



## BOARD OF ALDERMEN REGULAR MEETING

November 19, 2024

6:00 PM

Board Room • 119 W 8th Ave, Petal MS

### MINUTES

#### CALL TO ORDER

##### Roll Call, Invocation, Pledge of Allegiance

PRESENT

Mayor Tony Ducker  
Alderman Drew Brickson  
Alderman Craig Bullock  
Alderman Mike Lott  
Alderman Blake Nobles  
Alderman Gerald Steele  
Alderman Craig Strickland  
Alderwoman Kim Stringer

Invocation was offered by Mike Lott

Pledge of Allegiance was recited

#### ADOPT AGENDA

Motion made by Alderman Bullock, Seconded by Alderwoman Stringer.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

#### CONSENT AGENDA

- Minutes
  - Public Hearing 11/05/2024
  - Regular Meeting 11/05/2024
- Revenue & Expenditure Report Oct 2024
- Privilege License Report Oct 2024
- Eric Van Fossen Resignation eff. 11/26/2024
- Court Balances Oct 2024
- Proofs of Publication
  - Public Notice - 105 Fairview Dr
  - Public Notice - 1090 Hwy 42
  - Public Notice - 1886 Old Richton Rd
- UB Aging as of Oct 2024

Motion made by Alderman Bullock, Seconded by Alderman Brickson.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

#### PUBLIC COMMENT

Beverly Clark - The Blood Center; addressed the board regarding upcoming blood drive.

Kammie Carpenter - Shop Petal First is Nov. 21-23, 2024. Petal Christmas Parade is Dec. 7 @ 4:00 p.m., Meet and Greet with City Officials at Grand Central this Thursday to kick off Shop Petal First.

Emily Dawn Escolas - addressed the board requesting an update on the salt dome causing health issues in Petal. Rocky Eaton advised that the city doesn't have the authority to investigate the gas companies and environmental issues and recommended she seek assistance from the MS Dept of Environmental Quality.

#### PROCLAMATIONS & RESOLUTIONS

Request to adopt Resolution assessing clean up fees in the amount of \$501.00 to 203 E Central Ave, Parcel #3-0220-36-222.00. (City Clerk)

Exhibit "A"

Motion made by Alderman Nobles, Seconded by Alderman Brickson.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to adopt Resolution in support of and authorizing application for Land and Water Conservation Funds through MDWFP. (N Coleman)

Exhibit "B"

Resolution

The funds to be obligated within the Resolution are understood to be Excel by 5 funds.

Motion made by Alderman Brickson, Seconded by Alderwoman Stringer.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

## **BIDS — QUOTES**

### **OLD BUSINESS**

#### **GENERAL BUSINESS**

Request to accept the plans and specifications for the Friendly Park Northern Access Road and authorize advertisement for bids. (SDW)

Motion made by Alderman Steele, Seconded by Alderman Lott.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to dispose of misc. items in the Recreation Dept. sending some items to auction. (J Young)

Exhibit "C"

List of Items

Motion made by Alderman Lott, Seconded by Alderman Nobles.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to dispose of (5) five digital cameras in the Police Dept. (Chief Hiatt)

Motion made by Alderman Lott, Seconded by Alderman Strickland.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to refund the following cash bonds: (Court Clerk)

C Spencer - \$298.75

M Keefer - \$698.75

Motion made by Alderman Bullock, Seconded by Alderman Brickson.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to adjust water services billed to 1304 Carterville Rd in the amount of \$406.80 due to a leak. (H Draughn)

Motion made by Alderman Bullock, Seconded by Alderman Strickland.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to adjust services billed to 711 Old Richton Rd as follows due to a leak.

Water - \$426.00

Sewer - \$213.00

Sales Tax - \$29.82

Motion made by Alderman Nobles, Seconded by Alderwoman Stringer.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele,

Alderman Strickland, Alderwoman Stringer

Request to accept amendment to Clearwater Contract in the amount of \$99,373.48 annually. (City Clerk)

Exhibit "D"

Amendment

Motion made by Alderman Steele, Seconded by Alderman Nobles.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to grant a special exception for 1090 Hwy 42 allowing the addition of one (1) accessory structure to the property where one currently exists requiring the building to be anchored per the Planning Commission recommendation. (A Heath)

Motion made by Alderman Brickson, Seconded by Alderman Nobles.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to DENY special exception allowing auto sales on residential property at 1886 Old Richton Rd per the Planning Commission recommendation. (A Heath)

Motion to deny special exception for auto sales but grant a special exception for office space.

Motion made by Alderman Brickson.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to pay Estimate #1 in the amount of \$238,476.94 to Walters Construction Co. for 2024 Street Overlay per Shows, Dearman & Waits recommendation. (City Clerk)

Motion made by Alderman Bullock, Seconded by Alderman Lott.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to accept Engineering Contract with Shows, Dearman & Waits for Chappell Hill Road Overlay. (City Clerk)

Motion made by Alderman Brickson, Seconded by Alderwoman Stringer.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to accept the Engineering Agreement with Shows, Dearman & Waits for 2025 Street Overlay. (City Clerk)

Motion made by Alderman Steele, Seconded by Alderman Bullock.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

Request to set a special exception hearing date of Dec. 10, 2024 at 6:00 p.m. for the following properties: (A Heath)

801 Old Richton Rd.

49 Pinewood Dr.

Motion made by Alderman Lott, Seconded by Alderman Strickland.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderwoman Stringer

**SEMINARS & TRAVEL**

Request for the following to attend the MML Mid Winter Conference in Jackson, MS on 1/14-1/16/2024.

Mayor Tony Ducker - \$799.32

Drew Brickson - \$354.00 + mileage

Motion made by Alderman Bullock, Seconded by Alderman Strickland.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele,

Alderman Strickland, Alderwoman Stringer  
**ORDERS & ORDINANCES**

Request to adopt order promoting the following in the Fire Dept.

Exhibit "E"

Order

Motion made by Alderman Bullock, Seconded by Alderman Strickland.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele,  
Alderman Strickland, Alderwoman Stringer

Request to adopt Ordinance amending Section 510.13 to add the following language:

*In the event sewer service is discontinued based upon nonpayment by a sewer customer, the customer shall have no claim or cause of action based on this ordinance against the (i) City of Petal, (ii) Mayor, (iii) Board of Aldermen, (iv) City Engineer, or (v) the property developer or home builder that constructed the customer's home for damages of any type which arise out of or related to the sewer service being discontinued.*

Died due to lack of a motion.

**MAYOR'S REPORT**

Mr. Eugene Smith passed away recently. Prayers and thoughts are with his family.

Motion to clear the room to see the need for executive session.

Motion made by Alderman Steele, Seconded by Alderman Nobles.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele,  
Alderman Strickland, Alderwoman Stringer

Motion to enter into Executive Session for personnel matters.

Motion made by Alderman Steele, Seconded by Alderman Nobles.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele,  
Alderman Strickland, Alderwoman Stringer

Motion to Adjourn Executive Session.

Motion made by Alderman Steele, Seconded by Alderman Nobles.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele,  
Alderman Strickland, Alderwoman Stringer

No official action was taken in Executive Session.

Request to accept the resignation of Chris Debolt from the Planning Commission effective immediately.

Motion made by Alderman Steele, Seconded by Alderman Nobles.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele,  
Alderman Strickland, Alderwoman Stringer

Request to find that water oak tree between 111 and 113 E 1st Ave is located on an undeveloped roadway owned by the City of Petal and authorize Hattiesburg Tree Service to remove the tree.

Motion made by Alderman Steele, Seconded by Alderman Brickson.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele,  
Alderman Strickland, Alderwoman Stringer

**CONSIDERATION OF COMMITTEE, COMMISSION AND BOARD MATTERS**

**LEGAL**

**ADJOURN**

Motion to adjourn the meeting of the Board of Aldermen in honor of Mr. Eugene Smith.

Motion made by Alderwoman Stringer, Seconded by Alderman Bullock.

Voting Yea: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Steele, Alderman  
Strickland, Alderwoman Stringer



Melissa Martin, City Clerk

Mayor Tony Ducker

CITY OF PETAL  
MINUTE BOOK "39"  
EXHIBIT "A"

Prepared by and return to:  
City of Petal  
P O Box 564  
Petal, MS 39465  
601-545-1776

RESOLUTION

WHEREAS, Section 21-19-11 of the Mississippi Code of 1972, Annotated, authorizes the governing authorities of municipalities to adjudicate the actual cost to the City of Petal for cleaning properties that have been determined to be in such a state of uncleanliness as to be a menace to the public health and safety of the community, and that the owner has failed, after appropriate notice, to clean said property; and

WHEREAS, the following property has been cleaned by the City of Petal on or about the 3<sup>rd</sup> day of October 2024, on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Petal, Mississippi:

Section 1. That the City Board of the City of Petal, Mississippi does hereby adjudicate and direct the placement as an assessment the cleanup cost, not to exceed the value of the property per State Law, against the following described property:

<u>OWNER/LEGAL</u>	<u>ADDRESS</u>	<u>PARCEL NUMBER</u>	<u>CLEAN-UP COST</u>
Barney Hill, Jr.	203 L Central Ave <i>Formerly 203 New Richton Rd</i>	3-0220-36-222.00	\$501.00

*PARCEL # 3-0220-36-222.00, PPIN# 029322  
BEG 30FT N SWC SE1 4 SW1 4N 150FT E 105FT S 150FT W 105FT TO BEG*

Section 2. That public interest and necessity requiring same, this resolution shall become effective immediately from and after passage.

Section 3 A copy of this Resolution will be certified and recorded in the Chancery Clerk's Office of Forrest County, Mississippi and the Forrest County Tax Collector's Office.

The foregoing Resolution having been reduced to writing, the same was introduced by Alderman Nobles. Seconded by Alderman Brickson and was adopted by the following vote, to-wit:

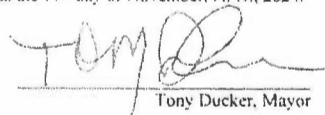
Those present and voting "AYE"

Alderman Drew Brickson  
Alderman Craig Bullock  
Alderman Mike Loft  
Alderman Blake Nobles  
Alderman Gerald Steefe  
Alderman Craig Strickland  
Alderwoman Kim Strickland

Those present and voting "NAY"

NONE

The Mayor hereby declared the motion carried and the Resolution adopted, this the 19<sup>th</sup> day of November, A. D., 2024.

  
Tony Ducker, Mayor

The foregoing instrument was acknowledged before me this the 20<sup>th</sup> day of November 2024 by Mayor Tony Ducker, City of Petal, who is personally known to me or who has produced a valid identification.

  
Melissa Martin, City Clerk



RESOLUTION

A RESOLUTION IN SUPPORT OF AND AUTHORIZATION TO APPLY FOR  
LAND AND WATER CONSERVATION FUNDS THROUGH THE  
MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS  
TO EXPAND WILLIE HINTON PARK WITH AN AGREEMENT TO OBLIGATE THE  
NECESSARY RESOURCES TO COMPLETE THE PROJECT AND SUSTAIN ALL  
PROJECT OUTCOMES

WHEREAS, the City of Petal is desirous of expanding Willie Hinton Park as a way to enhance physical activity and wellness options for its residents, and;

WHEREAS, the State of Mississippi, through the Mississippi Department of Wildlife, Fisheries, and Parks (MDWFP), administers financial assistance for public recreation purposes, through the federal Land and Water Conservation Fund program (LWCF), and;

WHEREAS, the City of Petal desires to seek financial assistance under the Land and Water Conservation Funds; and

WHEREAS, Petal City Council finds that this proposed improvement will significantly further the health, safety and welfare of the citizens of Petal and firmly commits to the expenditure of local resources necessary to complete the project and sustain all project outcomes.

NOW THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF PETAL,  
FORREST COUNTY, MISSISSIPPI:

Section 1 - That the Mayor of the City of Petal is hereby authorized and directed to execute and file an application with the Mississippi Department of Wildlife, Fisheries, and Parks and to provide all information and documentation required to become eligible for possible funding assistance through the federal Land and Water Conservation Fund program.

Section 2 - That the City of Petal further agrees to obligate resources required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Land and Water Conservation Fund.

Section 3 - That it is found and determined that all formal actions of the Board of Aldermen of the City of Petal concerning and relating to the adoption of this Resolution were taken in an open meeting of the Board of Aldermen of the City of Petal and that all deliberations of this City's Board and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including Mississippi Code § 25-41-7.

Section 4-That this Resolution is hereby declared as necessary to advance the preservation of the public health, safety and welfare of the citizens of the City of Petal, and to ratify support of an application for LWCF funds for the year 2025; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

Alderman Brickson made a motion to adopt the foregoing resolution, and the motion was seconded by Alderman Stringer.

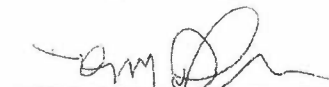
Those present and voting "AYE"


- Alderman Drew Brickson
- Alderman Craig Bullock
- Alderman Mike Lott
- Alderman Blake Nobles
- Alderman Gerald Steele
- Alderman Craig Strickland
- Alderwoman Kim Stringer

Those present and voting "NAY"

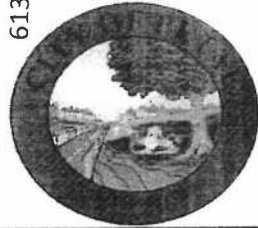
None

The motion to adopt the aforesaid resolution having received the affirmative vote of the majority of the members of the Board of Aldermen. the Mayor declared the motion passed and the resolution adopted on this the 19<sup>th</sup> day of November, 2024.

  
Mayor Tony Ducker

  
Melissa Martin  
City Clerk

613



City Of Petal  
Recreation Department  
605 Hillcrest Loop  
Petal, Ms 39465  
601 - 554 - 5440



Serial/Model #s

- Hotdog Adcraft Model HDS-1200W -S# 07130410162
- Hotdog Adcraft Model HDS-1000W- S# 11201141144
- Hotdog Star Model 355SC-S# H535C030600672
- El Nacho Grande Model 5300-S# NCD 15875
- El Nacho Grande Model 5300- S# NCD 15882
- Gold Medal Popcorn Model 2085CL-S# SC52014
- Snowcone Machine Model 1003
- Gold Medal Warmer S# 40507
- Cub Cadet Billy Goat SHP CSV 220

November 15<sup>th</sup>, 2024

Josh Young  
Director

Katherine Lee  
Assistant Director

CITY OF PETAL

MINUTE BOOK "39"  
EXHIBIT "C"

To: Mayor and Board Members  
Fr: Recreation Director

I am requesting the following items to be disposed of.

- 2 Hula Hoes (hand tool for removing grass on the fields)
- 1 broken batter box
- 1 torn tennis net

I am requesting the following concession items to be sent to auction

- 3 Hotdog Warmers
- 2 Nacho Cheese machines
- 1 Popcorn Machine
- 1 Snow cone Machine
- 1 Warmer
  
- 1 Cub Cadet BillyGoat

Phone:  
(601) 554-5440

Fax:  
(601) 705-0219

Website:  
[www.cityofpetal.com](http://www.cityofpetal.com)

Email:  
[petalrecreation@cityofpetal.com](mailto:petalrecreation@cityofpetal.com)

Josh Young  
Recreation Director

**THIRD AMENDMENT TO  
PROFESSIONAL SERVICE AGREEMENT**

THIS THIRD AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT ("Amendment") is made as of the 19 day of NOV, 2024, between **CLEARWATER SOLUTIONS, LLC** ("Service Provider") and **THE CITY OF PETAL, MISSISSIPPI** ("Customer").

**WHEREAS**, Service Provider and Customer entered into that certain Professional Service Agreement with an Effective Date of October 1, 2022 (the "Agreement") pursuant to which Service Provider agreed to provide certain Services to Customer.

**WHEREAS**, Service Provider and Customer have previously entered into those certain Service Agreement Amendments dated March 27, 2023, and October 18, 2023 (the "Previous Amendments").

**WHEREAS**, the parties desire to amend and modify the Agreement as set forth below.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Service Provider and Customer do hereby agree to amend the Agreement as follows:

1. Defined Terms. All capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to them in the Agreement.
2. Amendments. Buyer and Seller have agreed the Agreement shall be amended as follows:
  - a. The Annual Fee found in Article V, Paragraph 1, of the Agreement, and as modified in the Previous Amendments, shall be increased to \$1,674,312.48 (\$139,526.04 monthly) effective Dec 1<sup>st</sup> 2024 to account for additional labor costs of \$60,000 plus a CPI increase of 2.5% (\$39,373.48).
  - b. Except as modified herein, Article V, Paragraph 2, of the Agreement, which refers to Appendix B of the Agreement, is still in effect.
3. Binding Effect. Except as expressly modified herein, the Agreement remains in full force and effect in accordance with its terms.
4. Counterparts. This Amendment may be executed in counterparts, each of which shall constitute an original, but which, taken together, shall be one original Amendment. Any counterpart of this Amendment may be executed and delivered by electronic transmission and shall have the same force and effect as an original.

**IN WITNESS WHEREOF**, the parties have executed this Amendment to Agreement effective as of the day and year first above written.

**SERVICE PROVIDER:**

**CLEARWATER SOLUTIONS, LLC**  
an Alabama limited liability company

By: \_\_\_\_\_  
Name:  
Its:

**CUSTOMER:**

**THE CITY OF PETAL, MISSISSIPPI**

By: \_\_\_\_\_  
Name: Tony Ducker  
Its: Mayor

CITY OF PETAL  
MINUTE BOOK "39"  
EXHIBIT "D"



ORDER

WHEREAS, THE Mayor and Board of Aldermen of the City of Petal, Mississippi do hereby deem it necessary to promote certain employees in the Fire Department.

IT IS HEREBY ordered that the following are promoted

T J Burkhalter – Battalion Chief @ \$18.5185 per hour

Seth Cox – Captain @ \$16.7378 per hour

Robert McCraw – Lieutenant @ \$15.3133 per hour

Timothy Brown – Lieutenant @ \$15.3133 per hour

IT IS FURTHER ordered that this pay scale shall become effective November 27, 2024.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 19<sup>th</sup> day of November, 2024.

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