

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
The City of Starkville, Mississippi
October 4, 2011**

Be it remembered that the Mayor and Board of Aldermen met in a Regular Meeting on October 4, 2011, at 5:30 p.m. in the Courtroom of City Hall, located at 101 Lampkin Street, Starkville, MS. There being present were Mayor Parker Wiseman, Alderman Ben Carver Ward 1, Sandra C. Sistrunk Ward 2, Eric Parker Ward 3, Richard Corey Ward 4, Jeremiah Dumas Ward 5, Roy A.' Perkins Ward 6, and Henry N. Vaughn Sr., Ward 7. Attending the Mayor and Board were Deputy City Clerk, Emma Gibson-Gandy and Municipal Attorney Chris Latimer.

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

REQUEST REVISION TO THE OFFICIAL AGENDA

Mayor Parker Wiseman requested the following changes to the October 4, 2011 Official Agenda

Remove from Agenda: Item X-A regarding the consideration of vacating the plat filed as Starkville Land Subdivision plat dated 1954 as requested by the property owner, Mississippi State University.

Clarification of Agenda: Item XI-F-1 which stated "Request authorization to advertise for bids for the Louisville Street Widening Project".

Item XI-F-1 should read "Request approval of Louisville Street Widening and Pedestrian Project and authorization to advertise to bids contingent on approval or modifications of the PS&E Assembly from MDOT and contingent on approval from MDOT to advertise".

Alderman Roy A'. Perkins requested the following changes to the October 4, 2011 Official Agenda

Remove from Consent: Item XI-F-1 regarding the consideration of the Louisville Street Widening and Pedestrian Project and authorization to advertise to bids contingent on approval or modifications of the PS&E Assembly from MDOT and contingent on approval from MDOT to advertise.

Alderman Jeremiah Dumas requested the following changes to the October 4, 2011 Official Agenda

Add to Consent: Item X-G regarding the consideration of making appointments to the Oktibbeha County Heritage Museum and the Oktibbeha County Library Board and to appoint Billy Poe and Emily Jones to the Oktibbeha County Heritage Museum for the two (2) terms ending 9-30-2014 and to appointment Dolton McAlpin to the Oktibbeha County Library Board for the term ending 9-30-2016.

Add to Consent: Item XI-B-3 regarding the consideration of a Resolution to adjudicate the cost of demolition cleaning and care of a dilapidated property by the Code Enforcement Division, allowing the City Attorney to enroll assessments against the property, located at 514 MS Highway 182 west (Dr. MLK Drive) identified as parcel number 118N-00-131.00, in accordance with §21-19-11 of the Mississippi Code Annotated (1972) et sec.

Add to Consent: Item XI-I-1 regarding the consideration to advertise for the vacant position of Staff Support Tech II in the Police Department, with a salary of \$24,533.19 (\$11.80 hour), Grade 8, Step 1 (2080 hours).

Add to Consent: Item XI-I-2 regarding the consideration to advertise to fill vacant positions for Certified Police Officers in the Police Department, with a salary of \$32,583.20 (\$14.61 hour), Grade 9, Step 5 (2229.5 hour).

Add to Consent: Item XI-I-3 regarding the consideration to hire Chris Pulliam for the position of Engineering Aide in the Electric Department at a salary of \$37,885.42 (\$18.12 hour) Grade 11, Step 6 (2080), subject to one (1) year probationary period.

Add to Consent: Item XI-I-7 regarding the consideration to promote Ellis Agnew from Crew Leader/Operator to Line Foreman in the Water Division of Public Services with a 10% promotional increase, at a salary of \$32,788.87 (\$15.76 hour) Grade 9, subject to six (6) months probationary period.

Add to Consent: Item XI-I-8 regarding the consideration to hire Willie Brooks for the position of Maintenance Worker I in the Water Division of Public Services at a salary of \$18,325.21 (\$8.81 hour) Grade 4, Step 4(2080), subject to one (1) year probationary period.

Add to Consent: Item XI-I-9 regarding the consideration to advertise to fill the vacant position of Crew Leader/Operator in the Water Division of the Public Services at a salary of \$24,553.19 (\$11.80 hour) Grade 8, Step 1 (2080).

Remove from Agenda: Item X-D regarding the consideration of calling for a Public Hearing on an Ordinance regulating the use and location of accessory structures in the City of Starkville.

Alderman Sandra Sistrunk requested the following changes to the October 4, 2011 Official Agenda

Remove from Agenda: Item X-F regarding the consideration of calling for a Public Hearing on the adoption of an Ordinance to address the zoning, proximity and signage issues related to "payday loan" businesses within the City of Starkville.

Remove from Consent: Item XI-A-1 regarding the consideration to enter into an agreement with Clearwater Consultants for professional services for multiple and various projects for George M. Bryan Field.

Remove from Consent: Item XI-A-2 regarding the consideration to issue Work Authorization Number 11-01 for professional services regarding the FAA 2011 AIP, with respect to George M. Bryan Field.

Remove from Consent: Item XI-A-3 regarding the consideration to issue Work Authorization Number 11-02 for professional services regarding the FAA 2011 AIP, with respect to George M. Bryan Field.

1.

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

There came for consideration the matter of approving and adopting the October 4, 2011 Official Agenda of the Regular Meeting of the Mayor and Board of Alderman as revised. After discussion, and

upon the motion of Alderman Richard Corey, duly seconded by Alderman Henry Vaughn, the Board voted unanimously to approve the October 4, 2011 Official Agenda as modified with items listed as consent.

OFFICIAL AGENDA

THE MAYOR AND BOARD OF ALDERMEN

OF THE

CITY OF STARKVILLE, MISSISSIPPI

REGULAR MEETING OF TUESDAY, OCTOBER 4, 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

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**

THERE ARE NO MINUTES FOR CONSIDERATION

V. **ANNOUNCEMENTS AND COMMENTS**

A. MAYOR'S COMMENTS:

REMINDER FROM MAYOR WISEMAN THAT THE CAPITAL IMPROVEMENT PLAN DOCUMENTS NEED TO BE IN BY OCTOBER 11 SO THAT GOVERNMENT CONSULTANTS CAN PREPARE THE DOCUMENTS FOR THE BOARD MEETING OF OCTOBER 18, 2011.

ANNOUNCEMENTS:

PINK HEALS TOUR SCHEDULED FOR OCTOBER 15 WITH ACTIVITIES SCHEDULED AROUND TOWN AND AT THE SPORTSPLEX

WELCOME TO NEW EMPLOYEES:

FRANK ROGERS III – LABORER IN SANITATION AND ENVIRONMENTAL SERVICES DEPARTMENT

MARCO RODRIGUEZ – FIRE DEPARTMENT

JAMES HAYES – FIRE DEPARTMENT

WILLIAM BROOKS – APPRENTICE LINEMAN IN THE ELECTRIC DEPARTMENT

B. BOARD OF ALDERMEN COMMENTS:

RECOGNITION OF EMPLOYEE OF THE MONTH:

BENNIE GAZAWAY – PUBLIC SERVICES DEPARTMENT

VI. **CITIZEN COMMENTS**

VII. **PUBLIC APPEARANCES**

A. PRESENTATION BY TURNER PURNELL ON THE MATTER OF CREATING WESTSIDE DRIVE AS A ONE WAY STREET IN ORDER TO ALLOW PARKING.

B. PRESENTATION BY STARKVILLE FIRE DEPARTMENT FOR THE PINK HEALS TOUR SCHEDULED FOR OCTOBER 15, 2011, AT THE SPORTSPLEX.

VIII. **PUBLIC HEARING**

THERE ARE NO PUBLIC HEARINGS SCHEDULED

IX. **MAYOR'S BUSINESS**

A. CONSIDERATION OF THE APPROVAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF STARKVILLE, OKTIBBEHA COUNTY AND MISSISSIPPI STATE

UNIVERSITY FOR THE HUD GRANT APPLICATION AND AUTHORIZATION FOR THE MAYOR TO SIGN SAME.

X. **BOARD BUSINESS**

- ### A. CONSIDERATION OF VACATING THE PLAT FILED AS STARKVILLE LAND SUBDIVISION PLAT DATED 1954 AS REQUESTED BY THE PROPERTY OWNER, MISSISSIPPI STATE UNIVERSITY.
- B. REPORT FROM DOUG DEVLIN, HEAD OF PUBLIC SERVICES, ON THE STATUS OF THE IMPROVEMENTS TO THE SEWER SYTEMS THROUGHOUT THE CITY AND THE STATUS OF SERVICES TO THE 1998 ANNEXED AREAS.
- C. REPORT ON THE STATUS OF THE FORM BASED CODES DEVELOPMENT PROCESS.
- D. CONSIDERATION OF CALLING FOR A PUBLIC HEARING ON AN ORDINANCE REGULATING THE USE AND LOCATION OF ACCESSORY STRUCTURES IN THE CITY OF STARKVILLE.
- ### E. CONSIDERATION OF AUTHORIZING AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS (\$5,000.00) FOR THE START UP OF THE YELLOW DOT PROGRAM.
- F. CONSIDERATION OF CALLING FOR A PUBLIC HEARING ON THE ADOPTION OF AN ORDINANCE TO ADDRESS THE ZONING, PROXIMITY AND SIGNAGE ISSUES RELATED TO "PAYDAY LOAN" BUSINESSES WITHIN THE CITY OF STARKVILLE.
- G. CONSIDERATION OF MAKING APPOINTMENTS TO THE OKTIBBEHA COUNTY HERITAGE MUSEUM FOR THE TWO TERMS ENDING 9-30-2014 AND AN APPOINTMENT FOR THE OKTIBBEHA COUNTY LIBRARY BOARD FOR THE TERM ENDING 9-30-2016.
- ### H. CONSIDERATION OF AUTHORIZING THE IMPLEMENTATION OF PHASE ONE OF THE ADA IMPROVEMENTS FOR CITY HALL LOCATED AT 101 EAST LAMPKIN STREET AT A COST NOT TO EXCEED TEN THOUSAND DOLLARS (\$10,000).
- ### I. CONSIDERATION OF APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF STARKVILLE AND THE STARKVILLE SCHOOL DISTRICT FOR THE USE OF THE STARKVILLE SCHOOL DISTRICT GROUNDS FOR RECREATION PURPOSES.

XI. **DEPARTMENT BUSINESS**

A. AIRPORT

- ### 1. REQUEST APPROVAL TO ENTER INTO AN AGREEMENT WITH CLEARWATER CONSULTANTS FOR PROFESSIONAL SERVICES FOR MULTIPLE AND VARIOUS PROJECTS FOR GEORGE M. BRYAN FIELD.
- ### 2. REQUEST APPROVAL TO ISSUE WORK AUTHORIZATION NUMBER 11-01 FOR PROFESSIONAL SERVICES REGARDING THE FAA 2011 AIP, WITH RESPECT TO GEORGE M. BRYAN FIELD.

3. REQUEST APPROVAL TO ISSUE WORK AUTHORIZATION NUMBER 11-02 FOR PROFESSIONAL SERVICES REGARDING THE FAA 2011 AIP, WITH RESPECT TO GEORGE M. BRYAN FIELD.

4. REQUEST APPROVAL FOR PAY REQUEST # 5 INVOICE # 1171104P FROM CLEARWATER CONSULTANTS, INC. REGARDING CONTRACT FOR SERVICES FOR PROJECT DEVELOPMENT, DESIGN FOR DRAINAGE, RSA AND ROFA IMPROVEMENTS ON GEORGE M. BRYAN FIELD IN THE AMOUNT OF \$14,575.00 FUNDED BY THE 2010 AIP GRANT NO. 3-28-0068-015-2010.

B. BUILDING, CODES AND PLANNING DEPARTMENT

1. CONSIDERATION TO APPROVE P&Z ITEM #PD 11-03: A REQUEST BY MR. MICHAEL KRAKER FOR APPROVAL OF A PUD (PLANNED UNIT DEVELOPMENT) LOCATED ON THE NORTH SIDE OF EAST GARRARD ROAD, WEST OF OLD WEST POINT ROAD IN WARD 5.
2. CONSIDERATION TO APPROVE P&Z ITEM #CU 11-06: A REQUEST BY BONDS OF LOVE MINISTRY TO ALLOW A PLACE OF WORSHIP IN A C-2 ZONING DISTRICT LOCATED AT 305 DR. MLK, JR. DRIVE IN WARD 5.
3. CONSIDERATION OF A RESOLUTION TO ADJUDICATE THE COST OF DEMOLITION CLEANING AND CARE OF A DILAPIDATED PROPERTY BY THE CODE ENFORCEMENT DIVISION, ALLOWING THE CITY ATTORNEY TO ENROLL ASSESSMENTS AGAINST THE PROPERTY, LOCATED AT 514 MS HIGHWAY 182 WEST (DR. MLK, JR. DRIVE) IDENTIFIED AS PARCEL NUMBER 118N-00-131.00, IN ACCORDANCE WITH §21-19-11 OF THE MISSISSIPPI CODE ANNOTATED (1972) ET SEC.

4. CONSIDERATION OF APPROVAL OF THE HISTORIC PRESERVATION COMMISSION'S RECOMMENDATION TO APPROVE THE MULTI-PARTY CONTRACT FOR MISSISSIPPI HERITAGE TRUST TO PREPARE HISTORIC PRESERVATION DESIGN GUIDELINES FOR THE CITY OF STARKVILLE'S HISTORIC RESIDENTIAL AND COMMERCIAL AREAS, IN CONJUNCTION WITH THE CERTIFIED LOCAL GOVERNMENT MATCHING GRANT FROM THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY AT NO DIRECT COST TO THE CITY.

C. OFFICE OF THE CITY CLERK

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

3. CONSIDERATION OF THE APPROVAL OF THE MUNICIPAL COMPLIANCE QUESTIONNAIRE IN ACCORDANCE WITH THE REQUIREMENTS OF §21-35-31, MISS.CODE ANN. (1972).

4. REQUEST APPROVAL OF THE CITY'S 2012 LIST OF "UNMARKED CARS" IN ACCORDANCE WITH §25-1-87 OF THE MISSISSIPPI CODE OF 1972 ANNOTATED.

D. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

E. ELECTRIC DEPARTMENT

1. REQUEST APPROVAL TO EXECUTE THE SALE CONTRACT TO TVA FOR THE STARKVILLE 161-KV TAP LINE FOR \$338,212.68.

F. ENGINEERING AND STREETS

1. REQUEST AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE LOUISVILLE STREET WIDENING PROJECT.

G. FIRE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

H. INFORMATION TECHNOLOGY

THERE ARE NO ITEMS FOR THIS AGENDA

I. PERSONNEL

1. REQUEST TO ADVERTISE FOR THE VACANT POSITION OF STAFF SUPPORT TECH II FOR THE STARKVILLE POLICE DEPARTMENT.
2. REQUEST APPROVAL TO ADVERTISE TO FILL VACANT POSITIONS FOR CERTIFIED POLICE OFFICERS IN THE POLICE DEPARTMENT.
3. REQUEST TO HIRE CHRIS PULLIAM FOR THE POSITION OF ENGINEERING AIDE FOR THE STARKVILLE ELECTRIC DEPARTMENT.
4. REQUEST AUTHORIZATION TO CORRECT GRADE CLASSIFICATION FOR ALL EXISTING POSITIONS OF LINEMAN WITH THE STARKVILLE ELECTRIC DEPARTMENT.
5. REQUEST AUTHORIZATION TO PROMOTE BRAD SCARBROUGH FROM APPRENTICE LINEMAN TO LINEMAN IN THE ELECTRIC DEPARTMENT.
6. REQUEST TO ADVERTISE TO FILL A VACANT LINEMAN POSITION IN THE ELECTRIC DEPARTMENT.
7. REQUEST TO PROMOTE ELLIS AGNEW FROM CREW LEADER/OPERATOR TO LINE FOREMAN IN THE WATER DIVISION OF PUBLIC SERVICES
8. REQUEST TO HIRE WILLIE BROOKS FOR MAINTENANCE WORKER I IN THE WATER DIVISION OF PUBLIC SERVICES.
9. REQUEST APPROVAL TO ADVERTISE TO FILL THE VACANT POSITION OF CREW LEADER/OPERATOR IN THE WATER DIVISION OF THE PUBLIC SERVICES DEPARTMENT.

10. REQUEST APPROVAL TO CORRECT THE SALARY GRADE INDICATION FOR OUR THREE EXISTING LINE FOREMAN IN THE WATER DEPARTMENT DUE TO A CLERICAL ERROR DATING BACK TO FEBRUARY 6, 2007.

J. POLICE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

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. PERSONNEL

XV. OPEN SESSION

XVI. RECESS UNTIL OCTOBER 18, 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

- A. CONSIDERATION OF THE APPROVAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF STARKVILLE, OKTIBBEHA COUNTY AND MISSISSIPPI STATE UNIVERSITY FOR THE HUD GRANT APPLICATION AND AUTHORIZATION FOR THE MAYOR TO SIGN SAME.

X. BOARD BUSINESS

- A. CONSIDERATION OF VACATING THE PLAT FILED AS STARKVILLE LAND SUBDIVISION PLAT DATED 1954 AS REQUESTED BY THE PROPERTY OWNER, MISSISSIPPI STATE UNIVERSITY.
- E. CONSIDERATION OF AUTHORIZING AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS (\$5,000.00) FOR THE START UP OF THE YELLOW DOT PROGRAM.
- H. CONSIDERATION OF AUTHORIZING THE IMPLEMENTATION OF PHASE ONE OF THE ADA IMPROVEMENTS FOR CITY HALL LOCATED AT 101 EAST LAMPKIN STREET AT A COST NOT TO EXCEED TEN THOUSAND DOLLARS (\$10,000).
- I. CONSIDERATION OF APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF STARKVILLE AND THE STARKVILLE SCHOOL DISTRICT FOR THE USE OF THE STARKVILLE SCHOOL DISTRICT GROUNDS FOR RECREATION PURPOSES.

XI. DEPARTMENT BUSINESS

A. AIRPORT

- 1. REQUEST APPROVAL TO ENTER INTO AN AGREEMENT WITH CLEARWATER CONSULTANTS FOR PROFESSIONAL SERVICES FOR MULTIPLE AND VARIOUS PROJECTS FOR GEORGE M. BRYAN FIELD.
- 2. REQUEST APPROVAL TO ISSUE WORK AUTHORIZATION NUMBER 11-01 FOR PROFESSIONAL SERVICES REGARDING THE FAA 2011 AIP, WITH RESPECT TO GEORGE M. BRYAN FIELD.
- 3. REQUEST APPROVAL TO ISSUE WORK AUTHORIZATION NUMBER 11-02 FOR PROFESSIONAL SERVICES REGARDING THE FAA 2011 AIP, WITH RESPECT TO GEORGE M. BRYAN FIELD.
- 4. REQUEST APPROVAL FOR PAY REQUEST # 5 INVOICE # 1171104P FROM CLEARWATER CONSULTANTS, INC. REGARDING CONTRACT FOR SERVICES FOR PROJECT DEVELOPMENT, DESIGN FOR DRAINAGE, RSA AND ROFA IMPROVEMENTS ON GEORGE M. BRYAN FIELD IN THE AMOUNT OF \$14,575.00 FUNDED BY THE 2010 AIP GRANT NO. 3-28-0068-015-2010.

B. BUILDING DEPARTMENT

4. CONSIDERATION OF APPROVAL OF THE HISTORIC PRESERVATION COMMISSION'S RECOMMENDATION TO APPROVE THE MULTI-PARTY CONTRACT FOR MISSISSIPPI HERITAGE TRUST TO PREPARE HISTORIC PRESERVATION DESIGN GUIDELINES FOR THE CITY OF STARKVILLE'S HISTORIC RESIDENTIAL AND COMMERCIAL AREAS, IN CONJUNCTION WITH THE CERTIFIED LOCAL GOVERNMENT MATCHING GRANT FROM THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY AT NO DIRECT COST TO THE CITY.
- C. OFFICE OF THE CITY CLERK
3. CONSIDERATION OF THE APPROVAL OF THE MUNICIPAL COMPLIANCE QUESTIONNAIRE IN ACCORDANCE WITH THE REQUIREMENTS OF §21-35-31, MISS.CODE ANN. (1972).
 4. REQUEST APPROVAL OF THE CITY'S 2012 LIST OF "UNMARKED CARS" IN ACCORDANCE WITH §25-1-87 OF THE MISSISSIPPI CODE OF 1972 ANNOTATED.
- D. COURTS – NO ITEMS
- E. ELECTRIC DEPARTMENT
1. REQUEST APPROVAL TO EXECUTE THE SALE CONTRACT TO TVA FOR THE STARKVILLE 161-KV TAP LINE FOR \$338,212.68.
- F. ENGINEERING AND STREETS
1. REQUEST AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE LOUISVILLE STREET WIDENING PROJECT.
- G. FIRE DEPARTMENT – NO ITEMS
- H. INFORMATION TECHNOLOGY – NO ITEMS
- I. PERSONNEL – NO ITEMS
- J. POLICE DEPARTMENT – NO ITEMS
- K. PUBLIC SERVICES – NO ITEMS
- L. SANITATION DEPARTMENT – NO ITEMS

CONSENT ITEMS 2-18

2.

**A MOTION TO APPROVE A MEMORANDUM OF
UNDERSTANDING BETWEEN THE CITY OF STARKVILLE
OKTIBBEHA COUNTY AND MISSISSIPPI STATE UNIVERSITY
FOR THE HUD GRANT APPLICATION AND
AUTHORIZATION FOR THE MAYOR TO SIGN SAME**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of a Memorandum of Understanding between the City of Starkville, Oktibbeha County and Mississippi State University for the HUD Grant application and authorization for the Mayor to sign same" is enumerated, this consent item is thereby approved.

MEMORANDUM OF UNDERSTANDING

THIS, Memorandum of Understanding ("MOU") is entered into this the ____ day of September, 2011, by and among the City of Starkville, Mississippi ("Starkville"), a municipal corporation formed under the laws of the State of Mississippi, Oktibbeha County, Mississippi ("Oktibbeha County"), _____, Mississippi State University ("Mississippi State"), _____, and Greater Starkville Development Partnership ("GSDP"), _____, to form a consortium ("the Consortium") as required and for the purpose of applying for the Sustainable Communities Regional Planning Grant Program ("the Program") administered by the United States Department of Housing and Urban Development ("HUD").

WHEREAS, the Program supports multi-jurisdictional planning efforts that integrate housing, land use, economic and work force development, transportation, and infrastructure investments;

WHEREAS, the Program empowers jurisdictions to consider the interdependent challenges of economic competitiveness and revitalization, social equity, inclusion and access to opportunity, energy use and climate change, and public health and environmental impact;

WHEREAS, the Program places a priority on investing in consortium partnerships to develop strategies that direct long-term development and reinvestment, demonstrate a commitment to addressing issues of regional significance, use data to set and monitor progress toward performance goals, and engage stakeholders and residents in meaningful decision-making roles; and

WHEREAS, Starkville, Oktibbeha County, Mississippi State, and GSDP (sometimes "the Parties") desire to create a Consortium to apply for grant funding from the Program, and should the funding be obtained, to plan, prioritize, and implement projects to achieve these objectives.

NOW, THEREFORE, the Parties enter into the following understanding:

- (1) The Parties shall submit a single application for the Program;

- (2) Starkville shall serve as "lead applicant." In that role, Starkville shall be responsible for submitting the application, and if the Consortium is selected for grant funding, Starkville shall execute the cooperative

agreement with HUD, assume fiscal responsibility for the grant on behalf of the Consortium, and ensure compliance with HUD and the Program requirements.

(3) This MOU establishes a voluntary and cooperative commitment by the Parties to work together to apply for, and potentially implement, projects funded by the Program. The Consortium intends for the Parties to participate in strategy development, decision-making, and plan implementation for the Program. No signatory may be forced to take action with which it does not concur.

(4) The terms of this MOU may be modified or waived only by separate writing signed by each of the Parties hereto that expressly modifies or waives any such term.

(5) This MOU may be executed in several counterparts all of which shall be regarded for all purposes as original and shall constitute and be but one in the same instrument.

(6) The Parties agree to execute and deliver such additional instruments and documents, provide such additional financial or technical information, and take such additional actions as may be reasonably required from time to time in order to further the purpose of this MOU.

(7) The term of this MOU shall commence on the date of the last execution and continue in effect until the Program is completed by the exhaustion of grant funding.

(8) This MOU shall be governed by the laws of the State of Mississippi. The Parties will execute any

additional documents as are necessary to carry out the intention of the Parties to this agreement.

(9) The Parties acknowledge and intend that this MOU shall not constitute the grounds for any liability generally, or any obligation or liability as to any party due to the action or inaction of any other party. Each party shall continue to exercise its sole discretion in fulfilling legally authorized duties.

WITNESS OUR SIGNATURES, this the ____ day of September, 2011.

CITY OF STARKVILLE, MISSISSIPPI

BY: _____
PARKER WISEMAN, Mayor

OKTIBBEHA COUNTY, MISSISSIPPI

BY: _____
MARVELL HOWARD, Pres. Bd. of Supervisors

MISSISSIPPI STATE UNIVERSITY

BY: _____
MARK KEENUM, President

GREATER STARKVILLE DEVELOPMENT
PARTNERSHIP

BY: _____
JON MAYNARD, CEO

3.

**A MOTION AUTHORIZING AN AMOUNT NOT TO EXCEED
FIVE THOUSAND DOLLARS (\$5,000.00) FOR THE
START UP OF THE YELLOW DOT PROGRAM**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "Approval of an amount not to exceed five thousand dollars (\$5,000.00) for the start up of the Yellow Dot Program" is enumerated, this consent item is thereby approved.

4.

**A MOTION TO MAKE APPOINTMENTS TO THE OKTIBBEHA
COUNTY HERITAGE MUSEUM AND THE OKTIBBEHA COUNTY
LIBRARY BOARD AND TO APPOINT BILLY POE AND EMILY JONES
TO THE OKTIBBEHA COUNTY HERITAGE MUSEUM FOR THE
TWO (2) TERMS ENDING 9-30-2014 AND TO APPOINTMENT
DOLTON MCALPIN TO THE OKTIBBEHA COUNTY LIBRARY
BOARD FOR THE TERM ENDING 9-30-2016**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of making appointments to the Oktibbeha County Heritage Museum and the Oktibbeha County Library Board and to appoint Billy Poe and Emily Jones to the Oktibbeha County Heritage Museum for the two (2) terms ending 9-30-2014 and to appointment Dolton McAlpin to the Oktibbeha County Library Board for the term ending 9-30-2016" is enumerated, this consent item is thereby approved.

5.

**A MOTION AUTHORIZING THE IMPLEMENTATION OF PHASE
ONE OF THE ADA IMPROVEMENTS FOR CITY HALL LOCATED
AT 101 EAST LAMPKIN STREET AT A COST NOT TO EXCEED
TEN THOUSAND DOLLARS (\$10,000)**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official

Agenda, and to accept listed items on Consent, whereby the “approval of authorizing the implementation of Phase I of the ADA improvements for City Hall located at 101 East Lampkin Street at a cost not to exceed ten thousand dollars (\$10,000)” is enumerated, this consent item is thereby approved.

Immediate ADA Accommodations to City Hall

SIGNAGE (w/ Braille)

- Front door
- West door (court)
- Foyer to office (route during court)
- Police department
- City clerk department
- Mayor’s office
- Court clerk
- Cost Estimate : \$1000

RAMP (first floor corridor)

- Decrease slope from 16% to 8%
- Add handrails
- Cost Estimate: \$5000

TOILET (first floor public unisex)

- Replace the existing toilet with a new accessible toilet.
- Lower paper towel rack to accessible height
- Add a side grab bar
- Cost Estimate: \$1,000

HEARING IMPAIRMENT ACCOMMODATION

- Listening devices placed in the courtroom
- Cost Estimate: \$1,000

ALTERNATE ROUTE (during court or other public meeting)

- Buzzer or phone to 24 hour desk (police dispatch) when door locked
- Available accessible route through court clerks two offices (36 inch path and doors unlocked)
- Cost Estimate: \$1000

Total Cost Estimate: \$9,000

6.

AMOTION APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF STARKVILLE AND THE STARKVILLE SCHOOL DISTRICT FOR THE USE OF THE STARKVILLE SCHOOL DISTRICT GROUNDS FOR RECREATION PURPOSES

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the “approval of the Interlocal Agreement between the City of Starkville and the Starkville School District for the use of the Starkville School District grounds for recreation purposes” is enumerated, this consent item is thereby approved.

INTERLOCAL AGREEMENT

This day this agreement entered into by and between the CITY OF STARKVILLE, MISSISSIPPI (hereafter “City”), and the STARKVILLE SCHOOL DISTRICT (hereafter “School District”).

WHEREAS, the City has received a “Playful City” designation and,

WHEREAS, the City and the School District desire to implement the “Playful City” designation by increasing public access to School District play spaces; and,

WHEREAS, the City and the School District have determined that public access to school district play spaces may be increased and expenses may be decreased by joint operation of School District play areas, as well as giving the public a right of entry to play areas in several parts of the City that will accord best with geographic, economic, population and other factors, to best serve the needs and promote the development of the Starkville community; and

WHEREAS, *Mississippi Code Annotated*, § 17-13-1 (1972) *et seq.*, provides that the parties may contract to exercise and carry out any power or authority or responsibility exercised or capable of being exercised by the parties individually; and

WHEREAS, the City and the School District have independent authority to expend funds for recreational parks and facilities; and

WHEREAS, the City is vested with the authority to exercise the powers necessary to fulfill the terms of this agreement by *Mississippi Code Annotated*, §17-1-3, §21-17-1 and -5, §21-19-49(4), §21-37-33, and §55-9-1 (1972), as amended, and the School District is granted such authority by *Mississippi Code Annotated*, §37-7-301 (k), (q) and (dd), and §37-7-301.1 (1972), as amended.

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the parties hereto agree and covenant as follows, to-wit:

1. The School District will grant public access to the play spaces on the campuses of Sudduth School, Henderson-Ward-Stewart School, Overstreet School, Armstrong Middle School, and Starkville High School, after school hours. Such use by the public shall be for such days and hours as to which the School District and the City of Starkville, by and through the Starkville Park Commission, may agree. Further, the School District and the City, by and through the Starkville Park Commission, may establish such rules and regulations as may be necessary and agreeable for public access and use of Starkville School District play spaces.

2. Programs for the public use of the School District play spaces at the enumerated campuses shall be administered by the Director of the Starkville Park Commission and the School District Assistant Superintendent For Operations.

3. The City, by and through the Starkville Park Commission, will evaluate annually the School District campuses for any equipment upgrades needed to bring school play spaces and equipment into compliance with any Starkville Park Commission safety standards. Additionally, the Starkville Park Commission and the School District will formulate a plan to upgrade such equipment to meet the National Playground Safety Institute's guidelines, where necessary, and to maintain the play spaces and equipment.

4. This agreement shall be in force and effect commencing at 12:00 o'clock noon on the first day of the month next following the approval of this agreement by the Attorney General of the State of Mississippi. This agreement shall terminate on first day of July, 2013, after a general municipal election that is not on a weekend, being the expiration of the term of the present Mayor and Board of Aldermen of the City of Starkville, and their successors in office may renew this agreement for a term which will expire concurrently with the expiration of their term of office.

5. The City, by and through the Starkville Park Commission, may expend funds to assist in maintenance and upgrading of the School District play spaces and equipment, and may make such improvements to the said play spaces and equipment as may be agreeable between the parties. The parties designate the Comptroller of the Starkville School District to receive, disburse, and account for all funds of the joint undertaking contemplated hereby, as part of his or her duties. The parties agree that any financial obligations accruing to the City hereunder will be paid from Starkville Park Commission funds, after approval by the Park Commission.

6. The City and the School District may enter into a memorandum of understanding stating that, barring any emergency, each school campus play area covered by this joint use agreement will receive a police patrol and drive by on a regularly scheduled basis during hours of public access and use.

7. Any improvements made to the Starkville School District play spaces and equipment during the term of this or any successor agreement shall become the property of the Starkville School District upon the termination of this agreement or any successor agreement.

8. This agreement contains the entire agreement and understanding between the parties hereto. All prior understandings, terms or conditions are deemed merged in this agreement. This agreement may not be changed orally or informally, but only by an agreement in writing and executed by all the parties hereto, having first been spread upon the minutes of the Mayor and the Board of Aldermen of the City of Starkville and the Board of School Trustees of the Starkville School District and submitted to the Attorney General of the State of Mississippi.

9. Neither this agreement, nor any obligation of either party hereunder, is assignable in whole or in part.

10. Miscellaneous provisions:

a. This agreement shall be construed and enforced according to the laws of the State of Mississippi.

b. In construing this agreement feminine or neuter pronouns shall be substituted for those masculine in form and vice versa, and plural terms shall be substituted for singular and singular for plural in any place in which the content so requires.

c. The covenants, terms, conditions, provisions, and undertakings in this agreement shall extend to and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

d. If any provision of this agreement shall be declared invalid or unenforceable, the remainder of the agreement shall continue in full force and effect.

e. The parties acknowledge that, prior to and as a condition precedent to its entry into force, this agreement must be submitted to and approved by the Attorney General of the State of Mississippi, as required by the provisions of *Mississippi Code Annotated*, §17-13-11 (1972), as amended.

WITNESS OUR SIGNATURES, this the ____ day of _____, 2011.

CITY OF STARKVILLE, MISSISSIPPI

BY: _____
PARKER WISEMAN, Mayor

ATTEST:

MARKEETA OUTLAW
City Clerk
(SEAL)

7.

**A MOTION TO PAY REQUEST # 5 INVOICE # 1171104P
FROM CLEARWATER CONSULTANTS, INC. REGARDING CONTRACT
FOR SERVICES FOR PROJECT DEVELOPMENT, DESIGN FOR DRAINAGE,
RSA AND ROFA IMPROVEMENTS ON GEORGE M. BRYAN FIELD
IN THE AMOUNT OF \$14,575.00 FUNDED BY THE 2010
AIP GRANT NO. 3-28-0068-015-2010**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval for pay request # 5 invoice # 1171104p from Clearwater Consultants, Inc. regarding Contract for Services for Project Development, Design for Drainage, RSA and ROFA Improvements on George M. Bryan Field in the amount of \$14,575.00 funded by the 2010 AIP Grant No. 3-28-0068-015-2010" is enumerated, this consent item is thereby approved.

8.

**A MOTION TO APPROVE A RESOLUTION TO ADJUDICATE
THE COST OF DEMOLITION CLEANING AND CARE OF A
DILAPIDATED PROPERTY BY THE CODE ENFORCEMENT DIVISION,
ALLOWING THE CITY ATTORNEY TO ENROLL ASSESSMENTS
AGAINST THE PROPERTY, LOCATED AT 514 MS HIGHWAY
182 WEST (DR. MLK, JR. DRIVE) IDENTIFIED AS PARCEL
NUMBER 118N-00-131.00, IN ACCORDANCE WITH §21-19-11
OF THE MISSISSIPPI CODE ANNOTATED (1972) ET SEC**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of a Resolution to adjudicate the cost of demolition cleaning and care of a dilapidated property by the Code Enforcement Division, allowing the City Attorney to enroll assessments against the property, located at 514 MS Highway 182 West (Dr. MLK, Jr. Drive) identified as Parcel Number 118N-00-131.00, in accordance with §21-19-11 of the Mississippi Code Annotated (1972) et sec" is enumerated, this consent item is thereby approved.

RESOLUTION NUMBER 2011-____
**A RESOLUTION TO ADJUDICATE THE COST OF DEMOLITION, CLEANING
AND MAINTENANCE OF A DILAPIDATED PROPERTY BY ORDER OF THE
MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE,
MISSISSIPPI**

WHEREAS, the Administrative Hearing Officer did hold a public hearing and found that the property listed below is a menace to the public health and safety of the community; and

WHEREAS, the Mayor and Board of Aldermen confirmed those findings and ordered City staff to demolish and clean the subject property; and

WHEREAS, Section 21-19-11 of the Mississippi Code of 1972 allows a local governing authority to assess the cost of demolition, cleanup and maintenance of the subject property as a lien against said property and enroll said lien against the said property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, that the Board does hereby adjudicate the following listed amounts as the actual costs of cleaning the said property in the amount shown.

Owner	Location	Parcel Number	Amount
M&W Properties, LLC	514 MS Highway 182 West	118N-00- 131.00	\$8,510.84

BE IT FURTHER RESOLVED, that the assessment adjudicated above shall be a lien against the above referenced property and the City Attorney is hereby authorized to enroll in the Office of the Circuit Clerk of Oktibbeha County said assessment against the property.

Upon the motion of Alderman _____, duly seconded by Alderman _____, that the Resolution be adopted, a roll call vote was taken which resulted as follows:

Alderman Ben Carver	Voted: ____
Alderman Sandra Sistrunk	Voted: ____
Alderman Eric Parker	Voted: ____
Alderman Richard Corey	Voted: ____
Alderman Jeremiah Dumas	Voted: ____
Alderman Roy A'. Perkins	Voted: ____
Alderman Henry Vaughn	Voted: ____

Adopted this the ___ day of _____, A.D., 2011, at the *Regular or Recess* Meeting of the Mayor and Board of Aldermen of the City of Starkville, Oktibbeha County, Mississippi.

Parker Wiseman, Mayor
City of Starkville, Mississippi

Markeeta A. Outlaw, Clerk
City of Starkville, Mississippi

(SEAL)

9.

A MOTION TO APPROVE THE HISTORIC PRESERVATION COMMISSION'S RECOMMENDATION TO APPROVE THE MULTI-PARTY CONTRACT FOR MISSISSIPPI HERITAGE TRUST TO PREPARE HISTORIC PRESERVATION DESIGN GUIDELINES FOR THE CITY OF STARKVILLE'S HISTORIC RESIDENTIAL AND COMMERCIAL AREAS, IN CONJUNCTION WITH THE CERTIFIED LOCAL GOVERNMENT MATCHING GRANT FROM THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY AT NO DIRECT COST TO THE CITY

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval of the Historic Preservation Commission's recommendation to approve the Multi-Party Contract for Mississippi Heritage Trust to prepare Historic Preservation Design Guidelines for the City of Starkville's Historic Residential and Commercial areas, in conjunction with the Certified Local Government Matching Grant from the Mississippi Department of Archives and History at no direct cost to the city" is enumerated, this consent item is thereby approved.

CONTRACT
DESIGN REVIEW GUIDELINES
FOR THE CITY OF STARKVILLE, OKTIBBEHA COUNTY

THIS CONTRACT is entered into by and between the Historic Preservation Division, Mississippi Department of Archives and History (by and through the State Historic Preservation Officer), City of Starkville, Mississippi (hereinafter called "**the City**"), the Starkville Central Neighborhood Foundation ("**SCNF**"), and David Preziosi on behalf of the Mississippi Heritage Trust (hereinafter called the "**Consultant**"), and relates to a Design Review Guidelines project to be undertaken by the Consultant for the Mississippi Department of Archives and History ("**MDAH**"), the City, and SCNF.

MDAH, the City, SCNF, and the Consultant agree as follows:

1. Work Program

The Consultant shall carry out project work as specified in the "Work Program" (**Attachment A**) for this project.

2. Compensation

The Consultant agrees to perform the work outlined in Attachment A for the total cost up to the amount of **\$7,000.00**. Compensation to the Consultant shall be made upon satisfactory completion and submission to MDAH, the City, and SCNF of the product of the project as specified below and upon the receipt of an invoice for the project. The Consultant's invoice(s) should be made out to the City for a total of **\$4,000.00** and to SCNF for a total of **\$3,000.00**. Invoices must be presented to MDAH for review and comment before MDAH will pass them on to the City or SCNF for payment.

3. Termination Provision

If MDAH, the City, or SCNF find the Consultant's work to be below the standards specified in Attachments A of this Contract; or if MDAH, the City, or SCNF find that progress is not being made to meet the deadlines attached to this project, a written warning shall be given to the Consultant delineating the nature of the problem. If satisfactory progress is not made in the enumerated area(s) within thirty (30) days or a suitable explanation is not produced in writing by the Consultant, MDAH, the City and/or SCNF shall have the right to terminate this Contract.

4. Reports and Requests for Reimbursement

The Consultant shall advise MDAH, the City, and SCNF of the progress of the project by telephone, e-mail, or by letter at least once every month while the project is underway. The Consultant shall contact MDAH, the City, and SCNF immediately if any situation should arise which will affect the timely or successful completion of this project and/or the final submission of the completed nomination.

5. Copyright

The copyright for any publication resulting from materials, information, and data assembled due to this contract shall be available to the MDAH, the City, and SCNF and those parties shall retain the right to print or reprint any publication(s) using said materials, information, and data. The Consultant waives any claim to a copyright involving said materials, information, and data.

6. General Provisions

The Consultant agrees to comply with all federal and state laws and regulations concerning equal opportunity, affirmative action, and fair employment practices. The Consultant further agrees to comply with all applicable regulations, laws, policies, guidelines, and requirements of this federal/state program. The Consultant shall indemnify and hold harmless MDAH, the City, SCNF and all of their officers, agents, and employees from all suits, actions, or claims of any character brought for or on account of any injuries or damages received by any persons or property resulting from the operations of the Consultant in executing work under this contract.

FEDERAL AND STATE PAYROLL TAXES: Neither federal nor state income tax nor payroll tax shall be withheld or paid by MDAH, the City, or SCNF on behalf of the Consultant or the employees of the Consultant. The Consultant shall not be treated as an employee by MDAH, the City, or SCNF with respect to the services performed hereunder for federal or state tax purposes.

FRINGE BENEFITS: Because the Consultant is an Independent Contractor, the Consultant is not eligible for, and shall not participate in, any employee pension, health, or other fringe benefit plan of MDAH, the City, SCNF, or of the State of Mississippi.

WORKERS' COMPENSATION: No Workers' Compensation insurance shall be obtained by MDAH, the City, or SCNF concerning the Consultant or Consultant's employees. Any insurance that is required by law shall be obtained by the Consultant.

STATEMENT OF COMPLIANCE WITH FEDERAL NON-DISCRIMINATION LAWS: By execution of the contract, Consultant affirms that Consultant is an equal opportunity employer and, therefore, maintains a policy which prohibits unlawful discrimination based on race, color, creed, sex, age, national origin, physical handicap, disability, or any other consideration made unlawful by federal, state, or local laws. All such discrimination is unlawful, and Consultant acknowledges that Consultant will strictly adhere to this policy in the performance of Consultant's obligations under the terms of this Contract. Any insurance that is required by law shall be obtained by the Consultant.

7. Special Condition

No part of the money appropriated for this project shall be used directly or indirectly to pay for any personal service, telegram, advertisement, telephone, letter, printed, or written matter or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or its Departments or agencies from communicating to members of Congress at the request of any Member, or to Congress through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business. Thus costs associated with activities to influence legislation pending before the Congress, commonly referred to as "lobbying," are unallowable as charges to historic preservation fund-assisted grants, either on a direct or indirect cost basis.

THIS CONTRACT becomes effective upon signature of the parties below.

Mississippi Department of Archives and History

By _____
H. T. Holmes
State Historic Preservation Officer

Date _____

The City of Starkville

By _____
Parker Wiseman, Mayor
City of Starkville

Date _____

Starkville Central Neighborhood Foundation

By _____
Kathleen Hamby, President
Starkville Central Neighborhood Foundation

Date _____

Consultant

By _____
David Preziosi
Mississippi Heritage Trust

Date _____

ATTACHMENT A: WORK PROGRAM (SCOPE OF WORK)

Design Guidelines Preparation. The Consultant will perform the following steps in preparation of the Guidelines:

- Facilitate a meeting with the Starkville Historic Preservation Commission to determine the layout and specific content of each part of the Design Guidelines.
- Photograph examples of historic buildings in Starkville for the architectural styles section of the guidelines and for use in the body of the Guidelines.
- Customize the content of the Guidelines for the City based on the meeting with the Starkville Historic Preservation Commission and SCNF.
- Submit a draft of the guidelines for review by the City, Starkville Historic Preservation Commission, SCNF, and MDAH no later than **April 1, 2012**.
- Complete any edits or corrections to the final draft based on comments from the City, Starkville Historic Preservation Commission, SCNF, and MDAH.
- Make available a final draft of the Guidelines for inspection by the City, Starkville Historic Preservation Commission, SCNF, and MDAH no later than **June 30, 2012** before the final version is printed.
- Print and deliver 20 copies of the Guidelines to be used by the City and the Starkville Historic Preservation Commission prior to the project completion deadline of **August 1, 2012**.
- Deliver a CD containing an electronic version of the Design Guidelines for future printing, a copy that can be uploaded to the web, and copies of all of the photographic images taken in Starkville.

The final guidelines must include acknowledgement of assistance provided to the project by the City and SCNF.

As a Certified Local Government (CLG) Grant project, the final design guidelines must also include an acknowledgment of National Park Service and Mississippi Department of Archives and History support. This acknowledgment shall be in the form of the following statement:

This publication has been financed in part with Federal funds from the National Park Service, U. S. Department of the Interior, through the Historic Preservation Division of the Mississippi Department of Archives and History. However, the contents and opinions do not necessarily reflect the views or policies of the Department of the Interior or the Mississippi Department of Archives and History, nor does the mention of trade names, commercial products or consultants constitute endorsement or recommendation by these agencies. This program received Federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, as amended, the U. S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, disability or age in its federally assisted programs. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to:

Office of Equal Opportunity
National Park Service
1849 C Street, N.W.
Washington, D.C. 20240

10.

**A MOTION TO APPROVE THE MUNICIPAL
COMPLIANCE QUESTIONNAIRE IN ACCORDANCE
WITH THE REQUIREMENTS OF §21-35-31,
MISS.CODE ANN. (1972)**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the “approval of the Municipal Compliance Questionnaire in accordance with the requirements of §21-35-31, Miss. Code Ann. (1972)” is enumerated, this consent item is thereby approved.

Municipal Compliance Questionnaire

As part of the municipality's audit, the governing authorities of the municipality must make certain assertions with regard to legal compliance. The municipal compliance questionnaire was developed for this purpose.

The following questionnaire and related certification must be completed at the end of the municipality's fiscal year and entered into the official minutes of the governing authorities at their next regular meeting.

The governing authorities should take care to answer these questions accurately. Incorrect answers could reduce the auditor's reliance on the questionnaire responses, resulting in the need to perform additional audit procedures at added cost.

Information

Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no," and, as a result, more information on this questionnaire may be required and/or separate work papers may be needed.

1. Name and address of municipality:
CITY OF STARKVILLE, 101 E. LAMPKIN STREET, STARKVILLE, MS 39759

2. List the date and population of the latest official U.S. Census or most recent official census:
2010 - 23,888

3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).
SEE ATTACHED (APPENDIX A)

4. Period of time covered by this questionnaire:
From: OCTOBER 1, 2010 _____ To: SEPTEMBER 30, 2011 _____
5. Expiration date of current elected officials' term: JUNE 30, 2013 _____

MUNICIPAL COMPLIANCE QUESTIONNAIRE

Year Ended September 30, 20__

Answer All Questions: Y - YES, N - NO, N/A - NOT APPLICABLE

PART I - General

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) | Y |
| 2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27) | Y |
| 3. Are municipal records open to the public? (Section 25-61-5) | Y |
| 4. Are meetings of the board open to the public?
(Section 25-41-5) | Y |
| 5. Are notices of special or recess meetings posted?
(Section 25-41-13) | Y |
| 6. Are all required personnel covered by appropriate surety bonds? | |
| · Board or council members (Sec. 21-17-5) | Y |
| · Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter) | Y |
| · Municipal clerk (Section 21-15-38) | Y |
| · Deputy clerk (Section 21-15-23) | Y |
| · Chief of police (Section 21-21-1) | Y |
| · Deputy police (Section 45-5-9) (if hired under this law) | N/A |
| 7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19) | Y |
| 8. Are minutes of board meetings signed by the mayor or majority of the board within 30 days of the meeting?
(Section 21-15-33) | N |
| 9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53) | Y |
| 10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) | Y |

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31) | Y
_____ |
| 12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? (Section 21-35-31 or 21-17-19) | Y
_____ |
| PART II - Cash and Related Records | |
| 1. Where required, is a claims docket maintained? (Section 21-39-7) | Y
_____ |
| 2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9) | Y
_____ |
| 3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7) | Y
_____ |
| 4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13) | Y
_____ |
| 5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13) | Y
_____ |
| 6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9) | Y
_____ |
| 7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23) | Y
_____ |
| 8. Has the municipality held a public hearing and published its adopted budget? (Sections 21-35-5, 27-39-203, & 27-39-205) | Y
_____ |
| 9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25) | Y
_____ |
| 10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25) | Y
_____ |

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) | Y
_____ |
| 12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) | Y
_____ |
| 13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) | Y
_____ |
| 14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) | Y
_____ |
| 15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) | Y
_____ |
| 16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution) -- Sections 21-19-45 through 21-19-59, etc.] | Y
_____ |
| 17. Are fixed assets properly tagged and accounted for? (Section II - Municipal Audit and Accounting Guide) | Y
_____ |
| 18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? | Y
_____ |
| 19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) | Y
_____ |
| PART III - Purchasing and Receiving | |
| 1. Are bids solicited for purchases, when required by law (written bids and advertising)? [Section 31-7-13(b) and (c)] | Y
_____ |
| 2. Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] | Y
_____ |
| 3. Are all one-source item and emergency purchases documented on the board's minutes? [Section 31-7-13(m) and (k)] | Y
_____ |
| 4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23) | Y
_____ |

PART IV - Bonds and Other Debt

- | | | |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 1. | Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) | <u>Y</u> |
| 2. | Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) | <u>Y</u> |
| 3. | Have the required trust funds been established for utility revenue bonds? (Section 21-27-65) | <u>Y</u> |
| 4. | Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) | <u>Y</u> |
| 5. | Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) | <u>Y</u> |

PART V - Taxes and Other Receipts

- | | | |
|----|----------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1. | Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167) | <u>Y</u> |
| 2. | Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53) | <u>N/A</u> |
| 3. | Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63) | <u>N/A</u> |
| 4. | Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53) | <u>Y</u> |
| 5. | Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321) | <u>Y</u> |
| 6. | Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) | <u>Y</u> |
| 7. | Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) | <u>Y</u> |
| 8. | Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) | <u>Y</u> |

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 9. Has the municipality levied or appropriated not less than 1/4 mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39) | Y
_____ |
| 10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73, 83-39-31, etc.) | Y
_____ |
| 11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21) | Y
_____ |
| 12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1) | Y
_____ |

(MUNICIPAL NAME)

Certification to Municipal Compliance Questionnaire

Year Ended September 30, 20¹¹

We have reviewed all questions and responses as contained in this Municipal Compliance Questionnaire for the Municipality of STARKVILLE, and, to the best of our knowledge and belief, all responses are accurate.

(City Clerk's Signature)

(Mayor's Signature)

OCTOBER 5, 2010

(Date)

OCTOBER 5, 2010

(Date)

Minute Book References:

Book Number _____

Page _____

(Clerk is to enter minute book references when questionnaire is accepted by board.)

11.

**A MOTION TO APPROVE THE CITY'S 2012 LIST OF
"UNMARKED CARS" IN ACCORDANCE WITH
§25-1-87 OF THE MISSISSIPPI CODE OF
1972 ANNOTATED**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the " approval of the City's 2012 list of "unmarked cars" in accordance with §25-1-87 of the Mississippi Code of 1972 Annotated" is enumerated, this consent item is thereby approved.

12.

**A MOTION TO EXECUTE OF THE SALE
CONTRACT TO TVA FOR THE STARKVILLE
161-KV TAP LINE FOR \$338,212.68**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval to execute the Sale Contract to TVA for the Starkville 161-KV tap line for \$338,212.68 " is enumerated, this consent item is thereby approved.



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1401

September 21, 2011

TV-48326A, Supp. No. 70

Mr. Terry N. Kemp, General Manager
Starkville Electric Department
Post Office Box 927
Starkville, Mississippi 39760-0927

Dear Mr. Kemp:

By the Rental and Amendatory Agreement numbered TV-48326, Supp. No. 31, dated April 25, 1995, (1995 Agreement) among the City of Starkville, Mississippi (Distributor) and the Tennessee Valley Authority (TVA), and the United States of America, acting by and through its legal agent, TVA, Distributor agreed to sell and TVA agreed to purchase the Starkville 161-kV tap line and all associated hardware at such time that the Distributor's load at the 161-kV side of the Starkville 161-kV Substation reached 100 MW. However, TVA now desires to acquire the tap line in conjunction with a transmission line project involving the Starkville-Clayton Village-Catalpa Creek 161-kV line and switching station.

Accordingly, the parties wish to confirm their understanding with respect to the purchase of the tap line by TVA. It is understood and agreed upon between the Distributor and TVA that:

1. As soon as practicable after execution of this agreement, Distributor shall sell to TVA, by a bill of sale substantially in the form of Attachment A to this agreement, and TVA shall purchase for Three Hundred Thirty-eight Thousand Two Hundred Twelve Dollars and Sixty-eight Cents (\$338,212.68) the Starkville 161-kV tap line and all associated hardware beginning at the Starkville 161-kV Switching Station (Rock Hill) up to but not including the pull off structure located within the fence of the Distributor-owned Starkville 161-kV Substation, as generally shown on the attached Distributor's Deas Engineering drawing number 1, for Job No. 101E3005 (Tapline).
2. It is recognized that one or more structures associated with the Tapline being conveyed to TVA in accordance with section 1 of this agreement are located on property owned by Distributor. Distributor hereby grants to TVA the right to keep in place the Tapline, together with such rights of access in, on, over, and across Distributor's property as are necessary for the operation, maintenance, repair, and replacement of the Tapline.
3. It is expressly recognized that the facilities designated as "Use Facilities" outlined in section 1 of the 1995 Agreement have been retired, and therefore the 1995 Agreement is amended to delete section 1 (A) through (D).
4. Effective as of the date of this agreement, the License Agreement between Distributor and TVA, numbered TV-98640U, dated August 8, 1995, is hereby terminated.

Mr. Kemp
Page 2
September 21, 2011

5. Effective as of the date on which TVA purchases the Tapline, section 3 of the Power Contract is amended by striking from the tabulation appearing therein all references to the 161-kV delivery point at the Starkville 161-kV Substation and substituting the following:

<u>Normal Wholesale Delivery Point</u>	<u>Delivery Voltage</u>
The 161-kV side of the Starkville 161-kV Substation	161,000 V

6. Except as specifically provided otherwise herein, it is understood and agreed that all rights and obligations of the parties under the 1995 Agreement will remain in full force and effect.

If this letter agreement correctly reflects our understanding on this matter, please have a duly authorized representative execute and date the two enclosed duplicate originals, and return them to TVA for further processing. Upon completion by TVA, a fully executed duplicate original will be returned to you for your files. This agreement shall become effective as of the date of TVA's execution.

Accepted and agreed to as of the
____ day of _____, 2011.

TENNESSEE VALLEY AUTHORITY

By _____
John G. Trawick
Senior Vice President
Commercial Operations and Pricing

Accepted and agreed to as of the
____ day of _____, 2011.

CITY OF STARKVILLE, MISSISSIPPI

By _____
Title:

BILL OF SALE
Made By
CITY OF STARKVILLE, MISSISSIPPI
To
TENNESSEE VALLEY AUTHORITY

THIS BILL OF SALE, made and entered into as of the _____ day of _____, 2011, by CITY OF STARKVILLE, MISSISSIPPI (Distributor), a municipal corporation created and existing under and by virtue of the laws of the State of Mississippi, to the TENNESSEE VALLEY AUTHORITY (TVA), a corporation created and existing under and by virtue of the Tennessee Valley Authority Act of 1933, as amended (TVA Act);

W I T N E S S E T H:

THAT for and in consideration the sum of Three Hundred Thirty-eight Thousand Two Hundred Twelve Dollars and Sixty-eight Cents (\$338,212.68) cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, Distributor has granted, bargained, sold, assigned, and set over unto TVA and does by these presents hereby grant, bargain, sell, assign, and set over unto TVA the following described personal property in place in Oktibeeha County, Mississippi:

Distributor's Starkville 161-kV tap line (Tapline) and all associated hardware beginning at the Starkville 161-kV Switching Station (Rock Hill) up to but not including the pull off structure located within the fence of the Distributor-owned Starkville 161-kV Substation, as generally shown on the attached Distributor Deas Engineering drawing number 1 for Job No. 101E3005.

The above-described personal property excludes all easements and rights-of-way appurtenant to the Tapline. Permission for TVA to operate and maintain the Tapline on the excluded easements and rights-of-way is provided by a separate agreement numbered TV-48326A, Supp. No. 70.

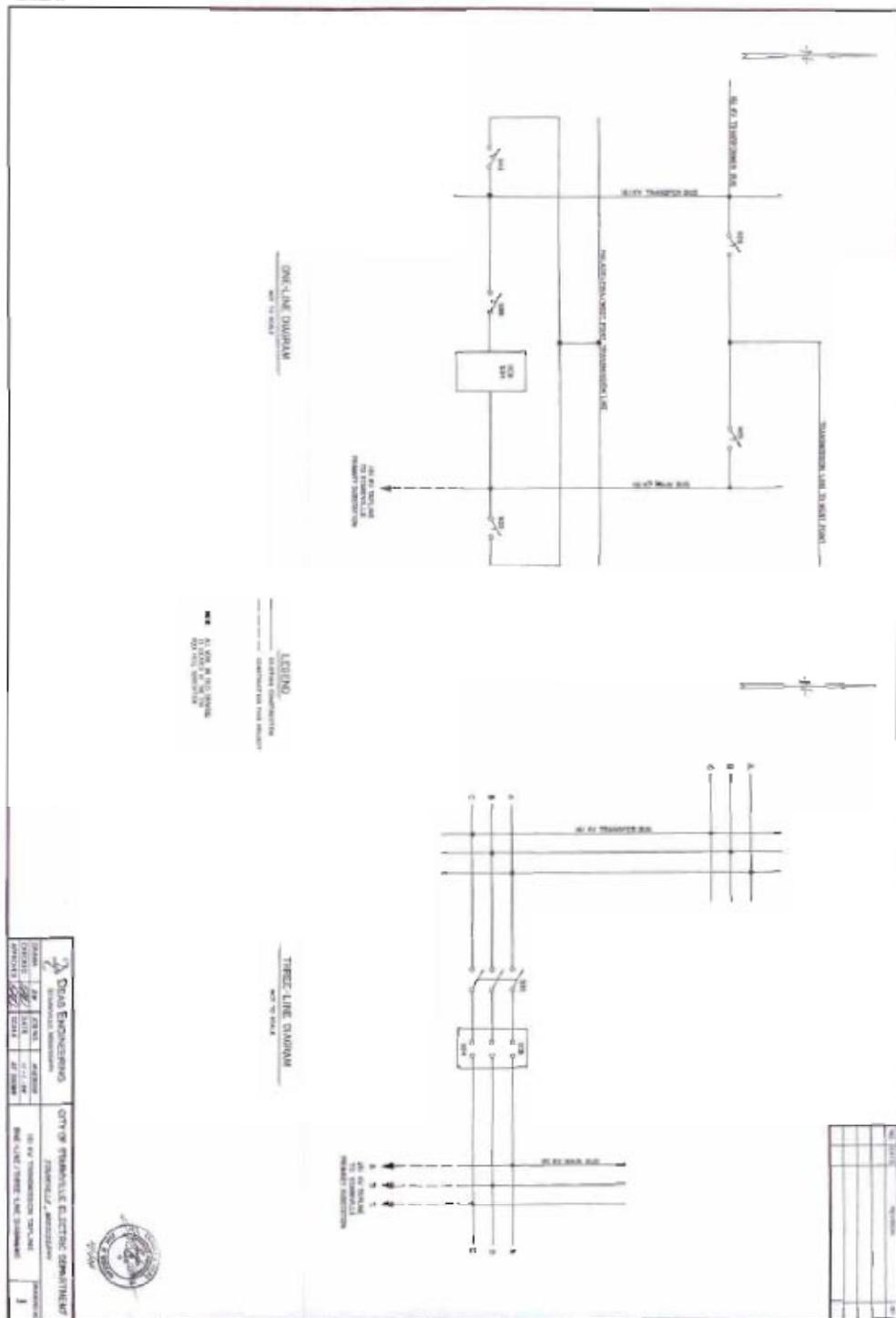
IN WITNESS WHEREOF, Distributor has caused this bill of sale to be executed by its duly authorized representative as of the day and year first above written.

TENNESSEE VALLEY AUTHORITY

CITY OF STARKVILLE, MISSISSIPPI

By _____
Senior Vice President
Commercial Operations and Pricing

By _____
Title:



**A MOTION TO ADVERTISE FOR THE VACANT POSITION
OF STAFF SUPPORT TECH II IN THE POLICE DEPARTMENT,
WITH A SALARY OF \$24,533.19 (\$11.80 HOUR)
GRADE 8 STEP 1 (2080 HOURS)**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval to advertise for the vacant position of Staff Support Tech II in the Police Department, with a salary of \$24,533.19 (\$11.80 hour), Grade 8, Step 1 (2080 hours)" is enumerated, this consent item is thereby approved.

14.

**A MOTION TO ADVERTISE TO FILL VACANT POSITIONS
FOR CERTIFIED POLICE OFFICERS IN THE POLICE
DEPARTMENT WITH A SALARY OF \$32,583.20 (\$14.61 HOUR)
GRADE 9 STEP 5 (2229.5 HOUR)**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval to advertise to fill vacant positions for Certified Police Officers in the Police Department, with a salary of \$32,583.20 (\$14.61 hour), Grade 9, Step 5 (2229.5 hour)" is enumerated, this consent item is thereby approved.

15.

**A MOTION TO HIRE CHRIS PULLIAM FOR THE POSITION OF
ENGINEERING AIDE IN THE ELECTRIC DEPARTMENT AT
A SALARY OF \$37,885.42 (\$18.12 HOUR) GRADE 11 STEP 6
(2080) SUBJECT TO ONE (1) YEAR PROBATIONARY PERIOD**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval to hire Chris Pulliam for the position of Engineering Aide in the Electric Department at a salary of \$37,885.42 (\$18.12 hour) Grade 11, Step 6 (2080), subject to one (1) year probationary period" is enumerated, this consent item is thereby approved.

16.

**A MOTION TO PROMOTE ELLIS AGNEW FROM
CREW LEADER/OPERATOR TO LINE FOREMAN IN THE
WATER DIVISION OF PUBLIC SERVICES WITH A 10%
PROMOTIONAL INCREASE, AT A SALARY OF \$32,788.87
(\$15.76 HOUR) GRADE 9, STEP 7 (2080), SUBJECT TO
SIX (6) MONTHS PROBATIONARY PERIOD**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval to promote Ellis Agnew from Crew Leader/Operator to Line Foreman in the Water Division of Public Services with a 10% promotional increase, at a salary of \$32,788.87 (\$15.76 hour) Grade 9, Step 7 (2080), subject to six (6) months probationary period" is enumerated, this consent item is thereby approved.

17.

**A MOTION TO HIRE WILLIE BROOKS FOR THE POSITION
OF MAINTENANCE WORKER I IN THE WATER DIVISION
OF PUBLIC SERVICES AT A SALARY OF \$18,325.21
(\$8.81 HOUR) GRADE 4, STEP 4(2080), SUBJECT TO
ONE (1) YEAR PROBATIONARY PERIOD**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval to hire Willie Brooks for the position of Maintenance Worker I in the Water Division of Public Services at a salary of \$18,325.21 (\$8.81 hour) Grade 4, Step 4(2080), subject to one (1) year probationary period" is enumerated, this consent item is thereby approved.

18.

**A MOTION TO ADVERTISE TO FILL THE VACANT POSITION
OF CREW LEADER/OPERATOR IN THE WATER DIVISION
OF THE PUBLIC SERVICES AT A SALARY OF \$24,553.19
(\$11.80 HOUR) GRADE 8, STEP 1 (2080)**

Upon the motion of Alderman Richard Corey, duly second by Alderman Henry Vaughn, and adopted by the board to approve the October 4, 2011 Official Agenda, and to accept listed items on Consent, whereby the "approval to

advertise to fill the vacant position of Crew Leader/Operator in the Water Division of the Public Services at a salary of \$24,553.19 (\$11.80 hour) Grade 8, Step 1 (2080)" is enumerated, this consent item is thereby approved.

END OF CONSENT

MAYOR'S COMMENT

Mayor Parker Wiseman reminded the Board that the Capital Improvement Plan Documents need to be in by October 11 so that Government Consultants can prepare the documents for the Board Meeting of October 18, 2011.

Mayor Parker Wiseman informed the Board of a presentation to be made later during the meeting about the Pink Heals Tour.

Mayor Parker Wiseman introduced the new employees to the City's workforce:

Frank Rogers III	Laborer - Sanitation and Environmental Services Department
Marco Rodriguez	Firefighter - Fire Department
James Hayes	Firefighter - Fire Department
William Brooks	Apprentice Lineman - Electric Department

BOARD OF ALDERMEN COMMENTS

Alderman Eric Parker presented a plaque to the Bennie Gazaway, recognizing him as the October 2011 Employee of the Month. Mr. Gazaway is a Foreman in the New Construction Rehab Division of Public Services Department and has been employed with the City of Starkville for 22 years.

CITIZEN COMMENTS

Mr. Alvin Turner, Ward 7 addressed the Board with requesting answers to the following questions: (1). What was the city's population when Dan Camp was

Mayor? (2). What is the population now under Mayor Wiseman? (3). Are there any empty buildings in the City that can be used for a Police Department?

Greg Ibendal, Ward 6 addressed the Board concerning the proposed PUD request of Michael Kraker for Garrard Road extension in Ward 6.

Ira Loveless, Ward 6 addressed the Board concerning the proposed PUD request of Michael Kraker for Garrard Road extension in Ward 6.

PUBLIC APPEARANCES

Mr. Turner Purnell, Ward 7 addresses the Board concerning the parking on Westside Drive. Mr. Purnell presented the Board with a petition requesting that the street be changed to a one way street, to allow one lane of traffic and one lane for parking. Mr. Turner further requested the Board that establishes some alternative that would allow citizens to have parking.

Charles Yarbrough, Training Officer Starkville Fire Department presented to the Board the events associated with the Pink Heals Tour. The Pink Heals Tour is a non-profit organization that tour cities throughout the United States to bring awareness to breast cancer. The Tour will be in Starkville on October 17, 2011.



BOARD BUSINESS

Doug Devlin, Director of Public Services reported to the Board the status of the improvements to the sewer system throughout the City and the status of services to the 1998 Annex Area.

Ben Griffith, City Planner reported to the Board the current status of the Form Based Codes Development Process.



THE CITY OF STARKVILLE
BUILDING, CODES & PLANNING DEPARTMENT
CITY HALL, 101 E. LAMPKIN STREET
STARKVILLE, MISSISSIPPI 39759-2944

MEMORANDUM

TO: Mayor and Board of Aldermen
FROM: Ben Griffith, AICP, City Planner
CC: Chief Administrative Officer, City Clerk, City Attorney, Assistant City Planner
SUBJECT: Form Based Code update
DATE: September 29, 2011

The Planning Office received a first draft of the Form Based Code from PlaceMakers in mid-June. On June 27, 2011, approximately three pages of questions, comments and concerns were forwarded to the consultant and a lengthy telephone conference held. Most of the comments involved minor revisions. However, it became apparent that there were two major issues which needed to be addressed.

First, were the procedural steps and the possible creation of a “design review board” exclusively to review site plans for properties located within the designated area. While not a major issue on the surface, City staff has been tasked with studying and implementing a major overhaul of our development processes to make our development process more user-friendly, so much thought has been required to carefully think through the process to include form based codes, so that it will cleanly mesh with the rest of the development process. I have been preparing verbiage which would replace the first couple of pages of the draft form based code to mirror our development process.

Second, and much more complicated, is the land uses utilized in the draft form based code did not utilize our adopted chart of permitted uses. It is almost universally understood that our current 40+ year old zoning regulations are woefully out of date and in need of modernization. The question was to either use what was provided by the consultant and deal with conflicting land use charts, or step back and develop a new chart of permitted uses from which the form based code could be drawn.

Much research has been conducted and our new assistant city planner is preparing a draft of a new permitted use chart which is scheduled to be presented to the P&Z as a work-session item at their October 11th meeting. Feedback from that work-session will be used to polish it into a draft ordinance for public hearings and adoption. After the work-session, it will be forwarded to PlaceMakers, who will incorporate it into the revised form based code draft. The P&Z has indicated that they would be willing to hold a special call meeting to hold a work-session to review the form based code, perhaps in late October. Feedback from that work-session should provide Planning staff with solid direction to proceed to the public hearings and adoption. If everything goes well, we could perhaps schedule a public hearing for the November 8th P&Z meeting, and then move on to the BOA in early December for the required second public hearing and possible adoption at that meeting. If this is the case, I had considered seeking approval to draft a resolution which would make January 1st the effective date for the form based code and permitted use chart.

19.

A MOTION TO TABLE THE REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH CLEARWATER CONSULTANTS FOR PROFESSIONAL SERVICES FOR MULTIPLE AND VARIOUS PROJECTS FOR GEORGE M. BRYAN FIELD

Upon the motion of Alderman Sandra Sistrunk, duly seconded by Alderman Richard Corey, to table the approval to enter into an agreement with Clearwater Consultants for Professional Services for multiple and various projects for George M. Bryan Field until a report can be presented by Alderman Ben Carver concerning the rate outlined in the proposed agreements; the Board voted unanimously to approve the motion.

Note: After having tabled the agreement with Clearwater Consultant, the Mayor received no objection to nullify the Airport's request to "issue work authorization Number 11-01 and 11-02 for Professional Services regarding the FAA 2011 AIP, with respect to George M. Bryan Field."

20.

A MOTION TO APPROVE THE PUD (PLANNED UNIT DEVELOPMENT) REQUEST BY MICHAEL KRAKER FOR THE 5.02 ACRES LOCATED ON THE NORTH SIDE OF EAST GARRARD ROAD, WEST OF OLD WEST POINT ROAD AT THE SOUTHWEST CORNER OF THE FORMER PILKINGTON TRAILER PARK IN WARD 5, TO INCLUDE THE 5 CONDITIONS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION AS PRESENTED

Upon the motion of Alderman Jeremiah Dumas, duly seconded by Alderman Eric Parker, to approve the PUD (Planned Unit Development) request by Michael Kraker for the 5.02 acres located on the north side of East Garrard Road, west of Old West Point Road at the southwest corner of the former Pilkington Trailer Park in Ward 5, to include the 5 conditions recommended by the Planning and Zoning commission as presented. After discussion, Alderman Jeremiah Dumas withdrew his motion and issued the following motion.

21.

A MOTION TO APPROVE THE PUD (PLANNED UNIT DEVELOPMENT) REQUEST BY MICHAEL KRAKER FOR THE 5.02 ACRES LOCATED ON THE NORTH SIDE OF EAST GARRARD ROAD, WEST OF OLD WEST POINT ROAD AT THE SOUTHWEST CORNER OF THE FORMER PILKINGTON TRAILER PARK, WITH CONDITIONS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION TO INCLUDE ADDING A VARIANCE FOR INCREASE IN DENSITY TO CONDITION NUMBER 2

There came for consideration the matter of approving the PUD (Planned Unit Development) request by Michael Kraker for the 5.02 acres located on the North Side of East Garrard Road, West of Old West Point Road at the Southwest corner of the former Pilkington Trailer Park, to include the 5 conditions recommended by the Planning and Zoning Commission, with adding a variance for increase in density to condition #2. After discussion, and

upon the motion of Alderman Jeremiah Dumas, duly seconded by Alderman Eric Parker, to approve the PUD (Planned Unit Development) request by Michael Kraker for the 5.02 acres located on the North Side of East Garrard Road, West of Old West Point Road at the Southwest corner of the former Pilkington Trailer Park, to include the 5 conditions recommended by the Planning and Zoning Commission, with adding a variance for increase in density to condition #2, the Board voted as follows:

Alderman Ben Carver	voted: <u>Yea</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>Nay</u>
Alderman Henry Vaughn, Sr.	voted: <u>Nay</u>

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

Conditions recommended by Planning and Zoning for the PUD located at the North Side of East Garrard Road, West of Old West Point Road at the Southwest corner of the former Pilkington Trailer Park:

1. The applicant shall submit a preliminary plat which shall include detailed infrastructure plan to the City's Development Review Committee within 6 months of the PUD approval by the Mayor and Board of Aldermen.
2. The applicant shall submit an application to the City's Board of Adjustments & Appeals for the dimensional variances requested for the density, internal streets, sidewalks and proposed right-of-ways, prior to presentation of a preliminary plat and infrastructure plan to the Planning & Zoning Commission and Board of Aldermen.
3. The applicant shall provide restrictive covenants that include provisions for the maintenance of common areas, especially the areas along and adjacent to the creek, and the City Attorney's standard hold-harmless indemnification clause.
4. The applicant shall be required to submit a "Floodplain Development Permit" application form with the preliminary plat submittal package and comply with the City's adopted floodplain management ordinance.
5. Planning staff shall provide corrected net density calculations so the staff report is accurate and correct. (see below)

DENSITY

Recommended gross density ranges are provided in Table 32 of the City's Comprehensive Plan, beginning on page 87. The table includes a note which states "higher densities could be achieved through the Planned Unit Development process. No reference is made to "net" density in the Comprehensive Plan. A PUD has no density range provided in Table 32, so for comparison purposes, the placement of 23 detached, single-family dwelling units on 5.01 acres, provides an overall density of 4.59 dwelling units per acre. If the roadway acreage, estimated to be 1.2 acres, were to be subtracted from the 5.01 acres, approximately 3.81 "developable" acres would remain. If the 23 proposed units are divided by the estimated 3.81 remaining acres, there would be a "net" density of approximately 6.04 dwelling units per acre for the development.

The areas adjacent to the subject property allow a maximum or "gross" density of 4 dwelling units per acre. If it is assumed that approximately 20% of the allowable dwelling units could be "lost" due to the construction of infrastructure (roads, stormwater retention, etc.), it could be estimated that there would be a "net" density of approximately 3.2 dwelling units per acre.

Art. VII, Sec. O(B)(i) of the PUD regulations of the City's Code of Ordinances reads in part:

The density requirement for residential elements of a planned unit development may be permitted to exceed allowable density by not more than 25 percent, provided that all other standards mandated for a planned unit development are satisfactorily met and if the planning and zoning commission determines that the site plan demonstrates sufficient rationale and provisions for such increase.

Art. V, Sec. 6(5) of the City's Subdivision Regulations reads in part:

The planned unit development shall indicate the proposed maximum dwelling unit density per acre, not including streets...

22.

**A MOTION TO APPROVE THE CONDITIONAL REQUEST OF
BONDS OF LOVE MINISTRY TO ALLOW A PLACE OF WORSHIP
AT 305 DR. MLK, JR. DRIVE IN WARD 5 WITH THE FOUR
(4) CONDITIONS AS RECOMMENDED BY THE PLANNING
AND ZONING COMMISSION**

Upon the motion of Alderman Henry Vaughn, duly seconded by Alderman Jeremiah Dumas, to approve the conditional request of Bonds of Love Ministry to allow a place of worship at 305 Dr. MLK, Jr. Drive in Ward 5, with the four (4) conditions as recommended by the Planning and Zoning Commission; the Board voted unanimously to approve the motion.

Conditions recommended by Planning and Zoning for the Conditional Variance located at 305 Dr. MLK Jr. Drive:

1. The footprint of the existing structure shall not be increased in size.
2. All signage shall conform to the City's signage ordinances. Permits shall be obtained from the City's Building Department prior to the placement of any signage on the site.
3. A new conditional use application shall be required if there is a change in ownership of the property which requires a conditional use, or if the use ceases for more than six months.
4. All of the above conditions shall be fully and faithfully executed or the conditional use shall become null and void.

Note: Alderman Ben Carver exits the meeting room.

23.

**A MOTION TO APPROVE THE CLAIMS DOCKET FOR
THE FIRE DEPARTMENT FOR THE PERIOD
ENDING SEPTEMBER 28, 2011**

There came for consideration the matter of approving the claims docket for the Fire Department. After discussion, and

upon the motion of Alderman Roy A'. Perkins, duly seconded by Alderman Jeremiah Dumas to approve claims submitted by the Fire Department for the period ending September 28, 2011 in the amount of \$49,909.84, the Board voted as follows:

Alderman Ben Carver	voted: <u>Recused</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 carried.

**FIRE DEPARTMENT CLAIMS
PERIOD ENDING SEPTEMBER 29, 2011
DOCKET #10-04-11-A**

FIRE DEPARTMENT	001-161	\$	30,423.87
FIRE PREVENTION	001-162	\$	106.00
FIRE TRAINING	001-163	\$	5,267.20
FIRE COMMUNICATIONS	001-164	\$	6,468.48
FIRE STATIONS & BLDGS	001-167	\$	4,644.29
	TOTAL	\$	46,909.84

NOTE: Alderman Ben Carver rejoined the meeting

24.

**A MOTION TO APPROVE THE CITY OF STARKVILLE
CLAIMS DOCKET FOR ALL DEPARTMENTS EXCEPT THE
FIRE DEPARTMENT AS OF SEPTEMBER 29, 2011
TOTALING 6,357,172.17**

Upon the motion of Alderman Roy A'. Perkins, duly seconded by Alderman Richard Corey, to approve the Claims Docket #10-04-11-A which contains claims from all departments (excluding Fire), through September 29, 2011, totaling \$6,357,172.17; the Board voted unanimously to approve the motion

CLAIMS DOCKET
10-4-11-A
PERIOD ENDING SEPTEMBER 29, 2011

General Fund	001	\$508,801.97
Restricted Police Fund	002	
Restricted Fire Fund	003	
Airport Fund	015	\$1,497.48
Sanitation	022	\$30,345.62
Landfill	023	\$1,341.55
Computer Assessments	107	
City Bond and Interest	202	
2009 Road Maint. Bond	304	\$337,489.79
Fire Station No. 5	306	
American Recovery & Reinvestment Act	309	
P & R Bond Series 2007	325	
Park & Rec Tourism 2%	375	\$20,086.91
Water/Sewer	400	\$233,657.70
Vehicle Maintenance	500	\$29,299.83
Hotel/Motel	610	
2% (VCC, EDA, MSU)	630	\$24,300.58
TOTAL		\$1,186,821.43
Electric		\$5,170,350.74
TOTAL CLAIMS		\$6,357,172.17

25.

**A MOTION TO APPROVE THE LOUISVILLE STREET
WIDENING AND PEDESTRIAN PROJECT AND PRESENTED
AND AUTHORIZATION TO ADVERTISE TO BIDS CONTINGENT
ON APPROVAL OR MODIFICATIONS OF THE PS&E ASSEMBLY
FROM MDOT AND CONTINGENT ON APPROVAL FROM
MDOT TO ADVERTISE**

Upon the motion of Alderman Jeremiah Dumas, duly seconded by Alderman Sandra Sistrunk, to approve the Louisville Street Widening and Pedestrian Project and presented and authorization to advertise to bids contingent on approval or modifications of the PS&E Assembly from MDOT and contingent on approval from MDOT to advertise; the Board voted unanimously to approve the motion.

**OPINION OF PROBABLE COST
CITY OF STARKVILLE**

OKTIBBEHA COUNTY

Federal Aid Project STP-7107-00(003) LPA / 105987-701000

**Louisville Street Improvements
September 29, 2011**

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	AMOUNT
<u>PARTICIPATING ITEMS:</u>					
EARTHWORK ITEMS					
201-A001	Clearing and Grubbing	1	LS	\$5,000.00	\$5,000.00
202-B005	Removal of Asphalt Pavement, All Depths	3256	SY	\$8.00	\$26,048.00
202-B017	Removal of Concrete Combination Curb & Gutter	226	LF	\$10.00	\$2,260.00
202-B019	Removal of Concrete Headwall	4	EA	\$150.00	\$600.00
202-B030	Removal of Concrete Pavement, All Depths	2890	SY	\$8.00	\$23,120.00
202-B059	Removal of Legend, All Types	50	SF	\$14.00	\$700.00
202-B070	Removal of Sign Including Post & Footing	16	EA	\$50.00	\$800.00
202-B076	Removal of Traffic Stripe	6856	LF	\$1.00	\$6,856.00
202-B098	Removal of Inlet and Junction Box, All Types & Sizes	15	EA	\$500.00	\$7,500.00
202-B106	Removal of Pipe, All Sizes	1409	LF	\$10.00	\$14,090.00
202-B188	Removal of Concrete Curb	732	LF	\$10.00	\$7,320.00
203-G004	Excess Excavation, LVM, AH	2846	CY	\$5.00	\$14,230.00
203-EX018	Borrow Excavation, AH, LVM, Class B9	3045	CY	\$10.00	\$30,450.00
206-A001	Structure Excavation	3810	CY	\$8.00	\$30,480.00
	Subtotal Earthwork Items				\$169,454.00
EROSION CONTROL ITEMS					
221-A001	Portland Cement Concrete Paved Ditch	27	CY	\$300.00	\$8,100.00
234-A001	Temporary Silt Fence	3050	LF	\$5.00	\$15,250.00
907-234-D001	Inlet Siltation Guard	7	EA	\$500.00	\$3,500.00
235-A001	Temporary Erosion Checks	100	BALE	\$10.00	\$1,000.00
907-237-A002	Wattles, 12"	100	LF	\$10.00	\$1,000.00
907-237-A003	Wattles, 20"	1400	LF	\$10.00	\$14,000.00
907-245-A001	Triangular Silt Dike	100	LF	\$12.00	\$1,200.00
907-246-A001	Sandbags	500	LF	\$5.00	\$2,500.00
815-A006	Loose Riprap, Size 100	25	TON	\$48.00	\$1,200.00
815-A009	Loose Riprap, Size 300	165	TON	\$48.00	\$7,920.00
815-E001	Geotextile Under Riprap	200	SY	\$2.00	\$400.00
815-F002	Sediment Control Stone	25	TON	\$43.00	\$1,075.00
	Subtotal Erosion Control Items				\$57,145.00
ROADSIDE DEVELOPMENT ITEMS					
213-C001	Superphosphate	2.0	TON	\$550.00	\$1,100.00
215-A001	Vegetative Materials for Mulch	10.0	TON	\$200.00	\$2,000.00
216-B004	Solid Sodding, Bermuda	250	SY	\$5.00	\$1,250.00
219-A001	Watering	5	K GAL	\$20.00	\$100.00
907-225-A001	Grassing	3.0	AC	\$1,200.00	\$3,600.00
907-225-B001	Agricultural Limestone	10.0	TON	\$80.00	\$800.00
907-226-A001	Temporary Grassing	2.0	AC	\$1,000.00	\$2,000.00
	Subtotal Roadside Development Items				\$10,850.00

BASE AND SUBBASE ITEMS

209-A004	Geotextile Stabilization, Type V, Non-Woven	9602	SY	\$2.00	\$19,203.78
907-304-A007	Granular Material, LVM, Class 3, Group D	3506	CY	\$23.00	\$80,638.00
907-304-H002	3/4" and Down Crushed Stone Base, LVM	3072	CY	\$33.00	\$101,385.90
Subtotal Base and Subbase Items					\$201,227.68

BITUMINOUS PAVING ITEMS

907-403-A006	Hot Mix Asphalt, MT, 12.5-mm mixture	800	TON	\$93.00	\$74,400.00
907-403-A007	Hot Mix Asphalt, MT, 19-mm mixture	999	TON	\$95.00	\$94,905.00
907-403-A010	Hot Mix Asphalt, MT, 9.5-mm mixture	1792	TON	\$98.00	\$175,616.00
907-403-M002	Warm Mix Asphalt, MT, 12.5-mm mixture	800	TON	\$0.00	\$0.00
907-403-M006	Warm Mix Asphalt, MT, 9.5-mm mixture	1792	TON	\$0.00	\$0.00
907-403-M007	Warm Mix Asphalt, MT, 19-mm mixture	999	TON	\$0.00	\$0.00
406-A001	Cold Milling of Bituminous Pavement, All Depths	2820	SY	\$2.00	\$5,640.00
907-407-A001	Asphalt for Tack Coat	2905	GAL	\$2.25	\$6,536.25
Subtotal Bituminous Paving Items					\$357,097.25

DRAINAGE ITEMS

907-601-B001	Class "B" Structural Concrete, Minor Structures, Per Plans	68	CY	\$1,000.00	\$68,000.00
602-A001	Reinforcing Steel	5236	LBS	\$0.70	\$3,665.20
907-603-ALT01	18" Type A Alternate Pipe	166	LF	\$25.00	\$4,150.00
603-CA001	15" Reinforced Concrete Pipe, Class III	240	LF	\$27.50	\$6,600.00
603-CA002	18" Reinforced Concrete Pipe, Class III	1645	LF	\$30.00	\$49,350.00
603-CA003	24" Reinforced Concrete Pipe, Class III	565	LF	\$45.00	\$25,425.00
603-CA004	30" Reinforced Concrete Pipe, Class III	339	LF	\$60.00	\$20,340.00
603-CA005	36" Reinforced Concrete Pipe, Class III	333	LF	\$75.00	\$24,975.00
603-CA006	42" Reinforced Concrete Pipe, Class III	20	LF	\$90.00	\$1,800.00
603-CB014	15" Reinforced Concrete End Section	14	EA	\$750.00	\$10,500.00
603-CB001	18" Reinforced Concrete End Section	7	EA	\$750.00	\$5,250.00
603-SC	42" Concrete Headwall, Per Plans	2	EA	\$2,000.00	\$4,000.00
604-A001	Castings	1745	LBS	\$2.60	\$4,537.00
604-B001	Gratings	962	LBS	\$3.50	\$3,367.00
Subtotal Drainage Items					\$231,959.20

INCIDENTAL CONSTRUCTION ITEMS

608-A001	Concrete Sidewalk without Reinforcement	2067	SY	\$39.00	\$80,613.00
609-B001	Concrete Curb, Header	1425	LF	\$18.00	\$25,650.00
609-D001	Combination Concrete Curb and Gutter Type 1	4708	LF	\$13.00	\$61,204.00
614-B002	Concrete Driveway, With Reinforcement, 6-inch Thickness	1860	SY	\$50.00	\$93,000.00
613-A001	Adjustment of Castings, Gratings & Utility Appurtenances	1	LS	\$5,000.00	\$5,000.00
618-A001	Maintenance of Traffic	1	LS	\$30,000.00	\$30,000.00
620-A001	Mobilization	1	LS	\$50,000.00	\$50,000.00
907-699-A002	Roadway Construction Stakes	1	LS	\$50,000.00	\$50,000.00
Subtotal Incidental Construction Items					\$395,467.00

TRAFFIC CONTROL ITEMS

619-A1003	Temporary Traffic Stripe, Continuous White, Paint	12027	LF	\$0.50	\$6,013.50
619-A2003	Temporary Traffic Stripe, Continuous Yellow, Paint	16188	LF	\$0.50	\$8,084.00
619-A4002	Temporary Traffic Stripe, Skip Yellow, Paint	7516	LF	\$0.45	\$3,382.20
619-A5001	Temporary Traffic Stripe, Detail	3465	LF	\$0.25	\$866.25
619-A6002	Temporary Traffic Stripe, Legend	2365	SF	\$1.40	\$3,311.00
619-D1001	Standard Roadside Construction Signs, Less than 10 Square Feet	63	SF	\$10.00	\$630.00
619-D2001	Standard Roadside Construction Signs, 10 Square Feet or More	120	SF	\$10.00	\$1,200.00
619-G4001	Barricades, Type III, Single Faced	16	LF	\$20.00	\$320.00
619-G5001	Free Standing Plastic Drums	430	EA	\$55.00	\$23,650.00
Subtotal Traffic Control Items					\$47,456.95

PAVEMENT MARKING ITEMS

907-626-B003	6" Thermoplastic Traffic Stripe, Continuous White	503	LF	\$0.90	\$452.70
907-626-C008	6" Thermoplastic Edge Stripe, Continuous White	5367	LF	\$0.70	\$3,756.90
907-626-D004	6" Thermoplastic Traffic Stripe, Skip Yellow	3758	LF	\$0.50	\$1,879.00
907-626-E003	6" Thermoplastic Traffic Stripe, Continuous Yellow	5134	LF	\$0.65	\$3,337.10
907-626-G004	Thermoplastic Detail Stripe, White	425	LF	\$1.00	\$425.00
907-626-G005	Thermoplastic Detail Stripe, Yellow	1113	LF	\$1.00	\$1,113.00
907-626-H004	Thermoplastic Legend, White	3348	LF	\$2.00	\$6,696.00
907-626-H005	Thermoplastic Legend, White	575	SF	\$5.00	\$2,875.00
627-K001	Red-Clear Reflective High Performance Raised Markers	24	EA	\$4.00	\$96.00
627-L001	Two-Way Yellow Reflective High Performance Raised Markers	406	EA	\$4.00	\$1,624.00
Subtotal Pavement Marking Items					\$22,254.70

TRAFFIC SIGN ITEMS

630-A001	Standard Roadside Signs, Sheet Aluminum, 0.080" Thickness	212	SF	\$20.00	\$4,240.00
630-C004	Steel U-Section Posts, 3.0 to 3.5 lb/ft	411	LF	\$9.00	\$3,699.00
630-K001	Welded & Seamless Steel Pipe Posts, 3"	30	LF	\$44.00	\$1,320.00
653-B	Street Name Sign, Type III High Intensity Prismatic	12	SF	\$44.00	\$528.00
Subtotal Traffic Sign Items					\$9,787.00

SIGNALIZATION ITEMS

635-A001	Vehicle Loop Assemblies	800	LF	\$10.00	\$8,000.00
Subtotal Signalization Items					\$8,000.00

RECAP OF ITEMS

Participating:

Subtotal Earthwork Items	\$169,454.00
Subtotal Erosion Control Items	\$57,145.00
Subtotal Roadside Development Items	\$10,850.00
Subtotal Base and Subbase Items	\$201,227.68
Subtotal Bituminous Paving Items	\$357,097.25
Subtotal Drainage Items	\$231,959.20
Subtotal Incidental Construction Items	\$395,467.00
Subtotal Traffic Control Items	\$47,456.95
Subtotal Pavement Marking Items	\$22,254.70
Subtotal Traffic Sign Items	\$9,787.00
Subtotal Signalization Items	\$8,000.00

Total Construction	\$1,510,698.78
CEI & Testing	\$224,756.49
Contingency (5%)	\$75,534.94
Total Participating¹	\$1,810,990.21

¹Note: This does not include engineering design/bidding costs or utility relocations.

Since Neel-Schaffer, Inc. has no control over the cost of labor, materials, equipment or services furnished by the Contractor, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, or over inflation between the time this opinion of cost was prepared and the time the project is awarded for construction, Neel-Schaffer, Inc. cannot and does not guarantee that proposals, bids or actual construction costs will not vary from our opinion or estimate of construction costs. This opinion of probable cost is intended for the use of the client only as an order of magnitude tool.



Alderman Jeremiah Dumas	Voted: <u>abstain</u>
Alderman Roy A'. Perkins	Voted: <u>Yea</u>
Alderman Henry Vaughn	Voted: <u>Yea</u>

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

Note: After having tabled the matter of approving the position of Lineman in the Electric Department salary grade be set at a Grade 14, the Mayor received no objection to nullify Personnel Department's request to "promote Brad Scarbrough from Apprentice Lineman to Lineman at a salary Grade 14, Step 1 \$43,497.48 (\$20.91 hour) and to advertise to fill a vacant position of Lineman at a salary Grade 14, Step 1, \$43,497.48 (\$20.91 hour); in the Electric Department."

27.

A MOTION TO TABLE THE SALARY GRADE INDICATION FOR THE THREE (3) EXISTING LINE FOREMAN (THURMAN WARD, CHARLES JORDAN, AND ALFRED INGRAM) TO A GRADE 9 (2080 HOURS) IN THE WATER DEPARTMENT

Upon the motion of Alderman Roy A'. Perkins, duly seconded by Alderman Henry Vaughn, to table the salary grade indication for the three (3) existing Line Foreman (Thurman Ward, Charles Jordan, and Alfred Ingram) to a Grade 9 (2080 hours) in the Water Department, until Randy Body, Personnel Office can present information to the Board to that will serve as proof and evidence that these Grades are currently incorrect. Board voted as follows:

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

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

28.

**A MOTION TO ADJOURN UNTIL
5:30 P.M., October 18, 2011**

There came for consideration the matter of approving motion to recess until 5:30 P.M. October 18, 2011. After discussion, and

upon the motion of Alderman Roy A'. Perkins, duly seconded by Alderman Jeremiah Dumas, to recess; the Board voted unanimously to approve the motion.

SIGNED AND SEALED THIS THE _____ DAY OF _____ 2011

EMMA GIBSON-GANDY,
DEPUTY CITY CLERK
(SEALED)

PARKER WISEMAN, MAYOR