

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
The City of Starkville, Mississippi
July 5, 2016**

Be it remembered that the Mayor and Board of Alderman met in a Regular Meeting on July 5, 2016 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS. Present were Mayor Parker Wiseman, Aldermen Ben Carver, Lisa Wynn, David Little, Jason Walker, Scott Maynard, Roy A.' Perkins, and Henry Vaughn, Sr. Attending the Board were City Clerk Lesa Hardin and Attorney Chris Latimer.

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

Mayor Parker Wiseman asked for any revisions to the Official Agenda.

Alderman Walker requested the following changes to the published July 5, 2016 Official Agenda:

Move Items XI. B. 2. A. To Item X. A. and renumber agenda: Discussion and consideration of VA 16-05 a variance request from maximum lot width requirements for a proposed lot aggregation of three lots on the northeast corner of the intersection of University Drive and North Montgomery Street with the parcel #117M-00-160.00, 117M-00-159.00, and 117M-00-155.00.

Remove Items XI. A. 1 - 3. until legal review can be completed:

1. Request approval to accept the 2017 MDOT Multi-Modal Grant Offer Mm-0068-0817 for T-Hangar apron in the amount of \$151,650.00 with a local match of \$8,000.
2. Request approval of the T&M Steel Change Order #1 in the amount of \$149,650.00 for the 2017 MDOT Multi-Modal Grant MM-0068-0817.
3. Request approval of the Clearwater Consultants Inc. work order in the amount of \$10,000.00 for the 2017 MDOT Multi-Modal Grant MM-0068-0817.

1. A MOTION TO APPROVE THE OFFICIAL AGENDA.

Alderman Little offered a motion, duly seconded by Alderman Wynn, to approve the July 5, 2016 Official Agenda. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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 carried.

**OFFICIAL AGENDA OF
THE MAYOR AND BOARD OF ALDERMEN
OF THE
CITY OF STARKVILLE, MISSISSIPPI
REGULAR MEETING OF TUESDAY, JULY 5, 2016
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**
- IV. APPROVAL OF THE BOARD OF ALDERMEN MINUTES**

CONSIDERATION OF THE MINUTES OF THE JUNE 7, 2016 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS INCORPORATING ANY AND ALL CHANGES RECOMMENDED BY THE CITY ATTORNEY.

CONSIDERATION OF THE MINUTES OF THE JUNE 21, 2016 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS INCORPORATING ANY AND ALL CHANGES RECOMMENDED BY THE CITY ATTORNEY.

- V. ANNOUNCEMENTS AND COMMENTS**

A. MAYOR'S COMMENTS:

B. BOARD OF ALDERMEN COMMENTS:

- VI. CITIZEN COMMENTS**

- VII. PUBLIC APPEARANCES**

A. DOROTHY ISAAC

B. CORNERSTONE GOVERNMENT AFFAIRS

- VIII. PUBLIC HEARING**

- IX. MAYOR'S BUSINESS**

A. DISCUSSION AND CONSIDERATION OF REJECTING ALL BIDS AND AUTHORIZING READVERTISEMENT FOR BIDS WITH CHANGES IN THE SCOPE OF WORK MADE WITH THE ADVICE AND CONSENT OF THE CHIEF OF POLICE AND THE PROJECT ARCHITECT AND TO REQUEST A COST ESTIMATE OF BUILDING A NEW FACILITY TO BE

PRESENTED BY THE PROJECT ARCHITECT AT SUCH TIME AS NEW BIDS FOR THE RENOVATION PROJECT ARE RECEIVED.

- B. CONSIDERATION OF A RESOLUTION OF THE CLAIBORNE AT ADELAIDE, LLC NEW ENTERPRISE EXEMPTION APPLICATION DECLARING THE FACILITY PROPERTY ELIGIBLE AND DIRECTING THE CITY CLERK TO FILE THE NECESSARY PAPERWORK WITH THE STATE AUDITOR AND OTHER NECESSARY ENTITIES.
- C. WATKINS, WARD & STAFFORD, CPAS, PLLC – 9/30/15 AUDIT PRESENTATION.
- D. CONSIDERATION OF A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT THE STARK CROSSING DEVELOPMENT PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING; THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN, AND FOR RELATED PURPOSES.
- E. DISCUSSION AND CONSIDERATION OF IRS NOTICE – 2011 1099-MISC FORMS.

X. BOARD BUSINESS

- A. DISCUSSION AND CONSIDERATION OF VA 16-05 A VARIANCE REQUEST FROM MAXIMUM LOT WIDTH REQUIREMENTS FOR A PROPOSED LOT AGGREGATION OF THREE LOTS ON THE NORTHEAST CORNER OF THE INTERSECTION OF UNIVERSITY DRIVE AND NORTH MONTGOMERY STREET WITH THE PARCEL #117M-00-160.00, 117M-00-159.00, AND 117M-00-155.00.
- B. DISCUSSION AND CONSIDERATION OF ADDRESS CHANGES ON JEFFERSON STREET.
- C. DISCUSSION AND CONSIDERATION OF THE RATIFICATION OF THE INSTALLATION OF STOP SIGNS AT THE INTERSECTION OF MONTGOMERY AND GREEN STREETS AND INFORMATION SIGNS ON GREEN STREET AT THAT INTERSECTION.
- D. DISCUSSION AND CONSIDERATION OF THE APPOINTMENTS OF MEMBERS TO THE KEEP STARKVILLE BEAUTIFUL COMMITTEE.
- E. DISCUSSION AND CONSIDERATION OF OUTSIDE FUNDING REQUESTS FOR FISCAL YEAR 2017.

F. DISCUSSION AND CONSIDERATION OF PERSONNEL REQUESTS.

XI. DEPARTMENT BUSINESS

A. AIRPORT

1. REQUEST APPROVAL OF THE AIRPORT BOARD TO ESTABLISH AN AIRPORT DOMAIN REGISTRATION AND WEB HOSTING FOR THREE (3) YEARS FOR THE AIRPORT WEB PAGE AT A COST NOT TO EXCEED \$500.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. CODE ENFORCEMENT

THERE ARE NO ITEMS FOR THIS AGENDA

2. PLANNING

THERE ARE NO ITEMS FOR THIS AGENDA

C. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

D. ENGINEERING

THERE ARE NO ITEMS FOR THIS AGENDA

E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF JUNE 29, 2016 FOR FISCAL YEAR ENDING 9/30/16.
2. REQUEST APPROVAL OF A LEASE AGREEMENT WITH REGIONS EQUIPMENT FINANCE CORPORATION IN THE AMOUNT OF \$46,000 OVER THREE YEARS AT 1.60% INTEREST FOR THE LEASE PURCHASE OF PARK AND RECREATION POOL EQUIPMENT.

F. FIRE DEPARTMENT

1. REQUEST PERMISSION TO RENEW ANNUAL MEMBERSHIP TO THE WELLNESS CONNECTION IN THE AMOUNT OF \$7,000.00.

G. INFORMATION TECHNOLOGY

THERE ARE NO ITEMS FOR THIS AGENDA

H. PARKS

THERE ARE NO ITEMS FOR THIS AGENDA

I. PERSONNEL

1. REQUEST AUTHORIZATION TO HIRE A TEMPORARY FULL-TIME EMPLOYEE TO FILL-IN AS LABORER IN THE SANITATION AND ENVIRONMENTAL SERVICES DEPARTMENT.
2. REQUEST APPROVAL TO HIRE CHANA BROOKS TO FILL THE VACANT POSITION OF DEPUTY COURT CLERK IN THE STARKVILLE MUNICIPAL COURT DEPARTMENT.
3. REQUEST APPROVAL TO ADVERTISE TO FILL THE VACANT POSITION OF APPRENTICE LINEMAN IN THE STARKVILLE UTILITIES DEPARTMENT.
4. REQUEST APPROVAL OF A SALARY ADJUSTMENT AND A JOB TITLE CHANGE FROM EQUIPMENT OPERATOR, (JOHN T. ROGERS), TO LINEMAN HELPER.
5. REQUEST AUTHORIZATION TO ADVERTISE TO FILL A VACANT POSITION OF RADIO OPERATOR/RECORDS CLERK (DISPATCHER) IN THE POLICE DEPARTMENT.

J. POLICE DEPARTMENT

1. DISCUSSION AND CONSIDERATION OF THE PURCHASE OF EQUIPMENT AND SOFTWARE NECESSARY TO IMPLEMENT THE MOBILE CAD SYSTEM FOR THE STARKVILLE POLICE DEPARTMENT AS QUOTED IN THE AMOUNT OF \$262,212.56.

K. SANITATION DEPARTMENT

1. REQUEST AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE PURCHASE OF GARBAGE BAGS.

L. UTILITIES DEPARTMENT

1. REQUEST AUTHORIZATION FOR STARKVILLE UTILITIES TO ACCEPT THE LOWEST AND BEST OF 2 EVALUATED BIDS SUBMITTED BY MITSUBISHI ELECTRIC POWER PRODUCTS, INC. FOR FOUR 13KV VACUUM CIRCUIT BREAKERS FOR \$98,336.00.
2. REQUEST APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF STARKVILLE AND THE OKTOC WATER ASSOCIATION FOR EMERGENCY WATER CONNECTION AND JOINT BILLING OF OKTOC WATER ASSOCIATION WATER SERVICE AND STARKVILLE UTILITIES SEWER SERVICE.

XII. CLOSED DETERMINATION SESSION

XIII. OPEN SESSION

XIV. EXECUTIVE SESSION

- A. PERSONNEL
- B. PENDING LITIGATION
- C. PERSPECTIVE SALE OF CITY LAND

XV. OPEN SESSION**XVI. RECESS UNTIL JUNE 21, 2016 @ 5:30 IN THE COURT ROOM AT CITY HALL LOCATED AT 110 WEST MAIN STREET.**

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

2. CONSIDERATION OF THE MINUTES OF THE JUNE 7, 2016 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS INCORPORATING ANY AND ALL CHANGES RECOMMENDED BY THE CITY ATTORNEY.

Upon the motion of Alderman Little, duly seconded by Alderman Wynn, to approve the minutes of the June 7, 2016 meeting of the Mayor and Board of Aldermen of the City of Starkville, MS incorporating any and all changes recommended by the City Attorney, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Nay

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

3. CONSIDERATION OF THE MINUTES OF THE JUNE 21, 2016 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS INCORPORATING ANY AND ALL CHANGES RECOMMENDED BY THE CITY ATTORNEY.

Upon the motion of Alderman Little, duly seconded by Alderman Perkins, to approve the minutes of the June 21, 2016 meeting of the Mayor and Board of Aldermen of the City of Starkville, MS incorporating any and all changes recommended by the City Attorney, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Nay
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Nay

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

ANNOUNCEMENTS AND COMMENTS:

MAYOR'S COMMENTS: Mayor Wiseman noted the passing of Mr. Willie Turner, former City employee and the brother of Mr. Alvin Turner. The Mayor then displayed the MML Overall Best City Award received by the City of Starkville at the recent 2016 MML Convention.

BOARD OF ALDERMEN COMMENTS:

Alderman Wynn recognized Herman Peters, Fire Chief Yarbrough, Police Chief Nichols and their departments for a successful July 4th event held at the Sportsplex. Alderman Wynn then discussed the length of meetings in other cities and her wish to offer a motion to add consent agendas back to the meetings. Following further discussion by the Board, the Mayor called for Citizen Comments.

CITIZEN COMMENTS:

Alvin Turner, Ward 7, thanked everyone who offered thoughts on the passing of his younger brother, who had worked 28 years for the City. He asked that everyone respect each other.

Chris Taylor, noted that the Democratic Party distributed over 300 bottles of water at the July 4 Starkville celebration. He stated his opposition to a consent agenda because not everyone has modern technology.

Dorothy Isaac stated that physically she can't stay for long meetings. She complimented the City on a nice July 4th event that was enjoyed by many.

PUBLIC APPEARANCES

DOROTHY ISAAC

Dorothy Isaac asked to address several concerns and issues. She did not feel the SMART bus program served her Rolling Hills area sufficiently nor are there enough handicap accessible sidewalks for disabled persons in that area. Alderman Maynard suggested that if handicap citizens call the SMART bus program and they have a van for handicap citizens that will pick her up at her home. He offered to get a form to her. She then asked that GSDP meetings be open to the general public. She also asked that City government consider all parts of the City and not just focus on some.

CORNERSTONE GOVERNMENT AFFAIRS

Camille Young and Elliott Flaggs, along with Chris Champion and Joe Sims presented an update of Cornerstone Government Affairs work on behalf of the City of Starkville. Ms Young discussed the experience of the Cornerstone team and their capabilities. Highlights of the 2016 Legislative session, grants, Thad Cochran Research Park project, "Rails to Trails" and the Industrial Park natural gas expansion were discussed. They pledged to keep the line of communication open.

4. DISCUSSION AND CONSIDERATION OF REJECTING ALL BIDS AND AUTHORIZING READVERTISEMENT FOR BIDS WITH CHANGES IN THE SCOPE OF WORK MADE WITH THE ADVICE AND CONSENT OF THE CHIEF OF POLICE AND THE PROJECT ARCHITECT AND TO REQUEST A COST ESTIMATE OF BUILDING A NEW FACILITY TO BE PRESENTED BY THE PROJECT ARCHITECT AT SUCH TIME AS NEW BIDS FOR THE RENOVATION PROJECT ARE RECEIVED.

Mayor Wiseman presented the bids received at the June 30 bid opening. Both bids were well over 10% of the projection. McCarty Construction base bid was \$6,316,000 and Gregory Construction base bid was \$6,717,000.00. The Mayor recommended the architect debrief with bidders, work with the Police Chief and staff as to bids and any changes that can be addressed and re-bid the project.

Alderman Little offered a motion to terminate the contract for architectural services with Shafer & Associates for renovation of the Old City Hall for the Starkville Police Department and all other phases and descriptions of the project dating back to January 6, 2014, when the contract was first entered into, pursuant to Section 1.3.8.5 of the contract. Alderman Wynn seconded the motion. Mayor Wiseman asked that the Aldermen allow the project to be re-bid once more so that the City will not be out the money for work already completed. Shafer & Associates are obligated to present a bid package, at no additional costs to the City, which will be closer to their projected project cost. Discussion followed by the Aldermen whether to pursue this location or begin searching new plans and locations. The Police Chief when asked stated he would like to pursue updated renovation plans and see what can be accomplished in next two months. Alderman Little withdrew his motion at this time and agreed to table this item until the project is re-bid and results are presented at the August 16, 2016 meeting.

Alderman Perkins then offered a motion that:

1. All bids received for renovations to the Old City Hall for the Starkville Police Department shall be and are hereby rejected;
2. That both the City's project architect and the City's Chief of Police shall discuss and determine together as quickly as possible, what changes, if any, can be made to the current scope of work for the said renovations to the Old City Hall for the Starkville Police Department;
3. That if any changes can be made to the current scope of work as determined, agreed upon and recommended by both the project architect and the Chief of Police, the herein referenced project shall then be re-advertised for re-bidding under the revised scope of work with those bids to be received by the City and presented to the Board of Aldermen at its August 16, 2016 meeting;
4. That the project architect, with the advice, consent and involvement of the Chief of Police and with full input from the Chief of Police, shall present to the Board of Aldermen at its August 16, 2016 meeting a cost estimate for building a new facility for the Starkville Police Department for comparison purposes; and
5. That the sale of the 2016A Series General Obligation Bonds in the amount of \$3 million dollars and the sale of the 2016B Series General Obligation Bonds in the amount of \$2.4 million dollars, both set for July 19, 2016, shall be postponed subject to further action of the Board of Aldermen.

Alderman Walker offered a second to the motion and following discussion, the Board voted as follows:

Alderman Ben Carver	Voted: Nay
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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 carried.

5. CONSIDERATION OF A RESOLUTION OF THE CLAIBOURNE AT ADELAIDE, LLC NEW ENTERPRISE EXEMPTION APPLICATION DECLARING THE FACILITY PROPERTY ELIGIBLE AND DIRECTING THE CITY CLERK TO FILE THE NECESSARY PAPERWORK WITH THE STATE AUDITOR AND OTHER NECESSARY ENTITIES.

Upon the motion of Alderman Little, duly seconded by Alderman Wynn, to authorize the Resolution of the Claiborne at Adelaide, LLC New Enterprise Exemption Application declaring the facility property eligible and directing the City Clerk to file the necessary paperwork with the State Auditor and other necessary entities, the Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Absent
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Yea

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

**INTERIM RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF
STARKVILLE, MISSISSIPPI, CONDITIONALLY GRANTING A NEW ENTERPRISE
EXEMPTION FROM AD VALOREM PROPERTY TAXES TO THE CLAIBORNE AT
ADELAIDE, LLC FOR ITS NEW DISTRIBUTION HEALTH CARE INDUSTRY
FACILITY ENTERPRISE, AS AUTHORIZED BY § 27-31-101, *ET SEQ.*, OF THE
MISSISSIPPI CODE OF 1972, AS AMENDED**

The Board next took up for consideration the matter of granting a certain tax exemption from ad valorem property taxes, and the following Interim Resolution, having first been reduced to writing, was introduced:

INTERIM RESOLUTION OF THE BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI,
CONDITIONALLY GRANTING A NEW ENTERPRISE
EXEMPTION FROM AD VALOREM PROPERTY TAXES TO
THE CLAIBORNE AT ADELAIDE, LLC FOR ITS NEW
HEALTH CARE INDUSTRY FACILITY ENTERPRISE, AS
AUTHORIZED BY § 27-31-101, *ET SEQ.*, OF THE
MISSISSIPPI CODE OF 1972, AS AMENDED

WHEREAS, this Board finds as a fact that:

I.

The Claiborne at Adelaide, LLC ("**The Claiborne**"), by and through Robert O. Tatum, Jr, its Managing Member, timely filed with the Mayor and this Board of Aldermen (collectively the "**Board**") of the City of Starkville ("**City**"), State of Mississippi ("**State**"), in triplicate and under oath, its written Application ("**Application**") for exemption ("**New Enterprise Exemption**") from ad valorem real and personal property taxation ("**Taxes**") pursuant to § 27-31-101, *et seq.* (collectively "**Statutes**"), of the Mississippi Code of 1972, as amended ("**Code**").

II.

The Claiborne, a State limited liability company, operates an assisted-living facility ("**New Enterprise**") at 1980 South Montgomery Street ("**Facility**") in the City, which is a health care industry facility within the meaning of Code §§ 27-31-101(3)(j) & 57-117-3(a)(i).

III.

The Facility is used to provide assisted-living for seniors requiring a low to moderate level of assistance with day-to-day activities and to provide memory care services for seniors requiring a substantial amount of assistance due to Alzheimer's disease and other forms of dementia, as well as for the conducting and administration of the business of the New Enterprise

at the Facility. The Facility consists of certain land, buildings, and other real property improvements and interests and of various items of furniture, fixtures, appliances, furnishings, equipment, and other items of personal property, all having been constructed and installed and being owned by The Claiborne and located on or at the Facility (collectively "Facility Property") in the City.

IV.

The New Enterprise should result in an aggregate annualized new payroll at the Facility of approximately Eight Hundred Fifty Thousand Six Hundred Forty-Four Dollars and Zero Cents (\$850,644.00) during 2016 and has resulted in an aggregate increase of approximately thirty (30) full-time equivalent employees at the Facility as of April 30, 2016. Therefore, the New Enterprise has resulted in the creation of new jobs and payroll at the Facility, as well as in the creation and preservation of other ancillary jobs in the City (collectively "City Jobs").

V.

Pursuant to the provisions of the Mississippi Health Care Industry Zone Act, Code § 57-117-1, *et seq.* ("Act"), on February 20, 2014 the Mississippi Development Authority ("MDA") issued Health Care Industry Certificate No. HC-11 ("Certificate," a copy of which is attached hereto as Exhibit V, incorporated herein by reference, and expressly made a part hereof for all purposes as if fully copied herein) to The Claiborne for the New Enterprise and Facility, thus finding that the New Enterprise and Facility are a "health care industry facility" within the meaning of § 57-117-3(a)(i) of the Act.

VI.

V I.

The Claiborne has been and will continue to be engaged in the New Enterprise in the City within the meaning of, and as enumerated in, the Statutes, and the Facility Property constitutes property used in connection with, and necessary to, the operation of such New Enterprise of The Claiborne in the City and property used in a bona fide enterprise as described in an enumerated class of enterprises within the meaning of the Statutes and eligible for the New Enterprise Exemption authorized by the Statutes and Act, specifically being a health care industry facility described in Code §§ 27-31-101(3)(j) & 57-117-3(a)(i), respectively.

VII.

The Statutes authorize and empower this Board, in its discretion and in addition to all other exemptions granted under the laws of the State, to grant a New Enterprise Exemption from Taxes on tangible property which is located in the City and used in connection with, or necessary to, the operation of the new enterprises described in the classes enumerated therein, specifically including health care industry facility enterprises, except that the New Enterprise Exemption does not extend to Taxes on the products of such new enterprises or to the Taxes on automobiles and trucks belonging to such new enterprises and operating on or over the highways of this State

VIII.

The Facility Property comprising the Eligible Property used in connection with, or necessary to, the operation of The Claiborne's New Enterprise, which is proposed to be exempted by the New Enterprise Exemption and which does not include any products of The Claiborne or any automobiles and trucks of The Claiborne operating on or over the highways of this State, is described in Exhibit VIII attached hereto, incorporated herein by reference, and expressly made a part hereof for all purposes as if fully copied herein. The aggregate true value of all the Eligible Property proposed to be exempted is Ten Million Five Hundred Seventy-Three Thousand Eight Hundred Forty-One Dollars and Forty-Six Cents (\$10,573,841.46), as itemized as required by the Statutes in Exhibit VIII, with The Claiborne thus making both a significant capital investment in the City (collectively with the City Jobs, "**Economic Impact**").

IX.

The New Enterprise was completed and commenced operations on December 7, 2015 ("**Completion Date**"), and operation of the New Enterprise was begun during 2015. The Statutes require that the application for the New Enterprise Exemption be filed on or before June 1st of the year immediately following the year of completion of the new enterprise, *i.e.*, more particularly, June 1, 2016 for the New Enterprise, with the Application being timely filed in order for the New Enterprise Exemption to be effective January 1, 2016 ("**Commencement Date**") for the New Enterprise.

X.

The Claiborne is operating the New Enterprise in the City which is and will be creating and maintaining the City Jobs and has already and in the future will continue to be, due to the Economic Impact, making a major contribution and commitment to the present and future economic development of the City through the New Enterprise.

XI.

Under the terms of a certain "Resolution of The City of Starkville, Mississippi, Approving, Consenting to, and Granting a Certain Ad Valorem Property Tax Exemption as an Inducement for the Location of Project Foy In The City" ("**Intent Resolution**"), a copy of which is on file and of record in the Minutes of this Board, the City declared its intention and agreement to grant a New Enterprise Exemption to Project Foy. Project Foy was the name used for The Claiborne's then confidential proposed project, which has now resulted in the location of

the Facility and New Enterprise in the City and in their identification as Project Foy in, and The Claiborne's qualification as the beneficiary of, the Intent Resolution.

XII.

The New Enterprise is assisting and will assist The Claiborne in providing employment and payroll at the Facility in the City, and this Board, in accordance with the Intent Resolution, should acknowledge The Claiborne's significant contribution and commitment to the economic development of the City by exercising its discretionary authority to grant to The Claiborne such New Enterprise Exemption for the Eligible Property comprising the New Enterprise and Facility.

XIII.

The maximum term of the New Enterprise Exemption under the Statutes is a term of ten (10) years. Therefore, as provided by the Statutes and Intent Resolution, The Claiborne requested in the Application that this Board grant the New Enterprise Exemption for a period of ten (10) years ("**Term**"), with such New Enterprise Exemption to begin on the Commencement Date and continue for the Term until December 31, 2025 ("**Termination Date**").

XIV.

Therefore, pursuant to the provisions of the Statutes and Intent Resolution, The Claiborne requested in the Application that, in recognition of the fact that the New Enterprise Exemption available to The Claiborne under the Statutes and Intent Resolution constituted an inducement to The Claiborne, and thus played a major role in The Claiborne's decision, to locate its New Enterprise in the City, and that sufficient consideration in the form of the Economic Impact and The Claiborne's reliance on such inducement in the Intent Resolution, as well as certain other good and valuable nonmonetary consideration (collectively "**Consideration**"), have been and will be received by the City from The Claiborne to support the granting of the New Enterprise Exemption by the City, this Board grant to The Claiborne a New Enterprise Exemption from all Taxes, except the Excluded Taxes, which would otherwise be imposed by the City on such Eligible Property.

XV.

This Board is thus authorized and empowered by the provisions of the Statutes and has committed in the Intent Resolution to grant the New Enterprise Exemption to The Claiborne with respect to the Eligible Property of The Claiborne which is and will be used in the New Enterprise located within the City.

XVI.

Therefore, pursuant to the provisions of the Statutes and Intent Resolution, The Claiborne requested in the Application that this Board grant to The Claiborne a New Enterprise Exemption

from all such Taxes, excepting the Excluded Taxes, imposed by the City on the Facility Property constituting Eligible Property utilized in the New Enterprise.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Starkville, Mississippi, that, in recognition of its above findings and the Consideration, this Board hereby:

(A) Finds that the New Enterprise at the Facility is in fact a bona fide new enterprise described in a class of enterprises enumerated by the Statutes, being, more specifically, a health care industry facility, and was completed on the Completion Date within the meaning of the Statutes;

(B) Finds that the New Enterprise Exemption available to The Claiborne and the commitment of the City in the Intent Resolution to grant the New Enterprise Exemption to The Claiborne constituted an inducement to The Claiborne and thus played a significant role in The Claiborne's decision to locate the New Enterprise at the Facility in the City;

(C) Finds further that The Claiborne is eligible for and, pursuant to the Intent Resolution, is entitled to a New Enterprise Exemption from all such Taxes imposed by the City on the Eligible Property of the New Enterprise, excepting the Excluded Taxes, in an amount to be determined annually by the appropriate taxing authorities, as provided by State law, commencing with the Commencement Date and continuing for the Term until the Termination Date;

(D) Finds further that the financial ability, technical qualifications, and business experience of The Claiborne are such that the New Enterprise at the Facility has and will promote the economic development of the City and State and has and will supply employment to the citizens of the City and State; that any and all appropriate City authorities have reviewed and approved the Application of The Claiborne and have recommended to this Board that the New Enterprise Exemption requested by The Claiborne in the Application for its New Enterprise should be granted;

(E) Finds that the New Enterprise has and will continue to provide employment and a payroll in the City and that in order to promote the economic development of the City so as to provide additional gainful employment for its citizens, this Board should acknowledge The Claiborne's major contribution and commitment to the economic development of the City by exercising its discretionary authority to grant such New Enterprise Exemption to The Claiborne and that this Board, does, therefore, desire, on behalf of the City, to grant the New Enterprise Exemption to The Claiborne;

(F) Finds that the present and future health, safety, convenience, prosperity, pursuit of happiness and of gainful employment, public interest, and general welfare of the citizens of the City necessitate, as a public purpose, that the City continue to

encourage a program of economic development and expansion in order to further both the present and future long-term economic development of the City through the improvement of its tax base by attracting and assisting enterprises providing employment to its citizens, through the approval of exemptions to assist businesses which are deemed necessary or desirable for the economic development and advancement of the City;

(G) Approves conditionally the Application and conditionally grants the New Enterprise Exemption to The Claiborne for the Term, beginning with the Commencement Date and continuing for the Term until the Termination Date, for the Facility Property of the New Enterprise constituting the Eligible Property described in Exhibit VIII used in connection with, or necessary to, the operation of the New Enterprise in the City, subject to the appropriate investigation, approval, and certification by the Mississippi Department of Revenue ("**MDOR**");

(H) Finds that Exhibit VIII attached hereto contains an itemized listing of the true value of all Eligible Property to be exempted, as required by the Statutes;

(I) Directs that the original and three (3) certified copies of the filed Application and a certified transcript of this conditional approval by this Board of the Application, including a certified transcript of this interim resolution of approval thereof, be forwarded to the Ad Valorem Division of the MDOR within thirty (30) days of the date of the certified transcript of the interim resolution, in order for the MDOR to investigate and determine that the Facility Property is Eligible Property which is eligible for the New Enterprise Exemption under, and should be exempted in accordance with, the Statutes; and that a certified copy of the filed Application and a certified transcript of such approval by this Board of the Application, including such interim resolution of approval thereof, also be forwarded to the Tax Assessor of Oktibbeha County ("**Assessor**");

(J) Declares the intention and agreement of this Board, upon approval of the Application by the MDOR and receipt by the City of the certificate of approval of the MDOR, to enter a final order on its Minutes:

- (i) declaring that the Facility Property is Eligible Property and is exempt under the New Enterprise Exemption and establishing the Commencement Date, Term and Termination Date;
- (ii) actually and finally granting to The Claiborne the New Enterprise Exemption applied for in the Application by The Claiborne for the New Enterprise;
- (iii) requesting that the Assessor take all necessary and appropriate actions in preparation of the tax rolls necessary to implement such New Enterprise Exemption so granted, beginning with the

Commencement Date and continuing for the Term until the Termination Date, including making appropriate notations on the tax rolls so that the Facility Property which is Eligible Property will be treated as provided for in such final order approving the Application and the New Enterprise Exemption and in the Statutes and Intent Resolution;

- (iv) directing the City Clerk ("Clerk") to file one (1) copy of the Application and this Interim Resolution and the final order approving the Application with the State Auditor of Public Accounts; and to file one (1) copy of the final order approving the Application with the MDOR and Assessor; and
- (v) directing the Clerk to record the final order approving this Application in the Minutes of the Board in a book kept in the Clerk's office for such purposes; and

(K) Directs the Clerk to record the Application, together with this Interim Resolution conditionally approving the Application, in the Minutes of this Board in a book kept in the Clerk's office for such purposes.

After a full discussion of this matter, Alderman Little moved that the foregoing Interim Resolution be adopted, and said Motion was seconded by Alderman Wynn. The President of the Board then put the question to a roll call vote, and the result was as follows:

Alderman	Ben Carver	voted: <u>absent</u>
Alderman	Roy A. Perkins	voted: <u>noy</u>
Alderman	Henry N. Vaughn, Sr.	voted: <u>aye</u>
Alderman	Lisa Wynn	voted: <u>aye</u>
Alderman	David Little	voted: <u>aye</u>
Alderman	Jason Walker	voted: <u>aye</u>
Alderman	Scott Maynard	voted: <u>aye</u>

WHEREUPON, this Interim Resolution having received the affirmative vote of a majority of the members of the Board of Aldermen present, the President declared that the foregoing Interim Resolution was passed and adopted, in a regular meeting of the Board of Aldermen of the City of Starkville, State of Mississippi, on the 5th day of July, 2016.

6. WATKINS, WARD & STAFFORD, CPAS, PLLC – 9/30/15 AUDIT PRESENTATION.

Randy Scrivner of Watkins, Ward and Stafford, CPAs, PLLC, presented the 9/30/15 audit, discussed GASB 68 as well as conditions and results of the audit. A copy of the audit will be posted on the City web site. Upon the motion of Alderman Walker, duly seconded by Alderman Maynard, to accept the 9/30/15 Audit, the Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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 carried.

7. CONSIDERATION OF A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT THE STARK CROSSING DEVELOPMENT PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING; THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN, AND FOR RELATED PURPOSES.

Christiana Sugg of Gouras and Associates discussed the changes to the Academy Sports project as well as the road proposed from Highway 12 to Hollywood Blvd. The project completion date is estimated to be May of 2017. Upon the motion of Alderman Maynard, duly seconded by Alderman Wynn, to move approval of a Resolution of the Mayor and Board of Aldermen of the City of Starkville, Mississippi, determining the necessity for and invoking the authority granted to municipalities by the legislature with respect to tax increment financing as set forth in Chapter 45 of TITLE 21, Mississippi Code of 1972, as amended, determining that the Stark Crossing Development Project is a project eligible for tax increment financing; that a public hearing be conducted in connection with the tax increment financing plan, and for related purposes, the Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Yea

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT THE STARK CROSSING DEVELOPMENT PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING; THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN, AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville, Mississippi, (the “Board” of the “City”), acting for and on behalf of the City, hereby find, determine and adjudicate as follows:

1. The Mississippi “Tax Increment Financing Act,” Title 21, Chapter 45, Mississippi Code of 1972, as amended (the “Act”), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects, as defined therein, with the use of Tax Increment Financing (“TIF”), and also to carry out such projects jointly with other local governmental units pursuant to the Interlocal Cooperation Act, Title 17, Chapter 13, Mississippi Code of 1972, as amended (the “Interlocal Act”).
2. The Board has received and has conducted hearings on the Tax Increment Financing Redevelopment Plan, City of Starkville, Mississippi, February 2006 (the “Redevelopment Plan”) for the Municipality, and approved the Redevelopment Plan on April 4, 2006. The Redevelopment Plan constitutes a qualified plan under the Act.
3. The Board will be presented with a tax increment financing plan entitled *Tax Increment Financing Plan, Stark Crossing Development Project, City of Starkville, Mississippi January 2016, as Amended and Restated July 2016* (the “Amended TIF Plan”), which will be an amendment to and a restatement of that *Tax Increment Financing Plan, Stark Crossing Development Project, City of Starkville, Mississippi January 2016* (the “Prior TIF Plan”). The purpose of the Amended TIF Plan is to, among other things, amend and restate the Prior TIF Plan to adjust the TIF District (as defined in the Amended TIF Plan), to identify the current developer, and to provide a financing mechanism to pay for the cost of constructing various Infrastructure Improvements (as set forth in the Amended TIF Plan) by increasing the City’s sales tax participation from thirty-three percent (33%) to fifty percent (50%).
4. RM Development I, LLC (the “Developer”), is proposing to develop a mixed use development including an approximately 62,000 square foot sporting goods retailer and up to 20,000 square feet of additional commercial development (the “Project”) in the City and in the proposed TIF District (the “TIF District”), as described in the Amended TIF Plan. The City may enter into an Interlocal Cooperation Agreement with Oktibbeha County, Mississippi (the “County”), pursuant to the Interlocal Act to support the Project and to allow TIF Bond proceeds to be used to pay for the costs of the Infrastructure Improvements to support the Project. These costs will equal or exceed the sum of One Million Five Hundred Thousand Dollars (\$1,500,000). The Developer is requesting the assistance of the City and the County in providing funding for the Infrastructure Improvements by the utilization of TIF.
5. The Project appears to be a project of major economic significance within the City and to qualify as a project eligible for TIF under the Redevelopment Plan; and the participation on the part of the City is necessary and would be in the public interest and would benefit the economic and financial well-being and the public health, safety and welfare of the City.

6. The Developer intends to acquire and construct all or a portion of the Infrastructure Improvements at its expense to facilitate the development of the Project, based on the anticipation that TIF moneys will be available in the future. Upon establishment of the TIF District and the approval of the inclusion of the Amended TIF Plan as a part of the Redevelopment Plan, the City wishes to reimburse the Developer for this expense in whole or part, up to the amount of moneys available from the proceeds of TIF bonds in the principal amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000), at the time TIF bonds are issued in the future. These bonds will be secured solely by a pledge of that portion of the increase in ad valorem taxes on real and personal property generated within the TIF District and that portion of the increase in sales taxes generated within the TIF District specified in the Amended TIF Plan. The funds derived from the sale of the bonds will be used to acquire and construct or reimburse the Developer for costs of the Infrastructure Improvements. These bonds shall never constitute an indebtedness of the City within the meaning of any state constitutional provision or statutory limitation and shall never constitute or give rise to a pecuniary liability of the City, other than from the sources set forth herein, or a charge against its general credit or taxing powers.

7. The City reasonably expects that it and or the Developer for the Project will incur expenditures for the Infrastructure Improvements prior to the issuance of the Bonds, and that it should declare its official intent to reimburse expenditures made in anticipation of the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE CITY, AS FOLLOWS:

SECTION 1. The Board hereby declares its intention, upon establishment of the TIF District and the approval of the Amended TIF Plan, to issue tax increment financing bonds not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000), for the Infrastructure Improvements. These bonds will be secured solely by a pledge of the increase in ad valorem taxes of the City and the County on real and personal property generated within the TIF District and the increase in sales taxes rebates for the City generated within the TIF District as described in the Amended TIF Plan. The funds derived from the sale of the bonds will be used for the Infrastructure Improvements. These bonds shall never constitute an indebtedness of the City within the meaning of any state constitutional provision or statutory limitation and shall never constitute or give rise to a pecuniary liability of the City, other than from the sources set forth herein, or a charge against its general credit or taxing powers.

SECTION 2. Pursuant to Section 1.150-2 of the Treasury Regulations (the "Reimbursement Regulations"), the Board hereby declares its official intent to reimburse expenditures made for the Infrastructure Improvements prior to the issuance of the Bonds with proceeds of the Bonds to the extent permitted by the Reimbursement Regulations. The Bonds will be secured solely by a pledge of the increased ad valorem taxes for the City and the County and sales tax rebates for the City generated within the proposed Tax Increment Finance District.

SECTION 3. A public hearing shall be held with respect to the Amended TIF Plan and the issuance of the TIF bonds at the regular meeting room of the Board at the City Hall of the City of Starkville, Mississippi at 5:30 p.m., on the 2nd day of August, 2016.

SECTION 4. The City Clerk is hereby directed to publish a notice of the public hearing in the *Starkville Daily News*, a newspaper in which the City is authorized to publish legal notices, the publication of which shall not be more than twenty (20) days and not less than ten (10) days prior to the date set forth in Section 3 above, pursuant to and in compliance with the requirements of Section 21-45-11 of the Act. A copy of the Amended TIF Plan will be available for examination in the office of the City Clerk at City Hall, Starkville, Mississippi.

8. DISCUSSION AND CONSIDERATION OF IRS NOTICE – 2011 1099-MISC FORMS.

Mayor Wiseman presented the history of the IRS notice and recommended payment from the City contingency funds. Upon the motion of Alderman Vaughn, duly seconded by Alderman Little, to authorize the payment of the IRS penalty of \$1,774.54 from City contingency funds, the Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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 carried.

9. DISCUSSION AND CONSIDERATION OF VA 16-05 A VARIANCE REQUEST FROM MAXIMUM LOT WIDTH REQUIREMENTS FOR A PROPOSED LOT AGGREGATION OF THREE LOTS ON THE NORTHEAST CORNER OF THE INTERSECTION OF UNIVERSITY DRIVE AND NORTH MONTGOMERY STREET WITH THE PARCEL #117M-00-160.00, 117M-00-159.00, AND 117M-00-155.00.

Daniel Havelin presented a variance request from maximum lot width requirements for a proposed lot aggregation of three lots on the northeast corner of the intersection of University Drive and North Montgomery Street. The three properties are part of a proposed mixed use development. The applicant is requesting to aggregate all three properties into one property. The proposed aggregated property would exceed the maximum lot width for a T-5 District. The proposed new lot width along University Drive is 258'. A Variance from the maximum lot width of 120' would be required prior to the lot aggregation. On June 22, 2016, the Board of Adjustment and Appeals made the recommendation of approval for the request. A motion was offered by Alderman Walker and duly seconded by Alderman Maynard, to approve the variance request with the following four conditions:

1. The principal entrance (s) of any primary or secondary building(s) shall be oriented toward a frontage line or the façade of a secondary or primary building, with the exception of units located in the rear of the building adjacent to a parking lot.
2. A first story non-residential use shall not be raised or lowered more than eighteen (18) inches from the walkway to the point(s) of access into the building.
3. The first floor on any building located along University Drive shall be non-residential use on at least 70% of the total building(s) façade along a frontage line.
4. The first floor of any building located along North Montgomery Street shall be non-residential use within 120' of the southwest corner of the property line.

The Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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 carried.

10. CONSIDERATION OF ADDRESS CHANGES ON JEFFERSON STREET.

Upon the motion of Alderman Walker, duly seconded by Alderman Maynard, to table the address changes on Jefferson Street until additional information can be presented and all effected residents are contacted, the Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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 carried.

11. DISCUSSION AND CONSIDERATION OF THE RATIFICATION OF THE INSTALLATION OF STOP SIGNS AT THE INTERSECTION OF MONTGOMERY AND GREEN STREETS AND INFORMATION SIGNS ON GREEN STREET AT THAT INTERSECTION.

A motion was offered by Alderman Walker to ratify the installation of stop signs at the intersection of Montgomery and Green Streets and information signs on Green Street at that intersection. The motion was seconded by Alderman Wynn and the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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 carried.

12. DISCUSSION AND CONSIDERATION OF THE APPOINTMENTS OF MEMBERS TO THE KEEP STARKVILLE BEAUTIFUL COMMITTEE.

A motion was offered by Alderman Walker and seconded by Alderman Little, to approve the appointment of Dylan Karges, Dr. Richard Harkess, Dr. Peyton Passons, Ms. Leslie Moma and Tammy R. Carlisle to the Keep Starkville Beautiful Committee for a staggered three-year term beginning July 6, 2016. The Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

13. DISCUSSION AND CONSIDERATION OF OUTSIDE FUNDING REQUESTS FOR FISCAL YEAR 2017.

Alderman Maynard, City budget chairman, presented a spreadsheet and recommendations for Fiscal Year 17 contributions to outside groups with the emphasis on local groups. Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn, that the Board budget funding per the following chart, the Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Nay
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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 carried.

Outside Contributions – 2017 Budget	
General Fund 001-194-690-454	
Boys and Girls Club	5,000
Volunteer Starkville	2,500
GTPDD-Transportation	30,500
GTPDD/AAA/home delivered meals/match	8,698
Safe Haven	1,500
Advertising	500
OSERVS(Okt.Stk Emergency Response Volunteer Svcs)	5,000
001-194-690-454	
Brickfire 001-195-951-965	5,000
Transfer to Other Agencies 001-195-	
Main Street -Award Match 001-195-951-952	7,500
Chamber of Commerce/Greater Starkville Development Partnership	22,525
Heritage Museum 001-195-951-969	5,000
OCH Ambulance 001-245-600-383	15,000
Humane Society 001-360-951-955	106,000
Horse Park 001-541-625-380	10,000
Library 001-500-900-802	180,000
Economic Development 001-653-	
Starkville Area Arts Council 702-506	3,500
Starkville Community Theater 702-507	3,500

Starkville / MSU Symphony 702-508	3,500
MSU Shuttle 702-708	3,500
TOTAL	418,723

14. DISCUSSION AND CONSIDERATION OF PERSONNEL REQUESTS.

Alderman Maynard distributed pay progression charts which addressed increasing all employees to a minimum of \$10 per hour. The plan will result in an increase of \$18,573.25 in gross wages in the fiscal year 17 budget and approximately \$74,293 in the fiscal year 18 budget. Following presentations from Tony Rook, Chief Nichols, Edward Kemp, Terry Kemp, Emma Gandy, and Chief Yarbrough and Board discussion, Alderman Maynard offered a motion to adopt the pay progression chart as presented and to authorize 15% raises of deputy court clerks effective October 1, 2016. The motion was seconded by Alderman Vaughn with the Board voting as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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 carried.

15. REQUEST APPROVAL OF THE AIRPORT BOARD TO ESTABLISH AN AIRPORT DOMAIN REGISTRATION AND WEB HOSTING FOR THREE (3) YEARS FOR THE AIRPORT WEB PAGE AT A COST NOT TO EXCEED \$500.

Upon the motion of Alderman Carver, duly seconded by Alderman Wynn, to approve the Airport Board to establish an Airport Domain Registration and Web Hosting for three (3) years for the Airport Web Page at a cost not to exceed \$500, the Board voted as follows to approve the motion:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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 carried.

16. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS AS OF JUNE 29, 2016 FOR FISCAL YEAR ENDING 9/30/16.

Upon the motion of Alderman Carver to move approval of the City of Starkville Claims Docket for all departments as of June 29, 2016 for fiscal year ending 9/30/16, duly seconded by Alderman Wynn, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
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Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

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

General Fund	001	\$ 200,562.47
Restricted Police Fund	002	162.42
Restricted Fire Fund	003	4,700.00
Restricted Airport	016	173,798.36
Airport Fund	015	68,204.98
Sanitation	022	17,123.97
Landfill	023	1,057.41
Computer Assessments	107	7,231.27
Park and Rec Tourism	375	18,981.11
Trust & Agency	610	25,778.98
Economic Dev, Tourism & Conv	630	105,580.73
Sub Total Before Stk Utilities	Sub	\$ 623,181.70
Utilities Dept.	SED	2,807,600.43
Total Claims	Total	\$ 3,430,782.13

17. REQUEST APPROVAL OF A LEASE AGREEMENT WITH REGIONS EQUIPMENT FINANCE CORPORATION IN THE AMOUNT OF \$46,000 OVER THREE YEARS AT 1.60% INTEREST FOR THE LEASE PURCHASE OF PARK AND RECREATION POOL EQUIPMENT.

Upon the motion of Alderman Carver to move approval of a lease agreement with Regions Equipment Finance Corporation in the amount of \$46,000 over three years at 1.60% interest for the lease purchase of park and recreation swimming pool equipment, duly seconded by Alderman Vaughn, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

Ryan Hinton
202 S. 40th Ave
Hattiesburg, MS 39402
Office: 601-264-8248
Fax: 601-261-4353
Ryan.hinton@regions.com



June 20, 2016

City of Starkville
Lesa Hardin
110 West Main Street
Starkville, MS 39759

Dear Lesa,

Regions Equipment Finance Corporation is pleased to furnish the following tax exempt lease proposal for your review and consideration.

Lessor:	Regions Equipment Finance Corporation, or its Assignee
Lessee:	City of Starkville
Equipment:	Water Filtration and Pool Recreation
Equipment Cost:	\$46,000
Delivery / Facility Term:	Delivery date to be determined, but prior to August 31, 2016. Once we have received all documentation sufficient to close this lease and all other closing requirements have been satisfied, the funds will be disbursed directly to the vendor for payment. Upon commencement, the lease will have a 3 or 4 year term.
Base Term:	3 Years 4 Years
Implicit Rate:	1.60% 1.76%
Payment Method:	Lessee agrees that all rent and other payments will be made by automatic funds withdrawal (ACH), and Lessee will execute documentation satisfactory to Lessor to facilitate such payments.
Lease Commencement:	The Base Term shall commence on the date of closing and delivery and acceptance of the Equipment. The first monthly rental shall be due 30 days in arrears. Remaining equal monthly rental payments shall be due on the same day of each consecutive month thereafter. All payments shall be subject to any applicable state and local sales/use taxes.
Rental Factor Adjustment:	The Rental Factor presented in this proposal is based on current market conditions and the prevailing 3 & 4 Year Treasury Constant Maturity rate of 0.81% and 0.96% per the <u>Federal Reserve's Statistical Release H.15</u> on June 16, 2016. The Implicit Rate as quoted in this proposal shall be adjusted upward or downward in order to maintain Lessor's economic yield as exists at this date. Payments shall be fixed at closing.
Bank Qualified:	It is anticipated that this transaction will be bank qualified. The Implicit Rate stated above assumes that the Lease will be a bank qualified tax-exempt obligation. Section 265(b)3 of the

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Internal Revenue Code of 1986 exempts certain tax-exempt obligations (bank qualified), not in excess of \$10,000,000.00 per year, from the 100% preference tax disallowance applicable to banks, provided that the reasonably anticipated amount of qualified tax-exempt obligations to be issued by the issuing authority during the calendar year does not exceed \$10,000,000.00. If the issuing authority reasonably anticipates that it will issue \$10,000,000.00 or less in qualified tax-exempt obligations during the calendar year, the Lease will be designated as a non-bank qualified tax-exempt obligation.

- Opinion of Counsel: Prior to closing the Lease, Lessor must be provided with an opinion of Lessee's counsel, at Lessee's expense, satisfactory to Lessor and its counsel, which shall include opinions that the Lease and related documentation are duly authorized, executed and delivered by Lessee, that the parties have complied with all applicable state laws, including laws regulating bidding or government contracts and that rents payable under the Lease will be exempt from state and federal income taxes.
- Net Lease: The Lease will be a "net lease" with Lessee responsible for all expenses, including (a) maintenance costs, liability and physical damage insurance satisfactory to Lessor and (b) taxes relating to the purchase, lease, possession and use of the Equipment (some of which may be added to the cost of the Equipment or collected as the gross rentals as appropriate under state law), excluding taxes based solely on the net income of Lessor. Lessor is not responsible for the selection, suitability or performance of the Equipment and Lessee will be responsible for all payments and performance irrespective of any defect in the Equipment.
- Purchase At End Of Term: At the expiration of the Base Term, so long as no default exists thereunder and the Lease has not been earlier terminated, Lessee shall have the option to purchase all (but not less than all) of the Equipment on an AS IS, WHERE IS BASIS for one dollar (\$1.00).
- Documentation: Lessor will provide all documentation required to close the Lease. Any modifications requested by Lessee must be approved by Lessor. Any associated legal fees will be reimbursed to Lessor by Lessee.
- Transactional Costs: Unless otherwise agreed in writing, Lessee will be responsible for all closing costs including, without limitation, appraisal fees, attorney's fees and disbursements, and recording fees. A minimum UCC filing fee of \$175 will be added to the foregoing. Lessee will be responsible for all costs it incurs.
- Insurance: Lessee will be responsible to purchase and maintain liability insurance coverage equal to \$1,000,000.00 naming Lessor as Additional Insured and physical damage insurance coverage with a deductible of no more than \$5,000.00 naming Lessor as Loss Payee. Lessee will furnish satisfactory evidence of such insurance prior to funding.
- Contingencies: **This proposal is not and should not be construed as a commitment to fund.** The terms and provisions presented herein are subject to among other things (1) Lessor's credit review and approval of Lessor's investment in the Equipment and the economics of the proposed transaction, at Lessor's sole discretion, and (2) execution of all documentation in form and substance satisfactory to all parties to the transaction. Lessor makes no representation as to the legal, tax or accounting treatment of the Lease. Lessor shall not have any obligation whatsoever under this proposal and shall only be obligated under and as provided in the documentation referred to in clause (2) above. No notice of approval or other communication from Lessor or anyone claiming to act on its behalf shall waive or modify the limitations contained in this paragraph.
- Role of Lessor: The Lessor and its representatives are not registered municipal advisors and do not provide advice to municipal entities or obligated persons with respect to municipal financial products or the issuance of municipal securities (including regarding the structure, timing, terms and similar matters concerning municipal financial products or municipal securities issuances) or engage in the solicitation of municipal entities or obligated persons for the provision by non-

June 20, 2016
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affiliated persons of municipal advisory services and/or investment advisory services. With respect to this Proposal and any other information, materials or communications provided by the Lessor: (a) the Lessor and its representatives are not recommending an action to any municipal entity or obligated person; (b) the Lessor and its representatives are not acting as an advisor to any municipal entity or obligated person and do not owe a fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to any municipal entity or obligated person with respect to this Proposal, information, materials or communications; (c) the Lessor and its representatives are acting for their own interests; and (d) the Issuer and the Lessee have been informed that the Issuer and the Lessee should discuss this Proposal and any such other information, materials or communications with any and all internal and external advisors and experts that the Issuer and the Lessee, respectively, deem appropriate before acting on this Proposal or any such other information, materials or communications.

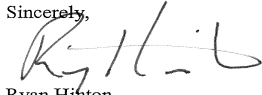
Lessee hereby authorizes Lessor to pre-file UCC financing statements naming Lessee, as debtor, and Lessor, as secured party, and describing the collateral therein by specific reference to the Equipment or by general reference to all equipment financed by Lessor (or words similar to the effect), provided that our doing so shall not obligate Lessee or Lessor to enter into the proposed financing, and provided further that if the proposed financing is not extended for any reason Lessor will terminate any such UCC financing statements Lessor has filed at Lessee's request.

Federal law requires all financial institutions to obtain, verify, and record information regarding customers. Lessor has or will obtain and keep on file information complying with 31 CFR Part 103.121 regarding Lessee, including Lessee's name, address and copies of various identifying documents.

By acceptance of this proposal, Lessee requests Lessor to take all actions necessary to evaluate the transactions contemplated hereby, including ordering credit reports and (if desired by Lessor) appraisals of the Equipment. This proposal shall expire as of the close of business on July 20, 2016, unless extended in writing by Lessor. This proposal may not be modified, supplemented or otherwise changed except in a writing signed by an officer of Lessor, subject to the further limitations expressed above.

We look forward to your early review and acceptance of this proposal. If there are any questions, please do not hesitate to contact me directly at 601-264-8248.

Sincerely,



Ryan Hinton
Vice President

PROPOSAL ACCEPTED:

By: _____

Title: _____

Date: _____

18. CONSIDERATION OF THE RENEWAL OF THE ANNUAL MEMBERSHIP TO THE WELLNESS CONNECTION IN THE AMOUNT OF \$7,000.00.

Upon the motion of Alderman Carver to renew annual membership to the Wellness Connection in the amount of \$7,000.00, duly seconded by Alderman Maynard, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

19. REQUEST AUTHORIZATION TO HIRE A TEMPORARY FULL-TIME EMPLOYEE TO FILL-IN AS LABORER IN THE SANITATION AND ENVIRONMENTAL SERVICES DEPARTMENT.

Upon the motion of Alderman Carver to hire a temporary full-time employee to fill-in as Laborer in the Sanitation and Environmental Services Department at an hourly rate of \$9.43 per hour, not eligible for benefits and to be paid for hours worked only, duly seconded by Alderman Vaughn, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

20. REQUEST AUTHORIZATION TO HIRE CHANA BROOKS TO FILL THE VACANT POSITION OF DEPUTY COURT CLERK IN THE STARKVILLE MUNICIPAL COURT DEPARTMENT.

Upon the motion of Alderman Carver to hire Chana Brooks to fill the vacant position of Deputy Court Clerk in the Starkville Municipal Court Department, subject to one (1) year probationary period, duly seconded by Alderman Wynn, at an hourly rate of \$11.33 per hour, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

21. REQUEST AUTHORIZATION TO ADVERTISE TO FILL THE VACANT POSITION OF APPRENTICE LINEMAN IN THE STARKVILLE UTILITIES DEPARTMENT.

Upon the motion of Alderman Carver to advertise to fill the vacant position of Apprentice Lineman in the Starkville Utilities Department, duly seconded by Alderman Wynn, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

22. REQUEST APPROVAL OF A SALARY ADJUSTMENT AND A JOB TITLE CHANGE FROM EQUIPMENT OPERATOR, (JOHN T. ROGERS), TO LINEMAN HELPER.

Upon the motion of Alderman Carver to approve a salary adjustment and a job title change from Equipment Operator, (John T. Rogers), to Lineman Helper, duly seconded by Alderman Little, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

23. REQUEST AUTHORIZATION TO ADVERTISE TO FILL A VACANT POSITION OF RADIO OPERATOR/RECORDS CLERK (DISPATCHER) IN THE POLICE DEPARTMENT.

Upon the motion of Alderman Maynard to advertise to fill a vacant position of Radio Operator/Records Clerk (Dispatcher) in the Police Department, duly seconded by Alderman Wynn, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

24. DISCUSSION AND CONSIDERATION OF THE PURCHASE OF EQUIPMENT AND SOFTWARE NECESSARY TO IMPLEMENT THE MOBILE CAD SYSTEM FOR THE STARKVILLE POLICE DEPARTMENT AS QUOTED IN THE AMOUNT OF \$262,212.56.

Alderman Maynard offered a motion to approve the purchase of equipment and software necessary to implement the Mobile CAD System for the Starkville Police Department as quoted in the amount of \$262,212.56, after funds are received, deposited and confirmed by the City finance director. The motion was seconded by Alderman Wynn and the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

25. REQUEST AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE PURCHASE OF GARBAGE BAGS.

Upon the motion of Alderman Vaughn to approve advertisement for bids for garbage bags for the 2017 garbage bag distribution, duly seconded by Alderman Wynn, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Nay
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

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

26. REQUEST AUTHORIZATION FOR STARKVILLE UTILITIES TO ACCEPT THE LOWEST AND BEST OF 2 EVALUATED BIDS SUBMITTED BY MITSUBISHI ELECTRIC POWER PRODUCTS, INC. FOR FOUR 13KV VACUUM CIRCUIT BREAKERS FOR \$98,336.00.

Upon the motion of Alderman Maynard to accept the lowest and best bid from Mitsubishi Electric Power Products, Inc. for four 13 kV Vacuum Circuit Breakers for \$98,336.00, duly seconded by Alderman Little, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

**CITY OF STARKVILLE UTILITIES
STARKVILLE, MISSISSIPPI
TABULATION OF BIDS
FOR FOUR (4) 13 kV VACUUM CIRCUIT BREAKERS
FOR SOUTHWEST STARKVILLE 69/13 kV SUBSTATION**

BIDDER	SUPPLIER	DELIVERY TIME	TOTAL BASE BID PRICE	LIFE CYCLE COST EVALUATION ADDER	TOTAL LIFE CYCLE EVALUATED COST
Mitsubishi Electric Power Products, Inc.	MEPPI	10-12 Weeks ARO	\$98,336.00	\$14,000.00	\$112,336.00
Garner Lumley Electric Supply Co.	ABB	20 Weeks ARO	\$87,840.00	\$56,000.00	\$143,840.00

Notes: Owner's Life Cycle Cost Evaluation calculated as described in Materialman's Proposal Form and shown below:
MEPPI: 1 Service * \$3,500.00/Service * 4 CB = \$14,000.00
ABB: 4 Services * \$3,500.00/Service * 4 CB = \$56,000.00

I hereby certify that this is a true and correct tabulation of the Bids for four (4) 13 kV Vacuum Circuit Breakers received by Starkville Utilities on June 14, 2016.


Jeffrey Atwell, P.E.

 **Atwell & Gent, P.A.**
Electrical & Consulting Engineers

27. REQUEST APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF STARKVILLE AND THE OKTOC WATER ASSOCIATION FOR EMERGENCY WATER CONNECTION AND JOINT BILLING OF OKTOC WATER ASSOCIATION WATER SERVICE AND STARKVILLE UTILITIES SEWER SERVICE.

Upon the motion of Alderman Wynn to approve an Agreement between the City of Starkville and the Oktoc Water Association for emergency water connection and joint billing of Oktoc Water Association water service and Starkville Utilities sewer service, duly seconded by Alderman Little, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

AGREEMENT

STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

This Agreement made and entered into on this the _____ day of _____, 2016, by and between the **City of Starkville, Mississippi**, a municipal corporation, hereinafter referred to as "City" and the **Oktoc Water Association** a Mississippi non-profit corporation permitted by the Mississippi Public Service Commission to operate a water distribution system in Oktibbeha County, Mississippi, hereinafter referred to as "Association".

WITNESSETH:

WHEREAS, the City's ordinance requires that sewer services provided outside its boundaries be covered by an agreement with the water provider that enables the disconnection of water service in the event of non-payment of sewer bills, with said agreement having an initial term of twenty (20) years;

WHEREAS, The Association is desirous of entering into such an agreement.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1.0 COMMENCEMENT, SCOPE, MODIFICATION and TERM

This Agreement shall commence upon execution. The scope of this agreement is limited to areas where the City provides sewer service within the boundaries of the Association's certificated water service area. This agreement may be modified at any time by mutual consent of the parties acting through their respective governing bodies. Unless extended in accordance with the terms of this Agreement, this Agreement shall expire _____.

2.0 WATER AND SEWER BILLING

The Association agrees to add sewer fees to their customer's water bill and disconnect water service in the event of non-payment of the total water and sewer bill. The Association agrees, at no charge to the City, to provide meter reading, billing and collection services for both water and sewer. On a monthly basis, the Association shall mail to the City, in the form of a check, the total amount of fees collected for sewer services in the prior monthly billing period. In no circumstances shall these payments to the City be postmarked more than thirty (30) days past the close of the most recent billing cycle.

The Association agrees to include with the monthly check a report that complies with the City Accountant/Controller's and external auditor's requirements.

3.0 COLLECTIONS AND ACCOUNT APPLICATIONS

When service is disconnected by the Association for the failure to pay the total amount of the combined water and sewer fees due, the service shall not be reconnected until the account is paid in full for the combined services or payment arrangements are made in accordance with the policies of the Association.

Any and all collection fees assessed and collected by the Association for non-payment shall be retained by the Association.

If the Association is not successful collecting a past due balance by disconnecting service, the Association reserves the right to turn the account over to a collection agency. Applicable collection agency fees will be subtracted from any past due sewer revenues collected and the remainder will be forwarded to the City with said transaction considered as final settlement.

The City reserves the right to require sewer customers to fill out an account application. The Association agrees to disconnect water service and retain collection fees when said customers are non-responsive to this request.

4.0 METERING EQUIPMENT

The Association agrees to maintain all metering equipment in good working order during the term of this Agreement.

5.0 CUSTOMER DEPOSITS

Upon application to the Association to establish services in an area where the City provides sewer service, the Association shall collect and retain the amount of deposit required by the City as a guarantee of payment for sewer services.

6.0 TERMINATION OF SERVICES

When a customer terminates service, the amount of deposit held for sewer services shall be applied to the final sewer bill and any residual remaining amount mailed to the customer at their forwarding address.

The Association will exercise all reasonable dispatch to disconnect service and collect bills that become past due subsequent to the execution of this agreement. In the event that the amount of deposit designated by the City is insufficient to cover the final sewer bill of an account in default, the Association shall, at their sole discretion, have the option of turning the account over to a collection agency

under the terms described in section 3.0 of this agreement or transfer the past due balance back to the City for collection.

7.0 CERTIFICATED AREA

It is understood that the Association holds a Certificate of Public Convenience and Necessity from the Mississippi Public Service Commission to provide potable water service in the area covered by this agreement. The existence of this agreement does not entitle the City to provide potable water service in this area without the express written consent of the Association and the Mississippi Public Service Commission.

8.0 COMMENCEMENT

It is the intent of the parties to fully implement the provisions of this agreement within ninety (90) days of the date of execution of this agreement.

9.0 TERMINATION OF AGREEMENT

Should it be the desire of either party to this Agreement to allow the term of this Agreement, or subsequent extension thereof, to expire, the party desiring termination agrees to notify the other in writing no later than ninety (90) calendar days prior to the expiration date. In the event that no notification to terminate is received by or prior to ninety (90) days prior to the expiration date, the agreement shall automatically renew for an additional five (5) year term.

Within thirty (30) days of the termination of this Agreement, the Association shall transfer customer sewer deposits held on behalf of the City to the City along with an itemized list of the amount of deposit credited to each customer itemized by billing and service address.

10.0 SUCCESSORS OR ASSIGNS

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

11.0 CONSTRUCTION OF THIS AGREEMENT

It is the intent of the parties that this Agreement shall be construed in a spirit of good faith and fair dealings between the parties and both parties owe an obligation of good faith and fair dealing with each other.

12.0 DEFAULT

In the event that either party defaults under the provisions of this Agreement and enforcement is required, the non-defaulting party shall be entitled to the cost of the proceedings plus reasonable attorney fees as a part of any judgment.

13.0 AUDITS AND INSPECTION OF RECORDS

The Association agrees to allow the City access to the billing and financial records associated with this agreement for inspection upon request by the Association.

14.0 MAINTENANCE OF FACILITIES

The City agrees to maintain and repair the all facilities associated with the sewer collection system upon acceptance by the City. The Association agrees to maintain and repair all facilities associated with the water system.

IN WITNESS WHEREOF, this Agreement has been executed in duplicate original on the day and in the year first above mentioned. The execution by the parties is made pursuant to the authority granted by the action of their respective governing authorities.

CITY OF STARKVILLE

The execution of this Agreement by the City is recorded in the minutes of a meeting of the Board of Alderman dated the _____ th day of _____, 2016.

BY:

ATTEST:

Parker Wiseman, Mayor

Lesa Hardin, City Clerk

OCTOC WATERASSOCIATION

The execution of this Agreement by the Association is recorded in the minutes of a meeting of the executive Board dated the _____ day of _____, 2016.

BY:

President

Printed Name

ATTEST:

Secretary

Printed Name

28. 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 Little, duly seconded by Alderman Walker, to enter into a Closed Session to determine if there is proper cause for Executive Session, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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 Board entered closed session.

29. A MOTION TO ENTER EXECUTIVE SESSION FOR THE PURPOSE OF THE DISCIPLINARY ACTION OF TWO FIRE DEPARTMENT EMPLOYEES, PENDING LITIGATION RELATED TO A SEWER EASEMENT, PROSPECTIVE SALE OF CITY LAND AND POTENTIAL LITIGATION RELATED TO A BREACH OF LEASE INVOLVING THE SOUTH HANGAR AT THE STARKVILLE AIRPORT.

Alderman Maynard offered a motion to enter Executive Session for the purpose of consideration of the disciplinary action of two fire department employees, pending litigation related to a sewer easement, prospective sale of city land and potential litigation related to a breach of lease involving the South Hangar at the Starkville Airport, on a finding that the proposed topics qualified for Executive Session. Following a second by Alderman Walker, the Board voted as follows to enter Executive Session:

Alderman Ben Carver	Voted: Absent
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received an 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 the disciplinary action of two fire department employees, pending litigation related to a sewer easement, prospective sale of city land and potential litigation related to a breach of lease involving the South Hangar at the Starkville Airport, on a finding that the proposed topics qualified for Executive Session.

At this time the Board entered Executive Session.

30. A MOTION TO RETURN TO OPEN SESSION.

Upon the motion of Alderman Carver, duly seconded by Alderman Vaughn, to return to Open Session, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

31. A MOTION TO SUSPEND A FIRE DEPARTMENT EMPLOYEE.

Upon the motion of Alderman Carver, duly seconded by Alderman Wynn, to suspend fireman Demario Sistrunk for 48 hours without pay and to place him on six month probation, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Yea

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

32. A MOTION TO RATIFY THE REQUEST OF THE FIRE CHIEF OF DISCIPLINARY ACTION OF A FIRE DEPARTMENT EMPLOYEE.

Upon the motion of Alderman Vaughn, duly seconded by Alderman Wynn, to ratify the recommendation of the Fire Chief of disciplinary action of a Fire Department employee, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

33. A MOTION TO ACCEPT TERMS OF SETTLEMENT WITH FINALLY LLC RELATED TO ITS BREACH OF THE LEASE AGREEMENT TO OCCUPY THE SOUTH HANGAR AT THE STARKVILLE AIRPORT.

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn, to accept the terms of a settlement with Finally LLC related to its breach of the lease agreement to occupy the south hangar at the Starkville Airport as presented by the Board Attorney, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay

Alderman Henry Vaughn, Sr. Voted: Yea

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

34. A MOTION TO APPROVE A MEMORANDUM OF AGREEMENT BETWEEN CITY OF STARKVILLE AND MDOT RELATING TO ACCESS TO CITY'S FORMER SEWAGE LAGOON PROPERTY.

Upon the motion of Alderman Maynard, duly seconded by Alderman Carver, to enter into an MOA with MDOT as presented, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

35. A MOTION TO APPROVE RELEASE AND DISMISSAL WITH PREJUDICE IN CAUSE NO. 2013-0203-CV-K IN SPECIAL COURT OF EMINENT DOMAIN, OKTIBBEHA COUNTY, MISSISSIPPI, RELATING TO ACQUISITION OF A SEWER EASEMENT.

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn, to approve Release and Dismissal with Prejudice as presented, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

After the Board exited Executive Session, and in open session, Alderman Maynard asked the Board to consider an additional agenda item relating to what he deemed to be necessary hires in the Police Department. This matter was not discussed at all in Closed Session or Executive Session. The Board unanimously consented to the addition to the agenda. Board discussion ensued on the issue, followed by the following motion.

36. A MOTION TO ALLOW THE ADVERTISEMENT OF THE POSITIONS OF A POLICE OFFICER AND CREATION AND ADVERTISING OF AN ACCREDITATION MANAGER/RECORDS CLERK USING THE FUNDING FROM THE PREVIOUS POSITION OF ASSISTANT POLICE CHIEF.

Upon the motion of Alderman Maynard, duly seconded by Alderman Wynn, to authorize the advertisement of the positions of a Police Officer, and creation and advertising of an Accreditation Manager/Records Clerk using the funding from the previous position of assistant police chief, the Board

voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	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.

37. A MOTION TO RECESS UNTIL JULY 26, 2016 @ 5:30 IN THE COURT ROOM AT CITY HALL LOCATED AT 110 WEST MAIN STREET.

Upon the motion of Alderman Little, duly seconded by Alderman Wynn, for the Board of Aldermen to recess the meeting until July 26, 2016 @ 5:30 at 110 West Main Street in the Court Room of City Hall, the Board voted as follows:

Alderman Ben Carver	Voted: Absent
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Absent
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Absent

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

SIGNED AND SEALED THIS THE _____ DAY OF _____ 2016.

Attest:

PARKER WISEMAN, MAYOR

LESA HARDIN, CITY CLERK

(SEAL)