



BOARD OF ALDERMEN REGULAR MEETING

January 18, 2022

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 Mike Lott
Alderman Blake Nobles
Alderman Gerald Steele
Alderman Craig Strickland
Alderman Steve Stringer

ABSENT

Alderman Drew Brickson
Alderman Craig Bullock

Invocation offered by Craig Strickland

Pledge of Allegiance was recited.

ADOPT AGENDA

Motion made by Alderman Stringer, Seconded by Alderman Strickland.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

CONSENT AGENDA

Motion made by Alderman Nobles, Seconded by Alderman Stringer.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

- Minutes of the Regular Meeting on January 4, 2022
- December 2021 Revenues & Expenditures
- Proofs of Publication
 - Public Hearing - 405 W Central Ave
 - Public Hearing - 210 W Central Ave
- Privilege License Report of December 2021

PUBLIC COMMENT

Carolyn Jordan - ditch on Short South needs to be cleaned; not just sprayed.

PROCLAMATIONS & RESOLUTIONS

BIDS — QUOTES

OLD BUSINESS

GENERAL BUSINESS

Request to accept Agreement with Shows, Dearman & Waits for multiple water and sewer projects.

Motion made by Alderman Stringer, Seconded by Alderman Steele.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

Request to purchase seven (7) Scott 4500 psi SCBA cylinders at a cost of \$8100.00 per State Contract out of State Rebate Fund.

Motion made by Alderman Stringer, Seconded by Alderman Nobles.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

Request to adjust water services billed to 201 E 7th Ave in the amount of \$258.20 due to a leak.

Motion made by Alderman Stringer, Seconded by Alderman Nobles.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

Request to adjust water services billed to 124 Pine St in the amount of \$103.00 due to a leak.

Motion made by Alderman Steele, Seconded by Alderman Lott.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

Request to approve the conditional use for property located at 210 W Central Ave to allow for the construction of a 9600 sq ft metal building with a front facade of stucco and a (3) foot brick ledge and/or mural on the east side of the building per the Planning Commission recommendation.

Motion made by Alderman Steele, Seconded by Alderman Stringer

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

SEMINARS & TRAVEL

Request for Melissa Martin and Lynn Campfield to attend Municipal Clerk's Spring Conference in Ridgeland, MS on April 27 - 29, 2021. Total cost: \$1302.00 + mileage.

Motion made by Alderman Stringer, Seconded by Alderman Nobles.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

Request for the following to attend SWAT School in Columbia, MS on January 24-28, 2022. Total cost: \$825.00

- Robert Arrazatte
- Cole Morrow
- Ethan Wimberly

Motion made by Alderman Stringer, Seconded by Alderman Lott.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

Request for Amy Heath to attend MACE Training in Ridgeland, MS on February 17 - 18, 2022. Total cost: \$263.00

Motion made by Alderman Lott, Seconded by Alderman Strickland.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

Request for the following to attend MS Pesticide Safety Education Program in Hattiesburg, MS on Feb. 16, 2022. Total cost: \$225.00

- William Criddle
- William Creel
- Phil Hamilton

Motion made by Alderman Stringer, Seconded by Alderman Steele

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

ORDERS & ORDINANCES

Request to adopt order hiring Josh Holder full time in the Police Dept as 2nd Class Patrol at a rate of \$17.49 per hour.

Order

Whereas the Mayor and Board of Aldermen
Of the City of Petal deem it necessary to
Hire a full time police officer

It is hereby ordered that Josh Holder
Be hired full-time as 2nd Class Patrol
At a rate of \$17.49 per hour effective
Jan 26, 2022.

So ordered this the 18th day of January 2022

Motion made by Alderman Stringer, Seconded by Alderman Lott.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

Request to adopt Ordinance prohibiting boring, digging, excavating and trenching without obtaining a permit.

Exhibit "A"

Ordinance 2022 (145)

Ordinance to be effective immediately.

Motion made by Alderman Stringer, Seconded by Alderman Nobles.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer

MAYOR'S REPORT

Hopes to be able to do a yearly paving project in the future.

3% tax is around \$79,000 this month.

Chik Fil A truck is moving next to Keesler Federal Credit Union.

Valerie Wilson thanked the Aldermen for attending the Redevelop Downtown meeting. Follow up meeting will be Jan. 25 at the Civic Center at 4:30.

CONSIDERATION OF COMMITTEE, COMMISSION AND BOARD MATTERS

LEGAL

ADJOURN

Motion made by Alderman Stringer, Seconded by Alderman Nobles.

Voting Yea: Alderman Lott, Alderman Nobles, Alderman Steele, Alderman Strickland, Alderman Stringer



Melissa Martin
Melissa Martin, City Clerk

Tony Ducker

Mayor Tony Ducker

Exhibit "A"

ORDINANCE 2022 (145)

AN ORDINANCE PROHIBITING BORING, DIGGING, EXCAVATING AND TRENCHING WITHIN THE CITY OF PETAL, MISSISSIPPI, WITHOUT OBTAINING A PERMIT

WHEREAS, it is in the best interest of the City of Petal and its citizens' health, safety and welfare that the City of Petal Code of Ordinances provide restrictions governing boring, digging, excavating and trenching within the city's right-of-ways.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, AS FOLLOWS:

SECTION 1: ADOPTION OF ORDINANCE

For the purpose of adopting uniform regulations governing boring, digging, excavating and trenching within the City of Petal, Mississippi's right-of-ways, the following regulations shall take effect immediately upon adoption:

It shall be unlawful for any person to open, excavate, cut, trench, bore, tunnel, undermine or dig or cause to do so in, on, or under any public street, public place or right-of-way for the installation of or for any other purpose without having first obtained a permit from the Petal Building Department in accordance with the provisions of this article and all work performed which relates to such activities shall be performed in compliance with the provisions hereof provided,

PERMIT APPLICATION.

- (1) No permit shall be issued without a completed application obtained from the Petal Building Department. The application should include the following:
 - (a) A detailed description of the size, type, nature and extent of the work or construction to be done.
 - (b) The exact location and approximate area where the anticipated work or construction is expected to occur; all site details must be included.
 - (c) The name and residential or business address and telephone number for the permittee and/or the sub-contractor.
 - (d) The name, address and telephone number for the project manager or person to oversee and/or manage the anticipated work or construction.
 - (e) The requested dates of commencement and completion of the work.
- (2) For new construction, an applicant must submit two (2) sets of project construction plans at the time of filing an application for a permit. A digital submission is also required and can be emailed to: building@cityofpetal.com. The plans will be promptly reviewed and a permit will be issued or denied within five (5) working days after the application has been properly submitted along with the plans.
- (3) Upon issuance of the permit, the applicant must request a utility location from Mississippi One-Call Program (811) which meets requirements of notification. The applicant is responsible for locating all utilities within the area of the proposed work or construction and any damage to other utilities shall be at the sole cost and expense of the applicant or permittee, as the case may be.
- (4) No permit shall be transferable.

EMERGENCY EXEMPTION.

- (1) To be determined by the Petal Public Works Department and/or the Petal Building Department. Emergency exemptions are granted for emergency situations, such as gas leaks or other emergencies that may occur after hours, on weekends or holidays when City offices are closed. The applicant shall be required to obtain the necessary permits and provide documents after the emergency.

FEES.

- (1) Openings or excavations up to one hundred (100) feet – Two hundred dollars (\$200.00);
- (2) Openings or excavations over one hundred (100) feet – Two dollars (\$2.00) per foot for every foot over one hundred (100) feet plus one hundred dollars (\$100).

COMMENCEMENT & COMPLETION OF WORK AFTER PERMIT ISSUANCE.

- (1) Upon issuance of the permit, the following procedures shall be required:
 - (a) The applicant or permittee must contact the proper authorities - Petal Police Department, Petal School District, Petal Public Works and all other agencies that may be affected by the road and/or lane closures.
 - (b) Prior to commencement of any work, the applicant or permittee must contact the City of Petal Public Works Department and arrange for a Water Operator to be on site.
 - (c) If work will take place near a storm drainage or gravity sewer, the applicant or permittee shall certify that there have been no cross bores by videoing before and after the bore and must be submitted to the Petal Building Department on either a jump drive or disk at the expense of the applicant or permittee.
 - (d) All bores/digs must maintain a minimum of ten (10) feet depth unless the permit states otherwise. Also, all bore/digs must use a casing to help protect their line unless the permit states otherwise.
 - (e) The permittee/applicant/on site project manager must have a copy of the permit on the job site at all times.
 - (f) Upon completion of work, the applicant/permittee must contact the Petal Public Works Department to schedule a final inspection of all work performed.
 - (g) Failure to comply with any conditions of this ordinance shall cause for revocation of permit and shall constitute a violation of this ordinance. The City reserves the right to make emergency repairs if deemed required for public safety. The cost of those repairs shall be borne by the permit holder and will be taken from the performance bond if not paid.

BOND REQUIRED.

Every person obtaining a permit shall at the time of receiving the same, make, execute and deliver to the permitting office of the Petal Building Department, a good and sufficient bond, to cover the costs of replacing permanent pavement and any improvements, payable to the city with a surety company doing business in the state as surety thereon, in such amount as the city engineer or his/her designee may require, not less than five thousand dollars (\$5,000.00) nor more than ten thousand dollars (\$10,000.00). Such bond shall be utilized to

repair any necessary damage or lack of sufficient or adequate resurfacing and/or restoration and any surplus shall be returned upon final inspection by the Petal Public Works Department. The applicant or permittee may provide proof of insurance of at least five hundred thousand dollars (\$500,000.00) in lieu of a bond.

RESURFACING, RESTORATION.

Any areas affected by work or construction shall be restored within five (5) business days of completion of work or construction on the property or areas affected thereby so that each such property or area shall, to the best extent possible, be placed in the same or better condition it was in prior to the commencement of work or construction. The permittee shall be responsible for cracks, sinking pavement or settling of same for a period of two (2) years from the date of repair.

VIOLATIONS AND PENALTIES.

Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor. Each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed or permitted. Upon conviction of any such violation, such person shall be punished by a fine of not more than one thousand dollars (\$1,000.00) for each violation. A second violation within a twelve (12) month period shall be punishable by a fine of not more than three thousand dollars (\$3,000) for each violation. Each subsequent violation thereafter, shall be punishable by a fine of not more than five thousand dollars (\$5,000) for each violation.

APPEAL.

A person directly and adversely affected by a decision made in accordance with this ordinance may appeal the decision by filing a written notice of appeal with the Mayor and Board of Aldermen within ten (10) days of the decision/action being appealed. The notice must state the grounds for appeal. The appeal shall be heard by the Mayor and Board of Aldermen within forty-five (45) days from the date the notice of appeal is received.

SECTION 2:

This Ordinance shall take effect and be in full effect and force immediately upon adoption on this day, the 18th of January 2022.

NOW THEREFORE, be it ordained by the Mayor and Board of Aldermen of the City of Petal, Mississippi, that this ordinance be adopted to preserve the general public health, safety, and welfare of the people of the City of Petal, Mississippi as stated above.

The above and 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 Section 1 & 2of the foregoing Ordinance:

ALDERMAN MIKE LOTT
ALDERMAN BLAKE NOBLES
ALDERMAN GERALD STEELE
ALDERMAN CRAIG STRICKLAND
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 MIKE LOTT
ALDERMAN BLAKE NOBLES
ALDERMAN GERALD STEELE
ALDERMAN CRAIG STRICKLAND
ALDERMAN STEVE STRINGER

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

NONE

WHEREUPON, the above and foregoing Ordinance be, and the same is hereby passed, adopted and approved on this the day of January 18th, A.D., 2022.



Melissa Martin
MELISSA MARTIN, CITY CLERK

Tommy Ducker
TONY DUCKER, MAYOR

PUBLISH ONE TIME: FEBRUARY 10, 2022