MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI
July 3, 2018

Be it remembered that the Mayor and Board of Alderman met in a Regular Meeting on July 3, 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 Sandra Sistrunk, David Little, Jason Walker, Patrick Miller, Roy A.' Perkins and Henry Vaughn, Sr. Aldermen Ben Carver attended telephonically. 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:

Alderman Miller asked that Personnel be removed from Executive Session.
Alderman Vaughn asked that the June 15, 2018 minutes be removed from 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 Miller, to approve the July 3, 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, JULY 3, 2018
5:30 P.M., COURT ROOM, CITY HALL
110 WEST MAIN STREET

CONSENT AGENDA ITEMS ARE HIGHLIGHTED

I. CALL THE MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

III. APPROVAL OF THE OFFICIAL AGENDA INCLUDING CONSENTED ITEMS

IV. APPROVAL OF THE BOARD OF ALDERMEN MINUTES

CONSIDERATION OF THE MINUTES OF THE JUNE 5, 2018 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

CONSIDERATION OF THE MINUTES OF THE JUNE 15, 2018 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

V. ANNOUNCEMENTS AND COMMENTS

A. MAYOR'S COMMENTS:

B. BOARD OF ALDERMEN COMMENTS:

VI. CITIZEN COMMENTS

VII. PUBLIC APPEARANCES

A. JEFFREY RUPP PROVIDING INFORMATION ON THE LEMONADE DAY PROJECT.

VIII. PUBLIC HEARINGS

A. FIRST PUBLIC HEARING AND DISCUSSION FOR UPDATING CHAPTER 62 – FLOODS, ARTICLE II – FLOOD DAMAGE PREVENTION OF THE CODE OF ORDINANCES, CITY OF STARKVILLE, MISSISSIPPI, TO MEET FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) 44CFR REQUIREMENTS.

B. PUBLIC HEARING AND CONSIDEREATION OF CU 18-02 A REQUEST FOR CONDITIONAL USE TO ALLOW FOR 5 MOBILE HOMES ON SAND RD. IN TOWNSHIP RANGE 16-18N-14E IN AN R-5 AND C-2 ZONE WITH THE PARCEL NUMBER 105 -16-002.00.

C. PUBLIC HEARING AND CONSIDERATION OF RZ 18-03 A REQUEST TO REZONE FOUR PARCELS LOCATED AT 701, 703, 705, AND 707 NORTH MONTGOMERY STREET FROM C-2 TO R-5 WITH THE PARCEL NUMBER 108I-00-002.00, 108I-00-002.01, 108I-00-002.02, AND 108I-00-002.03.

IX. MAYOR'S BUSINESS

A. CONSIDERATION OF SEWER AND WATER RATE CHANGES FOR THE PURPOSE OF REPLACING EXISTING INFRASTRUCTURE IN THE CITY OF STARKVILLE.

X. BOARD BUSINESS

A. A REPORT BY CITY ENGINEER ON THE OVERLAYING AND STRIPING OF CITY STREETS IN ACCORDANCE WITH THE 2018 STREET IMPROVEMENT PROGRAM.

XI. DEPARTMENT BUSINESS

A. AIRPORT

THERE ARE NO ITEMS FOR THIS AGENDA

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. CODE ENFORCEMENT
   THERE ARE NO ITEMS FOR THIS AGENDA

2. PLANNING

   a. CONSIDERATION OF A SPECIAL EVENT REQUEST BY UNITED WAY OF NORTH CENTRAL MS TO HOLD THE SECOND ANNUAL RUN UNITED 5K KICKOFF ON SEPTEMBER 22, 2018 AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.

   b. CONSIDERATION OF VA 18-03 A REQUEST BY OKTIBBEHA COUNTY FOR VARIANCE RELIEF FROM SIDEWALK REQUIREMENTS FOR A PROPOSED FEMA COMMUNITY SAFE ROOM AT SOUTHEAST CORNER OF THE INTERSECTION OF LYNN LANE AND INDUSTRIAL PARK ROAD IN A M-1 ZONE WITH THE PARCEL 102K-00-012.00.

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 26, 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 PERMISSION TO ACCEPT A BLUE CROSS & BLUE SHIELD OF MISSISSIPPI FOUNDATION, PERIOD OF THE HEALTHY HEROS PROGRAM FOR THE AMOUNT OF $44,647.00. THE CITY WOULD USE THESE FUNDS TO PURCHASE FITNESS EQUIPMENT FOR AN ONSITE FITNESS CENTER AT THE FIRE DEPARTMENT AND TO PUT IN A WALKING TRACK AT FIRE STATION 2. THIS IN A 100% GRANT, WITH NO COST TO THE CITY.

F. FIRE DEPARTMENT
   THERE ARE NO ITEMS FOR THIS AGENDA

G. HUMAN RESOURCES
   THERE ARE NO ITEMS FOR THIS AGENDA

H. INFORMATION TECHNOLOGY
   THERE ARE NO ITEMS FOR THIS AGENDA

I. PARKS

1. REQUEST PERMISSION TO ALLOW GERRY LOGAN TO ATTEND NATIONAL RECREATION AND PARK ASSOCIATION CONFERENCE IN INDIANAPOLIS, INDIANA ON SEPTEMBER 24-28, 2018

J. POLICE DEPARTMENT
THERE ARE NO ITEMS FOR THIS AGENDA

K. SANITATION DEPARTMENT
THERE ARE NO ITEMS FOR THIS AGENDA

L. UTILITIES DEPARTMENT

1. REQUEST PERMISSION TO ALLOW TERRY KEMP TO ATTEND SEVEN STATES POWER CORPORATE BOARD MEETING AND FOLLOW UP MEETING ON JULY 15-17, 2018 IN CHATTANOOGA, TN.

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

XIII. <u>OPEN SESSION</u>

XIV. <u>EXECUTIVE SESSION</u>

A. PENDING LITIGATION

XV. <u>OPEN SESSION</u>

XVI. <u>RECESS UNTIL JULY 10, 2018 @ 3:00 P.M. IN THE COURT ROOM AT 110 WEST MAIN STREET.</u>

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

Consent items 2 – 5:

2. CONSIDERATION OF THE MINUTES OF THE JUNE 5, 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 Miller, and adopted by the Board to approve the July 3, 2018 Official Agenda, and to accept items for consent, whereby the "approval of the minutes of the June 5, 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 TO ACCEPT A BLUE CROSS & BLUE SHIELD OF MISSISSIPPI FOUNDATION, PERIOD OF THE HEALTHY HEROES PROGRAM GRANT FOR THE AMOUNT OF $44,647.00. THE CITY WOULD USE THESE FUNDS TO PURCHASE FITNESS EQUIPMENT FOR AN ONSITE FITNESS CENTER AT THE FIRE DEPARTMENT AND TO PUT IN A WALKING TRACK AT FIRE STATION 2. THIS IN A 100% GRANT, WITH NO COST TO THE CITY.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the July 3, 2018 Official Agenda, and to accept items for consent, whereby the "approval to accept a Blue Cross & Blue Shield of Mississippi Foundation, Period of the Healthy Heroes Program Grant for the amount of $44,647.00 with the City to use the funds to purchase fitness equipment for an onsite fitness center at the Fire Department and to put in a walking Track at Fire Station 2, with no cost to the city" is enumerated, this consent item is thereby approved.

4. CONSIDERATION TO ALLOW GERRY LOGAN TO ATTEND NATIONAL RECREATION AND PARK ASSOCIATION CONFERENCE IN INDIANAPOLIS, INDIANA ON SEPTEMBER 24-28, 2018.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the July 3, 2018 Official Agenda, and to accept items for consent, whereby the "approval to allow Gerry Logan to attend National Recreation and Park Association Conference in Indianapolis, Indiana on September 24-28, 2018 with advance travel not to exceed $113" is enumerated, this consent item is thereby approved.

5. CONSIDERATION TO ALLOW TERRY KEMP TO ATTEND SEVEN STATES POWER CORPORATE BOARD MEETING AND FOLLOW UP MEETING ON JULY 15-17, 2018 IN CHATTANOOGA, TN.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the July 3, 2018 Official Agenda, and to accept items for consent, whereby the "approval for Terry Kemp to travel and attend the Seven States Power Corp. Board meeting and follow up meeting on July 15-17, 2018, in Chattanooga, TN" is enumerated, this consent item is thereby approved.

6. CONSIDERATION OF THE MINUTES OF THE JUNE 15, 2018 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

Upon the motion of Alderman Walker, duly seconded by Alderman Miller, to approve the June 15, 2018 minutes of the Mayor and Board of Aldermen, 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.

ANNOUNCEMENTS AND COMMENTS:

MAYOR'S COMMENTS: Mayor Spruill invited everyone to the Sportsplex Wednesday, July 4, from 5 p.m. till 9 p.m. She also discussed classes she attended at the recent MML Conference. The Mayor noted Starkville was recently named a "Best Place to Live in Mississippi".

BOARD OF ALDERMEN COMMENTS:

Alderman Sistrunk discussed new travel requirements passed by the State.
Alderman Little thanked the group that placed the hundreds of flags throughout downtown.
Alderman Perkins noted that it was the 25th anniversary of his being an Alderman of the City of Starkville.

CITIZEN COMMENTS:

Alvin Turner, Ward 7, noted it has been two years since his brother was shot and killed. He thanked everyone for the support shown to his mother and family.
Dorothy Isaac, Ward 6, thanked Alderman Perkins for his twenty five years of service. She stated the north side of town needs improvement and urged the city to look into development.

PUBLIC APPEARANCES:

JEFFREY RUPP PROVIDING INFORMATION ON THE LEMONADE DAY PROJECT.

Jeffery Rupp, Director of Outreach for the Mississippi State Entrepreneurship Center, along with the "Lemie" Lemonade Day mascot, presented information on the Starkville Lemonade Day project. With support from Mississippi State University, young people in Starkville will be learning entrepreneurial skills by taking part in Lemonade Day on August 18. A kick-off meeting for parents and kids interested in participating took place June 30 at the Glo Headquarters with approximately 100 youth participating. The event is part of the national Lemonade Day program, which for 10 years has organized community lemonade stand events to help develop life skills, character education and an entrepreneurial spirit in youth. MSU's College of Business and its Center for Entrepreneurship and Outreach is sponsoring the community event, along with Cadence Bank and Castle Properties. All participants will have the opportunity to make money from their stand while learning financial literacy. In addition to teaching kids about business, there is a strong emphasis on community service. Nationally, 73 percent of Lemonade Day business owners share their profits with charities in their communities.

<u>PUBLIC HEARINGS:</u>

FIRST PUBLIC HEARING AND DISCUSSION FOR UPDATING CHAPTER 62 – FLOODS, ARTICLE II – FLOOD DAMAGE PREVENTION OF THE CODE OF ORDINANCES, CITY OF STARKVILLE, MISSISSIPPI, TO MEET FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) 44CFR REQUIREMENTS.

Buddy Sanders presented. The Federal Emergency Management Agency is requiring cities update and/or adopt new flood damage prevention codes to remain in flood insurance programs. Some twenty words and or phrases need to be updated in the City of Starkville Ordinance.

Mayor Spruill opened the Public Hearing and called for public comments.

There being no comments from the public or any additional comments from the Board, the Mayor announced the public hearing closed.

A second public hearing will be held July 17, 2018.

PUBLIC HEARING AND CONSIDERATION OF CU 18-02 A REQUEST FOR CONDITIONAL USE TO ALLOW FOR 5 MOBILE HOMES ON SAND RD. IN TOWNSHIP RANGE 16-18N-14E IN AN R-5 AND C-2 ZONE WITH THE PARCEL NUMBER 105 -16-002.00.

Buddy Sanders presented CU 18-02. Shanaria Smith, Nekitia Smith, Kaye Henderson, Tracey Baldwin, and Reshequia Henderson, on behalf of Starkville Oktibbeha Consolidated School District, are requesting a Conditional Use to allow for 5 mobile homes on Sand Road. The property is split zoned C-2 and R-5 and in order to place a "Mobile Home", a Conditional Use is required per the City of Starkville's Permitted and Conditional Use Chart. All leased areas are located along Sand Road and will have access to City water and electric service. All leased properties will have septic tanks or access to City sewer lines. On June 29, 2018, The Planning and Zoning Commission met for a Special Call meeting to hold a public hearing on the request. 39 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News on June 13, 2018 and a sign was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received one phone call requesting information and one phone call against the request. Staff has requested three conditions:

1. The applicant shall have six months from time of Conditional Use approval to place mobile homes on the individual lease areas.

2. The applicant shall provide documentation that all necessary permits and approval from the Mississippi State Department of Health for a septic system have been approved.
3. Tracey Baldwin, LMS #528, is to provide a stamped site plan prepared by a licensed Mississippi surveyor illustrating and stating the proposed placement of any structure will not encroach onto any utility easement areas.
4. All of the above conditions shall be fully and faithfully executed or the conditional use shall become null and void.

Mayor Spruill opened the Public Hearing and called for public comments.

Shanaria Smith, Nekitia Smith, Tracey Baldwin, and Reshequia Henderson, the applicants, appeared and asked that the conditional use be granted and that several will become first time homeowners with this approval.

Chris Taylor asked that the Board support them in their efforts to become homeowners. He noted there are already several mobile homes on Sand Road.

There being no further comments from the public or any additional comments from the Board, the Mayor announced the public hearing closed.

Alderman Vaughn, duly seconded by Alderman Little, offered a motion to approve CU 18-02 allowing for 5 mobile homes on Sand Rd on Starkville Oktibbeha Consolidated School District property with recommended conditions. 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.

PUBLIC HEARING AND CONSIDERATION OF RZ 18-03 A REQUEST TO REZONE FOUR PARCELS LOCATED AT 701, 703, 705, AND 707 NORTH MONTGOMERY STREET FROM C-2 TO R-5 WITH THE PARCEL NUMBER 108I-00-002.00, 108I-00-002.01, 108I-00-002.02, AND 108I-00-002.03.

Buddy Sanders presented RZ 18-03. The applicant James Fowler, represented by Jason Pepper, is seeking to rezone four parcels located at 701, 703, 705, and 707 North Montgomery Street from C-2 to R-5 with the parcel number 108I-00-002.00, 108I-00-002.01, 108I-00-002.02, and 108I-00-002.03. The applicant is requesting the rezoning based on manifest error in the ordinance (the zoning map) and a public need to correct the error. 17 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News June 15, 2018 and a sign was posted on the properties concurrent with publication of the notice. As of this date, the Planning Office has received no phone calls against this request. On June 12, 2018, the Planning and Zoning Commission voted to recommend approval of this request to rezone from C-2 to R-5 due to error.

Mayor Spruill opened the Public Hearing and called for public comments.

Jason Pepper asked the Board to approve the request in that there appears to have been no reason for the area to have been zoned C-2 other than error. He also reassured the City that there are no plans to locate mobile homes in the area.

There being no additional comments from the public or the Board, the Mayor announced the public hearing closed.

Alderman Walker, duly seconded by Alderman Little, offered a motion to approve RZ 18-03: a request to rezone four parcels located at 701, 703, 705, and 707 North Montgomery Street from C-2 to R-5 with the parcel number 108I-00-002.00, 108I-00-002.01, 108I-00-002.02, and 108I-00-002.03 with a condition that no mobile homes will be placed on these parcels. 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.

7. CONSIDERATION OF SEWER AND WATER RATE CHANGES FOR THE PURPOSE OF REPLACING EXISTING INFRASTRUCTURE IN THE CITY OF STARKVILLE AND REPAIRING THE LAGOON.

Mayor Spruill introduced the topic and thanked Dr. Barrett and Terry Kemp for their work. This is intended to provide additional funding to be set aside as a working capital fund for the immediate and future replacement of aging neighborhood water and sewer infrastructures.

Alderman Perkins discussed the recent article in the local paper pertaining to this topic and he noted the history of Starkville water rates.

Dr. Barrett presented a power point presentation on water and sewer rates, comparisons, facts and consumption information. He discussed the need for funding depreciating infrastructure and not waiting to locate money when repairs are needed. Most of the City's infrastructure is at least fifty years old. Approximately 30% of customers under the proposed plan will have lower bills or see no change.

Aldermen agreed they all want to provide better services to citizens and the City needs to be proactive, not just waiting until lines and services become unrepairable.

Alderman Sistrunk presented the following charts and proposal:

LAGOON & INFRASTRUCTURE SAMPLE MONTHLY BILL: $3.25/kGal	kGal	Water			Sewer			TOTAL CHANGE
		Current	Proposed	Difference	Current	Proposed	Difference	
Customer #1: Single Person	0.90	6.03	4.00	(2.03)	5.53	4.00	(1.53)	(3.57)
Customer #: Two Person Family	3.98	12.99	13.69	0.70	12.49	13.69	1.20	1.89
Customer #3: Five Person Family	5.48	16.38	18.56	2.18	15.88	18.56	2.68	4.85
Customer #4: Medical Office	5.11	15.55	17.36	1.81	15.05	17.36	2.31	4.12
Customer #5: Hospital	1,410.00	3,190.60	4,583.25	1,392.65	3,190.10	4,583.25	1,393.15	2,785.80

Proposed Rates:	
Base Rate, Water	$4
Base Rate, Sewer	$4
Base Gallons	1,000 gal
Variable Gallons	$3.25/1000 gal

Use of Funds:	
Lagoon/Plant Upgrades	$ 800,000
Water/Sewer Improvements	$ 965,000

Alderman Sistrunk offered a motion to adopt a new rate structure and set the base water rate for 0 - 1000 gallons used to $4.00 and the base sewer rate for 0 - 1000 gallons used to $4.00 and variable gallons at $3.25 per 1,000 gallons with the additional amount generated to be provided as working capital for the purpose of replacing aging water and sewer infrastructure in neighborhoods to begin with September 1 usage. The motion was duly seconded by Alderman Little 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: Nay
Alderman Henry Vaughn, Sr.	Voted: Yea

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

Terry Kemp agreed to fully notify all customers of the new rate structure and have a designated project manager who will keep areas informed of construction when repairs begin.

Alderman Carver, who had been attending telephonically, chose to leave the meeting at this time.

8. REPORT BY CITY ENGINEER ON THE OVERLAYING AND STRIPING OF CITY STREETS IN ACCORDANCE WITH THE 2018 STREET IMPROVEMENT PROGRAM.

City Engineer Edward Kemp presented a project overview and timeline of Phase I of the 2018 Street Improvement program. Over five miles of roads have been completed. He showed various before and after photos of many of the roads. The bids were opened May 8 with Falcon Construction the lowest bidder. Falcon completed work weeks ahead of schedule. Discussion followed as to when Phase 2 can begin. Alderman Sistrunk will research when the second bond approved can be issued for the funding of the next phase.

9. CONSIDERATION TO A SPECIAL EVENT REQUEST BY UNITED WAY OF NORTH CENTRAL MS TO HOLD THE SECOND ANNUAL RUN UNITED 5K KICKOFF ON SEPTEMBER 22, 2018 AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.

Alderman Walker, duly seconded by Alderman Miller, offered a motion to approve the 2018 Run United 5k Kickoff and have City participation with in-kind services on September 22, 2018, pending adequate insurance be provided up to thirty days prior (August 22, 2018) to the event consistent with the City's special event policy. The Board voted as follows:

Alderman Ben Carver	Voted: Absent
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.

10. CONSIDERATION OF VA 18-03 A REQUEST BY OKTIBBEHA COUNTY FOR VARIANCE RELIEF FROM SIDEWALK REQUIREMENTS FOR A PROPOSED FEMA COMMUNITY SAFE ROOM AT SOUTHEAST CORNER OF THE INTERSECTION OF LYNN LANE AND INDUSTRIAL PARK ROAD IN A M-1 ZONE WITH THE PARCEL 102K-00-012.00.

Buddy Sanders presented VA 18-03. The applicant, Oktibbeha County, is proposing to build a community safe room. The proposed structure has a maximum occupancy of 555 persons as listed on the preliminary site plans. In an effort to reduce cost, the applicant is requesting relief from all sidewalk requirements. The Board of Aldermen granted a Landscape Waiver from part of landscape requirements for the project at the June 5, 2018 meeting. On June 27, 2018, the Board of Adjustments and Appeals deadlocked 3-3 on a motion to deny the request. Therefore, there is no recommendation from the Board of Adjustment and Appeals.

Alderman Miller, duly seconded by Alderman Perkins, offered a motion to deny VA 18-03. The Board voted as follows:

Alderman Ben Carver Voted: Absent
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 and the variance request denied.

11. CONSIDERATION OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF JUNE 26, 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 Little, duly seconded by Alderman Miller, to approve the City of Starkville Claims Docket for all departments including Starkville Utilities as of June 26, 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: Absent
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	$ 582,228.72
Airport Fund	015	7,282.32
Sanitation	022	40,441.36
Landfill	023	802.66
Industrial Park Bond	303	153.75
Public Improvement Bonds 2018	319	999,592.48
Park and Rec, Tourism	375	9,711.25

Trust and Agency	610	21,268.18
Econ Dev, Tourism and Conv	630	95,926.01
Sub Total Before Utilities		$ 1,757,406.73
Utilities Dept.	SED	336,835.84
Total Claims	Total	$ 1,943,177.42

12. 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: Absent
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.

Alderman Vaughn left the meeting at this time.

13. A MOTION TO ENTER EXECUTIVE SESSION.

Alderman Walker offered a motion to enter Executive Session for the purpose of pending litigation related to the landfill. Following a second by Alderman Sistrunk, the Board voted as follows to enter Executive Session:

Alderman Ben Carver Voted: Absent
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: Absent

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 pending litigation related to the landfill.
At this time, the Board entered Executive Session.

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

Alderman Little offered a motion to return to Open Session. 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: Yea
Alderman Patrick Miller	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Absent

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.

15. MOTION TO SETTLE THE CASE OF CITY OF STARKVILLE, MS V. DANIELS INVESTMENTS, LLC, LMK, LLC, AND MARGARET SUDDUTH COPELAND, CAUSE NO. 2017-415-CVH, PENDING IN THE SPECIAL COURT OF EMINENT DOMAIN, OKTIBBEHA COUNTY, MS.

Alderman Perkins offered a motion to settle the case of City Of Starkville, MS V. Daniels Investments, LLC, LMK, LLC, and Margaret Sudduth Copeland, Cause No. 2017-415-CVH, pending in the Special Court of Eminent Domain, Oktibbeha County, MS, on the following terms:

1. City to purchase 4.48 acres for additional landfill buffer territory from the defendants for $50,000.00.
2. The expanded buffer will be natural and undisturbed to include its current habitat of canopy trees, understory trees, and shrubs and grasses meeting EPA / MDEQ buffer standards.
3. If any run-off from the landfill onto the land owned by the defendants, adjacent to the 4.48 acre buffer parcel, is determined to be caused by the landfill and environmentally contaminated based on EPA / MDEQ standards, the City will address the contamination per EPA / MDEQ standards, regulations, and guidelines.
4. The 4.48 acre buffer parcel will be adjacent to the landfill, as shown and described on the Neel Schaffer survey on file in this case, and will leave the remainder of the defendant's property intact and available for any use allowed by law.

In addition, the City Attorney is authorized to enter into a Release and Settlement Agreement consistent with these terms and to seek an Order of Dismissal with prejudice from the Court.

Alderman Little 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: Yea
Alderman Patrick Miller	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Absent

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

16. MOTION TO RECESS UNTIL JULY 10, 2018 @ 3:00 IN THE COURT ROOM AT 110 WEST MAIN STREET.

Upon the motion of Alderman Perkins, duly seconded by Alderman Miller, for the Board of Aldermen to recess the meeting until July 10, 2018 @ 3:00 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: Yea
Alderman Patrick Miller	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Absent

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)