

MINUTES OF THE RECESSED MEETING
OF THE MAYOR AND BOARD OF ALDERMEN

The City of Starkville, Mississippi
April 13, 2010

Be it remembered that the Mayor and Board of Aldermen met in a Regular Meeting on April 13, 2010 at 5:30 p.m. in the Activities Room of The Sportsplex, located at 405 Lynn Lane, Starkville, MS. There being present were Mayor Parker Wiseman, Aldermen Ben Carver, Sandra Sistrunk, Eric Parker, Richard Corey, Jeremiah Dumas, Roy Á. Perkins, and Henry Vaughn Sr. Attending the Board were City Clerk Markeeta Outlaw and City Attorney Chris Latimer, absent is Alderman Richard Corey.

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

Items added as Consent Items:

- IX - A. Consideration of the City's Participation in the Downtown Shuttle Bus for the Cotton District Arts Festival and Super Bulldog Weekend in an Amount of \$230.44
- X - E. Consideration of Calling for a Public Hearing on the Adoption of an Historic Preservation Commission Ordinance
- X - I. Consideration of Approving Advertising for letters of interest to serve on Oktibbeha County Library Board Due to the Resignation of Mary Catherine Cole
- X - J. Consideration of Holding a Public Hearing on the Pat Station Roadway Project at the Sportsplex on April 19, 2010 at 6:00 p.m.
- XI - A - 1. Request Approval of the Travel for the Airport manager, Rodney Lincoln, to the Mississippi Airport Association Conference in Tupelo, Mississippi, as Approved for the Airport Board members at no additional Cost

1.

**A MOTION TO APPROVE THE OFFICIAL AGENDA OF THE
APRIL 13, 2010 MEETING OF THE MAYOR
AND BOARD OF ALDERMEN**

Upon the motion of Alderman Eric Parker, duly seconded by Alderman Jeremiah Dumas to approve and adopt the April 13, 2010, Official Agenda of the Mayor and Board of Aldermen, with changes as enumerated, the Board unanimously voted its approval.

There being no objections to the Consent Items, the Mayor declared the list of items for consent, adopted.

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

RECESS MEETING OF TUESDAY, APRIL 13, 2010
5:30 P.M., ACTIVITIES ROOM, SPORTSPLEX
405 LYNN LANE

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

I. CALL THE MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

III. APPROVAL OF THE OFFICIAL AGENDA

A. CONSIDERATION OF APPROVING A CONSENT AGENDA

IV. APPROVAL OF BOARD OF ALDERMEN MINUTES

THERE ARE NO MINUTES FOR CONSIDERATION

V. ANNOUNCEMENTS AND COMMENTS

MAYOR'S COMMENTS:

BOARD OF ALDERMEN COMMENTS:

VI. CITIZEN COMMENTS

VII. PUBLIC APPEARANCES

THERE ARE NO PUBLIC APPEARANCES

VIII. PUBLIC HEARING

A. SECOND PUBLIC HEARING ON THE ADOPTION OF AN ORDINANCE TO REQUIRE SAFETY HELMETS FOR OPERATORS OF BICYCLES AND ALTERNATIVE VEHICLES WITHIN THE CITY OF STARKVILLE.

B. FIRST PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE SIGN ORDINANCE 2008-10 AND THE CITY OF STARKVILLE CODE OF ORDINANCES TO PROVIDE FOR EXPANDED ENUMERATED USERS FOR CITY RIGHTS OF WAY AND GUIDELINES AND PERMITTING PROCESSES FOR SAID USERS.

IX. MAYOR'S BUSINESS

A. CONSIDERATION OF THE CITY'S PARTICIPATION IN THE

DOWNTOWN SHUTTLE BUS FOR THE COTTON DISTRICT ARTS FESTIVAL AND SUPER BULLDOG WEEKEND IN AN AMOUNT OF \$230.44.

X. BOARD BUSINESS

~~****A. CONSIDERATION OF PURCHASING AN AD FOR THE NAACP ANNUAL FREEDOM AWARD BANQUET PROGRAM IN ACCORDANCE WITH THE AUTHORIZATION OF MISSISSIPPI CODE OF 1972, AMENDED §17-3-1.~~

B. CONSIDERATION OF THE OVERRIDE OF MAYOR WISEMAN'S VETO REGARDING THE STARKVILLE SCHOOL BOARD APPOINTMENT.

~~****C. AUTHORIZATION TO PROCEED WITH PHASE 2 OF THE OKTIBBEHA COUNTY MUSEUM PROJECT AND TO PROVIDE IN-KIND SERVICES.~~

D. DISCUSSION REGARDING THE DEVELOPMENT OF AN EMPLOYEE OF THE MONTH RECOGNITION PROGRAM.

E. CONSIDERATION OF CALLING FOR A PUBLIC HEARING ON THE ADOPTION OF AN HISTORIC PRESERVATION COMMISSION ORDINANCE.

F. UPDATE ON THE 2010 DRAINAGE IMPROVEMENT PROGRAM.

G. REQUEST APPROVAL OF THE LOW QUOTE FOR THE CARVER DRIVE DITCH PROJECT AND AUTHORIZATION TO ENTER AN AGREEMENT WITH SAID CONTRACTOR THAT INCLUDES THE INSTALLING OF PIPE AND COVERING THE DITCH.

H. REQUEST AUTHORIZATION TO PURCHASE 72" DIAMETER, 10 GAUGE DRAINAGE PIPE FOR THE CARVER DRIVE DITCH PROJECT FROM PHILLIPS PIPE & PRODUCTS, THE LOW SOURCE OF SUPPLY BIDDER, AT A TOTAL COST NOT TO EXCEED \$20,000.00.

**** I. CONSIDERATION OF APPROVING ADVERTISING FOR LETTERS OF INTEREST TO SERVE ON THE OKTIBBEHA COUNTY LIBRARY BOARD DUE TO THE RESIGNATION OF MARY CATHERINE COLE.

**** J. CONSIDERATION OF HOLDING A PUBLIC HEARING ON THE PAT STATION ROADWAY PROJECT AT THE SPORTSPLEX ON APRIL 19, 2010 AT 6:00 P.M.

XI. DEPARTMENT BUSINESS

****A. AIRPORT

1. REQUEST APPROVAL OF THE TRAVEL FOR THE AIRPORT MANAGER, RODNEY LINCOLN, TO THE MISSISSIPPI AIRPORT ASSOCIATION CONFERENCE IN TUPELO, MISSISSIPPI, AS APPROVED FOR THE AIRPORT BOARD MEMBERS AT NO ADDITIONAL COST.

B. BUILDING, CODES AND PLANNING DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

C. OFFICE OF THE CITY CLERK

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE FIRE DEPARTMENT CLAIMS DOCKET AS OF APRIL 1, 2010.

2. CONSIDERATION OF A BUDGET AMENDMENT EFFECTIVE FOR THE PERIOD ENDING FEBRUARY 28, 2010.

D. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

E. ELECTRIC DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

F. ENGINEERING AND STREETS

THERE ARE NO ITEMS FOR THIS AGENDA

G. FIRE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

H. PERSONNEL

1. REQUEST APPROVAL TO HIRE LAURA HINES ROBERSON AND JONATHAN E. HEADLEY FOR THE POSITIONS OF POLICE OFFICER IN THE POLICE DEPARTMENT..

I. POLICE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

J. PUBLIC SERVICES

THERE ARE NO ITEMS FOR THIS AGENDA

K. SANITATION DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

XII. EXECUTIVE SESSION

A. PENDING LITIGATION

B. LAND ACQUISITION

C. PERSONNEL

XIII. RECESS UNTIL APRIL 20, 2010 @ 5:30 AT 101 LAMPKIN STREET IN THE CITY HALL COURTROOM.

THE FOLLOWING CONSENT ITEMS (NUMBERS 2 - 6) WERE ADOPTED WITH APPROVAL OF THE OFFICIAL AGENDA

2.

**APPROVAL FOR THE CITY TO PARTICIPATE IN THE
DOWNTOWN SHUTTLE BUS FOR THE
COTTON DISTRICT ARTS FESTIVAL AND
SUPER BULLDOG WEEKEND
COST NOT TO EXCEED \$230.44**

Upon the motion of Alderman Eric Parker, duly seconded by Alderman Jeremiah Dumas and unanimously approved by the Board to approve the Official Agenda and to accept the Consent Agenda whereby the "City's Authorization for Participation in the Downtown Shuttle Bus for the Cotton District Arts Festival Super Bulldog Weekend in an Amount not to Exceed" is enumerated, this consent item is thereby unanimously approved.

3.

**APPROVAL TO CALL FOR A PUBLIC HEARING
ON THE ADOPTION OF AN HISTORIC PRESERVATION
COMMISSION ORDINANCE**

Upon the motion of Alderman Eric Parker, duly seconded by Alderman Jeremiah Dumas and unanimously approved by the Board to approve the Official Agenda and to accept the Consent Agenda whereby the "Authorization to Call for a Public Hearing on the Adoption of an Historic Preservation Commission Ordinance, this consent item is thereby unanimously approved.

4.

**APPROVAL TO ADVERTISE FOR LETTERS OF INTEREST
TO SERVE ON THE OKTIBBEHA COUNTY LIBRARY BOARD**

Upon the motion of Alderman Eric Parker, duly seconded by Alderman Jeremiah Dumas and unanimously approved by the Board to approve the Official Agenda and to accept the Consent Agenda whereby " Approval to Advertise for Letters of Interest to Serve on the Oktibbeha County Library Board" is enumerated, this consent item is thereby unanimously approved.

5.

**AUTHORIZATION TO HOLD A PUBLIC HEARING
ON THE PAT STATION ROADWAY PROJECT
AT THE SPORTSPLEX ON APRIL 19, 2010
AT 6:00 P.M.**

Upon the motion of Alderman Eric Parker, duly seconded by Alderman Jeremiah Dumas and unanimously approved by the Board to approve the Official Agenda and to accept the Consent Items whereby the "Authorization to Hold a Public Hearing on the Pat Station Roadway Project" is enumerated, this consent item is thereby unanimously approved.

6.

**APPROVAL FOR AIRPORT MANAGER RODNEY LINCOLN
TO TRAVEL TO THE MISSISSIPPI AIRPORT ASSOCIATION
CONFERENCE IN TUPELO, MISSISSIPPI
ON MAY 12 - 14, 2010**

Upon the motion of Alderman Eric Parker, duly seconded by Alderman Jeremiah Dumas and unanimously approved by the Board to approve the Official Agenda and to accept the Consent Agenda whereby "Approval for Airport Manager Rodney Lincoln to Travel to Tupelo, Mississippi, to Attend the Mississippi Airport Association Conference" is enumerated, this consent item is thereby unanimously approved.

CONSENT ITEMS ENDED

NOTE: ALDERMAN RICHARD COREY JOINS THE MEETING.

COMMENTS (MAYOR AND BOARD)

Mayor Parker Wiseman commented on agenda and the items in which the Board were not in total agreement.

Alderman Roy A'. Perkins spoke on the emergency that cause the hasty adjournment of the last meeting, and commended the Fire Department and Police Department on a job well done. He also noted the interest shown by the Board of Aldermen in being on the scene. Alderman Roy A'. Perkins explained the location of the Carver Drive ditch and elaborated on the "handout" the city gives to other organizations, stating these funds could be used to better serve the city and negate the need for a tax increase. Alderman Perkins further explained how the easements needed for the Carver Drive ditch project were obtained.

Alderman Ben Carver pointed out that ward 6 has not been underserved he named Hospital Road and Pat Station Road as major projects of ward 6 and that good things are being done with major infrastructure underway or in the near future. Alderman Carver does recognize that the Carver Drive ditch however, is of concern.

Alderman Jeremiah Dumas, stated that there has been misrepresentation of ward 6, he stated that 2.145 million dollars are being spent in ward 6 and 7. Alderman Dumas voiced that conversation does need to be had regarding the Carver Drive ditch.

Alderman Vaughn, spoke on the Carver Drive Ditch and the length of time it has been since prior Boards have been aware of the conditions that exist and recognized the severity of it and started the process that this Board has reservations of completing. Alderman Vaughn suggested that the Board get together and visit each ward and view for themselves the challenges of each ward.

Mayor Parker Wiseman, explained his job of moving the city forward. He spoke on the cons of piping the Carver Drive ditch being costly, 20 years to complete estimating current available funds annually, potential flooding further up stream and / or down stream, potential MEMA/FEMA violations, possible disservice to Carver Drive residents and the citizen of Starkville.

COMMENTS (CITIZEN)

Mr. Alvin Turner of ward 7 spoke in support of piping and covering the Carver Drive ditch. He also voiced concern of the recent apartment fires and question the safety of the apartments being built in the City.

Several Carver Drive and Northside Drive residents spoke in favor of piping and covering the Carver Drive ditch and clearing the Northside Drive ditch.

Ms. Dorothy Isaac spoke in support of piping and covering the Carver Drive ditch. She also stated that the City needs a curfew.

John Gaskin of ward 3 expressed disagreement with the veto of Ms. Tomlinson as School Board appointee.

Ms. Rachel Campbell of ward 6 not only spoke on the Carver Drive ditch but a more serious sewer problem in the Carver Drive area.

1ST PUBLIC HEARING (Safety Helmets)

Alderman Ben Carver stated his belief it should be a personal choice if an adult wants to ride a bicycle without a helmet.

Alderman Eric Parker voiced concerns of the city's ability to enforce the ordinance.

The Mayor opened the discussion to the public with results shown below

FOR	AGAINST	INDIFFERENT
Ron Cosman	Mike Allen	Marnita Henderson
Alvin Turner		
John Ford		
Linda Southward		

ORDINANCE 2010 - ____

AN ORDINANCE CREATING THE REQUIREMENT FOR THE USE OF PROTECTIVE SAFETY HELMET BY CHILDREN UNDER THE AGE OF SIXTEEN WHEN OPERATING OR RIDING AS A PASSENGER ON BICYCLES OR ALTERNATIVE TRANSPORTATION DEVICES

WHEREAS, The Board of Aldermen of the City of Starkville hereby finds and declares that disability and death of children resulting from injuries sustained in bicycling and related alternative transportation crashes are a serious threat to the public health, welfare, and safety of the people of the City of Starkville; and

WHEREAS, the prevention of such disability and death is a goal of the enactment of such an ordinance; and

WHEREAS, head injuries are the leading cause of disability and death from bicycling and alternative transportation crashes; and

WHEREAS, the risk of head injury from such crashes is significantly reduced for participants who wear proper protective helmets; yet helmets are not worn by most child participants nationwide; and

WHEREAS, the risk of head injury or of any other injury to a small child who is a passenger on a bicycle or alternative transportation vehicle operated by another person would be significantly reduced if any such child-passenger sat in a separate seat, such as a saddle seat on a tandem bicycle or a child passenger seat designed for a bicycle, or alternative transportation vehicle;

NOW, THEREFORE be it ordained that the following is enacted by the Board of Aldermen for the City of Starkville,

Section 1. Short Title.

This Ordinance shall be known as the "Child Safety Helmet Ordinance."

Section 2. Purpose.

The purpose of this Act is to reduce the incidence of disability and death resulting from injuries incurred in bicycling or alternative transportation device crashes by requiring that while riding on such devices on the public roads, public bicycle paths, public areas and other public rights-of-way in the City of Starkville, all such operators and passengers under the age of sixteen (16) years wear protective safety helmets approved by the US Consumer Product Safety Commission; that all passengers who weigh less than forty (40) lbs or are less than forty inches (40") in height be seated in separate child passenger seats; and that no person who is unable to maintain an erect, seated position or is less than one year of age shall be a passenger on a restraining seat and all other passengers shall be seated on saddle seats.

Section 3. Definitions.

As used in this Act, the following terms have the following meanings:

(a) "Alternative transportation" includes in-line skates, roller skates, Segways, skateboards, unicycles, motorcycles and ATVs

(b) "Bicycle" means a human-powered vehicle designed to transport, by the action of pedaling, one or more persons seated on one or more saddle seats on its frame. Such term also includes a human-powered vehicle designed to transport by pedaling which has two or more wheels where the vehicle is used on a public roadway, public bicycle path, public area or other public right-of-way.

(c) "Child Passenger seat" means a seat, separate from that of the operator of a bicycle or alternative transportation, that is fastened securely to the frame of the means of transport and is adequately equipped to protect such passenger from the moving parts of the equipment.

(d) "In-line skates and roller skates" means every device which is attached to the rider much like a pair of shoes or boots and which has two or more wheels attached inline or next to each other

(e) "Operator" means a person who travels on a bicycle or alternative transportation seated on a saddle seat from which that person is intended to and can pedal and control the device.

(f) "Other public right-of-way" means any right-of-way other than a public roadway, public area or public bicycle path that is under the jurisdiction and control of the City of Starkville and is designed for use and used by vehicular and/or pedestrian traffic.

(g) "Passenger" means any person who travels on a bicycle or alternative transportation in any manner except as an operator.

(h) "Protective safety helmet" means a piece of headgear which meets or exceeds the impact standards for protective safety helmets set by:

(i) the U.S. Consumer Product Safety Commission for headgear purchased on or after

March 10, 1999, or

(ii) the American National Standards Institute (ANSI), the American Society of Testing

and Materials (ASTM), or the Snell Memorial Foundation for headgear purchased before

March 10, 1999.

(i) "Public Area" includes public roadways, paths, parks, trails, bicycle lanes or any right-of-way publicly owned facility or publicly owned property within the City of Starkville.

(j) "Public roadway" means a right-of-way under the jurisdiction and control of the City of Starkville for use primarily by motor vehicles.

(k) "Public bicycle path" means a right-of-way under the jurisdiction and control of the City of Starkville for use primarily by bicycles and pedestrians.

(l) "Skateboard" means every device with a platform having two or more sets of wheels beneath it, which the rider balances on top of, and which is propelled solely by human power.

(m) "Unicycle" means every device with a frame mounted over a single wheel propelled by pedals.

Section 4. Requirements for Helmet and Restraining Seat Use.

With regard to any bicycle or alternative transportation used on a public roadway, public bicycle path, or other public right-of-way or area:

(a) It shall be unlawful for any person under the age of sixteen (16) to operate or be a passenger on a

bicycle or alternative transportation device unless at all times when the person is so-engaged he or she wears a protective safety helmet of good fit fastened securely upon the head with the straps of the helmet

(b) It shall be unlawful for any person to be a passenger on a bicycle or alternative transportation device unless all of the following conditions are met:

(i) the person is able to maintain an erect, seated position on the device and is at least one year of age;

(ii) except as provided in paragraph (iii), the person is properly seated alone on a saddle seat (as on a tandem bicycle); and

(iii) with respect to any person who weighs fewer than forty (40) pounds, or is less than forty inches (40") in height, the person can be and is properly seated in and adequately secured to a child passenger seat.

(c) It shall be unlawful for any parent or legal guardian of a person below the age of sixteen (16) to permit such person to operate or be a passenger on a bicycle or alternative transportation device in violation of subsection (a) or (b) of this section.

(d) It shall be unlawful to rent or lease any bicycle or alternative transportation device to or for the use of any person under the age of sixteen (16) unless:

(i) the person is in possession of a protective safety helmet of good fit at the time of such rental or lease; or

(ii) the rental or lease includes a protective safety helmet of good fit, and the person intends to wear the helmet, as required by subsection (a), at all times while operating or being a passenger on the bicycle or alternative transportation device.

Section 5. Civil Penalties.

(a) Upon the positive identification of the parent or legal guardian of the child, except as provided in subsection (b) below, any parent or guardian violating the requirement set forth in Section 4(c) shall be guilty of an administrative violation and upon conviction sentenced to pay an administrative fine of \$15, inclusive of all penalty assessments and court costs for the first violation, or shall have the opportunity to purchase an approved helmet as described in the ordinance above

(b) In the case of a second conviction within a three month period the court may waive the fine exclusive of administrative court costs and upon a show of satisfactory proof that the convicted person has since the date of the first violation purchased or otherwise obtained, as appropriate, a protective safety helmet.

Section 6. Enforcement.

There shall be a six month period after the effective date of the ordinance in which there will be issued warning citations prior to the requirement for an administrative hearing process per *Section 5* of this ordinance. A warning citation and when applicable, a regular citation may be written by any uniformed police officer or the uniformed code enforcement officer as authorized agents for the City of Starkville.

Section 7. Effective Date.

This Act shall be effective thirty (30) days from the date of enactment.

NOW THEREFORE, be it ordained by the Mayor and Board of Aldermen of the City of Starkville Mississippi, that this ordinance be adopted to preserve the general public health, safety, and welfare of the people of the City of Starkville Mississippi as stated above

UPON MOTION of _____, duly seconded by _____,

the aforesaid Ordinance was put to a roll call vote with the Aldermen voting as follows:

Ben Carver	voted:	_____
Sandra Sistrunk,	voted:	_____
Eric Parker	voted:	_____
Richard Corey,	voted:	_____
Jeremiah Dumas	voted:	_____
Roy A'. Perkins,	voted:	_____
Henry Vaughn,	voted:	_____

ORDAINED AND ADOPTED, this the __ day of _____, A.D., **2010** at the Regular Meeting of the Mayor and Board of Aldermen of the City of Starkville, Mississippi.

PARKER Y. WISEMAN, Mayor

City 'of Starkville, Mississippi
Mississippi

MARKEETA
OUTLAW, City Clerk
City of Starkville,

SEAL)

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1ST PUBLIC HEARING (Sign Ordinance)

Alderman Eric Parker introduced changes to the Sign Ordinance outlining size and height of signs, and directional signs for 501C3,

Alderman Jeremiah Dumas expressed concerns with allowing directional signs for 501c3 organizations, and the affect of signs on adjacent landowners.

The Mayor opened the discussion to the public with results shown below

FOR	AGAINST	INDIFFERENT
	Alvin Turner	

ORDINANCE NUMBER ~~2008-10~~ 2010- ??

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NUMBER 2008-10 ~~2002-06~~, REGULATING THE CONSTRUCTION AND AESTHETIC IMPACT OF SIGNS WITHIN THE CORPORATE LIMITS OF THE CITY OF STARKVILLE, OKTIBBEHA COUNTY, MISSISSIPPI AND ALSO AMENDING THE CITY OF STARKVILLE'S CODE OF ORDINANCES BY STRIKING AND RESERVING APPENDIX A, ARTICLE VI, SECTION C, CREATING A NEW APPENDIX A, ARTICLE IX. SIGNAGE, AND CREATING A NEW ARTICLE X. CONCLUSION

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville, Mississippi, desire to regulate the location, size, construction, alteration, use and maintenance of all signs within the jurisdiction of the City; and

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville, Mississippi, desire to protect the health, safety, welfare, convenience and natural beauty of the City and to protect the public from damage or injury caused or attributable to improperly designed, maintained or constructed signs; and

WHEREAS, there is a need to provide for additional directional signage in the city rights of way for the purpose of assisting certain agencies and organizations in providing guidance to the citizens,

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

SECTION I. RECITALS

The foregoing recitals are true and correct, and included herein.

SECTION II. STATEMENT OF INTENT

Section 1. Purpose and intent.

The regulations and requirements herein set forth shall be the minimum requirements to promote the health, safety and general welfare of the public and to protect the character of the City of Starkville.

The purpose and intent of these regulations is to create the legal frame work for a comprehensive and balanced system of signage to improve and enhance the aesthetic environment of the City and to avoid the visual clutter that is potentially harmful to traffic and to the appearance of the community. The Mayor and Board of Aldermen of the City of Starkville find that the regulations set forth herein will improve the visual appearance of the City by limiting the number and size of signs within the corporate limits, consistent with constitutional guarantees, while continuing to provide an effective means of communication.

Section 2. General.

For words, terms and phrases used in this Ordinance that are not defined in Section 3, below, or elsewhere in the City's Code of Ordinances, the City Planner shall have the authority and power to interpret or define such words, terms and phrases.

In making such interpretations or definitions, the City Planner may consult secondary sources related to the planning and legal professions, such as "Black's Law Dictionary" (West Publishing Company, St. Paul, Minn., most current edition), "The Latest Illustrated Book of Development Definitions" by Harvey S. Moskowitz and Carl G. Lindbloom (Center for Urban Policy Research, Rutgers University. N.J. 2007, or most current edition), for technical words, terms, phrases and graphics, or any "Webster's Dictionary" for other words, terms and phrases.

Section 3. Definitions.

Animated Sign means any sign or part of a sign that changes physical position or flashes, moves, or otherwise changes at intervals of no less than once every ten (10) seconds.

Awning Sign means any sign attached to, in any manner, or otherwise made a part of any awning or awning-like structure which projects beyond a building or extends along and projects beyond the wall of the building, generally designed and constructed to provide protection from the weather; sometimes referred to as a "Canopy Sign".

Banner means a display, informational sign or other advertising device constructed of cloth, canvas, fabric, wood, foam-core or fiber-board, or other temporary material, with or without a structural frame, and intended for a limited period of display and used to advertise an event, product, business or service.

Bench Sign means a sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

Bus Bench Sign means a single sided advertising message on a bus bench facing a public street.

Construction Site Identification Sign means a temporary sign erected on the site or premises where construction is taking place during the period of such construction, indicating the names of the design professionals, general contractor, sub-contractors, suppliers, owners, sponsors,

supporters, financiers, and similar individuals and groups having a role or interest with respect to the structure or project.

Discontinued Sign means any sign which no longer identifies an activity conducted or present on the premises where the sign is located.

Directional Sign means any sign of a non-commercial nature which directs the reader to the location of public institutions, historical areas, emergency shelters, public parks or public buildings. Directional signs are permitted in all zoning districts.

Electronic Message Board Sign means any sign that uses changing light to form a sign message wherein the sequence of message and the rate of change is electronically programmed and can be modified by electronic processes. Electric message boards shall change no less than once every ten (10) seconds.

Flashing Sign means any sign, which, by method or manner of illumination, flashes on or off or winks or blinks with varying light intensity, shows motion, or creates the illusion of motion or revolves in a manner to create the illusion of being on or off. Flashing signs shall not be confused with electronic message boards. Flashing signs are not permitted in any zoning district.

Illuminated Sign means a sign illuminated in any manner by an artificial light source such as a spotlight or internally through a translucent background. Transparent backgrounds or surfaces are not allowed to be used in the construction of an illuminated sign. A neon tube shall be classified as an illuminated sign if it is non-changing and non-flashing.

Inflatable Display means any display used for advertising or attention-getting purposes, whether a specific advertising message is used or not, that is held in a rigid or semi-rigid state by a pressurized gas such as air or nitrogen, etc. Inflatable displays are prohibited by this ordinance, except for holiday decorations in residentially-zoned areas.

Kiosk means a freestanding structure upon which temporary information and/or posters, notices and announcements are posted. A kiosk may incorporate a public pay phone, a trash receptacle and may include a small electronic message board sign. Its design should reflect the character of the surrounding area. Kiosks are allowed in all commercial and PUD zoning districts.

Marquee Sign means any sign attached to, in any manner, or otherwise made a part of any permanent roof-like structure which projects beyond a building or extends along and projects beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Monument Sign means any ground sign supported totally by a solid base of masonry, brick, or other material, which base is not less than eighty percent (80%) of the total sign area width and which is of a finished or decorative type construction. Any metal or non-masonry structural components of the monument sign shall be painted a flat black color to blend aesthetically with other outdoor fixtures and furnishings.

Motor Vehicle Sign means any sign mounted, placed, written or painted on a vehicle or trailer whether motor-driven or not.

Multi-tenant Business Sign means a sign constructed and supported by a monument-type structure, displayed at the entrance or exit to a mall or shopping center facility that supports multiple businesses. Such mall or shopping center facility must be designed to support more than three separate businesses and include a minimum of five-thousand (5,000) square feet before it qualifies as a site eligible for a multi-tenant business sign. Any metal or non-masonry structural components of the multi-tenant business sign shall be painted a flat black color to blend aesthetically with other outdoor fixtures and furnishings. Multi-tenant business signs are only allowed in C-2 Commercial and M-1 Manufacturing zoning districts.

Nameplate means any sign less than one (1) square foot in size which is not lighted and used primarily in residentially-zoned areas to convey a message or warning. Signage installed on a residence or mailbox with a name, street name, address number or other form of identification, shall not be considered a name plate for the purpose of these regulations.

Non-conforming Sign means any sign existing at the effective date of the adoption of this ordinance which could not be built under the terms of this ordinance.

Non-conforming Use means a lawful use of land that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.

Off-site Sign means any sign which directs attention to a business, commodity, service, entertainment, attraction, sold, offered or existing elsewhere other than upon the same parcel or lot where such sign is displayed. The term "off-site" shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or non-commercial message. It shall also include "yard sale," "garage sale," and similar types of signage.

Outdoor Advertising Sign (Billboard) means a surface on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or non-commercial message or product that is not available on the same parcel or lot that the billboard is situated.

Parapet means the edge of a roof or the tip of a wall, which forms the top line of a building silhouette. When a building has several roof levels, the roof or parapet shall be the one belonging to that portion of the building where the sign is located.

Pole Sign means any sign erected, constructed, or maintained for the purpose of displaying outdoor advertising by means of posters, pictures, pictorial and/or reading matter when such sign is supported by one or more upright poles, posts, columns, or braces affixed in the ground or on the ground and not attached to any part of a building. By adoption of this ordinance, pole signs shall be considered non-conforming signs and no new pole signs shall be permitted.

Political Sign means any sign of temporary construction, which supports any political candidate or issue. These signs are permitted in all zoning districts.

Post Sign means any on-site sign other than a monument sign, generally constructed of wood or metal posts with or without a frame or backing, which is primarily used to display banners or other signs of temporary construction.

Portable Sign means a sign, usually of a temporary nature, which is by design not permanently affixed to the ground or to a building or structure. Portable signs are not permitted in any zoning district if the sign also meets the definition of a Flashing Sign. A portable sign must be placed a minimum of twenty (20) feet from the edge of the paved road or the right of way line, whichever is greater, and a portable sign cannot be used in the construction of any other type of sign.

Real Estate Sign means a temporary sign placed upon property for the purpose of advertising to the public the sale or lease of said property.

Right-of-Way means a strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees or other special use.

Roof Sign means any sign wholly erected, constructed or maintained on the roof structure or parapet wall of any building. By adoption of this ordinance, roof signs shall be considered non-conforming signs and no new roof signs shall be permitted.

Projecting Sign Any sign other than a wall sign that is attached to and projects from the wall or face of a building or structure at a right angle. Projecting signs shall conform to the same requirements as a wall sign.

Searchlight means any light that produces an intense concentrated beam of light. These lights are not permitted as a permanent or temporary use in any zoning district. Airport rotating beacons shall be exempted from this definition.

Setback means to measure from the closest edge of the sign to the closest edge of the paved road or the right-of-way line, whichever is greater.

Sign means any identification, description, illustration, or device illuminated or non-illuminated which is affixed to or represented directly or indirectly upon a building, structure or land, and which directs attention to a product, service, place, activity, person, institution, or business. A structure or device designed or intended to convey information to the public in written or pictorial form. Signs erected by an authorized public agency for the purpose of directing traffic or providing information, are not affected by these regulations. National and state flags, when properly displayed, are not considered a sign under these regulations.

Sign Area means the area of space on any face of the sign to be used for advertising purposes, including the spaces between open-type letter and figures, including the background structure, or other decoration or addition which is an integral part of the sign. Sign supports shall be excluded in determining the area of a sign. The largest face of a multi-faced sign shall be used in calculating the area of a sign to determine compliance with this ordinance. The area of a wall sign shall be measured within a single, continuous perimeter of any straight-line geometric figure which encloses the extreme limits of the advertising message. Curved, spherical, or any other shaped sign shall be computed on the basis of actual surface area. The copy area of signs

composed of individual letters, numerals, or other devices shall be the sum of the area of the smallest rectangle or other geometric figures encompassing each said letter or devices. The calculation for a double-faced sign shall be so constructed that the perimeter of both faces coincides and are parallel and not more than twenty-four (24) inches apart.

Snipe Sign means any sign of any material whatsoever that is attached in any way to a utility pole, tree, or any object located or situated on any public right-of-way, easement, alley or on private property. Political signs shall not be considered snipe signs.

Subdivision Sign means any sign located at the entry to a residential subdivision or planned development. A pair of subdivision signs that are designed and constructed to form an entrance to a subdivision, whether such signs are located across the street or on opposite corners from one another at the entry to the named subdivision, shall considered a single subdivision sign.

Temporary Sign means a sign not constructed or intended for a long-term use, and not designed to be permanently attached to the ground, a building or structure intended for a limited period of display, including decorative displayed for holidays or public demonstrations. Included under this term are portable signs.

Wall Sign means any sign that shall be affixed parallel to the wall or printed/painted onto the wall of any building in such a manner as to read parallel to the wall on which it is mounted. For the purposes of this ordinance, any sign display surface that is affixed flat against the sloping surface of a mansard roof shall be considered a wall sign. Any sign that is affixed to the face of a building marquee, building awning or a building facade shall be considered a wall sign. Permanent and temporary signs affixed to or displayed in windows and doors shall be considered to be wall signs. Permanent signs affixed to walls may protrude above the roof line of a building by a maximum height of twenty percent (20%) of the height of the sign, or up to a total height of four (4) feet above the roof line, whichever is less.

Window Sign means any sign placed inside or upon the window panes of glass of any window or door.

Section 4. Sign Requirements for Zoning Districts.

This Ordinance shall supersede Section VI, Part C of the Zoning Ordinance.

A. Agricultural District (A-1) and Residential Districts (R-E, R-1, R-2, R-3, R-3A, R-4, R-4A):

1. In residential zoning districts, a sign is permitted to advertise a permitted home occupation when attached to the dwelling and shall not be over six (6) square feet in area. There shall be no public display of goods and/or services and the sign shall not be illuminated.
2. A single name plate sign is permitted at each residence so long as it is not more than one (1) square foot in size, unlighted and placed at least ten (10) feet from the edge of the paved road or right-of-way line, whichever is greater.
3. Banners are permitted in these zoning districts so long as they are used for aesthetic and/or festive purposes such as seasons, holidays, family occasions, athletic team events or similar events. Permits are not required for these non-commercial banners.
4. Subdivision signs are permitted and shall conform to the following:
 - a. One (1) subdivision sign shall be permitted for each entrance into a subdivision.
 - b. Subdivision signs shall not exceed thirty-two (32) square feet in size.

- c. Subdivision signs shall not exceed a maximum height of twelve (12) feet above the crown of the adjacent roadway.
 - d. Subdivision signs shall not be placed within the sight-distance triangle of any intersection and/or shall be placed at least ten (10) feet from the edge of the paved road or right-of-way line, whichever is greater.
 - e. All subdivision signs existing at the time of adoption of this ordinance shall be allowed to remain as non-conforming signs. If replacement were ever to become necessary, the new subdivision sign shall be required to comply with this section.
5. The following signs are prohibited: Electronic message board signs, canopy, marquee or awning signs, illuminated signs, wall signs, offsite outdoor advertising signs (billboard), roof signs, pole signs, multi-tenant business signs, and portable signs.

B. Residential Districts (R-5, R-6 and R-M)

1. In single-family residential districts, a sign is permitted to advertise a permitted home occupation when attached to the dwelling, not over six (6) feet square in area. There shall be no public display of goods and/or services and the sign shall not be illuminated.
2. Mobile Home Park signs shall be a minimum of ten (10) feet from the edge of the paved road or the right-of-way line, whichever is greater.
3. A single name plate sign is permitted at each residence so long as it is not more than one (1) square foot in size, unlighted and placed at least ten (10) feet from the edge of the paved road or right-of-way line, whichever is greater.
4. Banner signs are allowed by permit in R-5, R-6 and R-M zoning districts.
5. Advertising signs, structures or devices of any character, placed or maintained on any land used as a Mobile Home Park, shall be used only for the purpose of identifying and advertising the Mobile Home Park and accommodations offered. Before being erected, the size, character, location and number of all such advertising, signs and structures, shall be approved by the Development Review Committee as part of a site plan review.
6. Small directional and traffic control signs, lighted and unlighted, shall be erected and maintained within the limits of the Mobile Home Park or on adjoining property when specified by the City Engineer as to location and character.
7. The following signs are prohibited: Offsite outdoor advertising signs (billboards), multi-tenant business signs, roof signs, flashing signs, electronic message board signs, canopy, marquee, wall signs, pole signs and portable signs.

C. Commercial District (C-2) and Manufacturing District (M-1)

The following signs are permitted in the C-2 and M-1 zoning districts of the City of Starkville under the following conditions:

1. Monument signs.
 - a. Monument signs advertising the name of a business and services provided by a business shall not exceed one-hundred-forty-four (144) square feet in area and shall be a minimum of ten (10) feet from the edge of the paved road or right-of-way line, whichever is greater.
 - b. Landscaping shall be placed at the base of the monument sign, to be three (3) times the amount of square footage of the sign area to screen the base and any associated utility connections.
 - c. Multiple on-site signs advertising the name and services provided by the same business must be separated by a minimum of six-hundred-sixty (660) linear feet of frontage along a public street.

- d. Monument signs shall not exceed fifteen (15) feet in height above the crown of the adjacent roadway.
2. Wall signs.
 - a. Wall signs are permitted and the aggregate square footage of all wall signs displayed upon an individual wall shall not exceed fifty percent (50%) of the total square footage of the individual wall, not to exceed five-hundred (500) square feet, where the square footage of the wall is measured in its entirety without regard to the placement or number of windows and doors.
 - b. Those wall signs, such as projecting signs, hanging over the right-of-way shall be placed a minimum of eight (8) feet above the finished grade, shall not present a danger to the public and shall not alter the walking path of the public.
3. Window signs.
 - a. Window signs are permitted and shall not exceed twenty-five percent (25%) of coverage for any individual window or door.
 - b. This includes temporary signage of any type placed inside windows.
4. Multi-tenant signs.
 - a. Multi-tenant business signs must be freestanding, and constructed and supported by a monument-type structure.
 - b. The central part of the multi-tenant sign, normally reserved for advertising the name of the shopping facility or mall itself, shall be no more than a maximum of one-hundred-forty-four (144) square feet in area.
 - c. Individual signs of facility tenants may be arranged along the sign, but no individual tenant related sign may be more than twenty-four (24) square feet in size.
 - d. The entire structure may not exceed forty-five (45) feet in height, and must meet all applicable setbacks.
 - e. Additional multi-tenant business signs may be allowed on the same property, providing that the signs are separated in distance by 660' (six-hundred-sixty) linear feet of frontage along a public street.
 - f. Multi-tenant signs shall be a minimum of ten (10) feet from the edge of the paved road or right-of-way line, whichever is greater.
5. Other signs.
 - a. Awning signs, marquee signs and electronic message board signs are permitted in C-2 and M-1 zoning districts.
 - b. Banners are allowed only by permit in the C-2 and M-1 zoning districts.
 - c. Portable signs are temporarily permitted in C-2 and M-1 zoning districts; shall be displayed for a maximum of fifteen (15) days; are permitted for only four (4) periods per location per calendar year and cannot be moved to a new location within five-hundred (500) feet of the previous location if it is to be used by the same business.
 - d. Roof signs shall be considered non-conforming signs. Existing roof signs are allowed to remain, but no new roof signs shall be permitted.
 - e. The following signs shall be prohibited: flashing signs, pole signs, post signs, inflatable displays, snipe signs, motor vehicle signs (other than those for businesses located on the premises) and portable signs that also meet the definition of a flashing sign.

D. Buffer District (B-1) and Commercial Districts (C-1 and C-3)

1. Signs advertising the name of a business and services rendered by a business shall not exceed one-hundred-forty-four (144) square feet in area and shall be a minimum of ten (10) feet from the edge of the paved road or the right-of-way line, whichever is greater.
2. Wall signs are permitted in this zone and the aggregate square footage of all wall signs displayed upon an individual wall shall not exceed fifty percent (50%) of the total square footage of the individual wall, not to exceed five-hundred (500) square feet, where the square footage of the wall is measured in its entirety without regard to the placement or number of windows and doors.
3. Those signs hanging over the right-of-way shall be placed a minimum of eight (8) feet above the finished grade, shall not present a danger to the public and shall not alter the walking path of the public.
4. Banners are allowed only by permit in the B-1, C-1 and C-3 zoning districts.
5. Awning, marquee and monument signs are permitted in these zoning districts.
6. The following signs are prohibited: Offsite outdoor advertising signs (billboards), roof signs, inflatable displays, flashing signs, pole signs, post signs, multi-tenant business signs electronic message board signs, and portable signs.

E. Planned Unit Development (PUD)

1. The Board of Aldermen will assign freestanding and monument signage limitations at time of the adoption of a PUD re-zoning.
2. All PUD Districts already designated as such at the time of the adoption of this ordinance shall comply with R-5 Zoning District guidelines.
3. Wall signs, awning signs, marquee signs, subdivision signs and kiosks, which reflect the general character of the area, are permitted.
4. Off-site outdoor advertising signs (billboards) are not permitted in PUD Districts, unless approved by the Board of Aldermen at time of the adoption of a PUD re-zoning.

Section 5. Banners.

- A. All banners displaying commercial advertisements shall be displayed for a maximum of fifteen (15) calendar days.
- B. Banners are permitted for only six (6) periods per location per calendar year.
- C. Banners shall not be affixed to poles, trees, wire utility lines or any City owned property.
- D. A banner shall not exceed twenty-four (24) square feet in size.
- E. Banners shall not be placed within ten (10) feet of the edge of the paved road or the right-of-way line, whichever is greater.
- F. Banners shall not advertise alcohol or tobacco products.
- G. Banners are allowed one time only for a change in use or a change in occupancy of the premises from fourteen (14) days prior to the change in use or occupancy until thirty (30) days after the change in use, ownership or occupancy. This use of a banner shall be referred to as a “grand opening banner” and shall require a permit. The grand opening banner shall not count as one of the six periods allowed for banners per year.
- H. One banner sign is allowed per premises during any period of road construction projected to last for a period of six (6) months or more and involving more than one (1) continuous mile of roadway. Such banner signs are allowed only for the duration of the roadway construction. Such banner signs shall not exceed twelve (12) square feet in size and shall not face residential areas. Banner signs must be substantially attached to a building, as opposed to being mounted on poles and a permit is required.

- I. Banners are not allowed across public or private streets within the Municipal boundaries, except as approved by the City of Starkville's Mayor and Board of Aldermen in conjunction with a special event. These banners shall not contain any commercial advertising.
- J. Banners are intended for commercial uses and shall not be permitted in residential zoning districts except as specifically allowed elsewhere in this ordinance.

Section 6. Bus Bench Signs.

- A. Bus bench signs are allowed only on benches authorized by a municipal transit provider along established bus routes.
- B. Bus bench signs shall not advertise alcohol or tobacco products.
- C. No other bus bench signs are permitted.

Section 7. Inflatable Displays.

- A. Inflatable displays are allowed in residentially-zoned districts for holiday use.
- B. The maximum allowed height shall be twenty (20) feet.
- C. The minimum setback shall be twenty (20) feet from the edge of the paved road or right-of-way line, whichever is greater.
- D. These displays shall not be placed on a roof structure.

Section 8. Political Signs.

Political Sign means any sign of temporary construction, which supports any political candidate or issue. These signs are permitted in all zoning districts and shall conform to the following:

- A. Political signs shall not be placed within any public right-of-way.
- B. Political signs shall not be placed upon governmental buildings or adjacent lawns, or upon public utility poles or traffic control signage posts.
- C. Political signs may be placed on private property with the permission of the property owner.
- D. Political signs shall not be placed within the sight-distance triangle of any intersection.
- E. Political signs placed on tracts of land less than three (3) acres in size shall not exceed six (6) square feet in size.
- F. Smaller political signs (6 square feet or less in size) placed on private property along roadways shall be placed at least ten (10) feet from the edge of the paved road or right-of-way line, whichever is greater.
- G. Political signs placed on tracts of land larger than three (3) acres in size and/or along state or federally-designated roadways shall not exceed sixteen (16) square feet in size.
- H. Larger political signs (up to 16 square feet in size) placed on private property along roadways shall be placed at least twenty (20) feet from the edge of the paved road or right-of-way line, whichever is greater.
- I. All political signs for the same candidate or issue shall maintain at least a one-hundred (100) foot separation between political signs per parcel of land on which they are placed.
- J. Political signs shall not be erected or placed more than ninety (90) days in advance of the election to which they pertain.
- K. All political signs shall be removed within three (3) days following the election to which they pertain.
- L. If a political sign is not removed or is placed improperly, the City is authorized to remove the sign, even if it is placed on private property.
- M. If any sign fails to comply with this ordinance, the candidate or issue sponsor being advertised shall be responsible for any enforcement penalties and costs.

Section 9. Off-site Outdoor Advertising Signs (Billboards).

Outdoor Advertising Signs (Billboards) are permitted in the C-2 and M-1 zoning districts of the City of Starkville under the following conditions:

- A. Outdoor advertising signs may not be placed closer than 2,640 feet from any other outdoor advertising sign.
- B. Outdoor advertising signs (billboards) shall be a maximum of two single-sided panels or one double-sided panel.
- C. The size of the billboard is determined by the amount of linear frontage on a public street.
- D. Two (2) square feet of signage is allowed for each foot of linear frontage on a public street to a maximum sign face of 288 square feet.
- E. The total surface area of an outdoor advertising sign shall not exceed twelve (12) feet in height and twenty-four (24) feet in width or a total area of 288 square feet and shall be a minimum of fifty (50) feet from the right-of-way.
- F. The total height from the road grade shall not exceed forty-five (45) feet.
- G. Outdoor advertising signs may not be positioned less than sixty (60) degrees from the parallel to the right-of-way line toward which it is oriented.
- H. The owner of an outdoor advertising sign shall promptly remove same upon expiration of the ground lease upon which it is located or when for structural reasons if it presents a safety hazard to the public.
- I. Outdoor advertising signs shall not contain moving parts, flashing lights or beacons. They shall not emit sound and shall not be embellished with flags, banners, twirlers, balloons, streamers, pennants or any similar features.
- J. Outdoor advertising signs may be either internally lighted or externally lighted provided that all external lighting is directed at the face of the sign and is shielded so as to prevent diffusion onto any adjoining properties, public roadways or airways.
- K. Outdoor advertising signs utilizing electronic, digital and/or LED technology are allowed so long as the message changes at intervals no less than once every eight (8) seconds.
- L. Furthermore, it shall be prohibited for any outdoor advertising sign to emulate any control message as may be ordinarily used to direct traffic.

Section 10. Real Estate Signs.

Real estate signs advertising property for sale or lease shall conform to the following:

- A. C-2, M-1 and A-1 zoning districts.
 - 1. Signs of up to thirty-two (32) square feet in size are allowed for properties with linear roadway frontages of one-hundred (100) feet or more.
 - 2. For larger tracts of land for sale or lease, additional signs may be utilized so long as there is at least a six-hundred-sixty (660) linear foot separation between the signs.
 - 3. Signs of up to sixteen (16) square feet in size are allowed for properties with less than one-hundred (100) linear feet of frontage.
 - 4. On a corner lot, two sign faces may be placed together to form a “V-shaped” sign for visibility in both directions.
 - 5. All real estate signs shall be placed at least twenty (20) feet from the edge of the paved road or the right-of-way line, whichever is greater.
 - 6. Signs advertising the rental, sale or lease of property shall be removed within fifteen (15) days after such action has been done.
- B. C-1, C-3, B-1 and PUD zoning districts.
 - 1. Signs of up to sixteen (16) square feet in size are allowed for properties with linear roadway frontages of one-hundred (100) feet or more.

2. For larger tracts of land for sale or lease, additional signs may be utilized so long as there is at least a three-hundred-thirty (330) linear foot separation between the signs.
 3. Signs of up to twelve (12) square feet in size are allowed for properties with less than one-hundred (100) linear feet of frontage.
 4. On a corner lot, two sign faces may be placed together to form a “V-shaped” sign for visibility in both directions.
 5. All real estate signs shall be placed at least twenty (20) feet from the edge of the paved road or the right-of-way line, whichever is greater.
 6. Signs advertising the rental, sale or lease of property shall be removed within fifteen (15) days after such action has been done.
- C. Residential zoning districts.
1. Signs shall not exceed six (6) square feet in size and shall be located at least ten (10) feet from the edge of the paved road or right-of-way line, whichever is greater.
 2. Off-site directional signage advertising an “open house” event shall be allowed subject to the following:
 - a. The sign shall be no greater than six (6) square feet in size.
 - b. No more than two signs shall be utilized for each “open house” event.
 - c. The sign may be utilized from Friday afternoon until Monday morning; exceptions will be granted for extended holiday weekends.
 - d. The signs shall be placed so as not to interfere with driver’s vision at an intersection.

Section 11. Construction Site Identification Signs.

- A. Construction site identification signs shall not exceed thirty-two (32) square feet in size for non-residential construction sites.
- B. Construction site identification signs shall not exceed sixteen (16) square feet in size for residential construction sites.
- C. Construction site identification signs shall be placed at least twenty (20) feet from the edge of the paved road or right-of-way line, whichever is greater.
- D. Construction site identification signs shall not be placed within the sight-distance triangle of any intersection.
- E. Off-site signage providing directions to construction entrances shall be allowed upon the approval of the City Planner and/or City Engineer.
- F. Construction site identification signs shall be removed within fifteen (15) days after the issuance of a Certificate of Occupancy. This does not include banners and other signs that are permitted on a temporary basis by this ordinance.

Section 12. Inspection, Removal and Safety.

- A. All signs shall be kept in good repair and in safe, neat, clean and attractive condition.
- B. No sign shall be placed within the sight-distance triangle of any intersection.
- C. Upon failure to comply with this notice, the Code Enforcement Inspector shall initiate the Administrative Adjudication Process to enforce compliance with this ordinance.
- D. The Code Enforcement Inspector may remove or have a sign removed at the owner’s expense immediately and without notice if the sign presents an immediate threat to the safety of the public. Any sign removed shall be at the expense of the property owner.
- E. The Code Enforcement Inspector shall be authorized to physically remove a sign or banner if this can be done so without possible harm to the Inspector, violator or the general public. The sign or banner will be stored at City Hall for a period of not more than ten (10) days for collection by the owner.

Section 13. Permits Required.

- A. This permit can be obtained from the Building Department or the Code Enforcement Office.
- B. The size and type of sign will determine the cost. The costs of these permits shall be determined by Resolution of the Mayor and Board of Aldermen.
- C. Any sign with a value, replacement or repair cost of \$1,000.00 or more, shall obtain a building permit from the Building Department.
- D. If any sign or banner is erected or installed prior to the issuance of a permit for such signage and banners, the permit fee shall be triple the regular permit fee amount.
- E. Three or more violations in a calendar year by individuals, businesses or sign installation companies shall result in the loss of signage erection/installation privileges for one year from the date of the action.

Section 14. Exempted Signs.

The following signs and banners are subject to all provisions of this ordinance, but are exempted from all permitting requirements.

- A. Political signs as defined by this ordinance.
- C. Non-directional and non-commercial signs that do not exceed four (4) square feet in area do not have to maintain a permit, but shall comply with the ordinance guidelines for placement.
- D. Signs and banners placed upon the property of any public or private school, college or university supported entirely or partly by taxation, or by individual payments of tuition from attending students, or upon the property of any fraternal or social institution recognized as a student organization by such school, college or university, provided that the advertising contained on such sign or banner is directly related to an on-site activity conducted by such school, college, university or fraternal or social organization. Such signs shall be placed ten (10) feet from the edge of the paved road or the right-of-way line, whichever is greater and shall be removed within ten (10) days of erection or installation.
- E. Signs and banners placed upon the property of churches, provided that the advertising contained on such sign or banner is directly related to an on-site activity conducted by such church and shall be removed within thirty (30) days of erection or installation.
- F. Signs and banners placed upon the property of Not-for-Profit organizations that have valid 501(c)3 status, provided that the message contained on such sign or banner is directly related to an on-site activity conducted by such Not-for-Profit organization. The sign or banner shall be removed within ten (10) days of erection or installation.

Section 15. Non-conforming Signs.

- A. In instances where a sign is non-conforming to any of the requirements of this ordinance, such sign and any supporting structure may be allowed, although such a sign does not conform to the provisions hereof.
- B. No such non-conforming sign may be enlarged or altered in any way, which increases its non-conformity.
- C. No sign, which has been damaged more than fifty percent (50%) of its fair market value, shall be restored except in conformity with the regulations of this ordinance.
- D. Any alteration or maintenance of a non-conforming sign such as painting of panels or frame, changing outface panels, or repairs to frame or panel requires a permit from either the Building Department or the Code Enforcement Office.
- E. Movement of a portable sign to conform to setback regulations does not invalidate the non-conforming status of the sign.

- F. The addition of a reader board of up to thirty-two (32) square feet in size to the existing supporting structure of a non-conforming sign does not invalidate the non-conforming status of the sign.

Section 16. Sign Restrictions and Prohibitions.

- A. Any sign not permitted by this ordinance shall be prohibited.
- B. No sign shall be placed on the public right-of-way with the exception of traffic control and directional signage and directional signage of organizations that are identified by the United States Internal Revenue Code (26 U.S.C. §501(c)(3)) category to include, religious, educational, charitable, scientific, literary, testing for public safety, to foster national or international amateur sports competition, or prevention of cruelty to children or animals organizations.
- C. Post signs shall be removed within a period of ninety (90) days from the effective date of this ordinance.
- D. Discontinued signs not in use for a period of ninety (90) days or more shall have the sign face, not the sign structure, removed, by painting over the sign face or replacing the sign face with a blank insert.
- E. Snipe signs are prohibited in all zoning districts.
- F. Inflatable displays are allowed in residentially-zoned districts only for holiday use.
- G. Any use of searchlights is prohibited, except for airport operations.
- H. Motor vehicle signs are prohibited except when the motor vehicle is actively engaged in making deliveries, pick-ups or otherwise actively in use and has as its primary purpose some use other than a sign.
- I. Non-permitted banners and temporary signs shall be removed within thirty (30) days of the effective date of this ordinance.
- J. All other non-conforming signs shall be removed within a period of ninety (90) days from the effective date of this ordinance.
- K. Banners, pennants, balloons and streamers are prohibited, except as specifically permitted by this ordinance.
- L. No sign may be located so that it substantially interferes with the view necessary for motorists to proceed safely through an intersection or to enter onto or exit from public streets, private roads or driveways.
- M. No sign may be erected so that by its location, color, size, shape, nature or message it would tend to obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies.
- N. All signs must be designed to withstand sustained wind speeds of ninety (90) miles per hour with three-second gusts.
- O. No sign may be constructed, erected, moved, enlarged, illuminated or altered except in accordance with the provisions of this ordinance.
- P. No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy or remove any trees, shrubs or other vegetation located within the right-of-way of any public street or road, unless the work is done pursuant to the expressed written authorization of the City Planner or City Engineer.
- Q. Any sign as allowed in the city right of way per section 16 (B) above shall not exceed square feet in size and shall conform to all height, location and installation guidelines as directed by the building department.

- R. Any sign not placed by a government institution, i.e. municipality, MDOT, shall submit an application for a sign and be approved by the City of Starkville building department after a determination by the city that said sign conforms with all traffic and sight line requirements.
- S. The sign placement as requested by a permitted entity shall be provided to any adjacent landowner. Any objection to placement of said sign will be submitted in writing to the building department and presented to the Board of Aldermen for final determination.
- T. Any grievance by the an applicant that was denied a sign permit by the building department shall be submitted in writing to the Building Department within ten (10) working days after notification of the denial and such grievance shall be submitted to the Board of Aldermen for final determination at the next regularly scheduled meeting.
- U. All signs that are permitted by this ordinance shall be kept in good repair and shall be legible. All signs whose message is not determinable by reason of wear and tear, graffiti, destruction whether by the elements or by man, and that are not representative of good condition must be replaced within 30 days of being noticed by the City that such signage is not in conformance with this ordinance.

Section 17. Enforcement.

- A. The City of Starkville City Planner and Code Enforcement Inspector shall be directed to enforce all of the provisions of this ordinance.
- B. Any signs not complying with this section shall be collected by the Code Enforcement Inspector and stored at City Hall for a period not to exceed ten (10) days, at which time the signs shall be disposed of.
- C. Any person violating any provision of this ordinance shall, upon conviction, be fined and also pay any administrative costs for each offense and each day such violation continues, shall constitute a separate offense. These fines and costs shall be determined by Resolution of the Mayor and Board of Aldermen.
- D. The Administrative Adjudication Process shall be the preferred method of prosecuting violations of this ordinance for the City of Starkville.

Section 18. Variances.

The City of Starkville's Board of Adjustments & Appeals shall review any variance requests regarding the dimensional requirements of this ordinance. The application fee for such reviews shall be determined by Resolution of the Mayor and Board of Aldermen.

SECTION III. INVALIDATION/SEVERABILITY

The requirements and provisions of this Ordinance are separable. If any article, section paragraph, sentence, or portion thereof, be declared by any court of competent jurisdiction to be void, invalid, or inoperative, the decision of the Court shall not affect the validity or applicability of the Ordinance as a whole or of any part thereof other than the part held void, invalid, or otherwise inoperative.

SECTION IV. CONFLICTS

All Ordinances, parts of Ordinances or Resolutions of the Mayor and Board of Aldermen of the City of Starkville that conflict with the provisions of this Ordinance shall be, and the same, are hereby repealed.

SECTION V. EFFECTIVE DATE

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

The City Clerk is directed to post the Ordinance in three conspicuous public places, place the Ordinance onto the City's website and to publish the Ordinance one time in the Starkville Daily News, obtaining proof of publication thereof.

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THE FOREGOING ORDINANCE was proposed in a motion by Alderman Cox, duly seconded by Alderman McLaurin, that the aforesaid Ordinance be adopted. The vote being as follows:

Richard Corey	Voted: <u>YEA</u>
Matt Cox	Voted: <u>YEA</u>
Sumner Davis	Voted: <u>YEA</u>
Rodney Lincoln	Voted: <u>YEA</u>
P.C. 'Mac' McLaurin	Voted: <u>YEA</u>
Roy A'. Perkins	Voted: <u>YEA</u>
Janette Self	Voted: <u>Absent and not voting</u>

ORDAINED AND ADOPTED, this the 2nd day of December, A.D., 2008, at the Regular Meeting of the Mayor and Board of Aldermen of the City of Starkville, Oktibbeha County, Mississippi.

ROBERT D. CAMP, Mayor
City of Starkville, Mississippi

MARKEETA OUTLAW, Clerk
City of Starkville, Mississippi

(SEAL)

7.

**A MOTION TO OVERRIDE MAYOR PARKER WISEMAN'S
VETO OF THE BOARD ACTION THAT APPOINTED
SUSAN TOMLINSON TO THE STARKVILLE
SCHOOL BOARD**

There came for consideration the matter of Mayor Parker Wiseman's veto regarding the School Board Appointment. Aldermen Jeremiah Dumas and Henry Vaughn, Sr. recused themselves. After discussion, and

Upon the motion of Alderman Sandra Sistrunk, duly seconded by Alderman Ben Carver to override Mayor Parker Wiseman's veto of the Board action that appointed Susan Tomlinson to the Starkville School Board, 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>recusal</u>
Alderman Roy A'. Perkins	Voted: <u>Nay</u>
Alderman Henry Vaughn, Sr.	Voted: <u>recusal</u>

Having failed to receive the sufficient number affirmative vote necessary to override a veto, the Mayor declared the motion failed.

8.

**A MOTION TO REOPEN THE PROCESS FOR ADVERTISING
FOR LETTERS OF INTEREST FOR THE VACANT POSITION
ON THE STARKVILLE SCHOOL BOARD AND THAT THE DEADLINE
FOR SEEKING LETTERS OF INTEREST SHALL BE 5:00 P.M IMMEDIATELY
PRIOR TO THE FRIDAY BEFORE THE 1ST MEETING IN MAY OF 2010
AND THAT SAID LETTERS OF INTEREST SHALL BE SUBMITTED
TO OUR CHIEF ADMINISTRATIVE OFFICER MS. LYNN SPRUILL
AND THAT THE ADVERTISEMENT SHALL APPEAR IN THE
STARKVILLE DAILY NEWS AND/OR STARKVILLE DISPATCH
ON AT LEAST TWO OCCASIONS**

There came for consideration the matter of advertising for letters of interest to fill a vacant school board position. After discussion, and

Upon the motion of Alderman Roy A'. Perkins to reopen the process for advertising for letters of interest for the vacant position on the Starkville School Board and that the deadline for seeking letters of interest shall be 5:00 p.m. immediately prior to the Friday before the 1st meeting in May of 2010 and that said letters of interest shall be submitted to our Chief Administrative Officer Ms. Lynn Spruill and that the advertisement shall appear in the Starkville Daily News and/or Starkville Dispatch on at least two occasions, the motion did not receive a second.

Having failed to receive a second, the Mayor declared the motion failed for lack of a second.

9.

**A MOTION TO PLACE ON THE AGENDA OF THE
RECESS BOARD MEETING IN APRIL AN ITEM UNDER
BOARD BUSINESS TO ADVERTISE FOR
LETTERS OF INTEREST FOR THE VACANT POSITION
ON THE STARKVILLE SCHOOL BOARD**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk to place on the agenda of the Recess Board Meeting in April an item under Board Business to advertise for letters of interest for the vacant position on the Starkville School Board, the Board voted as follows:

Alderman Ben Carver	Voted: <u>Nay</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>Recusal</u>
Alderman Roy A'. Perkins	Voted: <u>Yea</u>
Alderman Henry Vaughn, Sr.	Voted: <u>Recusal</u>

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

10.

**A MOTION TO APPROVE THE DEVELOPMENT
EMPLOYEE OF THE MONTH
RECOGNITION PROGRAM**

There came for consideration the matter of the development of an employee of the month recognition program. After discussion, and

upon the motion of Alderman Ben Carver, duly seconded by Alderman Jeremiah Dumas, the Board unanimously voted to approve the development of an employee of the month recognition program.



CITY OF STARKVILLE EMPLOYEE OF THE MONTH

Purpose

The purpose of the City of Starkville Employee of the Month Program is to recognize individual contributions of a City employee who has provided outstanding service for the citizens of Starkville.

The employee who receives the honor of Employee of the Month is recognized for his/her own personal contribution to their department and the City of Starkville.

Nomination Criteria

Who can be nominated?

The City of Starkville Employee of the Month program exists to recognize one City employee each month who exemplifies the best efforts of all employees by going “above and beyond” their normal duties to accomplish something extraordinary. *Because all senior level managers are consistently expected to demonstrate a strong leadership role, nominators are encouraged to consider other employees for this award.*

The following criteria should be considered when nominating an employee for Employee of the Month:

The employee nominated:

- Exhibited commitment to service and to serving the citizens of Starkville over and above normal duties and responsibilities;
- Sustained a high level of productivity and consistent quality of work so as to foster this same level of performance in others;
- Demonstrated a high degree of initiative in the performance of his or her job responsibilities;
- Displayed exceptional dependability in the completion of job assignments; and
- Continually exhibits effective working relationships with others in all aspects of the job.

Nomination Process

Nominations may be submitted to the Personnel Officer by any City of Starkville employee, any elected official of the City of Starkville, or by any member of the public. All nominations should be submitted on a Nomination Form and should be sent to:

**Personnel Officer
City of Starkville
101 Lampkin Street
Starkville, MS 39759**

Because all senior level managers are consistently expected to demonstrate a strong leadership role, nominators are encouraged to consider other employees for this award.

Types of Accomplishments

The following are some examples of individual accomplishments worthy of a nomination for Employee of the Month:

- Completion of a short-term project or special assignment which required a unique or innovative approach.
- Development or implementation of a new idea or procedure(s) that improved efficiency and productivity, reduced cost, or avoided cost increases.
- Increased morale through teamwork, and/or the exhibition of flexibility in meeting new challenges under tight deadlines.
- Providing “over and above” customer service which reflects favorably on the City of Starkville.
- Contributing to improve public awareness and/or understanding of the department’s mission.

Selection Process

Nominations are reviewed and voted upon by a selection committee comprised of the Personnel Officer, the Chief Administrative Officer, and one rotating representative from the Board of Aldermen.

- The Selection Committee reviews the nominations and votes on a winner based on responses to questions on the Nomination Form.
- The nomination receiving the highest number of votes is named the City of Starkville Employee of the Month.

Recognition

The Employee of the Month will be introduced at a regular Board of Aldermen meeting and presented a Certificate of Appreciation in recognition of their extraordinary service.

Evaluation Criteria

Following is criteria for evaluating nominations for the City of Starkville Employee of the Month:

- Importance of the employee's specific contribution and the extent to which it served to contribute to the employee's work team, the organization – or the public good.
- The impact the employee's contribution had on the efficiency, effectiveness or responsiveness of an agency service or product.
- The originality of the contribution and the inspiration it may serve to other employees toward excellence of performance.
- Cost savings or cost avoidance.



City of Starkville

EMPLOYEE OF THE MONTH NOMINATION

PERSONNEL OFFICER SIGN OFF

NOMINATED EMPLOYEE INFORMATION	
NAME	DEPARTMENT
WORK ADDRESS	JOB TITLE
<p>INSTRUCTIONS: Please respond to the following questions in complete and specific terms that are related to the nomination. Give precise examples of this person's level of performance which qualify him/her to be nominated as employee of the month. All information must be contained on the forms provided. Please DO NOT include additional sheets.</p> <p>Any City of Starkville employee may nominate another employee from his/her department for this award. Because all senior level managers are consistently expected to demonstrate a strong leadership role, nominators are encouraged to consider other employees for this award.</p> <p>All nominations for employee of the month must be submitted through to the Personnel Officer.</p>	
1. Why are you nominating this person? Describe his/her actions and accomplishments.	
2. Describe the amount of initiative and extra effort that went into this service.	
3. Additional comments	
SUBMITTER INFORMATION	

NAME	DEPARTMENT OR MAILING ADDRESS
JOB TITLE OR POSITION	TELEPHONE NUMBER

City Engineer Edward Kemp gave an update on the 2010 Drainage Improvement Program. Mr. Kemp explained the 2010 Drainage budget of \$151,500 with 1% used for testing and 5% as contingency leaving a construction budget of \$142,410.00. He further explained the estimated costs associated the Academy Road Bridge of \$35,945.00 and the Old West Point Road Bridge of \$66,750.00 with the reduction to the construction budget of these amounts the remaining funds of \$39,715.00 will be distributed equally between the Carver Drive ditch and Hollis I. Mr. Kemp informed the Board that these remaining funds will complete approximately 450' of the Hollis I project and approximately 40' of the Carver ditch project.

11.

**A MOTION TO APPROVE THE LOW QUOTE FOR THE
CARVER DRIVE DITCH PROJECT AND AUTHORIZATION
TO ENTER AN AGREEMENT WITH SAID CONTRACTOR
THAT INCLUDES THE INSTALLING OF PIPE AND
COVERING OF THE DITCH**

There came for consideration the matter of the piping and covering the Carver Drive ditch. Prisock Dirt Company submitted the low quote of \$13,544.42 to provide labor and equipment to complete 40 linear feet. After discussion, and

upon the motion of Alderman Roy A'. Perkins, duly seconded by Alderman Henry Vaughn, Sr., to approve the low quote for the Carver Drive ditch project and authorization to enter an agreement with said contractor that includes the installing of pipe and covering of the ditch, the Board voted as follows:

Alderman Ben Carver	Voted: <u>Nay</u>
Alderman Sandra Sistrunk	Voted: <u>Yea</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, Sr.	Voted: <u>Yea</u>

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

Bid Tab (Carver Drive Ditch Project)

NAME	QUOTE AMOUNT	APPARENT BEST QUOTE
Prisock Dirt Company	\$13,544.52	Apparent Best Quote
The Dirt Company	\$15,872.00	

12.

**A MOTION TO AUTHORIZE PURCHASING A
72" DIAMETER, 10 GAUGE DRAINAGE PIPE FOR
THE CARVER DRIVE DITCH PROJECT FROM
PHILLIPS PIPE & PRODUCTS,
THE LOW SOURCE OF SUPPLY BIDDER
AT A TOTAL COST NOT TO EXCEED \$20,000**

There came for consideration the matter of the Carver Drive ditch needing a 10 gauge drainage pipe that is 72" in Diameter. After discussion, and

upon the motion of Alderman Roy A'. Perkins, duly seconded by Alderman Henry Vaughn, Sr., to authorize the purchase of a 72" diameter, 10 gauge drainage pipe, for the Carver Drive ditch project, from Phillips Pipe and Products at a cost not to exceed \$20,000, 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>Nay</u>
Alderman Jeremiah Dumas	Voted: <u>Nay</u>
Alderman Roy A'. Perkins	Voted: <u>Yea</u>
Alderman Henry Vaughn, Sr.	Voted: <u>Yea</u>

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

13.

**A MOTION TO APPROVE CLAIMS DOCKET #04-06-10-A
FOR FIRE DEPARTMENT CLAIMS THROUGH APRIL 1, 2010
IN THE AMOUNT OF \$17,995.41, IN ACCORDANCE WITH SECTION 17-3-1
OF THE MISSISSIPPI CODE OF 1972, ANNOTATED**

There came for consideration the claims through April 1, 2010 for the Fire Department totaling \$17,995.41. After discussion, and

Upon the motion of Alderman Roy A'. Perkins, duly seconded by Alderman Richard Corey to approve the Fire Department claims through April 1, 2010 as presented, the Board voted as follows:

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

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

**CLAIMS DOCKET
04-06-10-A
APRIL 13, 2010**

Fire Department	001-161	\$10,576.54
Fire Training	001-163	4077.00
Fire Communication	001-164	1,985.66
Fire Stations & Bldgs	001-167	1356.21
TOTAL		\$17,995.41

14.

**A MOTION TO APPROVE CITY OF STARKVILLE BUDGET AMENDMENT #2
FOR FISCAL YEAR 2010**

There came for consideration the matter of budget amendment #2. After discussion, and upon the motion of Alderman Sandra Sistrunk, duly seconded by Alderman Roy A'. Perkins and unanimously approved by the Board to approve Budget Amendment #2 for Fiscal Year 2010, as presented.

THE CITY OF
STARKVILLE,
MISSISSIPPI
BUDGET AMENDMENT
#2
FY 2009-2010

<u>ACCOUNT DESCRIPTION</u>	<u>ACCOUNT NUMBER</u>	<u>ORIGINAL BUDGET AMOUNT</u>	<u>AMENDMENT AMOUNT</u>	<u>AMENDED BUDGET AMOUNT</u>
<u>GENERAL FUND</u>				
REVENUE:				
FEDERAL GRANT	001-000-230	0.00	104,281.00 +	104,281.00
MIP/ALCOHOL GRANT	001-000-245	10,000.00	5,000.00 +	15,000.00
HWY SAFETY GRANT	001-000-253	10,000.00	5,000.00 +	15,000.00
DUI GRANT	001-000-269	75,000.00	35,000.00 +	110,000.00
FORFEITED FUNDS	001-000-289	0.00	7,374.00 +	7,374.00
VICTIM'S BOND	001-000-318	0.00	2,000.00 +	2,000.00
MISCELLANEOUS REVENUE	001-000-354	5,000.00	1,845.00 +	6,845.00
POLICE DEPT MISC REVENUE	001-000-363	15,000.00	<u>12,771.00</u> +	27,771.00
			173,271.00	
EXPENSES:				

OTHER ADM/VICTIM'S BOND	001-045-655	0.00	2,000.00	+	2,000.00
PLANNER/DEBRIS REMOVAL	001-090-603	15,000.00	-3,000.00	-	12,000.00
PLANNER/OFFICE EQUIPMENT	001-090-730	0.00	3,000.00	+	3,000.00
MISS CODE 17-3-1/CENSUS	001-094-698	0.00	2,000.00	+	2,000.00
POLICE/OVERTIME	001-112-450	137,096.00	15,376.00	+	152,472.00
POLICE/PROFESSIONAL SERVICE	001-112-600	16,250.00	2,111.00	+	18,361.00
POLICE/MACHINERY & EQUIP	001-112-730	25,000.00	17,509.00	+	42,509.00
POLICE/NEW VEHICLES	001-112-740	111,000.00	-111,000.00	-	0.00
POLICE/ PRINCIPAL/LEASE	001-112-820	0.00	111,256.00	+	111,256.00
DUI GRANT/SALARY	001-128-420	32,583.00	33,251.00	+	65,834.00
DUI/RETIREMENT	001-128-460	3,910.00	3,891.00	+	7,801.00
DUI/SOCIAL SECURITY	001-128-470	2,493.00	2,543.00	+	5,036.00
DUI/HEALTH INSURANCE	001-128-480	4,220.00	-4,220.00	-	0.00
DUI/COMMUNICATION	001-128-605	2,000.00	-2,000.00	-	0.00
DUI/TRAVEL	001-128-610	2,000.00	-700.00	-	1,300.00
DUI/EQUIPMENT	001-128-730	3,000.00	-1,300.00	-	1,700.00
POLICE WIRELESS COMMUNICATION	001-144-730	31,695.00	-31,695.00	-	0.00
POLICE WIRELESS COMM PRINCIPAL	001-144-820	0.00	26,293.00	+	26,293.00
POLICE WIRELESS COMM INTEREST	001-144-830	0.00	5,402.00	+	5,402.00
FIRE/BANK CHARGES	001-164-610	0.00	300.00	+	300.00
FIRE/COMMUNICATIONS	001-164-636	30,000.00	-20,286.00	-	9,714.00
FIRE/PRINCIPAL	001-164-820	0.00	16,793.00	+	16,793.00
FIRE/INTEREST	001-164-830	0.00	3,193.00	+	3,193.00
BUILDING/OFFICE SUPPLIES	001-181-501	1,500.00	1,845.00	+	3,345.00
STREET/MACHINERY & EQUIPMENT	001-201-730	34,212.00	-31,212.00	-	3,000.00
STREET/PRINCIPAL	001-201-820	0.00	27,276.00	+	27,276.00
STREET/INTEREST	001-201-830	0.00	3,936.00	+	3,936.00
POLICE/SEATBELT GRANT/COMMODO	001-204-540	2,000.00	3,000.00	+	5,000.00
POLICE/2009 RECOVERY ACT JAG	001-218-730	0.00	88,155.00	+	88,155.00
POLICE/2009 JUSTICE ASSIST/EQUIP	001-219-730	0.00	16,395.00	+	16,395.00
LANDSCAPE/EQUIPMENT	001-241-730	33,062.00	-33,062.00	-	0.00
LANDSCAPE/PRINCIPAL	001-241-820	0.00	32,360.00	+	32,360.00
LANDSCAPE/INTEREST	001-241-830	0.00	702.00	+	702.00
DEBT SERVICE/SERVICE ZONE PRIN	001-450-820	0.00	118,064.00	+	118,064.00
DEBT SERVICE/SERVICE ZONE INT	001-450-830	0.00	29,952.00	+	29,952.00
DEBT SERVICE/SERVICE ZONE PAY	001-450-843	148,016.00	-148,016.00	-	0.00
DEBT SERVICE/STREET LOAN PRIN	001-450-846	997,254.00	-154,643.00	-	842,611.00
DEBT SERVICE/STREET LOAN INT	001-450-849	0.00	154,643.00	+	154,643.00
TRAFFIC LIGHT MAINTENANCE	001-600-721	0.00	10,000.00	+	10,000.00
JUSTICE COMPLEX	001-600-742	0.00	12,357.00	+	12,357.00
ENDING FUND	001-900-990	264,032.00	<u>-29,198.00</u>	-	234,834.00
			173,271.00		

RESTRICTED FIRE

EXPENSES:

PROFESSIONAL SERVICE	003-560-601	0.00	25,290.00	+	25,290.00
MISCELLANEOUS	003-560-690	0.00	30,800.00	+	30,800.00
ENDING FUND	003-560-990	80,011.00	<u>-56,090.00</u>	-	23,921.00
			0.00		

SANITATION

REVENUE:

MDEQ GRANT	022-000-250	0.00	24,012.00	+	24,012.00
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EXPENSE:

UNIFORMS	022-222-535	5,000.00	3,000.00	+	8,000.00
SUPPLIES (GARBAGE BAGS)	022-222-551	110,000.00	24,012.00	+	134,012.00
COMMUNICATIONS	022-222-605	7,000.00	2,000.00	+	9,000.00
RECYCLING/EDUC & PUBLICITY	022-222-608	0.00	3,000.00	+	3,000.00
REGIONAL LANDFILL EXPENSE	022-222-642	355,000.00	-3,000.00	-	352,000.00
EQUIPMENT	022-222-730	30,000.00	<u>-5,000.00</u>	-	25,000.00
			24,012.00		

LANDFILL

EXPENSE:

EQUIPMENT	023-223-730	44,000.00	-31,692.00	-	12,308.00
PRINCIPAL	023-223-820	0.00	27,250.00	+	27,250.00
INTEREST	023-223-830	0.00	<u>4,442.00</u>	+	4,442.00
			0.00		

COMPUTER ASSESMENTS

EXPENSE:

LEASE PRINCIPAL	107-110-890	58,040.00	-6,438.00	-	51,602.00
INTEREST	107-110-891	0.00	<u>6,438.00</u>	+	6,438.00
			0.00		

ROAD MAINTENANCE BOND

EXPENSES:

2009 ROAD MAINTENANCE BOND

MISCELLANEOUS	304-301-690	0.00	10.00	+	10.00
ROADWAY/ENDING FUND	304-301-990	94.00	<u>-10.00</u>	-	84.00
			0.00		

FIRE STATION #5

REVENUE:					
GRANT	306-000-237	0.00	937,328.00	+	937,328.00
EXPENSE:					
PROFESSIONAL SERVICE	306-267-601	0.00	50,000.00	+	50,000.00
CONSTRUCTION	306-267-901	0.00	<u>887,328.00</u>	+	887,328.00
			937,328.00		

PARK AND RECREATION BOND

REVENUE:					
INTEREST	325-000-340	0.00	80.00	+	80.00
BEGINNING CASH	325-000-396	0.00	<u>10,138.00</u>	+	10,138.00
			10,218.00		
EXPENSE:					
ENDING FUND	325-575-990	0.00	10,218.00	+	10,218.00

WATER/SEWER

EXPENSES:					
NEW CONST/CONST MATER/WATE	400-672-752	300,000.00	-100,000.00	-	200,000.00
NEW CONST/LABOR WATER	400-672-753	175,000.00	-50,000.00	-	125,000.00
NEW CONST/LABOR SEWER	400-672-754	300,000.00	-100,000.00	-	200,000.00
NEW CONST/SONST MATER SEWER	400-672-755	175,000.00	-50,000.00	-	125,000.00
WASTEWATER/CAPITAL OUTLAY	400-673-720	185,000.00	545,000.00	+	730,000.00
WASTEWATER/MACHINERY & EQU	400-673-730	0.00	50,000.00	+	50,000.00
WATER/EMDING FUND	400-677-990	1,411,989.00	<u>-295,000.00</u>	-	1,116,989.00
			0.00		

VEHICLE MAINTENANCE (SHOP)

EXPENSE:					
SUPPLIES & SMALL TOOLS	500-501-555	20,000.00	-4,000.00	-	16,000.00
EQUIPMENT REPAIR	500-501-635	500.00	<u>4,000.00</u>	+	4,500.00
			0.00		

15.

**APPROVAL TO EMPLOY LAURA H. ROBERSON AND
JONATHAN E. HEADLEY TO FILL THE POSITIONS OF
CERTIFIED POLICE OFFICERS IN THE POLICE DEPARTMENT**

Upon the motion of Alderman Roy A'. Perkins, duly seconded by Alderman Eric Parker and unanimously approved by the Board to Employ Laura H. Roberson and Jonathan E. Headley to Fill the Vacant Positions of certified police officers in the Police Department, subject to a 1-year Probationary Period, at a Grade 9 Step 5 with an Annual Salary of \$32,583.20, or \$14.61 Per Hour.

16.

**A MOTION TO RECESS UNTIL
5:30 P.M. ON APRIL 20, 2010**

Upon the motion of Alderman Roy A'. Perkins, duly seconded by Alderman Eric Parker, the Board unanimously approved the motion to recess until Tuesday April 20, 2010, 5:30 p.m., in the Boardroom at City Hall.

SIGNED AND SEALED THIS THE _____ DAY OF _____ 2010.

MARKEETA OUTLAW, CITY CLERK

PARKER WISEMAN, MAYOR

(SEAL)