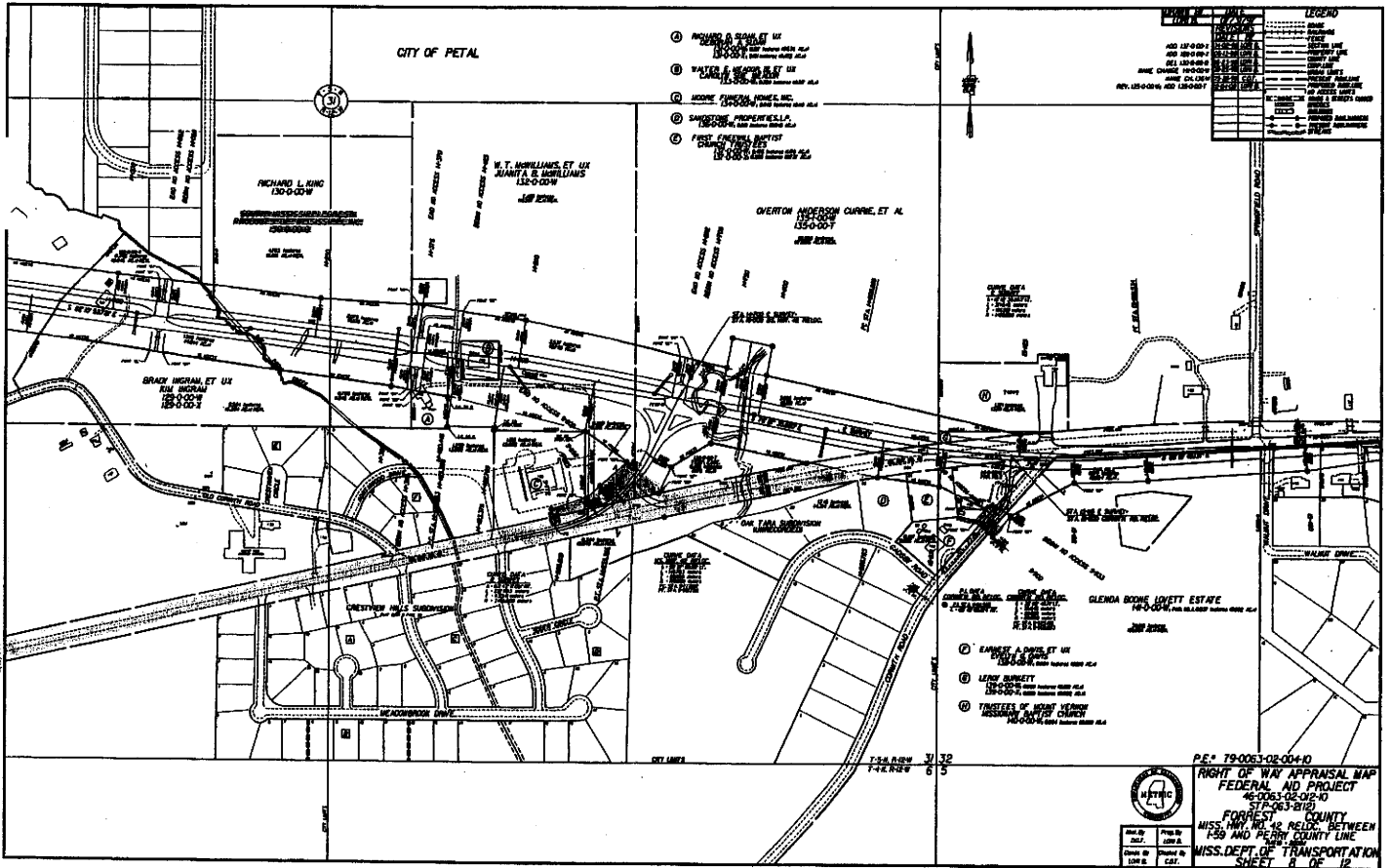


EXHIBIT "B"

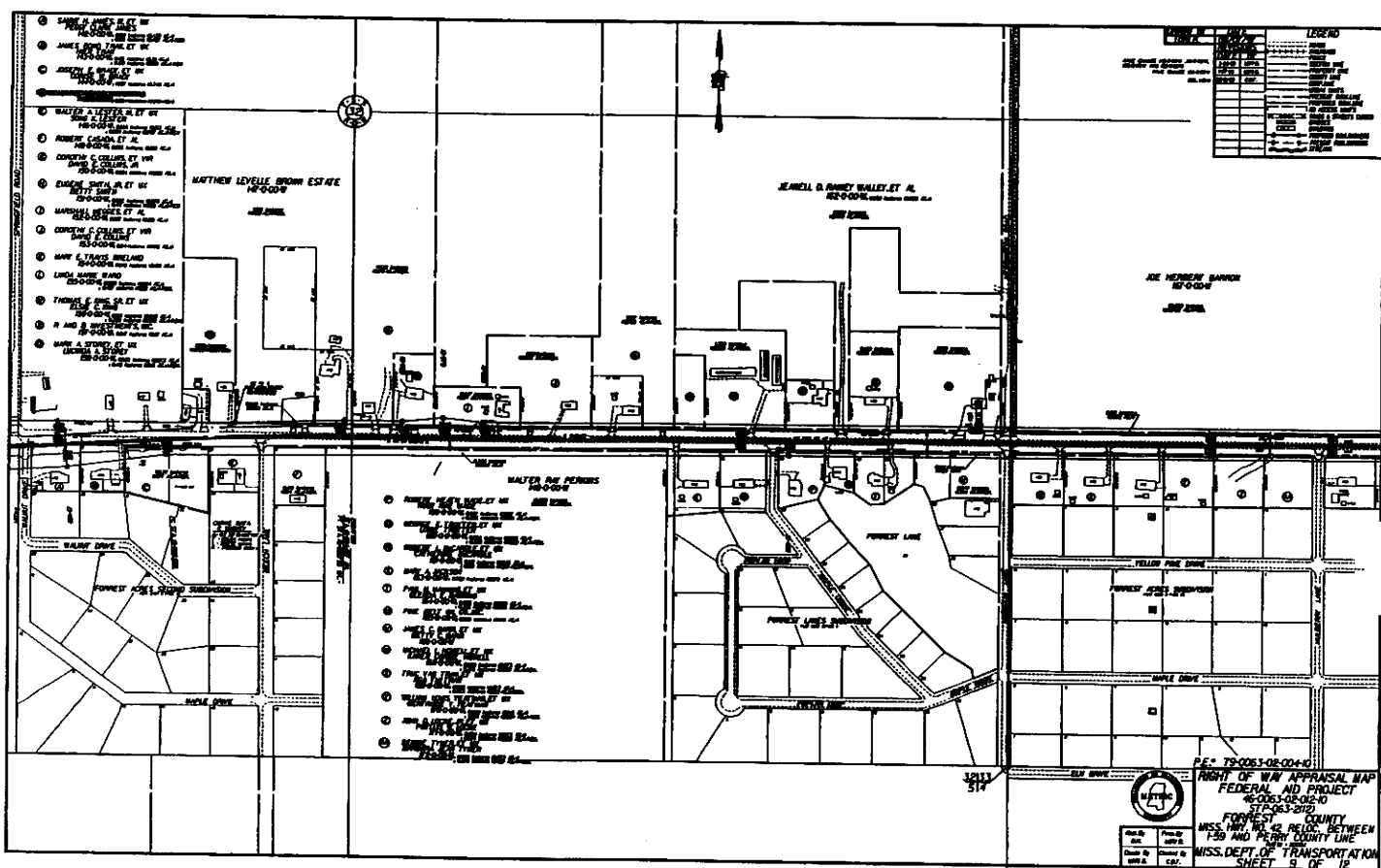
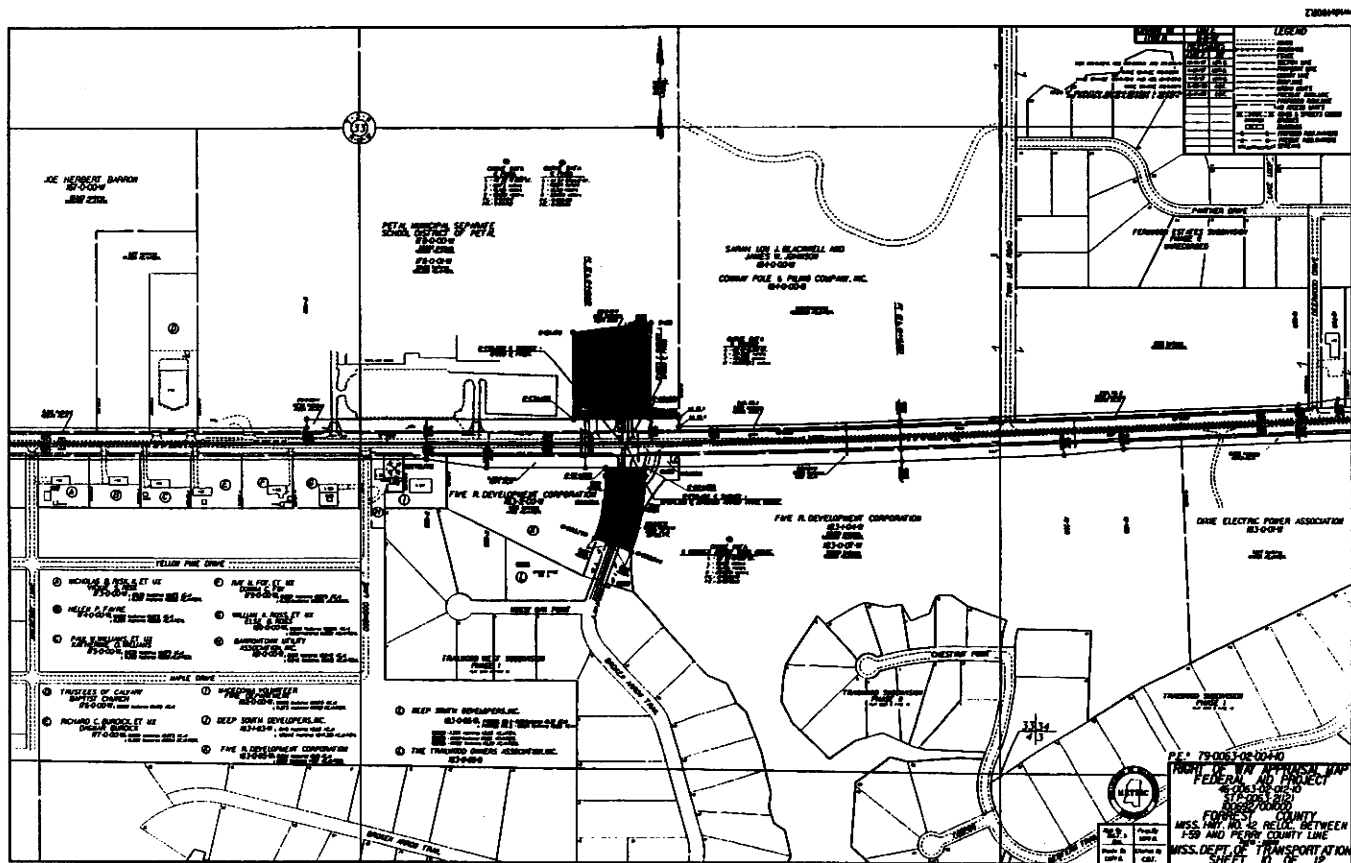
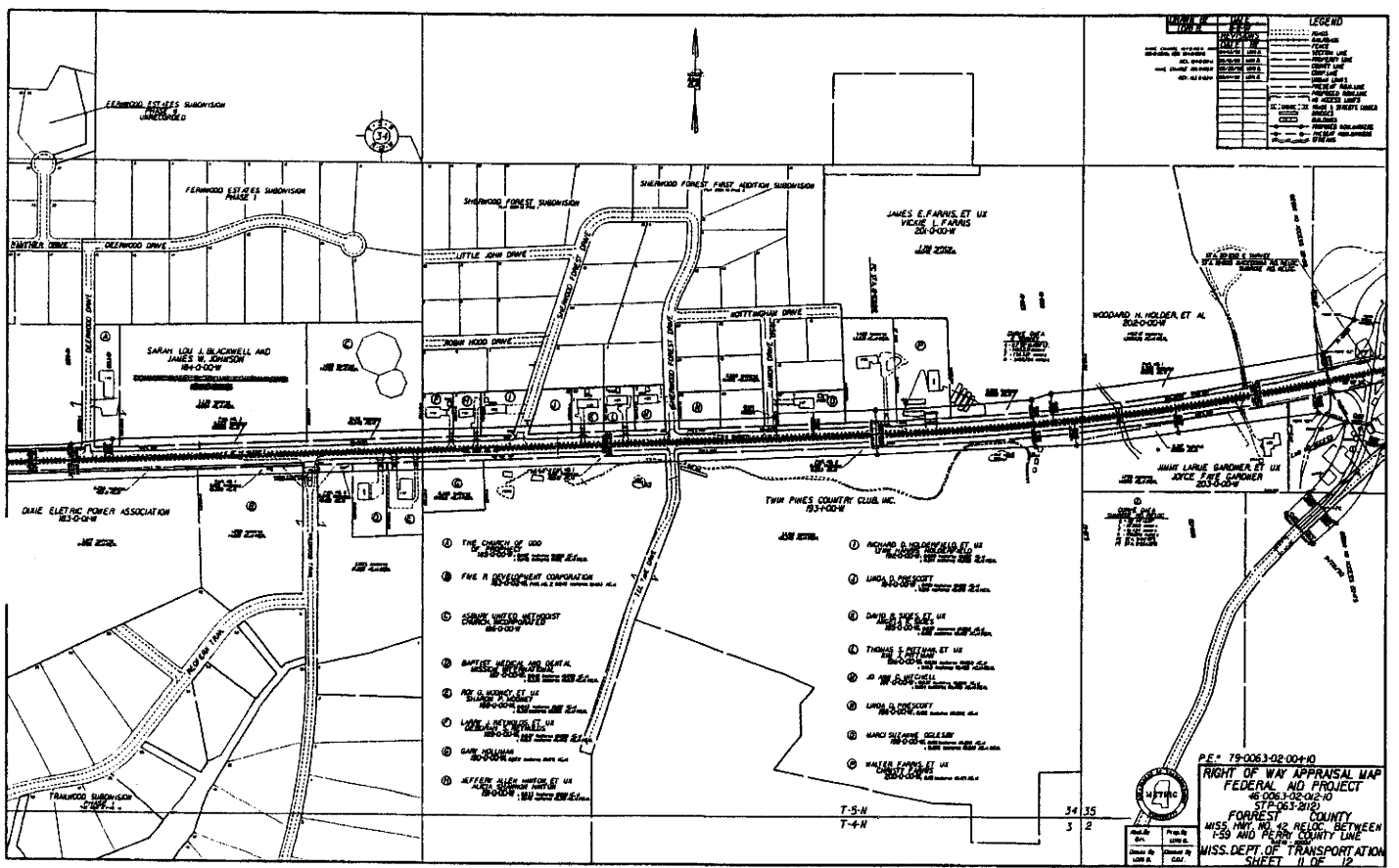
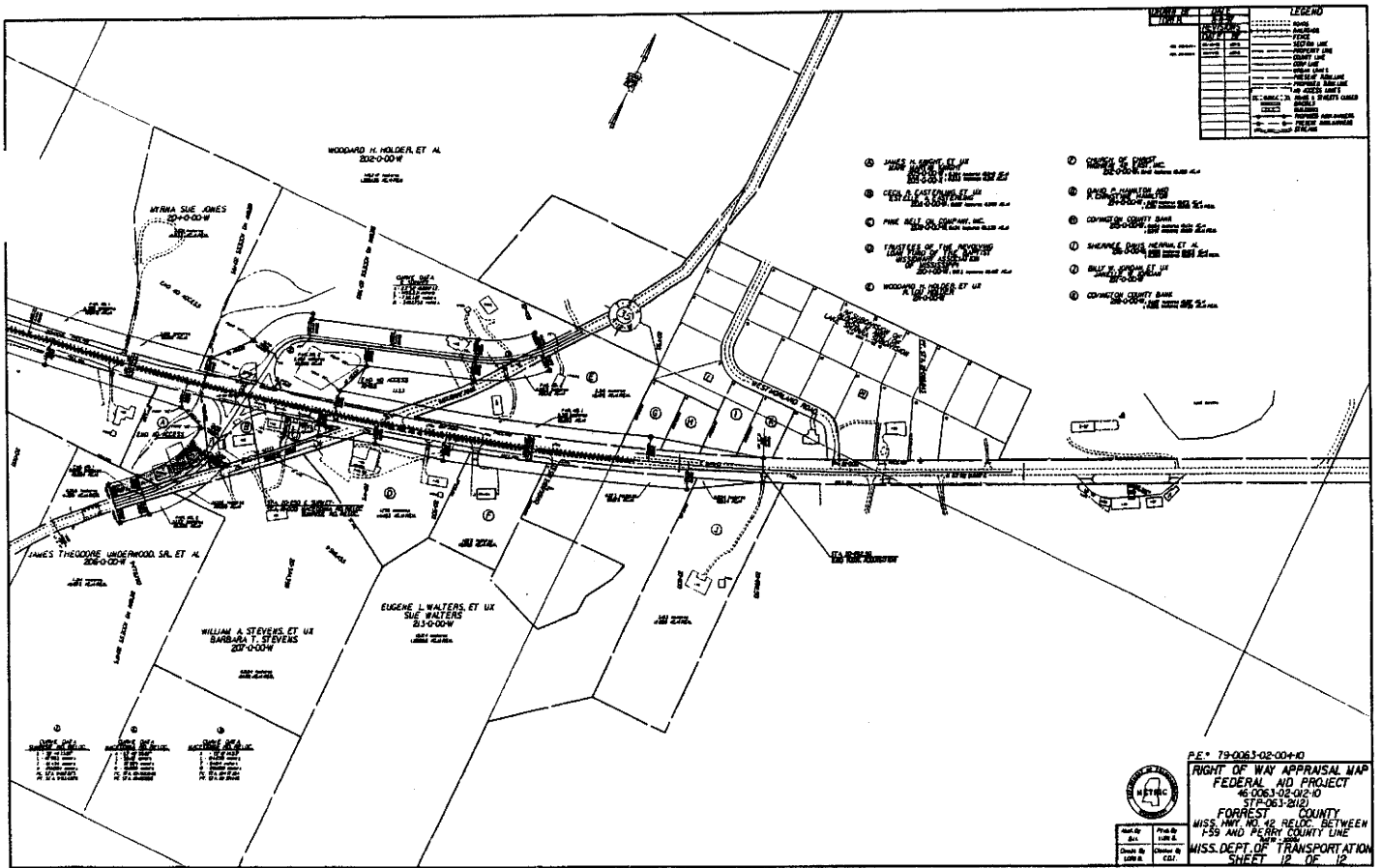


EXHIBIT "B"



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EXHIBIT "C"

ORDINANCE BOOK 3

ORDINANCE NUMBER 1979 (42-A151)

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-A150) SO AS TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 647 HIGHWAY 42, PETAL, MS, FROM R-1 (LOW DENSITY RESIDENTIAL) TO C-O (COMMERCIAL OFFICE DISTRICT).

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

SECTION 1. That the Comprehensive Zoning District Map, adopted as part of the Comprehensive Zoning Ordinance Number 1979 (42) of the City of Petal, Mississippi, as amended by Ordinance Numbers 1979 (42-1) through 1979 (42-A150) 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-1 (Low Density Residential) to C-O (Commercial Office District).

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

A PARCEL OF LAND IN THE SW 1/4 OF THE SW 1/4, S 31, T5N, R12W, FORREST COUNTY, MS, AND MORE PARTICULARLY DESCRIBED AS COMM AT THE SW COR OF THE SW 1/4 OF THE SW 1/4 OF THE ABOVE SAID S31; THENCE N 224.9'; THENCE N 80°21'45" E 183.4' TO THE POB; THENCE N 00°14'49" W 214.4'; THENCE N 89°41' E 146'; THENCE S 01°16'46" E 182.8' TO THE NRTHLY ROW LINE OF MS HWY 42; THENCE S 78°52'27" W AND ALG THE NRTHLY MARGIN OF SAID HWY 152.3' TO THE POB

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 C-O (Commercial Office District).

SECTION 2. Except as hereby expressly changed and amended, the aforesaid Comprehensive Zoning Ordinance No. 1979 (42) of the City of Petal, Mississippi, as amended by Ordinance Numbers 1979 (42-1) through 1979 (42-A150) shall be and remain in full force and form as adopted on October 5, 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

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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 Willie W. Hinton
Alderman Joe C. McMurry, Sr.
Alderman Steve Stringer

Those present and voting "NAY" or against the adoption of any section of the foregoing Ordinance:

NONE

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

Alderman Willie W. Hinton
Alderman Joe C. McMurry, Sr.
Alderman Steve Stringer

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 5th day of October 2004.


TONY PHILLIPS, MAYOR

(SEAL)

ATTEST:


JEAN ISHEE, CITY CLERK

PUBLISH 1 TIME: October 13, 2004.

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ORDINANCE BOOK 3

ORDINANCE NUMBER 1979 (42-A152)

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-A151) SO AS TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 643 HIGHWAY 42, PETAL, MS, FROM R-1 (LOW DENSITY RESIDENTIAL) TO C-O (COMMERCIAL OFFICE DISTRICT).

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-A151) 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-1 (Low Density Residential) to C-O (Commercial Office District).

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

A PARCEL OF LAND IN THE SW 1/4 OF THE SW 1/4, S31, T5N, R12W, FORREST COUNTY, MS AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SW COR OF THE SW 1/4 OF THE SW 1/4 OF THE ABOVE SAID S31; THENCE N 224.9' TO THE NORTHLY ROW LINE OF MS STATE HWY 42 AND THE POB; THENCE CONT N 245.1'; THENCE E 180'; THENCE S 00°14'49" E FOR 214.4' TO THE NORTHLY ROW LINE OF MS HWY 42; THENCE S 80°21'45" W AND ALG THE ABOVE SAID NORTHLY ROW FOR 183.4' TO THE POB

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 C-O (Commercial Office District).

SECTION 2. Except as hereby expressly changed and amended, the aforesaid Comprehensive Zoning Ordinance No. 1979 (42) of the City of Petal, Mississippi, as amended by Ordinance Numbers 1979 (42-1) through 1979 (42-A151) shall be and remain in full force and form as adopted on October 5, 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

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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 Willie W. Hinton
Alderman Joe C. McMurry, Sr.
Alderman Steve Stringer

Those present and voting "NAY" or against the adoption of any section of the foregoing Ordinance:

NONE

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

Alderman Willie W. Hinton
Alderman Joe C. McMurry, Sr.
Alderman Steve Stringer

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 5th day of October 2004.


TONY PHILLIPS, MAYOR

(SEAL)

ATTEST:


JEAN SHEE, CITY CLERK

PUBLISH 1 TIME: October 13, 2004.

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ORDINANCE BOOK 3

ORDINANCE NUMBER 1979 (42-A153)

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-A152) SO AS TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 1172 HIGHWAY 42, PETAL, MS, FROM R-1 (LOW DENSITY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL DISTRICT).

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

SECTION 1. That the Comprehensive Zoning District Map, adopted as part of the Comprehensive Zoning Ordinance Number 1979 (42) of the City of Petal, Mississippi, as amended by Ordinance Numbers 1979 (42-1) through 1979 (42-A152) 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-1 (Low Density Residential) to C-2 (General Commercial District).

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

COMM AT THE SW COR OF S33, T5N, R12W, FORREST COUNTY, MS AND RUN N FOR 1281.93'; THENCE RUN E FOR 2747.39' TO THE OLD S ROW LINE OF MS STATE HWY 42; THENCE RUN ON AND ALG SAID OLD ROW LINE N 89°50'15"E FOR 75.04' TO A 1/2" REBAR; THENCE RUN S 00°14'35" E FOR 15.54' TO A 1/2" REBAR ON THE NEW SOUTH ROW LINE OF SAID HWY 42 TO THE POB. FROM THE POB CONT ON AND ALG SAID NEW SOUTH ROW LINE N 89°29'53" E FOR 97.54' TO A 1/2" REBAR; THENCE RUN S 82°04'18" E FOR 83.05' TO A 1/2" REBAR; THENCE RUN S 00°02'46" W FOR 188.64' TO A 1/2" REBAR; THENCE RUN S 89°50'31" W FOR 179.10' TO A 1/2" REBAR; THENCE RUN N 00°01'36" E FOR 66.09' TO A 1/2" REBAR; THENCE RUN N 00°14'35" W FOR 133.64' BACK TO THE POB. SAID PARCEL OF LAND IS PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 33, T5N, R12W, FORREST COUNTY, MS AND CONTAINS 0.81 ACRE, 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 C-2 (General Commercial District).

SECTION 2. Except as hereby expressly changed and amended, the aforesaid Comprehensive Zoning Ordinance No. 1979 (42) of the City of Petal, Mississippi, as amended by Ordinance Numbers 1979 (42-1) through 1979 (42-A152) shall be and remain in full force and form as adopted on October 5, 2004.

SECTION 3. That this Ordinance shall take effect and be in full force from and

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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 Willie W. Hinton
Alderman Joe C. McMurry, Sr.
Alderman Steve Stringer

Those present and voting "NAY" or against the adoption of any section of the foregoing Ordinance:

NONE

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

Alderman Willie W. Hinton
Alderman Joe C. McMurry, Sr.
Alderman Steve Stringer

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 5th day of October 2004.


TONY PHILLIPS, MAYOR

(SEAL)

ATTEST:


JEAN SHEE, CITY CLERK

PUBLISH 1 TIME: October 13, 2004.

ORDINANCE BOOK 3

ORDINANCE NUMBER 1979 (42-A154)

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-A153) SO AS TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 946 HIGHWAY 42, PETAL, MS, FROM R-1 (LOW DENSITY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL DISTRICT).

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

SECTION 1. That the Comprehensive Zoning District Map, adopted as part of the Comprehensive Zoning Ordinance Number 1979 (42) of the City of Petal, Mississippi, as amended by Ordinance Numbers 1979 (42-1) through 1979 (42-A153) 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-1 (Low Density Residential) to C-2 (General Commercial District).

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

LOT 6 FORREST ACRES 2ND 612/563 2/89 632/220 4/19/90 LESS PT FOR HWY 817/540 6/1999 FORREST ACRES 2ND

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 C-2 (General Commercial District).

SECTION 2. Except as hereby expressly changed and amended, the aforesaid Comprehensive Zoning Ordinance No. 1979 (42) of the City of Petal, Mississippi, as amended by Ordinance Numbers 1979 (42-1) through 1979 (42-A153) shall be and remain in full force and form as adopted on October 5, 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 Willie W. Hinton
Alderman Joe C. McMurry, Sr.
Alderman Steve Stringer

Those present and voting "NAY" or against the adoption of any section of the foregoing Ordinance:

NONE

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

Alderman Willie W. Hinton
Alderman Joe C. McMurry, Sr.
Alderman Steve Stringer

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 5th day of October 2004.


TONY PHILLIPS, MAYOR

(SEAL)

ATTEST:


JEAN SHEE, CITY CLERK

PUBLISH 1 TIME: October 13, 2004.

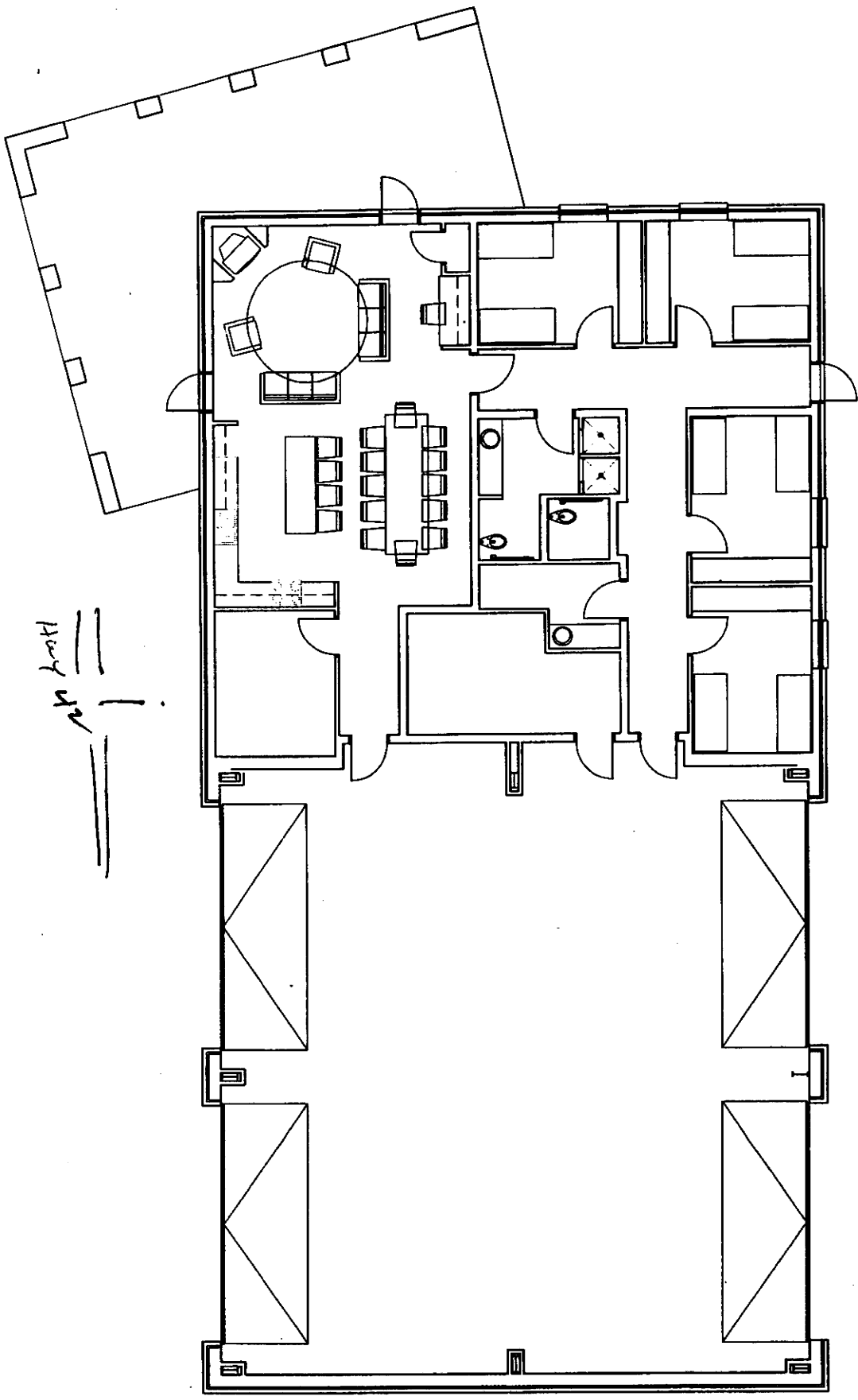
Exhibit "G"

File # 240045

Oct. 1, 2001

EXHIBIT "G"

100 ft. 5030 "B plan"



Handwritten notes and lines, possibly indicating a specific area or feature on the plan.

5400 52 A

**RESOLUTION OF THE CITY COUNCIL OF PETAL
AUTHORIZING AN AMENDMENT TO THE INCORPORATION
AGREEMENT OF THE PINE BELT REGIONAL SOLID WASTE
MANAGEMENT AUTHORITY**

**CITY OF PETAL
MINUTE BOOK 24**

EXHIBIT "H"

WHEREAS, the Pine Belt Regional Solid Waste Management Authority ("the Authority") was created pursuant to Miss. Code Ann. §17-17-301 et seq., and an Incorporation Agreement was filed with the Secretary of State on May 14, 1992 (the "Incorporation Agreement"); and

WHEREAS, the Incorporation Agreement was amended by Resolution adopted by the Authority dated January 16, 1997, which amendment and resolution was subsequently filed with the Chancery Clerks of Perry, Covington, Forrest and Jones Counties and the Secretary of State; and

WHEREAS, the Authority by Resolution adopted a Resolution on May 8, 2002, amending the Incorporation Agreement so as to make Stone County, Mississippi, a legally constituted participating unit of government of the Authority with full privileges, rights and obligations as set forth in the Incorporation Agreement as amended; and

WHEREAS, under Miss. Code Ann. §17-17-311(2)(Supp 2001) it is necessary for two-thirds (2/3) of the governing bodies of the members of the Authority to approve the proposed amendment before it becomes effective; and

WHEREAS, the City Council of Petal, Mississippi ("the Council") has determined that it would be in the best interest of Petal, Mississippi and the Authority to approve the proposed amendment.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the amendment to the Incorporation Agreement of the Pine Belt Regional Solid Waste Management Authority to add Stone County, Mississippi, as a participating Unit of Government of the Authority with full privileges, rights and obligations as set forth in the Incorporation Agreement be and the same is hereby authorized within the meaning of Miss. Code Ann §17-17-311(2)(Supp. 2001).

SECTION 2. That a copy of the signed application and all accompanying documents shall be spread upon the minutes of the Council as called for in Miss. Code Ann. §17-17-311(2)(Supp 2001).

SECTION 3. That the Mayor and City Clerk shall certify this resolution and transmit the same to the Authority.

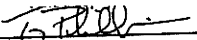
Councilman Steve Stringer moved the adoption of the foregoing resolution. Councilman Joe C. McMurry, Sr. recorded the motion.

A roll call of all the Council present was as follows:

Willie W. Hinton	Voted: AYE
Joe C. McMurry, Sr.	Voted: AYE
Steve Stringer	Voted: AYE


A majority of the Council present voted in favor of the adoption of the resolution and the Mayor declared the resolution approved on this, the 5th day of October, A.D., 2004.

CITY OF PETAL, MISSISSIPPI

BY: 
MAYOR

(SEAL)

ATTEST:

BY: 
CITY CLERK

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the 5th day of October, A.D., 2004.

ATTEST:


CITY CLERK

ADOPTED:


MAYOR

PUBLISH 2 TIMES: October 12, 2004.
October 19, 2004.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PINE BELT REGIONAL SOLID WASTE MANAGEMENT AUTHORITY AMENDING THE INCORPORATION AGREEMENT UNDER WHICH THE AUTHORITY WAS CREATED FOR THE PURPOSE OF MAKING STONE COUNTY, MISSISSIPPI A LEGALLY CONSTITUTED PARTICIPATING UNIT OF LOCAL GOVERNMENT OF THE AUTHORITY AS AUTHORIZED BY SECTION 17-17-301 ET. SEQ. 1 MISSISSIPPI CODE OF 1972, AS AMENDED.

CITY OF PETAL
MINUTE BOOK

SECTION 4. Upon receipt of approval of at least two thirds (2/3rds) of the participating Units of Local Government to any or all of the proposed amendments set forth herein, the Executive Director shall cause a copy of such amendments and this resolution to be filed with the Chancery Clerks of Perry, Covington, Forrest, Jones, and Stone Counties and the Secretary of State.

Commissioner Cree Moved the adoption of the foregoing resolution.
Commissioner Rogers seconded the motion.

EXHIBIT "H"

A roll call vote of all Commissioners present was as follows:

Commissioner <u>Boutwell</u>	voted:	<u>Absent</u>
Commissioner <u>Buckley</u>	voted:	<u>Aye</u>
Commissioner <u>Christian</u>	voted:	<u>Aye</u>
Commissioner <u>Cree</u>	voted:	<u>Aye</u>
Commissioner <u>DuPres</u>	voted:	<u>Aye</u>
Commissioner <u>Hinton</u>	voted:	<u>Absent</u>
Commissioner <u>Holliman</u>	voted:	<u>Aye</u>
Commissioner <u>Miller</u>	voted:	<u>Absent</u>
Commissioner <u>E. Morgan</u>	voted:	<u>Absent</u>
Commissioner <u>M. Morgan</u>	voted:	<u>Aye</u>
Commissioner <u>Rogers</u>	voted:	<u>Aye</u>
Commissioner <u>Vicent</u>	voted:	<u>Aye</u>

A majority of the Commissioners present voted in favor of adoption of the resolution and the Chairman declared the resolution approved, this the 8th day of May, 2002.

PINE BELT REGIONAL SOLID WASTE
MANAGEMENT AUTHORITY

BY: John Buckley
CHAIRMAN

ATTEST:
BY: J. Reel
SECRETARY

WHEREAS, the Pine Belt Regional Solid Waste Management Authority ("the Authority") was created pursuant to Miss. Code Ann. § 17-17-301 et seq., and an Incorporation Agreement was filed with the Secretary of State on May 14, 1992 (the "Incorporation Agreement"); and

WHEREAS, the Incorporation Agreement was amended by Resolution adopted by the Authority dated January 16, 1997, which amendment and resolution was subsequently filed with the Chancery Clerks of Perry, Covington, Forrest and Jones Counties and the Secretary of State; and

WHEREAS, the Authority and the Stone County Board of Supervisors ("Stone County") have each adopted a memorandum of Agreement in which the parties determined that it would be in the best interest of both parties for Stone County to become a member of the Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PINE BELT REGIONAL SOLID WASTE MANAGEMENT AUTHORITY AS FOLLOWS:

SECTION 1. That the Incorporation Agreement be amended as follows:

- (a) That Stone County, Mississippi, be added as a participating Unit of Government of the Authority with full privileges, rights and obligations as set forth in the Incorporation Agreement and Section 1 of the Incorporation Agreement is hereby amended, subject to Section II hereof, to reflect such addition.

SECTION 2. That the amendment set forth in Section 1 hereof shall become effective at such time as two-thirds (2/3rds) of the participating Units of Local Government approve any or all such proposed amendments after publication of this resolution and the required filings of notice thereof with the Chancery Clerks of each participating county and Secretary of State.

SECTION 3. That the Chairman and Secretary shall

- (i) certify this resolution and transmit same to each participating Unit of Local Government for consideration; and
- (ii) cause this resolution to be published not less than two (2) times in a paper of general circulation throughout the Pine Belt service area.

APPLICATION TO THE CITY OF PETAL, MISSISSIPPI, CERTIFYING THE ADOPTION OF A RESOLUTION OF THE PINE BELT REGIONAL SOLID WASTE MANAGEMENT AUTHORITY AND REQUESTING THAT JONES COUNTY ADOPT A RESOLUTION AUTHORIZING THE SAID AMENDMENT

The undersigned Chairman and Secretary, respectively, of the Board of Commissioners of the Pine Belt Regional Solid Waste Management Authority, do hereby certify to the City Council of Petal, Mississippi, that the Authority adopted the attached Resolution on May 8, 2002, at its regularly scheduled meeting. Pursuant to Miss. Code Ann. § 17-17-311 (2) (Supp. 2001), the Authority requests that the City of Petal adopt a Resolution approving the said proposed amendment to the Incorporation of the Authority.

This, the 21 day of September, A.D., 2004.

John Buckley
JOHN BUCKLEY, CHAIRMAN
PINE BELT REGIONAL SOLID WASTE
MANAGEMENT AUTHORITY

ATTEST:
J. Reel
J. REEL, SECRETARY



Certificate of Attendance

The University of Mississippi Law Center
Awards this Certificate to

Sharold Franklin- Fedrick

for having attended the

**Municipal Court Clerks Statewide Seminar
Jackson Marriott ~ Jackson, Mississippi**

September 9-10, 2004

conducted by the

Mississippi Judicial College

Linda E. Baskley
Program Manager

John A. Moran
Director

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