

**MINUTES OF THE REGULAR MEETING  
OF THE MAYOR AND BOARD OF ALDERMEN  
The City of Starkville, Mississippi  
May 3, 2016**

Be it remembered that the Mayor and Board of Alderman met in a Regular Meeting on May 3, 2016 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main 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 City Clerk Lesa Hardin and Attorney Chris Latimer.

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.

**Alderman Little** requested the following changes to the published May 3, 2016 Official Agenda:

**Move Item XI. B. 2. a. to X. A. and Renumber Agenda:** Consideration of a street closing request by Starkville Main Street Association to hold the 2016 King Cotton Crawfish Boil on May 13, 2106 and have city participation with in-kind services.

**1. A MOTION TO TABLE PERSONNEL ITEM 4: REQUEST APPROVAL OF THE PROPOSED RATE PROGRESSION PLAN AND AUTHORIZATION TO ADVERTISE TO FILL THE POSITIONS OF OPERATOR IN THE STARKVILLE UTILITIES WATER MAINTENANCE DIVISION.**

Alderman Perkins offered a motion, duly seconded by Alderman Maynard, to table agenda item XI. I. 4.: Request approval of the proposed rate progression plan and authorization to advertise to fill the positions of operator in the Starkville utilities water maintenance division. The Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Nay
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 May 3, 2016 Official Agenda. No further revisions were requested.

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

Upon the motion of Alderman Perkins, duly seconded by Alderman Maynard, to approve the May 3, 2016 Official Agenda as revised, 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 OF  
THE MAYOR AND BOARD OF ALDERMEN  
OF THE  
CITY OF STARKVILLE, MISSISSIPPI**

**REGULAR MEETING OF TUESDAY, MAY 3, 2016  
5:30 P.M., COURT ROOM, CITY HALL  
110 WEST MAIN 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 THE BOARD OF ALDERMEN MINUTES**

CONSIDERATION OF THE MINUTES OF THE APRIL 5, 2016  
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:**

1. New Employee Introductions:

Police Officers:  
Justin Butler  
Michael Cooper  
Arin Hanohano  
Prinston Henderson  
Colby Huffman

- 2. RE-GRAND OPENING OF THE STARKVILLE SPLASH PAD ON MAY 27  
AT 11:30.
- 3. PRESENTATION OF STARKVILLE ROBOTICS PROCLAMATION
- 4. PRESENTATION OF HOUSE CONCURRENT RESOLUTION NO.126  
COMMENDING THE STARKVILLE POLICE DEPARTMENT AS AN  
ACCREDITED LAW ENFORCEMENT AGENCY.

B. BOARD OF ALDERMEN COMMENTS:

VI. **CITIZEN COMMENTS**

VII. **PUBLIC APPEARANCES**

VIII. **PUBLIC HEARING**

A. PUBLIC HEARING TO DETERMINE WHETHER THE PROPERTY AT 100 DR. MARTIN LUTHER KING, DR. IS A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE.

IX. **MAYOR'S BUSINESS**

A. PRESENTATION OF THE BUILDING COST COMPARISON FOR THE STARKVILLE POLICE DEPARTMENT BY CHIEF R. FRANK NICHOLS AND GARY SHAFER.

X. **BOARD BUSINESS**

A. CONSIDERATION OF A STREET CLOSING REQUEST BY STARKVILLE MAIN STREET ASSOCIATION TO HOLD THE 2016 KING COTTON CRAWFISH BOIL ON MAY 13, 2106 AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.

B. CONSIDERATION OF A RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF SAID MUNICIPALITY IN THE MAXIMUM PRINCIPAL AMOUNT OF TWO MILLION FOUR HUNDRED THOUSAND DOLLARS (\$2,400,000) TO RAISE MONEY FOR THE PURPOSE OF ACQUIRING, RENOVATING, EQUIPPING AND FURNISHING OF THE OLD CITY HALL BUILDING AND ASSOCIATED REAL AND PERSONAL PROPERTY, INCLUDING WITHOUT LIMITATION THE REPAIR, PATCHING, OVERLAY, AND STRIPING OF THE BUILDING'S PARKING LOT, LOCATED AT 101 EAST LAMPKIN STREET IN STARKVILLE, MISSISSIPPI, TO HOUSE AND FACILITATE THE OPERATIONS OF THE STARKVILLE POLICE DEPARTMENT; AND FOR RELATED PURPOSES; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.

C. DISCUSSION AND CONSIDERATION OF MODIFYING THE TWO CONDITIONS PLACE ON THE APPROVED VARIANCE REQUEST VA 16-04 AT THE APRIL 19, 2016 BOARD OF ALDERMEN MEETING.

XI. **DEPARTMENT BUSINESS**

A. AIRPORT

*THERE ARE NO ITEMS FOR THIS AGENDA*

B. COMMUNITY DEVELOPMENT DEPARTMENT

a. DISCUSSION REGARDING THE PROPERTY AT 100 DR. MARTIN LUTHER KING DRIVE

1. CODE ENFORCEMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

2. PLANNING

a. CONSIDERATION OF THE CONDITIONAL USE REQUEST CU 16-03 FOR A "DWELLING, 2 FAMILY" DUPLEX ON ONE PARCEL ZONED R-2 SINGLE FAMILY/DUPLEX ON SOUTH LAFAYETTE STREET WITH THE PARCEL NUMBER 102A-00-095.00.

b. CONSIDERATION TO RESEND BOARD ORDER NUMBER FOUR (4) OF THE APRIL 21, 2015 MINUTES AND GRANT AUTHORIZATION TO TRANSFER NINE THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS AND NINETY-THREE CENTS (\$9,251.93) FROM LINE ITEM NUMBER 001-000-392-920 TO LINE ITEM NUMBER 001-281-691-550, FOR THE PURPOSES OF PURCHASING TECHNOLOGY ITEMS WITHIN THE COMMUNITY DEVELOPMENT DEPARTMENT.

C. COURTS

*THERE ARE NO ITEMS FOR THIS AGENDA*

D. ENGINEERING

1. REQUEST AUTHORIZATION FOR THE CONSTRUCTION OF A STORM DRAINAGE INLET AND FLUME IN AN AMOUNT NOT TO EXCEED \$4000 ON SAWGRASS DRIVE USING WARD 3 DISCRETIONARY FUNDS.
2. REQUEST PERMISSION TO PURCHASE A FORD F-450 OFF OF STATE CONTRACT TO REPLACE A 2001 1-TON DUMP TRUCK WHICH WAS RECENTLY DECLARED SCRAP DUE TO A FAILED TRANSMISSION WITH FUNDS TO PURCHASE THE VEHICLE COMING FROM THE PROCEEDS OF THE RECENTLY SOLD SURPLUS/SCRAP VEHICLES AND EQUIPMENT AND STREET DEPARTMENT FUNDS.
3. MOVE TO ACCEPT THE LOW QUOTE FROM HESTER FENCE AND CONSTRUCTION IN THE AMOUNT OF 8,025.00 FOR THE CONCRETE SHOULDER ON LYNN LANE PROJECT TO BE PAID FROM WARD 1 DISCRETIONARY FUNDS.

E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF APRIL 27, 2016 FOR FISCAL YEAR ENDING 9/30/16.

2. REQUEST AUTHORIZATION FOR PROPERTY INSURANCE COVERAGE FOR THE CITY OF STARKVILLE WITH RENASANT INSURANCE, INC., THE SOLE BIDDER, EFFECTIVE MAY 1, 2016-APRIL 30, 2018.
3. REQUEST APPROVAL OF FY 16 BUDGET ADJUSTMENTS.
4. REQUEST AUTHORIZATION TO DECLARE OLD COMPUTER EQUIPMENT AS SURPLUS WITH AUTHORIZATION TO ADVERTISE ON GOVDEALS AND REMOVE FROM CITY'S INVENTORY.

F. FIRE DEPARTMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

G. INFORMATION TECHNOLOGY

*THERE ARE NO ITEMS FOR THIS AGENDA*

H. PARKS

1. REQUEST APPROVAL FOR JULY 4, 2016 ANNUAL FIREWORK SHOWCASE PRESENTED BY PYROFIRE DISPLAYS, INC TO BE HELD AT THE SPORTSPLEX SOCCER FIELD WITH THE TOTAL COST (FIREWORKS, JUMPERS, AND ENTERTAINMENT) NOT TO EXCEED \$15,000.00 WITH 50% DEPOSIT DUE UPON SIGNING OF CONTRACT.
2. REQUEST APPROVAL TO ACCEPT THE LOWEST PRICE FOR THE REPAIRS TO THE POOL AT MONCRIEF PARK FROM TOWNSEND'S INTERNATIONAL FIBERGLASS CORPORATION WITH A BID OF \$46,060.00 WITH THE FUNDS COMING FROM THE 2% FUNDING (FOR THE MANDATORY REPAIRS NEEDED) IN ORDER FOR THE POOL TO OPEN ON MAY 30, 2016.

I. PERSONNEL

1. REQUEST AUTHORIZATION TO ADVERTISE TO FILL THE VACANT POSITION OF DRIVER IN THE SANITATION & THE ENVIRONMENTAL SERVICES DEPARTMENT.
2. REQUEST AUTHORIZATION TO HIRE JOHANNA BREELAND TO FILL A TEMPORARY, PART-TIME POSITION OF GENERAL OFFICE CLERK IN THE FINANCE/CITY CLERK'S OFFICE.
3. REQUEST AUTHORIZATION TO HIRE EMILY CORBAN TO FILL THE VACANT POSITION OF ASSISTANT CITY PLANNER IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

J. POLICE DEPARTMENT

1. REQUEST APPROVAL FOR CHIEF R. FRANK NICHOLS TO ATTEND THE 2016 FBINNA ANNUAL TRAINING AND CONFERENCE AND EXHIBITION IN ST. LOUIS, MO ON JULY 22-27, 2016 WITH ADVANCE TRAVEL.

2. REQUEST APPROVAL FOR CHIEF R. FRANK NICHOLS TO ATTEND THE SPRING FACILITY PLANNING SEMINAR TAILORED FOR PUBLIC SAFETY PERSONNEL AND CITY LEADERSHIP INTERESTED IN BEGINNING, DIRECTING AND RENOVATING A POLICE/GOVERNMENT FACILITY WITH ADVANCE TRAVEL MAY 17 – 21, 2016 IN NORTH KANSAS CITY, MO.
3. MOVE APPROVAL TO ALLOW LT. SHAWN WORD, OFFICERS BABIC, WELLS, ROUND, JONES TO TRAVEL TO THE 2016 STARS CONFERENCE LOCATED IN BILOXI, MS THROUGH THE FY16 DUI GRANT WHICH WILL BE 100% REIMBURSABLE TO MEET A REQUIREMENT OF THE GRANT WITH ADVANCE TRAVEL.

#### K. SANITATION DEPARTMENT

1. DISCUSSION AND CONSIDERATION OF APPROVING THE ENGINEERING SERVICE PROPOSAL BY NEEL-SCHAFFER (NSI) TO OBTAIN PERMIT RENEWAL OF THE CITY'S CERTIFICATE OF COVERAGE TO OPERATE THE STARKVILLE-OKTIBBEHA CLASS I RUBBISH LANDFILL AS REQUIRED UNDER THE MS STATEWIDE GENERAL PERMIT FOR CLASS I RUBBISH SITE, AT A COST OF \$23,128.

#### L. UTILITIES DEPARTMENT

1. REQUEST APPROVAL TO CONTINUE AN EXISTING AGREEMENT WITH EAST MISSISSIPPI COMMUNITY COLLEGE (EMCC) TO UTILIZE INTERNS DURING THE SUMMER SEMESTER VIA THE MAKE IT IN AMERICA PROGRAM WITH THE INTERNS TO BE PAID BY AND ALL LIABILITY WILL BE ASSUMED BY EMCC.
2. REQUEST APPROVAL FOR WESLEY CHAMPION, JUSTIN HATCHER AND ORLANDO SMITH TO TRAVEL TO SCOTTSBORO, AL TO ATTEND THE TVPPA PRE-ASSESSMENT LAB MAY 22 – 28, 2016 WITH ADVANCE TRAVEL.
3. REQUEST AUTHORIZATION TO PURCHASE UNDER STATE CONTRACT A NEW FORD F-150 XL AT A COST NOT TO EXCEED \$23,000 TO REPLACE UNIT NUMBER 18 AND TO PURCHASE A NEW FORD F-250 XL AT A COST NOT TO EXCEED \$23,000 TO REPLACE UNIT NUMBER 25 FOR STARKVILLE UTILITIES.
4. REQUEST AUTHORIZATION FOR UTILITY SERVICE COMPANY, INC. TO PROCEED WITH ANNUAL MAINTENANCE OF THE LINCOLN GREEN WATER TANK AND MOVE FORWARD WITH RE-PAINTING TO INCLUDE THE NEW STARKVILLE UTILITY LOGO.
5. REQUEST AUTHORIZATION FOR THE MAYOR TO EXECUTE ADDENDUM NO. 2 TO AN AMENDED WASTEWATER SERVICE CONTRACT BETWEEN MISSISSIPPI STATE UNIVERSITY, THE CITY OF STARKVILLE, BRECKENRIDGE GROUP, IREC CPP MISS. ST., LLC, AND HOMESTEAD ACQUISITIONS.

6. REQUEST APPROVAL FOR STARKVILLE UTILITIES TO PURCHASE A FLOATING AERATOR SYSTEM FROM AQUA-AEROBIC SYSTEMS, INC., THE LOWEST OF TWO QUOTES, TO REPLACE A FAILED BRUSH AERATOR AT THE WASTEWATER TREATMENT FACILITY.

**XII. CLOSED DETERMINATION SESSION**

**XIII. OPEN SESSION**

**XIV. EXECUTIVE SESSION**

A. PROSPECTIVE SALE OF CITY-OWNED PROPERTY

B. PERSONNEL

**XV. OPEN SESSION**

**XVI. RECESS UNTIL MAY 17, 2016 @ 5:30 IN THE COURT ROOM AT CITY HALL LOCATED AT 110 WEST MAIN STREET.**

*The City of Starkville is accessible to persons with disabilities. Please call the ADA Coordinator, Joyner Williams, at (662) 323-2525, ext. 3121 at least forty-eight (48) hours in advance for any services requested.*

**3. CONSIDERATION OF THE MINUTES OF THE APRIL 5, 2016 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 Wynn, to approve the minutes of the April 5, 2016 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:**

New Employee Introductions: Police Officers: Justin Butler, Michael Cooper, Arin Hanohano, Prinston Henderson and Colby Huffman.

The Mayor invited everyone to the grand re-opening of the Starkville Splash Pad and Park on May 27 at 11:30 a.m.

The Mayor then presented a Proclamation congratulating the Starkville High School Robotics Team for winning the South's Best Regional Robotics Championship. The "Robojackets" are the first Regional Champions from Starkville.

Mayor Wiseman then read Mississippi House Concurrent Resolution No.126 commending the Starkville Police Department as an Accredited Law Enforcement Agency. Chief Nichols and the Starkville Police Department were commended for their service to the community and their dedication to excellence.

#### **BOARD OF ALDERMEN COMMENTS:**

Alderman Maynard discussed some of the tough decisions facing this Board as well as some unique opportunities in the next 14 months of this term. Several items mentioned included the future housing of the Police Department, future of Industrial Development, a new comprehensive plan and codes, a Parks and Recreation system plan and the path for the future of City recreation, the construction of a new Partnership School as well as infrastructure needs and the growing pressures on City roads, bridges, water / wastewater and utilities.

Alderman Wynn thanked all the police officers in attendance for their service.

#### **CITIZEN COMMENTS:**

Alvin Turner, Ward 7, stated that citizens were nervous about gun laws and guns in public places. He encouraged adults to help with children that are out for the summer. He also asked that drivers respect buses and pedestrians.

Chris Taylor, NAACP President, thanked all who attended recent NAACP banquet and invited the Aldermen and public to attend the school board meetings held on the second Tuesdays each month.

Alyssia Hurt, thanked the City and elected officials for their support of the Mayor's Youth Council.

#### **PUBLIC APPEARANCE:**

#### **PUBLIC HEARING:**

#### **PUBLIC HEARING TO DETERMINE WHETHER THE PROPERTY AT 100 EAST MARTIN LUTHER KING, DR. IS A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE.**

Chris Latimer, Board Attorney, provided all mailing receipts and documentation to be included with the minutes as proof that notice has been properly served. (All actual receipts and documents are located in City Clerk Vault with minute books, copies follow these minutes) Buddy Sanders then presented the background and engineer findings of the property. Following brief discussion from the Aldermen, the Mayor opened the floor for public comments.

Lawrence Moore, property owner, spoke to the Mayor and Board. He agreed to terminate tenant leases and cut off water and utilities to the building. He stated he had been under the understanding that the problem was a City problem and that he had been patient for almost 18 years and is now having to be responsible for repairs. Discussion followed as to what steps need to be taken next. Mr. Moore was advised that the property needs to be closed to the public. He stated that he would secure the property

and that he would be putting the property up for sale.

**4. PRESENTATION OF THE BUILDING COST COMPARISON FOR THE STARKVILLE POLICE DEPARTMENT BY CHIEF R. FRANK NICHOLS AND GARY SHAFER.**

Chief Frank Nichols and Architect Gary Schaffer presented a power point showing proposed renovations to the Police Department building located at 101 East Lampkin. Chief Nichols stated that the Police had been patiently waiting their turn for modern facilities and that he along with the police officers in attendance hoped progress would be made soon. Gary Schafer then presented an ideal timeline of renovations, etc. with the goal of a completely renovated building by April 6, 2017. The Aldermen all commented on the desire to house the Starkville Police in better facilities.

**5. CONSIDERATION OF A STREET CLOSING REQUEST BY STARKVILLE MAIN STREET ASSOCIATION TO HOLD THE 2016 KING COTTON CRAWFISH BOIL ON MAY 13, 2106 AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.**

Upon the motion of Alderman Little, duly seconded by Alderman Vaughn, to grant the request by Starkville Main Street Association to hold the 2016 King Cotton Crawfish Boil May 13, 2016, and have City participation with in-kind 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.

**6. CONSIDERATION OF A RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF SAID MUNICIPALITY IN THE MAXIMUM PRINCIPAL AMOUNT OF TWO MILLION FOUR HUNDRED THOUSAND DOLLARS (\$2,400,000) TO RAISE MONEY FOR THE PURPOSE OF ACQUIRING, RENOVATING, EQUIPPING AND FURNISHING OF THE OLD CITY HALL BUILDING AND ASSOCIATED REAL AND PERSONAL PROPERTY, INCLUDING WITHOUT LIMITATION THE REPAIR, PATCHING, OVERLAY, AND STRIPING OF THE BUILDING'S PARKING LOT, LOCATED AT 101 EAST LAMPKIN STREET IN STARKVILLE, MISSISSIPPI, TO HOUSE AND FACILITATE THE OPERATIONS OF THE STARKVILLE POLICE DEPARTMENT; AND FOR RELATED PURPOSES; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.**

Alderman Perkins presented the history of the Police Department obtaining a new facility since he became Alderman in 1993 and the various options which have been presented. He stated he felt the time had come to decide on an option and would support a tax increase if needed. Alderman Perkins then offered a motion to adopt the following Resolution declaring the intention of the Mayor and Board of Aldermen of the city of Starkville, Mississippi, to issue general obligation public improvement bonds of said municipality in the maximum principal amount of two million four hundred thousand dollars (\$2,400,000) to raise money for the purpose of acquiring, renovating, equipping and furnishing of the old city hall building and associated real and personal property, including without limitation the repair, patching, overlay, and striping of the building's parking lot, located at 101 East Lampkin street in Starkville, Mississippi, to house and facilitate the operations of the Starkville Police Department; and for related purposes; and directing publication of notice of such intention. Alderman Vaughn offered a

second.

The Mayor then discussed the history and the importance of public safety. He stated that modern facilities increase morale, the downtown area and the confidence of the citizens in their safety. He thanked the Vice Mayor for taking the lead in this renovation. Aldermen Carver asked if there was not a location elsewhere that would offer more land and parking. Following additional discussion, the Board voted as follows in a roll call vote:

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

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

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF SAID MUNICIPALITY IN THE MAXIMUM PRINCIPAL AMOUNT OF TWO MILLION FOUR HUNDRED THOUSAND DOLLARS (\$2,400,000) TO RAISE MONEY FOR THE PURPOSE OF ACQUIRING, RENOVATING, EQUIPPING AND FURNISHING OF THE OLD CITY HALL BUILDING AND ASSOCIATED REAL AND PERSONAL PROPERTY, INCLUDING WITHOUT LIMITATION THE REPAIR, PATCHING, OVERLAY, AND STRIPING OF THE BUILDING'S PARKING LOT, LOCATED AT 101 EAST LAMPKIN STREET IN STARKVILLE, MISSISSIPPI, TO HOUSE AND FACILITATE THE OPERATIONS OF THE STARKVILLE POLICE DEPARTMENT; AND FOR RELATED PURPOSES; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville, Mississippi (the "Governing Body" of the "Municipality"), acting for and on behalf of the Municipality hereby finds, determines, adjudicates and declares as follows:

Heretofore, on June 2, 2015, the Governing Body adopted a certain resolution entitled "RESOLUTION FINDING AND DETERMINING THAT THE RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF SAID MUNICIPALITY IN THE MAXIMUM PRINCIPAL AMOUNT OF THREE MILLION DOLLARS (\$3,000,000) ADOPTED ON THE 5<sup>TH</sup> DAY OF MAY, 2015, WAS DULY PUBLISHED AS REQUIRED BY LAW; THAT NO WRITTEN PROTEST OR OTHER OBJECTION OF ANY KIND OR CHARACTER AGAINST THE ISSUANCE OF THE BONDS DESCRIBED IN SAID RESOLUTION HAS BEEN FILED BY THE QUALIFIED ELECTORS; AND AUTHORIZING THE ISSUANCE OF SAID BONDS," wherein the Governing Body authorized general obligation public improvement bonds (the "Initial Authorized Bonds") to be issued in the maximum principal amount of Three Million Dollars (\$3,000,000) to raise money for the purpose of acquiring, renovating, equipping and furnishing of the old city hall building and associated real and personal property, including without limitation the repair, patching, overlay, and

striping of the building's parking lot, located at 101 East Lampkin Street in Starkville, Mississippi, to house and facilitate the operations of the Starkville Police Department, and for related purposes. To date, the Initial Authorized Bonds have not been issued by the Municipality, due to the need to provide for additional moneys for the facilities needed.

It is necessary and in the public interest to issue additional general obligation public improvement bonds of the Municipality in the maximum principal amount of Two Million Four Hundred Thousand Dollars (\$2,400,000) (the "Bonds") to raise such additional moneys for the purpose of acquiring, renovating, equipping and furnishing of the old city hall building and associated real and personal property, including without limitation the repair, patching, overlay, and striping of the building's parking lot, located at 101 East Lampkin Street in Starkville, Mississippi, to house and facilitate the operations of the Starkville Police Department, and for related purposes (the "Authorized Purpose").

The assessed value of all taxable property within the Municipality, according to the last completed assessment for taxation, is Two Hundred Twenty-Four Million Five Hundred Eight Thousand Two Hundred Seventy-Six Dollars (\$224,508,276); the Municipality has outstanding bonded indebtedness subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, in the amount of Eight Million Six Hundred Five Thousand Dollars (\$8,605,000), and outstanding bonded and floating indebtedness subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972 (which amount includes the sum set forth above subject to the 15% debt limit), in the amount of Eleven Million Six Hundred Fifteen Thousand Dollars (\$11,615,000); the issuance of the Initial Authorized Bonds and of the Bonds hereinafter proposed to be issued, when added to the outstanding bonded indebtedness of the Municipality, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of taxable property within the Municipality, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of taxable property within the Municipality and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the Municipality.

The Municipality reasonably expects that it will incur expenditures for the Authorized Purpose prior to the issuance of the Bonds, and that it should declare its official intent to reimburse such expenditures with the proceeds of the Bonds upon the issuance thereof.

The Municipality is authorized by Sections 21-33-301 through 21-33-329, Mississippi Code of 1972, as amended, to issue the Bonds hereinafter proposed to be issued for the purpose set forth above, for which purpose there are no other available funds on hand.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY AS FOLLOWS:**

**SECTION 1.** The Governing Body hereby declares its intention to issue the Bonds in the maximum principal amount of Two Million Four Hundred Thousand Dollars (\$2,400,000) to raise money for the Authorized Purpose. The Bonds will be general obligations of the Municipality payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a tax to be levied annually upon all the taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, shall be sufficient to provide for the payment of the principal of and the interest on the Bonds according to the terms thereof. It is the intent of the Governing Body that the Municipality shall increase ad valorem taxes by one (1) mill for the sole and exclusive purpose of funding the \$2.4 million in

general obligation bonds for the Authorized Purpose and that the proposed one (1) mill increase shall immediately cease and terminate once the debt on the \$2.4 million general obligation bonds has been retired, thus allowing the Municipality's ad valorem taxes immediately to decrease by one (1) mill.

SECTION 2. Pursuant to Section 1.150-2 of the Treasury Regulations (the "Reimbursement Regulations"), the Governing Body hereby declares its official intent to reimburse expenditures made for the Authorized Purpose prior to the issuance of the Bonds with proceeds of the Bonds to the extent permitted by the Reimbursement Regulations.

SECTION 3. The Governing Body proposes to direct the issuance of the Bonds in the amount, for the purpose and secured as aforesaid at a meeting of the Governing Body to be held in the City Hall Court Room at 101 East Lampkin Street, Starkville, Mississippi at 5:30 o'clock p.m. on June 7, 2016, or at some meeting held subsequent thereto. If ten percent (10%) of the qualified electors of the Municipality, or fifteen hundred (1,500), whichever is the lesser, shall file a written protest with the City Clerk against the issuance of such Bonds on or before the aforesaid date and hour, then the Bonds shall not be issued unless authorized at an election on the question of the issuance of such Bonds to be called and held as provided by law. If no protest be filed, then such Bonds may be issued without an election on the question of the issuance thereof at any time within a period of two (2) years after the date above specified.

SECTION 4. This resolution shall be published once a week for at least three (3) consecutive weeks in the *Starkville Daily News*, a newspaper published in the City of Starkville, Mississippi, and having a general circulation in the Municipality, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972. The first publication of this resolution shall be made not less than twenty-one (21) days prior to the date fixed herein for the issuance of the Bonds, and the last publication shall be made not more than seven (7) days prior to such date.

SECTION 5. The City Clerk is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and have the same before this Governing Body on the date and hour specified in Section 3 hereof.

Vice-Mayor Roy A'. Perkins moved and Alderman Henry Vaughn seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Alderman Ben Carver	voted: nay
Alderman David Little	voted: nay
Alderman Scott Maynard	voted: yea
Alderman Roy A'. Perkins	voted: yea
Alderman Henry N. Vaughn, Sr.	voted: yea
Alderman Jason Walker	voted: yea
Alderman Lisa Wynn	voted: yea

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this the 3<sup>rd</sup> day of May, 2016.

City of Starkville, Mississippi

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Parker Wiseman, Mayor

ATTEST:

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Lesla Hardin, City Clerk

**7. CONSIDERATION OF ADDING AGENDA ITEMS TO CONSENT AGENDA.**

Alderman Maynard offered a motion to open discussion for consideration of creating and adding items to a consent agenda. Alderman Little 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 and the Board entered discussion of creating a consent agenda.

Alderman Maynard offered the following items for consent with no objections:

X. C. DISCUSSION AND CONSIDERATION OF MODIFYING THE TWO CONDITIONS PLACE ON THE APPROVED VARIANCE REQUEST VA 16-04 AT THE APRIL 19, 2016 BOARD OF ALDERMEN MEETING.

XI. B. 2. b. CONSIDERATION TO RESEND BOARD ORDER NUMBER FOUR (4) OF THE APRIL 21, 2015 MINUTES AND GRANT AUTHORIZATION TO TRANSFER NINE THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS AND NINETY-THREE CENTS (\$9,251.93) FROM LINE ITEM NUMBER 001-000-392-920 TO LINE ITEM NUMBER 001-281-691-550, FOR THE PURPOSES OF PURCHASING TECHNOLOGY ITEMS WITHIN THE COMMUNITY DEVELOPMENT DEPARTMENT.

XI. D. 1. REQUEST AUTHORIZATION FOR THE CONSTRUCTION OF A STORM DRAINAGE INLET AND FLUME IN AN AMOUNT NOT TO EXCEED \$4000 ON SAWGRASS DRIVE USING WARD 3 DISCRETIONARY FUNDS.

XI. D. 2. REQUEST PERMISSION TO PURCHASE A FORD F-450 OFF OF STATE CONTRACT TO REPLACE A 2001 1-TON DUMP TRUCK WHICH WAS RECENTLY DECLARED SCRAP DUE TO A FAILED TRANSMISSION WITH FUNDS TO PURCHASE THE VEHICLE COMING FROM THE PROCEEDS OF THE RECENTLY SOLD SURPLUS/SCRAP VEHICLES AND EQUIPMENT AND STREET DEPARTMENT FUNDS.

XI. E. 2. REQUEST AUTHORIZATION FOR PROPERTY INSURANCE COVERAGE FOR THE CITY OF STARKVILLE WITH RENASANT INSURANCE, INC., THE SOLE BIDDER, EFFECTIVE MAY 1, 2016- APRIL 30, 2018.

XI. E. 3. REQUEST APPROVAL OF FY 16 BUDGET ADJUSTMENTS.

XI. E. 4. REQUEST AUTHORIZATION TO DECLARE OLD COMPUTER EQUIPMENT AS SURPLUS WITH AUTHORIZATION TO ADVERTISE ON GOVDEALS AND REMOVE FROM CITY'S INVENTORY.

XI.H.1. REQUEST APPROVAL FOR JULY 4, 2016 ANNUAL FIREWORK SHOWCASE PRESENTED BY PYROFIRE DISPLAYS, INC TO BE HELD AT THE SPORTSPLEX SOCCER FIELD WITH THE TOTAL COST (FIREWORKS, JUMPERS, AND ENTERTAINMENT) NOT TO EXCEED \$15,000.00 WITH 50% DEPOSIT DUE UPON SIGNING OF CONTRACT.

XI. H. 2. REQUEST APPROVAL TO ACCEPT THE LOWEST PRICE FOR THE REPAIRS TO THE POOL AT MONCRIEF PARK FROM TOWNSEND'S INTERNATIONAL FIBERGLASS CORPORATION WITH A BID OF \$46,060.00 WITH THE FUNDS COMING FROM THE 2% FUNDING (FOR THE MANDATORY REPAIRS NEEDED) IN ORDER FOR THE POOL TO OPEN ON MAY 30, 2016.

XI. I. 1. REQUEST AUTHORIZATION TO ADVERTISE TO FILL THE VACANT POSITION OF DRIVER IN THE SANITATION & THE ENVIRONMENTAL SERVICES DEPARTMENT.

XI. I. 2. REQUEST AUTHORIZATION TO HIRE JOHANNA BEELAND TO FILL A TEMPORARY, PART-TIME POSITION OF GENERAL OFFICE CLERK IN THE FINANCE/CITY CLERK'S OFFICE.

XI. I. 3. REQUEST AUTHORIZATION TO HIRE EMILY CORBAN TO FILL THE VACANT POSITION OF ASSISTANT CITY PLANNER IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

XI. J. 1. REQUEST APPROVAL FOR CHIEF R. FRANK NICHOLS TO ATTEND THE 2016 FBINNA ANNUAL TRAINING AND CONFERENCE AND EXHIBITION IN ST. LOUIS, MO ON JULY 22-27, 2016 WITH ADVANCE TRAVEL.

XI. J. 2. REQUEST APPROVAL FOR CHIEF R. FRANK NICHOLS TO ATTEND THE SPRING FACILITY PLANNING SEMINAR TAILORED FOR PUBLIC SAFETY PERSONNEL AND CITY LEADERSHIP INTERESTED IN BEGINNING, DIRECTING AND RENOVATING A POLICE/GOVERNMENT FACILITY WITH ADVANCE TRAVEL MAY 17 – 21, 2016 IN NORTH KANSAS CITY, MO.

XI. J. 3. REQUEST APPROVAL TO ALLOW LT. SHAWN WORD, OFFICERS BABIC, WELLS, ROUND, JONES TO TRAVEL TO THE 2016 STARS CONFERENCE LOCATED IN BILOXI, MS THROUGH THE FY16 DUI GRANT WHICH WILL BE 100% REIMBURSABLE TO MEET A REQUIREMENT OF THE GRANT WITH ADVANCE TRAVEL.

XI. K. 1. DISCUSSION AND CONSIDERATION OF APPROVING THE ENGINEERING SERVICE PROPOSAL BY NEEL-SCHAFFER (NSI) TO OBTAIN PERMIT RENEWAL OF THE CITY'S CERTIFICATE OF COVERAGE TO OPERATE THE STARKVILLE-OKTIBBEHA CLASS I RUBBISH LANDFILL AS REQUIRED UNDER THE MS STATEWIDE GENERAL PERMIT FOR CLASS I RUBBISH SITE, AT A COST OF \$23,128.

XI. L. 1. REQUEST APPROVAL TO CONTINUE AN EXISTING AGREEMENT WITH EAST MISSISSIPPI COMMUNITY COLLEGE (EMCC) TO UTILIZE INTERNS DURING THE SUMMER SEMESTER VIA THE MAKE IT IN AMERICA PROGRAM WITH THE INTERNS TO BE PAID BY AND ALL LIABILITY WILL BE ASSUMED BY EMCC.

XI. L. 2. REQUEST APPROVAL FOR WESLEY CHAMPION, JUSTIN HATCHER AND ORLANDO SMITH TO TRAVEL TO SCOTTSBORO, AL TO ATTEND THE TVPPA PRE-ASSESSMENT LAB MAY 22 – 28, 2016 WITH ADVANCE TRAVEL.

XI. L. 3. REQUEST AUTHORIZATION TO PURCHASE UNDER STATE CONTRACT A NEW FORD F-150 XL AT A COST NOT TO EXCEED \$23,000 TO REPLACE UNIT NUMBER 18 AND TO PURCHASE A NEW FORD F-250 XL AT A COST NOT TO EXCEED \$23,000 TO REPLACE UNIT NUMBER 25 FOR STARKVILLE UTILITIES.

XI. L. 5. REQUEST AUTHORIZATION FOR THE MAYOR TO EXECUTE ADDENDUM NO. 2 TO AN AMENDED WASTEWATER SERVICE CONTRACT BETWEEN MISSISSIPPI STATE UNIVERSITY, THE CITY OF STARKVILLE, BRECKENRIDGE GROUP, IREC CPP MISS. ST. LLC, AND HOMESTEAD ACQUISITIONS.

XI. L. 6. REQUEST APPROVAL FOR STARKVILLE UTILITIES TO PURCHASE A FLOATING AERATOR SYSTEM FROM AQUA-AEROBIC SYSTEMS, INC., THE LOWEST OF TWO QUOTES, TO REPLACE A FAILED BRUSH AERATOR AT THE WASTEWATER TREATMENT FACILITY.

**8. CONSIDERATION OF ADDING AGENDA ITEM XI. D. 3. TO CONSENT AGENDA.**

Alderman Carver offered a motion to add to the consent items being considered Item XI. D. 3.:  
CONSIDERATION TO ACCEPT THE LOW QUOTE FROM HESTER FENCE AND CONSTRUCTION IN THE AMOUNT OF 8,025.00 FOR THE CONCRETE SHOULDER ON LYNN LANE PROJECT TO BE PAID FROM WARD 1 DISCRETIONARY FUNDS WITH THE CONDITION THAT A CONSTRUCTION CONTRACT IS SIGNED.

Alderman Vaughn offered a second to Item XI. D. 3 being added to consent items being considered.

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. MOTION TO APPROVE NEWLY REVISED AGENDA TO INCLUDE CONSENT ITEMS.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn, to approve the following agenda as revised to include a Consent Agenda, 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.

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

**REGULAR MEETING OF TUESDAY, MAY 3, 2016  
5:30 P.M., COURT ROOM, CITY HALL  
110 WEST MAIN 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 THE BOARD OF ALDERMEN MINUTES**

CONSIDERATION OF THE MINUTES OF THE APRIL 5, 2016 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**

**B. MAYOR'S COMMENTS:**

1. New Employee Introductions:

Police Officers:

Justin Butler  
Michael Cooper  
Arin Hanohano  
Prinston Henderson  
Colby Huffman

2. RE-GRAND OPENING OF THE STARKVILLE SPLASH PAD ON MAY 27 AT 11:30.

3. PRESENTATION OF STARKVILLE ROBOTICS PROCLAMATION

4. PRESENTATION OF HOUSE CONCURRENT RESOLUTION NO.126 COMMENDING THE STARKVILLE POLICE DEPARTMENT AS AN ACCREDITED LAW ENFORCEMENT AGENCY.

**B. BOARD OF ALDERMEN COMMENTS:**

**VI. CITIZEN COMMENTS**

**VII. PUBLIC APPEARANCES**

**VIII. PUBLIC HEARING**

PUBLIC HEARING TO DETERMINE WHETHER THE PROPERTY AT 100 DR. MARTIN LUTHER KING, DR. IS A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE.

**IX. MAYOR'S BUSINESS**

PRESENTATION OF THE BUILDING COST COMPARISON FOR THE STARKVILLE POLICE DEPARTMENT BY CHIEF R. FRANK NICHOLS AND GARY SHAFER.

**X. BOARD BUSINESS**

- A. CONSIDERATION OF A STREET CLOSING REQUEST BY STARKVILLE MAIN STREET ASSOCIATION TO HOLD THE 2016 KING COTTON CRAWFISH BOIL ON MAY 13, 2106 AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.
- B. CONSIDERATION OF A RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF SAID MUNICIPALITY IN THE MAXIMUM PRINCIPAL AMOUNT OF TWO MILLION FOUR HUNDRED THOUSAND DOLLARS (\$2,400,000) TO RAISE MONEY FOR THE PURPOSE OF ACQUIRING, RENOVATING, EQUIPPING AND FURNISHING OF THE OLD CITY HALL BUILDING AND ASSOCIATED REAL AND PERSONAL PROPERTY, INCLUDING WITHOUT LIMITATION THE REPAIR, PATCHING, OVERLAY, AND STRIPING OF THE BUILDING'S PARKING LOT, LOCATED AT 101 EAST LAMPKIN STREET IN STARKVILLE, MISSISSIPPI, TO HOUSE AND FACILITATE THE OPERATIONS OF THE STARKVILLE POLICE DEPARTMENT; AND FOR RELATED PURPOSES; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.
- C. DISCUSSION AND CONSIDERATION OF MODIFYING THE TWO CONDITIONS PLACE ON THE APPROVED VARIANCE REQUEST VA 16-04 AT THE APRIL 19, 2016 BOARD OF ALDERMEN MEETING.

**XI. DEPARTMENT BUSINESS**

A. AIRPORT

*THERE ARE NO ITEMS FOR THIS AGENDA*

B. COMMUNITY DEVELOPMENT DEPARTMENT

- a. DISCUSSION REGARDING THE PROPERTY AT 100 DR. MARTIN LUTHER KING DRIVE

1. CODE ENFORCEMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

## 2. PLANNING

- a. CONSIDERATION OF THE CONDITIONAL USE REQUEST CU 16-03 FOR A "DWELLING, 2 FAMILY" DUPLEX ON ONE PARCEL ZONED R-2 SINGLE FAMILY/DUPLEX ON SOUTH LAFAYETTE STREET WITH THE PARCEL NUMBER 102A-00-095.00.
- b. CONSIDERATION TO RESEND BOARD ORDER NUMBER FOUR (4) OF THE APRIL 21, 2015 MINUTES AND GRANT AUTHORIZATION TO TRANSFER NINE THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS AND NINETY-THREE CENTS (\$9,251.93) FROM LINE ITEM NUMBER 001-000-392-920 TO LINE ITEM NUMBER 001-281-691-550, FOR THE PURPOSES OF PURCHASING TECHNOLOGY ITEMS WITHIN THE COMMUNITY DEVELOPMENT DEPARTMENT.

## C. COURTS

*THERE ARE NO ITEMS FOR THIS AGENDA*

## D. ENGINEERING

1. REQUEST AUTHORIZATION FOR THE CONSTRUCTION OF A STORM DRAINAGE INLET AND FLUME IN AN AMOUNT NOT TO EXCEED \$4000 ON SAWGRASS DRIVE USING WARD 3 DISCRETIONARY FUNDS.
2. REQUEST PERMISSION TO PURCHASE A FORD F-450 OFF OF STATE CONTRACT TO REPLACE A 2001 1-TON DUMP TRUCK WHICH WAS RECENTLY DECLARED SCRAP DUE TO A FAILED TRANSMISSION WITH FUNDS TO PURCHASE THE VEHICLE COMING FROM THE PROCEEDS OF THE RECENTLY SOLD SURPLUS/SCRAP VEHICLES AND EQUIPMENT AND STREET DEPARTMENT FUNDS.
3. MOVE TO ACCEPT THE LOW QUOTE FROM HESTER FENCE AND CONSTRUCTION IN THE AMOUNT OF 8,025.00 FOR THE CONCRETE SHOULDER ON LYNN LANE PROJECT TO BE PAID FROM WARD 1 DISCRETIONARY FUNDS.

## E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF APRIL 27, 2016 FOR FISCAL YEAR ENDING 9/30/16.
2. REQUEST AUTHORIZATION FOR PROPERTY INSURANCE COVERAGE FOR THE CITY OF STARKVILLE WITH RENASANT INSURANCE, INC., THE SOLE BIDDER, EFFECTIVE MAY 1, 2016-APRIL 30, 2018.

3. REQUEST APPROVAL OF FY 16 BUDGET ADJUSTMENTS.
4. REQUEST AUTHORIZATION TO DECLARE OLD COMPUTER EQUIPMENT AS SURPLUS WITH AUTHORIZATION TO ADVERTISE ON GOVDEALS AND REMOVE FROM CITY'S INVENTORY.

F. FIRE DEPARTMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

G. INFORMATION TECHNOLOGY

*THERE ARE NO ITEMS FOR THIS AGENDA*

H. PARKS

1. REQUEST APPROVAL FOR JULY 4, 2016 ANNUAL FIREWORK SHOWCASE PRESENTED BY PYROFIRE DISPLAYS, INC TO BE HELD AT THE SPORTSPLEX SOCCER FIELD WITH THE TOTAL COST (FIREWORKS, JUMPERS, AND ENTERTAINMENT) NOT TO EXCEED \$15,000.00 WITH 50% DEPOSIT DUE UPON SIGNING OF CONTRACT.
2. REQUEST APPROVAL TO ACCEPT THE LOWEST PRICE FOR THE REPAIRS TO THE POOL AT MONCRIEF PARK FROM TOWNSEND'S INTERNATIONAL FIBERGLASS CORPORATION WITH A BID OF \$46,060.00 WITH THE FUNDS COMING FROM THE 2% FUNDING (FOR THE MANDATORY REPAIRS NEEDED) IN ORDER FOR THE POOL TO OPEN ON MAY 30, 2016.

I. PERSONNEL

1. REQUEST AUTHORIZATION TO ADVERTISE TO FILL THE VACANT POSITION OF DRIVER IN THE SANITATION & THE ENVIRONMENTAL SERVICES DEPARTMENT.
2. REQUEST AUTHORIZATION TO HIRE JOHANNA BREELAND TO FILL A TEMPORARY, PART-TIME POSITION OF GENERAL OFFICE CLERK IN THE FINANCE/CITY CLERK'S OFFICE.
3. REQUEST AUTHORIZATION TO HIRE EMILY CORBAN TO FILL THE VACANT POSITION OF ASSISTANT CITY PLANNER IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

J. POLICE DEPARTMENT

1. REQUEST APPROVAL FOR CHIEF R. FRANK NICHOLS TO ATTEND THE 2016 FBINNA ANNUAL TRAINING AND CONFERENCE AND EXHIBITION IN ST. LOUIS, MO ON JULY 22-27, 2016 WITH ADVANCE TRAVEL.
2. REQUEST APPROVAL FOR CHIEF R. FRANK NICHOLS TO ATTEND THE SPRING FACILITY PLANNING SEMINAR TAILORED FOR PUBLIC SAFETY PERSONNEL AND CITY LEADERSHIP INTERESTED IN BEGINNING, DIRECTING AND RENOVATING A POLICE/GOVERNMENT FACILITY WITH ADVANCE TRAVEL MAY 17

- 21, 2016 IN NORTH KANSAS CITY, MO.

3. MOVE APPROVAL TO ALLOW LT. SHAWN WORD, OFFICERS BABIC, WELLS, ROUND, JONES TO TRAVEL TO THE 2016 STARS CONFERENCE LOCATED IN BILOXI, MS THROUGH THE FY16 DUI GRANT WHICH WILL BE 100% REIMBURSABLE TO MEET A REQUIREMENT OF THE GRANT WITH ADVANCE TRAVEL.

#### K. SANITATION DEPARTMENT

1. DISCUSSION AND CONSIDERATION OF APPROVING THE ENGINEERING SERVICE PROPOSAL BY NEEL-SCHAFFER (NSI) TO OBTAIN PERMIT RENEWAL OF THE CITY'S CERTIFICATE OF COVERAGE TO OPERATE THE STARKVILLE-OKTIBBEHA CLASS I RUBBISH LANDFILL AS REQUIRED UNDER THE MS STATEWIDE GENERAL PERMIT FOR CLASS I RUBBISH SITE, AT A COST OF \$23,128.

#### L. UTILITIES DEPARTMENT

1. REQUEST APPROVAL TO CONTINUE AN EXISTING AGREEMENT WITH EAST MISSISSIPPI COMMUNITY COLLEGE (EMCC) TO UTILIZE INTERNS DURING THE SUMMER SEMESTER VIA THE MAKE IT IN AMERICA PROGRAM WITH THE INTERNS TO BE PAID BY AND ALL LIABILITY WILL BE ASSUMED BY EMCC.
2. REQUEST APPROVAL FOR WESLEY CHAMPION, JUSTIN HATCHER AND ORLANDO SMITH TO TRAVEL TO SCOTTSBORO, AL TO ATTEND THE TVPPA PRE-ASSESSMENT LAB MAY 22 - 28, 2016 WITH ADVANCE TRAVEL.
3. REQUEST AUTHORIZATION TO PURCHASE UNDER STATE CONTRACT A NEW FORD F-150 XL AT A COST NOT TO EXCEED \$23,000 TO REPLACE UNIT NUMBER 18 AND TO PURCHASE A NEW FORD F-250 XL AT A COST NOT TO EXCEED \$23,000 TO REPLACE UNIT NUMBER 25 FOR STARKVILLE UTILITIES.
4. REQUEST AUTHORIZATION FOR UTILITY SERVICE COMPANY, INC. TO PROCEED WITH ANNUAL MAINTENANCE OF THE LINCOLN GREEN WATER TANK AND MOVE FORWARD WITH RE-PAINTING TO INCLUDE THE NEW STARKVILLE UTILITY LOGO.
5. REQUEST AUTHORIZATION FOR THE MAYOR TO EXECUTE ADDENDUM NO. 2 TO AN AMENDED WASTEWATER SERVICE CONTRACT BETWEEN MISSISSIPPI STATE UNIVERSITY, THE CITY OF STARKVILLE, BRECKENRIDGE GROUP, IREC CPP MISS. ST., LLC, AND HOMESTEAD ACQUISITIONS.
6. REQUEST APPROVAL FOR STARKVILLE UTILITIES TO PURCHASE A FLOATING AERATOR SYSTEM FROM AQUA-AEROBIC SYSTEMS, INC., THE LOWEST OF TWO QUOTES, TO REPLACE A FAILED BRUSH AERATOR AT THE WASTEWATER TREATMENT FACILITY.

- XII. CLOSED DETERMINATION SESSION
- XIII. OPEN SESSION
- XIV. EXECUTIVE SESSION
  - A. PROSPECTIVE SALE OF CITY-OWNED PROPERTY
  - B. PERSONNEL
- XV. OPEN SESSION
- XVI. RECESS UNTIL MAY 17, 2016 @ 5:30 IN THE COURT ROOM AT CITY HALL LOCATED AT 110 WEST MAIN STREET.

*The City of Starkville is accessible to persons with disabilities. Please call the ADA Coordinator, Joyner Williams, at (662) 323-2525, ext. 3121 at least forty-eight (48) hours in advance for any services requested.*

## APPENDIX A

### CONSENT AGENDA

- I. CALL THE MEETING TO ORDER
- II. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE
- III. APPROVAL OF THE OFFICIAL AGENDA
- IV. APPROVAL OF THE BOARD OF ALDERMEN MINUTES
- V. ANNOUNCEMENTS AND COMMENTS
- VI. CITIZEN COMMENTS
- VII. PUBLIC APPEARANCES
- VIII. PUBLIC HEARING
- IX. MAYOR'S BUSINESS
  - THERE ARE NO ITEMS FOR THIS AGENDA*
- X. BOARD BUSINESS
  - C. DISCUSSION AND CONSIDERATION OF MODIFYING THE TWO CONDITIONS PLACE ON THE APPROVED VARIANCE REQUEST VA 16-04 AT THE APRIL 19, 2016 BOARD OF ALDERMEN MEETING.
- XI. DEPARTMENT BUSINESS

A. AIRPORT

*THERE ARE NO ITEMS FOR THIS AGENDA*

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. CODE ENFORCEMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

2. PLANNING

- b. CONSIDERATION TO RESEND BOARD ORDER NUMBER FOUR (4) OF THE APRIL 21, 2015 MINUTES AND GRANT AUTHORIZATION TO TRANSFER NINE THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS AND NINETY-THREE CENTS (\$9,251.93) FROM LINE ITEM NUMBER 001-000-392-920 TO LINE ITEM NUMBER 001-281-691-550, FOR THE PURPOSES OF PURCHASING TECHNOLOGY ITEMS WITHIN THE COMMUNITY DEVELOPMENT DEPARTMENT.

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EQUIPMENT AS SURPLUS WITH AUTHORIZATION TO ADVERTISE ON GOVDEALS AND REMOVE FROM CITY'S INVENTORY.

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**XII. CLOSED DETERMINATION SESSION**

**XIII. OPEN SESSION**

**XIV. EXECUTIVE SESSION**

A. PROSPECTIVE SALE OF CITY-OWNED PROPERTY

B. PERSONNEL

**XV. OPEN SESSION**

**XVI. RECESS UNTIL MAY 17, 2016 @ 5:30 IN THE COURT ROOM AT CITY HALL LOCATED AT 110 WEST MAIN STREET.**

**10. CONSIDERATION OF MODIFYING THE TWO CONDITIONS PLACED ON THE APPROVED VARIANCE REQUEST VA 16-04 AT THE APRIL 19, 2016 BOARD OF ALDERMEN MEETING.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "two conditions place on the approved variance request VA 16-04 at the April 19, 2016 Board Of Aldermen meeting" is enumerated, this consent item is thereby approved, 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.

On April 19, 2016 the Board of Aldermen approved the request for a Variance with conditions from the maximum lot dimension for the proposed lot aggregation of three lots located on the northwest corner of the intersection of University Drive and Hartness Street in a T-5 District. At the request of the applicants, the approved conditions are recommended to be modified as follows:

Conditions placed on VA 16-04. Approved by Board of Aldermen on April 19, 2016.

1. The floor of any building that fronts University Drive shall be at minimum 70% commercial/retail use (non-residential) at street level.
2. Any building that fronts University Drive shall be accessed from street level with the finished floor elevation (of that floor) not to exceed 12 inches above/below the adjacent sidewalk.

Requested Modifications of Conditions placed on VA 16-04. Approved by Board of Aldermen on April 19, 2016

1. The development along University Drive shall include, at minimum, 1/3 non-residential uses within buildings along its frontage.
2. The proposed building that fronts University Drive shall be accessed from street level with the finished floor elevation (of that floor) not to exceed 12 inches above the adjacent sidewalk at the building's southeast corner and 30 inches above the adjacent sidewalk at the building's southwest corner.

**11. CONSIDERATION TO RESCIND BOARD ORDER NUMBER FOUR (4) OF THE APRIL 21, 2015 MINUTES AND GRANT AUTHORIZATION TO TRANSFER NINE THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS AND NINETY-THREE CENTS (\$9,251.93) FROM LINE ITEM NUMBER 001-000-392-920 TO LINE ITEM NUMBER 001-281-691-550, FOR THE PURPOSES OF PURCHASING TECHNOLOGY ITEMS WITHIN THE COMMUNITY DEVELOPMENT DEPARTMENT.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "Motion to rescind board order number four (4) of the April 21, 2015 minutes and grant authorization to transfer nine thousand two hundred fifty-one dollars and ninety-three cents (\$9,251.93) from line item number 001-000-392-920 to line item number 001-281-691-550, for the purposes of purchasing technology items within the community development department" is enumerated, this consent item is thereby approved, 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.

**12. REQUEST AUTHORIZATION FOR THE CONSTRUCTION OF A STORM DRAINAGE INLET AND FLUME IN AN AMOUNT NOT TO EXCEED \$4000 ON SAWGRASS DRIVE USING WARD 3 DISCRETIONARY FUNDS.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "authorization for the construction of a storm drainage inlet and flume in an amount not to exceed \$4000 on Sawgrass Drive using Ward 3 discretionary funds" is enumerated, this consent item is thereby approved, 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.

**13. REQUEST PERMISSION TO PURCHASE A FORD F-450 OFF OF STATE CONTRACT TO REPLACE A 2001 1-TON DUMP TRUCK WHICH WAS RECENTLY DECLARED SCRAP DUE TO A FAILED TRANSMISSION WITH FUNDS TO PURCHASE THE VEHICLE COMING FROM THE PROCEEDS OF THE RECENTLY SOLD SURPLUS/SCRAP VEHICLES AND EQUIPMENT AND STREET DEPARTMENT FUNDS.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board

to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "authorization to purchase a Ford F-450 off of State contract to replace a 2001 1-Ton dump truck which was recently declared scrap due to a failed transmission with funds to purchase the vehicle coming from the proceeds of the recently sold surplus/scrap vehicles and equipment and street department funds" is enumerated, this consent item is thereby approved, 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.

**14. CONSIDERATION TO ACCEPT THE LOW QUOTE FROM HESTER FENCE AND CONSTRUCTION IN THE AMOUNT OF 8,025.00 FOR THE CONCRETE SHOULDER ON LYNN LANE PROJECT TO BE PAID FROM WARD 1 DISCRETIONARY FUNDS.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "acceptance of the low quote from Hester Fence and Construction in the amount of 8,025.00 for the Concrete shoulder on Lynn Lane Project to be paid from Ward 1 discretionary funds" is enumerated, this consent item is thereby approved, 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.

Four quotes were received as follows to construct an 8' concrete shoulder on the south side of Lynn Lane extending from the western driveway of Starkville Christian School to the driveway of the Wesley community church (approximately 150') :

Groundstone Construction	\$11,953.00
Hester Fence and construction	\$8,025.00
Terry Stidham construction	\$9,120.45
Deko-crete	\$8,617.00

**15. REQUEST AUTHORIZATION FOR PROPERTY INSURANCE COVERAGE FOR THE CITY OF STARKVILLE WITH RENASANT INSURANCE, INC., THE SOLE BIDDER, EFFECTIVE MAY 1, 2016- APRIL 30, 2018.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the " authorization to award property insurance coverage for the City of Starkville with Renasant Insurance, Inc., the sole bidder, effective May 1, 2016 - April 30, 2018" is enumerated, this consent item is thereby approved, 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.

**16. REQUEST APPROVAL OF FY 16 BUDGET ADJUSTMENTS.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval of FY 16 Budget Adjustments #3" is enumerated, this consent item is thereby approved, 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.

Account	Code	Debit	Credit
Park Salaries – Management	001-550-420-105	63,000.00	
Park – Maintenance Employees	001-550-430-107		35,000.00
Park - Clerical	001-550-430-110		39,000.00
Park - Part Time (Umpires) Empl	001-550-430-115		32,000.00
Umpires and Referees	001-550-600-320	65,000.00	
Park – Social Security Cont.	001-550-470-131	3,000.00	
Park Office Supplies	001-550-501-200	5,000.00	
Park Janitorial Supplies	001-550-501-208	10,000.00	
Park Utilities	001-550-600-340		50,000.00
Park Communications	001-550-600-330		5,000.00
Fourth of July	001-550-600-355	15,000.00	
Aldermen – Clerical	001-100-470-107	19,850.00	
Aldermen – Clerical PERS	001-100-460-130	2,433.50	
City Planner – Clerical	001-190-420-107	19,850.00	
City Planner – Clerical PERS	001-190-460-130	2,433.50	
CAO Salary	001-120-400-106		44,567.00
Ward 2 Improvements	001-600-948-872	64,141.00	
Ward 3 Improvements	001-600-948-873		13,832.13
Ward 4 Improvements	001-600-948-874	66,939.38	
Ward 5 Improvements	001-600-948-875		3,060.63

Ward 6 Improvements	001-600-948-876	22,581.90	
Ward 7 Improvements	001-600-948-877	7,275.00	
2015 GO Bonds Brought Forward	001-000-396-991		144,044.52
(Adjust to actual spent at 9/30/15)			
Insurance – New Building	001-192-620-370	3,000.00	
Utilities – Buildings	001-192-625-380	8,000.00	
Contract Services – Buildings	001-192-600-338		5,000.00
Supplies – Buildings	001-192-510-220		3,000.00
Repairs – City Hall / Police	001-192-630-403		3,000.00
Safe Routes to School Supplies	001-319-555-250	4,997.00	
Safe Routes to School Prof Svcs	001-319-600-300	1,675.00	
Safe Routes to School Grant	001-000-246-054		6,672.00
Totals		\$ 384,176.28	\$ 384,176.28

**17. REQUEST AUTHORIZATION TO DECLARE OLD COMPUTER EQUIPMENT AS SURPLUS WITH AUTHORIZATION TO ADVERTISE ON GOVDEALS AND REMOVE FROM CITY’S INVENTORY.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval to declare old computer equipment as surplus with authorization to advertise on GovDeals any with any value and remove from inventory" is enumerated, this consent item is thereby approved, 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 following computers and printer are no longer functional and are declared surplus and removed from the City’s inventory:

Dell Optiplex 2003	Dell Optiplex 330 2008
Dell Computer 2002	Dell Computer 2007
Dell Computer 2002	Dell Optiplex 330 2008
Dell Computer 2002	Dell Optiplex 755 2009
Computer System 1998	Computer System 1996
HP LaserJet 5350 DTN laser printer 2007	

**18. REQUEST APPROVAL FOR JULY 4, 2016 ANNUAL FIREWORK SHOWCASE PRESENTED BY PYROFIRE DISPLAYS, INC TO BE HELD AT THE SPORTSPLEX SOCCER FIELD WITH THE TOTAL COST (FIREWORKS, JUMPERS, AND ENTERTAINMENT) NOT TO EXCEED \$15,000.00 WITH 50% DEPOSIT DUE UPON SIGNING OF CONTRACT.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval of the contract with Pyrofire Displays, Inc for the July 4, 2016 annual firework showcase to be held at the Sportsplex Soccer Field with the total cost of fireworks, jumpers and entertainment not to exceed \$15,000 with a 50% deposit due upon contract signing" is enumerated, this consent item is thereby approved, 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.



1) THIS AGREEMENT entered into this **5th day of May 2016** by and between PYROFIRE DISPLAYS, INC.; a Mississippi corporation, hereinafter referred to as "PYROFIRE" and **City of Starkville Mississippi** hereinafter referred to as "PURCHASER".

2) PYROFIRE agrees to furnish PURCHASER, in accordance with the terms and conditions hereinafter set forth, **1** pyrotechnic production including the services of a licensed pyrotechnic operator to take charge of and, along with sufficient helpers, safely discharge the display. The said production(s) will be performed on **July 4<sup>th</sup>, 2016**.

3) PURCHASER, at its own expense, agrees to provide PYROFIRE: A) A suitable PRODUCTION SITE in which to stage the pyrotechnic display including a firing and fallout zone reasonably acceptable to PYROFIRE in which the pyrotechnics may be exhibited, rise and fall safely. B) Adequate policing, guard protection, roping, fencing and/or other crowd control measures to prevent the access of the public or its property or any other people or property not authorized by PYROFIRE into the PRODUCTION SITE. C) Access by PYROFIRE at all times, to the PRODUCTION SITE to set up the production. D) Ensure that the Spectator Area does not infringe on the PRODUCTION SITE; E) PURCHASER shall furnish PYROFIRE any and all certificates of fire retardancy and non-flammability with the return of this executed contract for Material that is within fifty (50) feet of any pyrotechnic effect. The term Material includes, but is not limited to, any and all stage scenery, curtains, pipe and drape, carpet, fluids or anything or object susceptible to combustibility. The failure to supply this certificate may cause PYROFIRE not to produce the said display and Purchaser will be responsible for the contract amount in full. If PURCHASER fails to fully comply with requirement A, B, C, D and/or E set forth above, PYROFIRE shall have no obligation to perform and PURCHASER agrees to pay PYROFIRE the entire contract price.

PURCHASER shall have the sole responsibility to police, monitor and appropriately control spectator access to the Spectator Area and police, monitor and appropriately control the behavior of persons in these areas. It is expressly agreed that PYROFIRE, (including its operators and helpers) shall not inspect, police, monitor or otherwise supervise any area of the site other than the PRODUCTION SITE, except to ensure all spectators are outside the PRODUCTION SITE; and, after completion of the PRODUCTION, that the PRODUCTION SITE is cleared of any pyrotechnic debris originating from the production.

4) PURCHASER shall pay to PYROFIRE the sum of **\$10,000.00 (ten thousand dollars & zero cents)**. A 50% deposit is due upon contract signing. Full final payment is due on the night of the production. The initial deposit will include a non-refundable charge of 10% of the total contract price to initiate the permit and insurance process and is deducted prior to calculating any refunds. If the production proceeds, this amount will be applied towards the remaining balance due. A finance charge at a periodic rate of 1.5% per month, 18% annual percentage rate, or the maximum rate permitted by law, whichever is less, will be charged on the unpaid balance after 10 days from the date of the display. PURCHASER does hereby authorize PYROFIRE to receive and verify financial information concerning PURCHASER from any person or entity.

5) PURCHASER agrees to assume the risk of weather, or other causes beyond PYROFIRE's control, which may prevent the production from being safely discharged on the scheduled date or the cancellation of any event for which PURCHASER has purchased the production. It shall be within PYROFIRE's sole discretion to determine whether or not the production may be safely discharged on the scheduled date and



at the scheduled time. If, for any reason beyond PYROFIRE's control, including, without limitation, inclement weather, PYROFIRE is unable to safely discharge the production on the scheduled date or should any event for which PURCHASER has purchased the production be cancelled, the parties shall attempt to negotiate a new production date, which shall be within 60 days of the original production date. PURCHASER further agrees to pay PYROFIRE for any actual expenses made necessary by this postponement. Actual expenses include, but are not limited to, expenses for travel, lodging, labor, meals, rentals, permit fees, set-up and/or dismantling of production, additional taxes or surcharges, or any other additional expense that was incurred prior to and/or as a result of the postponement or cancellation.

6) PURCHASER shall have the option to unilaterally cancel this production at any time. If PURCHASER exercises this option, PURCHASER agrees to pay PYROFIRE, the following percentages of the agreed contract price. 1) 25% if cancellation occurs seven (7) or more days before the date scheduled for the production, 2) 50% if cancellation occurs between three (3) days prior to and the actual date set for the production, 3) 75% if cancellation occurs on the date set for the production but prior to the time physical set-up of the production actually begins 4) 100% thereafter. If cancellation occurs prior to the date set for the production, PURCHASER, agrees to pay to PYROFIRE, in addition to the above percentages, the value associated with any specific custom work performed by PYROFIRE or its agents including but not limited to music/narration tape production, sponsor logos and/or the costs of all special equipment purchased specifically for the use in this production, including but not limited to all applicable taxes and shipping charges.

7) PYROFIRE reserves the ownership rights and trade names that are used in or is a product of the pyrotechnic production to be performed. Any reproduction by sound, video or other duplication or recording process without the express written permission of PYROFIRE is prohibited. PyroFire will have the sole right to record the display for its own marketing purposes.

8) PYROFIRE agrees to furnish insurance coverage in connection with the Production only, for the following risks and amounts: bodily injury and property damage, One Million Dollars (\$1,000,000) combined single limits. Such insurance shall include PURCHASER as an additional insured regarding claims made against PURCHASER for bodily injury or property damage arising from the operations of PYROFIRE in performing the Production provided for in this Agreement. Such insurance afforded by PYROFIRE shall not include claims made against PURCHASER for bodily injury or property damage arising from A) Failure of PURCHASER, including through or by its employees, agents and/or independent contractors, to perform its obligations under this Agreement, including, without limitation, those contained in Paragraph 3 of this Agreement; B) Failure of the PURCHASER to provide discretionary Spectator and Parking Areas referred to in Paragraph 3 of this Agreement.



9) It is agreed nothing in this Agreement or in PYROFIRE's performance of the production provided for herein shall be construed as forming a partnership or joint venture between PURCHASER and PYROFIRE. The parties hereto shall be severally responsible for their own separate debts and obligations and neither party shall be held responsible for any agreements or obligations not expressly provided for herein.

10) This Agreement shall be governed and interpreted under the laws of the State of Mississippi.

11) Any Notice to the parties permitted or required under this Agreement may be given by mailing such Notice in the United States Mail, postage prepaid, **and first class**, addressed as follows:

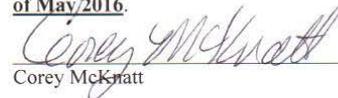
**PyroFire Displays, Inc. 384 E. Goodman Rd. Ste. 254 Southaven, MS 38671**

**PURCHASER – City of Starkville, MS 110 West Main Street / Starkville, MS 39759**

12) All terms of this Agreement are in writing and may only be modified by written agreement of both parties hereto. The parties acknowledge they have received a copy of said written agreement and agree to be bound by said terms of written Agreement, subject only to any written modifications signed by the parties hereto.

13) If there is more than one PURCHASER, they shall be jointly and severally be responsible to perform PURCHASER'S obligations under this Agreement. This Agreement shall become effective after it is executed and accepted by PURCHASER and after it is executed by PYROFIRE at PYROFIRE's offices in Hernando, MS. This Agreement may be executed in several counter parts, including faxed copies, each one of which shall be deemed an original against the party executing same. This Agreement shall be binding upon the parties hereto and upon their heirs, successors, executors, administrators and assigns. PURCHASER agrees and acknowledges that because of the nature of fireworks, an industry accepted level of 3% of the product used in any production may not function as designed and this level of nonperformance is acceptable as full performance.

In Witness Whereof the parties hereto, by and through their duly authorized agents, have set their hands and seals this **5th day of May 2016**.

 \_\_\_\_\_, Title President  
Corey McKnatt

\_\_\_\_\_, Title \_\_\_\_\_  
**PURCHASER**

**19. REQUEST APPROVAL TO ACCEPT THE LOWEST PRICE FOR THE REPAIRS TO THE POOL AT MONCRIEF PARK FROM TOWNSEND’S INTERNATIONAL FIBERGLASS CORPORATION WITH A BID OF \$46,060.00 WITH THE FUNDS COMING FROM THE 2% FUNDING (FOR THE MANDATORY REPAIRS NEEDED) IN ORDER FOR THE POOL TO OPEN ON MAY 30, 2016.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval to accept the lowest price for the repairs to the pool at Moncrief Park from Townsend’s International Fiberglass Corporation with a bid of \$46,060.00 with the funds coming from the 2% funding (for the mandatory repairs needed) with bank financing if applicable in order for the pool to open on May 30, 2016.

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

The two quotes received were:  
Synergie C G - \$49,500  
Townsend’s - \$46,080

**20. REQUEST AUTHORIZATION TO ADVERTISE TO FILL THE VACANT POSITION OF DRIVER IN THE SANITATION & THE ENVIRONMENTAL SERVICES DEPARTMENT.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the " authorization to advertise to fill the vacant position of driver in the Sanitation & Environmental Services Department” is enumerated, this consent item is thereby approved, 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 TO HIRE JOHANNA BEELAND TO FILL A TEMPORARY, PART-TIME POSITION OF GENERAL OFFICE CLERK IN THE FINANCE/CITY CLERK’S OFFICE.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval to hire Johanna Beeland to fill a temporary, part-time position of general office clerk in the Finance / City Clerk’s office” is enumerated, this consent item is thereby approved, 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 TO HIRE EMILY CORBAN TO FILL THE VACANT POSITION OF ASSISTANT CITY PLANNER IN THE COMMUNITY DEVELOPMENT DEPARTMENT.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval to hire Emily Corban to fill the vacant position of assistant city planner in the Community Development Department" is enumerated, this consent item is thereby approved, 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.

**23. REQUEST APPROVAL FOR CHIEF R. FRANK NICHOLS TO ATTEND THE 2016 FBINNA ANNUAL TRAINING AND CONFERENCE AND EXHIBITION IN ST. LOUIS, MO ON JULY 22-27, 2016 WITH ADVANCE TRAVEL.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval for Chief R. Frank Nichols to attend the 2016 FBINNA annual training and conference and exhibition in ST. Louis, MO on July 22-27, 2016 with advance travel" is enumerated, this consent item is thereby approved, 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 FOR CHIEF R. FRANK NICHOLS TO ATTEND THE SPRING FACILITY PLANNING SEMINAR TAILORED FOR PUBLIC SAFETY PERSONNEL AND CITY LEADERSHIP INTERESTED IN BEGINNING, DIRECTING AND RENOVATING A POLICE/GOVERNMENT FACILITY WITH ADVANCE TRAVEL MAY 17 – 21, 2016 IN NORTH KANSAS CITY, MO.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval for Chief R. Frank Nichols to attend the spring facility planning seminar tailored for public safety personnel and city leadership interested in beginning, directing and renovating a police/government facility with advance travel May 17 – 21, 2016 in North Kansas City, MO" is enumerated, this consent item is thereby approved, 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 TO ALLOW LT. SHAWN WORD, OFFICERS BABIC, WELLS, ROUND, JONES TO TRAVEL TO THE 2016 STARS CONFERENCE LOCATED IN BILOXI, MS THROUGH THE FY16 DUI GRANT WHICH WILL BE 100% REIMBURSABLE TO MEET A REQUIREMENT OF THE GRANT WITH ADVANCE TRAVEL.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval to allow Lt. Shawn Word, Officers Babic, Wells, Round and Jones to travel to the 2016 Stars Conference located in Biloxi, MS through the FY16 DUI Grant which will be 100% reimbursable to meet a requirement of the grant with advance travel" is enumerated, this consent item is thereby approved, 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. DISCUSSION AND CONSIDERATION OF APPROVING THE ENGINEERING SERVICE PROPOSAL BY NEEL-SCHAFFER (NSI) TO OBTAIN PERMIT RENEWAL OF THE CITY'S CERTIFICATE OF COVERAGE TO OPERATE THE STARKVILLE-OKTIBBEHA CLASS I RUBBISH LANDFILL AS REQUIRED UNDER THE MS STATEWIDE GENERAL PERMIT FOR CLASS I RUBBISH SITE, AT A COST OF \$23,128.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval of the engineering service proposal by Neel-Schaffer (NSI) to obtain permit renewal of the city's certificate of coverage to operate the Starkville-Oktibbeha Class I Rubbish Landfill as required under the MS Statewide General Permit For Class I Rubbish Site, at a cost of \$23,128" is enumerated, this consent item is thereby approved, 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.

**Engineering Services Proposal  
 For  
 City of Starkville Environmental and Sanitation Department  
 Starkville, Ms.**

**Rubbish Site Permit Renewal**

Background

The City of Starkville Environmental and Sanitation Department has requested that Neel-Schaffer (NSI) prepare documentation required for renewing the City's Certificate of Coverage to operate a Class I rubbish site under the Mississippi Statewide General Permit for a Class I Rubbish Site. The location of the rubbish site is near the intersection of Rockhill Road and Butler Road.

**SCOPE OF SERVICES**

**Task 1. Due Diligence, Boundary Establishment, and Topographic Survey**

After receipt of authorization to proceed, NSI will collect and review pertinent information and data related to the project. Data and information may include meetings with MDEQ, review of MDEQ requirements, maps, aerials, tax maps, survey plats and other public records. NSI will reestablish the boundary and buffer zone of Cells 1 and 2. NSI will also provide a topographic survey of the current cell (existing waste volume for Cell 1) and future cell (Cell 2). This information will be used to determine the existing conditions of the current and future cell in preparation for recoverage under the General Permit, which will be reissued at a later date by MDEQ. (See Attached Jan...2016 MDEQ Memo). At that time, we understand MDEQ will provide the City with instructions for recoverage under the general permit. A separate scope of services will be provided to the City for approval for additional task(s), which will be specific to the instructions provided by MDEQ required for necessary recoverage. Upon approval by the City, NSI will proceed with completing the task(s).

**Task 2. Wetland Delineation and Preparation of Storm Water Pollution Prevention Plan (SWPPP)**

Headwaters, Inc. will perform wetland delineation and determination across the entire facility to determine the extent and location of any jurisdictional wetlands and "other water of the United States" that may exist on the property.

NSI will prepare a SWPPP in accordance to MDEQ's Baseline Storm Water General Permit Application procedures. After completion of the SWPPP NSI will submit necessary information to MDEQ to acquire General Permit on behalf of The City of Starkville.

**COMPENSATION**

Compensation to the Engineer for services performed under this fee proposal will be an hourly not to exceed amount of **\$23,128.00**. The summary of fees and man-hour estimates are presented in the attached Table 1.

Accepted by:

Accepted by:

\_\_\_\_\_  
 City of Starkville, MS  
 Date: \_\_\_\_\_

\_\_\_\_\_  
 Neel-Schaffer, Inc.  
 Date: \_\_\_\_\_

**27. REQUEST APPROVAL TO CONTINUE AN EXISTING AGREEMENT WITH EAST MISSISSIPPI COMMUNITY COLLEGE (EMCC) TO UTILIZE INTERNS DURING THE SUMMER SEMESTER VIA THE MAKE IT IN AMERICA PROGRAM WITH THE INTERNS TO BE PAID BY AND ALL LIABILITY WILL BE ASSUMED BY EMCC.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval to continue an existing agreement with East Mississippi Community College (EMCC) to utilize interns during the summer semester via the Make It In America Program with the interns to be paid by and all liability will be assumed by EMCC" is enumerated, this consent item is thereby approved, 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.

**28. REQUEST APPROVAL FOR WESLEY CHAMPION, JUSTIN HATCHER AND ORLANDO SMITH TO TRAVEL TO SCOTTSBORO, AL TO ATTEND THE TVPPA PRE-ASSESSMENT LAB MAY 22 – 28, 2016 WITH ADVANCE TRAVEL.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval for Wesley Champion, Justin Hatcher and Orlando Smith to travel to Scottsboro, AL to attend the TVPPA Pre-Assessment Lab May 22 – 28, 2016 with advance travel" is enumerated, this consent item is thereby approved, 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 AUTHORIZATION TO PURCHASE UNDER STATE CONTRACT A NEW FORD F-150 XL AT A COST NOT TO EXCEED \$23,000 TO REPLACE UNIT NUMBER 18 AND TO PURCHASE A NEW FORD F-250 XL AT A COST NOT TO EXCEED \$23,000 TO REPLACE UNIT NUMBER 25.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval to purchase under state contract a new Ford F-150 XL at a cost not to exceed \$23,000 to replace unit number 18 and to purchase a new Ford F-250 XL at a cost not to exceed \$23,000 to replace unit number 25" is enumerated, this consent item is thereby approved, 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.

**30. REQUEST AUTHORIZATION FOR THE MAYOR TO EXECUTE ADDENDUM NO. 2 TO AN AMENDED WASTEWATER SERVICE CONTRACT BETWEEN MISSISSIPPI STATE UNIVERSITY, THE CITY OF STARKVILLE, BRECKENRIDGE GROUP, IREC CPP MISS. ST., LLC, AND HOMESTEAD ACQUISITIONS.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval for the Mayor to execute Addendum No. 2 to an amended Wastewater Service Contract between Mississippi State University, the City of Starkville, Breckenridge Group, IREC CPP MISS. ST., LLC, and Homestead Acquisitions" is enumerated, this consent item is thereby approved, 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.

**ADDENDUM NO. 2 TO AMENDED WASTEWATER SERVICE CONTRACT**  
**Between**  
**MISSISSIPPI STATE UNIVERSITY, CITY OF STARKVILLE and BRECKENRIDGE GROUP**  
**STARKVILLE MISSISSIPPI, LLC**

[REVISED AND FINAL VERSION]

1. This Addendum No. 2 ("**Addendum**") to the Amended Wastewater Service Contract between Mississippi State University, the City of Starkville, and Breckenridge Group Starkville Mississippi, LLC ("**Breckenridge Starkville**"), dated August 15, 2013, as supplemented by that certain Addendum No. 1 to the Amended Wastewater Service Contract dated September 16, 2014 (collectively, the "**Service Contract**"), is made and entered into this the \_\_\_\_ day of \_\_\_\_\_, 2016 ("**Addendum Effective Date**"), by and between (i) Breckenridge Group SMS, LLC ("**Breckenridge**"), a Delaware limited liability company, successor-in-interest to Breckenridge Starkville, (ii) IREC CPP Miss. St., LLC ("**Innovative**"), a Delaware limited liability company, (iii) BULLDOG APARTMENTS II, LLC ("**Homestead**"), a Delaware limited liability company, and (iv) Mississippi State University and the City of Starkville, Mississippi (jointly "**Owner**").
2. Homestead is the contract purchaser of certain land situated in Oktibbeha County, Mississippi upon which Homestead currently has plans to construct a residential housing development of no more than seven hundred and fourteen (714) beds ("**Homestead Apartments**"). Homestead, through a separate agreement with Breckenridge and Innovative, intends to connect to the sewer facilities of Breckenridge and Innovative which then connects to the Owner's wastewater facilities pursuant to the terms of the Service Contract. The Homestead Apartments are approved to connect to such sewer facilities for up to 714 beds notwithstanding the restriction of 600 beds in Addendum No. 1.
3. It is understood and agreed that Homestead is not a party to the Service Contract nor should this Addendum be construed to make Homestead a party to the Service Contract. It is further understood and agreed that the only contractual rights and obligations between Homestead and Owner are set forth in this Addendum.
4. In the event that Breckenridge fails to pay or perform any of its obligations under the Service Contract ("**Service Contract Default**"), Innovative and/or Homestead shall have the right, but

not the obligation, to cure on behalf of Breckenridge any Service Contract Default if such default is curable. Any such cure shall be performed within ninety (90) days of the date of written notice served on Breckenridge, Homestead and Innovative.

5. Owner agrees that upon serving Breckenridge any notice of default pursuant to the provisions of the Service Contract, it shall also provide notice of such default to Homestead and Innovative and no notice of default by Owner to Breckenridge under the Service Contract shall be deemed to have been duly given unless and until notice is given to Homestead and Innovative. Homestead and/or Innovative shall have the right, but not the obligation, to perform on behalf of Breckenridge any term or condition of the Service Contract, and Owner shall accept such performance by Homestead or Innovative with the same force and effect as if furnished by Breckenridge. Owner further agrees that it shall not terminate the Service Contract until the expiration of a period of ninety (90) days from the date of a written notice is served on Breckenridge, Homestead and Innovative.
6. If a Service Contract Default is not capable of being cured by Homestead or Innovative, and the Service Contract is terminated pursuant to its terms, such that Homestead and/or Innovative is not able to maintain wastewater service through Breckenridge's sewer facilities, then, subject to Owner having sufficient capacity to provide wastewater services to Homestead and/or Innovative, Owner agrees that it will negotiate in good faith a replacement agreement with Homestead and Innovative, on commercially reasonable terms, in order to provide for wastewater service to Homestead and Innovative.
7. In the event Homestead has not completed connection to Breckenridge's sewer facilities within two (2) years after the Addendum Effective Date, this Addendum (but not the Service Contract) will be voidable by any party hereto upon written notice to all other parties.
8. Breckenridge agrees that it shall not have the right to permit an Additional Developer (other than Homestead and Innovative) to connect to its Sewer Facilities, without the prior written consent of Owner.
9. Breckenridge shall notify Owner upon Homestead and Innovative's completion of connection to Breckenridge's sewer facilities.
10. The parties agree that, without the consent of the Owner, Breckenridge, or Innovative, Homestead shall have the right to freely assign all of its right, title and interest in and to this Addendum to the fee simple owner of the Homestead Apartments. At such time as Homestead or its assignee is the fee simple owner of the Homestead Apartments, this Addendum shall run with the Homestead Apartments and shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns, including, without limitation, all subsequent owners of any portions of the property described herein and all persons claiming under them. The Service Contract, as supplemented by this Addendum, shall continue to run with the property owned by Breckenridge and Innovative.
11. In the event of any conflict between the terms of the Service Contract, on one hand, and the terms of this Addendum, on the other hand, it is agreed that the terms of this Addendum shall control. Except as expressly stated in this Addendum No. 2, the terms of the Service Contract and Addendum No. 1 to the Service Contract are unmodified and remain in full force and effect.
12. This Addendum may be executed in multiple counterparts, each of which shall be deemed an original but all of which, together, shall constitute one instrument. For the purposes of this Addendum, an executed facsimile counterpart copy of this Addendum shall be deemed an original for all purposes.

13. All notices, demands, requests and other communications required or permitted under the Service Agreement and this Addendum will be deemed sufficient if mailed by U.S. certified mail, return receipt requested or by a reliable overnight delivery service, addressed to the parties as follows:

If to Breckenridge: Breckenridge Group SMS, LLC  
Building B, Suite 201  
1301 S. Capital of Texas Hwy  
Austin, Texas 78746  
Attn: Richard Stasica  
Email: rstasica@myaspenheights.com

If to Innovative: IREC CPP MISS. ST., LLC  
3100 Pinebrook Road, Suite 1250-C  
Park City, Utah 84098  
Attn: Mr. Michael S. Augustine  
Email: maugustine@homesteaddp.com

If to Homestead: c/o Homestead Development Partners, LLC  
3100 Pinebrook Road, Suite 1250-C  
Park City, Utah 84098  
Attn: Mr. Michael S. Augustine  
Email: maugustine@homesteaddp.com

If to MSU: Mississippi State University  
Office of Procurement and Contracts  
Attn: Mr. Don Buffum  
P.O. Box 5307  
McArthur Hall, Fifth Floor  
Mississippi State, MS 39762

If to City of Starkville: City of Starkville  
Attn: Mayor  
110 W. Main Street  
Starkville, MS 39759

[SIGNATURES APPEAR ON FOLLOWING PAGES]

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

**Mississippi State University**

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

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

**City of Starkville**

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

Mayor

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

City Clerk

**Customer:**

**Breckenridge Group SMS, LLC,**  
a Delaware limited liability company

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

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

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

**As to Addendum only:**

**IREC CPP MISS. ST., LLC,**  
a Delaware limited liability company

By: IREC Miss. St. Predev, LLC,  
a Texas limited liability company,  
its Managing Member

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

Print Name: \_\_\_\_\_

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

**BULLDOG APARTMENTS II, LLC,**  
a Delaware limited liability company

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

Michael Augustine, President

**31. REQUEST APPROVAL FOR STARKVILLE UTILITIES TO PURCHASE A FLOATING AERATOR SYSTEM FROM AQUA-AEROBIC SYSTEMS, INC., THE LOWEST OF TWO QUOTES, TO REPLACE A FAILED BRUSH AERATOR AT THE WASTEWATER TREATMENT FACILITY.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn and adopted by the Board to approve the May 3, 2016 Official Agenda as revised, and to accept items for Consent, whereby the "approval for Starkville Utilities to purchase a floating aerator system from Aqua-Aerobic Systems, Inc., the lower of two quotes, to replace a failed brush aerator at the wastewater treatment facility" is enumerated, this consent item is thereby approved, 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 two quotes received were:

Aqua-Aerobic (new unit with extended warranty)	\$21,060 (FOB Shipping Point)
Hydra Service	\$55,750 (FOB Shipping Point)

**32. CONSIDERATION OF THE CONDITIONAL USE REQUEST CU 16-03 FOR A "DWELLING, 2 FAMILY" DUPLEX ON ONE PARCEL ZONED R-2 SINGLE FAMILY/DUPLEX ON SOUTH LAFAYETTE STREET WITH THE PARCEL NUMBER 102A-00-095.00.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Walker, to approve the conditional use request CU 16-03 for a 2 family dwelling duplex on one parcel zoned R-2 Single family / duplex on South Lafayette Street with the parcel number 102A-00-095.00 with the condition that a concrete apron be poured at the driveway entrance and to allow crushed rock or 610 under the building to be contained by a concrete border, 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.

**33. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS AS OF APRIL 27, 2016 FOR FISCAL YEAR ENDING 9/30/16.**

Upon the motion of Alderman Maynard to move approval of the City of Starkville Claims Docket for all departments as of April 27, 2016 for fiscal year ending 9/30/16, duly seconded by Alderman Wynn, 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	\$ 175,919.96
Restricted Police Fund	002	1,442.50
Restricted Fire Fund	003	1,730.00
Airport Fund	015	7,888.67
Sanitation	022	15,257.64
Landfill	023	308.40
Park and Rec Tourism	375	3,126.76
Water/Sewer	400	240.28
Trust & Agency	610	23,289.98
Economic Dev, Tourism & Conv	630	83,281.48
Sub Total Before Stk Utilities	Sub	\$ 312,485.67
Utilities Dept.	SED	3,942,446.29
Total Claims	Total	\$4,254,931.96

**34. REQUEST AUTHORIZATION FOR UTILITY SERVICE COMPANY, INC. TO PROCEED WITH ANNUAL MAINTENANCE OF THE LINCOLN GREEN WATER TANK AND MOVE FORWARD WITH RE-PAINTING TO INCLUDE THE NEW STARKVILLE UTILITY LOGO.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Little, to authorize Utility Service Company, Inc. to proceed with annual maintenance of the Lincoln Green water tank and move forward with re-painting to include the new Starkville utility logo, 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.

**35. 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 Maynard, duly seconded by Alderman Vaughn, 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.

### **36. A MOTION TO ENTER EXECUTIVE SESSION TO CONSIDER A POTENTIAL SALE OF CITY PROPERTY AND A PERSONNEL MATTER RELATED TO A FIREMAN.**

Alderman Little offered a motion to enter Executive Session to consider a potential sale of City Property and a personnel matter related to a fireman on a finding that the 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 a potential sale of City Property and a personnel matter related to a fireman on a finding that the proposed topics qualified for Executive Session. At this time the Board entered Executive Session.

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

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

Alderman Ben Carver	Voted: Absent
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 taken action in Executive Session and asked the City Clerk to read the motions.

**38. A MOTION TO EXECUTE AN ADDENDUM TO EXTEND THE CLOSING DATE OF THE SALE OF A PIECE OF CITY PROPERTY TO JUNE 1, 2016.**

A motion was offered by Alderman Maynard to authorize an addendum to extend the closing date of the sale of a piece of City property to June 1, 2016. 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: 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. A MOTION TO RATIFY THE RECOMMENDATION OF THE FIRE CHIEF OF DISCIPLINARY ACTIONS OF A FIREMAN.**

A motion was offered by Alderman Perkins to ratify the recommendation of the Fire Chief of disciplinary actions of a fireman. The motion was seconded by Alderman Maynard 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.

**40. A MOTION TO RECESS UNTIL MAY 17, 2016 @ 5:30 IN THE COURT ROOM AT CITY HALL LOCATED AT 110 WEST MAIN STREET.**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Wynn, for the Board of Aldermen to recess the meeting until May 17, 2016 @ 5:30 at 110 West Main Street in the Court Room of City Hall, 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.

SIGNED AND SEALED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016.

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

Attest:

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

(SEALED)