

CITY OF PETAL
MINUTE BOOK 30

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 DECEMBER 1, 2009 AT 6:00 P.M. IN THE BOARDROOM OF SAID CITY.

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

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

THE INVOCATION WAS OFFERED BY TOM TYNER.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

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

OLD BUSINESS

1. REQUEST TO ACCEPT AGREEMENT WITH PYSA FOR BABE RUTH BASEBALL LEAGUE FOR AGES 13-18.

GENERAL BUSINESS

16. REQUEST TO SUBMIT A BID IN THE AMOUNT OF \$800.00 TO APPLY FOR A BABE RUTH STATE TOURNAMENT.

ORDERS & ORDINANCES

5. REQUEST TO ADOPT ORDINANCE 1979 (44-N) ADJUSTING SANITATION RATES
6. REQUEST TO ADOPT ORDINANCE 1984 (57-Q) ADJUSTING RATES FOR SEWER TREATMENT, LATE FEES, AND RECONNECTION FEES.

THEREUPON, ALDERMAN HINTON 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 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 17, 2009 AND THE SPECIAL MEETING OF NOVEMBER 23, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 17, 2009 AND THE SPECIAL MEETING OF NOVEMBER 23, 2009 AS WRITTEN. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED FOR PUBLIC COMMENT.

THERE WAS NONE.

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO OPEN BANK BIDS FOR A TERM OF JANUARY 2010-DECEMBER 2011.

EXHIBIT "A"

BIDS

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TAKE ALL BIDS UNDER ADVISEMENT. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
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 PYSA IN SUPPORT OF A BABE RUTH BASEBALL LEAGUE.

EXHIBIT "B"

AGREEMENT

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING AGREEMENT WITH PYSA IN SUPPORT OF A BABE RUTH BASEBALL LEAGUE. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED ON BILLY FAIRLEY TO ADDRESS THE BOARD.

THEREUPON, MR. FAIRLEY WAS NOT IN ATTENDANCE.

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY THE INTEREST IN THE AMOUNT OF \$46,693.75 TO TRUSTMARK BANK FOR GO BOND SERIES 2004.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY INTEREST IN THE AMOUNT OF \$46,693.75 TO TRUSTMARK BANK FOR GO BOND SERIES 2004. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY SHOWS, DEARMAN & WAITS INVOICE 15873 IN THE AMOUNT OF \$16130.54 FOR PROFESSIONAL SERVICES ON WATER PLANT "C" AERATION.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY SHOWS, DEARMAN & WAITS INVOICE 15873 IN THE AMOUNT OF \$16,130.54 FOR PROFESSIONAL SERVICES ON WATER PLANT "C" AERATION. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS

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ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY SHOWS, DEARMAN & WAITS INVOICE 15874 IN THE AMOUNT OF \$13,124.66 FOR PROFESSIONAL SERVICES ON HUNTER'S RIDGE FIRE LINES.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY SHOWS, DEARMAN & WAITS INVOICE 15874 IN THE AMOUNT OF \$13,124.66 FOR PROFESSIONAL SERVICES ON HUNTER'S RIDGE FIRE LINES. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY BUSH CONSTRUCTION ESTIMATE #3 IN THE AMOUNT OF \$196,557.48 FOR CDBG PROJECT ON SPRINGFIELD RD PER SAMPLE & ASSOCIATES RECOMMENDATION.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY BUSH CONSTRUCTION ESTIMATE #3 IN THE AMOUNT OF \$196,557.48 FOR CDBG PROJECT ON SPRINGFIELD RD PER SAMPLE & ASSOCIATES RECOMMENDATION. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY SHOWS, DEARMAN & WAITS INVOICE 15875 IN THE AMOUNT OF \$10,576.51 FOR CDBG PROJECT ON SPRINGFIELD RD PER SAMPLE & ASSOCIATES RECOMMENDATION.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY SHOWS, DEARMAN & WAITS INVOICE 15875 IN THE AMOUNT OF \$10,576.51 FOR CDBG PROJECT ON SPRINGFIELD RD PER SAMPLE & ASSOCIATES RECOMMENDATION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY SAMPLE & ASSOCIATES INVOICE 1109-6 IN THE AMOUNT OF \$5,200.00 FOR WORK ON CDBG PROJECT ON SPRINGFIELD RD.

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY SAMPLE & ASSOCIATES INVOICE 1109-6 IN THE AMOUNT OF \$5,200.00 FOR WORK ON CDBG PROJECT ON SPRINGFIELD RD. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

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WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY CAMCO UTILITIES REQUEST #2 IN THE AMOUNT OF \$16,900.00 FOR LIFT STATION REPAIRS PENDING RALPH EDDLEMON'S RECOMMENDATION.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO PAY CAMCO UTILITIES REQUEST #2 IN THE AMOUNT OF \$16,900.00 FOR LIFT STATION REPAIRS UPON RALPH EDDLEMON'S APPROVAL. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO SET A VARIANCE HEARING DATE FOR TRAILWOOD WEST PHASE IV-A.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO SET A VARIANCE HEARING DATE OF DECEMBER 8, 2009 FOR TRAILWOOD WEST PHASE IV-A. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE RESIGNATION OF SHAUNA HARVEY IN THE POLICE DEPT.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE RESIGNATION OF SHAUNA HARVEY IN THE POLICE DEPT. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
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 CELLULAR SOUTH FOR STATE CONTRACT PRICING ON CITY CELL PHONE SERVICE.

EXHIBIT "C"

AGREEMENT

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ADOPT THE FOREGOING AGREEMENT WITH CELLULAR SOUTH FOR STATE CONTRACT PRICING ON CITY CELL PHONE SERVICE. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO RENEW THE SOFTWARE MAINTENANCE AGREEMENT WITH BBI IN THE AMOUNT OF \$5910.00 FOR JANUARY 2010 THRU DECEMBER 2010.

EXHIBIT "D"

AGREEMENT

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO RENEW THE SOFTWARE MAINTENANCE AGREEMENT WITH BBI IN THE AMOUNT OF \$5910.00 FOR JANUARY 2010 THRU DECEMBER 2010. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO TRANSFER ONE DODGE INTREPID, VIN #2B3HD46V24G593137 FROM THE POLICE DEPT TO THE FIRE DEPT.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO TRANSFER ONE DODGE INTREPID, VIN #2B3GD46V24G593137 FROM THE POLICE DEPT TO THE FIRE DEPT. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO APPROVE CLAIMS - FOR THE CITY OF PETAL GENERAL FUND AND WATER AND SEWER FUNDS FOR THE MONTH OF NOVEMBER 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO APPROVE CLAIMS - FOR THE CITY OF PETAL GENERAL FUND AND WATER AND SEWER FUNDS FOR THE MONTH OF NOVEMBER 2009. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING PROOFS OF PUBLICATION.

PUBLIC NOTICE – VARIANCE HEARING FOR PROPERTY LOCATED OFF OF BROKEN ARROW TRAIL

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE FOREGOING PUBLICATIONS FOR FILING. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO SUBMIT A BID OF \$800.00 TO APPLY FOR A BABE RUTH STATE TOURNAMENT.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO SUBMIT A BID OF \$800.00 TO APPLY FOR A BABE RUTH STATE TOURNAMENT. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS

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ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR BRYAN CRAVEN AND MONTY JONES TO ATTEND INTRODUCTION TO BODY CONTROL DIAGNOSTICS CLASS ON DECEMBER 14 AND DECEMBER 15, 2009 AT A COST OF \$300.00.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE BRYAN CRAVEN AND MONTY JONES TO ATTEND INTRODUCTION TO BODY CONTROL DIAGNOSTICS CLASS ON DECEMBER 14 AND DECEMBER 15, 2009 AND TO PAY REGISTRATION FEES OF \$300.00. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ADOPT ORDINANCE 2005 (6-2) REPEALING THE TREE ORDINANCE.

EXHIBIT "E"

ORDINANCE 2005 (6-2)

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ADOPT ORDINANCE 1974-13A REPEALING ORDINANCE 1974 -13.

EXHIBIT "F"

ORDINANCE 1974-13A

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO POST FOR REVIEW AND PUBLIC INPUT A PROPOSED AMENDMENT TO SECTION 6.113 OF ORDINANCE 1979 (42) DEALING WITH MOBILE HOMES.

EXHIBIT "G"

PROPOSED AMENDMENT

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TAKE THE PROPOSED AMENDMENT UNDER ADVISEMENT AND POST FOR PUBLIC INPUT. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON

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ALDERMAN WILLIE HINTON
ALDERMAN JAMES RUNNELS
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO POST FOR REVIEW AND PUBLIC INPUT A PROPOSED NEW GARAGE SALE ORDINANCE.

EXHIBIT "H"

PROPOSED ORDINANCE

THEREUPON, ALDERMAN RUNNELS MADE A MOTION TO TAKE THE PROPOSED ORDINANCE UNDER ADVISEMENT AND POST FOR PUBLIC INPUT. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ADOPT ORDINANCE 1979 (44-N) ADJUSTING SANITATION RATES.

EXHIBIT "I"

ORDINANCE 1979 (44-N)

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ADOPT ORDINANCE 1984 (57-Q) ADJUSTING RATES FOR SEWER TREATMENT, LATE FEES AND RECONNECTION FEES.

EXHIBIT "J"

ORDINANCE 1984 (57-Q)

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

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN STINGER MADE A MOTION TO ADJOURN THE REGULAR MEETING OF DECEMBER 1, 2009. ALDERMAN RUNNELS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN WILLIE HINTON

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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 DECEMBER 1, 2009.

MAYOR HAL MARX

SEAL

ATTEST

MELISSA MARTIN, CITY CLERK