MINUTES OF THE RECESS MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI
May 15, 2018

Be it remembered that the Mayor and Board of Alderman met in a Regular Meeting on May 15, 2018 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS. Present were Mayor Lynn Spruill, Aldermen Ben Carver, Sandra Sistrunk, David Little, Jason Walker, Patrick Miller, Roy A.' Perkins and Henry Vaughn, Sr. Attending the Board were City Clerk / CFO Lesa Hardin and City Attorney Chris Latimer.

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

Mayor Lynn Spruill asked for any revisions to the Official Agenda.

REQUESTED REVISIONS TO THE OFFICIAL AGENDA:

Mayor Spruill asked to add X. E. Consideration of approval for authorization of emergency expenditures per MS Code §31-7-1 (F) for emergency repairs to the force main into the wastewater plant in the amount of $12,248.94.

Mayor Spruill asked to add X. F. Consideration of an amendment to the SGK contract for additional soil and an extension of 21 days to the contract with SGK Landscapes, Inc.

Alderman Walker requested the two new items be added to Consent.

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

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

Alderman Little offered a motion, duly seconded by Alderman Walker, to approve the May 15, 2018 Agenda as amended. Mayor Spruill then read the consented items after which the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Patrick Miller	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
RECESS MEETING OF TUESDAY, MAY 15, 2018
5:30 P.M., COURT ROOM, CITY HALL
110 WEST MAIN STREET

CONSENT AGENDA ITEMS ARE HIGHLIGHTED

I. <u>CALL THE MEETING TO ORDER</u>

II. <u>PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE</u>

III. <u>APPROVAL OF THE OFFICIAL AGENDA INCLUDING CONSENTED ITEMS</u>

IV. <u>APPROVAL OF THE BOARD OF ALDERMEN MINUTES</u>

CONSIDERATION OF THE MINUTES OF THE APRIL 17, 2018 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

CONSIDERATION OF THE MINUTES OF THE APRIL 27, 2018 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

V. <u>ANNOUNCEMENTS AND COMMENTS</u>

A. MAYOR'S COMMENTS:

B. BOARD OF ALDERMEN COMMENTS:

VI. <u>CITIZEN COMMENTS</u>

VII. <u>PUBLIC APPEARANCE</u>

RECOGNITION OF B-BTRY 2-114th FIELD ARTILLERY

VIII. <u>PUBLIC HEARINGS</u>

IX. <u>MAYOR'S BUSINESS</u>

A. CONSIDERATION OF JOINT USE AGREEMENT BETWEEN THE STARKVILLE OKTIBBEHA CONSOLIDATED SCHOOL DISTRICT AND THE CITY OF STARKVILLE FOR USE OF SCHOOL AND PARKS & RECREATION FACILITIES.

B. CONSIDERATION OF REJECTION OF BIDS RECEIVED FOR THE PARTIAL CLOSURE OF CELL NO.5 RUBBISH LANDFILL SITE LOCATED ON ROCKHILL ROAD.

X. <u>BOARD BUSINESS</u>

A. CONSIDERATION OF CONTRACT PROPOSALS FOR AMBULANCE SERVICES TO BE HOUSED, SUPERVISED AND DISPATCHED IN THE CITY OF STARKVILLE FIRE STATIONS.

B. CONSIDERATION OF ESTABLISHING AN EMS DISTRICT FOR THE STARKVILLE FIRE DEPARTMENT IN THE CITY LIMITS.

C. CONSIDERATION OF A RESOLUTION APPOINTING ALDERMAN VAUGHN AS VOTING DELEGATE AND ALDERMAN LITTLE AS ALTERNATE VOTING DELEGATE TO THE MISSISSIPPI MUNICIPAL LEAGUE 2017 CONFERENCE.

D. DISCUSSION AND CONSIDERATION OF AN UPDATE TO THE SPECIAL EVENTS POLICY FOR THE CITY OF STARKVILLE.

E. CONSIDERATION OF APPROVAL FOR AUTHORIZATION OF EMERGENCY EXPENDITURES PER MS CODE §31-7-13 (k) FOR EMERGENCY REPAIRS TO THE FORCE MAIN INTO THE WASTEWATER PLANT IN THE AMOUNT OF $12,248.94.

F. CONSIDERATION OF AN AMENDMENT TO THE SGK CONTRACT FOR ADDITIONAL SOIL AND AN EXTENSION OF 21 DAYS TO THE CONTRACT WITH SGK LANDSCAPES, INC.

XI. DEPARTMENT BUSINESS

A. AIRPORT

1. CONSIDERATION OF APPROVAL FOR AIRPORT DIRECTOR RODNEY LINCOLN AND AIRPORT OPERATIONS MANAGER JARED RABERN TO TRAVEL TO PEACHTREE CITY, GA AND ATTEND THE EASTERN AVIATION FUEL QUALITY CONTROL SEMINAR DURING JUNE 26 – JUNE 28, 2018, WITH TOTAL ADVANCE TRAVEL NOT TO EXCEED $2,000.00.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. CODE ENFORCEMENT

THERE ARE NO ITEMS FOR THIS AGENDA

2. PLANNING

a. CONSIDERATION OF PP 18-05 FOR RENEWAL OF PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING +/- 41.26 PARCEL INTO 61 LOTS. THE PROPERTY IS LOCATED AT THE WEST END OF HUNTINGTON DRIVE IN AN R-4 ZONING DISTRICT WITH THE PARCEL NUMBER 105-15-003.04.

b. CONSIDERATION OF PP 18-07 AND FP 18-04 REQUEST FOR APPROVAL FOR RESUBDIVIDING TWO PARCELS AT 307 AND 311 GILLESPIE STREET IN A R-2 ZONE WITH THE PARCEL NUMBER 102A-00-157.00 AND 102A-00-156.00.

c. CONSIDERATION OF TRAVEL AND TRAINING FOR MIKE ST. LOUIS TO ATTEND THE BUILDING OFFICIALS ASSOCIATION OF MISSISSIPPI SUMMER CONFERENCE WITH COST NOT TO EXCEED $750.00.

d. CONSIDERATION OF A SPECIAL EVENT REQUEST BY SUSAN FORD ON BEHALF OF THE STARKVILLE FOUNDATION FOR PUBLIC EDUCATION TO HOLD THE 28TH ANNUAL HANNAH POTE RUN FOR EDUCATION AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES TO BE HELD AUGUST 18, 2018.

C. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

D. ENGINEERING

1. CONSIDERATION OF APPROVAL OF THE 2018 STREET IMPROVEMENT PROJECT, ACCEPTING THE LOW BID FROM FALCON CONTRACTING AND AUTHORIZATION FOR THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT.

E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF MAY 8, 2018 FOR FISCAL YEAR ENDING 9/30/18, 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. REQUEST ACCEPTANCE OF THE APRIL 2018 FINANCIAL STATEMENTS.

3. CONSIDERATION OF QUOTES FOR PROPERTY, VEHICLE AND EQUIPMENT INSURANCE SERVICES.

4. CONSIDERTION OF JAMEIKA SMITH TO PARTICIPATE IN THE CITY EDUCATIONAL ASSISTANCE PROGRAM AND TO REIMBURSE HER FOR THE APPROVED COURSE COMPLETED IN THE SPRING OF 2018 SEMESTER IN THE AMOUNT OF $881.05.

F. FIRE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

G. HUMAN RESOURCES

1. REQUEST TO ADVERTISE FOR A PART-TIME ATHLETIC ASSISTANT, IN THE STARKVILLE PARKS & RECREATION DEPARTMENT.

2. REQUEST TO ADVERTISE FOR THREE (3) PART-TIME SEASONAL PROGRAM SPECIALIST POSITIONS IN THE STARKVILLE PARK AND RECREATION DEPARTMENT.

3. REQUEST AUTHORIZATION TO TRANSFER WILLIAM “RONNIE” SMITH FROM THE WATER DEPARTMENT (REHAB CONSTRUCTION), TO FILL A DRIVER POSITION IN THE SANITATION ENVIRONMENTAL SERVICE DEPARTMENT.

4. REQUEST AUTHORIZATION TO HIRE JOSHUA BROWN, AS A DRIVER IN THE SANITATION & ENVIRONMENTAL SERVICE DEPARTMENT.

5. REQUEST AUTHORIZATION TO RECLASSIFY THERESA CELESTINE IN THE STARKVILLE POLICE DEPARTMENT FROM PART-TIME WITHOUT BENEFITS TO FULL-TIME WITH BENEFITS.

6. REQUEST AUTHORIZATION TO HIRE BAILEY CRISTWELL AS A PART-TIME CUSTOMER SERVICE REPRESENTIVE IN THE STARKVILLE UTILITIES DEPARTMENT.

7. REQUEST AUTHORIZATION TO HIRE AUGESTER HOLLINS, AS AN APPRENTICE LINEMAN IN THE STARKVILLE UTILITIES DEPARTMENT.

8. REQUEST AUTHORIZATION TO HIRE COREY BRAXTON, AS A MAINTENANCE WORKER III FOR THE UTILITIES DEPARTMENT.

9. REQUEST AUTHORIZATION TO ADVERTISE FOR THREE PART-TIME LINEMEN FOR THE AIRPORT DEPARTMENT.

H. INFORMATION TECHNOLOGY

THERE ARE NO ITEMS FOR THIS AGENDA

I. PARKS

1. CONSIDERATION TO AUTHORIZE THE PURCHASE OF NEW HVAC UNIT AND LINES TO BE USED BY THE PARK AND RECREATION DEPARTMENT OF THE CITY OF STARKVILLE AT THE NEEDMORE COMMUNITY CENTER FROM THE LOWER QUOTE, HOLLIS BROTHERS, FOR $6,000.00.

2. CONSIDERATION TO AUTHORIZE THE PURCHASE OF EXMARK 72" LAZER E-SERIES MOWER, STATE CONTRACT NUMBER 8200037364 TO BE USED BY THE PARK AND RECREATION DEPARTMENT OF THE CITY OF STARKVILLE AND FOR THE CITY CLERK / CFO TO OBTAIN FINANCING QUOTES.

3. CONSIDERATION OF THE APPROVAL OF THE AGREEMENT BETWEEN THE CITY OF STARKVILLE AND SOUTHERN FOUNDATION, INC., TO OPERATE THE NATIONAL RECREATION AND PARKS ASSOCIATION (NRPA)/WAL-MART FOUNDATION RURAL COMMUNITIES HEALTHY OUT-OF-SCHOOL PROGRAM.

J. POLICE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

K. SANITATION DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

L. UTILITIES DEPARTMENT

1. CONSIDERATION TO PURCHASE A 6 x 12 x 3 DUMP BED TRAILER FROM THE LOWEST QUOTE OF $5,350.00 FROM TURNER FARMS AND TRAILER SALES.

2. CONSIDERATION OF A RESOLUTION BY THE CITY OF STARKVILLE TO FILE A JOINT PETITION TO THE MISSISSIPPI PUBLIC SERVICE COMMISSION TO CANCEL A PORTION OF THE CERTIFICATED AREA OF THE OKTOC WATER ASSOCIATION TO BE SERVED BY THE CITY OF STARKVILLE.

3. CONSIDERATION OF ACCEPTANCE OF PERMANENT RIGHT OF WAY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FROM STARKVILLE OKTIBBEHA CONSOLIDATED SCHOOL DISTRICT FOR THE PURPOSE OF LAYING A SEWER LINE.

XII. <u>CLOSED DETERMINATION SESSION</u>

XIII. OPEN SESSION

XIV. EXECUTIVE SESSION

A. PERSONNEL
B. PENDING LITIGATION

XV. OPEN SESSION

XVI. ADJOURN UNTIL JUNE 5, 2018 @ 5:30 IN THE COURT ROOM 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.

Consent items 2 – 29:

2. CONSIDERATION OF THE MINUTES OF THE APRIL 17, 2018 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of the minutes of the April 17, 2018 meeting of the Mayor and Board of Aldermen of the City of Starkville, MS" is enumerated, this consent item is thereby approved.

3. CONSIDERATION OF THE MINUTES OF THE APRIL 27, 2018 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of the minutes of the April 27, 2018 meeting of the Mayor and Board of Aldermen of the City of Starkville, MS" is enumerated, this consent item is thereby approved.

4. CONSIDERATION OF REJECTION OF BIDS RECEIVED FOR THE PARTIAL CLOSURE OF CELL NO.5 RUBBISH LANDFILL SITE LOCATED ON ROCKHILL ROAD.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "rejection of the bids for the partial closure of the Rubbish Landfill located on Rockhill Road" is enumerated, this consent item is thereby approved. The suggestion of the consulting engineer is that the bids were excessive due to the small scope of the projects. He has recommended that the city wait until the entire project is ready for closure in order to take advantage of the economies of scale.

5. CONSIDERATION OF A RESOLUTION APPOINTING ALDERMAN VAUGHN AS VOTING DELEGATE AND ALDERMAN LITTLE AS ALTERNATE VOTING DELEGATE TO THE MISSISSIPPI MUNICIPAL LEAGUE 2017 CONFERENCE.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of a Resolution appointing Alderman Vaughn as voting delegate and Alderman Little as alternate voting delegate to the Mississippi Municipal League 2018 Conference" is enumerated, this consent item is thereby approved.

RESOLUTION
RESOLUTION APPOINTING MISSISSIPPI MUNICIPAL LEAGUE
2018 VOTING DELEGATES
FOR THE CITY OF STARKVILLE, MS

WHEREAS, the Mississippi Municipal League amended the bylaws of the association to provide for a ballot election, to be conducted by the officers of the Mississippi Municipal Clerks and Collectors Association, to be held each year at the summer convention, to elect a President from the Central District; and

WHEREAS, the amended bylaws require the Board of Aldermen to designate in its minutes the voting delegate and alternate to cast the vote for each member municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE:

In accordance with the bylaws of the Mississippi Municipal League, the voting delegate for the 2018 Mississippi Municipal League election to be held at the annual convention on June 25 – June 27, 2018 are as follows:

Voting Delegate: Henry Vaughn, Sr.
First Alternate: David Little

That public interest and necessity requiring same, this Resolution shall become effective upon passage.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Alderman David Little, seconded by Alderman Jason Walker, and was adopted by the following vote, to-wit:

Alderman Ben Carver: Aye
Alderman Sandra Sistrunk: Aye
Alderman David Little: Aye
Alderman Jason Walker: Aye
Alderman Patrick Miller: Aye
Alderman Roy A'. Perkins: Aye
Alderman Henry Vaughn: Aye

The Mayor thereby declared the motion carried and the Resolution adopted, this the 15th day of May, 2018.

6. CONSIDERATION OF APPROVAL FOR AUTHORIZATION OF EMERGENCY EXPENDITURES PER MS CODE §31-7-13 (k) FOR EMERGENCY REPAIRS TO THE FORCE MAIN INTO THE WASTEWATER PLANT IN THE AMOUNT OF $12,248.94.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of emergency expenditures per MS Code §31-7-13 (k) for emergency repairs to the force main into the wastewater plant in the amount of $12,248.94" is enumerated, this consent item is thereby approved.

On Saturday May 12th during routine wastewater plant inspection, we identified a rupture in the 24-inch force main into the plant. This resulted in an overflow condition into Hollis Creek. This incident was reported to MDEQ and a remediation plan developed. The repair was completed on May 15. Estimated expense for emergency repair is

Terry Stidham, Contractor -	$2,850.00
Material -	$3,500.00
Hydra Service Pump rentals -	$5,715.00
United Rental 3" Pump rental -	$ 133.94
Total:	$12,248.94

7. CONSIDERATION OF AN AMENDMENT TO THE SGK CONTRACT FOR ADDITIONAL SOIL AND AN EXTENSION OF 21 DAYS TO THE CONTRACT WITH SGK LANDSCAPES, INC.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of an amendment to the SGK Contract for additional soil and an extension of 21 days to the Contract with SGK Landscapes, Inc." is enumerated, this consent item is thereby approved.

SGK has proposed to add more planting soil than what was originally called for in the project. In doing so, they will be able to "crown" the planting beds which will allow for water to not infiltrate as rapidly as in the current situation. Adding more planting soil will also raise the planting height of all the plants which will aid in keeping the roots out of potentially trapped ground water.

Additional soil required to be level with the curb:	296cy x $56.24 =	$ 16,647.04
Additional soil required to crown the islands:	394cy x $56.24 =	$ 22,158.56
		$ 38,805.60

8. CONSIDERATION OF APPROVAL FOR AIRPORT DIRECTOR RODNEY LINCOLN AND AIRPORT OPERATIONS MANAGER JARED RABERN TO TRAVEL TO PEACHTREE CITY, GA AND ATTEND THE EASTERN AVIATION FUEL QUALITY CONTROL SEMINAR DURING JUNE 26 – JUNE 28, 2018, WITH TOTAL ADVANCE TRAVEL NOT TO EXCEED $2,000.00.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval for Airport Director Rodney Lincoln and Airport Operations Manager Jared Rabern to travel to Peachtree City, GA and attend the Eastern Aviation Fuel Quality Control Seminar during June 26 – June 28, 2018 at a cost not to exceed $2,000.00" is enumerated, this consent item is thereby approved.

9. CONSIDERATION OF PP 18-05 FOR RENEWAL OF PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING +/- 41.26 PARCEL INTO 61 LOTS. THE PROPERTY IS LOCATED AT THE WEST END OF HUNTINGTON DRIVE IN AN R-4 ZONING DISTRICT WITH THE PARCEL NUMBER 105-15-003.04.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of PP 18-05 for renewal of Preliminary Plat approval for subdividing +/- 41.26 parcel into 61 lots with the property located at the west end of Huntington Drive in an R-4 Zoning district with the parcel number 105-15-003.04" is enumerated, this consent item is thereby approved.

10. CONSIDERATION OF PP 18-07 AND FP 18-04 REQUEST FOR APPROVAL FOR RESUBDIVIDING TWO PARCELS AT 307 AND 311 GILLESPIE STREET IN A R-2 ZONE WITH THE PARCEL NUMBER 102A-00-157.00 AND 102A-00-156.00.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of PP 18-07 FP 18-04 Request for Final Plat approval for resubdividing two parcels at 307 and 311 Gillespie Street in a R-2 zone with the parcel numbers 102A-00-157.00 and 102A-00-156.00 with recommended conditions as follows" is enumerated, this consent item is thereby approved.

1. The final plat shall meet the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1 25 of the Mississippi Code of 1972, as amended.
2. The final plat shall meet the minimum requirements for R-2 dimensions.
3. All public utilities must be currently in place and meet city requirements.
4. Erosion control vegetation shall be established on all disturbed areas.
5. The applicant shall provide one paper copies of the recorded plat to the City, along with a digital copy in "AutoCAD" format in standard state plane coordinates.
6. The final plat shall be recorded at the Office of the Oktibbeha County Chancery Clerk within thirty (30) days of the approval by the Mayor and Board of Aldermen.

11. CONSIDERATION OF TRAVEL AND TRAINING FOR MIKE ST. LOUIS TO ATTEND THE BUILDING OFFICIALS ASSOCIATION OF MISSISSIPPI SUMMER CONFERENCE WITH COST NOT TO EXCEED $750.00.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of travel and training for Mike St. Louis to attend an educational conference of the Building Officials Association of Mississippi with advance travel not to exceed $700.00" is enumerated, this consent item is thereby approved.

12. CONSIDERATION OF APPROVAL OF THE 2018 STREET IMPROVEMENT PROJECT, ACCEPTING THE LOW BID FROM FALCON CONTRACTING AND AUTHORIZATION FOR THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of the 2018 Street Improvement Program, accepting the low bid from Falcon Contracting and authorization for the Mayor to execute a contract with the parallel parking proposed for Santa Anita Drive from Evergreen to Jackson Street removed" is enumerated, this consent item is thereby approved.

Bids for the 2018 Street Improvement Project were received on Tuesday, May 8 at 9am. Three bids were received. Based on estimated quantities and the unit price bids provided, Falcon Contracting is the low bidder. A recap of the bids are as follows:

Falcon Contracting Company, Inc.	$ 886,997.50
APAC- Mississippi, Inc.	$ 910,943.50
SiteMasters	$1,155,416.34

Falcon Contracting Company's proposal met all the requirements of the advertisement. The unit price for asphalt surface from their bid is $98.50. This is a competitive price and the overall project bid falls within the project estimate.

13. CONSIDERATION OF ACCEPTANCE OF THE APRIL 2018 FINANCIAL STATEMENTS.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of the April 2018 Financial Statements" is enumerated, this consent item is thereby approved.

14. CONSIDERATION FOR JAMEIKA SMITH TO PARTICIPATE IN THE CITY EDUCATIONAL ASSISTANCE PROGRAM AND TO REIMBURSE HER FOR THE APPROVED COURSE COMPLETED IN THE SPRING OF 2018 SEMESTER IN THE AMOUNT OF $881.05.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval for Jameika Smith to participate in the city educational assistance program and to reimburse her for the approved course completed in the Spring of 2018 semester in the amount of $881.05" is enumerated, this consent item is thereby approved.

15. CONSIDERATION TO ADVERTISE FOR A PART-TIME ATHLETIC ASSISTANT, IN THE STARKVILLE PARKS & RECREATION DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval to advertise for a part-time Athletic Assistant, in the Starkville Parks & Recreation Department" is enumerated, this consent item is thereby approved.

16. CONSIDERATION TO ADVERTISE FOR THREE (3) PART-TIME SEASONAL PROGRAM SPECIALIST POSITIONS IN THE STARKVILLE PARK AND RECREATION DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval to advertise for three (3) part-time Seasonal Program Specialist positions in the Starkville Park and Recreation Department" is enumerated, this consent item is thereby approved.

As part of the new joint-use agreement with Starkville-Oktibbeha School District, the City's Parks and Recreation Department will be utilizing School Facilities for Programs. For the month of June 2018, Henderson Ward Stewart gym will be utilized for programming. In order to use the gym, the City is required to provide supervision. Two of the positions will be tasked with doing that. The other position is requested to assist with the NRPA Healthy Out-of-School Meal Grant Program, so that we have a city staff member involved and coordinating necessary items for the program.

17. REQUEST AUTHORIZATION TO TRANSFER WILLIAM "RONNIE" SMITH FROM THE WATER DEPARTMENT (REHAB CONSTRUCTION), TO FILL A DRIVER POSITION IN THE SANITATION ENVIRONMENTAL SERVICE DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval to transfer William "Ronnie" Smith from the Water Department (Rehab Construction), to fill a Driver position in the Sanitation Environmental Service Department" is enumerated, this consent item is thereby approved.

18. REQUEST AUTHORIZATION TO HIRE JOSHUA BROWN, AS A DRIVER IN THE SANITATION & ENVIRONMENTAL SERVICE DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval to hire Joshua Brown, as a Driver in the Sanitation & Environmental Service Department" is enumerated, this consent item is thereby approved.

19. REQUEST AUTHORIZATION TO RECLASSIFY THERESA CELESTINE IN THE STARKVILLE POLICE DEPARTMENT FROM PART-TIME WITHOUT BENEFITS TO FULL-TIME WITH BENEFITS.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the “approval to reclassify Theresa Celestine in the Starkville Police Department from part-time without benefits to full-time with benefits” is enumerated, this consent item is thereby approved.

20. REQUEST AUTHORIZATION TO HIRE BAILEY CRISTWELL AS A PART-TIME CUSTOMER SERVICE REPRESENTATIVE IN THE STARKVILLE UTILITIES DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the “approval to hire Bailey Cristwell as a part-time Customer Service Representative in the Starkville Utilities Department” is enumerated, this consent item is thereby approved.

21. REQUEST AUTHORIZATION TO HIRE AUGESTER HOLLINS, AS AN APPRENTICE LINEMAN IN THE STARKVILLE UTILITIES DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the “approval to hire Augester Hollins, as an Apprentice Lineman in the Starkville Utilities Department” is enumerated, this consent item is thereby approved.

22. REQUEST AUTHORIZATION TO HIRE COREY BRAXTON, AS A MAINTENANCE WORKER III FOR THE UTILITIES DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the “approval to hire Corey Braxton, as a Maintenance Worker III for the Utilities Department” is enumerated, this consent item is thereby approved.

23. REQUEST AUTHORIZATION TO ADVERTISE FOR THREE PART-TIME LINEMEN FOR THE AIRPORT DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the “approval to advertise for three part-time linemen for the Airport Department” is enumerated, this consent item is thereby approved.

24. CONSIDERATION TO AUTHORIZE THE PURCHASE OF NEW HVAC UNIT AND LINES TO BE USED BY THE PARK AND RECREATION DEPARTMENT OF THE CITY OF STARKVILLE AT THE NEEDMORE COMMUNITY CENTER FROM THE LOWER QUOTE, HOLLIS BROTHERS, FOR $6,000.00.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the “approval to advertise for three part-time linemen for the Airport Department” is enumerated, this consent item is thereby approved.

25. CONSIDERATION TO AUTHORIZE THE PURCHASE OF EXMARK 72” LAZER E-SERIES MOWER, STATE CONTRACT NUMBER 8200037364 TO BE USED BY THE PARK AND RECREATION DEPARTMENT OF THE CITY OF STARKVILLE AND FOR THE CITY CLERK / CFO TO OBTAIN FINANCING QUOTES.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval to authorize the purchase of Exmark 72" Lazer E-Series mower, state contract number 8200037364 to be used by the Park and Recreation Department of the City of Starkville and for the City Clerk / CFO to obtain financing leasing quotes" is enumerated, this consent item is thereby approved.

Two quote received: Evergreen Ag - $ 8,400.00
Powerstroke Eq - $ 8,500.00

26. CONSIDERATION OF THE APPROVAL OF THE AGREEMENT BETWEEN THE CITY OF STARKVILLE AND SOUTHERN FOUNDATION, INC., TO OPERATE THE NATIONAL RECREATION AND PARKS ASSOCIATION (NRPA)/WAL-MART FOUNDATION RURAL COMMUNITIES HEALTHY OUT-OF-SCHOOL PROGRAM.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of the Memorandum of Understanding (MOU) between the City of Starkville and Southern Foundation, Inc., and approval for the Mayor to sign the MOU" is enumerated, this consent item is thereby approved.

AGREEMENT

WHEREAS this Agreement is made by and between the Southern Foundation for Homeless Children, Incorporated ("Subgrantee"), and the City of Starkville, Mississippi ("City"), effective as of the last date of execution shown below;

WHEREAS, the City, in cooperation with the Subgrantee, applied and were awarded a 2018 Rural Communities Healthy Out-of-School Time Grant by the National Recreation and Park Association;

WHEREAS, the City recognizes the Subgrantee has expertise in operating a meal program, and has available space and desire for the Subgrantee to implement the terms of the grant requirements; and

NOW THEREFORE, for and in consideration of the premises and agreements contained herein, and the benefits accruing to each, the Subgrantee and the City mutually agree and covenant as follows:

ARTICLE I. DUTIES AND RESPONSIBILITIES

A. The duties and responsibilities of the City are as follows:

1. Reimburse the Subgrantee for costs associated with the grant. Invoices or receipts must be provided to the City in accordance with the terms of the grant.
2. Provide indoor facilities at no cost to the Subgrantee for the operation of a meal program during the terms of the grant.

3. Assist in promotion of the meal program on website, social media and other necessary medium.

4. Assist in coordinating transportation for meal program participants including procuring and scheduling of buses, promotion of the transportation schedule, and providing designated pick-up and drop-off zones at City facilities.

B. The duties and responsibilities of the Subgrantee are as follows:

1. Implement the meal program including procuring of food items, storage of food items, providing staff and/or volunteers to operate the meal program, and other terms as required in the grant as outlined by the National Recreation and Park Association.

2. Assist in promotion of the meal program on website, social media and other necessary medium.

3. Assist in providing staff and/or volunteers for the transportation of meal program participants.

4. Provide insurance coverage that meets the City's insurance requirements for special events.

ARTICLE II. GENERAL PROVISIONS

A. The Subgrantee and the City further agree to the following:

Both parties hereto agree that all terms of this agreement are also subject to the terms of the Memorandum of Understanding made between the City of Starkville and the National Recreation and Park Association regarding implementation of the Healthy Out-of-School Time Program Grant.

Article III. NON-DISCRIMINATION CLAUSE

The Subgrantee hereby agrees to refrain from any activity in relation to this Agreement that discriminates against any person or persons based upon race, color, creed, national origin, disability, religion, age, or sex, and in accordance with present federal and state laws.

Article IV. Use of Facility Keys

The City will issue key(s) to the Subgrantee for and during the use of appropriate facilities. The keys may not be reproduced or duplicated by the Subgrantee. The Subgrantee agrees to return these keys to City within five working days after the conclusion of the term of this Agreement unless mutually agreed upon otherwise by the parties. Upon failure to return any of said keys issued by the City to the Subgrantee, the Subgrantee agrees to reimburse City for the cost to make new key(s) and install new lock(s).

Article V. Repairs and Damages to Facilities

The Subgrantee agrees to be solely responsible for any and all damages related to and arising out of the use of City facilities by the Subgrantee under this Agreement. This applies, but is not limited to, any and all persons associated with the Subgrantee who use the facilities or who attend the Subgrantee's events at the facilities during the term of the Agreement. The Subgrantee agrees to be solely responsible for all repairs or costs of repairs to the facilities and for any and all related damages as set forth herein.

Article VI. Safety Procedures

The Subgrantee hereby agrees to abide by generally-recognized standards of safety, regulations and procedures for the nature of the proposed use of the facilities. The Subgrantee, including its representatives, employees and volunteers, are also required to abide by City of Starkville park rules and ordinances.

Article VII. Criminal Background Checks

The Subgrantee shall conduct criminal background checks on all persons acting as employees, volunteers, board members, and any other person acting in an official capacity with any organization involved in the Subgrantee's activities. These checks shall be conducted prior to the beginning of the meal program and shall be valid for no more than one calendar year. The Subgrantee shall employ a reputable company licensed by the State of Mississippi to conduct such checks unless these checks are conducted by the Subgrantee's state or national sanctioning body. Should an individual be disqualified as a result of the check, based upon generally-recognized standards for the protection of youth, the Subgrantee shall prohibit that individual from serving in any official capacity with the Subgrantee's activities. Additionally, the Subgrantee shall provide to the City, upon request, a listing of all individuals who have undergone a criminal background check.

Article VIII. INDEMNIFICATION

The Subgrantee shall indemnify, hold harmless, and defend the City, its officers, agents, employees and volunteers from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person or for damage to any property arising out of or in connection with Subgrantee's performance under this Agreement. Such indemnity shall apply regardless of whether the claims, losses, damages, causes of action, suits, or liability arise in whole or in part from the negligence of the City, any other party indemnified hereunder, the Subgrantee, or any third party. It is the intent of the parties that this provision shall extend to, and include, any and all claims, causes of action or liability caused by the concurrent, joint and/or contributory negligence of the City, an alleged breach of an express or implied warranty by the City or which arises out of any theory of strict or products liability.

Article IX. RELEASE

The Subgrantee hereby releases, relinquishes and discharges the City, its officers, agents, employees and volunteers from all claims, demands, and causes of action of every kind and character, including the cost of defense thereof, for any injury to or death of any person and any loss of or damage to any property that is caused by or alleged to be caused by, arising out of, or in connection with the Subgrantee's performance under this Agreement, whether or not said claims, demands, or causes of action are covered in whole or in part by insurance.

Article X. INSURANCE REQUIREMENTS

During the term of this Agreement, the Subgrantee shall procure and maintain, at its sole cost and expense, a General Liability insurance policy for injuries to persons or damages to property that may arise from or in connection with its performance under this Agreement for limits of not less than $1,000,000 for personal injury, death, or property damage out of any one occurrence. This insurance must name the City of Starkville, MS as an additional insured under the policy and contain a waiver of subrogation in favor of the City of Starkville, MS. Only insurance carriers licensed and authorized to do business in the state of Mississippi will be accepted. The User's insurance coverage shall be primary insurance with respect to the City, its officials, agents, employees, and volunteers. Any insurance or self-insurance maintained by City, its officials, agents, employees or volunteers shall be considered secondary and in excess of the Subgrantee's insurance and shall not contribute to it. A certificate of insurance and copies of all endorsements shall be furnished to the City at the time of execution of this Agreement and approved by the City ***before*** any performance of this Agreement.

Article XI. MISCELLANEOUS TERMS

1. This Agreement has been made under and shall be governed by the laws of the State of Mississippi. The parties agree that performance and all matters related thereto shall be in Oktibbeha County, Mississippi.

2. This Agreement and the rights and obligations contained herein may not be assigned or sublet by the Subgrantee without the prior written approval of the City.

3. No waiver or deferral by either party of any term or condition of this Agreement shall be deemed or construed to be a waiver or deferral of any other term or condition or to be a subsequent waiver or deferral of the same term or condition.

4. This Agreement may only be amended by written instrument approved and executed by both parties.

5. The parties hereby state that they have read the terms of this Agreement and hereby agree to the terms and conditions contained herein.

6. The term of this Agreement shall run from the date of execution of this Agreement through ______________________________, the conclusion of the grant term.

7. Either the City or Subgrantee may terminate this Agreement with our without cause upon 30 day written notice to the other party.

The designated agents for the parties are:

Southern Foundation for Homeless Children, Inc.
Gwendolyn Gray, Chief Executive Officer
317 Martin Luther King Dr. Suite 102
Starkville, MS 39759
Office: 662-320-6613
Office: 662-320-6614
Fax: 662-320-6616

CITY OF STARKVILLE, MISSISSIPPI
Lynn Spruill, Mayor
110 West Main Street
Starkville, MS 39759
Tele: (662} 323-2525

AND NOW, having agreed as set out in the above pages, the Subgrantee has executed this Agreement on this _____ day of _________________________, 2018.

SOUTHERN FOUNDATION FOR HOMELESS CHILDREN, INC.

By: _______________________
Gwendolyn Gray
Chief Executive Officer

AND NOW, having agreed as set out in the above pages, the City has executed this Agreement on this _______ day of ____________________________, 2018.

THE CITY OF STARKVILLE, MS

By: __________________________
Lynn Spruill, Mayor

27. CONSIDERATION TO PURCHASE A 6 x 12 x 3 DUMP BED TRAILER FROM THE LOWEST QUOTE OF $5,350.00 FROM TURNER FARMS AND TRAILER SALES.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval to purchase a 6 x 12 x 3 dump bed trailer from the lowest quote of $5,350" is enumerated, this consent item is thereby approved.

Two quotes received:	Turner Farms and Trailer Sales	-	$ 5,350.00
	Triple C Trailers	-	$ 6,500.00

28. CONSIDERATION OF A RESOLUTION BY THE CITY OF STARKVILLE TO FILE A JOINT PETITION TO THE MISSISSIPPI PUBLIC SERVICE COMMISSION TO CANCEL A PORTION OF THE CERTIFICATED AREA OF THE OKTOC WATER ASSOCIATION TO BE SERVED BY THE CITY OF STARKVILLE.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the "approval of a Resolution by the City Of Starkville to file a joint petition to the Mississippi Public Service Commission to cancel a portion of the certificated area of the Oktoc Water Association to be served by the City of Starkville" is enumerated, this consent item is thereby approved.

A RESOLUTION BY THE CITY OF STARKVILLE BOARD OF ALDERMAN TO FILE A JOINT PETITION TO THE MISSISSIPPI PUBLIC SERVICE COMMISSION TO CANCEL A PORTION OF THE CERTIFICATED AREA OF THE OKTOC WATER ASSOCIATION TO BE SERVED BY THE CITY OF STARKVILLE, MISSISSIPPI

WHEREAS, Starkvest, LLC owns a 210 acre parcel of land and needs to start construction of a residential subdivision upon it. The Oktoc Community Water Association is the holder of the Certificate of Public Convenience and Necessity to provide potable water to the area.

WHEREAS, the Oktoc Community Water Association does not desire to serve the parcel.

WHERAS, Starkvest, LLC has petitioned the City of Starkville to treat the wastewater from the subdivision, and the City has agreed to provide that function.

WHEREAS, the parcel in question resides outside the city limits, but within the boundaries of the Federal Environmental Protection Agency's 201 Planning Area.

WHEREAS, the City of Starkville, Mississippi has sufficient production and storage capacity to provide potable water to the parcel.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE that the Mayor is authorized to execute any documents or provide testimony on behalf of the City of Starkville related to submitting a joint petition to the Mississippi Public Service Commission to cancel a portion of the certificated area of the Oktoc Community Water Association, being more particularly described as follows:

Southwest Quarter, and Southwest Quarter of the Southeast Quarter; and South Half of South Half of the Northwest Quarter of Southeast Quarter of Section 23, Township 18 North, Range 14 East, containing 210 acres, more or less.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, the Resolution was adopted by vote as follows:

Alderman Ben Carver voted aye
Alderman Sandra Sistrunk voted aye
Alderman David Little voted aye
Alderman Jason Walker voted aye
Alderman Patrick Miller voted aye
Alderman Roy A.' Perkins voted aye
Alderman Henry Vaughn voted aye

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this, the 15th day of May, 2018.

City of Starkville, Mississippi

D. Lynn Spruill, Mayor

ATTEST:

Lesa Hardin, City Clerk

CITY OF STARKVILLE STATE OF MISSISSIPPI

29. CONSIDERATION OF ACCEPTANCE OF PERMANENT RIGHT OF WAY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FROM STARKVILLE OKTIBBEHA CONSOLIDATED SCHOOL DISTRICT FOR THE PURPOSE OF LAYING A SEWER LINE.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the May 15, 2018 Official Agenda, and to accept items for consent, whereby the “approval of the acceptance of permanent right of way easement and temporary construction easement from Starkville Oktibbeha Consolidated School District for the purpose of laying a sewer line” is enumerated, this consent item is thereby approved.

ADDRESS OF GRANTOR
Starkville Oktibbeha Consolidated
School District
401 Greensboro Street
Starkville, MS 39759
(662) 324-4050

ADDRESS OF GRANTEE
City of Starkville
110 W. Main St.
Starkville, MS 39759
(662) 323-2525

Book 2018 Page 3465
Deed
05/11/2018
Oktibbeha County, MS
Sharon Livingston, Chancery Clerk

APPROVED
MAY 08 2018
SOCSD
SCHOOL BOARD

Indexing Instructions: Section16, Township 18 North, Range 14 East

STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

PERMANENT RIGHT OF WAY EASEMENT
and
TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE, made and entered into on this 8th day of May, 2018, by and between **STARKVILLE OKTIBBEHA CONSOLIDATED SCHOOL DISTRICT,** "Grantor", and the **CITY OF STARKVILLE, MISSISSIPPI**, a municipal corporation and body politic, "Grantee".

WITNESSETH:

Grantor, for and in consideration of the sum of Ten Dollars ($10.00) cash in hand paid by the Grantee, the receipt of which is acknowledged, and other good and valuable consideration recited, gives, grants, and conveys unto Grantee, its successors and assigns, a 15 foot wide permanent utility easement to be used as a general utility easement, together with the right to construct and install utility facilities over, along, across or under lands of the Grantor. The Grantor also grants to Grantee a five foot wide temporary construction and maintenance easement, with all such easements being situated in Oktibbeha County, Mississippi, described as follows, and visually depicted on Exhibit A attached hereto:

Permanent Utility Easement

Commence at the intersection of the South boundary of Section16, Township 18 North, Range 14 East and West right of way boundary of Louisville Street and being the POINT OF BEGINNING; thence proceed West along the South boundary of Section 16 a distance of 450 feet; thence North a distance of 15 feet; thence East, while maintaining a 15 foot perpendicular distance from the South boundary of Section 16, to the point of intersection with the West boundary of Louisville Street; thence southwesterly along the West right of way boundary of Louisville Street to the POINT OF BEGINNING.

Temporary Construction and Maintenance Easement

A 5 foot wide temporary construction and maintenance easement being a strip of land lying along, adjoining, North of and parallel with the entire North line of the above described permanent easement.

TOGETHER WITH all the rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from said sewer line and maintenance thereof.

Book 2018 Page 3466
Deed
05/11/2018 10:51:47 AM

Grantor hereby waives appraisal and just compensation and donates said easements herein described.

Having been authorized by the Starkville Oktibbeha County Consolidated School District Board of Trustees during its meeting on May 8, 2018, witness my signature and acknowledgment of this agreement on this the 11th day of May, 2018.

STARKVILLE OKTIBBEHA COUNTY
CONSOLIDATED SCHOOL DISTRICT

Dr. Eddie Peasant, Superintendent

Oktibbeha County, MS
I certify this instrument was filed
on 05/11/2018 10:51:47 AM
and recorded in the
Deed
Book 2018 Page 3465 - 3466
Sharon Livingston, Chancery Clerk

ANNOUNCEMENTS AND COMMENTS:

MAYOR'S COMMENTS:
Mayor Spruill invited everyone to the upcoming Community Market where there will be an "Ask Government" table that various elected officials will be available to answer any citizen questions.

BOARD OF ALDERMEN COMMENTS:
Alderman Miller noted there would be a public hearing June 5 on Residential Parking and invited citizens to attend.
Alderman Carver invited all to attend the Sundown in Downtown to be held May 17 at the Fire Station Park.

CITIZEN COMMENTS:
Alvin Turner, Ward 7, reminded everyone that children need to be provided safe places to live and that every minute counts when people need health assistance.
Serderia Gray invited everyone to the MS Summer Healthy Eating Kickoff June 1 from 11:00 to 3:00 at the Sportsplex.

PUBLIC APPEARANCES:

Calbrina Woods, representing B-BTRY 2-114th Field Artillery Family Readiness Group, thanked everyone for their support.

PUBLIC HEARINGS: None

30. CONSIDERATION OF JOINT USE AGREEMENT BETWEEN THE STARKVILLE OKTIBBEHA CONSOLIDATED SCHOOL DISTRICT AND THE CITY OF STARKVILLE FOR USE OF SCHOOL AND PARKS & RECREATION FACILITIES.

Alderman Walker, duly seconded by Alderman Sistrunk, offered a motion approving a joint use agreement between the Starkville Oktibbeha Consolidated School District and the City of Starkville for use of school and parks & recreation facilities. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Patrick Miller	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.

31. CONSIDERATION OF CONTRACT PROPOSALS FOR AMBULANCE SERVICES TO BE HOUSED, SUPERVISED AND DISPATCHED IN THE CITY OF STARKVILLE FIRE STATIONS.

Following discussion between the Board, Pafford officials and the Fire Chief, Alderman Little offered a motion to approve a contract with Pafford Medical Services effective August 1, 2018, contingent on the Board Attorney negotiating various insurance and liability provisions. Alderman Sistrunk offered a second to the motion and the Board voted as follows:

Alderman Ben Carver	Voted: Nay
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea

Alderman Patrick Miller	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.

32. CONSIDERATION TO ESTABLISH AN EMS DISTRICT FOR THE STARKVILLE FIRE DEPARTMENT IN THE CITY LIMITS.

Alderman Little offered a motion to approve the establishment of an EMS District for the Starkville Fire Department in the city limits to be withdrawn if a contract with Pafford is not agreed upon. Alderman Walker offered a second to the motion and the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Patrick Miller	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.

33. DISCUSSION AND CONSIDERATION OF AN UPDATE TO THE SPECIAL EVENTS POLICY FOR THE CITY OF STARKVILLE.

Alderman Little thanked the Community Development department for working to simplify and streamline the Special Event process. It was noted that the policy should be in line with City Ordinances and contain some provision for fees. The Board agreed to table the item until such time as the Community Planner, Daniel Havelin, can present a revised policy.

34. CONSIDERATION OF A SPECIAL EVENT REQUEST BY SUSAN FORD ON BEHALF OF THE STARKVILLE FOUNDATION FOR PUBLIC EDUCATION TO HOLD THE 28TH ANNUAL HANNAH POTE RUN FOR EDUCATION AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES TO BE HELD AUGUST 18, 2018.

Upon the motion of Alderman Walker, duly seconded by Alderman Miller, to approve a Special Event request by Susan Ford on behalf of the Starkville Foundation for Public Education to hold the 28th annual Hannah Pote Run for Education on August 18, 2018 and have City participation with in-kind services, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Patrick Miller	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.

APPROVED
MAY 08 2018
SOCSD
SCHOOL BOARD

Joint Use Agreement

AGREEMENT BETWEEN THE STARKVILLE OKTIBBEHA CONSOLIDATED SCHOOL DISTRICT ("DISTRICT") AND THE CITY OF STARKVILLE ("CITY") FOR USE OF SCHOOL AND PARKS & RECREATION FACILITIES.

Recitals

WHEREAS, the District and the City have an interest in promoting community recreation programs and activities to promote the health and general welfare of the community; and

WHEREAS, the District and the City are the owners of real property in the City, including facilities and active use areas that are capable of being used by the City for community recreational purposes; and

WHEREAS, under appropriate circumstances, these publicly held lands and facilities should be used most efficiently to maximize use and increase recreational opportunities for the community; and

NOW, THEREFORE, the District and the City agree to cooperate with each other as follows:

1. **Term**
   This Agreement will begin on the Effective Date and shall continue month to month unless sooner terminated as provided for in Section 13 below.

2. **Effective Date**
   This Agreement shall be effective when it is approved by the governing bodies of both the District and the City and is fully executed by District and City officials.

3. **Facilities covered**
   The term "Active Use Areas" will be used for purposes of this Agreement to mean the designated fields, buildings, playgrounds, and parking lots.

   a. The Active Use areas of the District covered by this agreement are:

      - Henderson Ward Stewart Elementary playground and multiuse field
      - Armstrong Middle School playground and multi-use field
      - Overstreet School playground and park
      - Sudduth Elementary School playground

b. The Active Use areas of the City covered by this agreement are:

- Travis Outlaw Center Gymnasium,
- Starkville Sportsplex Athletic Fields and Pavilions
- McKee Park Athletic Fields and Pavilions
- J.L. King Senior Memorial Park Athletic Fields and Pavilions
- Moncrief Park Pool
- All other park pavilions

c. Terms of this Agreement shall apply to all Active Use Areas owned by the District and the City. The District and the City shall have the right to add or exclude Active Use Areas during the term of this Agreement, provided that any such change shall be in writing and approved by both the District and the City.

4. Permitted Uses of District Active Use Areas

a. The District shall be entitled to the exclusive use of District Active Use Areas for public school and school-related educational and recreational activities, including summer school, and, at such other times as District Active Use Areas are being used by the District or its agents.

b. The City shall be entitled to access District Active Use Areas for use by the community during daylight hours on weekdays after school, weekends, and school holidays, when the District or its agents are not using the District Active Use Areas. Such use shall be referred to as "Public Access Hours." All access to all facilities must be coordinated between designated representatives of the District and the City prior to their use.

5. Permitted Uses of City Active Use Areas

The District shall be entitled to use City Active Use Areas for public school and school-related educational and recreational activities during regularly scheduled school hours to the extent that its use does not interfere with general community use of City Active Use Areas. All after school activities must be coordinated between the District and City prior to use through their designated representative and are subject to availability.

6. Compliance with Law

All use of District and City property shall be in accordance with state and local law. In the case of a conflict between the terms of this Agreement and the requirements of state law, state law shall govern. Any actions taken by the District or the City that are required by state law, but are inconsistent with the terms of this Agreement, shall not be construed to be a breach or default of this Agreement. The City and School District shall also work to ensure compliance with any MHSAA requirements and rules. In accordance with MHSAA requirements, active use areas under the control of the city will be associated with coordinated league play.

7. Obligations of City

a. Designation of Employee
The Director of Starkville Department of Parks and Recreation, or his designee, shall be the designated employee with whom the District, or any authorized agent of the District, may confer regarding the terms of this Agreement.

b. Access
City Active Use Areas will be open to the District during regularly scheduled school hours dependent on availability. All other use of City Active Use Areas by the District must be coordinated prior to use through the City's designated representative.

c. Supervision
Use of any District Active Use indoor facility or athletic field shall require a city representative to be on-site at all times and for their contact information to be provided to the District Superintendent or Designee.

d. Security
When District Active Use facilities are open for Public Access Hours, the city shall instruct Starkville Police Department personnel to include these facilities as part of regular patrol. Any additional security required for use of indoor or athletic facility use shall be at the District Superintendent's discretion.

e. Cleanliness
District Active Use Public Access areas must be checked for cleanliness prior to the beginning of school hours each week. All indoor and athletic facilities must be cleaned by city staff after each use.

f. Signage
City shall be responsible for procuring additional signage for Public Access areas. All verbiage must be approved by the District before the signage is purchased, and the City will coordinate with the District Superintendent, or his designee, for appropriate placement.

8. Obligations of District

a. Designation of Employee
The Superintendent, or his designee, shall be the designated employee with whom the City, or any authorized agent of the City, may confer regarding the terms of this Agreement.

b. Access and Security
The District shall provide access to the District Active Use Playground Areas during Public Access Hours. Public Access Hours shall be 4:00 p.m. until dark on school days and 7:00 a.m. until dark on weekends and school holidays. Access to the Starkville High School Stadium and football field and to all gyms must be coordinated prior to use through the designated representatives of the District and the City.

c. **Cleanliness**
All facilities must be cleaned by District staff after each use of City Active Use areas.

9. **Maintenance**
The District and City shall perform normal maintenance of their Active Use Areas at basic level of service subject to normal wear and tear. They shall notify each other of any known change in condition of their Active Use Areas.

10. **Restitution and Repair**
The City and the District each shall be wholly responsible for repairing, remediating, or funding the replacement or remediation of any and all damage or vandalism to their respective Active Use Areas.

11. **Insurance**
The City and the District each agree to provide the following insurance in connection with this Agreement.

a. Commercial General Liability for bodily injury and property damage, including Personal Injury and Blanket Contractual, with limits of $1,000,000 per occurrence $2,000,000 aggregate.

b. Documentation of Insurance. The City and the District shall provide to each other a certificate of insurance each year this Agreement is in effect showing proof of the above coverage. In the event the City or the District is self-insured for the above coverage, such agency shall provide a letter stating its agreement to provide coverage for any claims resulting from its negligence in connection with joint use facilities in the above amounts.

12. **Evaluation/Conflict Resolution**

a. The City and the District shall establish a Joint Use Team, composed of staff representatives of the City and the District, to monitor the joint use project and Agreement for its duration. The Joint Use Team shall hold conference calls or meetings as needed to review the performance of the project and to confer to discuss interim problems during the term of the Agreement.

b. The Joint Use Team shall review the Agreement by May 31st of each year to evaluate the Project and to propose amendments to this Agreement.

13. **Termination**
This Agreement may be terminated at any time prior to its expiration upon fifteen (15) days written notice to the other party.

14. **Entire Agreement**
This Agreement constitutes the entire understanding between the parties with respect to the subject matter and supersedes any prior negotiations, representations, agreements, and understandings.

15. Amendments
This Agreement may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved by the District and the City in the same manner as this Agreement.

16. Authority
The individuals executing this Agreement represent that they have authority to sign on behalf of the parties to this Agreement.

Starkville Oktibbeha Consolidated School District

By: Eddie Peasant
Dr. Eddie Peasant, Superintendent

Signature: Eddie Peasant
Dated: 5/8/18

City of Starkville, Mississippi

By: ____________________
D. Lynn Spruill, Mayor, City of Starkville

Signature: ____________________
Dated: ____________________

35. CONSIDERATION OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF MAY 8, 2018 FOR FISCAL YEAR ENDING 9/30/18 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.

Upon the motion of Alderman Miller, duly seconded by Alderman Little, to approve the City of Starkville Claims Docket for all departments including Starkville Utilities as of May 8, 2018 for fiscal year ending 9/30/18, and authorizing the City Clerk 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 Voted: Yea
Alderman Sandra Sistrunk Voted: Yea
Alderman David Little Voted: Yea
Alderman Jason Walker Voted: Yea
Alderman Patrick Miller 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	$ 528,971.92
Airport Fund	015	27,594.86
Airport Restricted – Grants	016	20,843.00
Sanitation	022	58,057.99
Landfill	023	1,757.00
Computer Assessments	107	2,890.46
Industrial Park Bond	303	47,923.04
Capital Improvement 2018 Bond	319	3,340.87
Sub Total Before Utilities		$ 691,379.14
Utilities Dept.	SED	842,789.80
Total Claims	Total	$ 1,534,168.94

36. CONSIDERATION OF QUOTES FOR PROPERTY, VEHICLE AND EQUIPMENT INSURANCE SERVICES.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, to approve the quote from Renasant Insurance with Liberty Mutual as the underwriter at a cost of $77,813.00 for June 1, 2018 – May 31, 2019, with an option to extend one year, with a committee to be formed to evaluate the City insurance coverage needs within the next year, the Board voted as follows:

Alderman Ben Carver Voted: Yea
Alderman Sandra Sistrunk Voted: Yea
Alderman David Little Voted: Yea
Alderman Jason Walker Voted: Yea
Alderman Patrick Miller 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.

Two local agents quoted property, automobile physical damage and equipment insurance services. The quotes, received with statements that they are Mississippi admitted insurance underwriters, are:

Insurance Associates of Starkville, LLC :
Hudson Insurance Company – rated A15 - $79,956.00

Renasant Insurance, Inc.:
Liberty Mutual Ins. – rated A - $77,813.00
EMC Insurance Company – rated A - $83,364.00

37. 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, seconded by Alderman Miller, 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 Sandra Sistrunk Voted: Yea
Alderman David Little Voted: Yea
Alderman Jason Walker Voted: Yea
Alderman Patrick Miller 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.

38. A MOTION TO ENTER EXECUTIVE SESSION.

Alderman Vaughn offered a motion to enter Executive Session for the purpose of the personnel grievance of an employee of Starkville Utilities Department, the job performance of two Starkville Police Officers, pending litigation relating to the Starkville Pride case and potential land acquisition regarding expansion of park property, on a finding that the proposed topics qualified for Executive Session. Following a second by Alderman Miller, the Board voted as follows to enter Executive Session:

Alderman Ben Carver Voted: Yea
Alderman Sandra Sistrunk Voted: Yea
Alderman David Little Voted: Yea
Alderman Jason Walker Voted: Yea
Alderman Patrick Miller 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 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 personnel grievance of an employee of

Starkville Utilities Department, the job performance of two Starkville Police Officers, pending litigation relating to the Starkville Pride case and potential land acquisition regarding expansion of park property, on a finding that the proposed topics qualified for Executive Session.

At this time, the Board entered Executive Session.

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

Alderman Vaughn offered a motion to return to Open Session. Alderman Perkins seconded the motion and the Board voted as follows:

Alderman Ben Carver	Voted: Absent
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Absent
Alderman Patrick Miller	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. Aldermen Carver and Walker left the meeting during executive session after discussion of the job performance of the police officers.

40. CONSIDERATION OF A MOTION TO ACCEPT THE RECOMMENDATION OF THE POLICE CHIEF FOR DISCIPLINARY ACTIONS OF TWO POLICE OFFICERS.

Alderman Vaughn offered a motion to accept the recommendation of the Police Chief for the disciplinary actions of two Starkville Police Officers English and Carpenter. Alderman Little seconded the motion and the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Patrick Miller	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.

41. CONSIDERATION OF A MOTION TO DENY THE GRIEVANCE REQUEST OF A STARKVILLE UTILITIES DEPARTMENT EMPLOYEE.

Alderman Perkins offered a motion to deny the grievance request of Starkville utilities department employee Ann Marie Logan. Alderman Miller seconded the motion and the Board voted as follows:

Alderman Ben Carver	Voted: Absent
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Absent

Alderman Patrick Miller 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.

42. MOTION TO RECESS UNTIL MAY 15, 2018 @ 5:30 IN THE COURT ROOM AT 110 WEST MAIN STREET.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, for the Board of Aldermen to recess the meeting until May 15, 2018 @ 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 Sandra Sistrunk Voted: Yea
Alderman David Little Voted: Yea
Alderman Jason Walker Voted: Absent
Alderman Patrick Miller Voted: Yea
Alderman Roy A'. Perkins Voted: Yea
Alderman Henry Vaughn, Sr. Voted: Yea

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

SIGNED AND SEALED THIS THE _______ DAY OF ____________________ 2018.

Attest:

____
D. LYNN SPRUILL, MAYOR

____
LESA HARDIN, CITY CLERK

(SEAL)