

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

**The City of Starkville, Mississippi**

**June 1, 2010**

Be it remembered that the Mayor and Board of Alderman met in a Regular Meeting on June 1, 2010 at 5:30 p.m. in the Courtroom of City Hall, located at 101 E. Lampkin Street, Starkville, MS. There being present were Mayor Parker Wiseman, Alderman Ben Carver, Sandra Sistrunk, Eric Parker, Richard Corey, Roy A. Perkins, and Henry Vaughn, Sr. Attending the Board were City Clerk Markeeta Outlaw, and City Attorney Chris Latimer. Absent from this meeting was Alderman Jeremiah Dumas.

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

**REQUESTED REVISIONS OF THE OFFICIAL AGENDA**

**Alderman Corey** requested to remove from consent item XI-J-1 regarding a “Notice to Proceed” to Glenn Machine Works for Structural Upgrades to the Sand Road Pump Station, at a cost of \$29,850.00.

**Alderman Sistrunk** requested to add to consent item X-D regarding creating a Task Force to study a Curfew.

**1.**

**A MOTION TO APPROVE THE OFFICIAL AGENDA OF THE  
JUNE 1, 2010 MEETING OF THE MAYOR  
AND THE BOARD OF ALDERMAN AS REVISED**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Henry Vaughn, Sr., to approve and adopt the June 1, 2010, Official Agenda of the Mayor and Board of Alderman, 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

REGULAR MEETING OF TUESDAY, JUNE 1, 2010

5:30 P.M., COURT ROOM, CITY HALL

101 EAST LAMPKIN STREET

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

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

I. CALL THE MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

III. APPROVAL OF THE OFFICIAL AGENDA

- A. CONSIDERATION OF THE APPROVAL OF THE CONSENT AGENDA (SEE APPENDIX A)

IV. APPROVAL OF BOARD OF ALDERMEN MINUTES

- A. CONSIDERATION OF THE APPROVAL OF THE MINUTES OF THE CITY OF STARKVILLE BOARD OF ALDERMEN RECESS MEETING OF APRIL 20, 2010

V. ANNOUNCEMENTS AND COMMENTS

**MAYOR'S COMMENTS:**

PRESENTATION OF A RETIREMENT PLAQUE:

**CAROLYN OSWALT** – ELECTRIC DEPARTMENT  
INTRODUCTION OF NEW EMPLOYEES:

**CARYL PRITCHARD** – COURT  
**RONNIE SMITH** – SANITATION DEPARTMENT  
**ROBERT BARNES** – SANITATION DEPARTMENT

THERE WILL BE THREE MORE POWER OUTAGES SCHEDULED AT  
FROM 3:00 AM UNTIL 5:00 AM THIS WEEK ON SATURDAY, JUNE 5,  
ON JULY 10 AND AUGUST 7, 2010.

**BOARD OF ALDERMEN COMMENTS:**

ALDERMAN SISTRUNK PRESENTS THE EMPLOYEE OF THE MONTH  
APPRECIATION AWARD TO SHALAMARK SIMPSON OF THE PARK  
COMMISSION

**VI. CITIZEN COMMENTS**

**VII. PUBLIC APPEARANCES**

*THERE ARE NO PUBLIC APPEARANCE REQUESTS*

**VIII. PUBLIC HEARING**

*THERE ARE NO PUBLIC HEARINGS SCHEDULED*

**IX. MAYOR'S BUSINESS**

*THERE IS NO MAYOR'S BUSINESS SCHEDULED*

**X. BOARD BUSINESS**

A. CONSIDERATION OF THE APPROVAL OF THE 2009 AUDIT FROM WATKINS,  
WARD AND STAFFORD

### B. CONSIDERATION OF APPROVING THE AGREEMENT WITH THE UNITED STATES  
DEPARTMENT OF AGRICULTURE FOR THE REMEDIATION OF WILDLIFE DAMAGE  
IN THE INDUSTRIAL PARK.

### C. CONSIDERATION OF ADVERTISING FOR LETTERS OF INTEREST FOR  
APPOINTMENTS TO THE CITY OF STARKVILLE HISTORIC PRESERVATION  
COMMISSION AND THE STORM WATER HEARING BOARD.

- D. CONSIDERATION OF CREATING A TASK FORCE MADE UP OF THE MAYOR, ALDERMEN PERKINS, SISTRUNK, AND COREY, THE CHIEF ADMINISTRATIVE OFFICER, THE POLICE CHIEF, THE CITY ATTORNEY, A REPRESENTATIVE FROM THE STARKVILLE SCHOOL DISTRICT AND MISSISSIPPI STATE UNIVERSITY TO DETERMINE IF THERE IS THE NEED FOR AN ORDINANCE ESTABLISHING A CURFEW FOR CERTAIN JUVENILES IN THE CITY OF STARKVILLE.

## **XI. DEPARTMENT BUSINESS**

### **### A. AIRPORT (ALL ITEMS ON CONSENT)**

1. REQUEST APPROVAL OF PAY REQUEST #4 FROM APAC, INC. FOR RUNWAY 18/36 REHABILITATION PROJECT IN THE AMOUNT OF \$731,443.12 FROM AIP GRANT 3-28-0068-014-2009.
  
2. REQUEST APPROVAL OF PAY REQUEST #3 FROM CLEARWATER CONSULTANTS FOR ENGINEERING SERVICES FOR THE RUNWAY 18/36 REHABILITATION PROJECT IN THE AMOUNT OF \$28,730.00 FROM AIP GRANT 3-28-0068-014-2009.

### **B. BUILDING, CODES AND PLANNING DEPARTMENT**

1. CONSIDERATION TO APPROVE P&Z ITEM #CU 10-02: A REQUEST BY TABOR PROPERTIES, LLC, TO APPROVE A CONDITIONAL USE TO ALLOW MULTI-FAMILY RESIDENTIAL USE IN A C-2 (GENERAL BUSINESS) ZONING DISTRICT, LOCATED AT 703 SPRING STREET IN WARD

### **C. OFFICE OF THE CITY CLERK**

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE FIRE DEPARTMENT CLAIMS DOCKET AS OF MAY 27, 2010.

**### 2.** REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS EXCEPT THE FIRE DEPARTMENT AS OF MAY 27, 2010.

D. COURTS

*THERE ARE NO ITEMS FOR THIS AGENDA*

### E. ELECTRIC DEPARTMENT (ALL ITEMS ON CONSENT)

1. REQUEST AUTHORIZATION TO APPROVE A RESOLUTION AND APPLY FOR AN ARRA GRANT FOR THE UPGRADE OF TRAFFIC SIGNALS IN ACCORDANCE WITH THE ENERGY CONSERVATION EFFORTS IN THE CITY OF STARKVILLE AND THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM
2. REQUEST AUTHORIZATION FOR THE MAYOR TO SIGN A "CERTIFICATE OF SUBSTANTIAL COMPLETION" FOR THE CONSTRUCTION OF THE NEW STARKVILLE ELECTRIC DEPARTMENT OFFICE BUILDING.

### F. ENGINEERING AND STREETS (ALL ITEMS ON CONSENT)

1. AUTHORIZATION OF PAY ESTIMATE NO. 2 IN THE AMOUNT OF \$331,072 FOR FALCON CONTRACTING FOR PROJECT NO. STP-0420-00-(017/105680701000 OTHERWISE KNOWN AS ARRA I.
2. AUTHORIZATION OF PAY ESTIMATE NO. 4 IN THE AMOUNT OF \$70,746.12 FOR RENROCK CONSTRUCTION FOR 2009 DRAINAGE IMPROVEMENT PROJECT NO. 12- HOLLIS II.

### G. FIRE DEPARTMENT (ALL ITEMS ON CONSENT)

1. REQUEST CONSIDERATION OF CHANGE ORDER #2 FOR FIRE STATION #5 FOR THE INSTALLATION OF A FLAGPOLE, SIDEWALKS, AND ADDITIONAL FIXTURES IN THE AMOUNT OF \$19,029.89.

### H. PERSONNEL (ALL ITEMS ON CONSENT)

1. REQUEST TO APPROVAL TO ADVERTISE TO FILL A VACANT JOB OF CUSTODIAN FOR CITY HALL.
2. REQUEST APPROVAL TO PROMOTE CHRISTOPHER SMILEY TO FILL THE VACANT JOB OF WASTE WATER OPERATOR 2 (TRAINEE).
3. REQUEST APPROVAL TO ADVERTISE TO FILL THE VACANT JOB OF CREW LEADER 2 IN THE LANDSCAPE DIVISION.

\*\*\*\* 4. *REQUEST TO ADVERTISE TO FILL VACANT POSITIONS FOR LIEUTENANT AND SERGEANT IN THE POLICE DEPARTMENT.*

I. POLICE DEPARTMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

### J. PUBLIC SERVICES

1. REQUEST APPROVAL TO ISSUE A NOTICE TO PROCEED TO GLENN MACHINE WORKS, THE SUBMITTER OF THE LOWEST QUOTE, TO PERFORM STRUCTURAL UPGRADES AT THE SAND ROAD PUMP STATION IN THE AMOUNT OF \$29,850.00.
2. REQUEST APPROVAL TO INSERT THE ANNUAL DRINKING WATER CONSUMER CONFIDENCE REPORTS INTO THE JULY UTILITY BILLS.

### K. SANITATION DEPARTMENT (ALL ITEMS ON CONSENT)

1. REQUEST AUTHORIZATION TO ADJUST THE RUBBISH FEES WITH STARKVILLE RECYCLING FOR THE YEAR 2010-2011 IN THE AMOUNT OF \$449.44 TO REFLECT THE CPI INDEX IN ACCORDANCE WITH THE EXISTING CONTRACT.
2. REQUEST AUTHORIZATION TO ADVERTISE FOR BIDS FOR 1,248,000 POLYETHYLENE GARBAGE BAGS (24,000 ROLLS) 1.5 MIL.

XII. EXECUTIVE SESSION

A. PENDING LITIGATION

B. POTENTIAL LITIGATION

XIII. RECESS UNTIL JUNE 15, 2010 @ 5:30 AT 101 LAMPKIN STREET IN THE CITY HALL COURTROOM.

**APPENDIX A**

**PROPOSED CONSENT AGENDA**

**IX. MAYOR'S BUSINESS - NO ITEMS**

**X. BOARD BUSINESS**

- B. CONSIDERATION OF APPROVING THE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE REMEDIATION OF WILDLIFE DAMAGE IN THE INDUSTRIAL PARK.
  
- C. CONSIDERATION OF ADVERTISING FOR LETTERS OF INTEREST FOR APPOINTMENTS TO THE CITY OF STARKVILLE HISTORIC PRESERVATION COMMISSION AND THE STORM WATER HEARING BOARD.

**XI. DEPARTMENT BUSINESS**

- A. AIRPORT
  - 1. REQUEST APPROVAL OF PAY REQUEST #4 FROM APAC, INC. FOR RUNWAY 18/36 REHABILITATION PROJECT IN THE AMOUNT OF \$731,443.12 FROM AIP GRANT 3-28-0068-014-2009.
  
  - 2. REQUEST APPROVAL OF PAY REQUEST #3 FROM CLEARWATER CONSULTANTS FOR ENGINEERING SERVICES FOR THE RUNWAY 18/36 REHABILITATION PROJECT IN THE AMOUNT OF \$28,730.00 FROM AIP GRANT 3-28-0068-014-2009.
  
- B. BUILDING DEPARTMENT – NO ITEMS
  
- C. OFFICE OF THE CITY CLERK
  - 2. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS EXCEPT THE FIRE DEPARTMENT AS OF APRIL 28, 2010.

D. COURTS – NO ITEMS

E. ELECTRIC DEPARTMENT

1. REQUEST AUTHORIZATION TO APPROVE A RESOLUTION AND APPLY FOR AN ARRA GRANT FOR THE UPGRADE OF TRAFFIC SIGNALS IN ACCORDANCE WITH THE ENERGY CONSERVATION EFFORTS IN THE CITY OF STARKVILLE AND THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM
2. REQUEST AUTHORIZATION FOR THE MAYOR TO SIGN A “CERTIFICATE OF SUBSTANTIAL COMPLETION” FOR THE CONSTRUCTION OF THE NEW STARKVILLE ELECTRIC DEPARTMENT OFFICE BUILDING.

F. ENGINEERING AND STREETS

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G. FIRE DEPARTMENT

1. REQUEST CONSIDERATION OF CHANGE ORDER #2 FOR FIRE STATION #5 FOR THE INSTALLATION OF A FLAGPOLE, SIDEWALKS, AND ADDITIONAL FIXTURES IN THE AMOUNT OF \$19,029.89.

H. PERSONNEL

1. REQUEST TO APPROVAL TO ADVERTISE TO FILL A VACANT JOB OF CUSTODIAN FOR CITY HALL.
2. REQUEST APPROVAL TO PROMOTE CHRISTOPHER SMILEY TO FILL THE VACANT JOB OF WASTE WATER OPERATOR 2 (TRAINEE).

3. REQUEST APPROVAL TO ADVERTISE TO FILL THE VACANT JOB OF CREW LEADER 2 IN THE LANDSCAPE DIVISION.
- I. POLICE DEPARTMENT – NO ITEMS
  - J. PUBLIC SERVICES
    1. REQUEST APPROVAL TO ISSUE A NOTICE TO PROCEED TO GLENN MACHINE WORKS, THE SUBMITTER OF THE LOWEST QUOTE, TO PERFORM STRUCTURAL UPGRADES AT THE SAND ROAD PUMP STATION IN THE AMOUNT OF \$29,850.00
    2. REQUEST APPROVAL TO INSERT THE ANNUAL DRINKING WATER CONSUMER CONFIDENCE REPORTS INTO THE JULY UTILITY BILLS.
  - K. SANITATION DEPARTMENT
    1. REQUEST AUTHORIZATION TO ADJUST THE RUBBISH FEES WITH STARKVILLE RECYCLING FOR THE YEAR 2010-2011 IN THE AMOUNT OF \$449.44 TO REFLECT THE CPI INDEX IN ACCORDANCE WITH THE EXISTING CONTRACT.
    2. REQUEST AUTHORIZATION TO ADVERTISE FOR BIDS FOR 1,248,000 POLYETHYLENE GARBAGE BAGS (24,000 ROLLS) 1.5 MIL.

**NOTE: THE FOLLOWING CONSENT ITEMS (NUMBERS 2-18) WERE ADOPTED  
WITH APPROVAL OF THE OFFICIAL AGENDA AS REVISED**

**2.**

**APPROVAL OF AN AGREEMENT**

**WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE  
REMEDiation OF WILDLIFE DAMAGE IN THE INDUSTRIAL PARK.**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby,

“An Agreement with the United States Department of Agriculture for the Remediation of Wildlife Damage in the Industrial Park” is enumerated; this consent item is thereby unanimously approved.

2. 5-19-10  
MS 39 754

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
WILDLIFE SERVICES

WORK INITIATION DOCUMENT FOR WILDLIFE DAMAGE MANAGEMENT

1. Work Initiation Document # \_\_\_\_\_

3. TYPE OF WORK INITIATION DOCUMENT (check all that apply)

Private Property     Temporary     Non-Private Property    Assign to These Special Design: a. \_\_\_\_\_ b. \_\_\_\_\_

Eminent Landowner     Adjacent to a Work Initiation Doc.     Adjacent to Existing Work Initiation Doc.    c. \_\_\_\_\_

4. Company's Name: City of Starkville    State: Miss

5. Company's Address: Starkville    State: MS

Where Will Work be Performed? (give address or directions, if different from address above): \_\_\_\_\_

6. Business / Firm / Branch / or Common Name: MS 39754    State: MS

8. Owner's or Representative's Name: \_\_\_\_\_    Address: \_\_\_\_\_    City: \_\_\_\_\_    State: \_\_\_\_\_    Zip Code: \_\_\_\_\_

10. Owner's or Representative's Address (if different from Company's): \_\_\_\_\_    City: \_\_\_\_\_    State: \_\_\_\_\_    Zip Code: \_\_\_\_\_

11. WE Employees and Work Location: Johnny Carter    SKV, Starkville    MS    State: \_\_\_\_\_

12. Land Class Information: Land Class: Ag 5

13. Adjoining Property Information (Document #): 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_

14. Species Information: 1. Beaver 2. Arctic 3. muskrat

If box is checked, attachment this additional species

15. In consideration of the benefits to be derived from the proper management of damage caused by these species listed in Section 3 Item 14 (and Item 12 if applicable), I the undersigned owner or company's representative, do hereby give my consent, and agreement, to the Animal and Plant Health Inspection Service (APHIS) to utilize its officials, employees, and agents to use, upon lands owned, leased, or otherwise controlled by me, and identified by this Work Initiation Document, the following methods and system:

COMPONENTS: 1. Coil-lever 2. Foothold 3. Sare

4. Ferrisins 5. Lake 6. Explosives

17.  If box is checked, an attachment this additional methods or devices.

18. I, the company or company's representative, have been informed of the methods and the manner in which the control materials and devices listed in Section 4 will be used, and of the possible hazards associated with their use. I understand that APHIS, (to include its officers, employees, and agents) will exercise reasonable precautions to safeguard all persons and to prevent injury to animal life other than those listed in Section 3, Item 14 (and Item 12 if applicable) and against the mishandling of control devices and materials, and exercise that caution and proper judgment in all wildlife damage management operations. I understand the APHIS, WE will maintain and/or use electronic application records on applications made under this Work Initiation Document, and that APHIS, WE will provide copies of the records or record information promptly upon the property owner's or company's request. I understand that APHIS may utilize Global Positioning System (GPS) coordinates at the project site as part of component of activity tracking or as wildlife disease monitoring or research data.

19. In consideration of these understandings and of the benefits to be derived, I, the company or company's representative, agree to take reasonable precautions to prevent injury to livestock and other domestic animals, assume responsibility for injury to any property of its the property under my control, when said injury is not the result of negligence on the part of APHIS, assist in maintaining such warning signs or APHIS trap signs for the purpose of notifying persons entering onto such lands of the possible hazards associated with wildlife damage management activities in use thereon, and to give adequate warning of these possible hazards to persons I authorize to enter onto such lands. Further, in recognition of the benefits to be derived from the use of specialized methods and devices authorized by this Work Initiation Document, I, the company or company's representative, agree not to consciously use or allow to be used upon lands covered by this Work Initiation Document, any toxic material that might reasonably be expected to take a species listed above in Section 3, Item 14 (and Item 12 if applicable) unless such use of said material is agreed to by APHIS in writing.

SPECIAL CONSIDERATIONS: Agreement covers City property adjacent to street, County Rd on State Hwy.    No Change

SIGNATURE AND TITLE (Landowner, Lessee, Administrator)    ADDRESS / PHONE #    DATE

SIGNATURE AND TITLE (APHIS Representative)    ADDRESS    DATE

MS Form 104    Johnny Carter    2026 Old Hwy 12    5-19-10  
Starkville, MS 39754

3.

**APPROVAL OF ADVERTISING FOR LETTERS OF INTEREST  
IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCES  
CREATING THE STORMWATER HEARING BOARD AND THE HISTORIC  
PRESERVATION COMMISSION.**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, “Advertising for Letters of Interest in Accordance with the Requirements of the Ordinances

Creating the Stormwater Hearing Board and the Historic Preservation Commission” is enumerated; this consent item is thereby unanimously approved.

4.

**APPROVAL OF CREATING A TASK FORCE**

**TO CONSIST OF MAYOR PARKER WISEMAN, ALDERMAN ROY A'. PERKINS, ALDERMAN SANDRA SISTRUNK, ALDERMAN RICHARD COREY, CHIEF ADMINISTRATIVE OFFICER LYNN SPRUILL, POLICE CHIEF DAVID LINDLEY CITY ATTORNEY CHRIS LATIMER, STARKVILLE PUBLIC SCHOOL DISTRICT SUPERINTENDENT JUDY COUEY, AND MISSISSIPPI STATE UNIVERSITY STUDENT ASSOCIATION PRESIDENT THOMAS SELLERS TO DETERMINE THE NEED AND MAKE RECOMMENDATIONS TO THE BOARD OF ALDERMAN FOR AN ORDINANCE TO CREATE A CURFEW WITHIN THE CORPORATE LIMITS OF THE CITY OF STARKVILLE.**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, “Authorization to Create a Task Force consisting of Mayor Parker Wiseman, Alderman Roy A'. Perkins, Alderman Sandra Sistrunk, Alderman Richard Corey, Chief Administrative Officer Lynn Spruill, Police Chief David Lindley, City Attorney Chris Latimer, Starkville Public School District Superintendent Judy Couey, and Mississippi State University Student Association President Thomas Sellars to determine the need and make recommendations to the Board of Alderman for an Ordinance to create a curfew within the corporate limits of the City of Starkville” is enumerated, this consent item is thereby unanimously approved.

5.

**APPROVAL FOR PAY REQUEST**

**#4 FROM APAC, INC. IN THE AMOUNT OF \$731,443.12**

**FOR RUNWAY 18/36 REHABILITATION PROJECT,**

**AIP GRANT NUMBER 3-28-0068-014-2009**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, “Approval of Pay request #4 from APAC, Inc. in the amount of \$731,443.12 for Runway 18/36 Rehabilitation Project, AIP Grant Number 3-28-0068-014-2009” is enumerated; this consent item is thereby unanimously approved.



**APPROVAL FOR PAY REQUEST**  
**#3 FROM CLEARWATER CONSULTANTS IN THE AMOUNT**  
**OF \$28,730.00 FOR ENGINEERING SERVICES FOR**  
**RUNWAY 18/36 REHABILITATION PROJECT**  
**AIP GRANT NUMBER 3-28-0068-014-2009.**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, "Pay request #3 from Clearwater Consultants in the amount of \$28,730.00 for Engineering Services for Runway 18/36 Rehabilitation Project, AIP Grant Number 3-28-0068-014-2009" is enumerated; this consent item is thereby unanimously approved.

**Clearwater Consultants, Inc.**  
**Environmental Engineers**  
 109 North Jackson Street  
 Post Office Box 1328  
 Starkville, Mississippi 39760-1328  
 (662) 323-8000  
 (662) 323-2200 Fax  
 info@clearwaterconsultants.com

May 24, 2010

Invoice No. 1161001p  
 Engineer's Pay Request No. 3

City of Starkville  
 101 Lampkin Street  
 Starkville, Mississippi 39759

Attn: Ms. Lynn Spruill, Chief Administrative Officer  
 Mr. Bob Smith, President, Starkville/Oktibbeha County Airport Board

For Period: October 23, 2009 through May 20, 2010

Payment for work performed for referenced period in accordance with Contract for Services dated August 21, 2009 for Construction of Improvements to Bryan Field funded by 2009 AIP Grant No. 3-28-0068-014-2009

**BASIC SERVICES**

<b>Contract Award and Project Construction Phases</b>	<b>58 % Complete</b>	<b>\$ 36,212.00</b>
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**SPECIAL SERVICES**

Topographic Surveys	0 % Complete	\$ 0.00
Sampling, Materials Testing and Quality Assurance	63 % Complete	\$ 10,578.00
Resident Project Representative	66 % Complete	\$ 18,640.00

<b>TOTAL FEE EARNED TO DATE</b>		<b>\$ 65,430.00</b>
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<b>LESS PREVIOUS BILLINGS</b>		<b>(\$ 36,700.00)</b>
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<b>AMOUNT DUE THIS INVOICE</b>		<b>\$ 28,730.00</b>
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THANK YOU FOR THIS OPPORTUNITY TO BE OF SERVICE

7.

**APPROVAL OF CLAIMS DOCKET # 06-01-10-A**

**FOR CLAIMS FROM ALL DEPARTMENT EXCLUDING FIRE  
THROUGH MAY 27, 2010; TOTAL PAID \$3,648,017.22.**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, “The Claims Docket # 06-01-10-A for Claims from all departments excluding the Fire Department through May 27, 2010 as listed in the amount of \$3,648,017.22” is enumerated; this consent item is thereby unanimously approved.

**CLAIMS DOCKET**

**NO. 06-01-10-A**

**JUNE 1, 2010**

General Fund (excl. Fire)	001	\$127,064.73
Restricted Police Fund	002	3,716.28
Airport Fund	015	2,029.05
Sanitation	022	36,460.20
Landfill	023	2,617.06
Road Maintenance Fund	304	75,616.67
American Recovery Reinvestment Act Fund (ARRA)	309	120,248.00
Park and Recreation (Tourism)	375	19,771.99
Water/Sewer	400	186,998.56
Vehicle Maintenance (Shop)	500	22,266.42
VCC (Hotel/Motel)	610	13,506.37
Economic Development, Tourism & Convention (2%)	630	59,165.34
Electric		2,978,556.55
<b>TOTAL</b>		<b>\$3,648,017.22</b>

8.

**APPROVAL OF A RESOLUTION AND APPLY FOR AN  
AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) GRANT  
FOR THE UPGRADE OF TRAFFIC SIGNALS IN ACCORDANCE  
WITH THE ENERGY CONSERVATION EFFORTS IN THE CITY OF  
STARKVILLE AND THE ENERGY EFFICIENCY AND  
CONSERVATION BLOCK GRANT PROGRAM.**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, “A Resolution and Apply for an American Recovery and Reinvestment Act (ARRA) Grant for the upgrade of the traffic signals in accordance with the Energy Conservation efforts in the City of

Starkville and the Energy Efficiency and Conservation Block Grant Program” is enumerated; this consent item is thereby unanimously approved.

**A RESOLUTION OF THE BOARD OF ALDERMEN FOR THE CITY OF STARKVILLE, MISSISSIPPI, AUTHORIZING THE APPLICATION FOR FUNDING UNDER THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM**

**THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE HEREBY RESOLVES AS FOLLOWS:**

WHEREAS, the Mississippi Development Authority's Energy Efficiency and Conservation Block Grant Program (EECBG) provides funding for improved energy efficiency in the State of Mississippi to eligible cities and counties through funds made available under the American Recovery and Reinvestment Act of 2009; and

WHEREAS, the Board of Aldermen of the City of Starkville authorizes the Head of the Electric Department for the City of Starkville to apply for grant funds under this program; and

WHEREAS, The Board of Aldermen of the City of Starkville recognizes that the support of the elected officials is fundamental to the success of any program;

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the City of Starkville will fully support the EECBG application and will fully comply with all EECBG and ARRA regulations and requirements, including monthly reporting, use of the Energy Star Portfolio Manager software as described in the EECBG Funding Opportunity Announcement, Davis-Bacon wage requirements, Buy American Act requirements, National Environmental Policy Act Requirements, and historical preservation requirements.

BE IT FURTHER RESOLVED that Parker Wiseman, Mayor, is hereby authorized and empowered to execute in the name of the City of Starkville all necessary documents to implement and carry out the purpose of this resolution.

PASSED AND ADOPTED this 1<sup>st</sup> day of June, 2010.

\_\_\_\_\_  
PARKER Y. WISEMAN, MAYOR

ATTEST:

\_\_\_\_\_  
MARKEETA OUTLAW, CITY CLERK

9.

**APPROVAL FOR THE MAYOR TO SIGN**

**A "CERTIFICATION OF SUBSTANTIAL COMPLETION"  
FOR THE CONSTRUCTION OF THE NEW STARKVILLE  
ELECTRIC DEPARTMENT OFFICE BUILDING.**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, "A Certification of Substantial Completion for the construction of the new Starkville Electric Department Office Building" is enumerated; this consent item is thereby unanimously approved.

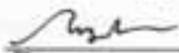
**AIA Document G704™ – 2000**

**Certificate of Substantial Completion**

<b>PROJECT:</b> (Name and address) Starkville Electric Department Office Building Starkville, Mississippi	<b>PROJECT NUMBER:</b> 2007113 <b>CONTRACT FOR:</b> General Construction <b>CONTRACT DATE:</b> January 7, 2009	<b>OWNER:</b> <input checked="" type="checkbox"/> <b>ARCHITECT:</b> <input checked="" type="checkbox"/> <b>CONTRACTOR:</b> <input checked="" type="checkbox"/> <b>FIELD:</b> <input type="checkbox"/> <b>OTHER:</b> <input type="checkbox"/>
<b>TO OWNER:</b> (Name and address) City of Starkville P. O. Box 927 Starkville, Mississippi 39762	<b>TO CONTRACTOR:</b> (Name and address) Cresc Construction Company, Inc. 708 Alabama Street Columbus, Mississippi 39702	

**PROJECT OR PORTION OF THE PROJECT DESIGNATED FOR PARTIAL OCCUPANCY OR USE SHALL INCLUDE:**

The Work performed under this Contract has been reviewed and found, to the Architect's best knowledge, information and belief, to be substantially complete. Substantial Completion is the stage in the progress of the Work when the Work or designated portion is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work for its intended use. The date of Substantial Completion of the Project or portion designated above is the date of issuance established by this Certificate, which is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

**Warranty** **Date of Commencement**  
 Proff & Morrow Architects  May 1, 2010  
 ARCHITECT BY DATE OF ISSUANCE

A list of items to be completed or corrected is attached hereto. The failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents. Unless otherwise agreed to in writing, the date of commencement of warranty for items on the attached list will be the date of issuance of this Certificate of Payment or the date of final payment.

**Cost estimate of Work that is incomplete or defective: \$0.00**  
 The Contractor will complete or correct the Work on the list of items attached hereto within Zero (0) days from the above date of Substantial Completion.

Cresc Construction Company, Inc.  6/19/10  
 CONTRACTOR BY DATE

The Owner accepts the Work or designated portion as substantially complete and will assume full possession at 3:00 (three) on May 1, 2010 (date).

City of Starkville  DATE  
 OWNER BY

The responsibilities of the Owner and Contractor for security, maintenance, heat, utilities, damage to the Work and insurance shall be as follows:  
 (Note: Owner's and Contractor's legal and insurance counsel should determine and revise insurance requirements and coverage.)

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**APPROVAL PAY ESTIMATE NO. 2**

**IN THE AMOUNT OF \$331,072 FOR FALCON CONTRACTING**

**FOR PROJECT NO STP-0420-00-(017)/105680701000**

**AMERICAN RECOVERY AND REINVESTMENT ACT I (ARRA I)**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, "Pay Estimate No. 2 in the amount of \$331,072 for Falcon Contracting for Project No. STP-0420-00-(017)/105680701000 known as ARRA I" is enumerated; this consent item is thereby unanimously approved.

**ARRA**

CONSTRUCTION  
CG CAD-501  
REV 11-02

MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
CONTRACTORS ESTIMATE - BICAP SHEET

STP-0420-00(017)  
105680701

P.O. No. 3941

Vendor Number Y000000010 Invoice Number \_\_\_\_\_

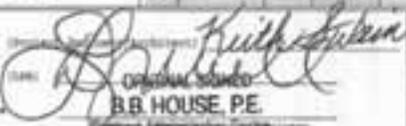
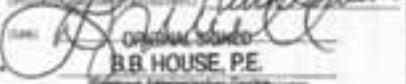
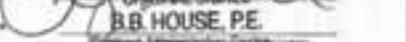
Project No. STP-0420-00(017)/105680701000 County Oktibbeha Sheet No. 1 of 4

In Account With City of Starkville, 301 Lemgin Dr., Starkville, MS 39759

Contract Number: 000000000 Surety \_\_\_\_\_

Est. No. 2 (Progress - ~~XXXX~~) Period April 1, 2010 Thru April 30, 2010 Document No. \_\_\_\_\_

	Line Item	QTY	Rate Code 1	Object	Project Number/Detail Code	Unit Code 2	Current Period	Previous Periods	Total Allowed to Date
Total Participating Cost	Y00	000136	221	3510	105680701000	1	331,072	120,248	451,320
Total Non-Participating Cost	002						0	0	0
<b>Total</b>	<b>003</b>						<b>331,072</b>	<b>120,248</b>	<b>451,320</b>
Residuals at 5.00 %	004	000136	221	3530	105680701000	1	0	0	0
Less 5.00 in C.O.'s	005								
<b>Total All Work Due</b>	<b>006</b>						<b>331,072</b>	<b>120,248</b>	<b>451,320</b>
Liquidated Damages	010	000136	221	3520	105680701000	1	0	0	0
Penal 4.00% Adjustment	011	000136	221	3510	105680701000	1	0	0	0
Penalty by MSOT	012	057570	734	4500	105680701000	1	0	0	0
<b>Total Net Work Due</b>	<b>014</b>						<b>331,072</b>	<b>120,248</b>	<b>451,320</b>

Approved:  Completion Date 05/11/2010  
 Approved:  Total Time Allowed: 72.9  
 Approved:  Time Used  
 B.B. HOUSE, PE  
 Contract % Complete: 59.67      30.0      31.0      61.0  
 Contract % of Signed Time: 43.66      59.67      21.33      81.00  
 Proposed Schedule % Complete: 43.66      43.66      43.00      86.72

The sole purpose of the Contract Administrator Engineer's signature is to acknowledge that the LRS has submitted the certifications and other data required by the LRS manual for payment.  
 AMOUNT OF PAYMENT FOR INVOICES SUBMITTED SHOULD BE THE LESS DEPOSIT COLLECT (2000) FINAL ESTIMATES SHOULD BE SUBJECT TO THE DEPOSIT (2000) (01.10)

11.

**APPROVAL PAY ESTIMATE NO. 4**

**IN THE AMOUNT OF \$70,746.12 FOR RENROCK CONSTRUCTION  
FOR 2009 DRAINAGE IMPROVEMENT PROJECT NO. 12 HOLLIS-II.**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, "Pay Estimate No. 4 in the amount of \$70,746.12 for Renrock Construction for 2009 Drainage Improvement Project No. 12 Hollis-II" is enumerated; this consent item is thereby unanimously approved.



THE CITY OF STARKVILLE  
ENGINEERING DEPARTMENT  
CITY HALL, 101 E. LAMPKIN STREET  
STARKVILLE, MISSISSIPPI 39759-2944

**CITY OF STARKVILLE- 2009 DRAINAGE IMPROVEMENT PROJECT  
MONTHLY ESTIMATE #4**

PROJECT:	PROJECT #12- HOLLIS II			
CONTRACTOR:	REN-ROCK CONSTRUCTION			
DATE:	5/25/2010			
	INSTALLATION OF RIP RAP- HEADWALLS (TONS)	INSTALLATION OF EROSION MATTING (SY)	VEGETATIVE MATERIALS (SY)	ADDITIONAL CONTRACT WORK
MONTHLY QUANTITIES	494.37	5470.00	3231.75	\$7,548.00
PREV. MONTHLY QUANTITIES	519.37	4309.00	1077.25	\$11,746.50
PROJECT TOTAL QUANTITIES	1013.74	9779.00	4309.00	\$19,295.40
UNIT PRICE	\$52.02	\$8.00	\$0.25	-
PROJECT TOTAL ESTIMATE	\$53,647.12	\$78,818.74	\$1,077.25	\$19,295.40
	TOTAL PROJECT COST TO DATE			\$152,838.51
	LESS TOTAL RETAINAGE (10%)			\$15,283.85
	TOTAL PROJECT ESTIMATE COST			\$137,554.66
	LESS PREVIOUS PAYMENTS			\$66,808.54
	CURRENT MONTHLY ESTIMATE			\$70,746.12

Per the following note found on Monthly Estimate 3 (Until further establishment, contractor will be paid 25% of total vegetative materials area, 4309\*25% = 1077.25 SY), 75% retainage was held from payment to Contractor. Per this Monthly Estimate, that 75% retainage is hereby released for payment for a total current paid quantity of 4309 SY of Vegetative Materials.

12.

**APPROVAL OF CHANGE ORDER #2**



## POSITION IN CITY HALL

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, "Approval to advertise to fill a vacant Janitor position in City Hall" is enumerated; this consent item is thereby unanimously approved.



### CITY OF STARKVILLE JOB DESCRIPTION

<b>Title:</b> Custodian	<b>Department:</b> Administration
<b>Reports to:</b> City Clerk	<b>Classification:</b> NON-EXEMPT
<b>Date Prepared:</b> 5-26-2010	<b>Approved by Board:</b>

#### **GENERAL POSITION SUMMARY:**

Performs general cleaning and light maintenance for City Hall.

#### **ESSENTIAL JOB FUNCTIONS:**

Duties may include, but are not limited to, the following:

1. Cleans offices, restrooms, lounges and conference rooms.
2. Vacuums and shampoos carpets, dust interiors, empty trash and handle recycling, cleans window and doors.
3. Washes dishes, cleans appliances, defrosts and cleans refrigerators.
4. Replaces light bulbs and performs other light maintenance as necessary.
5. Maintains parking lot and other outdoor areas.
6. Arranges rooms for regularly scheduled and special called meetings.
7. Performs related duties as required or assigned.

#### **ABILITY TO:**

1. Ability to follow written and verbal directions.
2. Ability to perform light labor.
3. Must be able to work independently with minimal supervision.
4. Must be able to lift up to 30 pounds.
5. Must be able to handle multiple tasks or projects simultaneously, work with numerous interruptions, and adjust to changing priorities.
6. The Janitor normally works in a safe, climate controlled environment. Tasks may entail muscular strain, including walking, standing, stooping, sitting, reaching and lifting. Talking, hearing and seeing are essential to perform job requirements. Common eye, hand and finger dexterity are required for most essential functions.

#### **SUPERVISORY RESPONSIBILITY:**

None

#### **INTERPERSONAL CONTACTS:**

Has regular contact with internal and external sources, including employees, Department Heads, outside agencies, the media, and other governmental agencies.

#### **JOB CONDITIONS:**

The job is performed primarily indoors in an office setting.

#### **EDUCATION, QUALIFICATIONS, AND/OR EXPERIENCE REQUIRED:**

Must be at least eighteen (18) years of age, a high school diploma or its equivalent. Must have the ability to perform the essential job functions. Must have a valid MS Driver's License and acceptable MVR and be able to be covered by the City's insurance.

*The duties listed above are intended as illustrations of the types of work that may be performed. The omission of specific job duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.*

*The job description does not constitute an employment contract and is subject to change as the needs of the City and requirements of the job change.*

*Regular and consistent attendance is a condition of continuing employment.*

14.

**APPROVAL TO PROMOTE CHRISTOPHER SMILEY**

**TO AN OPERATOR 2 (TRAINEE) IN THE  
WASTEWATER TREATMENT PLANT**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, “Approval to promote Christopher Smiley to an Operator 2 (Trainee) in the Waste Water Treatment Plant with the job duties and requirements as stated in the attached job description, and noted conditions: Salary for this position will be \$24,553.19 (\$11.80 hour), Grade 8, Step 1, with a 6-month probationary period. Mr. Smiley must obtain Waste Water Operator Level 2 Certification within 2 years. After becoming Level 2 certified, Mr. Smiley will be moved into the Operator 2 position with a salary of \$27,008.51 (\$12.98 hour), Grade 9, Step 1” is enumerated; this consent item is thereby unanimously approved.

  
**Waste Water Operator 2**

**Position Objective**  
Performs a variety of semi-skilled technical and maintenance work in the operation, maintenance and repair of the wastewater treatment facilities and systems.

**Duties and Responsibilities**

**(A) Plant / Mechanical Operations**

1. Monitors the performance of all equipment, gauges and charts in the treatment plant and pump stations.  
Records statistical data concerning plant operations.
2. Performs maintenance on equipment, controls, meters, processes, buildings, boilers, pumps, air compressors, blowers, valves, instrumentation panels, electrical components, motors, generators, vehicles, chemical feed equipment, piping and lab equipment.
3. Operates pumps and valves to control and adjust flow and treatment process.

**(B) Lab Operations**

1. Conducts laboratory tests on samples, records the results, makes calculations and analyzes test data to determine the proper and efficient operation of the sewerage system.

**(C) General**

1. Assures that plant operates within required standards.
2. Operates mowers, tractors and lawn care equipment to keep grounds and stations in good order.
3. Performs routine cleaning and housekeeping responsibilities as may be required.
4. Provides back-up to related positions.
5. Perform other duties as assigned or directed.
6. Attend meetings, training, and workshops as may be required.

**Qualifications**

1. Graduation from high school or G.E.D. equivalent.
2. Five (5) years experience involving grounds maintenance.
3. Knowledge of equipment, processes, materials, chemicals, methods and procedures used in wastewater plant maintenance and operation activities.
4. Ability to perform the basic functions of the job including standing for an 8 hour shift, working outside in all types of weather, and being able to lift 50 lbs.
5. Valid MS Driver's License with an acceptable MVR.
6. Class 2 Wastewater Certification or the ability to become a Class Two Certified Wastewater Plant Operator within two (2) years of employment.
7. Must be able to work a rotating stand-by schedule.

*The duties listed above are intended as illustrations of the types of work that may be performed. The omission of specific job duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.*

*The job description does not constitute an employment contract and is subject to change as the needs of the City and requirements of the job change.*

*Regular and consistent attendance is a condition of continuing employment.*

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15.

**APPROVAL TO ADVERTISE TO FILL THE VACANT**

**CREW LEADER 2 POSITION IN THE LANDSCAPE DIVISION  
OF THE PUBLIC SERVICES DEPARTMENT**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, “Approval to advertise to fill the vacant Crew Leader 2 position in the Landscape Division of the Public Services Department” is enumerated; this consent item is thereby unanimously approved.



**PUBLIC WORKS DEPARTMENT (LANDSCAPE DIVISION)**

**Crew Leader II**

**Duties**—The purposes of this position is to assist in the care and maintenance of a designated area in the City limits and supervision of other employees. The Crew Leader II is responsible for the maintenance of designated areas of the City; to mow, trim and edge grass; assist other City crews and supervise as directed by the Superintendent and Crew Leader I; to remove litter from right-of-ways in designated areas; must be available for work during City emergencies to assist with clean-up and repairs and perform other duties as directed. Working conditions include exposure to extreme in weather conditions; subject to hazards associated with hand and power tools, tractors and related equipment and exposure to pesticides when treating fly ams and when spraying herbicides. Physical work involved with this position, but is not limited to, driving tractors, mowing, lifting, walking and bending.

**Minimum Qualifications**—High school diploma or its equivalent; two years of experience in farm work or related field; skilled in the use of equipment used in right-of-way cleanup and maintenance; valid Mississippi driver's license; possess the ability to exercise tact and discretion with employees, City Officials and the public; including reasonable standards of personal appearance and to perform the essential functions of the job.

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**APPROVAL TO INSERT  
THE ANNUAL DRINKING WATER CONSUMER  
CONFIDENCE REPORTS INTO THE JULY, 2010 UTILITY BILLS**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, "Approval to insert the Annual Drinking Water Consumer Confidence Report into the July, 2010 utility bills" is enumerated; this consent item is thereby unanimously approved.

17.

**APPROVAL OF AUTHORIZATION TO ADJUST THE RUBBISH FEE  
WITH STARKVILLE RECYCLING FOR THE YEAR 2010-2011  
IN THE AMOUNT OF \$449.44 TO REFLECT THE CPI INDEX IN  
ACCORDANCE WITH THE EXISTING CONTRACT**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, "Approval of authorization to adjust the Rubbish fee with Starkville Recycling for the year 2010-2011 in the amount of \$449.44 to reflect the CPI index in accordance with the existing contract" is enumerated; this consent item is thereby unanimously approved.



18.

**APPROVAL AUTHORIZATION TO ADVERTISE FOR BIDS**

**FOR 1,248,000 POLYETHYLENE GARBAGE BAGS (24,000) 1.5 MIL**

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Corey, and unanimously approved by the Board to approve the Official Agenda to accept items for Consent, whereby, "Approval authorization to advertise for bids for 1,248,000 polyethylene garbage bags (24,000) 1.5 mil" is enumerated; this consent item is thereby unanimously approved.

**END OF CONSENT ITEMS**

**19.**

**A MOTION TO APPROVE THE MINUTES OF THE  
APRIL 20, 2010 RECESS MEETING OF THE MAYOR  
AND THE BOARD OF ALDERMAN AS REVISED**

Upon the motion of Alderman Richard Corey, to approve April 20, 2010 Recess Meeting Minutes of the Mayor and the Board of Alderman, City Clerk Markeeta Outlaw noted two suggested changes to be added to the minutes:

1. Under Ms. Dora Herring's public appearance to report on the P&Z findings. Second indented paragraph. Change the term "additional uses" to "conditional uses."
2. Under Item #16, "Discussion of Citizen Concerns Presented at the Pat Station Roadway Project Public Meeting of April 19, 2010." Change the third paragraph to "Next, the City Attorney, at the request of the Mayor, summarized and addressed areas of concern that relate to flooding as presented by the residents of Presley Drive and Trotter Lane. The City Attorney based his summary on facts and advice presented to him by the City Engineer, and opined that the proposed road will not likely violate City ordinances relating to flooding or wetlands. The City Attorney opined further that the proposed road would not likely violate the state's antiquities law."

Upon the motion of Alderman Corey, the minutes from April 20, 2010 be accepted with the suggested changes provided and reduced to writing by the City Attorney and that in the future proposed changes to the minutes be copied to the Board of Alderman, duly seconded by Alderman Vaughn, the Board unanimously voted its approval.

**MAYOR AND BOARD COMMENTS**

**Mayor Parker Wiseman** recognized the retirement of Carolyn Oswalt and presented her with a plaque.

**Mrs. Carolyn Oswalt**, recommended to the Board to get to know the people that work for them before they make decisions that affect their lives.

**THE MAYOR INTRODUCED THREE NEW EMPLOYEES**

Carolyn Pritchard- Municipal Court Clerk

Robert Barnes- Sanitation Department Driver

Ronnie Smith- Sanitation Department labor

**Mayor Parker Wiseman** announced a series of planned power outages scheduled for June 5, July 10, and August 7, 2010 from 3a.m. to 5 a.m. on said dates with SW Starkville having the greatest affect, SE Starkville with minor affect, and N Starkville with the least affect.

**Mayor Parker Wiseman** gave a ‘word of thanks’ to the members of the Board and various community members for the Recycling Promotion Program.

**Alderman Sistrunk** announced the City of Starkville Employee of the Month, for May 2010 is Shalamar Simpson. Mr. Simpson is employed with the Starkville Park Commission, and due to a previously scheduled engagement, was unable to attend the meeting.

**Alderman Carver** expressed a heartfelt and sincere appreciation to everyone for their participation at the Monday’s Memorial Day Parade.

#### CITIZEN COMMENTS

**Mr. Alvin Turner**, Ward 7 spoke to the Board concerning the disturbance of the citizens. He reminded the Board that a citizen asked for a curfew two months prior to the incident where someone being killed across from the Oktibbeha County Jail. He felt this was “too little too late.” He placed Starkville Daily Newspapers concerning the incident on the table. He had pictures of the Carver Drive ditch to show the conditions the citizens are dealing with; Mr. Turner stated that, “we need to put action with talk.”

**Mr. Jimmy Gouras** spoke to the Board on behalf of the Cotton Mill Market Place Development Group, LLC and asked the Board to consider the denial of the conditional use application submitted to the Board by the Hayward Properties, LLC. He provided the Board with a letter for the basis of his request for denial of the conditional use permit and pointed out flaws in the application packet.

**Ms. Dorothy Isaac**, ward 6 appealed to the Board to listen to the citizens of Starkville. Ms. Isaac explained her interest in a curfew prior to the incident that left one dead and others wounded. She provided a Starkville Daily Newspaper regarding an article of the incident that happened down the street from the Oktibbeha County Jail. She also expressed concerns of high school students hanging out in the parking lots of McDonalds and Wal-Mart. Lastly, she pointed to agenda item X – D, the phrase “certain juveniles” as a poor choice of words.

**Mr. David Josey** spoke to the Board on behalf of a more than 35 year old, eight person Limited Partnership that he represents. Mr. Josey explained his desire to place property owned by an aging partnership into the “right” hands. He informed the Board that several offers have been made for the property in question but the partnership did not believe the intended use was right for the neighboring property owners or the City of Starkville. Mr. Josey stated that for several years, the principles involved with the Cotton Mill Development have had a fair chance to obtain the property owned by the aging partnership. He feels the Tabor Project is an appropriate use for this site, and with the right architects this could be a very big project. Mr. Josey acknowledged the uniqueness of the seller to come before the Board and talk about issues based on

buyer/developers, but felt they were relevant issues and believed the additional information would be helpful to the Board when making a decision regarding the requested rezoning.

**Mr. Larry Tabor** of Tabor Properties spoke to the Board concerning University Club Condominiums Projects. They wish to build and renovate the old University Inn. If this project happens, showing a picture as he spoke, it could be a great asset to anything that is built around it. Mr. Tabor displayed a blueprint of the project showing the Cotton Mills area and their renovations on the corner and stated that his project would not interfere with the Cotton Mills Project but only help to complement it.

**20.**

**A MOTION OF APPROVAL OF THE AUDIT  
PERFORMED BY WAKINS, WARD AND STAFFORD  
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2009**

There came for consideration the matter of approval of the 2008-09 Audit which ended the fiscal year September 30, 2009. After discussion, and

Upon the motion of Alderman Sandra Sistrunk, duly seconded by Alderman Richard Corey, for approval of the audit performed by Watkins, Ward and Stafford for the fiscal year ended September 30, 2009; the Board unanimously voted its approval.

**NOTE: The Audit Report is on file in the City Clerk's Office**

**NOTE:** City Planner Ben Griffith presented the next item for consideration. City Attorney Chris Latimer, after reviewing the letter submitted by Mr. Gouras, briefed the Board of his findings, during this discussion, Alderman Roy A'. Perkins recognized the potential for litigation and requested a closed session to determine the need for an executive session.

**21.**

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

Upon the motion of Alderman Roy A. Perkins, duly seconded by Alderman Henry Vaughn, Sr., to enter into Closed Session to determine if the matter for consideration is proper cause for Executive Session, the Board unanimously voted in favor of the motion.

**22.**

**A MOTION DECLARING DISCUSSION REGARDING  
POTENTIAL LITIGATION**

**AS PROPER CAUSE FOR EXECUTIVE SESSION**

There came for consideration the matter of declaring that discussions regarding Potential Litigation as proper cause for Executive Session. After discussion, and

Upon the motion of Alderman Roy A'. Perkins, duly seconded by Alderman Henry Vaughn, Sr., that deliberations and findings concerning the discussion regarding Potential Litigation as proper for Executive Session, the Board unanimously voted in favor of the motion.

**23.**

**A MOTION TO EXIT CLOSED SESSION AND  
ENTER INTO EXECUTIVE SESSION FOR THE  
DISCUSSION OF POTENTIAL LITIGATION AS IT  
RELATES TO A CONDITIONAL USE EXCEPTION**

There came for consideration the matter of entering Executive Session to discuss Potential Litigation concerns relating to a Conditional Use Exception recommended by the Planning and Zoning Commission. After discussion, and

Upon the motion of Alderman Roy A'. Perkins, duly seconded by Alderman Henry Vaughn, Sr., that the Board exit Closed Session and enter into an Executive Session to discuss the subject named, the Board unanimously voted their approval

**24.**

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

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Henry Vaughn, Sr., to exit Executive Session and return to Open Session, the Board unanimously voted their approval.

**25.**

**A MOTION TO REMAND P&Z ITEM #CU 10-02; A REQUEST  
FOR A CONDITIONAL USE TO ALLOW MULTI-FAMILY**

**RESIDENTIAL USE IN A C-2 (GENERAL BUSINESS) ZONING**

**DISTRICT BACK TO THE PLANNING AND ZONING COMMISSION**

There came for consideration the matter of P&Z Item #CU 10-02 a conditional use allowing multi-family residential use in a C-2 zoning district located at 703 Spring Street, with 7 conditions as recommended by the Planning and Zoning Commission. After discussion, and

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Henry Vaughn, Sr., to remand P&Z item #CU 10-02, a conditional use to allow multi-family residential use in a C-2 Zoning District back to the Planning and Zoning Commission to allow notification to all parties as required and to ascertain all steps in the application process be adhered to, the Board voted as follows:

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

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

Note: **Alderman Carver** asked to recuse himself from the meeting.

**26.**

**A MOTION OF APPROVAL OF THE CITY OF STARKVILLE**

**FIRE DEPARTMENT CLAIMS DOCKETS AS OF MAY 27, 2010**

There came for consideration the matter of approval of the City of Starkville Fire Department Claims dockets as of May 27, 2010. After discussion, and

Upon the motion of Alderman Eric Parker, duly seconded by Alderman Henry Vaughn, Sr., to approve the City of Starkville Fire Department Claims docket as of May 27, 2010, 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>Absent</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, Mayor Parker Wiseman duly declared the motion passed.

**FIRE DEPARTMENT CLAIMS**

DOCKET # 06-01-10-A

001-161	\$8,886.76
001-163	1,650.00
001-164	212.43
001-167	1,124.68
306-267	128,908.72
<b>TOTAL</b>	<b>\$140,782.59</b>

27.

**A MOTION OF APPROVAL TO ADVERTISE  
TO FILL VACANT POSITIONS FOR 2 LIEUTENANT  
AND 3 SERGEANT POSITIONS IN THE POLICE DEPARTMENT**

There came for consideration the matter of approval to advertise to fill vacant positions in the Police Department. The Police Department currently has two Lieutenant positions vacant and 1 Sergeant position, however after promotions are made to fill two vacant Lieutenant positions an additional two Sergeant positions will become vacant requiring three Sergeant positions to be filled. After discussion, and

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, for approval to advertise to fill 2 Lieutenant Positions at a grade 12 step 1, and 3 Sergeant Positions at a grade 11 step 1, all subject to the standard probationary period, the Board unanimously voted its approval.

**Alderman Richard Corey** asked that he be excused from the following discussion item.

28.

**A MOTION TO APPROVE A NOTICE TO PROCEED TO GLENN MACHINE WORKS, THE SUBMITTER OF THE LOWEST QUOTE, TO PERFORM STRUCTURAL AND MATERIAL HANDLING UPGRADES AT THE SAND ROAD PUMP STATION IN THE AMOUNT OF \$29,850.00.**

There came for consideration the matter to approve a notice to proceed to Glenn Machine Work for lowest quote to perform work. After discussion, and

Upon the motion of Alderman Eric Parker, duly seconded by Alderman Henry Vaughn, Sr., for approval to proceed to Glenn Machine Works, the submitter of the lowest quote to perform structural and material handling upgrades at the Sand Road Pump Station in the amount of \$29,850.00, 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>Recusal</u>
Alderman Jeremiah Dumas	Voted: <u>Absent</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 Tabulation  
for  
Upgrades to the Sand Road  
Pump Station

<b>NAME</b>	<b>BID AMOUNT</b>	<b>APPARENT BEST QUOTE</b>
Glenn Machine Works	\$29,850.00	Apparent Best Quote
Orman Welding and Fabrication	\$50,960.00	
Perma Corporation	\$55,000.00	

29.

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

There came for consideration the matter of a Closed Session for the preliminary determination of the necessity of an Executive Session. After discussion, and

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Henry Vaughn, Sr., to enter into Closed Session to determine if items to be discussed are proper cause for Executive Session, the Board unanimously voted in favor of the motion.

**30.**

**A MOTION DECLARING DISCUSSION REGARDING  
PROPERTY ACQUISITION, POTENTIAL LITIGATION,  
RELATING TO THE REED ROAD WIDENING PROJECT  
AS PROPER CAUSE FOR EXECUTIVE SESSION**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Henry Vaughn, Sr., the Board unanimously voted that discussion regarding Property Acquisition and Potential Litigation surrounding the Reed Road Widening Project and the Carrington Nursing Home as proper cause for Executive Session.

**31.**

**A MOTION TO EXIT CLOSED SESSION AND  
ENTER INTO EXECUTIVE SESSION TO DISCUSS  
PROPERTY ACQUISITION AND POTENTIAL LITIGATION  
RELATING TO THE REED ROAD WIDENING PROJECT**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Roy A'. Perkins, the Board unanimously voted to exit Closed Session and to enter into Executive Session to discuss Property Acquisition and Potential Litigation relating to the Reed Road Widening Project.

**32.**

**A MOTION AUTHORIZING THE CITY ATTORNEY  
TO INSTITUTE "QUICK TAKE" PROCEEDINGS  
FOR RIGHT-OF-WAY PROPERTY NEEDED TO  
WIDEN REED ROAD**

There came for consideration the matter of acquiring right-of-way property to widen Reed Road. After discussion, and

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Roy A'. Perkins, the Board unanimously voted to authorize the City Attorney to institute "Quick Take" proceedings for Reed Road right-of-way currently owned by The Carrington Nursing Home.

**33.**

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

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Roy A'. Perkins, the Board unanimously approved the motion to exit Executive Session and Return to Open Session.

**34.**

**A MOTION TO RECESS UNTIL  
TUESDAY, JUNE 15, 2010 AT 5:30 P.M.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk to recess until Tuesday, June 15, 2010 at 5:30 p.m. in the Courtroom of City Hall, located at 101 E. Lampkin Street, the Board voted unanimously in favor of the motion.

SIGNED AND SEALED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2010.

ATTEST:

\_\_\_\_\_  
MARKEETA OUTLAW, CITY CLERK

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

(SEAL)