

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON NOVEMBER 17, 2009 AT 6:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT	MAYOR HAL MARX
CITY ATTORNEY	TOM TYNER
ALDERMEN	DAVID CLAYTON TONY DUCKER WILLIE HINTON JAMES RUNNELS STEVE STRINGER
OTHERS	EL/GAIL PORTER TOMMYE CORLEY ADA MADISON REV. BURKETT FRANK/ANNE CLARK BUBBA NOBLES BEN PIPER AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY BILLY KING.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

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

OLD BUSINESS

1. ACCEPT BID FROM ADVANCED BUILDING SPECIALTIES IN THE AMOUNT OF \$8,573.00 FOR CITY HALL, ADA COMPLIANCE PROJECT.

SEMINARS & TRAVEL

1. APPROVE DEBORAH REYNOLDS TO ATTEND ICSC IN LAS VEGAS, NV IN MAY

RESOLUTIONS & PROCLAMATIONS

1. ADOPT RESOLUTION REQUESTING LEGISLATION TO REDUCE WATER AND SEWER RATES FOR SENIOR CITIZENS.

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

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 3, 2009.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 3, 2009 AS WRITTEN. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED FOR PUBLIC COMMENT.

THEREUPON, SEVERAL PERSON SIGNED UP FOR PUBLIC COMMENT WERE IN REFERENCE TO AGENDA ITEM #5, THE REZONING OF PROPERTY ON SPRINGFIELD RD AND ITEM #7, AGREEMENT WITH PYSA., THEREFORE, MAYOR MARX STATED THAT HE WOULD CALL FOR PUBLIC COMMENT AGAIN BEFORE VOTING ON THOSE ITEMS.

THEREUPON, VENNIT MATHIS II, ADDRESSED THE BOARD REGARDING THE CITY DOING BUSINESS WITH PETAL HARDWARE. MR. MATHIS EXPRESSED HIS DISAPPOINTMENT THAT THEY DID NOT GET THE BID FOR MOWERS RECENTLY PURCHASED IN THE RECREATION DEPT. MR. MATHIS THANKED DEBORAH FOR HER ASSISTANCE. HE ALSO ADVISED THAT PETAL HARDWARE CAN PROVIDE SERVICE FOR ALL TYPES OF EQUIPMENT.

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE QUOTE FROM ADVANCED BUILDING SPECIALTIES FOR ADA COMPLIANCE AT CITY HALL.

EXHIBIT "A"

QUOTE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE QUOTE FROM ADVANCED BUILDING SPECIALTIES IN THE AMOUNT OF \$8,573.00 FOR ADA COMPLIANCE AT CITY HALL. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY ESTIMATE #1 IN THE AMOUNT OF \$149,818.80 TO GREENBRIAR FOR WATER PLANT "C" AERATION PER SHOWS, DEARMAN & WAITS RECOMMENDATION.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY ESTIMATE #1 IN THE AMOUNT OF \$149,818.80 TO GREENBRIAR FOR WATER PLANT "C" AERATION PER SHOWS, DEARMAN & WAITS RECOMMENDATION. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY ESTIMATE #2 IN THE AMOUNT OF \$80,701.61 TO GREENBRIAR FOR HUNTER'S RIDGE FIRE LINES PER SHOWS, DEARMAN & WAITS RECOMMENDATION.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY ESTIMATE #2 IN THE AMOUNT OF \$80,701.61 TO GREENBRIAR FOR HUNTER'S RIDGE FIRE LINES PER SHOWS, DEARMAN & WAITS RECOMMENDATION. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO REFUND RUSS OSWALT \$531.00 FOR A BILLING ERROR IN THE WATER DEPT.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND RUSS OSWALT \$531.00 FOR A BILLING ERROR IN THE WATER DEPT. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ESTABLISH A FUND FOR DONATIONS MADE TO THE POLICE DEPT. CANINE FUND.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ESTABLISH A FUND FOR THE KEEPING OF DONATIONS MADE TO THE POLICE DEPT CANINE FUND. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO DENY THE REZONING OF PARCEL #3-0210-32-007 ON SPRINGFIELD RD FROM R-1 TO C-2.

THEREUPON, MAYOR MARX CALLED FOR PUBLIC COMMENT.

THEREUPON, LOUISE JORDAN, BILL JORDAN, HOOVER JAKES, BERNARD JACKSON, RHONDA JACKSON, AND ADA MADISON, ALL RESIDENTS OF SPRINGFIELD ROAD SPOKE OUT IN OPPOSITION OF THE ZONING CHANGE. EACH STATED THAT THEY CONSIDER SPRINGFIELD RD TO BE A "COMMUNITY" AND THEY DO NOT WANT THE COMMERCIAL ZONING TO CHANGE THE "COMMUNITY".

THEREUPON, BILLY KING SPOKE IN FAVOR OF THE ZONING CHANGE. MR. KING STATED THAT THE BEST USE FOR THE PARCEL OF LAND IS COMMERCIAL. THE LAND IS SURROUNDED BY COMMERCIAL ZONING AND THAT THE HOUSE MOST EFFECTED BY THE ZONING CHANGE WILL BE REV. BURKETT'S HOME AND REV. BURKETT OWNS THE LAND AND HE HAS REQUESTED THE ZONING CHANGE SO THAT HE MAY SELL THE LAND.

THEREUPON, REV. BURKETT SPOKE IN FAVOR OF THE ZONING CHANGE. REV BURKETT EXPRESSED HIS LOVE FOR THE COMMUNITY. HE DOESN'T BELIEVE THE ZONING CHANGE WILL EFFECT THE COMMUNITY.

THEREUPON, ALDERMAN STRINGER STATED THAT THE PROPERTY IN QUESTION IS IN HIS WARD AND HE BELIEVES THE REQUESTED ZONING CHANGE SHOULD BE DENIED PER THE PLANNING COMMISSION'S RECOMMENDATION.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO DENY THE ZONING CHANGE PER THE PLANNING COMMISSION'S RECOMMENDATION. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO APPOINT THE FOLLOWING COMMITTEE MEMBERS TO THE PETAL VETERAN'S MEMORIAL COMMITTEE.

SENATOR TOM KING – CHAIRMAN
TOM HARDGES – CITY REPRESENTATIVE
RODNEY SESSIONS
BO TIMS
MIKE COCHRAN

ALLEN FLYNT

THEREUPON, THE VIETNAM LEGACY VETS MOTORCYCLE CLUB APPROACHED THE BOARD WITH A \$1000.00 DONATION FOR THE VETERANS' MEMORIAL.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE FOREGOING APPOINTMENTS TO THE PETAL VETERANS'S MEMORIAL COMMITTEE AND THE DONATION FROM THE VIETNAM LEGACY VETS MOTORCYCLE CLUB. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ADOPT AN AGREEMENT WITH PETAL YOUTH SPORTS ASSOCIATION OFFERING BASEBALL TO BOYS AGES (13) THIRTEEN THRU (18) EIGHTEEN.

THEREUPON, MAYOR MARX CALLED FOR PUBLIC COMMENT.

THEREUPON, WES BREWER WITH THE PETAL OPTIMIST CLUB ADDRESSED THE BOARD. MR. BREWER STATED THAT THE OPTIMIST CLUB HAS SERVED THE CHILDREN OF PETAL IN BASEBALL FOR 50 YEARS. THE OPTIMIST CLUB SERVES CHILDREN AGES (4) FOUR THRU (14) FOURTEEN. THEY FEEL THAT ALLOWING ANOTHER LEAGUE TO START UP WILL DAMAGE THE 13-14 YR. AGE GROUP AS THERE ARE NOT ENOUGH CHILDREN TO SUPPORT TWO LEAGUES. ALSO, THE OPTIMIST CLUB WISHES THEY WOULD HAVE BEEN NOTIFIED OF THE INTENT OF PYSA TO START A NEW LEAGUE BEFORE GOING TO THE BOARD OF ALDERMEN.

THEREUPON, SCOTT MORGAN, LANCE REED, AND SCOTT KNUE SPOKE IN AGREEMENT WITH WES BREWER.

THEREUPON, JOE MCMURRY, JR. STATED THAT HE BELIEVES THE PYSA PROPOSAL SHOULD BE TABLED FOR NOW AS THE CITY IS TRYING TO NEGOTIATE AN AGREEMENT WITH THE OPTIMIST CLUB.

THEREUPON, TOM HARDGES, STATED THAT HE HAS TRIED FOR A COUPLE OF YEARS TO HOLD A 12-15 YEAR OLD LEAGUE IN THE CITY. TOM STATED THAT HIS JOB IS TO TAKE CARE OF ALL THE CITIZENS OF PETAL, NOT BASED ON AGE OR GENDER. THE 200FT FIELDS THAT THE CITY IS TO BUILD AND THE OPTIMIST IS TO USE FOR PLAYING WILL NOT ACCOMMODATE A 13-14 YEAR OLD LEAGUE. HIS BIGGEST CONCERN IS THAT WHEN BASEBALL SEASON STARTS, THE KIDS DON'T CARE WHO RUNS THE LEAGUE, THEY JUST WANT TO PLAY BALL.

THEREUPON, ALDERMAN HINTON STATED THAT HE PLAYED AND COACHED IN THE OPTIMIST PROGRAM AND IS A GREAT SUPPORTER OF THE OPTIMIST CLUB PROGRAM, HOWEVER, THIS RECOMMENDATION WAS BROUGHT TO THEM BY THE PARK COMMISSION AND THEY CREATED THE COMMISSION TO HELP WITH RECREATION IDEAS.

THEREUPON, KENNY MOORE WITH PYSA STATED THAT THEY HAVE A LOT OF RESPECT FOR THE OPTIMIST CLUB. PYSA LEAGUE WILL ALLOW PLAYERS FROM SURROUNDING AREAS.

THEREUPON, BUBBA NOBLES, WITH THE PARK COMMISSION STATED THAT THE COMMISSION DID NOT RECOMMEND THIS AGREEMENT HASTILY. THE AGREEMENT WAS REWRITTEN SEVERAL TIMES BEFORE THEY COMMISSION RECOMMENDED IT TO THE BOARD OF ALDERMEN.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO TABLE THE PROPOSAL FOR TWO WEEKS. DURING THIS TIME THE OPTIMIST CLUB AND PYSA ARE TO GET TOGETHER AND TRY TO COME TO AN AGREEMENT. THE BOARD WILL VOTE ON THE MATTER AT THE NEXT BOARD MEETING. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING PROOFS OF PUBLICATION

AD FOR BIDS – CITY HALL ADA COMPLIANCE

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE PROOFS OF PUBLICATION FOR FILING. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF OCTOBER 2009.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE PRIVILEGE LICENSE REPORT FOR FILING. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE REVENUE & EXPENDITURES REPORT FOR THE MONTH OF OCTOBER 2009.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE REVENUE & EXPENDITURES REPORT FOR FILING. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR DEBORAH REYNOLDS TO ATTEND THE ICSC CONFERENCE IN LAS VEGAS, NV IN MAY 2010.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE DEBORAH REYNOLDS TO GO AHEAD AND MAKE RESERVATIONS TO ATTEND THE ICSC CONFERENCE IN LAS VEGAS, NV IN MAY 2010. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED ORDINANCE 1979 (44-N) ADJUSTING RATES FOR SANITATION SERVICES.

EXHIBIT "B"

ORDINANCE 1979 (44-N)

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TAKE ORDINANCE 1979 (44-N) UNDER ADVISEMENT AND MAKE AVAILABLE FOR PUBLIC REVIEW. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED ORDINANCE 1984 (57-Q) ADJUSTING RATES FOR SEWER TREATMENT, RECONNECTION FEES AND LATE FEES IN THE WATER DEPT.

EXHIBIT "C"

ORDINANCE 1984 (57-Q)

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO TAKE ORDINANCE 1984 (57-Q) UNDER ADVISEMENT AND MAKE AVAILABLE FOR PUBLIC REVIEW. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A RESOLUTION REQUESTING LEGISLATION TO AUTHORIZE THE GOVERNING AUTHORITY TO REDUCE WATER AND SEWER RATES FOR SENIOR CITIZENS.

EXHIBIT "D"

RESOLUTION

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ENTER INTO EXECUTIVE SESSION.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO CLEAR THE ROOM TO DETERMINE IF EXECUTIVE SESSION WAS NEEDED. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THE MEETING WAS REOPENED.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ENTER INTO EXECUTIVE SESSION. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

NO OFFICIAL ACTION WAS TAKEN IN EXECUTIVE SESSION.

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR DISCIPLINARY ACTION FOR DANIEL MEADOWS IN THE RECREATION DEPT.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO SUSPEND DANIEL MEADOWS FOR TWO WEEKS WITHOUT PAY BEGINNING NOVEMBER 18, 2009 AND TO PLACE HIM ON (6) SIX MONTHS PROBATION. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADJOURN THE REGULAR MEETING OF NOVEMBER 17, 2009. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN TONY DUCKER
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

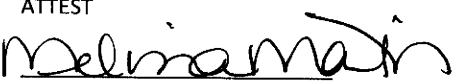
NONE

THERE BEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON NOVEMBER 17, 2009.


MAYOR HAL MARX

SEAL

ATTEST


CITY CLERK

Add to 11/27 agenda.

CITY OF PETAL
MINUTE BOOK 30

362

HODGES
CONSTRUCTION

103B Ford Dr.
Petal, MS 39465
Phone: 601-583-4798
Fax: 601-582-0578

EXHIBIT "A"

October 30, 2009

"ESTIMATE"

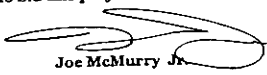
City of Petal
Attn: Mayor Hal Marx
102 W. 8th Ave.
Petal, MS 39401

Re: Estimate for ADA Compliance Work at City Hall Building

- Provide handicap signage at ADA parking in parking lot.
- Rework handicap ramp as per bid instructions at main entrance to City Hall. Install new ± 24' ADA concrete ramp. Demo existing ramp to accommodate new installation. Rework landscaping as needed at ramp area.
- Sawcut and remove existing ramped pad at entrance door to City Hall. Install new 6' x 12' concrete landing and ADA ramp for entrance to City Hall.
- Rework threshold at entrance door to tie into new concrete landing and provide smooth transition and accessibility.
- Install new lever entrance lockset on entrance door. Repair any holes left behind from removal of existing lockset. Paint complete entrance door unit exterior and interior.
- Install handrail and paint as per code.
- Reverse swing on water department door unit into hallway as per bid instructions. Use existing unit.
- Does not include ramp to water department. This ramp will probably be acceptable as is. There is reasonable access available for existing building.

Total estimate includes all labor, materials, and state taxes needed to complete above described work. **\$8,573.00**

Thank you for the opportunity to bid this project.


Joe McMurry Jr.

PROPOSAL	
To: The City of Petal	Date: 11/3/2009
Company:	From: Tim Hodges
Project: ADA Compliance Petal City Hall	
Scope of Services	Price
1 Extend Handicap Signs to 80"	
2 Demo a portion of existing ramps, form for new ramps, form for new landing at entrance and Finish Concrete	
3 Add new handrails to both ramps	
4 Install Handicap threshold at main entrance	
5 Install Lever handle locks (2sets)	
6 Install New door and Jamb at the water office	
Total for the sum of: \$ 17,899.00	

Proposal is subject to acceptance within 30 days.


Authorizing Signature:

Date: 10/30/09

213 NORTH MAIN STREET, SUITE C • PETAL, MISSISSIPPI 39465 • (601) 582-2745. FAX (601) 544-2712

BID PROPOSAL

P. O. BOX 859 • MAGEE, MISSISSIPPI 39111 • MAGEE INDUSTRIAL PARK • 601-849-2441 • FAX 601-849-4121

DATE: November 3, 2009

TO: City of Petal
119 West Eight Street
Petal, MS 39465

FOR: City Hall ADA Compliance
Six Items Specified

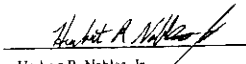
BID OPENING: November 3, 2009 at 5:00 p.m.
Petal City Hall


ADDENDA: none

TOTAL BID: \$ 18,900.00
(numbers)


Eighteen Thousand Nine Hundred Dollars
(words)

BY: Nobles Contracting LLC
5266 Old Hwy 11 Ste 70122
Hattiesburg, MS 39402-7817
Ofc 601-213-0750
Fax 601-213-0171

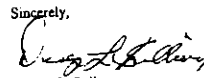

Herbert R. Nobles, Jr.
member


SULLIVAN ENTERPRISES, INC.
GENERAL & SPECIALTY CONTRACTORS

November 3, 2009


City of Petal, MS
PO Box 364
Petal, MS39465

We propose to furnish all labor and material to complete all work according to your specifications City Hall ADA Compliance for the work at City Hall and Water Department for the sum of \$18,576.00
Fourteen Thousand Five hundred, Ninety + 76/100

Sincerely,

Dewey L. Sullivan
President

Certificate of Responsibility Number: 16114



November 2, 2009 *Miles of Construction for Over 60 Years*

The City of Petal, Mississippi
119 West Eighth Street
Petal, MS 39465

Re: City Hall ADA Compliance Bid

EXHIBIT "A"

Ladies and Gentlemen:

Bush Construction Company, Inc. offers the following proposal for the above project bidding on November 3, 2009.

order to complete the work as outlined, it will first be necessary to construct a temporary dicap ramp to the front entrance in order to maintain access for handicapped citizens while construction is proceeding. Once the temporary facilities are complete, work will start on e new ramp, including demolition, forming and pouring new concrete, setting handrails, and replacing the plantings and landscaping disturbed during construction.

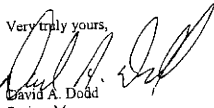
Next, the ramp for the entrance door will need to be demolished and re built, threshold, handle and lock works on the front door replaced, and temporary facilities removed. While work is proceeding on the entrance, access by handicap citizens will be a problem, and we plan to complete this work on the weekend while city hall is closed.

Upon completion of the work at the entrance, work in the Water Dept. Office will be completed, including removal and replacement of the handle and lock works on the main door, and re working the interior door as outlined in the bid package.

Our estimate for the above work will be **\$25,880.00**. According to our site survey, this should bring the City into compliance with the ADA Standards.

We hope that this meets with the City's approval. If there are any questions or if further information is needed or desired, please do not hesitate to contact us.

Very truly yours,


David A. Dodd
Project Manager

ORDINANCE NO. 1979 (44-N)

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1979 (44-M)
TO AMEND THE AMOUNTS TO BE CHARGED FOR COLLECTION
AND DISPOSAL OF GARBAGE, TRASH AND FOR RELATED PURPOSES

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

SECTION 1 of Ordinance 1979 (44-M) and other appropriate sections of the original ordinance 1979 as amended, are amended to read as follows, to wit:

SECTION A. The following fees are established for the collection, removal, and/or disposal of garbage and trash.

- a. For each residence within the City of Petal, the sum of twenty dollars and no cents (\$16.00) per month;
- b. For apartment complexes of two or more units, the sum of twenty dollars and no cents (\$16.00) per apartment, per month;
- c. For all apartment complexes of two or more units not using city garbage collection services, the sum of ten dollars and no cents (\$10.00) per apartment, per month for trash collection services.
- d. For mobile home parks the sum of twenty dollars and no cents (\$16.00) per mobile home unit, per month;
- e. For all other garbage collection customers, the sum of twenty dollars and no cents (\$20.00) per month provided a garbage pick up is not required to be made more than once in any one week;
- f. For other collection services, other than residential (home/apartments/mobile home parks) such as businesses, small industries, or those requiring special handling, or more than one collection per week, a fee is to be determined by application of Section 1-12 of Ordinance 1979 (44), as amended.

SECTION 2. That except as otherwise amended herein, Ordinance 1979 (44) and amendments A, B, C, D, E, F, G, H, I, J, K, L AND M shall remain in full force and effect.

SECTION 3. This Ordinance shall be in full force and effect from and after January 1, 2010.

The above and foregoing Ordinance having been presented to the Mayor and Board of Aldermen, first section by section, and then as a whole, the following were then taken:

Those present and voting "YEA" and in favor of the passage and adoption of said Ordinance, Section by Section:

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Those present and voting "NAY" or against the passage, adoption of said Ordinance,

Section by Section:

EXHIBIT "B"

Those present and voting "YEA" and in favor of the passage, adoption and approval of the foregoing Ordinances as a whole:

Those present and voting "NAY" or against the passage, adoption and approval of the foregoing Ordinance as a whole:

The above and foregoing Ordinance, having been approved, Section by Section, and then as a whole, the same was duly adopted on this the 1st day of December, A. D., 2009.

HAL MARX, MAYOR

(SEAL)

ATTEST:

MELISSA MARTIN, CITY CLERK

PUBLISH:

FLAT RATE ~~OF \$6.00~~ \$:6.00

SECTION 2. Section 15 (B) of Ordinance Number 1984 (57) as originally adopted and subsequently amended is hereby amended to read as follows, to wit:

SECTION 15 (B). Failure, neglect, or refusal to pay any water, sewer, or sanitation bill, on or before 15 days of the date of disconnecting notice shall subject the customer, consumer, or user to the loss and discontinuance of water, sewer and sanitation services, and supply of water, sewer, and sanitation services, without further notices. If any such water, sewer, or sanitation service or supply is lost or discontinued because of the nonpayment of any disconnection notice, on or before fifteen days of the date of the notice, the service and supply shall not be resumed until the bill or statement of charges is paid in full, by either cash or credit card together with a reconnect fee in the amount of \$35.00, if within the corporate limits of the City of Petal, and \$45.00 if beyond the corporate limits of the City of Petal, said amounts being determined as a reasonable cost to be incurred by the municipality in causing service to be resumed. No payments in the form of a personal or business check will be accepted for reconnection. Also, a 15% service fee will be assessed if payment is not made by the designated due date.

SECTION 3. All Ordinances in conflict herewith, be, and are hereby repealed.

SECTION 4. That this ordinance shall take effect and be in force (30) days from and after its' passage.

The above and foregoing ordinance having been reduced to writing, the same was read and voted upon, section by section, and then as a whole.

Those present and voting "YEA" and in favor of the passage, adoption and approval of Sections 1,2 & 3 of the foregoing ordinance:

Alderman
Alderman
Alderman
Alderman

Those present and voting "NAY" or against the passage, adoption and approval of Sections 1, 2, & 3 of the foregoing ordinance:

Alderman

Those present and voting "YEA" or against the passage, adoption and approval of the Ordinance as a whole:

Alderman
Alderman

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Alderman
Alderman

Those present and voting "NAY" or against the passage, adoption, and approval of the foregoing ordinance as a whole:

Alderman

WHEREFORE the foregoing ordinance was duly passed, adopted and approved on this the 1st day of December A.D., 2009.

Hal Marx
Mayor

(SEAL)

ATTEST:

Melissa Martin
City Clerk

EXHIBIT "C"

AN ORDINANCE AMENDING SECTION 14(A) AND SECTION 15 (B) OF ORDINANCE 1984(57) OF THE CITY OF PETAL, MISSISSIPPI, SO AS TO CHANGE THE CHARGES OF WATER AND SEWER USE WITHIN THE CITY OF PETAL, MISSISSIPPI, REPEALING PART OF SECTION 14(A) AND SECTION 15 (B) OF ORDINANCE NUMBER 1984(57) AND FOR RELATED PURPOSES

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Petal, Mississippi:

SECTION 1. Section 14(A) of Ordinance Number 1984(57) as originally adopted on May 17, 1984 is hereby amended to read as follows. To-wit:

SECTION 14: Schedule of rates.

(A). The following schedule of rates is hereby ascertained, found and declared to be reasonable, and the same are established as the rates to be charged for water subject to minimum charges shown below:

RATE SCHEDULE

RESIDENTIAL

WATER

0-3,000 GALLONS \$12.00
FOR EACH ADDITIONAL \$ 3.00
1,000 GALLONS USED

SEWER

FLAT RATE OF \$22.00

COMMERCIAL

WATER

0-3,000 GALLONS \$12.00
4,000 GALLONS \$16.00
FOR EACH ADDITIONAL \$ 3.00
1,000 GALLONS USED

SEWER

0-3,000 GALLONS \$22.00
4,000 GALLONS \$22.75
FOR EACH ADDITIONAL \$ 2.50
1,000 GALLONS USED
(FORMULA USED IS 85% OF WATER CONSUMPTION FOR SEWER

USAGE)

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL, MISSISSIPPI**

WHEREAS, the City of Petal is charged with the duty and responsibility of governing the citizens of the City of Petal, at the least possible expense to its citizens; and

WHEREAS, rates for water and sewer for the City of Petal, as well as surrounding municipalities, have continued to rise above the cost of living and the City of Petal is required to generate sufficient funds to operate the water and sewer system and to retire debt; and

WHEREAS, those citizens of the City of Petal above the age of sixty-five (65) and on fixed incomes, as well as those who are service-connected, totally disabled American veterans who were honorably discharged from military service, suffer from increased financial difficulty in paying as and when due, the City of Petal's imposed charge for water and sewer; and,

WHEREAS, the Mayor and Board of Aldermen wish to be able to amend its ordinances requiring payment for water and sewer service, in order to allow a reduction in water and sewer rates upon presentation of proper proof of eligibility, for those residents who have either reached the age of sixty-five (65) years, or who are service-connected, totally disabled American veterans who were honorably discharged from military service, but is unable to do so without authority of the Mississippi legislature;

NOW, THEREFORE, the Mayor and Board of Aldermen of the City of Petal, Mississippi, resolve and request that the Mississippi legislature permit the City of Petal, through legislation local and private, to establish a separate rate for water and sewer services for those citizens within the City of Petal above the age of sixty-five (65) years and for those citizens who are service-connected, totally disabled American veterans who were honorably discharged from military service.

The above and foregoing Resolution having been presented to the Mayor and Board of Aldermen for approval, Alderman Clayton moved the adoption of the above and foregoing Resolution. Alderman Runnels seconded the motion for adoption of the foregoing resolution.

Upon motion duly made and seconded, the following vote was had:

Those voting "YEA" and in favor of the above and foregoing resolution:

Alderman David Clayton
Alderman Tony Ducker
Alderman Willie Hinton
Alderman James Runnels
Alderman Steve Stringer


Those voting "NAY" and in opposition to the above and foregoing resolution:

None

The above and foregoing Resolution having received the majority vote of the Aldermen of the City of Petal, said Resolution was thereby adopted on this, the 17th day of November, A.D., 2009.


MAYOR

ATTEST:


CITY CLERK