

**MINUTES OF THE RECESSED MEETING  
OF THE MAYOR AND BOARD OF ALDERMEN  
The City of Starkville, Mississippi  
August 18, 2015**

Be it remembered that the Mayor and Board of Alderman met on August 18, 2015 at 5:00 p.m. in the Courtroom of City Hall, located at 101 E. Lampkin Street, Starkville, MS. Present were Mayor Parker Wiseman, Aldermen Ben Carver, Lisa Wynn, David Little, Jason Walker, Scott Maynard, Roy A.' Perkins, and Henry Vaughn, Sr. Attending the Board were Board Attorney Chris Latimer, CAO/CFO Taylor V. Adams, City Clerk Lesa Hardin.

Mayor Parker Wiseman opened the meeting with the Pledge of Allegiance followed by a moment of silence.

Mayor Parker Wiseman asked for any revisions to the Official Agenda.

**REQUESTED REVISIONS TO THE OFFICIAL AGENDA:**

**Alderman Wynn** requested all items removed from the published August 18, 2015 Consent Agenda.

**Alderman Carver** requested the following change to the published August 18, 2015 Agenda:

**Add Item X. A. to Agenda and renumber the Agenda.** Approval of Starkville's Animal Control Ordinance being distributed with Starkville Utility Bills.

**Alderman Wynn** requested the following change to the published August 18, 2015 Agenda:

**Remove Item X. C. from the Agenda and renumber the Agenda.** Discussion and consideration of establishing protocol for citizen comments effective at the first meeting held in the new City Hall.

**Alderman Maynard** requested the following change to the published August 18, 2015 Agenda:

**Add Item XI. G. 1. to Agenda.** Request approval of low quote from Garner Computer for network equipment for the new City Hall building.

**1. A MOTION TO REMOVE ITEM XI. H. 1. REQUEST APPROVAL FOR PARKS DIRECTOR HERMAN PETERS TO ATTEND THE NATIONAL RECREATION AND PARK CONFERENCE IN LAS VEGAS, NV SEPTEMBER 14-17 WITH ADVANCE TRAVEL APPROVED AT A TOTAL COST NOT TO EXCEED \$2,180.00.**

Upon the motion of Alderman Perkins, duly seconded by Alderman Carver, to remove Item XI. H. 1. from the August 18, 2015 Official Agenda, the Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion carried.

The Mayor asked for further revisions to the published August 18, 2015 Official Agenda. No further revisions were requested.

**2. A MOTION TO APPROVE THE OFFICIAL AGENDA.**

Upon the motion of Alderman David Little, duly seconded by Alderman Lisa Wynn, to approve the August 18, 2015 Official Agenda, the Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion carried.

**OFFICIAL AGENDA  
THE MAYOR AND BOARD OF ALDERMEN  
OF THE  
CITY OF STARKVILLE, MISSISSIPPI**

RECESS MEETING OF TUESDAY, AUGUST 18, 2015  
5:00 P.M., COURT ROOM, CITY HALL  
101 EAST LAMPKIN STREET

- I. CALL THE MEETING TO ORDER**
- II. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE**
- III. APPROVAL OF THE OFFICIAL AGENDA**
- IV. APPROVAL OF BOARD OF ALDERMEN MINUTES**

CONSIDERATION OF THE MINUTES OF THE JULY 7, 2015 MEETING  
OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF  
STARKVILLE, MS INCORPORATING ANY AND ALL CHANGES  
RECOMMENDED BY THE CITY ATTORNEY.

**V. ANNOUNCEMENTS AND COMMENTS**

A. MAYOR'S COMMENTS:  
NEW EMPLOYEE INTRODUCTIONS:

B. BOARD OF ALDERMEN COMMENTS:

**VI. CITIZEN COMMENTS**

**VII. PUBLIC APPEARANCES**

A PUBLIC APPEARANCE BY REPRESENTATIVES OF THE GOLDEN TRIANGLE LINK.

PRESENTATIONS FROM THE FOUR FINALIST FOR CITY BENEFIT ADMINISTRATION.

A PUBLIC APPEARANCE BY TOM MCREYNOLDS.

**VIII. PUBLIC HEARING**

A PUBLIC HEARING OF THE CONDITIONAL USE OF A SMALL LOAN BUSINESS AT 831 HIGHWAY 12 WEST, SUITE C

A PUBLIC HEARING ON TERRY PARRISH REZONING FROM C-2 TO T-5 WITH CONDITION.

**IX. MAYOR'S BUSINESS**

A. DISCUSSION AND CONSIDERATION OF AUTHORIZING PAYMENTS FOR THE CITY'S COSTS ON THE LYNN LANE BIKE PATH TO BE PAID FROM BOND PROCEEDS.

B. DISCUSSION AND CONSIDERATION OF AUTHORIZING AN ADDITIONAL \$35,000 IN 2% TAX PROCEEDS TO BE SPENT ON GENERAL PARK IMPROVEMENTS AND UP TO \$100,000 OF ELIGIBLE SALARIES TO BE PAID FROM 2% TAX PROCEEDS.

**X. BOARD BUSINESS**

A. APPROVAL OF STARKVILLE'S ANIMAL CONTROL ORDINANCE BEING DISTRIBUTED WITH STARKVILLE UTILITY BILLS.

B. DISCUSSION AND CONSIDERATION OF THE PROPOSALS FOR BENEFIT PROVISION AND ADMINISTRATION FOR THE CITY OF STARKVILLE, MS.

C. DISCUSSION AND CONSIDERATION OF A NEW FORMAT FOR THE CITY OF STARKVILLE AGENDA COVER SHEET.

D. DISCUSSION AND CONSIDERATION OF BUDGET NEEDS FOR THE CITY OF STARKVILLE MS IN THE FISCAL YEAR 2016.

E. DISCUSSION AND CONSIDERATION OF SETTING PUBLIC HEARING FOR THE PROPOSED FISCAL YEAR 2016 BUDGET AND 2016 TAX MILLAGE RATE.

F. DISCUSSION AND CONSIDERATION OF SANITATION FEES.

G. CONSIDERATION AND APPROVAL OF ALL PARK AND RECREATION PAYROLL, PURCHASING, ACCOUNTS RECEIVABLE, ACCOUNTS PAYABLE, AND ACCOUNT RECONCILIATION BEING CENTRALIZED IN THE CITY CLERK'S OFFICE EFFECTIVE OCTOBER 1, 2015.

**XI. DEPARTMENT BUSINESS**

A. AIRPORT

1. REQUEST APPROVAL TO DECLARE ITEMS AS SURPLUS PROPERTY AND TO SELL SAID ITEMS ON GOVDEALS.COM TO THE HIGHEST BIDDER.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. CODE ENFORCEMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

2. PLANNING

A. REQUEST APPROVAL OF THE TWENTY-ONE LOT BENT BROOK RIDGE FINAL PLAT SUBDIVISION.

B. REQUEST APPROVAL OF FINAL PLAT OF THE FIVE LOT OWENS SUBDIVISION.

C. REQUEST APPROVAL OF PRELIMINARY PLAT OF THE TWO LOT MICHAEL KRACKER SUBDIVISION WITH A CHANGE IN CONDITION.

D. REQUEST APPROVAL OF PRELIMINARY PLAT AND FINAL PLAT APPROVAL OF THE ONE LOT SAPERIOR PATTON SUBDIVISION WITH CONDITIONS ONE, TWO, AND THREE FROM THE JULY 14, 2015 PLANNING AND ZONING MEETING.

E. REQUEST APPROVAL OF THE CONDITIONAL USE OF A SMALL LOAN BUSINESS AT 831 HIGHWAY 12 WEST, SUITE C.

F. REQUEST APPROVAL OF THE TERRY PARRISH REZONING FROM C-2 TO T-5 WITH CONDITION.

G. REQUEST APPROVAL OF RATIFICATION OF IN-KIND SERVICES FOR THE LITTLE STURGIS BIKE RALLY IN THE AMOUNT OF \$1,190.00.

C. COURTS

*THERE ARE NO ITEMS FOR THIS AGENDA*

D. ENGINEERING

1. REQUEST APPROVAL FOR GROUNDSTONE CONSTRUCTION TO INSTALL 2 ADA RAMPS ON COLLEGEVIEW STREET AT A COST NOT TO EXCEED \$4,600.00.
2. REQUEST APPROVAL TO RELOCATE THE SPORTSPLEX BUS STOP TO LYNN LANE AND AUTHORIZATION TO CONSTRUCT A NEW BUS PAD AND SHELTER PAD AT A COST NOT TO EXCEED \$15,000.00.

E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE ELECTRIC DEPARTMENT AS OF AUGUST 14, 2015 FOR FISCAL YEAR ENDING 9/30/15.
2. REQUEST APPROVAL OF THE JULY 31, 2015 FINANCIAL STATEMENTS OF THE CITY OF STARKVILLE.
3. REQUEST APPROVAL BUDGET AMENDMENT NO. 2 FOR THE CITY OF STARKVILLE FOR FISCAL YEAR 2015.
4. REQUEST APPROVAL OF PROPOSED FURNITURE PURCHASE FOR THE NEW MUNICIPAL BUILDING.

F. FIRE DEPARTMENT

1. REQUEST APPROVAL TO HOST THE ANNUAL PINK HEALS FIRE EVENT AND FUN RUN ON OCTOBER 31, 2015.
2. REQUEST APPROVAL TO CALL PUBLIC HEARINGS RELATED TO ESTABLISHMENT OF AN ORDINANCE TO ADDRESS FINES AND PENALTIES FOR OVERCROWDING OF FACILITIES AND STRUCTURES WITHIN THE CITY OF STARKVILLE.
3. REQUEST APPROVAL TO COMPLETE A LEASE/PURCHASE AGREEMENT WITH ALARM SECURITIES, INC. (ASI) FOR AN AMOUNT OF \$288.50 PER-MONTH, FOR A TOTAL OF 24 MONTHS. AT THE END OF 24 MONTHS, THE EQUIPMENT WILL BE PURCHASED FOR A COST OF \$1.00.

G. INFORMATION TECHNOLOGY

1. REQUEST APPROVAL OF LOW QUOTE FROM GARNER COMPUTER FOR NETWORK EQUIPMENT FOR THE NEW CITY HALL BUILDING.

#### H. PARKS

1. REQUEST APPROVAL FOR PARKS DIRECTOR HERMAN PETERS TO ATTEND THE NATIONAL RECREATION AND PARK CONFERENCE IN LAS VEGAS, NV SEPTEMBER 14-17 WITH ADVANCE TRAVEL APPROVED AT A TOTAL COST NOT TO EXCEED \$2,180.00.

#### I. PERSONNEL

1. REQUEST APPROVAL OF EDUCATIONAL ASSISTANCE BENEFITS FOR CODY A. BURNETT AS SET FORTH IN OUR EDUCATIONAL ASSISTANCE POLICY.
2. REQUEST APPROVAL TO HIRE THOMAS JOEL MURPHY TO FILL A VACANT POSITION OF APPRENTICE LINEMAN IN THE UTILITIES DEPARTMENT—ELECTRIC DIVISION AT AN APPRENTICE LINEMAN LEVEL 2 WITH ANNUAL SALARY OF \$38,000.00 (\$18.27 HOUR). SUBJECT TO ONE YEAR PROBATIONARY PERIOD.
3. REQUEST APPROVAL OF STARKVILLE POLICE DEPARTMENT GENERAL ORDER # 107 ESTABLISHING A PART-TIME RESERVE OFFICER PROGRAM AND AUTHORIZATION TO HIRE CANDIDATES TO WORK IN THIS PROGRAM AS SET FORTH IN THE GO.
4. REQUEST APPROVAL TO AUTHORIZE THE UTILITIES DIVISION TO HIRE UP TO FOUR (4) TEMPORARY, PART-TIME EMPLOYEES TO WORK THROUGH THE FALL SEMESTER TO PERFORM LOCATE SERVICES FOR OUR UNDERGROUND UTILITY SERVICES AS PRESENTED.

#### J. POLICE DEPARTMENT

1. REQUEST APPROVAL OF ALLOWING CHIEF NICHOLS AND SHONDA DELOACH (ACCREDITATION MANAGER) TO ATTEND THE 2015 CALEA CONFERENCE IN MIAMI, FL, “WITH ADVANCE TRAVEL AUTHORIZED NOT TO EXCEED \$5,596.37.
2. REQUEST APPROVAL OF ALLOWING CPL., SCOTT LOMAX AND MOMCILO BABIC TO ATTEND SWAT SCHOOL, AUGUST 24-28, 2015 IN PEARL, MS, “WITH ADVANCE TRAVEL AUTHORIZED NOT TO EXCEED \$297.00.
3. A REPORT FROM CHIEF R. FRANK NICHOLS ON STAFFING NEEDS

IN THE POLICE DEPARTMENT AND A REQUEST FOR DISCUSSION AND CONSIDERATION OF THE REPORT.

4. REQUEST APPROVAL OF A MISSISSIPPI OFFICE OF HIGHWAY SAFETY GRANT FOR FISCAL YEAR 2016 IN THE AMOUNT OF \$22,578 FOR POLICE TRAFFIC SERVICE AND AUTHORIZE THE MAYOR TO SIGN ALL NECESSARY DOCUMENTATION.

K. SANITATION DEPARTMENT

1. REQUEST APPROVAL TO PURCHASE TWO (2) EXMARK LAZER MOWERS FROM THE QUOTE RECEIVED FROM POWERSTROKE EQUIPMENT IN THE AMOUNT OF \$15,989.98 (\$7,994.98 EA.) TO BE USED BY SANITATION & ENVIRONMENTAL SERVICES LANDSCAPE DIVISION.
2. REQUEST APPROVAL OF THE PURCHASE A 2015 WOODS BE-1260X EXTREME CUTTER (BUSH-HOG) FROM WADE INCORPORATED IN THE AMOUNT OF \$15,250.00, TO BE USED BY SES – LANDSCAPE DIVISION.

L. UTILITIES DEPARTMENT

1. REQUEST APPROVAL FOR THE MAYOR TO EXECUTE A JOINT WASTEWATER SERVICE AGREEMENT WITH MISSISSIPPI STATE UNIVERSITY AND THE MISSISSIPPI BAPTIST CONVENTION IN ACCORDANCE WITH THE INTERLOCAL AGREEMENT.
2. REQUEST THE ADOPTION OF A RESOLUTION AUTHORIZING THE GOLDEN TRIANGLE PLANNING AND DEVELOPMENT DISTRICT TO PREPARE AND SUBMIT A MISSISSIPPI CAPITAL IMPROVEMENTS REVOLVING LOAN PROGRAM (CAP) APPLICATION FOR STARKVILLE, MISSISSIPPI.
3. REQUEST AUTHORIZATION TO PURCHASE A NEW FORD F-150 XL UNDER STATE CONTRACT FOR STARKVILLE UTILITIES AT A COST NOT TO EXCEED \$28,500.
4. REQUEST THE ADOPTION OF A RESOLUTION AUTHORIZING AND APPROVING A LOAN ON BEHALF OF THE CITY FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY (THE "DEPARTMENT") FOR THE PURPOSE OF COMPLETING CAPITAL IMPROVEMENTS.

**XII. CLOSED DETERMINATION SESSION**

**XIII. OPEN SESSION**

**XIV. EXECUTIVE SESSION**

A. PERSONNEL

B. POTENTIAL LITIGATION

**XV. OPEN SESSION**

**XVI. ADJOURN UNTIL SEPTEMBER 1, 2015 @ 5:00 IN THE COURT ROOM AT CITY HALL LOCATED AT 101 EAST LAMPKIN STREET.**

*The City of Starkville is accessible to persons with disabilities. Please call the ADA Coordinator, Joyner Williams, at (662) 323-2525, ext. 121 at least forty-eight (48) hours in advance for any services requested.*

**3. CONSIDERATION OF THE MINUTES OF THE JULY 7, 2015 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS INCORPORATING ANY AND ALL CHANGES RECOMMENDED BY THE CITY ATTORNEY**

Upon the motion of Alderman Little, duly seconded by Alderman Maynard, to approve the minutes of the July 7, 2015 meeting of the Mayor and Board of Aldermen of the City of Starkville, MS incorporating any and all changes recommended by the City Attorney, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**ANNOUNCEMENTS AND COMMENTS:**

**MAYOR'S COMMENTS:**

Mayor Wiseman introduced the following new employee:  
Riccardo Moore – Street Dept.

**BOARD OF ALDERMEN COMMENTS:**

**4. CONSIDERATION OF INSCRIPTION ON CITY PLAQUE AT MUNICIPAL BUILDING.**

Alderman Perkins discussed the history of City plaques and noted the current CAO, Taylor Adams, name is listed on the new parking garage plaque. He then offered a motion that the name of Lynn Spruill be inscribed and reflected on the cornerstone / plaque to be located in or on the new Municipal

Complex building in the City of Starkville; and, that said cornerstone / plaque shall reflect that she was the Chief Administrative Officer for the City during the 2009 – 2014 term, being the term that said building was approved by the Board of Aldermen. Following a second by Alderman Little, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

Alderman Perkins then recognized Alderman Wynn for her recent Certified Municipal Officer designation at the MML Conference.

Alderman Little congratulated the Starkville Little League team that recently won the State tournament.

Alderman Wynn read a letter from Juliette Weaver Reese offering her resignation from the School Board effective immediately.

## **5. MOTION TO ADVERTISE VACANT SCHOOL BOARD POSITION.**

Alderman Wynn offered a motion to advertise the vacant school board position that Juliette Weaver Reese previously held and to receive applications until 5 p.m. September 4, 2015 and for applications to be considered at the September 15 meeting. Alderman Carver seconded with the Board voting as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Nay

Having received a majority affirmative vote, the Mayor declared the motion passed.

### **CITIZEN COMMENTS:**

Alvin Turner, Ward 7, stated that there are concerns since the school consolidation that some students are not getting home until late. He also believes in freedom of speech.

Jacqueline Tate, Ward 6, presented a letter stating her water bill was too high. Alderman Perkins asked that the CAO speak with Starkville Utilities and report back to him by the end of the week.

Chris Taylor, stated that the Park Director does not set the location of the National Park Convention and that he felt he should be allowed to attend in order to gain job knowledge.

Mary Ann Jones, Ward 4, stated she felt professional conferences should be allowed.

Rodney Lincoln, on behalf of the Sturgis Motorcycle Rally, thanked the City for their assistance during

the recent rally events.

Lynn Spruill, Ward 3, reported she had done research and feels Mr. Alvin Turner has been coming to Starkville Board meetings since 1975 and that it is a wonderful opportunity for citizens to express themselves.

Sandra Sistrunk, Ward 2, expressed concern that a proposed budget has not been posted to the City website. She also asked the Board to consider bonds being divided between the City and County and to consider jobs created as a percentage.

Dorothy Issac, asked each Board member to give careful consideration to the next school board appointment.

### **PUBLIC APPEARANCES:**

#### **PUBLIC APPEARANCE BY REPRESENTATIVES OF THE GOLDEN TRIANGLE LINK.**

Joe Max Higgins presented an update of the Innovation Park District and potential sites. A site has been located since the last site did not materialize. The LINK hopes to present solid plans in October and asked that the City include initial costs for an Innovation Park District in the Fiscal Year 16 budget. It was suggested they were close enough to a presentation that the City should consider raising the tax milage rate to fund a bond payment for the project.

#### **PRESENTATIONS FROM THE FOUR FINALIST FOR CITY BENEFIT ADMINISTRATION.**

Mayor Wiseman thanked the four groups for their interest in serving the City and asked that, as a courtesy, the ones not being interviewed leave the room when they are not being interviewed. They then offered presentations in alpha order.

Bancorp South. Kyle Bailey discussed what Bancorp South Insurance offered in the line of communications, enrollment, experience, employee services, etc. Questions were asked by the Aldermen and Mayor.

Integrity Group. Debbie Joudon introduced the team of Integrity Group and what each offered the City in services. Questions were asked by the Mayor and Aldermen.

#### **6. A MOTION TO ENTER INTO A CLOSED SESSION TO DETERMINE IF THERE IS PROPER CAUSE FOR EXECUTIVE SESSION.**

There came for consideration the matter of entering a closed session to determine if there is a proper cause for executive session. Upon the Motion of Alderman Wynn, duly seconded by Alderman Little, to enter into a Closed Session to determine if there is proper cause for Executive Session, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea

Alderman Roy A'. Perkins                      Voted: Yea  
Alderman Henry Vaughn, Sr.                Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.  
The Board entered closed session.

## **7. A MOTION TO RETURN TO OPEN SESSION.**

Upon the motion of Alderman Little, duly seconded by Alderman Wynn, to return to Open Session, the Board voted as follows:

Alderman Ben Carver                      Voted: Yea  
Alderman Lisa Wynn                        Voted: Yea  
Alderman David Little                    Voted: Yea  
Alderman Jason Walker                   Voted: Yea  
Alderman Scott Maynard                Voted: Yea  
Alderman Roy A'. Perkins               Voted: Yea  
Alderman Henry Vaughn, Sr.            Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

The Mayor invited the public back in and then announced that the Board had elected not to go in executive session.

Alderman Wynn presented the insurance quotes:

Present plan: \$ 1,873,538  
Bancorp:        \$ 1,731,299  
Regions:        \$ 1,709,218  
Integrity:      \$ 1,858,686  
Galloway:      (did not quote)

Discussion followed as to possible reasons for the differences in quotes.

Regions Insurance. Mickey Watkins and Preston Francis presented the levels of expertise they felt they had to offer. The agency currently serves 31 self-funded accounts. They discussed the legal requirements of the new Health Care laws and how they felt they could save the City more through analysis of re-insurance costs.

Galloway Chandler McKinney Insurance. Jimmy Galloway represented the firm along with William Hilburn, manager of the Starkville office. They did not submit a numerical quote because they felt that the focus should be on a strong trustworthy agent who will then shop for coverage for the City. They then discussed ways they could assist the City and answered questions from the Mayor and Board.

The Mayor thanked all agents for their presentations.

## **PUBLIC APPEARANCE BY TOM MCREYNOLDS.**

Dr. Tom McReynolds thanked the community for their help with the recent little league team trip to Waco for the baseball tournament. Dr. McReynolds, along with the two other coaches, were asked to give their thoughts on Starkville's park program. They noted the potential and profit tournaments would

bring to the Starkville area. They noted it would not take long to develop a regular tournament rotation if Starkville had the park facilities needed because of the area hotels and restaurants.

**PUBLIC HEARINGS:**

**PUBLIC HEARING OF THE CONDITIONAL USE OF A SMALL LOAN BUSINESS AT 831 HIGHWAY 12 WEST, SUITE C.**

Buddy Sanders presented the conditional use request of Lendmark Financial Services, LLC.. The business would be located between a cash advance business and a wine/liquor store. The Mayor then opened the floor for citizen comments.

Alderman Carver asked how this is similar to other loan companies. Sonya Collier, the manager of the proposed business stated the business would not issue title loans or payday loans. When asked she noted the current loan rate to be 17 % - 23 % and that rates are based on rates set by the State.

Following some additional discussion, Mayor Wiseman called for additional comments. There being none, the Mayor closed the Public Hearing.

**PUBLIC HEARING ON TERRY PARRISH REZONING FROM C-2 TO T-5 WITH CONDITION.**

Saunders Ramsey of Neel Schaffer Engineers presented a rezoning request, on behalf of Terry Parrish, to rezone 1.08 +/- acres from C-2 General Business to t-5 at the northeast intersection of Jackson Street and the Kansas City Southern Rail Road. The Mayor then opened the floor for citizen comments.

Discussion and questions from Aldermen followed. Mayor Wiseman then called for additional comments. There being none, the Mayor closed the Public Hearing.

**8. CONSIDERATION OF AUTHORIZING PAYMENTS FOR THE CITY'S COSTS ON THE LYNN LANE BIKE PATH TO BE PAID FROM BOND PROCEEDS.**

Mayor Wiseman presented the background of the Lynn Lane project and asked that \$120,000 - \$180,000 needed as a match from the City be paid from bond proceeds to insure all money will be spent by the 2018 deadline. Upon the motion of Alderman Wynn, duly seconded by Alderman Maynard, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**9. DISCUSSION AND CONSIDERATION OF AUTHORIZING AN ADDITIONAL \$35,000 IN 2% TAX PROCEEDS TO BE SPENT ON GENERAL PARK IMPROVEMENTS AND UP TO \$100,000 OF ELIGIBLE SALARIES TO BE PAID FROM 2% TAX PROCEEDS.**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Maynard, to authorize an additional \$35,000 in 2% tax proceeds to be spent on general park improvements and up to \$100,000 of eligible salaries to be paid from 2% tax proceeds the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

#### **10. CONSIDERATION OF PLACING A COPY OF STARKVILLE'S ANIMAL ORDINANCE IN THE UTILITY BILLS.**

Upon the motion of Alderman Little, duly seconded by Alderman Wynn to place a copy of Starkville's Animal Ordinance in the upcoming utility bills, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

#### **11. DISCUSSION AND CONSIDERATION OF THE PROPOSALS FOR BENEFIT PROVISION AND ADMINISTRATION FOR THE CITY OF STARKVILLE, MS.**

Alderman Lisa Wynn offered a motion to award the Benefit Services and Administration contract to The Integrity Group, and that the Mayor be authorized to sign any and all documentation related to this award following the review and approval of the contract by the City Attorney, and moved that open enrollment occur at a time agreed upon by the agent and City administration. Alderman Carver seconded the motion.

At this time the Mayor offered comments thanking the Board and Staff for the diligence taken in selecting an insurance agent for the City. He then recommended Regions Insurance Agency based on scoring, costs and presentation and promised to Veto if the motion on the table passed. Alderman Wynn withdrew her motion at this time.

Alderman Perkins then offered a motion to table the item to allow additional time for review. Alderman Wynn seconded and the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Nay
Alderman Jason Walker	Voted: Nay

Alderman Scott Maynard Voted: Nay  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Nay

Having not received a majority affirmative vote, the Mayor declared the motion failed.

Alderman Walker offered a motion to award the Benefit Services and Administration contract to Regions Insurance Agency, and that the Mayor be authorized to sign any and all documentation related to this award following the review and approval of the contract by the City Attorney, and moved that open enrollment occur at a time agreed upon by the agent and City administration. Alderman Little seconded the motion. Alderman Walker stated he felt all groups offered adequate insurance coverage but the Regions group offered the best price for the same coverage. The Board then voted as follows:

Alderman Ben Carver Voted: Nay  
Alderman Lisa Wynn Voted: Nay  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Nay  
Alderman Henry Vaughn, Sr. Voted: Nay

Having not received a majority affirmative vote, the Mayor declared the motion failed.

Alderman Lisa Wynn then offered a motion to award the Benefit Services and Administration contract to The Integrity Group, and that the Mayor be authorized to sign any and all documentation related to this award following the review and approval of the contract by the City Attorney, and moved that open enrollment occur at a time agreed upon by the agent and City administration. Alderman Carver seconded the motion.

The Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Nay  
Alderman Jason Walker Voted: Nay  
Alderman Scott Maynard Voted: Nay  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

## **12. CONSIDERATION OF A NEW FORMAT FOR THE CITY OF STARKVILLE AGENDA COVER SHEET.**

Upon the motion of Alderman Wynn, duly seconded by Alderman Perkins. to use the new Starkville Agenda Cover Sheet, as presented below, at the first meeting of the Mayor and Board in the new Municipal Complex. The Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea

Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**Mayor**  
Parker Wiseman

**Vice Mayor**  
Roy A'. Perkins

**Board of Aldermen**  
Ben Carver  
Lisa Wynn  
David Little  
Jason Walker  
Scott Maynard  
Henry Vaughn, Sr.

**Chief Administrative Officer**  
Taylor Adams

**City Attorney**  
Chris Latimer

**City Clerk**  
Lesa Hardin



**Police Chief**  
R. Frank Nichols

**Fire Chief**  
Charles Yarbrough

**Human Resources Director**  
Randy Boyd

**City Planning & Community Development**  
W. Buddy Sanders

**City Engineer**  
Edward Kemp

**Utilities General Manager**  
Terry Kemp

**Court Administrator**  
Tony Rook

**Technology Director**  
Joel Clements, Jr.

**Park and Recreation Director**  
Herman Peters

**Sanitation Director**  
Emma Gandy

# OFFICIAL ELECTRONIC PACKET

**CITY OF STARKVILLE, MISSISSIPPI**

**MAY 19, 2015**

**13. DISCUSSION AND CONSIDERATION OF BUDGET NEEDS FOR THE CITY OF STARKVILLE MS IN THE FISCAL YEAR 2016.**

Alderman Maynard discussed the need for additional police officers, an additional I T person, an annexation study, a police receptionist, and many other needs that there was not any extra money for in this budget. A copy of the proposed budget will be distributed and placed on the website soon.

**14. DISCUSSION AND CONSIDERATION OF SETTING PUBLIC HEARING FOR THE PROPOSED FISCAL YEAR 2016 BUDGET AND 2016 TAX MILLAGE RATE.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Little, to table the setting of Public Hearing dates, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**15. DISCUSSION AND CONSIDERATION OF SANITATION FEES.**

Alderman Maynard distributed a page of needs of the sanitation department. Revenue options were discussed as well as the need for a new street sweeper. Alderman Maynard then offered a motion, effective October 1, 2015, to adopt increases of \$5.00 monthly for commercial small business collections, \$2.00 optional recycling fee inclusive of once a week pickup, and \$.75 monthly increase for residential collection. Alderman Vaughn seconded the motion. Discussion followed as to working with local groups to encourage recycling and not let the new fee discourage recycling. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**16. CONSIDERATION AND APPROVAL OF ALL PARK AND RECREATION PAYROLL, PURCHASING, ACCOUNTS RECEIVABLE, ACCOUNTS PAYABLE, AND ACCOUNT RECONCILIATION BEING CENTRALIZED IN THE CITY CLERK'S OFFICE EFFECTIVE OCTOBER 1, 2015.**

Upon the motion of Alderman Little, duly seconded by Alderman Vaughn, to approval of all Park and Recreation purchasing, accounts receivable, accounts payable, and account reconciliation being

centralized in the City Clerk's Office effective October 1, 2015 and the payroll to remain at McMurray, CPAs until December 31, 2015 at which time all Park records will be processed in the City Clerk's office. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**17. REQUEST APPROVAL TO DECLARE CERTAIN AIRPORT ITEMS AS SURPLUS PROPERTY AND TO SELL SAID ITEMS ON GOVDEALS.COM TO THE HIGHEST BIDDER.**

Alderman Vaughn offered a motion, duly seconded by Alderman Little, to declare as surplus property and request approval to advertise the sale of the following items on GovDeals.com:

1. M-B COMPANY INC. MODEL ARMT 8' PTO DRIVEN ROTARY BROOM SN: 12-8523
2. FORD SERIES 954 5' BUSHOG SN: WM45168

The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**18. REQUEST APPROVAL OF THE TWENTY-ONE LOT BENT BROOK RIDGE FINAL PLAT SUBDIVISION.**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Wynn, to approve FP 15-11, the Final Plat request by Garden Properties, LLC for the Bent Brook Ridge 21 lot single family subdivision, the Board voting as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Absent
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**19. REQUEST APPROVAL OF FINAL PLAT OF THE FIVE LOT OWENS SUBDIVISION.**

Alderman Vaughn offered a motion to approve FP 15-12, the Final Plat for a five lot subdivision by Habitat for Humanity. Alderman Wynn seconded with the Board voting as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Nay

Having received a majority affirmative vote, the Mayor declared the motion passed.

**20. REQUEST APPROVAL OF PRELIMINARY PLAT OF THE TWO LOT MICHAEL KRACKER SUBDIVISION WITH A CHANGE IN CONDITION.**

Upon the motion of Alderman Vaughn to approve PP 15-11, a Preliminary Plat for a two lot subdivision by Michael Kracker, with condition number six on the July 7, 2015 Kracker Rezoning be changed to "Rezoning of property contingent upon a lot subdivision. Subdivision process shall begin within six months of approval date." Alderman Walker seconded the motion and the board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**21. REQUEST APPROVAL OF PRELIMINARY PLAT AND FINAL PLAT APPROVAL OF THE ONE LOT SAPERIOR PATTON SUBDIVISION WITH CONDITIONS ONE, TWO, AND THREE FROM THE JULY 14, 2015 PLANNING AND ZONING MEETING.**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Wynn, to approve PP 15-10 and FP 15-10, a Preliminary and Final Plat request for a one lot subdivision by Saperior Patton with conditions one, two, and three from the July 14, 2015 planning and zoning meeting, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**22. REQUEST APPROVAL OF THE CONDITIONAL USE OF A SMALL LOAN BUSINESS AT 831 HIGHWAY 12 WEST, SUITE C.**

Following some discussion, Alderman Little offered a motion to approve CU 15-06: Conditional Use request for a small loan business by Lendmark Financial Services, LLC at 831 Highway 12 West, Suite C. Alderman Wynn seconded and the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Nay
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

Having received a majority affirmative vote, the Mayor declared the motion passed.

**23. REQUEST APPROVAL OF THE TERRY PARRISH REZONING FROM C-2 TO T-5 WITH CONDITION.**

Alderman Walker offered a motion, seconded by Alderman Vaughn, to approve RZ 15-04: Rezoning request by Terry Parrish to rezone 1.08 +/- acres from C-2 General Business to t-5 at the northeast intersection of Jackson Street and the Kansas City Southern Rail Road - subject properties are 102A-00-014.00, 102A-00-015.00, and 102A-00-016.00 with the condition that buildings to be used as residential on the first floor shall be accessed from the street. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**24. REQUEST APPROVAL OF RATIFICATION OF IN-KIND SERVICES FOR THE LITTLE STURGIS BIKE RALLY IN THE AMOUNT OF \$1,190.00.**

Upon the motion of Alderman Little, duly seconded by Alderman Vaughn, to approve the ratification of support for the Little Sturgis Bike Rally with in-kind services of \$1,190 provided by Sanitation and Environmental Services, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea

Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**25. REQUEST APPROVAL FOR GROUNDSTONE CONSTRUCTION TO INSTALL 2 ADA RAMPS ON COLLEGEVIEW STREET AT A COST NOT TO EXCEED \$4,600.00.**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Walker, to approve the installation of two (2) ADA ramps on Collegeview Street by Groundstone Construction at a cost not to exceed \$4,600, the Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**26. REQUEST APPROVAL TO RELOCATE THE SPORTSPLEX BUS STOP TO LYNN LANE AND AUTHORIZATION TO CONSTRUCT A NEW BUS PAD AND SHELTER PAD AT A COST NOT TO EXCEED \$15,000.00.**

Alderman Vaughn offered a motion to approve the relocation of the Sportsplex Bus Stop to Lynn Lane and authorization to construct a new bus pad and shelter pad at a cost not to exceed \$15,000. This new bus stop will prevent the SMART buses from entering the Sportsplex parking lot and damaging the asphalt. The new bus stop will be adjacent to Lynn Lane and will provide a sidewalk connection to the newly constructed Lynn Lane multi-use path. Alderman Wynn seconded the motion and the Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**27. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS AS OF AUGUST 14, 2015 FOR FISCAL YEAR ENDING 9/30/15.**

Upon the motion of Alderman Vaughn to move approval of the City of Starkville Claims Docket for all departments as of August 14, 2015 for fiscal year ending 9/30/15, duly seconded by Alderman Little, the Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea

Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Nay  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

General Fund	001	\$ 346,264.13
Restricted Police Fund	002	145.80
Airport Fund	015	5,770.65
Restricted Airport	016	788.00
Sanitation	022	60,618.46
Landfill	023	3,772.59
Computer Assessments	107	19,088.29
Parking Mill Project	311	140,734.46
Park and Rec Tourism	375	9,349.56
Water/Sewer	400	243,008.24
Sub Total Before SED	Sub	\$ 829,540.18
Electric Dept	SED	997,063.10
Total Claims	Total	\$1,826,603.28

**28. REQUEST APPROVAL OF THE JULY 31, 2015 FINANCIAL STATEMENTS OF THE CITY OF STARKVILLE**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Walker, to approve the July 31, 2015 financial statements of the City of Starkville, the Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**29. REQUEST APPROVAL BUDGET AMENDMENT NO. 2 FOR THE CITY OF STARKVILLE FOR FISCAL YEAR 2015.**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Little, to approval Budget Amendment No. 2 for the City of Starkville for fiscal year 2015, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

<u>Account</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Park2%-Restrooms	375-000-260-081		55,000.00
Rent - Garan	001-000-341-602		10,000.00
Civil Defense	001-290-918-805	10,000.00	
Park Fund – 2%	375-551-907-942	55,000.00	
Court Supplies	001-110-501-200	2,000.00	
Court Equipment	001-110-604-330		2,000.00
Youth Court Phone	001-111-604-330	850.00	
Urban Youth Grant	001-142-600-339	15,000.00	
Dpty Clerk Education	001-145-481-140	2,500.00	
Equip Repair/Maint	001-145-600-303		2,500.00
Seatbelt Grant Supplies	001-204-540-235	289.00	
Police Uniforms	001-201-535-233	15,000.00	
Police Copier	001-201-635-369	2,000.00	
Seatbelt Grant	001-204-540-235		220.00
Prisoner Expense	001-215-541-237		2,000.00
Firing Range	001-237-545-238	1,000.00	
Homeland Sec Grant	001-000-230-048		58,267.00
Homeland Equipment	001-293-918-805	14,000.00	
DUI Vehicle	002-251-740-570	11,000.00	
Traffic Lights	001-600-721-813	10,000.00	
Accident Rpt Fees	001-000-358-622		3,000.00
Sign Permits	001-000-223-024		2,000.00
Inspection Fees	001-000-223-019		2,000.00
Telepak Franchise	001-000-206-666		1,652.00
Okt Co Road Tax	001-000-262-103		35,000.00
Street Repair Supplies	001-301-555-250	25,000.00	
Street Drainage Maint	001-301-561-271	10,000.00	

**30. REQUEST APPROVAL OF PROPOSED FURNITURE PURCHASE FOR THE NEW MUNICIPAL BUILDING.**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Maynard, to authorize the purchase of furniture at State Contract or below pricing for the new Municipal Building as presented, the Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Absent  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**31. REQUEST APPROVAL TO HOST THE ANNUAL PINK HEALS FIRE EVENT AND FUN RUN ON OCTOBER 31, 2015.**

Alderman Vaughn offered a motion to allow the SFD to host the annual Pink Heals event on 10-31-2015 which will consist of a 1 mile fun run and 5 k run. Alderman Wynn seconded with the Board voting as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Absent  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**32. REQUEST APPROVAL TO CALL PUBLIC HEARINGS RELATED TO ESTABLISHMENT OF AN ORDINANCE TO ADDRESS FINES AND PENALTIES FOR OVERCROWDING OF FACILITIES AND STRUCTURES WITHIN THE CITY OF STARKVILLE.**

Alderman Vaughn offered a motion to approve the request of the Fire Chief to call public hearings related to establishment of an ordinance to address fines and penalties for overcrowding of facilities and structures within the City of Starkville. Alderman Maynard seconded with the Board voting as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Absent  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**PROPOSED ORDINANCE NUMBER 2015-\_\_\_\_\_**

**AN ORDINANCE ESTABLISHING FINES AND PENALTIES FOR OVERCROWDING OF FACILITIES & STRUCTURES WITHIN THE CITY OF STARKVILLE, MISSISSIPPI**

**WHEREAS,** The Mayor and Board of Alderman are authorized to take all action as may be necessary and proper to preserve the general health, safety and welfare of the people of the City of Starkville, Mississippi; and

**WHEREAS,** the Starkville Fire Department has witnessed the overcrowding of facilities and structures which threaten the health, safety and welfare of the people of the City of Starkville, and

**WHEREAS,** the Mayor and Board of Aldermen find that it is reasonable and necessary to establish fines and penalties to solve the continuing problem of overcrowding, and find that this ordinance will help to preserve the general health, safety and welfare of the people of Starkville, Mississippi.

**NOW THEREFORE, BE IT ORDAINED,** by the Mayor and Board of Aldermen of the City of Starkville:

**Section 1: Definitions:**

The following words and terms when used in this ordinance are intended to mean and shall mean as follows:

- a. **Approved Counter-** A device that is capable of keeping track of the number of customers, staff, and patrons that enter and exit an establishment.
- b. **Fire Code Official-** The fire chief or other designated authority charged with the administration and enforcement of the code, or a duly authorized representative.
- c. **Occupancy Load-** The number of persons for which the means of egress of a building or portion thereof is designed.
- d. **Overcrowding-** A condition that exists when either there are more people in a building, structure or portion there-of than have been authorized or posted by the Fire Code Official, or when the Fire Code Official determines that a threat exists to the safety of the occupants due to persons sitting and/or standing in locations that may obstruct exits or other components of the means of egress.
- e. **Owner-** A corporation, firm, partnership, association, organization and any other group acting as a unit, or a person who has legal title to any structure or premises with or without actual possession thereof, and shall include the duly authorized agent or attorney, purchaser, devisee, fiduciary and any person having a vested or contingent interest in the premises in question.
- f. **Means of Egress-** A continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or structure to a public way. A means of egress consists of three separate and distinct parts: the exit access, the exit and the exit discharge.
- g. **Unsafe Condition-** Structures or existing equipment that are or become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance.

**Section 2: Overcrowding prohibited:**

- a. It shall be unlawful for the overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof. The fire code official, upon finding any

passageways or other means of egress blocked, or upon finding any condition which constitutes overcrowding, or a life safety hazard shall be authorized to fine the business, evacuate, and/or cause the event to be stopped.

- b.** It shall be unlawful for any business, person, or entity to mislead the fire code official about the number of people occupying any portion of the business or establishment. The fire code official, upon finding the number of occupants that was given to be false, will be authorized to fine the business or entities, evacuate, and/or to cause the event to be stopped.
- c.** All businesses or entities shall use an approved counter for the purpose of keeping an accurate count of the number of people occupying the premises. The fire code official, upon finding that an approved counter is not being used to keep a tally of the number of occupants inside the premises, will be authorized to fine the business or entities, evacuate, and/or cause the event to be stopped.
- d.** The fire code official or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. Persons so notified shall immediately leave the structure or premise and shall not enter or re-enter until authorized to do so by the fire code official or the fire department official in charge of the incident.

### **Section 3: Enforcement Responsibility:**

- a.** The Fire Chief or his/her appointees of the City of Starkville shall have the primary duty and responsibility of enforcing the provisions of this ordinance. The fire code official is fully authorized and empowered to enforce any and all of the provisions hereof.
- b.** Any official or representative of the City of Starkville, lawfully designated to enforce the provisions of this article, shall have the power and authority to issue citations returnable to the Municipal Court or to any other proper authority for violations of this article. Such citations shall have the same force and effect as those issued by the Police Department for other law enforcement purposes.
- c.** The Fire Department or other designated official or representative of the City of Starkville shall develop and utilize forms as may be required and necessary to implement this ordinance, exercise the powers of the City of Starkville in ordinance enforcement and actively enforce this ordinance.

### **Section 4: Penalty:**

- a.** The failure or refusal of any person or entity to comply with any provision of this ordinance shall subject such person or entity to a fine and/or closing of the business until the next business day. The first violation will result in a fine of \$25.00 per person over the business' maximum occupant load up to a maximum of \$500.00. The second violation that occurs within a year following the first violation will result in a fine of \$50.00 per person over the businesses maximum occupant load up to a maximum of \$500.00. The third violation and any subsequent violation that occurs within a year following the first violation will result in a fine of \$100.00 per person over the business' maximum occupant load up to a maximum of \$500.00.
- b.** Any business that reaches the maximum fine of \$500.00 at any given time shall be required to close until the start of the next business day.
- c.** Any business that is found not using an approved counter for the purpose of keeping an accurate tally of its occupants shall be required to stop additional persons from entering until an accurate tally can be counted.

### **Section 5: Invalidation/Severability:**

If any provision of this ordinance is determined by a Court of competent jurisdiction to be invalid or otherwise unenforceable, such findings shall not affect the other provisions hereof,

which shall remain in full force and effect.

**Section 6: Repeal Provision:**

Ordinances or parts of ordinances in force at the time that this ordinance shall take effect, and that are inconsistent herewith, are hereby repealed.

**Section 7: Jurisdiction:**

Any citation issued under the provisions of this ordinance shall be handled by the City of Starkville Municipal Court.

**Section 8: Effective Date:**

This ordinance shall become effective and be in force from and after its passage in the manner provided by law on or after the 30<sup>th</sup> day after its adoption.

**UPON MOTION** of Alderman \_\_\_\_\_, duly seconded by Alderman \_\_\_\_\_, that the aforesaid Ordinance be adopted. The vote being as follows:

Ben Carver	Voted: _____
Lisa Wynn	Voted: _____
David Little	Voted: _____
Jason Walker	Voted: _____
Scott Maynard	Voted: _____
Roy A'. Perkins	Voted: _____
Henry N. Vaughn, Sr.	Voted: _____

**ORDAINED AND ADOPTED** this the \_\_\_ day of \_\_\_\_\_, A.D., 2015 at the Recess Meeting of the Mayor and Board of Aldermen of the City of Starkville, Mississippi.

\_\_\_\_\_  
**Parker Wiseman**, Mayor  
City of Starkville, Mississippi

\_\_\_\_\_  
**LESA HARDIN**, Clerk  
City of Starkville, Mississippi

**33. REQUEST APPROVAL TO COMPLETE A LEASE/PURCHASE AGREEMENT WITH ALARM SECURITIES, INC. (ASI) FOR AN AMOUNT OF \$288.50 PER-MONTH, FOR A TOTAL OF 24 MONTHS. AT THE END OF 24 MONTHS, THE EQUIPMENT WILL BE PURCHASED FOR A COST OF \$1.00.**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Walker, to approve a lease / purchase agreement with Alarm Securities, Inc. (ASI) for an amount of \$288.50 per month, for a total of 24 months and at the end of 24 months, the equipment will be purchased for a cost of \$1.00, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea

Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**34. REQUEST APPROVAL OF LOW QUOTE FROM GARNER COMPUTER FOR NETWORK EQUIPMENT FOR THE NEW CITY HALL BUILDING.**

Alderman Vaughn offered a motion to approve the low quote from Garner Computer for network equipment for the new City Hall building. Alderman Maynard seconded the motion with the Board voting as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

Quotes received for infrastructure required to provide network communications:

Garner Computer Services - \$ 20,870.00, Exceed Technologies - \$ 20,934.00 and Synergetics - \$ 22,390.00

**35. REQUEST APPROVAL OF EDUCATIONAL ASSISTANCE BENEFITS FOR CODY A. BURNETT AS SET FORTH IN OUR EDUCATIONAL ASSISTANCE POLICY.**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Wynn, to approve the educational assistance benefits for Cody A. Burnett in the amount of \$1,907 as set forth in our educational assistance policy, the Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**36. REQUEST APPROVAL TO HIRE THOMAS JOEL MURPHY TO FILL A VACANT POSITION OF APPRENTICE LINEMAN IN THE UTILITIES DEPARTMENT—ELECTRIC DIVISION AT AN APPRENTICE LINEMAN LEVEL 2 WITH ANNUAL SALARY OF \$38,000.00 (\$18.27 HOUR). SUBJECT TO ONE YEAR PROBATIONARY PERIOD.**

A motion by Alderman Vaughn was seconded by Alderman Wynn to hire Thomas Joel Murphy to fill a

vacant position of Apprentice Lineman in the Utilities Department—Electric Division at an Apprentice Lineman Level 2 with annual salary of \$38,000.00 (\$18.27 hour) subject to one year probationary period. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**37. REQUEST APPROVAL OF STARKVILLE POLICE DEPARTMENT GENERAL ORDER # 107 ESTABLISHING A PART-TIME RESERVE OFFICER PROGRAM AND AUTHORIZATION TO HIRE CANDIDATES TO WORK IN THIS PROGRAM AS SET FORTH IN THE GO.**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Maynard, to approve Starkville Police Department General Order # 107 establishing a Part-Time Reserve Officer program and authorization to hire candidates to work in this program as set forth in the GO, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**38. REQUEST TO AUTHORIZE THE UTILITIES DIVISION TO HIRE UP TO FOUR (4) TEMPORARY, PART-TIME EMPLOYEES TO WORK THROUGH THE FALL SEMESTER TO PERFORM LOCATE SERVICES FOR OUR UNDERGROUND UTILITY SERVICES AS PRESENTED.**

A motion was offered by Alderman Maynard to authorize the Utilities Division to hire up to four (4) temporary, part-time employees at \$10 per hour for up to twenty hours per week to work through the fall semester to perform locate services for our underground utility services as presented. Following a motion by Alderman Little, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**39. REQUEST APPROVAL OF ALLOWING CHIEF NICHOLS AND SHONDA DELOACH (ACCREDITATION MANAGER) TO ATTEND THE 2015 CALEA CONFERENCE IN MIAMI, FL, "WITH ADVANCE TRAVEL AUTHORIZED NOT TO EXCEED \$5,596.37.**

A motion was offered by Alderman Vaughn to allow Chief Nichols and Shonda Deloach (accreditation manager) to attend the 2015 CALEA Conference in Miami, FL, with advance travel authorized not to exceed \$5,596.37. Alderman Little seconded with the Board voting as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**40. REQUEST APPROVAL OF ALLOWING CPL., SCOTT LOMAX AND MOMCILO BABIC TO ATTEND SWAT SCHOOL, AUGUST 24-28, 2015 IN PEARL, MS, WITH ADVANCE TRAVEL AUTHORIZED NOT TO EXCEED \$297.00.**

A motion was offered by Alderman Vaughn to allow two officers, Cpl., Scott Lomax and Momcilo Babic, to attend Swat School, August 24-28, 2015 in Pearl, MS with advance travel authorized not to exceed \$297.00. Alderman Little seconded with the Board voting as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**41. REPORT FROM CHIEF R. FRANK NICHOLS ON STAFFING NEEDS IN THE POLICE DEPARTMENT AND A REQUEST FOR DISCUSSION AND CONSIDERATION OF THE REPORT.**

Chief Nichols distributed handouts to the Mayor and Board showing graphs and information on the City of Starkville police department on other comparable sized police departments. He discussed officer to population ratios and compared the 2013 to 2014 service calls. SPD currently has 55 sworn officers, 11 civilian personnel and 2 part time parking / baliff officers. MSU criminology student Jeannice Louine presented her findings on retention and fatigue issues in police officers due to overtime and stress. Chief Nichols asked that if the full need of ten new officers cannot be met, that the City begin adding a minimum of two officers per year. Following discussion of sharing of cars or keeping older cars as well as other ways to fund new officers, the Aldermen agreed to review the materials before the budget is adopted.

**42. REQUEST APPROVAL OF A MISSISSIPPI OFFICE OF HIGHWAY SAFETY GRANT FOR FISCAL YEAR 2016 IN THE AMOUNT OF \$22,578 FOR POLICE TRAFFIC SERVICE AND AUTHORIZE THE MAYOR TO SIGN ALL NECESSARY DOCUMENTATION.**

Alderman Vaughn offered a motion to approve a Mississippi Office of Highway Safety Grant for fiscal year 2016 in the amount of \$22,578 for police traffic service and authorize the Mayor to sign all necessary documentation. Alderman Wynn seconded with the Board voting as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**43. REQUEST APPROVAL TO PURCHASE TWO (2) EXMARK LAZER MOWERS FROM THE QUOTE RECEIVED FROM POWERSTROKE EQUIPMENT IN THE AMOUNT OF \$15,989.98 (\$7,994.98 EA.) TO BE USED BY SANITATION & ENVIRONMENTAL SERVICES LANDSCAPE DIVISION.**

Alderman Vaughn offered a motion to purchase two (2) Exmark Lazer Mowers from the quote received from Powerstroke Equipment in the amount of \$15,989.98 (\$7,994.98 ea) to be used by Sanitation & Environmental Services Landscape Division, which was then seconded by Alderman Little. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

The second quote received was from Evergreen Ag in the amount of \$8,100 each.

**44. REQUEST APPROVAL OF THE PURCHASE A 2015 WOODS BE-1260X EXTREME CUTTER (BUSH-HOG) FROM WADE INCORPORATED IN THE AMOUNT OF \$15,250.00, TO BE USED BY SES – LANDSCAPE DIVISION.**

Alderman Vaughn offered a motion to purchase a 2015 Woods BW-1260X Extreme Cutter (bush-hog) from the quote received from Wade Incorporated in the amount of \$15,250.00 to be used by Sanitation & Environmental Services Landscape Division. The motion was seconded by Alderman Wynn with the Board voting as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea

Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

The second quote received was from Oktibbeha County Co-op in the amount of \$15,379.00.

**45. REQUEST APPROVAL FOR THE MAYOR TO EXECUTE A JOINT WASTEWATER SERVICE AGREEMENT WITH MISSISSIPPI STATE UNIVERSITY AND THE MISSISSIPPI BAPTIST CONVENTION IN ACCORDANCE WITH THE INTERLOCAL AGREEMENT.**

Upon the motion of Alderman Vaughn to authorize the Mayor to execute an agreement with the Mississippi Baptist Convention and Mississippi State University to provide wastewater service, duly seconded by Alderman Little, the Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**WASTEWATER SERVICE CONTRACT  
Between  
Mississippi State University, City of Starkville,  
and Mississippi Baptist Convention**

This contract made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2015, between Mississippi Baptist Convention (hereinafter referred to as "Customer"), and Mississippi State University and the City of Starkville, Mississippi (both hereinafter referred to as "Owner").

WHEREAS the Customer is a [insert type of entity, state of incorporation and principal place of business] and requires access to a wastewater treatment facility for Customer's facility at [insert physical address];

WHEREAS the Customer and the Owner desire to enter into a contract, under the terms of which the Customer will utilize the Owner's facilities for transportation, treatment, and disposal of domestic wastewater generated by the Customer;

NOW, THEREFORE, in consideration of the premises and the mutual agreements set forth, the parties agree as follows:

1. Point of Delivery: The Customer is responsible for all new construction of facilities required for a complete sanitary sewer collection system to the point of delivery into Owner's system.
2. Quantity: To receive the Customer's wastewater at the point of delivery during the term of this Agreement or any renewal or extension thereof, the quantity of Owner's wastewater shall not exceed

44,175 gallons per month. In the event Owner's wastewater exceeds such quantity without the express written approval of the Owner, this Agreement may be terminated at the will of the Owner with 90 days written notice to Customer. Customer understands and agrees that excessive flow and infiltration of storm water into the Customer's system will result in delivery of wastewater to the Owner that will adversely affect the biological wastewater treatment process utilized by the Owner. Customer further understands and agrees that Customer is subject to enforcement action by the Owner to reduce inflow and infiltration of storm water into the Customer's system, even if such quantities are within the maximum quantity limits allowed by this agreement. The failure of Customer to respond to such an enforcement action shall constitute a breach of this agreement.

3. Connection Fee: Because Contractor's wastewater flow into the Owner's system will consume some portion of the capacity growth margin of the total existing system, Contractor shall pay a connection fee upon execution of this Agreement in the amount of \$2,373.00 to Mississippi State University which shall cover any and all costs for connection to Owner's system and any upgrades necessary to accommodate the quantity specified in Section 2 of the Agreement. It is understood and agreed that any future additions or expansions to the Customer's wastewater system may require additional analysis and compensation to the Owner.

4. Point of Delivery Metering: The Customer agrees to furnish, install, operate and maintain at its own expense the required metering, meter house and standard necessary devices to provide a single metering point at the Point of Delivery for the purpose of determining monthly sanitary sewer billing to the Customer. The metering equipment used by Customer shall meet the specification of the Owner and be compatible with the Owner's radio monitoring system. Customer shall also bear the cost of having its metering equipment input into the Owner's radio monitoring system. Customer also agrees to recalibrate such metering equipment whenever requested by Owner. The Customer may install metering equipment on the whole building domestic water feed in lieu of waste water metering equipment provided that the water metering equipment complies with all sections of this agreement and provides an accurate representation of the wastewater volumes delivered into the Owner's system at the Point of Delivery. The metering point shall be readily visible and may not be located within any enclosure requiring key access. Customer shall provide and maintain suitable and safe means of access (walkway, steps, etc.) to the metering point. Construction plans and specification for any facilities required to deliver and meter wastewater to the Owner's system shall be approved by the Owner prior to construction. These documents will be marked "Approved" by the Owner, and attached to and made a part of this Contract.

5. Rate/Billing: The Customer agrees to pay and Mississippi State University will bill Customer each month on a per 1,000 gallons rate. Currently, the rate is \$3.23 per 1,000 gallons of wastewater. This rate may be adjusted as necessary to cover Owner's expenses and to represent a fair market value in accordance with state law. Customer is responsible for providing an up-to-date billing address. Any amount unpaid after due date specified on the bill may be subject to additional charges. Upon further nonpayment, service may be discontinued upon five days' written notice to Customer. If Customer's metering device is out of service, billing will be based on the highest monthly usage of the prior twelve months and will continue as such until meter is repaired and proven to be accurate.

6. Customer's Facilities/Connection: All of Customer's wastewater system materials and installation, including residential/commercial collection, shall be in accordance with "Water and Wastewater Specification for the City of Starkville", prepared by the City's Department of Public Works. The Owner reserves the right, but shall not be obligated, to appoint inspectors to follow the progress of the work, with authority to deny connection or use of system components not in accordance with this contract and/or the approved construction plans and specifications. Acceptance or approval by the inspector shall in no event be deemed to constitute final acceptance of same by the Owners. The inspection by the Owner's inspectors shall not relieve the Customer of any responsibility for the proper

performance of the work. Connection to the Owner's Point of Delivery will be made by the Customer, and will be observed/inspected by the Owner. The Owner shall have the right, but shall not be obligated, to inspect any installation before wastewater is introduced to the Owner's system, and reserves the right to reject any sewer collection systems not in accordance with the Owner's standards; but such inspection or failure to inspect or reject shall not render the Owner liable or responsible for any damage resulting from defects in the installation of sewer collection systems or from accidents which may occur upon Customer's premises. The Customer shall provide Owner 60 day's prior written notice of the expected date of completion of Customer's wastewater system and the first date of initial wastewater flow.

7. **Ownership and Maintenance of Wastewater Facilities.** The parties agree that the Customer will own and be responsible for operation and maintenance of all facilities at and upstream of the Point of Delivery, and the Owner will be responsible for operation and maintenance from the Point of Delivery downstream, excluding the Customer's connection. Customer agrees to repair any damage to the Owner's facilities caused by the tap, installation or operation of Customer's pump station. The Customer shall have the metering device calibrated annually; the calibration report will be forwarded to the Owner's billing department.

8. **Concurrent Water Service Provider:** During the entire term of this Agreement, Customer shall maintain a contractual relationship with a water service provider providing water to Customer, such contract enabling Customer to discontinue water services to any end-user for nonpayment for wastewater services.

9. **Interruptions of Service.** The Owner will use reasonable diligence in supplying wastewater service, but shall not be liable for breach of contract or for any loss, injury, or damage to persons or property resulting from interruptions in service, failure of wastewater pump stations, force main failure or any other disruption of services, whether or not caused by Owner's negligence.

10. **Expansion and Waste Water Characteristics:** It is understood and agreed that Owner's wastewater treatment facilities have a definite capacity and permit requirements pursuant to the National Pollutant Discharge Elimination System (NPDES). Customer shall not expand without the express written approval of the Owner, such approval being at the Owner's sole discretion. After the first date of use by Customer of Owner's system, Customer agrees to notify Owner in writing of any new connection of an end-user prior to such connection. In the event connection of such end-user is expected to cause Customer to exceed the quantity set forth in Section 2 of this Agreement, or introduces any of the toxic pollutants listed in Table III of Appendix D of 40 CFR 122 of the Federal Clean Water Act, or otherwise adversely affects the Owner's treatment process in a manner that exceeds the Owner's NPDES permit levels, or materially changes the flow rate of Customer's wastewater, the Owner retains the right to prevent such user from connecting to Customer's system. Failure to receive written approval for Customer to expand or to give notice of a new end-user shall render Customer liable for costs, losses or damage to any of Owner's system caused by the additions or expansion and/or shall make this Agreement voidable at the sole discretion of the Owner upon 90 days written notice.

11. **Indemnification.** The Customer shall indemnify, defend, save and hold harmless, protect, and exonerate, the Owner, both Mississippi State University and the City of Starkville, Mississippi, and each of their officers, agents, employees, and representatives, both in their official and in their individual capacities, from and against any and all claims, demands, liabilities, suits, actions, damages, losses and costs of every kind and nature whatsoever, including, without limitation, court costs, investigative fees, expenses, and attorney's fees, related this agreement arising out of or caused by the actions or inactions of Customer or its' partners, principals, officers, agents, employees or representatives. This indemnification provision shall survive the termination or expiration of this agreement.

12. Termination for Cause: Unless otherwise stated herein, either party may terminate this agreement if the other party fails to perform the obligations to the other party under this agreement upon 90 days written notice.

13. Waiver. The failure by Owner at any time to enforce any provision of this agreement shall not be construed as a waiver of any such provision. Such failure to enforce shall not affect the validity of the contract or any part thereof or the right of Owner to enforce the provision at any time in accordance with its terms.

14. Successors and Assigns. This contract shall inure to the benefit of and shall be binding upon respective successors, legal representatives and assigns of the parties hereto, but is not assignable without the written consent of the Owner.

15. Applicable Law. This Agreement shall be governed by the law of the State of Mississippi without regard to its choice of law provisions. This Agreement is subject all applicable rules, regulations or laws as may be applicable to similar agreements in the State of Mississippi and with owner. Customer is responsible for and agrees to obtain all necessary permits, certificates or the like that may be required by applicable law. Any litigation associated with this agreement shall take place in the Circuit Court of Oktibbeha County, Mississippi or United States District Court for the Northern District of Mississippi, Eastern Division, depending upon the nature of the claim and/or parties involved.

16. Term. This contract shall extend for a term of 15 years. In the event Customer has not completed connection to Owner's system within one year of the effective date of this Agreement, this Agreement will be voidable at the sole option of the Owner.

IN WITNESS WHEREOF, the parties have caused this agreement to be duly executed the day and year above written.

Mississippi State University

By: \_\_\_\_\_

Title: \_\_\_\_\_

Attest:

By: \_\_\_\_\_

Title: \_\_\_\_\_

City of Starkville

By: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

Mississippi Baptist Convention

By: \_\_\_\_\_

Title: \_\_\_\_\_

Attest:

By: \_\_\_\_\_

Title: \_\_\_\_\_

**46. REQUEST THE ADOPTION OF A RESOLUTION AUTHORIZING THE GOLDEN TRIANGLE PLANNING AND DEVELOPMENT DISTRICT TO PREPARE AND SUBMIT A MISSISSIPPI CAPITAL IMPROVEMENTS REVOLVING LOAN PROGRAM (CAP) APPLICATION FOR STARKVILLE, MISSISSIPPI.**

Alderman Vaughn offered a motion to approve the adoption of a resolution authorizing the Golden Triangle Planning and Development District to prepare and submit a Mississippi Capital Improvements Revolving Loan Program (CAP) application for Starkville, Mississippi. The motion was seconded by Alderman Little with the Board voting as follows:

- Alderman Ben Carver Voted: Yea
- Alderman Lisa Wynn Voted: Yea
- Alderman David Little Voted: Yea
- Alderman Jason Walker Voted: Yea
- Alderman Scott Maynard Voted: Yea
- Alderman Roy A' Perkins Voted: Yea
- Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**RESOLUTION**

**Authorizing the Golden Triangle Planning and Development District to Prepare and Submit A Mississippi Capital Improvements Revolving Loan Program (CAP) Application for Starkville, Mississippi**

WHEREAS, Starkville, Mississippi has certain pressing Community Development needs; and

WHEREAS, the Mississippi Development Authority has available funds under the FY-2015 Capital Improvements Revolving Loan (CAP) Program; and

WHEREAS, the City of Starkville is eligible to apply for said CAP Loan Program assistance; and

WHEREAS, the Golden Triangle Planning and Development District (GTPDD) has sufficient, experienced professional staff to prepare necessary application documents;

THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Starkville:

- That the Golden Triangle Planning and Development District is hereby authorized to prepare a Mississippi Capital Improvements Revolving Loan Program Application on behalf of the City of Starkville, for the purpose of completing capital improvements identified as Banyan Sanitary Sewer Rehabilitation and upon the completion of such identified project any other sewer projects as needed; and
- That Parker Wiseman, in his official capacity as the Mayor of the City of Starkville, is hereby authorized to advertise and conduct required public hearings, and to sign all necessary documents, including Grant Agreements with the State of Mississippi, upon approval of said application by the Mississippi Development Authority.

SO ORDERED THIS THE 18th day of August 2015, by the Mayor and Board of Aldermen of the City of Starkville, Mississippi in a Regular Scheduled Meeting.

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Lesla Hardin  
City Clerk

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Parker Wiseman  
Mayor

**47. REQUEST APPROVAL TO PURCHASE A NEW FORD F-150 XL UNDER STATE CONTRACT FOR STARKVILLE UTILITIES AT A COST NOT TO EXCEED \$28,500.**

Alderman Vaughn offered a motion to purchase a new Ford F-150 XL under state contract for Starkville Utilities at a cost not to exceed the state contract price of \$28,500. The motion was seconded by Alderman Little with the Board voting as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**48. REQUEST THE ADOPTION OF A RESOLUTION AUTHORIZING AND APPROVING A LOAN ON BEHALF OF THE CITY FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY (THE "DEPARTMENT") FOR THE PURPOSE OF COMPLETING CAPITAL IMPROVEMENTS.**

Alderman Vaughn offered a motion to adopt a resolution authorizing and approving a loan on behalf of the City of Starkville from the Mississippi Development Authority for the purpose of completing capital improvements. The motion was seconded by Alderman Little with the Board voting as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

## **CAP LOAN PROGRAM**

### **Public Notice**

The Mayor and Board of Aldermen, acting for and on behalf of Starkville, Mississippi (the "City") took up for consideration the matter of authorizing and approving a loan on behalf of the City from the Mississippi Development Authority (the "Department") for the purpose of completing capital improvements identified as:

**Banyan Sanitary Sewer Rehabilitation and upon the completion of such identified project any other sewer projects as needed.**

#### **BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:**

**Section 1.** The Governing Body of the City does hereby declare its intention to enter into a loan agreement with the Department in the principal amount not to exceed One Million Dollars (\$1,000,000) for the purpose of completing the Banyan Sanitary Sewer Rehabilitation and upon the completion of such identified project any other sewer projects as needed.

**Section 2.** The Loan will be secured by a Note executed and delivered by the City to the Department. Failure of the City to meet its repayment obligations shall result in the forfeiture of sales tax allocation or homestead exemption reimbursement in an amount sufficient to repay obligations due until such time as the indebtedness has been discharged or arrangements to discharge such indebtedness satisfactory to the Department have been made.

**Section 3.** The Governing Body proposes to authorize and approve the Loan from the Department in the amount and for the aforesaid purposes at a meeting of the Governing Body to be held at its regular meeting place at the Starkville City Hall at 5:30 p.m. on the 15th day of September 2015, or at some meeting held subsequent thereto. This date assigned to authorize and approve the aforementioned loan documents has been set to meet program requirements, which mandate that four public notices be issued prior to loan closing. This will allow sufficient time for public comments.

#### **49. A MOTION TO ENTER INTO A CLOSED SESSION TO DETERMINE IF THERE IS PROPER CAUSE FOR EXECUTIVE SESSION.**

There came for consideration the matter of entering a closed session to determine if there is a proper cause for executive session. Upon the Motion of Alderman Vaughn, duly seconded by Alderman Little,

to enter into a Closed Session to determine if there is proper cause for Executive Session, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.  
The Board entered closed session.

**50. A MOTION TO ENTER EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS RELATED TO A UTILITIES DIVISION EMPLOYEE, PERSONNEL MATTERS RELATED TO PARK EMPLOYEES, PERSONNEL MATTERS RELATED TO A COURT EMPLOYEE, PENDING LITIGATION RELATED TO AN EEOC CLAIM AND PROPERTY ACQUISITION RELATED TO THE UTILITIES DEPARTMENT.**

Alderman Perkins offered a motion to enter Executive Session to consider personnel matters related to a utilities division employee, personnel matters related to park employees, personnel matters related to a court employee, pending litigation related to an EEOC claim and property acquisition related to the utilities department on a finding that all proposed topics qualified for Executive Session. Following a second by Alderman Wynn, the Board voted as follows to enter Executive Session:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received an affirmative vote, the Mayor declared the motion passed.

The Mayor invited the public back in, and after allowing the public time to enter the room, made the announcement of the Board's decision to enter into Executive Session to consider personnel matters related to a utilities division employee, personnel matters related to park employees, personnel matters related to a court employee, pending litigation related to an EEOC claim and property acquisition related to the utilities department on a finding that all proposed topics qualified for Executive Session.

At this time the Board entered Executive Session.

**51. A MOTION TO RETURN TO OPEN SESSION.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Walker, to return to Open Session, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea

Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Absent

Having received a majority affirmative vote, the Mayor declared the motion passed.

The Mayor invited the public back in and then announced that the Board had taken action in executive session and asked the Clerk to read the motions. She then read the motions as listed below.

**52. A MOTION TO PLACE DOUG DEVLIN ON PROBATION BEGINNING AUGUST 16, 2015 FOR SIX MONTHS.**

A motion was offered by Alderman Wynn to place Doug Devlin on probation beginning August 16, 2015 for six months. The motion was seconded by Alderman Perkins and the Board voted as follows:

Alderman Ben Carver Voted: Nay  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Nay  
Alderman Jason Walker Voted: Nay  
Alderman Scott Maynard Voted: Yea  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

**53. A MOTION THAT ALL FULL TIME EMPLOYEES WHO WORK IN THE STARKVILLE PARK AND RECREATION DEPARTMENT BE PLACED ON SIX MONTHS PROBATION BEGINNING AUGUST 19, 2015.**

A motion was offered by Alderman Walker that all full time employees who work in the Starkville park and recreation department be placed on six months probations beginning August 19, 2015. The motion was seconded by Alderman Wynn and the Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Nay  
Alderman Roy A'. Perkins Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Absent

Having received a majority affirmative vote, the Mayor declared the motion passed.

**54. A MOTION TO APPROVE THE STARKVILLE UTILITY PROPERTY ACQUISITION REQUEST AS PRESENTED TO THE BOARD.**

A motion was offered by Alderman Maynard that pursuant to Miss. Code Section 21-17-1 and 43-37-3 that Starkville Utilities be authorized to purchase the Home Nelson Properties: Parcel #: 1020-00-019.00/PPIN:15225 and 1020-00-012.00/PPIN:15222 at the negotiated fair market price of \$68,300.00, plus reasonable closing costs, pending proof of clear title on the property. Starkville has need to construct a new 161/69/13 kV substation near the existing Southwest 13 kV substation to replace aged equipment, provide for spatial load growth, capacity to serve and improve system reliability. The proposed location intersects existing 69 kV transmission line and provides a corridor for 161 kV supply

line and ties to existing 13 kV distribution infrastructure. The motion was seconded by Alderman Walker and the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Absent

Having received a majority affirmative vote, the Mayor declared the motion passed.

The property referred to is a 15.85 acre +/- vacant site located to the northwest of Louisville St and east of Azalea Lane in Starkville, MS. This property is in Section 10, Township 18 North, Range 14 East.

This property contains two parcels:

Parcel: 1020-00-012.00, PPIN: 15222, 10.05 acres  
Parcel: 1020-00-019.00, PPIN: 15225, 5.80 acres

**55. A MOTION TO RECESS UNTIL SEPTEMBER 1, 2015 @ 5:30 IN THE COURT ROOM AT CITY HALL LOCATED AT 101 EAST LAMPKIN STREET.**

Upon the motion of Alderman Walker, duly seconded by Alderman Little, for the Board of Aldermen to recess the meeting until September 1, 2015 @ 5:30 at 101 E. Lampkin Street in the City Hall Courtroom, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Absent
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Absent

Having received a majority affirmative vote, the Mayor declared the motion passed.

SIGNED AND SEALED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015.

\_\_\_\_\_  
PARKER WISEMAN, MAYOR

Attest:

\_\_\_\_\_  
LESA HARDIN, CITY CLERK

(SEALED)