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

The City of Starkville, Mississippi April 18, 2023

Be it remembered that the Mayor and Board of Alderman met in a Recessed Meeting on April 18, 2023 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS. Present were Mayor Lynn Spruill, Alderman Ben Carver, Sandra Sistrunk, Jeffrey Rupp, Hamp Beatty, Roy A'. Perkins and Henry Vaughn, Sr. as well as City Attorney Berk Huskison and City Clerk / CFO Lesa Hardin. Alderman Mike Brooks appeared telephonically.

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

REQUESTED REVISIONS TO THE OFFICIAL AGENDA:

Alderman Perkins asked to add item IX. A. Mayor Business –Advertise for a fleet management program and item IX. B. Use of County safe room to the consented agenda items

There being no additional changes or opposition to the changes, the Mayor called for a motion to approve the agenda with consent items.

1. A MOTION TO APPROVE THE OFFICIAL AGENDA WITH CONSENT ITEMS.

Alderman Rupp offered a motion, duly seconded by Alderman Brooks, to approve the March 21, 2023 Official Agenda. The Board voted as follows:

Alderman Ben Carver
Alderman Sandra Sistrunk
Alderman Jeffrey Rupp
Alderman Mike Brooks
Alderman Hamp Beatty
Alderman Roy A'. Perkins
Alderman Henry Vaughn, Sr.
Voted: Yea
Voted: Yea
Voted: Yea
Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion carried and then read the consented items.

OFFICIAL AGENDA OF
THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI
RECESS MEETING OF TUESDAY, APRIL 18, 2023
5:30 P.M., COURT ROOM, CITY HALL
110 WEST MAIN STREET

- I. CALL THE MEETING TO ORDER
- II. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE
- III. APPROVAL OF THE OFFICIAL AGENDA INCLUDING CONSENTED ITEMS
- IV. APPROVAL OF THE BOARD OF ALDERMEN MINUTES

CONSIDERATION OF THE MINUTES OF THE MARCH 31, 2023 WORK SESSION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

V. ANNOUNCEMENTS AND COMMENTS

- A. MAYOR'S COMMENTS:
- B. BOARD OF ALDERMEN COMMENTS:

VI. <u>CITIZEN COMMENTS</u>

VII. PUBLIC APPEARANCE

VIII. PUBLIC HEARINGS

SECOND PUBLIC HEARING AND CONSIDERATION TO ADOPT AN ORDINANCE TO ALLOW FOR TAX ABATEMENTS IN THE CITY OF STARKVILLE CENTRAL BUSINESS DISTRICT AND IN RECOGNIZED HISTORIC DISTRICTS.

FIRST PUBLIC HEARING TO AMEND THE SANITATION ORDINANCE TO REFLECT OPERATIONS AND CHARGES TO COMMERCIAL ACCOUNT AND NON-ACCOUNT HOLDERS.

IX. MAYOR'S BUSINESS

- A. CONSIDERATION OF ADVERTISING FOR A FLEET MANAGEMENT PROGRAM SERVICE.
- B. CONSIDERATION OF ENTERING INTO AN AGREEMENT WITH OKTIBBEHA COUNTY FOR THE USE OF THE SAFE ROOM LOCATED AT 985 LYNN LANE FOR RECREATIONAL AND RELATED ACTIVITIES.
- C. CONSIDERATION OF AN INCREASE IN THE SANITATION FEES FOR TRASH AND RUBBISH COLLECTION AND RELATED EVIRONMENTAL SERVICES.

X. BOARD BUSINESS

THERE ARE NO ITEMS FOR THIS AGENDA

XI. DEPARTMENT BUSINESS

- A. AIRPORT
 - 1. REQUEST APPROVAL TO APPLYING FOR THE 2024 MDOT MULTIMODAL AIRPORT GRANT IN THE AMOUNT OF \$202,300.00 INCLUDING A 5% LOCAL MATCH FOR THE DESIGN OF MAIN RAMP EXPANSION AND RELATED IMPROVEMENTS AT GEORGE M. BRYAN FIELD.
- B. COMMUNITY DEVELOPMENT AND PLANNING DEPARTMENT THERE ARE NO ITEMS FOR THIS AGENDA
- C. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

D. ENGINEERING

- 1. CONSIDERATION OF ADVERTISING FOR THE NORTHSIDE DRIVE DRAINAGE IMPROVEMENTS PROJECT.
- 2. CONSIDERATION OF ACCEPTANCE OF THE LOW BID FOR THE 2023 STREET IMPROVEMENT PROJECT FROM APAC CONTRACTING IN THE AMOUNT OF \$4,414,214.50 AND AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT.
- 3. REQUEST AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE ELECTRICAL DISTRIBUTION MATERIALS (MATERIAL ONLY) FOR THE HWY 182 ON-CORRIDOR IMPROVEMENTS PROJECT.

E. FINANCE AND ADMINISTRATION

- 1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF APRIL 10, 2023 FOR FISCAL YEAR ENDING 9/30/23, ACKNOWLEDGING THAT THE CITY CLERK HAS ATTESTED AND CERTIFIED ON THE COVER OF THE CLAIMS DOCKET THAT ALL CLAIMS ON THE DOCKET ARE TRUE, ACCURATE, LAWFUL AND PROPER TO THE BEST OF HER KNOWLEDGE, FOR PAYMENT PURSUANT TO HER DUTIES UNDER MISS. CODE SECTIONS 21-39-5, 21-39-7, 21-39-9, 21-39-17 AND 21-15-21.
- 2. ACCEPTANCE OF THE MARCH 2023 FINANCIAL STATEMENTS.

F. FIRE DEPARTMENT

1. REQUEST PERMISSION TO ISSUE A COMMERCIAL BURN PERMIT TO PARKMAN LOHMAN TO BURN CLEARED DEBRIS ASSOCIATED WITH A CONSTRUCTION PROJECT LOCATED AT NORTHSTAR INDUSTRIAL PARK.

G. HUMAN RESOURCES

- 1. REQUEST AUTHORIZATION TO HIRE DAVID SIMMON AS A SANITATION WORKER IN THE SANITATION & ENVIRONMENTAL SERVICES DEPARTMENT.
- 2. REQUEST AUTHORIZATION TO HIRE CHRISTOPHER ENGLISH AS A CERTIFIED POLICE OFFICER IN THE STARKVILLE POLICE DEPARTMENT.
- 3. REQUEST AUTHORIZATION TO HIRE JESSICA HYCHE AS A CUSTOMER SERVICE REPRESENTATIVE IN THE STARKVILLE UTILITIES DEPARTMENT.
- 4. REQUEST AUTHORIZATION TO HIRE CAMERON BRICKLER AS AN LANDSCAPE INTERN IN THE STARKVILLE UTILITIES DEPARTMENT.
- 5. REQUEST AUTHORIZATION TO HIRE BRYTON CONLEY AS A GROUND TECHNICIAN IN THE SANITATION & ENVIRONMENTAL SERVICES DEPARTMENT.
- 6. REQUEST AUTHORIZATION TO HIRE JILLIAN DUTCHER AS A PART-TIME DEPUTY COURT CLERK IN THE MUNICIPAL COURT DEPARTMENT.

- H. INFORMATION TECHNOLOGY
 THERE ARE NO ITEMS FOR THIS AGENDA
- I. PARKS
 - 1. REQUEST AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE NEEDMORE COMMUNITY CENTER REDEVELOPMENT PROJECT.
- J. POLICE DEPARTMENT
 - 1. POLICE
 - a. REQUEST AUTHORIZATION TO DECLARE A 2007 CHEVROLET SILVERADO VIN#6637, WHICH WAS SEIZED IN A NARCOTICS INVESTIGATION CASE, AS SURPLUS AND ADVERTISE FOR SALE TO THE HIGHEST BIDDER ON GOVDEALS.COM.
 - 2. CODE ENFORCEMENT THERE ARE NO ITEMS FOR THIS AGENDA
- K. SANITATION DEPARTMENT

 THERE ARE NO ITEMS FOR THIS AGENDA
- L. UTILITIES DEPARTMENT
 - 1. CONSIDERATION TO SELECT NEEL-SCHAFFER AS THE ENGINEER OF RECORD FOR A PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY (MDA), ON BEHALF OF THE CITY OF STARKVILLE FOR THE PURPOSE OF SEWER IMPROVEMENTS TO AN AREA NOT CURRENTLY BEING SERVED ALONG HENDERSON AND SAND ROADS.
 - 2. APPROVAL OF NISC AS THE PREFERRED VENDOR TO PROVIDE SOFTWARE SOLUTIONS FOR STARKVILLE UTILITIES AND APPROVAL FOR THE MAYOR TO EXECUTE A FINAL, NEGOTIATED CONTRACT.
- XII. <u>CLOSED DETERMIN</u>ATION SESSION
- XIII. OPEN SESSION
- XIV. EXECUTIVE SESSION

UPDATE ON PENDING LEGAL MATTERS

- XV. OPEN SESSION
- XVI. <u>ADJOURN UNTIL MAY 2, 2023 @ 5:30 IN THE COURT ROOM AT 110 WEST MAIN STREET.</u>

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

Consent items 2 - 19:

2. CONSIDERATION OF THE MINUTES OF THE MARCH 31, 2023 WORK SESSION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval of minutes of the March 31, 2023 work session of the Mayor and Board of Aldermen" is enumerated, this consent item is thereby approved.

3. CONSIDERATION TO ADVERTISE FOR A FLEET MANAGEMENT PROGRAM SERVICE.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to advertise for a fleet management program service" is enumerated, this consent item is thereby approved.

4. CONSIDERATION OF ENTERING INTO AN AGREEMENT WITH OKTIBBEHA COUNTY FOR THE USE OF THE SAFE ROOM LOCATED AT 985 LYNN LANE FOR RECREATIONAL AND RELATED ACTIVITIES.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval of entering into an agreement with Oktibbeha County for the use of the safe room located at 985 Lynn Lane for recreational and related activities" is enumerated, this consent item is thereby approved. Agreement follows this page.

5. CONSIDERATION TO APPLY FOR THE 2024 MDOT MULTIMODAL AIRPORT GRANT IN THE AMOUNT OF \$202,300.00 INCLUDING A 5% LOCAL MATCH FOR THE DESIGN OF MAIN RAMP EXPANSION AND RELATED IMPROVEMENTS AT GEORGE M. BRYAN FIELD.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to apply for the 2024 MDOT Multimodal Airport Grant in the amount of \$202,300.00 including a 5% (\$10,115) local match for the design of main ramp expansion and related improvements at George M. Bryan Field" is enumerated, this consent item is thereby approved.

6. CONSIDERATION OF ADVERTISING FOR THE NORTHSIDE DRIVE DRAINAGE IMPROVEMENTS PROJECT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to advertise for the Northside Drive Drainage improvements project" is enumerated, this consent item is thereby approved.

7. CONSIDERATION TO ADVERTISE FOR BIDS FOR THE ELECTRICAL DISTRIBUTION MATERIALS (MATERIAL ONLY) FOR THE HWY 182 ON-CORRIDOR IMPROVEMENTS PROJECT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to advertise for bids for the Electrical Distribution Materials (Material Only) for the Hwy 182 On-Corridor Improvements Project" is enumerated, this consent item is thereby approved.

STATE OF MISSISSIPPI COUNTY OF OKTIBBEHA

AGREEMENT BETWEEN THE CITY OF STARKVILLE AND OKTIBBEHA COUNTY FOR THE USE, MANAGEMENT AND OPERATION OF THE OKTIBBEHA COUNTY SAFE ROOM LOCATED AT 985 LYNN LANE

THIS AGREEMENT, is made and entered into this date, by and between the City of Starkville, Mississippi ("City") and Oktibbeha County, ("County");

WITNESSETH

WHEREAS, the County has possession and ownership of the Safe Room located at 985 Lynn Lane in Starkville, Mississippi; and

WHEREAS, the City has an ongoing interest in sharing activities and opportunities for the use of such a facility and the County has an interest in maximizing the use of the currently underutilized space; and

WHEREAS, the County and City represent much of the same constituency and share the desire to serve the citizens of Oktibbeha County whether inside or outside the city limits of Starkville; and

WHEREAS, the City desires to contract with Oktibbeha County to share the use and responsibility for the space located at 985 Lynn Lane on an agreed upon basis;

NOW THEREFORE, in consideration of the premises and the mutual promises and covenants contained herein, the parties agree as follows:

1. As compensation for the shared use of the facility located at 985 Lynn Lane, also known as the Safe Room, the City of Starkville agrees to share the annual cost of the utilities (water, sewer, electric, including the outdoor lighting) to be determined on a quarterly basis and trued up annually through a cost accounting of such invoices from Starkville Utilities. If such use substantially changes due to the increased use by the City of Starkville such shared annual cost will be re-evaluated at the end of the fiscal year and adjusted to reflect such costs attributable to city activities.

- 2. The City agrees to coordinate with the 911 local emergency manager to develop a monthly and/or quarterly schedule to be shared daily as circumstances and changes may dictate. The City agrees that emergency events take absolute precedence over the activities scheduled by the City. The City agrees that such activities as voting and emergency management training also supersede the activities of the City and the City will coordinate its activities around such planned events.
- 3. The City further agrees that it will assume responsibility for the maintenance of the facility during the times of the use designated to the City through the agreed upon schedule. Such maintenance will include the storage and clean up after event usage of the main facility as well as the bathroom areas, entryways and parking lot. The City agrees that a responsible party will be available during the hours of use dedicated to City activities.
- 4. The County agrees to allow the City or its representatives access to the facility to conduct events and athletic activities through the shared calendar and that such access shall be through coordination with the 911 local emergency manager and that such access shall not be unreasonably withheld. The County agrees that the City will manage the use of the facility during the scheduled and allotted times to include the ability to bring in such necessary equipment to allow for the fullest usage in accordance with the needs of the planned activities. The County agrees that the City may house or store such equipment as would be necessary to conduct the activities unless and until the planned County activities require the space.
- 5. The City agrees to consider further avenues of partnership with the County for possible improvements to the facility to be agreed upon separately and distinctly from this agreement and separately memorialized through an addendum referencing this agreement.
- 6. This Agreement shall be for a term of two (2) years beginning May 1, 2023 and ending April 30, 2025. Termination of this agreement by either party requires sixty (60) days notice and is terminable at will.
- 7. All notices required to be given pursuant to this Agreement shall be in writing and delivered personally or by certified mail, return receipt requested or by nationally recognized overnight courier, and addressed as follows:

	Starkville, MS 39759
If to the City:	Mayor, City of Starkville 110 W. Main St. Starkville, Mississippi 39759
exclusive statement of the terms supersede all previous agreemen this subject matter. No amenda	intended by the parties as the final, complete, and and conditions of their agreement and is intended to its and understandings between the parties relating to ment, modification, or waiver of any provision of this reable unless in writing and signed by the parties.
WITNESS THE SIGNATU , 2023.	IRES of the parties hereto on this theday of
OKTIBBEHA COUNTY By: Orlando Trainer, Preside	Attest: — nt
CITY OF STARKVILLE	
By: D. LYNN SPRUILL, Mayor	
Attest:	
LESA HARDIN, Clerk City of Starkville, Mississ	іррі

108 West Main Street

If to Oktibbeha County: Oktibbeha County

Electric								
	Bill	Meter					Demand	Demand
Bill Date	Amount	Read	KWH	Arrears	Paid Date	Paid Amt	Read	Amount
2/17/2023	458.81	91621	3114	50.08	3/8/2023	-432.39	31.233	0
1/20/2023	339.88	88507	2247	292.85	2/6/2023	-582.65	27.921	0
12/22/2022	292.85	86260	1828	328.14	1/10/2023	-328.14	12.066	0
11/23/2022	317.55	84432	1999	10.59		0	14.889	0
10/20/2022	222.4	82433	1480	13.71	11/10/2022	-225.52	14.889	0
9/20/2022	287.91	80953	1895	26.39	10/11/2022	-300.59	9.78	0
8/19/2022	554.18	79058	3353	0	9/9/2022	-527.79	10.389	0
7/20/2022	448.62	75705	3004	13.5	8/2/2022	-462.12	10.389	0
6/21/2022	283.56	72701	1920	0	7/7/2022	-270.06	7.983	0
5/20/2022	98.28	70781	653	4.41	6/7/2022	-102.69	4.539	0
4/21/2022	92.55	70128	567	0	5/9/2022	-88.14	4.539	0
3/22/2022	146.14	69561	1060	-9	4/5/2022	-137.14	11.151	0
2/17/2022	764.76	68501	6301	0	3/7/2022	-773.76	17.292	0
	4307.49					-4230.99		

8. CONSIDERATION OF ACCEPTANCE OF THE MARCH FINANCIAL STATEMENTS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "acceptance of the March 2023 Financial Statements" is enumerated, this consent item is thereby approved.

9. CONSIDERATION TO ISSUE A COMMERCIAL BURN PERMIT TO PARKMAN LOHMAN TO BURN CLEARED DEBRIS ASSOCIATED WITH A CONSTRUCTION PROJECT LOCATED AT NORTHSTAR INDUSTRIAL PARK.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to issue a commercial burn permit to Parkman Lohman to burn cleared debris associated with a construction project located at NorthStar Industrial Park" is enumerated, this consent item is thereby approved.

10. CONSIDERATION TO HIRE DAVID SIMMON AS A SANITATION WORKER IN THE SANITATION & ENVIRONMENTAL SERVICES DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to hire David Simmon as a Sanitation Worker" is enumerated, this consent item is thereby approved.

11. CONSIDERATION TO HIRE CHRISTOPHER ENGLISH AS A CERTIFIED POLICE OFFICER IN THE STARKVILLE POLICE DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to hire Christopher English as a Certified Police Officer" is enumerated, this consent item is thereby approved.

12. CONSIDERATION TO HIRE JESSICA HYCHE AS A CUSTOMER SERVICE REPRESENTATIVE IN THE STARKVILLE UTILITIES DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to hire Jessica Hyche as a Customer Service Representative in the Starkville Utilities Department" is enumerated, this consent item is thereby approved.

13. CONSIDERATION TO HIRE CAMERON BRICKLER AS A LANDSCAPE INTERN IN THE STARKVILLE UTILITIES DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to hire Cameron Brickler as a Landscape Intern in the Starkville Utilities Department" is enumerated, this consent item is thereby approved.

14. CONSIDERATION TO HIRE BRYTON CONLEY AS A GROUND TECHNICIAN IN THE SANITATION & ENVIRONMENTAL SERVICES DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to hire Bryton Conley as a Ground Technician in the Sanitation & Environmental Services Department" is enumerated, this consent item is thereby approved.

15. CONSIDERATION TO HIRE JILLIAN DUTCHER AS A PART-TIME DEPUTY COURT CLERK IN THE MUNICIPAL COURT DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to hire Jillian Dutcher as a part-time Deputy Court Clerk" is enumerated, this consent item is thereby approved.

16. APPROVAL TO ADVERTISE FOR BIDS FOR THE NEEDMORE COMMUNITY CENTER REDEVELOPMENT PROJECT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to advertise for bids for the Needmore Community Center redevelopment project" is enumerated, this consent item is thereby approved.

17. APPROVAL TO DECLARE A 2007 CHEVROLET SILVERADO VIN#6637, WHICH WAS SEIZED IN A NARCOTICS INVESTIGATION CASE, AS SURPLUS AND ADVERTISE FOR SALE TO THE HIGHEST BIDDER ON GOVDEALS.COM.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to declare a 2007 Chevrolet Silverado VIN#6637, which was seized in a narcotics investigation case, as surplus and advertise for sale to the highest bidder on govdeals.com" is enumerated, this consent item is thereby approved.

18. CONSIDERATION TO SELECT NEEL-SCHAFFER AS THE ENGINEER OF RECORD FOR A PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY (MDA), ON BEHALF OF THE CITY OF STARKVILLE FOR THE PURPOSE OF SEWER IMPROVEMENTS TO AN AREA NOT CURRENTLY BEING SERVED ALONG HENDERSON AND SAND ROADS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval to select Neel-Schaffer as the engineer of record for a proposed Community Development Block Grant (CDBG) application to the Mississippi Development Authority (MDA), on behalf of the City of Starkville for the purpose of sewer improvements to an area not currently being served along Henderson and Sand roads" is enumerated, this consent item is thereby approved.

19. CONSIDERATION OF NISC AS THE PREFERRED VENDOR TO PROVIDE SOFTWARE SOLUTIONS FOR STARKVILLE UTILITIES AND APPROVAL FOR THE MAYOR TO EXECUTE A FINAL, NEGOTIATED CONTRACT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Carver, and adopted by the Board to approve the April 18, 2023 Official Agenda, and to accept items for consent, whereby the "approval of NISC as the preferred vendor of four vendor responses, to provide software solutions for Starkville Utilities and approval for the Mayor to execute a final, negotiated contract" is enumerated, this consent item is thereby approved.

The current proposal from NISC based on the information included in the RFP is approximately \$20,500 monthly and an annual licensing cost of \$3,000. It will also include an approximate one-time cost of \$240,000 for implementation, conversion, hardware updates and training. The estimated annual cost will be approximately \$282,000. The final contracted price may vary slightly from these proposed numbers based on the final, negotiated scope.

ANNOUNCEMENTS AND COMMENTS:

MAYOR'S COMMENTS:

Mayor Spruill noted the recent Super Bulldog Weekend set a new SEC attendance record.

BOARD OF ALDERMEN COMMENTS:

20. A MOTION TO EXCHANGE THE TWO PUBLIC HEARINGS ON THE AGENDA.

Alderman Beatty offered a motion to exchange the placement of the two public hearings on the agenda. Following a second by Alderman Rupp, the Board voted as follows:

Alderman Ben Carver
Alderman Sandra Sistrunk
Alderman Jeffrey Rupp
Alderman Mike Brooks
Alderman Hamp Beatty
Alderman Roy A'. Perkins
Alderman Henry Vaughn, Sr.
Voted: Yea
Voted: Yea
Voted: Yea
Voted: Yea

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

CITIZEN COMMENTS:

<u>Alvin Turner</u>, Ward 7, appreciates the cameras being placed throughout the City and feels they add safety. He also encouraged people to say something if they see something.

<u>Thurman Ward Sr.</u>, expressed concern with Sand Road water, sewer and road condition. Edward Kemp explained that Talking Warrior Water Association has the certificate in that area and the City cannot provide water. A CDBG grant has been applied for to extend sewer lines to that area.

PUBLIC APPEARANCE: None

PUBLIC HEARINGS:

FIRST PUBLIC HEARING TO AMEND THE SANITATION ORDINANCE TO REFLECT OPERATIONS AND CHARGES TO COMMERCIAL ACCOUNT AND NON-ACCOUNT HOLDERS.

Mayor Spruill opened the Public Hearing.

Mr. Alvin Turner expressed concern over the need for an increase.

There being no additional comments, the Mayor closed the Public Hearing.

SECOND PUBLIC HEARING AND CONSIDERATION TO ADOPT AN ORDINANCE TO ALLOW FOR TAX ABATEMENTS IN THE CITY OF STARKVILLE CENTRAL BUSINESS DISTRICT AND IN RECOGNIZED HISTORIC DISTRICTS.

Mayor Spruill opened the Public Hearing. There being no public comments, the Mayor closed the Public Hearing.

21. A MOTION TO ADOPT AN ORDINANCE TO ALLOW FOR TAX ABATEMENTS IN THE CITY OF STARKVILLE CENTRAL BUSINESS DISTRICT AND IN RECOGNIZED HISTORIC DISTRICTS.

Upon the motion of Alderman Sistrunk, seconded by Alderman Rupp, to adopt an Ordinance to allow for tax abatements in the City of Starkville Central Business District and in recognized historic districts, the Board voted as follows:

Alderman Ben Carver
Alderman Sandra Sistrunk
Alderman Jeffrey Rupp
Alderman Mike Brooks
Alderman Hamp Beatty
Alderman Roy A'. Perkins
Alderman Henry Vaughn, Sr.
Voted: Yea
Voted: Yea
Voted: Yea
Voted: Yea

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

The Ordinance follows this page.

22. CONSIDERATION OF AN INCREASE IN THE SANITATION FEES FOR TRASH AND RUBBISH COLLECTION AND RELATED EVIRONMENTAL SERVICES.

Alderman Vaughn offered a motion to increase the sanitation rates \$3.25 to bring the sanitation service fee to \$19.50 for trash and rubbish collection and related environmental services effective June 1, 2023. Following a second by Alderman Rupp, the Board voted as follows:

Alderman Ben Carver
Alderman Sandra Sistrunk
Alderman Jeffrey Rupp
Alderman Mike Brooks
Alderman Hamp Beatty
Alderman Roy A'. Perkins
Alderman Henry Vaughn, Sr.
Voted: Yea
Voted: Yea
Voted: Yea
Voted: Yea

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

ORDINANCE 2023-	
ORDINANCE 2025-	

AN ORDINANCE OF THE CITY OF STARKVILLE, MISSISSIPPI ESTABLISHING A TAX ABATEMENT PROGRAM FOR THE RENOVATION OR CONSTRUCTION OF REAL PROPERTIES LOCATED IN A CENTRAL BUSINESS DISTRICT OR HISTORIC PRESERVATION DISTRICT

WHEREAS Section 17-21-5 of the Mississippi code of 1972 grants "municipalities the authority to exempt from any or all municipal ad valorem taxes, excluding ad valorem taxes for school district purposes, or a period of not more than seven (7) years, any privately owned new structures and renovations to existing structures lying within a central business district or historic preservation district...." and Section 27-31-31 grants authority for "exemptions from ad valorem taxation, except ad valorem taxation for school district purposes, for new structures or improvements to or renovations of existing structures located in the designated central business district of the municipality, for a period of not more than ten (10) years....", and

WHEREAS, the City of Starkville recognizes the potential of increased property tax revenue and other revenues from the economic activity and investment spurred by a tax abatement: and

WHEREAS, it is the policy of the City of Starkville to promote the revitalization and economic prosperity of areas zoned for general commercial purposes or recognized as a historic district, and

WHEREAS, the City of Starkville proposes to promote revitalization and economic prosperity by utilizing the tax abatement enabling legislation described in Mississippi Code Sections 17-21-5 and 27-31-31; and

WHEREAS, the City of Starkville proposes to utilize the tax abatement legislation by establishing a process for granting tax abatements for projects meeting the criteria set forth hereinafter.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, AS FOLLOWS:

SECTION ONE: The mayor and board of aldermen hereby find that areas zoned in the Universal Development Code as commercial (C), commercial neighborhood (CN), commercial rural (CR), multi-dwelling units (MDU-20 or MDU-9), optional commercial development (O-C), planned unit development (PUD), form-based districts (T-4, T-5C, T-5D, and T-5U) according to the city's zoning map, as it may be amended from time to time, are the areas within the city in which commercial or mercantile activity is or has traditionally occurred and will continue to occur hereafter. Therefore, the areas in the Universal Development Code zoned commercial (C), commercial neighborhood (CN), commercial rural (CR), multi-dwelling units (MDU-20 or MDU-9), optional commercial development (O-C), planned unit development (PUD), form-based

districts (T-4, T-5C, T-5D, and T-5U), are hereby designated and established as the central business district of the city.

SECTION TWO: The mayor and board of aldermen hereby find that areas established as landmarks, landmark sites, and historic districts following the criteria as specified in article 3.15 of the Uniform Development Code or any property designated under a previous city ordinance are hereby designated and established as historic preservation districts.

SECTION THREE: Whether to grant an exemption under MCA 1972, §§ 17-21-5 or 27-31-31, as well as the determination of the duration and amount of any such exemption, shall be determined by the mayor and board of aldermen on a case by case basis. This determination may take into consideration the nature of the use proposed for the structure; the location of the improvement; the potential for the generation of tax revenues from the property other than ad valorem taxes assessed against the improvement; the need for economic development or redevelopment in the specific area; the total monetary value of the project under consideration; aesthetic and/or historical value of the improvement or renovation; or any other factor specific to the property being improved. The adoption of the ordinance from which this article is derived shall not be construed as a guarantee of an exemption or the grant to any person or entity of a property right in an exemption. Any exemption granted pursuant to the provisions of this Ordinance shall automatically and immediately expire if the person, firm or corporation, who was granted the exemption, ceases to own the property that is the subject matter of the exemption.

SECTION FOUR: No exemption shall be granted except upon written application submitted to the City of Starkville Community Development Department and upon the adoption of a board order by the Board of Aldermen. A minimum investment of 50% of the current appraised building value by the Oktibbeha County Tax Assessor or \$500,000, whichever is greater, is required for consideration of a tax abatement. Fifteen percent (15%) of the minimum investment must be spent on public facing improvements including but not limited to façade, parking, and landscaping. Only properties that follow normal procedures in submitting site plans as required, filing an application for a Certificate of Appropriateness (COA) if necessary, and filing an application for any necessary building permit or other permits shall be considered. Projects submitted 6 months or more after substantial completion are not eligible for consideration.

- § 17-21-5. Exemption from municipal ad valorem tax for certain structures in central business districts, historic preservation districts, business improvement districts, urban renewal districts, redevelopment districts, or on historic landmarks; application for exemption.
- (1) The governing authorities of any municipality of this state may, in their discretion, exempt from any or all municipal ad valorem taxes, excluding ad valorem taxes for school district purposes, for a period of not more than seven (7) years, any privately owned new structures and any new renovations of and improvements to existing structures lying within a designated central business district or historic preservation district or on a historic landmark site, as determined by the municipality, but only in the event such structures shall have been constructed, renovated or improved pursuant to the requirements of an approved project of the municipality for the development of the central business district and/or the preservation and revitalization of historic landmark sites or historic preservation districts. The tax exemption authorized herein may be granted only after written application has been made to the governing authorities of the municipality by any person, firm or corporation claiming the exemption, and an order passed by the governing authorities of such municipality finding that the construction, renovation or improvement of said property is for the promotion of business, commerce or industry in the designated central business district or for the promotion of historic preservation.
- (2) The governing authorities of any municipality of this state with a population of twenty thousand (20,000) or more according to the latest federal decennial census, may, in their discretion, exempt from any or all municipal ad valorem taxes, excluding ad valorem taxes for school district purposes, for a period of not more than seven (7) years, any privately owned new structures and any new renovations of and improvements to existing structures lying within a designated business improvement district, urban renewal district or redevelopment district, as determined by the municipality, but only in the event such structures shall have been constructed, renovated or improved pursuant to the requirements of an approved project of the municipality for the development of the business improvement district, urban renewal district or redevelopment district. The tax exemption authorized herein may be granted only after written application has been made to the governing authorities of the municipality by any person, firm or corporation claiming the exemption, and an order passed by the governing authorities of such municipality finding that the construction, renovation or improvement of said property is for the promotion of business, commerce or industry in the designated business improvement district, urban renewal district or redevelopment district.

§ 27-31-31. Structures within central business district of municipality.

- (1) The governing authorities of any municipality are authorized, in their discretion, to grant exemptions from ad valorem taxation, except ad valorem taxation for school district purposes, for new structures or improvements to or renovations of existing structures located in the designated central business district of the municipality, for a period of not more than ten (10) years from the date of the completion of the new structure or the improvement to or renovation of the existing structure for which the exemption is granted.
- (2) The governing authorities of any municipality are authorized, in their discretion, to grant exemptions from ad valorem taxation, except ad valorem taxation for school district purposes,

for improvement to or renovation of municipally designated residential renewal districts, for a period of not more than ten (10) years from the date of the completion of the improvement to or renovation of the designated residential renewal district for which the exemption is granted. (3) Any person, firm or corporation desiring to obtain the exemption authorized in this section shall first file a written application therefor with the governing authorities of the municipality, providing full information about the property for which the exemption is requested, including the true value of all such property, and the date from which the exemption is to begin. Any application for an exemption under this section must be made within twelve (12) months from the date of the completion of the new structure or the improvement to or renovation of the existing structure for which the exemption is requested. The governing authorities of the municipality may, by order spread on their minutes, approve such application for all or any part of the property for which the exemption is requested and for all or any part of the authorized period of exemption. The order shall specify the property to be exempted and the dates when such exemption begins and expires. The municipal clerk shall record the application and the order approving the same in a book kept in his office for that purpose, and shall file one (1) copy of the application and the order with the Chairman of the Department of Revenue. (4) Any exemption granted under this section shall be in lieu of ad valorem tax exemptions authorized under any other provision of law.

POLICY:

Upon receipt of an application for *ad valorem* tax exemption, the City of Starkville Community Development Department shall immediately forward the application with all attachments to the mayor's office. Prior to submitting any application for tax exemption to the Board of Aldermen, a committee consisting of the mayor, chief operations officer, city planner, chief financial officer, and others as appropriate, shall evaluate all applications and make recommendations thereon. In addition to the considerations outlined in the ordinance, the committee shall take into consideration the following factors:

- a) Compatibility with surrounding areas,
- b) The incorporation of multi-use buildings allowing for both retail services and residential opportunities, especially for housing in areas subject to the downtown development district tax,
- c) Project aesthetics that contribute to a sense of place,
- d) The likelihood of the project occurring without an ad valorem tax exemption,
- e) The relative merits of tax exemption versus other city investments, e.g., tax increment financing (TIF),
- f) Any market and feasibility analyses submitted by the applicant,
- g) The project's impact on the local economy,
- h) The number of permanent jobs created and retained post construction, and wage rates for the jobs created by the project,
- i) Hiring policies of the applicant, with preference being given to projects with a policy of hiring local employees and vendors,
- j) Projections of new tax revenue generated by the project and supporting data for estimates of sales tax, gaming tax, and property tax expected to be generated by the project.
- k) The likely true value and assessed value of the project based on consultation with the tax assessor,
- l) Current market saturation for like businesses and the impact of the project on other existing businesses of like nature, and
- m) Clawback provisions if the project fails to create projected jobs or projected economic impact by the end of the abatement period.

Preference will be given to projects that have been submitted prior to the start of construction.

After evaluating each application, the mayor shall recommend to the Board of Aldermen to approve or deny the request and, if to approve, the number of years and percentage of the total tax increase to be exempted.

23. CONSIDERATION OF ACCEPTANCE OF THE LOW BID FOR THE 2023 STREET IMPROVEMENT PROJECT FROM APAC CONTRACTING IN THE AMOUNT OF \$4,414,214.50 AND AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT.

Alderman Vaughn offered a motion to return to open session. Alderman Rupp seconded the motion and the Board voted as follows to return to open session:

Alderman Ben Carver
Alderman Sandra Sistrunk
Alderman Jeffrey Rupp
Alderman Mike Brooks
Alderman Hamp Beatty
Alderman Roy A'. Perkins
Alderman Henry Vaughn, Sr.
Voted: Yea
Voted: Yea
Voted: Yea
Voted: Yea

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

Quotes: APAC-MS INC.: \$4,414,214.50, Falcon Contracting: \$4,445,418.40 and Murphree Paving: \$4,712,525.55

A list of the streets to be paved follow this page.

24. CONSIDERATION OF THE CITY OF STARKVILLE CLAIMS DOCKET

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Rupp, to approve the City of Starkville Claims Docket for all departments including Starkville Utilities, as of April 10, 2023 for fiscal year ending 9/30/23, acknowledging that the City Clerk has attested and certified on the cover of the claims docket that all claims on the docket are true, accurate, lawful and proper to the best of her knowledge, for payment pursuant to her duties under Miss. Code Sections 21-39-5, 21-39-7, 21-39-9, 21-39-17 and 21-15-21. The Board voted as follows:

Alderman Ben Carver
Alderman Sandra Sistrunk
Alderman Jeffrey Rupp
Alderman Mike Brooks
Alderman Hamp Beatty
Alderman Roy A'. Perkins
Alderman Henry Vaughn, Sr.
Voted: Yea
Voted: Yea
Voted: Yea
Voted: Yea
Voted: Nay

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

General Fund	001	\$ 852,345.92
Restricted Police Fund	002	2,810.27
Airport Fund	015	96,225.41
Airport – Grant Funds	016	95,366.66
Sanitation	022	23,017.01
Modernization Use Tax	120	127,127.81
2023 Parks Capital Fund	312	5,430.00
Spring/Hwy 12 Linkage TAP	313	57,925.00
Park and Rec Tourism	375	9,570.00
Build Grant	377	1,116.60
Park Bond - 2020	380	88,767.79
Stark Road Expansion	700	15,400.00
Sub Total Before Utilities		\$ 1,375,102.47
Utilities Dept.	SED	475,072.94
Total Claims	Total	\$ 1,850,175.41



ENGINEERING DEPARTMENT CITY HALL, 110 W. MAIN STREET STARKVILLE, MISSISSIPPI 39759

THE CITY OF STARKVILLE

2023 - 2025 STREET IMPROVEMENT PROGRAM

	Pha	se I - No Anticipated Utility Issu	ues or Nearby Projects	
Ctus at Dusis at		Project Limits	Mark Time	Estimated Cost
Street Project	(from)	(to)	Work Type	
Minor Arterial Road	ds	•		
Jackson	Main	Hwy 12	Patching, Overlay, Striping	\$349,900
Academy	Montgomery	Louisville	Patching, Overlay, Striping	\$227,265
Industrial Park	Lynn Lane	RR Tracks	Patching, Overlay, Striping	\$192,825
Lampkin	Fellowship	Washington	Patching, Overlay, Striping	\$352,059
Montgomery	Locksley	Yellowjacket	Patching, Overlay, Striping	\$102,764
Abernathy	Hwy 25	Stark	Patching, Overlay, Striping	\$285,193
Louisville	Lynn	Prev. overlay	Patching, Overlay, Striping	\$454,532
Industrial Park	Lynn Lane	Louisville	Patching, Overlay, Striping	\$279,964
Old West Point	Garrard	City Limits	Patching, Overlay, Striping	\$246,483
	•	•	Minor Arterial Roads Subtotal =	\$2,490,985
Collector Roads			_	
Greenfield	Montgomery	Evergreen	Patching, Overlay, Striping	\$101,630
E. Jones Jr.	Hwy 182	West Main	Patching, Overlay, Striping	\$39,009
West Main	Cushman	Raymond	Patching, Overlay	\$50,963
Fellowship	University	Russell	Patching, Overlay, Striping	\$94,550
Hiwassee	Carver	Garrard	Patching, Overlay, Striping	\$328,224
Rockhill	Hwy 25 bridge	City Limits	Patching, Overlay, Striping	\$213,658
S. Washington	RR Bridge	Gillespie	Patching, Overlay	\$49,952
Willow	Hwy 12	Sycamore	Patching, Overlay, Striping	\$55,160
Local Roads		•	Collector Roads Subtotal =	\$933,144
Babylon	W Garrard	City Limits	Patching, Overlay	\$143,145
Cedar Lane	Prev. overlay	Hillside	Patching, Overlay	\$66,375
Francis	Canna	Dead End	Patching, Overlay	\$41,145
Inca*	Mohaw	Dead End	Patching, Overlay	\$37,026
_eflore*	Eutaw	Aztec	Patching, Overlay	\$45,060
Shadowood	Pine Ridge	Bellwood + cul-de-sac	Patching, Overlay	\$148,316
Tuxford	Maid Marian	Canterbury	Patching, Overlay	\$135,520
		1	Local Roads Subtotal =	\$616,587
Starkville Utilities I	Roadway Patching		_	ψο το,σοτ
Downtown Area	Main, Lampkin, Wa	ashington, Jackson, Montgome	ery Utility Patching (3.5" - 5" depth)	\$373,500
*50 / 50 Cost Share	w/County		2023 Bid =	\$4,414,215
			Contingency & Testing 5.5% =	\$242,782
			2023 Total Cost Estimate =	\$4,656,996

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

There came for consideration the matter of entering a Closed Session to determine if there is a proper cause for Executive Session. Upon the motion of Alderman Sistrunk, seconded by Alderman Beatty, to enter into a Closed Session to determine if there is proper cause for Executive Session, the Board voted as follows:

Alderman Ben Carver
Alderman Sandra Sistrunk
Alderman Jeffrey Rupp
Alderman Mike Brooks
Alderman Hamp Beatty
Alderman Roy A'. Perkins
Alderman Henry Vaughn, Sr.
Voted: Yea
Voted: Yea
Voted: Yea
Voted: Yea

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

The Board entered closed session.

26. A MOTION TO ENTER EXECUTIVE SESSION.

Alderman Carver offered a motion to enter Executive Session for the purpose of potential litigation and pending legal matters. Following a second by Alderman Brooks, the Board voted as follows to enter Executive Session:

Alderman Ben Carver
Alderman Sandra Sistrunk
Alderman Jeffrey Rupp
Alderman Mike Brooks
Alderman Hamp Beatty
Alderman Roy A'. Perkins
Alderman Henry Vaughn, Sr.
Voted: Yea
Voted: Yea
Voted: Yea
Voted: Yea

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

The Mayor invited the public back in, and after allowing the public time to enter the room, made the announcement of the Board's decision to enter into Executive Session for the purpose of potential litigation and pending legal matters. The Board then entered Executive Session. Alderman Rupp and Alderman Brooks left at this time.

27. CONSIDERATION OF A MOTION TO RETURN TO OPEN SESSION.

Alderman Beatty offered a motion to return to open session. Alderman Vaughan seconded the motion and the Board voted as follows to return to open session:

Alderman Ben Carver Voted: Yea
Alderman Sandra Sistrunk Voted: Yea
Alderman Jeffrey Rupp Voted: Absent
Alderman Mike Brooks Voted: Absent
Alderman Hamp Beatty Voted: Yea
Alderman Roy A'. Perkins Voted: Yea
Alderman Henry Vaughn, Sr. Voted: Yea

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

The Mayor invited the public back in and then announced that the Board had taken action in Executive Session and announced the following motion.

28. CONSIDERATION OF A MOTION TO AUTHORIZE THE CITY ATTORNEY TO CONSIDER AND PURSUE LEGAL ACTION AVAILABLE TO THE CITY IN REGARDS TO THE ERNEST E. JONES WWTP BIOSOLIDS IMPROVEMENTS PROJECT.

Alderman Perkins offered a motion to authorize the City Attorney to consider and pursue legal action available to the City in regards to the Ernest E. Jones WWTP Biosolids Improvements Project. Alderman Carver seconded the motion and the Board voted as follows:

Alderman Ben Carver
Alderman Sandra Sistrunk
Alderman Jeffrey Rupp
Alderman Mike Brooks
Alderman Hamp Beatty
Alderman Roy A'. Perkins
Alderman Henry Vaughn, Sr.
Voted: Yea
Voted: Yea
Voted: Yea
Voted: Yea

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

29. MOTION TO ADJOURN UNTIL MAY 2, 2023 @ 5:30 IN THE COURT ROOM AT 110 W MAIN ST.

Upon the motion of Alderman Carver, duly seconded by Alderman Vaughn, for the Board of Aldermen to adjourn the meeting until May 2, 2023 @ 5:30 at 110 West Main Street in the Court Room of City Hall, the Board voted as follows:

Alderman Ben Carver
Alderman Sandra Sistrunk
Alderman Jeffrey Rupp
Alderman Mike Brooks
Alderman Hamp Beatty
Alderman Roy A'. Perkins
Alderman Henry Vaughn, Sr.
Voted: Yea
Voted: Yea
Voted: Yea
Voted: Yea

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

SIGNED AND SEALED THIS THE 16th DAY OF MAY, 2023.	
	Attest:
D. LYNN SPRUILL, MAYOR	
	LESA HARDIN, CITY CLERK