

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 JANUARY 4, 2005 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	PARKER CHAPMAN B C LEWIS TREY DUBARD JAMES WALLACE JAMES MOORE ANNE CLARK AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY ALDERMAN WILLIE W HINTON.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR PHILLIPS PRESENTED THE AGENDA TO THE BOARD WITH THE FOLLOWING AMENDMENTS:

- IX. GENERAL BUSINESS
7. REQUEST TO SET HEARING DATE OF JANUARY 25, 2005 AT 7:00 P.M. FOR REZONE OF PROPERTY LOCATED ON TWIN LAKES ROAD FROM R-1 TO R-4.

THEREUPON, ALDERMAN STRINGER MADE A MOTION THAT THE AGENDA BE APPROVED WITH THE FOREGOING AMENDMENTS. 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 OF THE REGULAR MEETING OF DECEMBER 21, 2004 AND THE RECESSED MEETING OF DECEMBER 22, 2004.

THEREUPON, ALDERMAN STRINGER MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF DECEMBER 21, 2004 AND THE RECESSED MEETING OF DECEMBER 22, 2004 BE ACCEPTED AS WRITTEN. 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 CALLED FOR PUBLIC COMMENT.

THREEREUPON, JAMES MOORE ADDRESSED THE MAYOR AND BOARD OF ALDERMEN ABOUT BICYCLE ROUTES IN PETAL. HE WOULD LIKE TO SEE THE TURN LANE ON SOUTH MAIN BE NARROWED TO TEN (10) FEET TO GIVE ROOM FOR STRIPPED BICYCLE ROUTES, WHEN GULF EQUIPMENT FINISHES THE FINAL PROJECT. MAYOR PHILLIPS STATED THAT MR MOORE NEEDS TO PERSUE THE PROJECT AND REPORT THE RESULTS BACK TO THE BOARD ON HAVING THE TURN LANE ON SOUTH MAIN NARROWED.

WHEREAS, THE HOUR OF 7:00 P.M. HAVING ARRIVED, THE MAYOR AND BOARD OF ALDERMEN PROCEEDED TO OPEN AND READ THE BIDS FOR BRUSH CHIPPER.

SEE EXHIBIT "A"

VERMEER MIDSOUTH, INC	\$29,220.00
5246 GREENWAY DRIVE	
JACKSON, MS 39204	

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT THE BID FROM VERMEER, INC TO PURCHASE THE BRUSH CHIPPER. 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 CLAIMS #79406-79785 OF THE CITY OF PETAL GENERAL FUNDS AND THE CITY OF PETAL WATER AND SEWER FUNDS FOR THE MONTH OF DECEMBER 2004.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO PAY THE CLAIMS #79406-79785 OF THE CITY OF PETAL GENERAL FUNDS AND THE CITY OF PETAL WATER AND SEWER FUNDS FOR THE MONTH OF DECEMBER 2004. ALDERMAN DRAUGHN SECONDED THE MOTION.

THEREUPON, ALDERMAN DRAUGHN APPROVES THE CLAIM DOCKET FOR THE MONTH OF DECEMBER 2004 WITH THE EXCEPTION OF PAYING THE MAYOR'S SALARY.

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 PROOF OF PUBLICATIONS:

- A. PUBLIC NOTICE-ZONING CHANGE
- B. NOTICE TO BIDDERS-BRUSH CHIPPER
- C. NOTICE TO BIDDERS-SEWER MACHINE
- D. NOTICE TO BIDDERS-NEW FIRE STATION

THEREUPON, ALDERMAN MCMURRY MADE A MOTION THAT THE FOREGOING PROOFS OF PUBLICATION BE ACCEPTED AND FILED. 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 LETTER OF RESIGNATION FROM RYAN EASLEY OF THE WATER DEPARTMENT EFFECTIVE DECEMBER 31, 2004.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE RESIGNATION OF RYAN EASLEY FROM THE WATER DEPARTMENT EFFECTIVE DECEMBER 31, 2004. 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 RECOMMENDATION FROM THE VARIANCE COMMITTEE FOR PROPERTY LOCATED AT 202-½ W 7TH AVENUE.

SEE EXHIBIT "B"

RECOMMENDATION

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE RECOMMENDATION FROM THE VARIANCE COMMITTEE. 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 MICKEY SHOWS TO PLACE A MOBILE HOME ON SMITH STREET DUE TO THEIR HOUSE BURNING.

NO ACTION TAKEN.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM CITY CLERK TO PAY NOTE ON RECREATION BUILDING TO TRUSTMARK IN AMOUNT OF \$18,131.84.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY THE NOTE TO TRUSTMARK BANK IN AMOUNT OF \$18,131.84 FOR THE RECREATION DEPARTMENT. 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 A ZONING HEARING TO BE SET FOR JAMES JOHNSON AND SARAH LAVATO ON TWIN LAKES ROAD TO REZONE FROM R-1 TO R-4.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO SET THE ZONING HEARING FOR JANUARY 25, 2005 AT 7:00 P.M. FOR JAMES JOHNSON AND SARAH LAVATO'S PROPERTY LOCATED AT TWIN LAKES ROAD TO REZONE FROM R-1 TO R-4. 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 THE PAY OF LARRY FLOYD IN THE WATER DEPARTMENT.

ORDER

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, UPON THE RECOMMENDATION OF RALPH EDDLEMON, THAT LARRY FLOYD, METER READER IN THE WATER DEPARTMENT, SALARY BE INCREASED TO \$8.00 PER HOUR EFFECTIVE JANUARY 5, 2005.

SO ORDERED ON THIS THE 4TH DAY OF JANUARY 2005.

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

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

ALDERMAN MICHAEL W DRAUGHN

WHEREAS, MAYOR PHILLIPS PRESENTED AN ORDER TO RE-ASSIGN DISPATCHER TANYA CARTER.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO RE-ASSIGN HEAD DISPATCHER TANYA CARTER TO 1ST CLASS DISPATCHER, WITH THE RECOMMENDATION OF POLICE CHIEF LEE SHELBOURN.

IT IS HEREBY ORDERED THAT TANYA CARTER BE RE-ASSIGNED TO 1ST CLASS DISPATCHER AT A RATE OF \$9.29 PER HOUR EFFECTIVE JANUARY 5, 2004.

SO ORDERED ON THIS THE 4TH DAY OF JANUARY 2005.

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 AN ORDER TO RE-ASSIGN DISPATCHER PAUL BOUNDS.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO RE-ASSIGN 3RD CLASS DISPATCHER PAUL BOUNDS TO HEAD DISPATCHER, WITH THE RECOMMENDATION OF POLICE CHIEF LEE SHELBOURN.

IT IS HEREBY ORDERED THAT PAUL BOUNDS BE RE-ASSIGNED TO HEAD DISPATCHER AT A RATE OF \$9.99 PER HOUR EFFECTIVE 5, 2005.

SO ORDERED ON THIS THE 4TH DAY OF JANUARY 2005.

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 FROM THE STATE OF MISSISSIPPI GOVERNOR'S OFFICE PROCLAIMING JANUARY 17, 2005 BE OBSERVED AS A LEGAL HOLIDAY.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO APPROVE JANUARY 17, 2005 AS A LEGAL HOLIDAY FOR THE ELIGIBLE EMPLOYEES. 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

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO RECESS THIS MEETING UNTIL 2:00 P.M. ON JANUARY 13, 2005. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

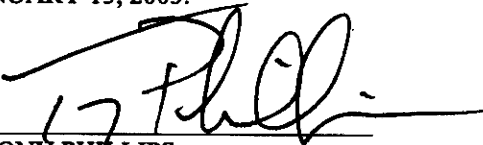
ALDERMAN MICHAEL W DRAUGHN
ALDERMAN WILLIE W HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

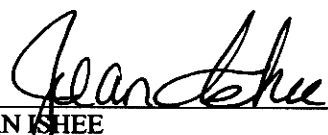
THEREBEING NO FURTHER BUSINESS OF THE REGULAR MEETING OF THE MAYOR
AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS RECESSED ON THIS
THE 4TH DAY OF JANUARY, 2005 UNTIL 2:00 P.M. ON JANUARY 13, 2005.



TONY PHILLIPS
MAYOR

(SEAL)

ATTEST:



JEAN SHEE
CITY CLERK

SUPPLIER BID FORM

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Name of bidder: Vermeer Mississipp CITY OF PETAL
MINUTE BOOK 24nc.

Address of bidder: 5246 Greenway Dr. Jackson, MS 39204
EXHIBIT "A"

Make of unit: Vermeer

Model of unit: 1400

Sale Price of New Unit: \$29,220.00

Guaranteed buy back option:

Guaranteed buy back @ 36 months or 5000 hour.....	\$	<u>0</u>
Guaranteed buy back @ 48 months or 6000 hour.....	\$	<u>0</u>
Guaranteed buy back @ 60 months or 7000 hour.....	\$	<u>0</u>

(If not bidding a Guaranteed buy back enter \$0)

Warranty (Enclose copy)

Labor rate for non warranty work.....(by hour).....\$ 62.00/65.00

Travel mileage rate.....(per mile).....\$ 1.05

Distance from nearest facility..... 90 miles

Delivery date..... In stock
7-15 days

Exceptions and Justification to Specifications

Meets all Specifications

Representative Jason Rankin
cell 720-8835
Thank you,

- Features and specs:
- 004 122 HP CAT diesel
 - 066 Smart Feed Droop
 - 017 Domestic option
 - 023 Non-winch
 - 022 Electric brakes
 - 016 Manual chip chute
 - 071 Flotation tires
 - 061 Deluxe instrumentation



CITY OF PETAL

POST OFFICE BOX 564
PETAL, MISSISSIPPI 39465
(601) 545-1776
FAX NO. (601) 545-6685

TONY PHILLIPS
MAYOR
MICHAEL W. DRAUGHN
WALLIE W. HINTON
JOE C. SCHAFFERT
STEVE STRINGER
WILLIAM A. TRAVIS
ALDERMEN
JEAN HENSE
CITY CLERK
THOMAS W. TYNER
CITY ATTORNEY

**CITY OF PETAL
MINUTE BOOK 24**

DECEMBER 28, 2004

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**VARIANCE HEARING FOR ROBERT & BARBARA
REYNOLDS FOR PROPERTY LOCATED AT
202 1/2 W. 7TH AVENUE**

EXHIBIT "B"

VARIANCE COMMITTEE MEMBERS PRESENT

JOE BOYD
ALEX POWE
DAVID ALLISON
NOLLIE BEAUMONT

OTHERS PRESENT
ROBERT REYNOLDS
BARBARA REYNOLDS
DUB CAMPBELL
MRS. WALKER
TERRY FOX
DAN TOLBERT

December 29, 2004

To: Mayor and Board of Aldermen

From: Variance Committee

Gentlemen,

At the variance hearing for Robert & Barbara Reynolds on December 28, 2004, the Variance Committee voted in favor of granting a 6-month variance for property located at 202-1/2 W. 7th Avenue. The Variance Committee will review this variance within the 6-month period.

David Allison called the hearing to order at 7:00 P.M. Robert Reynolds was present to present the variance request. Mr. Reynolds stated that when he purchased the home he was told that the building in back, 202 1/2 could be lived in. He stated that the realtor did not disclose to them anything about an ordinance. He also stated that he and his wife have health conditions and want their daughter to live in the building to help take care of them.

David Allison then asked for questions from the public. Terry Fox, a friend of the Reynolds', stated that the Reynolds were misled during the purchase of the property. He stated that the building was perceived as a residence because it had its own power box and mailbox. Mr. Dub Campbell, a resident of the area, stated that he is not against the Reynolds' daughter living in the building, but is concerned that if this is done for one person it will have to be done for everyone else who requests it.

David Allison then asked for Dan Tolbert's recommendation on behalf of the City. Mr. Tolbert stated that the City of Petal ordinance requires one dwelling per parcel of land. He also stated that variances can be granted but they have to be within the spirit of the zoning regulations. The building in question is an accessory building, not a residence. However, Mr. Tolbert stated that it is not the fault of the Reynolds' because the information was not disclosed to them. Mr. Tolbert stated that he called Billy King, the realtor for this property, and told

DAVID ALLISON, VARIANCE COMMITTEE CHAIRPERSON

him that the property could not be presented as two separate dwellings. Mr. Tolbert stated that the storage building is not up to code and is in violation of safety standards. He then recommended that the variance be denied unless a time limit is placed on the variance.

David Allison then asked for comments and questions from the Variance Committee members. Joe Boyd asked the Reynolds' how many bedrooms are in the primary home and if their daughter could live in the home. Nollie Beaumont asked if the Reynolds' are pursuing legal action against the realtor. The Variance Committee discussed a variance with a time limit for legal litigation.

Joe Boyd made a motion to grant a 6-month variance and to review the variance in the 6 months. David Allison called for a vote from the Variance Committee. The vote was to grant the variance request with the following results:

JOE BOYD - AYE
NOLLIE BEAUMONT - AYE
DAVID ALLISON - AYE
ALEX POWE - AYE

The vote was 4-0 to grant a 6-month variance. The hearing was adjourned at 7:40 P.M.

DAVID ALLISON, VARIANCE COMMITTEE CHAIRPERSON

AMY HEATH, SECRETARY