

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 MAY 17, 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	CARL SCOTT GARY FORDHAM NETTIE FARRIS KIM & STEPHANIE STRINGER AUBRA EVANS ALLEN FLYNT 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:

XI. ORDERS & ORDINANCES:

4. REQUEST TO HIRE BENJAMIN BURGESS FULL TIME IN THE STREET AT \$6.50 PER HOUR
5. REQUEST TO HIRE ROSS KINSEY PART-TIME DISPATCHER AT \$6.96 PER HOUR.

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 MICHAEL 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 MAY 3, 2005.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION THAT THE MINUTES OF THE REGULAR MEETING OF MAY 3, 2005 BE ADOPTED AS WRITTEN. 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

THOSE PRESENT AND VOTING "NAY:"

NONE

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

THEREUPON, SHEILA EATON ADDRESSED THE MAYOR AND BOARD OF ALDERMEN REGARDING CONCERNS ABOUT FRIENDLY PARK ON HILLCREST. SHE HAS CONCERNS ABOUT THE OPEN DRAINAGE DITCH THAT RUNS THROUGH FRIENDLY PARK AND THE BRIDGE THAT HAS SOME BOARDS MISSING ON IT. WHEN SHE AND HER KIDS GO TO FRIENDLY PARK THERE IS ALWAYS SOME LITTLE KID PLAYING IN THE DITCH. SHE

WOULD LIKE FOR THE DITCH TO HAVE CULVERTS PUT IN TO MAKE IT SOLID GROUND. SHE WOULD ALSO LIKE FOR THE PARK TO HAVE HOURS SO THE GATE COULD BE LOCKED AT A CERTAIN TIME.

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING QUOTATIONS FOR WATER LINE FROM CARTERVILLE ROAD TO DEER RUN SUBDIVISION.

SEE EXHIBIT "A"

QUOTES

CUSTOM SERVICES, INC. \$3,000.00
41 DEERPOINT DRIVE
PETAL, MS 39465

CAMCO UTILITIES \$3,950.00
P O BOX 464
PETAL, MS 39465

THEREUPON, ALDERMAN MCMURRY MADE A MOTION FOR THE CITY OF PETAL TO CONTRACT WITH CUSTOM SERVICES, INC TO RUN 6" WATER PIPE FROM THE MAIN WATER LINE TO DEER RUN SUBDIVISION IN THE AMOUNT OF \$3,000.00. 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM SAM WILSON III TO PURCHASE HIS BOOK, THE JITNEY MAN, TO GIVE TO MEMBERS OF THE ARMED FORCES AT CAMP SHELBY AT A COST OF \$15.00 PER COPY.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO TAKE THE MATTER UNDER ADVISEMENT. 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM THE ABUNDANT LIFE MINISTRY FAMILY FOR THE CITY OF PETAL TO MAKE A DONATION TO THE YOUTH COMMUNITY RALLY.

DIED DUE TO LACK OF A MOTION.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST TO REIMBURSE BYRD PLUMBING FOR EXPENSES INCURRED IN THE AMOUNT OF \$1,284.32 FOR WORK DONE AT 209 S MAIN STREET.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO TABLE FOR REVIEW WITH SHOWS, DEARMAN, & WAITS, INC AND GULF EQUIPMENT, INC AND THE CITY OF PETAL WATER DEPARTMENT TO SEE WHO IS AT FAULT. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM RECREATION DIRECTOR TOM HARDGES, TO TRANSFER VEHICLES WITH BETWEEN THE STREET DEPARTMENT AND THE RECREATION DEPARTMENT.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE RECREATION DEPARTMENT TO TRANSFER 1986 MAZDA PICKUP VIN #JM2UF3110GO620314 TO THE STREET DEPARTMENT AND THE STREET DEPARTMENT TO TRANSFER 1992 FORD PICKUP VIN #1FTCR10X1NUC55875 TO 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED SUPPLEMENTAL AGREEMENT NUMBER 1 TO THE SEWER EXTENSION FOR THE NEWLY ANNEXED AREAS.

SEE EXHIBIT "B"

SUPPLEMENTAL AGREEMENT #1

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE SUPPLEMENTAL AGREEMENT NUMBER 1 FOR THE SEWER EXTENSION FOR NEWLY ANNEXED AREAS. 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE ROADBLOCK POLICY FOR THE PETAL POLICE DEPARTMENT.

SEE EXHIBIT "C"

ROADBLOCK POLICY

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ROADBLOCK POLICY FOR THE POLICE 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE IRREVOCABLE LETTER OF CREDIT NUMBER 8926842-1 IN AMOUNT OF \$12,600.00 FOR DEER RUN SUBDIVISION.

SEE EXHIBIT "D"

IRREVOCABLE LETTER OF CREDIT

DEERRUN SUBDIVISION

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE IRREVOCABLE LETTER OF CREDIT FROM RON MATHIS FOR DEER RUN SUBDIVISION. 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED INVOICE #242 FROM LEWIS GRIFFIN ARCHITECTURE IN AMOUNT OF \$10,800.00 FOR DESIGN ON FIRE STATION NUMBER 3.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY INVOICE #242 IN AMOUNT OF \$10,800.00 TO GRIFFIN ARCHITECTURE FOR DESIGN WORK ON FIRE STATION NUMBER 3. 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED ESTIMATE #12 FOR GULF EQUIPMENT CONTRACTOR FOR THE SOUTH MAIN STREET PROJECT. IN AMOUNT OF \$108,235.00.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE REQUEST FOR PAYMENT TO GULF EQUIPMENT IN AMOUNT OF \$108,235.00. 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED ESTIMATE #13 FOR GULF EQUIPMENT CONTRACTOR FOR THE SOUTH MAIN STREET PROJECT. IN AMOUNT OF \$71,753.00.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE REQUEST FOR PAYMENT TO GULD EQUIPMENT IN AMOUNT OF \$71,753.00. 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING PROOFS OF PUBLICATION:

- A. PUBLIC NOTICE: ZONING HEARING FOR PROPERTY LOCATED OFF OF HWY 42
- B. ADVERTISEMENT FOR BIDS: FIRE STATION SECOND BIDDING

THEREUPON, ALDERMAN STRINGER 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER FROM THE STATE OF MISSISSIPPI GOVERNOR'S OFFICE PROCLAIMING MAY 30, 2005 BE OBSERVED AS A LEGAL HOLIDAY.

SEE EXHIBIT "E"

STATE OF MISSISSIPPI

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO APPROVE MAY 30, 2005 AS A HOLIDAY FOR THE ELIGIBLE CITY EMPLOYEES. 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE RESIGNATION OF MARCUS ESTERS FROM THE STREET DEPARTMENT EFFECTIVE MAY 3, 2005.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT THE RESIGNATION OF MARCUS ESTERS FROM THE STREET DEPARTMENT EFFECTIVE MAY 3, 2005. 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE RECOMMENDATION FROM THE PLANNING COMMISSION TO REZONE PROPERTY LOCATED OFF OF HWY 42 TO TRUSSEL ROAD FROM R-1 TO PUD.

SEE EXHIBIT "F"

ORDINANCE NUMBER 1979(42A-166)

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE NUMBER 1979(42A-166). 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF APRIL 2005.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF APRIL 2005. 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

THOSE PRESENT AND VOTING "NAY:"

NONE

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

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO ACCEPT THE REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF APRIL 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

THOSE PRESENT AND VOTING "NAY:"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FOR ASST. CHIEF DON SEALY TO ATTEND GRANT WRITING CLASS TO BE HELD IN HATTIESBURG, MS JUNE 16-17, 2005.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO AUTHORIZE FOR ASST CHIEF DON SEALY TO ATTEND THE GRANT WRITING CLASS TO BE HELD IN HATTIESBURG, MS JUNE 16-17,2005 AND TO PAY HIS EXPENSES. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM FIRE CHIEF RICHARD BRYANT TO ATTEND THE MS FIREFIGHTERS CONFERENCE TO BE HELD IN VICKSBURG, MS JUNE 9-11, 2005.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO AUTHORIZE FIRE CHIEF RICHARD BRYANT TO ATTEND THE MS FIREFIGHTERS CONFERENCE IN VICKSBURG, MS JUNE 9-11, 2005 AND TO PAY HIS EXPENSES. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W DRAUGHN
ALDERMAN WILLIE W HINTON

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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 EMPLOYEE IN 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 EMPLOYEE IN THE RECREATION DEPARTMENT TO WORK THE OPTIMIST PARK.

IT IS HEREBY ORDERED THAT DONTAY HAMLIN BE HIRED IN THE RECREATION DEPARTMENT AS A PART TIME EMPLOYEE TO WORK AT THE OPTIMIST PARK AT A RATE OF \$6.25 PER HOUR EFFECTIVE MAY 23, 2005.

SO ORDERED ON THIS THE 17TH DAY OF MAY, 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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FOR BUILDING INSPECTOR DAN TOLBERT FOR RAISE EFFECTIVE MAY 17, 2005.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO TABLE THE RAISE UNTIL FUTHER STUDY. 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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM DAN TOLBERT, BUILDING INSPECTOR, FOR AMY HEATH TO RECEIVE A RAISE EFFECTIVE MAY 17, 2005.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO TABLE THE RAISE UNTIL FUTHER STUDY. 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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER HIRING BENJAMIN BURGESS IN THE STREET DEPARTMENT AS LABORER.

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 BENJAMIN BURGESS BE HIRED IN THE STREET DEPARTMENT AS FULL TIME LABORER AT A RATE OF \$6.50 PER HOUR EFFECTIVE MAY 23, 2005.

SO ORDERED ON THIS THE 17TH DAY OF MAY, 2005.

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

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER HIRING A PART TIME DISPATCHER IN 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 PART TIME DISPATCHER IN THE POLICE DEPARTMENT.

IT IS HEREBY ORDERED THAT ROSS KINSEY BE HIRED IN THE POLICE DEPARTMENT AS A PART TIME DISPATCHER AT A RATE OF \$6.96 PER HOUR EFFECTIVE MAY 19, 2005.

SO ORDERED ON THIS THE 17TH DAY OF MAY, 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

THOSE PRESENT AND VOTING "NAY"

NONE

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

THOSE PRESENT AND VOTING "AYE"

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

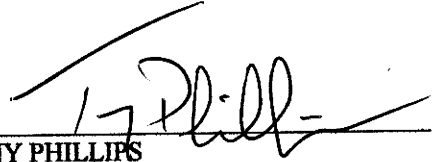
CITY OF PETAL
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THOSE PRESENT AND VOTING "NAY"

NONE

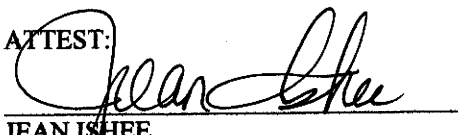
THEREBEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR
AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON
THIS THE 17TH DAY OF MAY, 2005.



TONY PHILLIPS
MAYOR

(SEAL)

ATTEST:



JEAN ISHIE
CITY CLERK

CUSTOM SERVICES, INC.
41 DEERPOINT DRIVE
PETAL, MS 39465
601-549-6901

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CAMCO UTILITIES 338
P. O. BOX 464
PETAL, MS 39465
(601) 584-6966 (601) 582-1406

City of Petal
Mayor Tony Phillips
119 W. 8th Ave.
Petal, MS 39465

Attention: City Mayor, Water Department Operator

Dear Tony Phillips

Subject: Project Costs

The following is the cost of work for the City of Petal. This will be broken into several different areas for the use of cost savings.

1. Road boring of Cartersville Road at the East side of Deer Run entrance.
2. Connection of water line by existing 6" line of the City of Petal Water main. This will be done with the use of a hot tap and valve assembly.
3. Connection of water line to the service provided by Deer Run subdivision.
4. Taper valve to be connected from main line of the City of Petal to the customer tap off at end of the line.
5. The use of a pipe casing for the insertion of the 6" water pipe.
6. City of Petal Water will furnish the entrance and exit ditch for the bore and expose the City of Petal water line and other utilities.

- The Project engineering for the above (6) items will be managed by Custom Services, Inc.
- The selection of certified sub-contractors will be supervised by Custom Services, Inc.
- All change orders will be submitted in writing.
- This price may not be complete due to specifications not provided to us at the time of quotation.
- This Quotation represents the job specifications to the best of our knowledge.
- The use of city water mains during bore will reduce amount by approximately \$400.00. (see # 5 and # 2)

TOTAL PRICE: ~~40,000.00~~
Quote valid until 05-21-05 3,000.00

Thanks,

Bobby D. Ingram
Vice-President

EXHIBIT "A"

QUOTE

MAY 3, 2005

CITY OF PETAL
PETAL, MS 39465

WE PURPOSE TO FURNISH 6 X6 TAPS SLEEVE AND VALVE.
PUT IN 6- INCH WATER MAIN (C 900) , 50 ' OF 10' PVC CASING
UNDER CARTERVILL ROAD.

TOTAL \$3,000.00

THANK YOU

Michael R. Herring
MICHAEL REX HERRING

EXHIBIT "B"

CITY OF PETAL
SEWER EXTENSION FOR NEWLY ANNEXED AREAS
IN THE
VICINITY OF STATE ROUTE NO. 42
SUPPLEMENTAL AGREEMENT NO. 1

THE CITY OF PETAL, MISSISSIPPI

WHEREAS, We, Storm Reconstruction Services, Inc. (SRS), Contractor and First National Insurance Company of America, Surety entered into a contract with the City of Petal on the 4th day of April, 2005 for the Sewer Extension.

WHEREAS: The Contractor has encountered muck in his pipe laying operation. The Engineer has investigated and determined the unstable material is muck. The Engineer has determined the use of wash gravel per section 4.3 of the Technical Specifications is the best remedy.

WHEREAS: The Contractor agrees to supply the wash gravel for \$26.00 per cubic yard. The measurement shall be a neat line measurement performed by the Engineer. The Engineer shall determined when and how much wash gravel is to be used.


This agreement in no way modifies or changes the original contract of which it becomes a part, except as specifically stated herein.

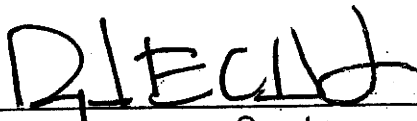
NOW, THEREFORE, We, Storm Reconstruction Services, Inc. (SRS), Contractor and First National Insurance Company of America, Surety, hereby agree that said Supplemental Agreement is hereby made a part of the Original Contract to be performed under the specifications thereof, and that the Original Contract is in full force and effect, except insofar as it might be modified by this Supplement Agreement.

DATED, this 17th day of May, 2005


Storm Reconstruction Services, Inc.

First National Insurance Co. Of America

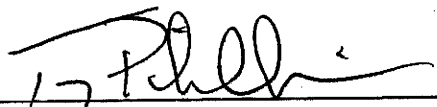
By: 
Contractor

By: 
Surety
Raymond E. Cobb, Jr. Attorney-in-Fact

Witness: Brenda Sellers

Witness: 

City of Petal

By: 
Mayor

Witness: _____

CITY OF PETAL
DEPARTMENT OF POLICE
127 WEST 8TH Ave.
Petal, Ms. 39465
Phone: (601) 544-5331
Fax: (601) 544-5347

CITY OF PETAL
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EXHIBIT "C"

CITY OF PETAL 340
DEPARTMENT OF POLICE
127 WEST 8TH Ave.
Petal, Ms. 39465
Phone: (601) 544-5331
Fax: (601) 544-5347

ROADBLOCK GUIDELINES

Evidence shows the use of roadblocks has a marked and dramatic effect on reducing alcohol related crashes as well as helping to eliminate hazardous and non hazardous traffic violations.

May 9, 2005

To: Mayor Tony Phillips and Board of Alderman

From: Lee Shelbourn


Reference: Roadblock Policy

Please consider this a formal request to amend the City of Petal Police Department Roadblock Policy. (Refer to attached Copy).

The existing policy is Exhibit "D" Minute Book 21. Approved December 18, 2001.

A copy of the amendment was sent to Mr. Tom Tynes Esq. for approval May 9, 2005.

Thank you for your consideration in this matter.


Lee Shelbourn
Chief of Police
City of Petal

1) Pre-Planning Stage

If a Shift Supervisor feels an immediate need to establish a roadblock for the purpose of maintaining public safety within the Corporate Limits of the City of Petal, he/she may do so.

2) Standard Operating Procedure

If an officer has reasonable grounds to believe that the driver of a motor vehicle, upon a street within the corporate limits of the City of Petal is operating that vehicle while under the influence of alcohol or other substance which will prevent said subject from operating said vehicle in a safe manner, the officer shall; move the suspects vehicle to a pre-designated area safely away from the traffic flow. In this pre-designated area, the officer will conduct the Standardized Field Sobriety (S.F.S.T.) which includes horizontal gaze nystagmus, walk and turn and the one leg stand. The officer MAY also conduct the "Romberg" testing which includes the alphabet, counting, finger tip to nose tip and finger tip count test.

Once an officer has determined a driver is impaired, the driver will be placed into custody and transported to the Petal Police

Department. Upon arrival, the suspect will be advised of their "Implied Consent Rights" and given the opportunity to take an intoxilyzer test. The drivers' vehicle will be inventoried and towed via wrecker.

3) EXCEPTION:

At the discretion of the arresting officer, the following options will be allowed; If a properly licensed sober individual is traveling within the suspect vehicle, and the original driver is agreeable, the reference licensed sober driver may be authorized to drive away said vehicle, thus avoiding the need for tow.

4) Site Selection

- a) Roadblock site selection should assure the safety of the general public as well as the Law Enforcement Officers.
- b) The selected site should have adequate space to allow the safe removal of vehicles from the traffic flow.
- c) The selected site should allow the safe flow of traffic through the roadblock site.
- d) Consideration should be given to posted speed limits, traffic volume and visibility.

5) Warning Devices

- a) Fully marked patrol vehicles with their emergency Lights activated will be used as warning devices at the roadblock site.
- b) All officers involved in said roadblock will be in full Uniform, the only exception will be staff officers, investigators or narcotics officers.
- c) Uniformed officers will wear reflective traffic vest.

6) Operational Briefing

- a) All officers selected to staff the roadblock should be briefed on both its purpose and operation.
- b) The shift Sergeant will be the "Operational Supervisor". He/She will be responsible for contingency planning, site Selection and data collection.
- c) Data Collection will include but not limited to:
 1. Time, date and location.
 2. Weather conditions.
 3. Identification of unusual incidents including any safety problems.
 4. The OIC will gather all statistics on citations And other arrest. (be specific).
 5. A full report will be submitted to the Chief of Police no later than the next working day.

CITY OF PETAL
MINUTE BOOK 24

FIRST FEDERAL BANK FOR SAVINGS
202 WEST CENTRAL AVE. 342
P. O. BOX 1086
PETAL, MS 39465
(601) 583-1281

EXHIBIT "D"

Re: Deer Run Subdivision

April 25, 2005

IRREVOCABLE LETTER OF CREDIT NUMBER 8926842-1

City of Petal
Attn.: Tom Tynar, City Attorney
182 West 8th Avenue
Petal, MS 39465

Gentlemen:

1. We hereby establish our Irrevocable Standby Letter of Credit Number 8926842-1 in your favor for U. S. Twelve thousand, six hundred dollars (\$12,600.00) available by your draft at sight accompanied by supporting documentation. Such draw must be accompanied by the following documents:

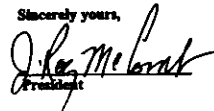
Each draft so drawn must be marked "Drawn under First Federal Bank for Savings Letter of Credit #8926842-1" and be accompanied by a signed statement by the City of Petal, Board of Aldermen that Ronald Mathis has failed to honor his contractual agreement with the City of Petal.

2. This standby Letter of Credit is established solely for the purpose of assisting Ronald Mathis in his efforts to help develop Deer Run Subdivision.
3. This credit is effective from and after April 25, 2005 and expires at First Federal Bank for Savings, Petal, Mississippi on April 25, 2006
4. Drafts drawn under this Letter of Credit must be marked "Drawn under the First Federal Bank for Savings Irrevocable Standby Letter of Credit #8926842-1".
5. Drafts drawn under this Letter of Credit and in accordance with the Provisions thereof will be duly honored on timely presentation to drawee.

6. This Direct Pay Letter of Credit shall be governed by the laws of the State of Mississippi, including the Uniform Commercial Code as in effect in the State of Mississippi. This Direct Pay Letter of Credit, to the extent it is not inconsistent with the terms and provisions of said Uniform Commercial Code, is subject to the Uniform Customs and Practices for Documentary Credits, 1993 revision, Interstate Chamber of Commerce Publication No. 500, which is incorporated herein by reference.

7. This Letter of Credit is NOT assignable.

Sincerely yours,


President

Countersigned,

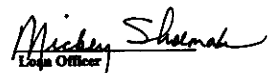

Loan Officer

EXHIBIT "E"

To: Petal

Page 1 of 1 9:54:10 AM, 5/5/05 601 359-1499 Secretary of States office

TO THE OFFICERS AND EMPLOYEES OF THE STATE OF MISSISSIPPI:

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

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

MONDAY, MAY 30, 2005

GIVEN under my hand and seal of office at Jackson, Mississippi, this the 29th day of April, 2005.



Eric Clark

**ERIC CLARK
SECRETARY OF STATE
STATE OF MISSISSIPPI**

ORDINANCE NUMBER 1979 (42-A166)

EXHIBIT "F"

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-A165) SO AS TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY LOCATED OFF OF HIGHWAY 42 TO TRUSSELL ROAD, PETAL, MS, FROM R-1 (LOW DENSITY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT).

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-A165) 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 PUD (Planned Unit Development).

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

COMM AT A 4" X 4" CONCRETE MONUMENT AT THE SW COR. OF THE SW 1/4 OF THE SE 1/4 OF S32, T5N, R12W, FORREST COUNTY, MS AND RUN N89°58'11"W FOR 90.51' TO A 3/4" IRON PIPE; THENCE RUN N00°00'22"W FOR 1249.73' TO A 1/2" REBAR AND THE S ROW LINE OF MS HWY 42; THENCE RUN N89°49'34"E ALG SAID ROW LINE FOR 964.99' TO A 1/2" REBAR; THENCE RUN S00°00'52"W FOR 1253.17' TO A 1/2" REBAR; THENCE RUN N89°58'11"W FOR 873.66' BACK TO THE POB. SAID PARCELL OF LAND IS PART OF THE SW 1/4 OF THE SE 1/4 AND THE SE 1/4 OF THE SW 1/4 OF S32, T5N, R12W, FORREST COUNTY, MS; AND THE SW 1/4 OF S4, T4N, R12W. THE NE 1/4 OF THE SE 1/4 OF S5, T4N, R12W. LESS AND EXCEPT: PARCEL CONVEYED TO ERIC M. LOWERY AND WIFE, KATHLEEN LOWERY CONSISTING OF 0.24 ACRES, MORE OR LESS, SITUATED IN THE NW 1/4 OF THE SE 1/4 OF S5, T4N, R12W, FORREST COUNTY, MS AS PER CORRECTED QUITCLAIM DEED FILED IN LAND DEED BOOK 826, PG 262. AND LESS AND EXCEPT: THAT CERTAIN PARCEL CONSISTING OF 21.425 ACRES, MORE OR LESS, LOCATED IN THE NW 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 OF S5, T4N, R12W, FORREST COUNTY, MS, CONVEYED TO ERIC M. LOWERY AND WIFE, KATHLEEN J. LOWERY, AS PER DEED ON FILE IN DEED BOOK 774 AT PAGE 734. LESS AND EXCEPT: THAT CERTAIN PARCEL CONSISTING OF 21.38 ACRES, MORE OR LESS, ALL IN FORREST COUNTY, MS

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 PUD (Planned Unit Development).

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-A165) shall be and remain in full force and form as adopted on May 17, 2005.

SECTION 3. That this Ordinance shall take effect and be in full force within thirty (30) days from and after its passage as provided by law. The foregoing Ordinance having been reduced to writing, the same was introduced and read, and a vote was taken

thereon, first section by section and then upon the Ordinance as a whole with the following results:

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

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

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

NONE

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

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

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 17th day of May 2005.


TONY PHILLIPS, MAYOR

(SEAL)

ATTEST:


JEAN ISHEE, CITY CLERK

PUBLISH TIME: June 9, 2005.