

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN**

**The City of Starkville, Mississippi
May 3, 2011**

Be it remembered that the Mayor and Board of Aldermen met in a Regular Meeting on May 3 at 5:30 p.m. in the Courtroom of City Hall, located at 101 E. Lampkin Street, Starkville, MS. There being present were Mayor Parker Wiseman, Aldermen Ben Carver, Sandra Sistrunk, Eric Parker, Richard Corey, Jeremiah Dumas, Roy A. Perkins, and Henry Vaughn, Sr. Attending the Board were City Attorney Chris Latimer and City Clerk Markeeta Outlaw.

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

REQUESTED REVISIONS TO THE OFFICIAL AGENDA

Alderman Jeremiah Dumas requested the following changes to the May 3, 2011 Official Agenda

Add to Consent Item IX-B regarding a Request from the Mayor's Youth Council for funds from the Outside Contributions Line Item in the Amount of \$1,340.00 to support the Summer Youth Employment Program and to assist with travel for attendance at the Youth Track in Biloxi, MS on June 28, 2011.

Add to Consent Item X-B regarding the appointment of Dennis Nordin to the Board of Adjustment and Appeals for the unexpired term ending 06/30/13 and John Cartwright to the Tree Advisory Board for the unexpired term ending 05/01/14.

Add to Consent Item X-E regarding a Resolution requesting that the Three Judge Panel consider House Amendment 1 to Senate Concurrent Resolution No. 692 Adopted April 6, 2011, as a substantially improved version of the State Reapportionment Plan Adopted March 4, 2011.

Add to Consent Item XI-E-1 regarding a Request for approval of the lowest and best bid from S & S Line Service for 'tree trimming service' and the execution of a contract.

1.

**A MOTION TO APPROVE
THE OFFICIAL AGENDA AS REVISED**

There came for consideration the matter of approving and adopting the May 3, 2011 Official Agenda of the Regular Meeting of the Mayor and Board of Aldermen as revised. After discussion, and

upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker, to approve the May 3, 2011 Official Agenda as revised, the Board voted unanimously in favor of the motion.

Having received no objections to consent items, the Mayor declared the consent items approved.

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

REGULAR MEETING OF TUESDAY, MAY 3, 2011
5:30 P.M., COURT ROOM, CITY HALL
101 EAST LAMPKIN STREET

PROPOSED CONSENT AGENDA ITEMS ARE NOTED ### AND PROVIDED AS APPENDIX A ATTACHED

*****ITEMS SHOWN IN ITALICS WITH AN ASTERISK HAVE BEEN ADDED, ~~DELETED~~ OR MODIFIED FROM THE ORIGINAL AGENDA.

- I. **CALL THE MEETING TO ORDER**
- II. **PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE**
- III. **APPROVAL OF THE OFFICIAL AGENDA**
 - A. CONSIDERATION OF THE APPROVAL OF THE CONSENT AGENDA.
- IV. **APPROVAL OF BOARD OF ALDERMEN MINUTES**
 - A. CONSIDERATION OF THE APPROVAL OF THE MINUTES FROM THE REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE HELD ON APRIL 5, 2011.
 - B. CONSIDERATION OF THE APPROVAL OF THE MINUTES FROM THE RECESS MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE HELD ON APRIL 19, 2011.
- V. **ANNOUNCEMENTS AND COMMENTS**
 - A. MAYOR'S COMMENTS:

CONGRATULATIONS TO:

OFFICER KELLY FOR BEING RECOGNIZED BY DPS AS A MEMBER OF THE **200** DUI CLUB AND TO
OFFICER ROUND FOR BEING RECOGNIZED AS A MEMBER OF THE **100** DUI CLUB.

B. BOARD OF ALDERMEN COMMENTS:

RECOGNITION OF **EMPLOYEE OF THE MONTH**: ALDERMAN
DUMAS PRESENTING TO:

GLENN BEVERLY – SANITATION AND ENVIRONMENTAL SERVICES

ALDERMAN PERKINS – COMMENTS REGARDING STARKVILLE SCHOOL
BOARD

VI. CITIZEN COMMENTS

VII. PUBLIC APPEARANCES

- A. PRESENTATION FROM THE MAYOR'S YOUTH COUNCIL ON THE GRANT AWARD AND PRESENTING A REQUEST FOR FUNDS TO ASSIST IN THE SUMMER YOUTH EMPLOYMENT PROGRAM.
- B. PRESENTATION BY SILAS CRAGIN KNOX FOR AN EAGLE SCOUT PROJECT PLACING REFLECTORS IDENTIFYING FIRE HYDRANTS IN AREAS OF THE CITY.

VIII. PUBLIC HEARING

THERE ARE NO PUBLIC HEARINGS SCHEDULED

IX. MAYOR'S BUSINESS

- A. CONSIDERATION OF APPOINTING A CITY OF STARKVILLE REDISTRICTING COMMITTEE CONSISTING OF THREE BOARD OF ALDERMEN MEMBERS, THE CITY CLERK, CHAIRMAN OF THE MUNICIPAL ELECTIONS COMMITTEE AND THE CHIEF ADMINISTRATIVE OFFICER.
- B. CONSIDERATION OF THE REQUEST FROM THE MAYOR'S YOUTH COUNCIL FOR FUNDS IN THE AMOUNT OF \$1,340.00 TO SUPPORT THE SUMMER YOUTH EMPLOYMENT PROGRAM AND TO ALLOW TRAVEL TO THE YOUTH SUMMIT IN BILOXI, MS.

C. CONSIDERATION OF THE APPROVAL OF A MEMORANDUM OF AGREEMENT WITH THE MISSISSIPPI SCHOOL OF PROTOCOL & ETIQUETTE FOR THE BENEFIT OF THE YOUTH LEADERSHIP TRAINING PROGRAM.

X. BOARD BUSINESS

- A. PRESENTATION BY THE MUNICIPAL COMPLEX COMMITTEE CHAIRMAN, ROY RUBY, ON THE RECOMMENDATION FOR THE LOCATION(S) FOR THE PROVISION FOR THE POLICE FACILITIES, COURTS AND MUNICIPAL ADMINISTRATION OFFICES.
- B. CONSIDERATION OF THE APPOINTMENT OF MEMBERS TO THE BOARD OF ADJUSTMENTS AND APPEALS FOR THE UNEXPIRED TERM ENDING 06-30-13

AND THE TREE ADVISORY BOARD WITH THE UNEXPIRED TERM ENDING 05-01-14.

C. CONSIDERATION OF ADVERTISING FOR THE EXPIRING TERMS ON THE PLANNING AND ZONING COMMISSION, THE BOARD OF ADJUSTMENTS AND APPEALS, THE PARK COMMISSION, THE SOLID WASTE AND RECYCLING COMMITTEE AND THE HISTORIC PRESERVATION COMMISSION.

D. CONSIDERATION OF A FINDING OF FACT AND A DECLARATION THAT IN ACCORDANCE WITH MS CODE §21-19-13 THE DRAINAGE MATTERS IMPACTING WEST MAIN STREET AND SURROUNDING AREAS ARE A PUBLIC HEALTH AND SAFETY CONCERN THAT ESTABLISHES THE NEED FOR THE CITY TO ENTER ONTO PRIVATE PROPERTY AS NECESSARY TO ALLEVIATE SUCH EROSION AND FLOODING SO AS TO PRESERVE PUBLIC SAFETY AND WELFARE WITH SUCH WORK TO HAVE COMMENCED ON APRIL 26, 2011.

***** E. *CONSIDERATION OF A RESOLUTION REQUESTING THAT THE THREE JUDGE PANEL CONSIDER HOUSE AMENDMENT 1 TO SENATE CONCURRENT RESOLUTION NO. 692 ADOPTED APRIL 6, 2011, AS A SUBSTANTIALLY IMPROVED VERSION OF THE STATE REAPPORTIONMENT PLAN ADOPTED MARCH 4, 2011.*

XI. DEPARTMENT BUSINESS

A. AIRPORT

1. REQUEST APPROVAL FOR PAY REQUEST # 4 INVOICE #1171103P FROM CLEARWATER CONSULTANTS, INC. REGARDING CONTRACT FOR SERVICES FOR PROJECT DEVELOPMENT, DESIGN AND BIDDING FOR DRAINAGE, RSA AND ROFA IMPROVEMENTS FOR BRYAN FIELD FUNDED BY THE 2010 AIP GRANT IN THE AMOUNT OF \$9,920.00.

2. REQUEST APPROVAL FOR INVOICE #111.61101 FROM CLEARWATER CONSULTANTS, INC., REGARDING PAYMENT FOR PREPARATION OF SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC) PLAN; PREPARATION OF APPLICATION FOR RENEWAL OF BASELINE GENERAL STORM WATER PERMIT; PREPARATION OF STORM WATER POLLUTION PREVENTION PLAN IN THE AMOUNT OF \$7,578.35.

B. BUILDING, CODES AND PLANNING DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

C. OFFICE OF THE CITY CLERK

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE FIRE DEPARTMENT CLAIMS DOCKET AS OF APRIL 28, 2011.

2. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS EXCEPT THE FIRE DEPARTMENT AS OF APRIL 28, 2011.

D. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

E. ELECTRIC DEPARTMENT

1. REQUEST APPROVAL OF THE LOWEST AND BEST BID FOR THE TREE TRIMMING SERVICE.

2. REQUEST AUTHORIZATION TO ADVERTISE FOR THE SOURCE OF SUPPLY LIST FOR THE TIME PERIOD FROM JULY 2011 THROUGH DECEMBER 2011.

F. ENGINEERING AND STREETS

1. REQUEST APPROVAL OF THE LOW QUOTE FOR THE HOLLIS I DRAINAGE IMPROVEMENT PROJECT AND AUTHORIZATION TO ENTER AN AGREEMENT WITH SAID CONTRACTOR.

2. REQUEST APPROVAL OF THE LOW QUOTE FOR THE 2011 ADA RAMP PROJECT AND AUTHORIZATION TO ENTER AN AGREEMENT WITH SAID CONTRACTOR.

G. FIRE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

H. INFORMATION TECHNOLOGY

THERE ARE NO ITEMS FOR THIS AGENDA

I. PERSONNEL

THERE ARE NO ITEMS FOR THIS AGENDA

J. POLICE DEPARTMENT

1. REQUEST APPROVAL OF THE AGREEMENT WITH THE HOMELAND SECURITY DIVISION FOR THE PURCHASE OF A CHEVROLET TAHOE FOR THE AMOUNT OF \$32,388.00 WITH 100% REIMBURSABLE FUNDS.

K. PUBLIC SERVICES

THERE ARE NO ITEMS FOR THIS AGENDA

L. SANITATION DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

XII. CLOSED DETERMINATION SESSION

XIII. OPEN SESSION

XIV. EXECUTIVE SESSION

A. PENDING LITIGATION

***** B. *POTENTIAL LITIGATION*

XV. OPEN SESSION

XVI. RECESS UNTIL MAY 17, 2011 @ 5:30 AT 101 LAMPKIN STREET IN THE CITY HALL COURTROOM.

The City of Starkville is accessible to persons with disabilities. Please call the ADA Coordinator, Mr. Ben Griffith, at (662) 323-2525, ext. 119 at least forty-eight (48) hours in advance for any services requested.

APPENDIX A

PROPOSED CONSENT AGENDA

IX. MAYOR'S BUSINESS

C. CONSIDERATION OF THE APPROVAL OF A MEMORANDUM OF AGREEMENT WITH THE MISSISSIPPI SCHOOL OF PROTOCOL & ETIQUETTE FOR THE BENEFIT OF THE YOUTH LEADERSHIP TRAINING PROGRAM.

X. BOARD BUSINESS

C. CONSIDERATION OF ADVERTISING FOR THE EXPIRING TERMS ON THE PLANNING AND ZONING COMMISSION, THE BOARD OF ADJUSTMENTS AND APPEALS, THE PARK COMMISSION, THE SOLID WASTE AND RECYCLING COMMITTEE AND THE HISTORIC PRESERVATION COMMISSION.

D. CONSIDERATION OF A FINDING OF FACT AND A DECLARATION THAT IN ACCORDANCE WITH MS CODE §21-19-13 THE DRAINAGE MATTERS IMPACTING WEST MAIN STREET AND SURROUNDING AREAS ARE A PUBLIC HEALTH AND SAFETY CONCERN THAT ESTABLISHES THE NEED FOR THE CITY TO ENTER ONTO PRIVATE PROPERTY AS NECESSARY TO ALLEVIATE SUCH EROSION AND FLOODING SO AS TO PRESERVE PUBLIC SAFETY AND WELFARE WITH SUCH WORK TO HAVE COMMENCED ON APRIL 26, 2011.

XI. DEPARTMENT BUSINESS

A. AIRPORT

1. REQUEST APPROVAL FOR PAY REQUEST # 4 INVOICE #1171103P FROM CLEARWATER CONSULTANTS, INC. REGARDING CONTRACT FOR SERVICES FOR PROJECT DEVELOPMENT, DESIGN AND BIDDING FOR DRAINAGE, RSA AND ROFA IMPROVEMENTS FOR BRYAN FIELD FUNDED BY THE 2010 AIP GRANT IN THE AMOUNT OF \$9,920.00.

2. REQUEST APPROVAL FOR INVOICE #111.61101 FROM CLEARWATER CONSULTANTS, INC., REGARDING PAYMENT FOR PREPARATION OF SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC) PLAN; PREPARATION OF APPLICATION FOR RENEWAL OF BASELINE GENERAL STORM WATER PERMIT; PREPARATION OF STORM WATER POLLUTION PREVENTION PLAN IN THE AMOUNT OF \$7,578.35.

- B. BUILDING DEPARTMENT – NO ITEMS
- C. OFFICE OF THE CITY CLERK
 - 2. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS EXCEPT THE FIRE DEPARTMENT AS OF APRIL 28, 2011.
- D. COURTS – NO ITEMS
- E. ELECTRIC DEPARTMENT
 - 2. REQUEST AUTHORIZATION THE SOURCE OF SUPPLY LIST FOR THE TIME PERIOD FROM JULY 2011 THROUGH DECEMBER 2011.
- F. ENGINEERING AND STREETS
 - 1. REQUEST APPROVAL OF THE LOW QUOTE FOR THE HOLLIS I DRAINAGE IMPROVEMENT PROJECT AND AUTHORIZATION TO ENTER AN AGREEMENT WITH SAID CONTRACTOR.
 - 2. REQUEST APPROVAL OF THE LOW QUOTE FOR THE 2011 ADA RAMP PROJECT AND AUTHORIZATION TO ENTER AN AGREEMENT WITH SAID CONTRACTOR
- G. FIRE DEPARTMENT – NO ITEMS
- H. INFORMATION TECHNOLOGY – NO ITEMS
- I. PERSONNEL - NO ITEMS
- J. POLICE DEPARTMENT
 - 1. REQUEST APPROVAL OF THE AGREEMENT WITH THE HOMELAND SECURITY DIVISION FOR THE PURCHASE OF A CHEVROLET TAHOE FOR THE AMOUNT OF \$32,388.00 WITH 100% REIMBURSABLE FUNDS.
- K. PUBLIC SERVICES – NO ITEMS
- L. SANITATION DEPARTMENT – NO ITEMS

CONSENT ITEMS 2 - 15

- 2. **APPROVAL TO FINANCIALLY SUPPORT THE STARKVILLE MAYOR’S YOUTH COUNCIL TRAVEL TO BILOXI, MS TO PARTICIPATE IN THE MISSISSIPPI MUNICIPAL LEAGUE’S YOUTH TRACK BEING HELD JUNE 28, 2011 WITH AN AMOUNT OF \$1,340.00**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of financial support to the Starkville Mayor’s Youth Council's

travel to Biloxi, MS to participate in the Mississippi Municipal League's Youth Track being held June 28, 2011 with an amount of \$1,340.00" is enumerated, this consent item is thereby approved.

3.

**APPROVAL OF A MEMORANDUM AGREEMENT WITH THE MISSISSIPPI
SCHOOL OR PROTOCOL & ETIQUETTE FOR THE BENEFIT OF THE YOUTH
LEADERSHIP TRAINING PROGRAM**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker, and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of a Memorandum Agreement with the Mississippi School or Protocol & Etiquette for the benefit of the Youth Leadership Training Program" is enumerated, this consent item is thereby approved.

MEMORANDUM OF AGREEMENT

Agreement between the City of Starkville, Mississippi, and The Mississippi School of Protocol & Etiquette. This Memorandum of Agreement is entered into this 3rd day of May, 2011, by and between the City of Starkville and The Mississippi School of Protocol & Etiquette.

Now therefore in consideration of their mutual considerations and promises, the parties agree as follows:

1. The Mississippi School of Protocol & Etiquette agrees to staff and conduct the program- The Mayor's Youth Leadership Core Training.
2. If there is an interruption in the program for circumstances beyond the control of either party to this agreement, The Mississippi School of Protocol & Etiquette agrees to reschedule the program at a time that is mutually agreeable.
3. The Mississippi School of Protocol & Etiquette is not responsible for participants who arrive late for the program, as scheduling agreements must be met.
4. The City of Starkville agrees that the program The Mayor's Youth Leadership Core Training shall not be audio recorded or video taped.
5. The City of Starkville agrees to provide a suitable facility to host the Mayor's Youth Leadership Core Training.
6. The City of Starkville agrees to endorse the program by providing the City's Logo to be used on printed program materials and MSOPE's web site.
7. The City of Starkville agrees that Mayor Parker Wiseman will attend the training's.
8. The City of Starkville agrees that its investment will be limited to allowing The Mississippi School of Protocol and Etiquette to use a facility for the program. No monies will be exchanged between the parties.
9. The Mississippi School of Protocol & Etiquette, along with its directors, officer, employees, representatives, agents, insurers, and/or assigns, agree to assume the defense, hold harmless, and fully indemnify the City of Starkville from any and all claims, suits, judgments, damages, attorney's fees, costs and any and all other

expenses whatsoever arising out of or relating in any manner to The Mayor's Youth Leadership Core Training conducted by the Mississippi School of Protocol & Etiquette that is the subject of this Agreement. This indemnification provision shall survive the termination of this Agreement.

10. This Agreement shall take effect when executed by both parties. The term of this Agreement shall be one year. This Agreement may be terminated with or without cause, by either party so long as that party provides thirty (30) days written notice prior to termination.

Date: _____

By: _____

Jay Pearson, Director
The Mississippi School of Protocol & Etiquette

Date: _____

By: _____

Parker Wiseman, Mayor
City of Starkville, Mississippi

4.
**APPROVAL OF THE APPOINTMENT OF DENNIS NORDIN TO THE BOARD OF
ADJUSTMENT FOR THE UNEXPIRED TERM ENDING 06/30/2013 AND JOHN
CARTWRIGHT TO THE TREE ADVISORY BOARD FOR THE TREE ADVISORY
BOARD FOR THE UNEXPIRED TERM ENDING 05/01/2014**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker, and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of the appointment of Dennis Nordin to the Board of Adjustment for the unexpired term ending 06/30/2013 and John Cartwright to the three Advisory Board for the unexpired term ending 05/01/2014" is enumerated, this consent item is thereby approved.

5.
**APPROVAL TO ADVERTISE FOR THE EXPIRING TERMS ON THE PLANNING
AND ZONING COMMISSION, THE BOARD OF ADJUSTMENTS AND APPEALS,
THE PARK COMMISSION, THE SOLID WASTE AND RECYCLING COMMITTEE
AND THE HISTORIC PRESERVATION COMMISSION**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker, and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval to advertise for the expiring terms on the Planning and Zoning Commission, the Board of Adjustments and Appeals, the Park Commission, the Solid Waste and Recycling Committee and the Historic Preservation Commission" is enumerated, this consent item is thereby approved.

6.

APPROVAL OF A FINDING OF FACT AND A DECLARATION THAT IN ACCORDANCE WITH MS CODE 21-19-13 THE DRAINAGE MATTERS IMPACTING WEST MAIN STREET AND SURROUNDING AREAS ARE A PUBLIC HEALTH AND SAFETY CONCERN THAT ESTABLISHES THE NEED FOR THE CITY TO ENTER ONTO PRIVATE PROPERTY AS NECESSARY TO ALLEVIATE SUCH EROSION AND FLOODING SO AS TO PRESERVE PUBLIC SAFETY AND WELFARE WITH SUCH WORK TO HAVE COMMENCED ON APRIL 26, 2011

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker, and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of a Finding of Fact and a Declaration that in accordance with MS Code 21-19-13 the drainage matters impacting West Main Street and surrounding areas are a public health and safety concern that establishes the need for the city to enter onto private property as necessary to alleviate such erosion and flooding so as to preserve public safety and welfare with such work to have commenced on April 26, 2011" is enumerated, this consent item is thereby approved.

7.

APPROVAL OF A RESOLUTION REQUESTING THAT THE THREE JUDGE PANEL CONSIDER HOUSE AMENDMENT NO. 1 TO SENATE CONCURRENT RESOLUTION NO. 692 ADOPTED APRIL 6, 2011, AS A SUBSTANTIALLY IMPROVED VERSION OF THE STATE REAPPORTIONMENT PLAN ADOPTED MARCH 4, 2011

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of a resolution requesting that the three judge panel consider house amendment no.1 to senate concurrent resolution no. 692 adopted April 6, 2011, as substantially improved version of the state reapportionment plan adopted March 4, 2011 " is enumerated, this consent item is thereby approved.

**RESOLUTION TO SUBSTANTIALLY SUPPORT THE HOUSE
AMENDMENT NO. 1 THE REAPPORTIONMENT PLAN
AS ADOPTED IN SENATE CONCURRENT RESOLUTION
NO. 692 ADPOTED APRIL 6, 2011**

WHEREAS, on April 6, 2011, the Mississippi House of Representatives approved an Amendment 1 to Senate Concurrent Resolution No. 692 providing in part that the citizens of the City of Starkville, Mississippi will be divided among tree instead of four legislative districts by voting precincts (or portions thereof) as follows:

District 24: Oktibbeha, Choctaw, Grenada, Webster, Montgomery and Sunflower Counties

District 37: Oktibbeha, Clay, and Lowndes Counties

District 38: Oktibbeha, and Lowndes Counties

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville, Mississippi, believe that there is a commonality of interests among the citizens of the City which favors representation of such citizens by Representatives of said commonality; and

WHEREAS, the Mayor and the Board of Aldermen recognize that the City of Starkville grew by 9.2% in the previous ten (10) years to a population of 23,688, equal to the average district population for the State of Mississippi; and

WHEREAS, the Mayor and the Board of Aldermen are of the opinion that the reapportionment proposed would effectively improve the voting strength from the original house redistricting plan passed on March 4, 2011, by reducing the number of districts in Starkville from four (4) to three (3) and providing that citizens of Starkville/Oktibbeha County will comprise a majority of an additional legislative district; and

NOW THEREFORE, be it resolved by the Mayor and Board of Aldermen of the City of Starkville, Mississippi, that the City of Starkville finds that House Amendment No. 1 Passed by the Mississippi House of Representatives on April 6, 2011, represents an improvement to the original plan passed on March 4, 2011, and is significantly more representative of the population and the ability of the citizens of Starkville to have meaningful representation for the exercise of their rights to impact the legislation and laws under which they must in turn abide.

UPON MOTION of Alderman Richard Corey, duly seconded by Alderman Eric Parker the aforesaid Resolution was put t a roll call vote with the Aldermen voting as follows:

Ben Carver	Voted: Yea
Sandra Sistrunk	Voted: Yea
Richard Corey	Voted: Yea
Jeremiah Dumas	Voted: Yea
Roy A'. Perkins	Voted: Yea
Henry Vaughn	Voted: Yea

PARKER Y. WISEMAN, MAYOR

MARKEETA OUTLAW,
CITY CLERK

SIGNED AND SEALED THIS THE 3RD DAY OF MAY, 2011.

8.

APPROVAL OF PAY REQUEST # 4 INVOICE #1171103P FROM CLEARWATER CONSULTANTS, INC (\$9,920.00) REGARDING CONTRACT FOR SERVICES FOR PROJECT DEVELOPMENT, DESIGN AND BIDDING FOR DRAINAGE, RSA AND ROFA IMPROVEMENTS TO BRYAN FIELD AIRPORT FUNDED BY THE 2010 FAA AIP GRANT IN THE AMOUNT OF \$9, 424.00 WITH THE REMAINING AMOUNT OF \$496.00 BEING FUNDED EQUALLY BY THE 2010 MDOT GRANT AND THE CITY OF STARKVILLE CAPITAL OUTLAY FUND

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval to a pay request #4 invoice #1171103P from Clearwater Consultants, Inc regarding contract for services for project development, design and bidding for drainage, RSA and ROFA Improvements for Bryan Field Funded by the 2010 FAA AIP Grant, MDOT Grant and the City

of Starkville Capital Outlay Improvement Fund totaling \$ 9,920.00" is enumerated, this consent item is thereby approved.

9.

APPROVAL OF INVOICE # 111.61101 FROM CLEARWATER CONSULTANTS, INC., REGARDING PAYMENT FOR PREPARATION OF SPILL PREVENTION, CONTROL AND COUNTER MEASURE (SPCC) PLAN; PREPARATION OF APPLICATION FOR RENEWAL OF BASELINE GENERAL STORM WATER POLLUTION PREVENTION PLAN IN THE AMOUNT OF \$7,578.35

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker, and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of invoice #111.61101 from Clearwater Consultants, Inc., regarding payment for preparation of spill prevention, control and counter measure (SPCC) Plan; preparation of application for renewal of baseline general storm water pollution prevention plan in the amount of \$7,578.35" is enumerated, this consent item is thereby approved.

10.

**APPROVAL OF CLAIMS DOCKET #05-03-11-A
FOR THE CITY OF STARKVILLE
CLAIMS THROUGH APRIL 29, 2011
IN THE AMOUNT OF \$4,138,982.96 IN ACCORDANCE WITH
SECTION 17-3-1 OF THE MISSISSIPPI CODE OF 1972, ANNOTATED
EXCLUDING FIRE DEPARTMENT CLAIMS**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Henry Vaughn, Sr., and unanimously adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept items for Consent, whereby the "Claims Docket #05-03-11-A which contains claims from all departments (excluding Fire), through April 29, 2011, totaling \$4,138,982.96" is enumerated, this consent item is thereby unanimously approved.

CLAIMS DOCKET

05-03-11-A

April 29, 2011

General Fund	001	\$303,523.92
Restricted Police Fund	002	284.72
Restricted Fire Fund	003	0.00
Airport Fund	015	1,289.10
Sanitation	022	47,702.81
Landfill	023	3,385.71
Computer Assessments	107	3,827.97
Middleton TIF	125	460,000.00
City Bond and Interest	202	1,000.00
2009 Road Maint. Bond	304	965.65
Fire Station No. 5	306	0.00

American Recovery & Reinvestment Act	309	0.00
P & R Bond Series 2007	325	0.00
Park & Rec Tourism 2%	375	5,005.00
Water/Sewer	400	95,167.86
Vehicle Maintenance	500	2,590.77
Hotel/Motel	610	14,537.64
2% (VCC, EDA, MSU)	630	60,371.69
Electric		3,176,646.70
TOTAL CLAIMS		\$4,138,982.96

11.

APPROVAL OF THE LOWEST AND BEST BID FROM S&S LINE SERVICE FOR “TREE TRIMMING SERVICE” IN THE AMOUNT OF \$273,353.60, AND AUTHORIZATION TO EXECUTE THE ASSOCIATED CONTRACT

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker, and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of the lowest and best bid from S&S Line Service “Tree Trimming Service” in the amount of \$273,353.60, and authorization to execute a contract" is enumerated, this consent item is thereby approved.

**BID TABULATION
TREE TRIMMING SERVICE (R-O-W Line Clearance)
STARKVILLE ELECTRIC DEPARTMENT**

NAME	BID AMOUNT	APPARENT BEST BID
S&S Line Service, Inc.	\$273,353.60	Apparent Best Bid
M&M Line Clearance, Inc.	\$337,792.00	

12.

APPROVAL TO ADVERTISE FOR THE SOURCE OF SUPPLY LIST FOR THE PERIOD OF JULY 2011 THROUGH DECEMBER 2011

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker, and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept items for Consent, whereby the "approval to advertise for the Source of Supply list for the period of July 2011 through December 2011" is enumerated, this consent item is thereby approved.

13.

APPROVAL OF THE LOWEST AND BEST QUOTE FROM STIDHAM CONSTRUCTION COMPANY IN THE AMOUNT OF \$37,100.00 FOR THE HOLLIS I DRAINAGE IMPROVEMENT PROJECT AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SAID CONTRACTOR

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker, and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of the lowest and best quote from Stidham Construction Company in the amount of \$37,100.00 for the Hollis I Drainage improvement project and authorization to enter into an agreement with said contractor" is enumerated, this consent item is thereby approved.

**BID TABULATION
HOLLIS I DRAINAGE IMPROVEMENT PROJECT
STARKVILLE ENGINEERING DEPARTMENT**

NAME	BID AMOUNT	APPARENT BEST BID
Stidham Construction	\$37,100.00	Apparent Best Bid
4-D Construction	\$138,900.00	
Gregory Construction	\$78,818.00	

14.

APPROVAL OF LOWEST AND BEST QUOTE FROM BYRUM CONSTRUCTION, INC. IN THE AMOUNT OF \$21,650.00 FOR THE 2011 ADA RAMP PROJECT AND AUTHORIZATION TO ENTER AN AGREEMENT WITH SAID CONTRACTOR

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker, and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of the lowest and best quote from Byrum Construction, Inc. in the amount of \$21,650.00 for the 2011 ADA Ramp Project and authorization to enter into an agreement with said contract " is enumerated, this consent item is thereby approved.

**BID TABULATION
2011 ADA RAMP PROJECT
STARKVILLE ENGINEERING DEPARTMENT**

NAME	BID AMOUNT	APPARENT BEST BID
Byrum Construction, Inc.	\$21,650.00	Apparent Best Bid
American Field Service, Corp.	\$21,816.00	
Hester Fence & Construction Co.	\$39,800.00	
Gregory Construction Services, Inc.	\$40,450.00	

15.

APPROVAL OF AN AGREEMENT WITH THE HOMELAND SECURITY DIVISION FOR THE PURCHASE OF A CHEVEROLET TAHOE FOR THE AMOUNT OF \$32,388.00 WITH 100% REIMBURSABLE FUNDS

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker, and adopted by the Board to approve the May 3, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of an agreement with the Homeland Security Division for the purchase of a Chevrolet Tahoe for the amount of \$32, 388.00 with 100% reimbursable funds" is enumerated, this consent item is thereby approved.

END OF CONSENT ITEMS

16.

A MOTION TO APPROVE THE MINUTES OF THE APRIL 5, 2011 REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN

There came for consideration the matter of the Minutes of the April 5, 2011 Regular Meeting of the Mayor and Board of Aldermen. After discussion, and

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Henry Vaughn, Sr., to approve the Minutes of the April 5, 2011 Regular Meeting of the Mayor and Board of Aldermen after correcting the "Note" reflecting Alderman Carver's exit, the Board unanimously voted to approve the motion.

17.

A MOTION TO APPROVE THE MINUTES OF THE APRIL 19, 2011 RECESS MEETING OF THE MAYOR AND BOARD OF ALDERMEN

There came for consideration the matter of the Minutes of the April 19, 2011 Recess Meeting of the Mayor and Board of Aldermen. After discussion, and

Upon the motion of Alderman Jeremiah Dumas, duly seconded by Alderman Henry Vaughn, Sr., to approve the Minutes of the April 19, 2011 Recess Meeting of the Mayor and Board of Aldermen as presented, the Board unanimously voted to approve the motion.

MAYOR AND BOARD OF ALDERMEN COMMENTS

Mayor Parker Wiseman congratulated DUI Officers Kelly and Round for being recognized by the Department of Public Safety as members of the 200 and 100 DUI Clubs respectively.

Mayor Parker Wiseman encouraged the public to support Local Relief Efforts organized by Cadence Bank and FlexSteel Industries for surrounding areas affected by the latest series of storms (tornadoes).

Alderman Jeremiah Dumas presented Glenn Beverly of the Sanitation and Environmental Services as the Employee of the Month for April, 2011.

Alderman Roy A'. Perkins made the following comments regarding the Starkville School Board:

ALDERMAN PERKINS COMMENTS FOR MAY 3, 2011 SCHOOL BOARD MATTERS

I HAVE CONSTITUENTS WHO HAVE EXPRESSED GRAVE CONCERNS TO ME ABOUT PRESENT MATTERS INVOLVING THE STARKVILLE SCHOOL BOARD AND THE STARKVILLE SCHOOL DISTRICT.

THE PUBLIC WANTS TO KNOW WHAT HAS HAPPENED. THE PUBLIC IS NOT CONFIDENT THAT THE STARKVILLE SCHOOL BOARD HAS GIVEN FULL DISCLOSURE AS ALLOWED BY LAW REGARDING THE MATTERS THAT HAVE BEEN THE SUBJECT OF RECENT NEWS ACCOUNTS. WITH SO MUCH FOCUS ON THE IMPORTANCE OF THE SCHOOL DISTRICT TO OUR ECONOMIC WELL-BEING, IT IS INCUMBENT ON THE MEMBERS OF THE SHOOOL BOARD TO PROJECT THE IMAGE AND CREATE THE REALITY THAT WE ADHERE TO ALL OF THE STATE'S REQUIREMENTS FOR OPEN MEETINGS AND OPEN RECORDS.

THOUGH THE CONCERN OF THE SCHOOL BOARD TOWARD THE SENSITIVITY OF THE PERSONNEL MATTER IS LEGITIMATE, IT WAS NOT GOOD GOVERNMENT FOR THE CHAIRMAN TO CITE APPROVAL OF THE MINUTES AS THE REASON NOT TO ANNOUNCE THE ACTIONS TAKEN AT THE MEETING, EVEN IF THE TOTALITY OF THE REASONS WERE NOT ADDRESSED EXPLICITLY. IT WOULD HAVE BEEN MUCH MORE IN KEEPING WITH THE GOVERNING BODY'S CHARGE TO PROVIDE INFORMATION THAT WOULD CREATE A SENSE OF UNDERSTANDING IN THOSE WHO RELY ON THEIR LEADERSHIP TO KEEP THEM INFORMED AND KNOWLEDGEABLE REGARDING ISSUES CRITICAL TO THEIR INTERESTS.

IN LIGHT OF THE FACT THAT THE STARKVILLE BOARD OF ALDERMEN APPOINTS 4 OF 5 OF THE SCHOOL BOARD MEMBERS, I WANT TO FULLY ENSURE THAT THE BOARD OPERATES WITHIN THE MEANING OF THE LAW AT ALL TIMES. MY CONCERN IS BASED ON THE FACT THAT AS THE APPOINTING BODY FOR THE MAJORITY OF THE BOARD, THE CONTROVERSY STEMMING FROM ANY ACTIONS OF THE SCHOOL BOARD DIRECTLY REFLECTS ON THE CITY AS AN EXTENSION OF ITS OPERATIONS, POLICIES AND THE CONDUCT OF ITS BUSINESS. FROM THE DISSENSION OVER THE DECISION REGARDING UNIFORMS TO THE SIGNIFICANCE OF THE MAYOR'S DECISION TO VETO THE SCHOOL BOARD APPOINTMENT, ANY ISSUES THAT CAUSE DISCORD WITHIN THE COMMUNITY ABOUT THE EFFECTIVENESS AND OPERATION OF OUR SCHOOL SYSTEM MUST BE MINIMIZED AD HANDLED WITH GREAT SENSITIVITY.

HOPEFULLY, ANY RECENT ACTIONS THAT HAVE BEEN TAKEN BY THE BOARD IS NOT AN ATTEMPT BY THE BOARD, INDIVIDUALLY OR COLLECTIVELY, TO MICROMANAGE THE DAY TO DAY OPERATIONS OF THE STARKVILLE SCHOOL DISTRICT. SINCE I DO NOT KNOW WHAT THE ISSUES ARE, IT CAUSES ME TO WONDER IF THE BOARD HAS BEEN EITHER OBLIVIOUS TO THE PROBLEMS UP UNTIL NOW OR IF THEY HAVE BEEN IGNORING THEM UNTIL THEY HAD NO OTHER CHOICE BUT TO ACT SO CLOSE TO THE END OF THE SCHOOL YEAR. SUCH A PRECIPITOUS ACT CALLS INTO QUESTION THEIR JUDGMENT AND KNOWLEDGE OF THE PULSE OF THE SCHOOL DISTRICT. I WOULD EXPECT THAT THEY WOULD HAVE WORKED TO MITIGATE THE PROBLEMS BEFORE THEY REACHED SUCH A LEVEL OF CRITICALITY FOR THE SCHOOL DISTRICT THAT SUCH A DISRUPTIVE DECISION WOULD HAVE TO BE MADE AT A TIME AND IN THE MANNER IT WAS RENDERED.

FOR FUTURE REFERENCES, AS AN ATTORNEY AND AS A MEMBER OF THE BOARD OF ALDERMEN, IT IS MY LEGAL OPINION THAT ANY AND ALL DECISIONS MADE BY THE STARKVILLE SCHOOL BOARD IN EXECUTIVE SESSION SHOULD BE ANNOUNCED TO THE PUBLIC IMMEDIATELY WHEN THE BOARD RETURNS TO OPEN SESSION AT THE SAME MEETING AND NOT THEREAFTER. THIS IS WHAT THE LAW IN MISSISSIPPI REQUIRES. THE BOARD SHOULD FULLY COMPLY WITH THE LAW AT ALL TIMES.

THE STARKVILLE SCHOOL BOARD NEEDS TO BE TRANSPARENT AND OPEN AS POSSIBLE TO THE COMMUNITY WITHIN THE SPIRIT AND MEANING OF THE LAW. IF THE PUBLIC IS WITHOUT KNOWLEDGE THEY MUST OPERATE IN A VACUUM. SPECULATION AND CONJECTURE ARE WHAT YOU ARE LEFT WITH WHEN YOU ARE OPERATING FROM THE POSITION OF IGNORANCE AND MISINFORMATION. OPENNESS AND ACCOUNTABILITY ARE THE WATCHWORDS FOR A PUBIC BODY.

IN CLOSING, I PUBLICLY CONCUR WITH THE EDITORIAL ARTICLE THAT APPEARED IN THE STARKVILLE DAILY NEWS ON FRIDAY, APRIL 29, 2011.

Alderman Jeremiah Dumas made the following comments regarding the Starkville School Board:

Alderman Jeremiah Dumas' Public Comment Regarding: Starkville Public School District

To be read during the City of Starkville Board of Alderman Meeting: May 3, 2011

This administration has been in office for 672 days. I take very serious the work that has happened since that time and feel confident that this city is a better place for the work that has transpired.

The stated platform on my campaign card was simply QUALITY OF LIFE. Under which was listed SMART GROWTH, IMPROVED LOCAL AND REGIONAL RELATIONSHIPS, AND INCREASED DIVERSE AND ACCESSIBLE LIVE/WORK/AND PLAY OPTIONS. The first item listed under QUALITY OF LIFE however was IMPROVED PUBLIC SCHOOLS and this was indeed specific and intentional regardless of realizing that the only thing that I would be capable of doing from this seat is interview and appoint members to the school board; obviously a noble task, but one that respects the sovereignty of the Starkville School District.

Regretfully, because of the fact that my wife is employed as a teacher at Ward-Stewart Elementary, it is recommended by the State Attorney General that I not vote on matters pertaining to the School Board, including Trustee Appointments, because of the perceived advantage that action may place on her employment. I respect that opinion.

But, the fact remains that I am an elected official with the City of Starkville and even more importantly, a proud father of four children, all of which currently go to the Starkville Public School district, because of this, I will not keep my voice quite on my concern of the Starkville Public School District.

As an elected official, I understand and appreciate the processes afforded to a public board to discuss matters dealing with personnel, litigation, and land acquisition in executive session. However, I as a common citizen, do not like the misuse of this power to further distance the issues at hand from a concerned citizenry, much less when these issues relate to the safety and education of my children.

As this City grows and hopefully prospers, we must have leadership in places that make the processes and issues more transparent, not harder to see. We must have leadership in places that are willing to meet challenges head on, not sidestep the issue in order to cover up it up or hope that it takes care of itself.

The challenges of this city and school district are real and we must have a School System that can meet the challenges and provide the necessary educational system for the largest majority who demand a good educational experience and environment for their children. Whether the issue be discipline, the fact that the only decent meal that a kid gets during the week is at school, or the fact that the federal government is mandating requires that are far out of tune with our local environment, we all must except those as realities and find a way to excel in the system.

I am a huge advocate for public education and I will sacrifice **myself** to make sure that the Starkville Public School District is one that is emulated, an example of a great educational system, and a shining star in our economic development toolbox. But I will never sacrifice my **children's** education for a system that isn't meeting the demands, for a system that is questioned, and for a system that hides behind the veil of secrecy instead of meeting the challenges head on in the interest of my children, my wife and this community that we all love.

This community deserves and demands better representation and communication.

Alderman Ben Carver commented on the recent storms and thanked the faith based organizations as well as the community for their assistance. He also commended Dr. Linda Southward and Allison Kargas for their efforts and assistance with compiling the Healthy Hometown Application for the City of Starkville.

CITIZEN COMMENTS

Mr. Alvin Turner, Ward 7, expressed citizen inquiries regarding the number of generators the City has. He also commented on the dangers presented with the flooding of West Main Street and expressed concern of the collapsed building on Hwy 182.

Mr. Frank Chiles, Ward 1, commended Aldermen Roy A'. Perkins, Jeremiah Dumas and Ben Carver for their comments regarding the recent of the School Board's action. He added that their (the school board) action has put a "Blackeye" on the City of Starkville and the Starkville School District. Mr. Chiles informed the Board that he does not have the trust (for the School Board) that he once had.

PUBLIC APPEARANCES

Kaehla Outlaw, Da'jai Ashford and Larry Avant, members of the Starkville Mayor Youth Council, provided the Board with an update of their activities, and gave an overview of the \$3,000 ARC grant that was awarded the group. The students presented the idea of a Youth Employment Service to the ARC Grant Committee for consideration.

Silas Cragin Knox addressed the Board with an Eagle Scout Project of placing reflectors identifying fire hydrants in areas of the City.

PUBLIC HEARING

THERE ARE NO PUBLIC HEARINGS SCHEDULED

18.

**A MOTION TO APPROVE APPOINTING A REDISTRICTING COMMITTEE FOR
THE CITY OF STARKVILLE CONSISTING OF THE
THE BOARD OF ALDERMEN, CHIEF ADMINISTRATIVE OFFICER,
CITY CLERK, AND THE MAYOR**

There came for consideration the matter of creating a Redistricting Committee for the City of Starkville. After discussion, and

upon the motion of Alderman Sandra Sistrunk, duly seconded by Alderman Jeremiah Dumas to approve appointing a Redistricting Committee for the City of Starkville, consisting of the Mayor and Board of Aldermen with the Chief Administrative Officer Lynn Spruill and City Clerk Markeeta Outlaw and the Mayor,

An amendment to the motion was offered by Alderman Sandra Sistrunk to make the Chief Administrative Officer Lynn Spruill and City Clerk Markeeta Outlaw ex-officio members of the Redistricting Committee, with no objections the Mayor declared the amendment passed and called for the vote on the original motion as amended,

the Board voted unanimously in favor of the original motion as amended.

NOTE:

Dr. Roy Ruby, Chairman of the Municipal Complex Committee, presented the Committee's recommendations regarding locations for the provision of the Police Facilities, Courts and Municipal Administrative Offices. Dr. Ruby informed the Board that although all members were not present the recommendation being offered is unanimous. The committee recommended that the current City Hall be renovated to house the City Administration and the Court with an addition being added to the Westside of the facility and that a Police Department be constructed on the corner of North Jackson Street and Hwy 182, but will agree to other property in that block if the corner lot was cost prohibitive. Mr. Gary Schafer, Architect for the Project, explained the plan in detail. Dr. Ruby asked the Board to release the Committee members.

Alderman Ben Carver recused himself for the next item and exited the meeting.

19.

**A MOTION TO APPROVE CLAIMS
FOR THE FIRE DEPARTMENT FOR THE
PERIOD ENDING APRIL 29, 2011**

There came for consideration the matter of approving claims submitted by the City of Starkville's Fire Department. After discussion, and

upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Richard Corey, to approve the Fire Department Claims for the period ending April 29, 2011, the Board voted as follow:

Alderman Ben Carver	Voted: <u>Recusal</u>
Alderman Sandra Sistrunk	Voted: <u>Yea</u>
Alderman Eric Parker	Voted: <u>Yea</u>
Alderman Richard Corey	Voted: <u>Yea</u>
Alderman Jeremiah Dumas	Voted: <u>Yea</u>
Alderman Roy A'. Perkins	Voted: <u>Yea</u>
Alderman Henry Vaughn, Sr.	Voted: <u>Yea</u>

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion passed.

**FIRE DEPARTMENT CLAIMS
PERIOD ENDING APRIL 29, 2011**

DOCKET #05-03-11-A

FIRE DEPARTMENT	001-161	\$28,461.32
FIRE PREVENTION	001-162	\$ 963.38
FIRE TRAINING	001-163	\$ 2,717.59
FIRE COMMUNICATIONS	001-164	\$ 2,414.49
FIRE STATIONS & BLDGS	001-167	\$ 2,759.80
	TOTAL	\$37,316.58

NOTE: Alderman Ben Carver rejoined the meeting.

20.

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

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Jeremiah Dumas, to enter into a Closed Session to determine if discussions are proper for Executive Session, the Board unanimously voted in the affirmative.

21.

**A MOTION DECLARING DISCUSSIONS OF PENDING LITIGATION REGARDING
THE RE-ZONING OF PROPERTIES ON
WASHINGTON STREET FROM A C-2 TO A PUD, AND
POTENTIAL LITIGATION REGARDING A LEASE AGREEMENT WITH
DIVERSIFIED LENDERS, INC FOR FINANCIAL SOFTWARE AS PROPER CAUSES
FOR EXECUTIVE SESSION**

There came for consideration the matter of a lawsuit on the re-zoning of property on Washington Street from a C-2 to a PUD and a lease agreement with Diversified Lenders, Inc. as discussions deemed proper for executive session. After discussion, and

upon the motion of Alderman Ben Carver, duly seconded by Alderman Sandra Sistrunk, to declare discussions of pending litigation in the Ball vs City of Starkville case, and potential litigation of a lease agreement between the City of Starkville and Diversified Lenders, Inc. as proper causes for executive session, the Board voted unanimously in favor of the motion.

22.

**A MOTION TO EXIT CLOSED SESSION
AND RETURN TO OPEN SESSION**

Upon the motion of Alderman Sandra Sistrunk, duly seconded by Alderman Jeremiah Dumas, to exit Closed Session and return to Open Session the Board voted unanimously in favor of the motion.

NOTE: Mayor Parker Wiseman announced the subject matter of Pending Litigation "Ball vs City of Starkville" lawsuit, and Financial Software Lease Agreement between City of Starkville and Diversified Lenders, Inc. as proper for Executive Session.

23.

A MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION "BALL VERSUS CITY OF STARKVILLE" AND POTENTIAL LITIGATION REGARDING A DIVERSIFIED LENDERS, INC LEASE AGREEMENT

Upon the motion of Alderman Ben Carver, duly seconded by Alderman Roy A'. Perkins to enter Executive Session to discussed the name subjects, the Board voted unanimously in favor of the motion.

24.

A MOTION TO NOT PURSUE AN APPEAL OF THE JUDGES DECISION IN THE BALL VERSUS THE CITY OF STARKVILLE LAWSUIT

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Roy A'. Perkins, to deny authorization to pursue an 'Appeal' in the Ball -vs- City of Starkville case, the Board voted as follows:

Alderman Ben Carver	Voted: <u>Yea</u>
Alderman Sandra Sistrunk	Voted: <u>Nay</u>
Alderman Eric Parker	Voted: <u>Nay</u>
Alderman Richard Corey	Voted: <u>Yea</u>
Alderman Jeremiah Dumas	Voted: <u>Nay</u>
Alderman Roy A'. Perkins	Voted: <u>Yea</u>
Alderman Henry Vaughn, Sr.	Voted: <u>Yea</u>

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion passed.

25.

A MOTION TO AUTHORIZE EXECUTING THE LEASE AGREEMENT BETWEEN THE CITY OF STARKVILLE AND DIVERSIFIED LENDERS, INC.

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Richard Corey, to authorize the execution of the Diversified Lenders, Inc Lease Agreement as presented at the April 19, 2011 Recess Meeting of the Mayor and Board of Aldermen, the Board voted unanimously in favor of the motion.

26.

**A MOTION TO EXIT EXECUTIVE SESSION
AND RETURN TO OPEN SESSION**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Ben Carver, to exit Executive Session and return to Open Session, the Board voted unanimously in favor of the motion.

27.

**A MOTION TO RECESS UNTIL 5:30 P.M.
TUESDAY, MAY 17, 2011**

Upon the motion of Alderman Sandra Sistrunk, duly seconded by Alderman Richard Corey, to recess until Tuesday, May 17, 2011, at 5:30 p.m.; said meeting will be held in the Courtroom/Boardroom of City Hall, located at 101 E. Lampkin Street, Starkville, MS., the Board voted unanimously in favor of the motion.

SIGNED AND SEALED THIS THE _____ DAY OF _____ 2010.

MARKEETA OUTLAW, CITY CLERK

PARKER WISEMAN, MAYOR

(SEALED)