

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 JUNE 21, 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
OTHER PRESENT	SUE HINTZ B C LEWIS CARL SCOTT PENNY LUCKEL TOMMY CORLEY TOMMY HILL AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY MAYOR TONY PHILLIPS.

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

- IX. GENERAL BUSINESS
  - 9. OMIT
  - 27. REQUEST TO APPROVE INVOICE FROM KARA DRANE, AICP FOR COMPREHENSIVE PLAN IN AMOUNT OF \$377.90.
  - 28. REQUEST TO ACCEPT THE RESIGNATION OF CHARLES SMITH IN THE FIRE DEPARTMENT EFFECTIVE JULY 4, 2005.
  - 29. REQUEST TO ACCEPT THE RESIGNATION OF B J TOWNSEND IN THE FIRE DEPARTMENT EFFECTIVE JULY 5, 2005.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 JUNE 7, 2005 AND THE SPECIAL MEETING OF JUNE 14, 2005.

THEREUPON, ALDERMAN STRINGER MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF JUNE 7, 2005 AND THE SPECIAL MEETING OF JUNE 14, 2005 BE ADOPTED AS WRITTEN. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS CALLED FOR PUBLIC COMMENTS.

THEREUPON, CAROLINE HILL, SHERWOOD FOREST, ADDRESSED THE MAYOR AND BOARD OF ALDERMEN ON CONCERNS WITH THE NOISE ORDINANCE. MS HILL SAID THAT SHE HAS A PROBLEM WITH ASBURY YOUTH CENTER AND THE NOISE THAT COMES FROM THERE WITH THE BANDS. THE BASS IS TOO LOUD WHEN THE KIDS ARE PRACTICING. SHE THINKS THE ORDINANCE NEEDS TO BE AMENDED.

THEREUPON, MARILAINE FONTENOT, 104 ROBIN HOOD DRIVE, ADDRESSED THE MAYOR AND BOARD OF ALDERMEN ABOUT THE AMENDMENT TO ORDINANCE 1981(53-2). SHE THINKS THE MAYOR AND BOARD OF ALDERMEN NEEDS TO GO AND LOOK AT THE NOISE ORDINANCE AND AMEND IT ACCORDING TO THE NEIGHBORHOOD AND THE LOCATION OF THE ASBURY METHODIST CHURCH YOUTH BUILDING.

SEE EXHIBIT "A"

LETTER FROM MARILAINE FONTENOT

THEREUPON, JAMES MOORE ADDRESSED THE MAYOR AND BOARD OF ALDERMEN ABOUT THE WATER/SEWER HOLE IN FRONT OF CITY BARBER SHOP LOCATED AT 124 HWY 42.

THEREUPON, MAYOR PHILLIPS STATED THAT WORK WAS BEING DONE ON THIS FROM SUN COAST. THEY ARE USING CAMERAS TO LOOK TO SEE WHAT THE PROBLEM IS FROM RITE AID TO THE SMOKE HOUSE. UNTIL SUN COAST GETS BACK WITH HIM, THEY NEED TO LEAVE THIS OPENING.

WHEREAS, MAYOR PHILLIPS REQUESTED THE WISHES OF THE BOARD OF ALDERMEN CONCERNING THE BID RECEIVED AT THE JUNE 14, 2005 MEETING FOR FERNCREST DRAINAGE IMPROVEMENTS FROM BROOME, L.L.C.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO TABLE THE BIDS UNTIL THE JULY 5, 2005 WITH THE RECOMMENDATION THAT THE PLANS BE REVIEWED TO MAKE SURE WHAT NEEDS TO BE DONE TO CORRECT THE PROBLEM AND TO LEAVE OPEN THE BIDS THAT IS ON THE TABLE. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 BRIAN HENDRY TO OPEN A USED CAR LOT AT 206 HIGHWAY 42

THEREUPON, ALDERMAN HINTON MADE A MOTION THAT UNDER THE CITY GUIDELINES, IT DOES ALLOW A CAR LOT AT 206 HIGHWAY 42 WITH THE STIPULATIONS THAT NO MAJOR MECHANICAL WORK OR BODY WORK BE DONE ON THE PREMISES. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 STEPHEN FAIRLEY TO ACCEPT THE IRREVOCABLE LETTER OF CREDIT FOR HEMINGWAY SUBDIVISION.

DIED DUE TO LACKOF A MOTION.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO ACCEPT THE CLOSE OUT PHASE OF THE SOUTH MAIN STREET PROJECT FROM SHOWS DEARMAN AND WAITS, INC.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO TABLE THE CLOSE OUT PHASE OF THE SOUTH MAIN STREET PROJECT FROM SHOWS, DEARMAN AND WATIS, INC UNTIL THE JULY 1, 2005 MEETING DUE TO ADJUSTMENTS AND COST ANALYSIS ON IT AND

MAKE SURE OUR FUNDINGS ARE IN PLACE. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, FRED DAVIS, 1070 SUNRISE ROAD, ADDRESSED THE MAYOR AND BOARD OF ALDERMEN ABOUT CONCERNS REGARDING THE SPEEDING ON SUNRISE ROAD. MR DAVIS WOULD LIKE FOR THE SPEED TO BE REDUCED BACK TO 35 MPH INSTEAD OF 45 MPH AND WOULD ALSO LIKE TO SEE STOP SIGNS INSTALLED ON SUNRISE ROAD AT WEST AND EAST TEMPLE ROAD. MR DAVIS STATED THAT HE HAS SEEN WRECKS ON SUNRISE ROAD NEAR TEMPLE ROAD AND THE CARS END UP IN HIS YARD.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADVISE THE POLICE DEPARTMENT TO LOOK INTO THE SPEEDING ON SUNRISE AND THE STOP SIGNS POSTING AND GET BACK TO THE BOARD WITH THE RECOMMENDATION ON FINDINGS. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, JOHN SMITH, JR ADDRESSED THE MAYOR AND BOARD OF ALDERMEN ABOUT HIS MOTHER'S WATER BILL, 116 LOGAN DRIVE. HE WOULD LIKE TO KEEP THE WATER ON AT HIS MOTHER'S HOUSE, BUT ASK IF THE CITY WOULD TAKE THE GARBAGE FEE AND SEWER OFF OF THE BILL SINCE NOBODY LIVES IN THE HOUSE.

THEREUPON, ATTORNEY THOMAS TYNER STATED THAT THE CITY WAS UNDER A BOND AND THE BOND REQUIRES THAT ALL HOUSEHOLDS HAVE TO BE CONNECTED TO ALL SERVICES OR THE OTHER ALTERNATIVE WILL BE TO TURN THE WATER OFF.

THEREUPON, TERRELL FOX, 202 ½ W 7<sup>TH</sup> AVENUE, ADDRESSED THE BOARD ABOUT THE VARIANCE COMMITTEE DECISION ON THE RESIDENT LIVING AT THIS ADDRESS. MR FOX WOULD LIKE FOR THE BOARD TO OVERRIDE THE DECISION MADE BY THE COMMITTEE TO ALLOW THEM TO STAY IN THE APARTMENT LOCATED AT 202 ½ W 7<sup>TH</sup> AVENUE.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO SEND IT BACK TO THE BUILDING INSPECTOR, DAN TOLBERT, WITH THE ADDITIONAL INFORMATION AND WITH THE RECOMMENDATION FOR ADDITIONAL CONSIDERATION BASED ON ALL THE PAPER WORK. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 RICK SEABROOKS FOR CONTRIBUTION TO HATTIESBURG FLYERS TRACK & FIELD CLUB.

DIED DUE TO A LACK OF A MOTION.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO ACKNOWLEDGE RECEIPT OF VARIANCE COMMITTEE'S RECOMMENDATION REGARDING 202 ½ W 7<sup>TH</sup> AVENUE.

SEE EXHIBIT "B"

LETTER

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE ACKNOWLEDGEMENT OF THE VARIANCE COMMITTEE'S RECOMMENDATION REGARDING 202 ½ W 7<sup>TH</sup> AVENUE. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A LETTER OF RESIGNATION FROM JEREMY SMITH IN THE RECREATION DEPARTMENT EFFECTIVE JUNE 13, 2005.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT JEREMY SMITH'S LETTER OF RESIGNATION IN THE RECREATION DEPARTMENT EFFECTIVE JUNE 13, 2005. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 TO SUSPEND, WITHOUT PAY, OFFICER KEN BULLOCK EFFECTIVE JUNE 21, 2005.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE RECOMMENDATION FROM POLICE CHIEF LEE SHELBOURN TO SUSPEND OFFICER KEN BULLOCK WITHOUT PAY EFFECTIVE JUNE 21, 2005 UNTIL TERMENATION IS CONSIDERED AT THE NEXT MEETING OF JULY 5, 2005. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A LETTER OF RESIGNATION FROM DISPATCHER ELVY MARTIN EFFECTIVE JUNE 30, 2005.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT ELVY MARTIN'S LETTER OF RESIGNATION FROM THE POLICE DEPARTMENT EFFECTIVE JUNE 30, 2005. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 TO TERMINATE DISPATCHER MARCY CHAIN EFFECTIVE JUNE 21, 2005.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE RECOMMENDATION FROM POLICE CHIEF LEE SHELBOURN TO TERMINATE DISPATCHER MARCY CHAIN IN THE POLICE DEPARTMENT EFFECTIVE JUNE 21, 2005. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "ABSTAIN"

ALDERMAN WILLIE W HINTON

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM JUDGE SHEILA SMALLWOOD TO REFUND A CASH BOND IN THE AMOUNT OF \$618.50 TO JOHN D WILLIAMS.

SEE EXHIBIT "C"

LETTER FROM JUDGE SMALLWOOD

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND THE CASH BOND IN THE AMOUNT OF \$618.50 TO JOHN D WILLIAMS. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 JUDGE SHEILA SMALLWOOD TO REFUND A CASH BOND IN THE AMOUNT OF \$618.50 TO GILBERT LUCKEL.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND THE CASH BOND IN THE AMOUNT OF \$618.50 TO GILBERT LUCKEL. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 JUDGE SHEILA SMALLWOOD TO REFUND A CASH BOND IN THE AMOUNT OF \$500.00 TO ADAM NEWSOME.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND THE CASH BOND IN THE AMOUNT OF \$500.00 TO ADAM NEWSOME. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 JUDGE SHEILA SMALLWOOD TO REFUND A CASH BOND IN THE AMOUNT OF \$500.00 TO LEE WYLES.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND THE CASH BOND IN THE AMOUNT OF \$500.00 TO LEE WYLES. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 PAY \$1,500.00 TO TRUSTMARK FOR OBLIGATION BOND SERIES 2004 FOR AGENT FEE.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY TO TRUSTMARK \$1,500.00 FOR OBLIGATION BOND SERIES 2004 FOR AGENT FEE. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 CHRIS MOORE TO APPROVE FINAL PLAT FOR HOLLOW RUN SUBDIVISION.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE FINAL PLAT FOR HOLLOW RUN SUBDIVISION. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 NOTICE TO INTERESTED PARTIES FOR THE FINAL COMPLETION OF CONTRACT ON SOUTH MAIN STREET PROJECT.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR THE FINAL COMPLETION OF CONTRACT ON SOUTH MAIN STREET PROJECT. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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, METER READER FOR THE WATER DEPARTMENT, TO HAVE A CELL PHONE.

DIED DUE TO A LACK OF A MOTION.

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING PROOFS OF PUBLICATION:

- A. PUBLIC NOTICE-ZONING HEARING #3 HENSARLING DR
- B. ORDINANCE 1981(53-2)

THEREUPON, ALDERMAN STRINGER MADE A MOTION THAT THE FOREGOING BE ACCEPTED AND FILED. ALDERMAN DRAUGHN SECONDED THE MOTION.  
THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED AN INVOICE #25365 FROM ECO SYSTEMS IN AMOUNT OF \$1,112.50 FOR IMPLEMENTATION OF STORM WATER PROGRAM.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY INVOICE #25365 IN AMOUNT OF \$1,112.50 TO ECO SYSTEMS, INC FOR IMPLEMENTATION OF THE STORM WATER PROGRAM. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH ON MAY 2005.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO ACCEPT THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF MAY 2005. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF MAY 2005.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT THE REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF MAY 2005. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 REAPPOINT B C LEWIS TO THE PLANNING COMMISSION FOR A TERM OF FIVE YEARS TO EXPIRE JULY 2010.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TABLE THE REAPPOINTMENT UNTIL THE JULY MEETING. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 REAPPOINT LINDA TISDALE TO THE PLANNING COMMISSION FOR A TERM OF FIVE YEARS TO EXPIRE JULY 2010.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TABLE THE REAPPOINTMENT UNTIL THE JULY MEETING. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 REAPPOINT JOE BOYD TO THE VARIANCE COMMITTEE FOR A TERM OF FIVE YEARS TO EXPIRE JULY 2010.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TABLE THE REAPPOINTMENT UNTIL THE JULY MEETING. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 KARA DRANE, AICP IN AMOUNT OF \$377.90 FOR WORK ON THE COMPREHENSIVE PLAN.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY INVOICE TO KARA DRANE, AICP IN AMOUNT OF \$377.90 FOR WORK ON THE COMPREHENSIVE PLAN. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A LETTER OF RESIGNATION FROM FIREFIGHTER B J TOWNSEND EFFECTIVE JULY 4, 2005.



THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE LETTER OF RESIGNATION FROM FIREFIGHTER B J TOWNSEND EFFECTIVE JULY 4, 2005. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A LETTER OF RESIGNATION FROM FIREFIGHTER CHARLES SMITH EFFECTIVE JULY 3, 2005.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO ACCEPT THE LETTER OF RESIGNATION FROM FIREFIGHTER CHARLES SMITH EFFECTIVE JULY 3, 2005. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 A PART-TIME BUS DRIVER FOR THE RECREATION DEPARTMENT.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE A PART-TIME BUS DRIVER IN THE RECREATION DEPARTMENT.

IT IS HEREBY ORDERED THAT KATHRYN ALLRED BE HIRED IN THE RECREATION DEPARTMENT AS PART-TIME BUS DRIVER AT A RATE OF \$6.25 PER HOUR EFFECTIVE JUNE 27, 2005.

SO ORDERED ON THIS THE 21<sup>ST</sup> DAY OF JUNE 2005.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE FOREGOING ORDER BASED ON THE PHYSICAL AND DRUG SCREEN. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 LEE DRAUGHN TO 1<sup>ST</sup> CLASS.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY

TO PROMOTE FIREFIGHTER LEE DRAUGHN TO  
1<sup>ST</sup> CLASS, UPON THE RECOMMENDATION OF  
FIRE CHIEF RICHARD BRYANT.

IT IS HEREBY ORDERED THAT LEE  
DRAUGHN BE PROMOTED TO FIREFIGHTER  
1<sup>ST</sup> CLASS AT A RATE OF \$9.49 PER HOUR  
EFFECTIVE JUNE 22, 2005.

SO ORDERED ON THIS THE 21<sup>ST</sup> DAY  
OF JUNE 2005.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 A FULL-  
TIME DISPATCHER FOR THE POLICE DEPARTMENT.

ORDER

WHEREAS, THE MAYOR AND BOARD  
OF ALDERMEN OF THE CITY OF PETAL,  
MISSISSIPPI DO HEREBY DEEM IT NECESSARY  
TO HIRE A FULL-TIME DISPATCHER IN THE  
POLICE DEPARTMENT.

IT IS HEREBY ORDERED THAT NATHAN  
ROSS KINSEY BE TRANSFERRED FROM PART-TIME  
TO FULL-TIME IN THE POLICE DEPARTMENT  
AS DISPATCHER AT A RATE OF \$8.54 PER  
HOUR EFFECTIVE JUNE 22, 2005.

SO ORDERED ON THIS THE 21<sup>ST</sup> DAY  
OF JUNE 2005.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHEAL W DRAUGHN  
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 THE FY 2004-2005 BUDGET.

SEE EXHIBIT "D"

RESOLUTION  
2004-2005 AMENDED BUDGET

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

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO RECESS THIS MEETING UNTIL FRIDAY, JULY 1, 2005. ALDERMAN HINTON SECONDED THE MOTION.

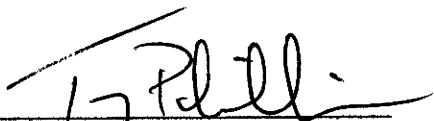
THOSE PRESENT AND VOTING "AYE"

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

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 RECESSED ON THIS THE 21<sup>ST</sup> DAY OF JUNE, AD, 2005, UNTIL 8:00 A.M. ON JULY 1, 2005.

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

(SEAL)

ATTEST:

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

MAYOR AND ALDERMAN, I AM MARILAINE FONTENOT, I  
RESIDE AT 104 ROBIN HOOD DRIVE I WOULD LIKE TO  
ADDRESS THE AMENDMENT TO ORDINANCE 1981 (53-2)

CITY OF PETAL  
MINUTE BOOK 24

380

MY CONCERNS ARE AS FOLLOWS:

EXHIBIT "A"

HOW CAN THE CITY OF PETAL HAVE AN ESCAPE CLAUSE  
TO ORDINANCE 1981, UNLESS YOU KNOW IF ANYONE WILL  
BE AFFECTED BY IT?

WHAT RESEARCH HAS BEEN DONE BY THE CITY TO FIND  
OUT WHO WOULD BE AFFECTED?

SHERWOOD FORREST SUBDIVISION WAS NOT INFORMED  
AS A NEIGHBORHOOD THAT YOU OFFERED AN  
AMENDMENT TO THE NOISE ORDINANCE TO ASBURY  
METHODIST CHURCH.

WHAT ADVANCE NOTICE HAS TO BE GIVEN TO A  
NEIGHBORHOOD OF A SPECIAL EXEMPTION EVENT?

IF A PERMIT IS ISSUED, DO THEY HAVE TO GIVE ADVANCE  
NOTICE TO ANYONE BEYOND THE 50' DISTANCE FROM  
THE BUILDING ASKING FOR THE EXEMPTION?

WHAT IS THE DURATION OF THE NOTICE GIVEN?

WHAT ADVANCE NOTICE HAS TO BE GIVEN TO  
NEIGHBORHOODS OF ANY SPECIAL EXEMPTION EVENTS?

HOW OFTEN CAN SOMEONE APPLY FOR A SPECIAL  
EXEMPTION?

IF ANYONE OBJECTS TO THE SPECIAL EXEMPTION WILL  
YOU AS MAYOR AND BOARD OF ALDERMAN TABLE THIS  
MATTER TO A LATER DATE OR JUST NOT GRANT THE

EXEMPTION?

IF THE AMENDMENT IS GRANTED THE CLAUSE SHOULD  
READ: UNLESS A PERMIT IS GRANTED BY THE MAYOR  
AND BOARD OF ALDERMAN TO GRANT A SPECIAL  
EXEMPTION UPON REASONABLE NOTICE OR AFTER  
REASONABLE NOTICE TO PERSONS FORSEEABLY  
AFFECTED BY A REQUESTED EXEMPTION.

THANK YOU

EXHIBIT "B"



**CITY OF PETAL**

POST OFFICE BOX 564  
PETAL, MISSISSIPPI 39465  
(601) 545-1776  
FAX NO. (601) 545-6885

TORY PHILLIPS  
MAYOR  
MICHAEL W. DRAUGHN  
WILLIE W. HINTON  
JOE C. MCMAURRY, SR.  
STEVE STRINGER  
WILLIAM A. TRAVIS  
ALDERMEN  
JEAN ISHEE  
CITY CLERK  
THOMAS W. TYNER  
CITY ATTORNEY

June 14, 2005

To: Mayor and Board of Aldermen

From: Variance Committee

It is the recommendation of the Variance Committee that the variance for 202 1/2 W. 7<sup>th</sup> Avenue, Petal, MS, remain as is to expire on June 28, 2005.

EXHIBIT "C"

PETAL MUNICIPAL COURT

SHEILA HAVARD SMALLWOOD  
MUNICIPAL COURT JUDGE  
P. O. BOX 583  
PETAL, MS 39465

SHAROLD FRANKLIN-FEDRICK  
MUNICIPAL COURT CLERK  
TELEPHONE (601) 582-5351  
FAX (601) 544-5347

TO: Mayor & Board of Alderman

FROM: Sheila H. Smallwood *Sheila Smallwood*  
Municipal Court Judge

RE: Refund of Cash Bond

DATE: June 14, 2005

Last fall, I found four young men guilty of malicious mischief after they admitted some misbehavior in the Trailwood subdivision. At sentencing, I understood that all the boys completed their community service and two of the boys John D. Williams and Gilbert Luckel had already paid the standard fine for malicious mischief of \$618.50. This was not disputed during their court appearance. In an effort to be consistent, I fined the other boys the same fine and concluded the matter. The father of one of the boys who posted a cash bond contacted me several weeks later and explained they had not pre-paid the fine prior to court but had merely posted a cash bond in lieu of having a bondsman post the bond. I later verified that the fine had not been paid, but a cash bond had been posted by the two young men.

After speaking with Jimmy Dale, an attorney with the Attorney General's Office, we should have refunded the cash bond upon entry of the guilty plea. Therefore, I request (in compliance with the Attorney's General directive) that the Board refund the sum of \$618.50 to John D. Williams and \$618.50 to Gilbert Luckel.

The fine of \$618.50 was assessed based on the belief that the standard fine had been paid prior to court. To assess a fine of \$618.50 to high school students is certainly high especially since they completed several hours of community service prior to the entry of their guilty plea. Therefore, I intend to revise my Judgment in all four of those cases based on a mistake of the facts as presented at sentencing and charge each Defendant the assessments only for the malicious mischief fine. That amount equals \$118.50. Therefore, I need approval not only to refund of the cash bonds, but additionally approval to refund of prior assessed fines of \$500.00 for Adam Newsome and \$500.00 for Lee Wyles.

EXHIBIT "D"

2004-2005  
Budget

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