



## BOARD OF ALDERMEN REGULAR MEETING

July 20, 2021

6:00 PM

Board Room • 119 W 8th Ave, Petal MS

### MINUTES

**PRESENT**

Mayor Tony Ducker  
Attorney Rocky Eaton  
Alderman Drew Brickson  
Alderman Craig Bullock  
Alderman Mike Lott  
Alderman Blake Nobles  
Alderman Gerald Steele  
Alderman Craig Strickland  
Alderman Steve Stringer

Invocation offered by Mike Lott

Pledge of Allegiance Recited

Request to adopt agenda amending to add to Address the development on Williams St as 17 on General business

Motion made by Alderman Steele, Seconded by Alderman Brickson.

Voting Yea: Alderman Brickson, Alderman Nobles, Alderman Steele, Alderman Strickland

Voting Nay: Alderman Bullock, Alderman Lott, Alderman Stringer

Request to approve items on the consent agenda

1. Minutes of the Special Meeting on June 28, 2021.
2. Minutes from the Special Meeting of July 1, 2021.
3. Minutes of the Regular Meeting on July 6, 2021 as written.
4. Business license report for the month of June 2021.
5. Revenue & Expenditures report for the month of June 2021.

Motion made by Alderman Stringer, Seconded by Alderman Nobles.

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

Request to adopt Resolution assessing clean up fees to property located at 210 E Central Ave.

Exhibit "A"

Resolution

Motion made by Alderman Stringer, Seconded by Alderman Steele.

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

Request to adopt resolution assessing clean up fees to property located at 400 Smith St.

Exhibit "B"

Resolution

Motion made by Alderman Stringer, Seconded by Alderman Bullock.

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

Request to adopt resolution assessing clean up fees to property located at 300 W 7th Ave.

Exhibit "C"

Resolution

Motion made by Alderman Bullock, Seconded by Alderman Stringer.

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

Request to adopt resolution assessing clean up fees to property located at 410 Smith St.

Exhibit "D"

Resolution

Motion made by Alderman Nobles, Seconded by Alderman Strickland.

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

Request to adopt resolution assessing clean up fees to property located at 214 E 6th Ave.

Exhibit "E"

Resolution

Motion made by Alderman Bullock, Seconded by Alderman Stringer.

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

Mayor Ducker presented Resolutions from the Property Hearing of July 20, 2021.

Exhibit "F"

Resolutions

105 Dixie Ave

309 Ford Dr

114 Cedar St

206 Walnut Dr

929 Hwy 42

Motion made by Alderman Bullock, Seconded by Alderman Stringer.

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

Request to accept the resignation of Kayla Thompson in the Police Dept. Effective 7/13/2021

Motion made by Alderman Stringer, Seconded by Alderman Bullock.

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

Request to set a Planning Commission hearing date of Aug 10, 2021 at 6:00 p.m. for property located at 804 S Main St.

Motion made by Alderman Bullock, Seconded by Alderman Stringer.

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

Request to adopt Memorandum of Understanding with the Dept of Public Safety for E-ticket system.

Exhibit "G"

MOU

Motion made by Alderman Stringer.

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

Request to donate 2 surplus field chalk markers to Petal Girls Softball Association.

Motion made by Alderman Stringer, Seconded by Alderman Nobles.

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

Request to dispose of misc broken items in the Recreation Dept.

Exhibit "H"

Items

Motion made by Alderman Stringer, Seconded by Alderman Steele.

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

Request for Craig Locke to attend CIT International Conference in Phoenix, AZ. Total cost: \$184.00

Motion made by Alderman Stringer, Seconded by Alderman Bullock.

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

**PUBLIC COMMENT**

Keely Morgan - Community Advisory Committee study on CRISP that will start in October.

Dr. Kutcher - Trauma Surgeon, UMC Jackson; part of a study run by the Dept of Defense. People would be entered into the study without consent due to not having opportunity to get prior consent. Once a person could communicate their desire not to be in the study, their data would be disposed of.

Mike Zaleski - Total Foot Care Clinic; water leak back on Feb 12. Requesting a second adjustment due to leak crossing billing periods.

Motion to authorize an adjustment to water and sewer on the April bill including late fees : Steve, Craig - All

Emily Escolas - visiting parents who live in Petal; three different dogs have come up with growths, concerned about water quality. two different dogs had growths come up later; parents live on Trussell Rd; Barrontown Water

Clear the Room to Determine the need for executive session to discuss personnel issues in the Water Dept.

Motion made by Alderman Bullock, Seconded by Alderman Stringer

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

Enter into executive session to discuss personnel issues in the Water Dept

Motion made by Alderman Bullock, Seconded by Alderman Stringer

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

Adjourn executive session:

Motion made by Alderman Bullock, Seconded by Alderman Stringer

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

Request to accept resignation from Krystle Davis in the Water Dept.

Motion made by Alderman Nobles, Seconded by Alderman Stringer.

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

Request to halt construction on Williams St property until the city can further investigate.

Motion made by Alderman Steele, Seconded by Alderman Brickson.

Voting Yea: Alderman Steele

Voting Nay: Alderman Brickson, Alderman Bullock, Alderman Lott, Alderman Nobles, Alderman Strickland, Alderman Stringer

Request to adjourn meeting.

Motion made by Alderman Stringer, Seconded by Alderman Bullock.

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

There being no further business the Regular Meeting of July 20, 2021 was adjourned.



*Melissa Martin*

Melissa Martin, City Clerk

*Tony Ducker*  
\_\_\_\_\_  
Mayor Tony Ducker

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 uncleanness 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 June 2021, 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>
Love Joy Peace Ministries	210 E Central Ave	3-030B-01-067.00	\$172.64

*BEG 215FT W NEC NW1/4 NW1/4 S 200FTW 50FT N 200FT E 50FT TO BEG  
SEC 01, TWN 04N, RGE 13W*

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 Stringer. Seconded by Alderman Steele and was adopted by the following vote, to-wit:

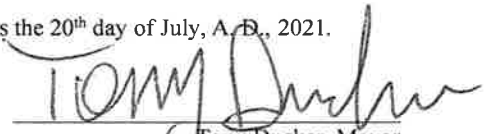
Those present and voting "AYE"

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

Those present and voting "NAY"

NONE

The Mayor hereby declared the motion carried and the Resolution adopted, this the 20<sup>th</sup> day of July, A. D., 2021.

  
Tony Ducker, Mayor

*The foregoing instrument was acknowledged before me this the 21st day of July 2021 by Mayor Tony Ducker, City of Petal, who is personally known to me or who has produced identification.*

  
Melissa Martin, City Clerk



Exhibit "B"

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 June 2021, 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>
Sterlin & Amanda Kuhlmann	400 Smith St	3-030G-01-055.00	\$192.64

*COM AT THE NW/COR OF NW 1/4 OF SW 1/4 S322' E 1135' TO POB EAST 185' S 144'  
W 185' N144' TO POB  
BLOCK 001 SECTION 01 TWN 04N RANGE 13W*

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 Stringer. Seconded by Alderman Bullock and was adopted by the following vote, to-wit:

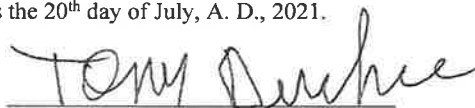
Those present and voting "AYE"

Alderman Drew Brickson  
Alderman Craig Bullock  
Alderman Mike Lott  
Alderman Blake Nobles  
Alderman Gerald Steele  
Alderman Craig Strickland  
Alderman Steve Strickland

Those present and voting "NAY"

NONE

The Mayor hereby declared the motion carried and the Resolution adopted, this the 20<sup>th</sup> day of July, A. D., 2021.

  
Tony Ducker, Mayor

The foregoing instrument was acknowledged before me this the 21<sup>st</sup> day of July 2021 by Mayor Tony Ducker, City of Petal, who is personally known to me or who has produced identification.

  
Melissa Martin, City Clerk



Exhibit "C"

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 uncleanness 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 June 2021, 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>
Jason & Frieda Windham	300 W 7 <sup>th</sup> St	3-030C-02-172.00	\$217.64

*Lot 4 BLK 6 J C HERROD S/D  
BLOCK 006 SECTION 02 TWN 04N RANGE 13W*

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 Bullock. Seconded by Alderman Stringer and was adopted by the following vote, to-wit:

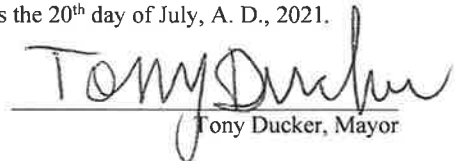
Those present and voting "AYE"

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

Those present and voting "NAY"

NONE

The Mayor hereby declared the motion carried and the Resolution adopted, this the 20<sup>th</sup> day of July, A. D., 2021.

  
Tony Ducker, Mayor

*The foregoing instrument was acknowledged before me this the 21<sup>st</sup> day of July 2021 by Mayor Tony Ducker, City of Petal, who is personally known to me or who has produced identification.*

  
Melissa Martin, City Clerk



Exhibit "D"

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 uncleanness 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 June 2021, 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>
Charles Alfred Creel, Jr	410 Smith St	3-030G-01-056.00	\$287.64
<i>BEG SE COR N1/2 NW 1/4 SW 1/4 N 184FTW 85FT S 250FT E 85FT N 66FT TO BEG BLOCK 001 SECTION 01 TWN 04N RANGE 13W</i>			

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 Strickland and was adopted by the following vote, to-wit:

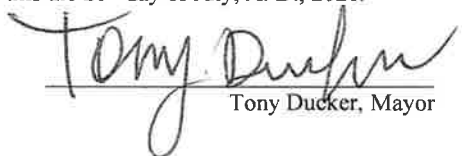
Those present and voting "AYE"

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

Those present and voting "NAY"

NONE

The Mayor hereby declared the motion carried and the Resolution adopted, this the 20<sup>th</sup> day of July, A. D., 2021.

  
Tony Ducker, Mayor

The foregoing instrument was acknowledged before me this the 21<sup>st</sup> day of July 2021 by Mayor Tony Ducker, City of Petal, who is personally known to me or who has produced identification.

  
Melissa Martin, City Clerk



Exhibit "E"

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 July 2021, 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>
Mickel L Dye	214 E 6 <sup>th</sup> Ave	3-030B-01-228.00	\$287.64

*E75FT OF LOTS 9 & 10 BLK 2  
OAK PARK S/D B510 P639 7/82  
PREV#P63760112  
SEC 01, TWN 04N, RGE 13W*

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 Bullock. Seconded by Alderman Stringer and was adopted by the following vote, to-wit:

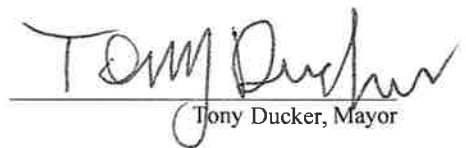
Those present and voting "AYE"

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

Those present and voting "NAY"

NONE

The Mayor hereby declared the motion carried and the Resolution adopted, this the 20<sup>th</sup> day of July, A. D., 2021.

  
Tony Ducker, Mayor

*The foregoing instrument was acknowledged before me this the 21<sup>st</sup> day of July 2021 by Mayor Tony Ducker, City of Petal, who is personally known to me or who has produced identification.*

  
Melissa Martin, City Clerk





Exhibit "F"

RESOLUTION

Resolution finding and determining that the property located at 105 Dixie Ave. in Petal, Mississippi and owned by Robbie Jay Foles, is in such a state of uncleanness as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 105 Dixie Ave., Parcel# 1-35-040.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned.

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED;

SECTION 1.

That the property located at 105 Dixie Ave., Parcel# 3-022N-35-040,00, in Petal, Mississippi is in such a state of uncleanness as to be a menace to the public health and safety of the community, and

SECTION 2.

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11.

SECTION 3.

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 20<sup>th</sup> day of July, 2021 A.D.



*Tony Ducker*  
Tony Ducker, Mayor



*Tony Ducker*  
Tony Ducker, Mayor

RESOLUTION

Resolution finding and determining that the property located at 114 Cedar St in Petal, Mississippi and owned by Thomas Josiah Byrd, is in such a state of uncleanness as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 114 Cedar St., Parcel# 3-031M-07-030.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned.

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED;

SECTION 1.

That the property located at 114 Cedar St., Parcel# 3-031M-07-030.00, in Petal, Mississippi is in such a state of uncleanness as to be a menace to the public health and safety of the community, and

SECTION 2.

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11.

SECTION 3.

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 20<sup>th</sup> day of July, 2021 A.D.



*Tony Ducker*  
Tony Ducker, Mayor

Exhibit "F"

RESOLUTION

Resolution finding and determining that the property located at 206 Walnut Dr in Petal, Mississippi and owned by William Whitfield, is in such a state of uncleanmess as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 206 Walnut Dr., Parcel# 3-030H-01-189.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned.

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED;

SECTION 1.

That the property located at 206 Walnut Dr., Parcel# 3-030H-01-189.00, in Petal, Mississippi is in such a state of uncleanmess as to be a menace to the public health and safety of the community, and

SECTION 2.

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11.

SECTION 3.

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 20<sup>th</sup> day of July, 2021 A.D.



*Melna Mah*  
Melissa Martin, City Clerk

*Tony Ducker*  
Tony Ducker, Mayor

RESOLUTION

Resolution finding and determining that the property located at 929 Hwy 42 in Petal, Mississippi and owned by Alfred & Delores Brown, is in such an unsafe condition as to be a menace to the public health and safety of the community

WHEREAS, due and proper notice has been given to the owners of the property located at 929 Hwy 42., Parcel# 0210-32-002.00 in Petal, Mississippi of a hearing conducted before the Mayor and Board of Aldermen of the City of Petal to determine that said property needs to be cleaned.

WHEREAS, said hearing having been duly and properly held and evidence having been presented, all in conformance with Section 21-19-11 of the Mississippi Code of 1972 as amended,

NOW THEREFORE, BE IT RESOLVED;

SECTION 1.

That the property located at 929 Hwy 42., Parcel# 3-0210-32-002.00, in Petal, Mississippi is in such an unsafe condition as to be a menace to the public health and safety of the community, and

SECTION 2.

That if the owner of said property has not brought the property up to code within ten (10) days, the City of Petal shall, by the use of Municipal Employees or by Contract, proceed to clean the property by exercising its rights under the "Cleaning of Private Property" section of the Mississippi code 21-19-11.

SECTION 3.

That all cost incurred by the Municipality, if any, plus penalty, if any, shall become as assessment against said property, all authorized and permitted pursuant to Section 29-19-11 of the Mississippi Code of 1972, as amended.

SO RESOLVED, on this the 20<sup>th</sup> day of July, 2021 A.D.



ATTEST:  
*Melna Mah*  
Melissa Martin, City Clerk

*Tony Ducker*  
Tony Ducker, Mayor

# Memorandum of Understanding

This Memorandum of Understanding, (hereafter "Agreement"), between the City of Petal Police Dept a local law enforcement agency, (hereafter "LLEA"), with offices located at 127 W. 8th Ave, Petal MS and the Mississippi Department of Public Safety, (hereafter "MDPS"), with offices located at 1900 East Woodrow Wilson Avenue, Jackson, Mississippi 39216, outlines a cooperative agreement by which MDPS will provide an electronic citation application suite, (hereafter "eCitation" or "eCitation Application Suite"), consisting of all components which will or may be provided by MDPS to LLEA.

WHEREAS, MDPS, in conjunction with its contractors, has undertaken the development of an eCitation Applications Suite, which includes the implementation of an electronic citation tracking system, accompanied by other law enforcement information management solutions; and

WHEREAS, MDPS has made provisions to retain the services of contractors and sub-contractors (hereafter collectively "Highway Safety Contractor(s)") to provide development; and implementation of, and training and helpdesk support for, eCitation; and

WHEREAS, LLEA desires to utilize the eCitation Applications Suite being offered;

NOW, THEREFORE, in consideration of the mutual understandings, promises, consideration, and agreements set forth below, the parties hereto agree as follows:

## Period of Performance

This Agreement shall provide for an initial term of one year from the date of the last signature affixed hereto, (hereafter "Initial Term"). This Agreement will automatically renew for subsequent one-year terms, (hereafter "Subsequent Terms").

## Termination

Either party may terminate this Agreement for convenience by written ninety-day notice.

Either party may terminate this Agreement for cause immediately by written notice.

## Commercial Terms

During the Initial Term or Subsequent Terms, the charge to LLEA for use of the eCitation system will be zero dollars (\$0.00). Should funding sources or system cost change, MDPS reserves the right to negotiate a fee with LLEA that will cover the cost, or a portion of the cost, of operating, supporting and upgrading the eCitation Application Suite.

18) LLEA and Court agree to utilize the eCitation application suite for their own internal purposes and not disseminate the software or documentation provided pursuant to this Agreement to any third party.

19) Provide properly formatted and verified local ordinance information, where applicable. LLEA understands that MDPS and/or its contractor(s) may provide technical assistance for the addition of citation codes, brief descriptions, text descriptions or other references for local ordinances or additional cites that might be used by LLEA for other violations, but the determination of legality of these additions will be the responsibility of LLEA or its counsel. In addition, the new violations must be able to be issued onto existing forms currently available in the electronic citation system (shown in Exhibit 2).

20) LLEA and Court agree to abide by all applicable state and federal privacy and security laws, regulations or policies, including FBI-CJIS policies and the Driver Privacy Protection Act (DPPA).

## Agreement Modification or Renegotiation

This Agreement may be modified only by written agreement signed by the parties hereto. Any attempt at oral modification shall be void and of no effect. The parties agree to renegotiate this Agreement if federal and/or state revisions of any applicable laws or regulations make changes in this Agreement necessary.

## Notices

Any notice required or permitted to be given under this Agreement shall be in writing and personally delivered or sent by electronic means, provided that the original of such notice is sent by certified United States mail, postage prepaid, return receipt requested, or overnight courier, with signed receipt, to the party to whom the notice should be given at their business address listed herein.

The MDPS address for notice is:

Sean J. Tindell, Commissioner  
Mississippi Department of Public Safety  
Post Office Box 958  
Jackson, Mississippi 39205  
or successor.

The LLEA address for notice is:

Petal Police Dept  
127 W. 8th Ave.  
Petal, MS 38465

or successor.

## MDPS Responsibilities

MDPS agrees to:

- 1) Notify LLEA immediately if a breach of information technology security has or may have occurred. Examples would include compromised LLEA data due to hacked or compromised system(s), networks, etc.;
- 2) Provide the MDPS Criminal Justice Information System (CJIS) Security Policy and Security Addendum form for LLEA reference and use. MDPS will receive and catalog approved forms;
- 3) Maintain proper licensing of all applications, software and utilities used to deliver the eCitation application suite;
- 4) Through its Highway Safety Contractor(s)
  - a) Provide programming, implementation, training, support and eCitation helpdesk services for the standard products included within the eCitation application suite. Those services specifically exclude hardware, hardware support or on-site services;
  - b) eCitation Software installation, or a link for installation. It will be the responsibility of LLEA to ensure that the software is compatible with all hardware (e.g., printers, card readers, GPS systems, workstations, network equipment, etc.);
  - c) Web services where courts, court vendors or RMS vendors can retrieve ticket data from a website. The URL, username, password and schema for LLEA's ticket data will be provided to vendor(s) at the request of LLEA;
  - d) Account management for eCitation for law enforcement personnel and court clerks (8am-5pm Monday-Friday help desk);
  - e) Software support (8am-5pm Monday-Friday help desk) for the eCitation application suite - no hardware support will be provided (e.g., workstation, printer, card reader, GPS, network equipment, etc.). These issues/questions will need to be addressed to hardware provider or LLEA technology services;
  - f) Training on eCitation Application Suite for LLEA personnel (online training or face-to-face on dates and at sites determined by Highway Safety Contractor(s)). Local agencies will be responsible for any travel costs incurred for training; and
  - g) Training on eCitation Application Suite for court personnel (online training or face-to-face on dates and at sites determined by Highway Safety Contractor(s)). Local agencies will be responsible for any travel costs incurred for training.
- 5) Provide third-line support during regular business hours to Highway Safety Contractor(s);
- 6) Provide account management support; and
- 7) Work with Highway Safety Contractor(s) to obtain approval for adding new charges to the eCitation system.

Notice shall be deemed given when actually received or when refused. The parties agree to promptly notify each other in writing of any change of address.

## Warranties

MDPS provides no warranties to LLEA on the acceptability or usefulness of the products or services offered through this Agreement.

## Waiver

Failure of either party hereto to insist upon strict compliance with any of the terms, covenants, and conditions hereof shall not be deemed a waiver or relinquishment of any similar right or power hereunder at any subsequent time or of any other provision hereof, nor shall it be construed to be a modification of the terms of this Agreement.

## Governing Law

This Agreement shall be construed and governed in accordance with the laws of the State of Mississippi.

## Severability

If any term or provision of this Agreement is prohibited by the laws of the State of Mississippi or declared invalid or void by a court of competent jurisdiction, the remainder of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

## Sovereign Immunity

By entering into this Agreement with LLEA, MDPS does not in any way waive its sovereign immunities or other defenses as provided by law.

## Captions

The captions or headings in this Agreement are for convenience only and in no way define, limit, or describe the scope or intent of any provision or section of this Agreement.

## Other Provisions

The Parties agree no other or special provisions are included or contemplated under this Agreement.

## LLEA Responsibilities

LLEA agrees to:

- 1) Abide by the Mississippi Department of Information Technology Services Enterprise Security Policy, including the prohibition on implementing any form of split-tunneling network protocol while accessing the state network, data or systems;
- 2) Provide all in-car hardware, including: PCs, mounts, Wide Area Network (WAN) and LAN network equipment, printers, card-readers, modems, etc. as well as consumables such as paper, ink, etc., and services such as data network charges;
- 3) Maintain proper licensing of all LLEA software, utilities or applications utilized in association with this agreement;
- 4) Utilize a version of Microsoft Windows™ operating system and service pack with mainstream or extended support XP-Pro™ operating system, Service Pack 3 or higher operating system with latest service pack updates installed in a suitable time period;
- 5) Utilize anti-virus software at all times with a current license, which includes periodic updates that are automatically installed;
- 6) Allow MDPS or their contractors to use personally identifiable information (PII) and non-personally identifiable information (non-PII) from all generated tickets or forms within the eCitation Application Suite for research and statistical purposes;
- 7) Allow MDPS or their contractors to share personally identifiable information (PII) and non-personally identifiable information (non-PII) from all generated tickets or forms within the eCitation Application Suite on an individual driver basis (not bulk data), with other law enforcement agencies, including out-of-state law enforcement agencies, as approved by MDPS;
- 8) Notify MDPS immediately if a breach of IT security has or may have occurred. Examples would include stolen-laptop, system misuse, backed or compromised system(s), networks, etc.;
- 9) Execute a MDPS Security Addendum, as provided in Exhibit 1, for each IT support person and applicable personnel, and file same with the MDPS IT Security Officer;
- 10) Conform to current and future versions of all software and applications developed by Highway Safety Contractor(s) in collaboration with MDPS (no software modifications will be made for LLEAs);
- 11) Conform to the Uniform Traffic Citation tickets and standard forms (content and layout) developed and approved by the State of Mississippi, with the only modification to tickets and forms for LLEAs being the name of LLEA printed at the top of the tickets and forms. No other modifications will be made for LLEAs. (See currently approved tickets and forms in the attached Exhibit 2.)
- 12) Conform to the transfer and court contact date policies developed and approved by the State of Mississippi. These policies include, but may not be limited to, the following:
  - a) Currently, General Affidavit (hereafter "GA") charges will NOT be electronically transmitted to the Court and will require paper submission to the Court;

## Entire Agreement

This Memorandum of Understanding constitutes the entire agreement of the parties with respect to the subject matter contained herein and supersedes and replaces any and all prior negotiations, understandings and agreements, written or oral, between the parties relating thereto.

For the faithful performance of the terms of this Agreement, the parties hereto have caused this Agreement to be executed by their undersigned authorized representatives.

Mississippi Department of Public Safety

By: \_\_\_\_\_  
Authorized Signature

Printed Name: \_\_\_\_\_

Title: Commissioner of Public Safety

Date: \_\_\_\_\_

City of Petal

By: Tony Ducker  
Authorized Signature

Printed Name: Tony Ducker

Title: Mayor

Date: 7/22/2021

- a) For LLEAs appearing to Justice Courts, non-jailed UTC violations will undergo a 7-day hold before being transferred to the Court;
  - c) DUIs must include a Court contact date that is less than 30 days from the issue date; and
  - d) UTCs and GAS must include a Court contact date that is less than 60 days from the issue date.
- 13) Coordinate with its reporting court or its court management vendor (hereafter "Court") to:
- a) Have Court indicate its agreement to be bound by the terms of this Agreement by having the signature of its authorized representative affixed hereto in the space provided below;
  - b) Provide a Court point-of-contact and contact information;
  - c) Specify the Court contact information to be printed on all eCitation-generated tickets;
  - d) Be responsible for pulling ticket data from the standard web service and integrating the data into its management systems;
  - e) Be responsible (Courts) for ensuring all tickets and all needed data fields from the schema are included in its systems and available for transmission to MDPS;
  - f) Be responsible (Courts) for any missing tickets (eCitation helpdesk can be contacted by Court and told to make tickets available again for download, if needed; but, it will be up to the Court to ensure and verify that all tickets are downloaded and that those tickets are not double-entered into its management systems);
  - g) Be responsible (Court staff) for downloading, printing and submitting any required printed copies of citations to MDPS (DUI, fail-to-appear, etc.);
  - h) Agree (Court) to submit ALL citations regardless of judgment to MDPS.
- 14) Provide LLEA and Court usernames to the eCitation helpdesk and notify the eCitation helpdesk immediately when personnel changes or dismissals occur, or when Court contact information changes (e.g., Court name, address, or phone number appearing on tickets) occur.
- 15) Provide first level end-user support and first level technical support to its users and Court personnel;
- 16) Disallow all users sharing access, logins or passwords in any form;
- 17) LLEA and Court agree that, except as noted herein, they will not otherwise copy, translate, modify, adapt, decompile, disassemble, or reverse engineer any of the software provided without the prior written consent of MDPS. All title and proprietary rights, whether tangible or intangible, including but not limited to copyright, trademark, and trade secret rights, in and to the software are retained by MDPS, licensor or the third-party software manufacturer, as applicable. LLEA agrees to reproduce and include all applicable copyright, trademark, and other proprietary rights notices on any copies made of software and documentation provided pursuant to this Agreement.

## Exhibit 1

See attached MDPS Security Addendum.

SECURITY ADDENDUM

CERTIFICATION

I recognize that Mississippi Department of Public Safety information and related data, by its very nature, is sensitive and has potential for great harm if misused. I acknowledge that access to this information and related data is therefore limited to the purpose(s) for which a government agency has entered into the contract incorporating this Security Addendum. I understand that misuse of the system by, among other things, accessing it without authorization, accessing it for an improper purpose, using, disseminating or re-disseminating information received as a result of this contract for a purpose other than that envisioned by the contract, may subject me to administrative and criminal penalties. I understand that accessing the system for an appropriate purpose and then using, disseminating or re-disseminating the information received for another purpose other than execution of the contract also constitutes misuse. I further understand that the occurrence of misuse does not depend upon whether or not I receive additional compensation for such authorized activity. Such exposure for misuse includes, but is not limited to, suspension or loss of employment and prosecution for state and federal crimes.

Signature of Contractor Employee

8/17/2021 Date

Matthew H. Holt Printed Name/Signature of Contractor Representative

8/17/2021 Date

Petal PD Chief of Police Organization and Title of Contractor Representative

Exhibit 2

See attached standard forms used by eCitation.

UNIFORM TRAFFIC TICKET DRIVING UNDER THE INFLUENCE. Agency Code: 9053, Ticket Number: 200098192. Includes fields for driver information, offense details, and officer information.

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UNIFORM TRAFFIC TICKET DRIVING UNDER THE INFLUENCE. Agency Code: 9053, Ticket Number: 200098192. Includes fields for driver information, offense details, and officer information.

NOTICE TO VIOLATOR. The original of this ticket is an eCitation and will be change mailed to you. This ticket may be reviewed at Petal PD. Includes a warning section.

STATE OF MISSISSIPPI - UNIFORM TRAFFIC TICKET. Agency Code: 9053, Ticket Number: 200098192. Includes fields for driver information, offense details, and officer information.

OFFICER'S NOTES. TICKET NUMBER: 200098192. OFFICER'S NOTES WILL PRINT HERE. Includes a warning section.

STATE OF MISSISSIPPI - UNIFORM TRAFFIC TICKET. Agency Code: 9053, Ticket Number: 200098192. Includes fields for driver information, offense details, and officer information.



**PHASE 1: PRE-TEST**

**Behavior:** Confused, Unsteady, Limpy, Swaying, Nervous, Falling, Seemed rushed, Staggering, Other: \_\_\_\_\_

**Balance:** Unsteady, Limpy, Nervous, Falling, Seemed rushed, Staggering, Other: \_\_\_\_\_

**Visible drug debris:** None, On clothing, In vehicle, Other: \_\_\_\_\_

**Weather conditions:** Clear, Windy, Rain, Other: \_\_\_\_\_

**Indication of Drug Use:** Yes, No

**Surface used for field sobriety test:** Flat, Asphalt, Cement, Tile, Dry, Wet, Uneven, Dirt, Grass, Gravel, Wet

**PHASE 2: TEST**

**Physical Impairments:** Yes, No

**LEFT EYE:** Yes, No

**RIGHT EYE:** Yes, No

**Glasses:** Yes, No

**Contacts:** Yes, No

**Equal pupil size:** Yes, No

**Eyes track together:** Yes, No

**Resting nystagmus:** Yes, No

**Vertical nystagmus:** Present, No

**Cannot do test (explain):** N/A

**Other observations/verbal utterances/statements:**

**PHASE 3: POST-TEST**

**INSTRUCTIONS STAGE:** Cannot keep balance? Starts too soon?

**WALKING STAGE:** Misses heel-to-toe, Stops walking, Steps off line, Releases arms

**Actual number of steps taken:** 0

**Improper turn (Describe):** N/A

**Cannot do test (explain):** N/A

**Other observations/verbal utterances/statements:**

**PHASE 4: SUMMARY**

**LEFT:** Sways while balancing, Uses arms to balance, Hops, Puts foot down

**RIGHT:** Sways while balancing, Uses arms to balance, Hops, Puts foot down

**Standing on left foot:** 0 0 0 0

**Standing on right foot:** 0 0 0 0

**Type of footwear:** \_\_\_\_\_

**Cannot do test (explain):** N/A

**Other observations/verbal utterances/statements:**

**PHASE 5: SUMMARY**

**PBT:** Positive result, Negative result, None offered

**Chemical Test(s) Offered:** None offered, Blood, Breath, Other

**Breath:** BRAC: N/A%, Test refused, Test taken

**Blood:** BAC: N/A%, Test refused, Test taken

**Orings present:** N/A

**Narrative:**

**VEHICLE PURSUIT REPORT**

**Officer's Name:** \_\_\_\_\_ **Badge Number:** \_\_\_\_\_

**Agency/Troop:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Officer/Agency Initiating Pursuit:** \_\_\_\_\_

**Reason Pursuit Initiated:** \_\_\_\_\_

**Supervisor Notified:** \_\_\_\_\_

**Number of Units Involved:** \_\_\_\_\_ **Number of Agencies Involved:** \_\_\_\_\_

**List all Primary Agency Officers Involved:** \_\_\_\_\_ **List all Other Agency Officers Involved:** \_\_\_\_\_

**Weather:** Clear, Cloudy, Rain, Fog, Snow/Ice, Other: \_\_\_\_\_

**Time of Day:** Daylight, Dark **Artificial Lighting:** Yes, No

**Average Speed:** \_\_\_\_\_ **Speed Limit:** \_\_\_\_\_

**Volume of Traffic:** None, Light, Heavy

**Violator's Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip Code:** \_\_\_\_\_

**DL Number:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Status:** \_\_\_\_\_

**Vehicle Year & Make:** \_\_\_\_\_

**Reason Violator Fleed:** \_\_\_\_\_

**Charges:** \_\_\_\_\_

**Pursuit Detail of Events**

**Officer's Signature:** \_\_\_\_\_ **Badge #:** \_\_\_\_\_

City of Petal  
Minute Book 38  
Exhibit "G"

Exhibit "H"

**CITY OF PETAL  
PROPERTY LOSS**

DATE: 7-7-21  
DEPT: Recreation  
WERE POLICE CONTACTED?  YES  NO  
KIND OF LOSS: Disposal (ex. fire, auction, stolen, disposal etc.)  
DESCRIPTION OF PROPERTY: Mgg One by Motorola x 2  
PROPERTY # 01817  
SERIAL # 02781N3917 + 02781N8972  
COMMENTS: Broken and does not charge. (old radios)  
DEPT HEAD SIGNATURE: *Bill J...*

PLEASE DELIVER FORM TO MELISSA AT CITY HALL

BOARD APPROVED: \_\_\_\_\_

**CITY OF PETAL  
PROPERTY LOSS**

DATE: 7-221  
DEPT: Recreation  
WERE POLICE CONTACTED?  YES  NO  
KIND OF LOSS: disposal (ex. fire, auction, stolen, disposal etc.)  
DESCRIPTION OF PROPERTY: Iceomatic x 2  
PROPERTY # \_\_\_\_\_  
SERIAL # 11051280012701 - 15031280010336  
COMMENTS: Broken  
DEPT HEAD SIGNATURE: *Bill J...*

PLEASE DELIVER FORM TO MELISSA AT CITY HALL

BOARD APPROVED: \_\_\_\_\_

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