**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI
September 4, 2018**

Be it remembered that the Mayor and Board of Alderman met in a Regular Meeting on September 4, 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.

REQUESTED REVISIONS TO THE OFFICIAL AGENDA:

Mayor Lynn Spruill asked for items XI. G. 1, 9, 10, 11, 12 and 13 to be pulled from the agenda.

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 Carver offered a motion, duly seconded by Alderman Sistrunk, to approve the September 4, 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
REGULAR MEETING OF TUESDAY, SEPTEMBER 4, 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 AUGUST 7, 2018 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

V. ANNOUNCEMENTS AND COMMENTS

A. MAYOR'S COMMENTS:

Recognition of August 18, 2018 George Evans Park clean up donors.
Local businesses:
Lowe's Home Improvement - Matt Lehr, Store Manager; Clint Gannon, Human Resources ager
Southscape - Trent Helms, Owner
Four Seasons Lawn and Landscape, LLC - Cliff Crowley, Owner
Keep Starkville Beautiful Committee

Introductions of new employees:
Patricia Cartwright – Firefighter – Fire Dept.
Ben Oswalt – Police Officer – Police Dept.
Will Simon – Police Officer – Police Dept.

B. BOARD OF ALDERMEN COMMENTS:

VI. CITIZEN COMMENTS

VII. PUBLIC APPEARANCES

A. JEREMIAH DUMAS WITH AN UPDATE ON THE SMART BUS SERVICE ROUTES AND RIDERSHIP.

B. PRESENTATION BY REGINA YOUNG HYATT WITH AN ANNUAL SALES TAX ALLOCATION DISTRIBUTION REPORT AND APPROVAL IN ACCORDANCE WITH SENATE BILL 3012.

VIII. PUBLIC HEARING

A. FIRST PUBLIC HEARING TO AMEND STARKVILLE CODE OF ORDINANCES CHAPTER 82, ARTICLE III - ASSEMBLIES, PARADES, AND PROCESSIONS - CONSISTENT WITH THE CITY'S SPECIAL EVENTS POLICY.

B. SECOND PUBLIC HEARING ON THE ADOPTION OF THE 2018-2019 BUDGET FOR THE CITY OF STARKVILLE AND ESTABLISHING THE MILLAGE RATE FOR THE FISCAL YEAR 2018-2019.

IX. MAYOR'S BUSINESS

A. CONSIDERATION OF LANDSCAPE MANAGEMENT AGREEMENT WITH SGK LANDSCAPES, INC. TO BEGIN SEPTEMBER 1, 2018 AT A COST OF $1,654.20 PER MONTH.

B. DISCUSSION AND CONSIDERATION FOR PURCHASE OF AN AD IN THE SEMI-ANNUAL FULL COLOR PUBLICATION TITLED, PROGRESS TO BE RECEIVED WITH THE COMMERCIAL DISPATCH AND THE STARKVILLE DISPATCH IN ACCORDANCE WITH MS CODE §17-3-1.

C. APPROVAL OF THE FUNDING OF THE GAME DAY SHUTTLE SERVICE SHARED WITH THE GREATER STARKVILLE DEVELOPMENT PARTNERSHIP FOR PROVIDING SMART BUS SERVICE TO AND FROM VARIOUS LOCATIONS THROUGHOUT THE CITY OF STARKVILLE FOR THOSE ATTENDING THE MSU HOME FOOTBALL GAMES.

X. BOARD BUSINESS

A. CONSIDERATION OF ADOPTION OF A RESOLUTION SETTING THE MILLAGE RATE FOR THE CITY OF STARKVILLE FISCAL YEAR 2019 AT 26.63 MILLS.

B. CONSIDERATION OF THE APPROVAL OF THE SUMMARY BUDGET FOR THE CITY OF STARKVILLE INCLUDING STARKVILLE UTILITIES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019.

C. DISCUSSION AND CONSIDERATION OF APPOINTMENT TO THE HOUSING AUTHORITY BOARD TO FILL A POSITION CURRENTLY OCCUPIED BY MR. JAMES HENLEY, JR., WHOSE TERM WILL EXPIRE ON SEPTEMBER 5, 2018. THE NEW TERM WOULD BEGIN SEPTEMBER 6, 2018 AND END SEPTEMBER 6, 2023 UPON BOARD APPROVAL.

XI. DEPARTMENT BUSINESS

A. AIRPORT

1. REQUEST APPROVAL TO PURCHASE A FERRIS 61" MOWER AT STATE CONTRACT PRICE OF $6,058.00 FROM THE OKTIBBEHA COUNTY CO-OP.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. CODE ENFORCEMENT

a. CONSIDERATION OF TRAVEL FOR JEFF LYLES TO ATTEND THE MISSISSIPPI ASSOCIATION OF CODE ENFORCEMENT EDUCATIONAL CONFERENCE IN HATTIESBURG, MISSISSIPPI FOR TRAINING OCTOBER 10 – 12, 2018 AT A COST NOT TO EXCEED $450.

2. PLANNING

a. CONSIDERATION OF VA 18-07 A REQUEST BY JAY FOWLER REAL ESTATE LLC FOR A VARIANCE FROM THE REQUIRED LOT AREA PER UNIT FOR A PROPOSED MULTI-FAMILY BUILDING AT 701 AND 707 NORTH MONTGOMERY STREET WITH THE PROPERTY NUMBERS 118I-00-002.03 AND 118I-00-002.00.

C. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

D. ENGINEERING

1. CONSIDERATION OF ADOPTION OF RESOLUTION AND ACCEPTANCE OF THE BIDS FOR STP-7101-00(004) LPA/107116-701000, LOUISVILLE STREET MULTI-USE PATH PROJECT FROM LYNN LANE TO EMERSON SCHOOL, IN ACCORDANCE WITH THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION LOCAL PUBLIC AGENCY GUIDELINES AND PROCEDURES, AND AUTHORIZATION FOR THE CITY ENGINEER AND MAYOR TO PROCEED WITH CONTRACT EXECUTION WITH THE SELECTED CONTRACTOR, GREGORY CONSTRUCTION AS THE LOWEST AND BEST BID WITH A TOTAL BID OF $1,580,199.30.

E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF AUGUST 28, 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. CONSIDERATION OF THE APPROVAL OF TRAVEL FOR DEPUTY CLERKS LASHONDA WILSON, JAMEIKA SMITH, MARY IVY AND LEANNE MCGARR TO THE 2018 DEPUTY MUNICIPAL CLERK TRAINING CLASSES TO BE HELD WITH ADVANCE REGISTRATION, TRAVEL AND HOTEL COSTS AT VARIOUS TIMES AND LOCATIONS DURING SEPTEMBER AND OCTOBER NOT TO EXCEED $700 EACH.

F. FIRE DEPARTMENT

1. REQUEST PERMISSION FOR MARK MCCURDY TO ATTEND THE MISSISSIPPI FIRE INVESTIGATORS 2018 FALL SEMINAR FROM OCTOBER 10-12, 2018 IN PEARL, MS, WITH ADVANCED TRAVEL NOT TO EXCEED $520.00.

2. REQUEST PERMISSION FOR STEIN MCMULLEN TO ATTEND THE INTERNATIONAL CODE COUNCIL ANNUAL CONFERENCE, CODE HEARING AND EXPO ON OCT. 21-31, 2018, IN RICHMOND, VIRGINIA, FOR AN APPROXIMATE COST OF $2,045.00, TO BE PAID FROM STATE REBATE FUNDS.

3. FIRE ENGINE REPLACEMENT PLAN PRESENTATION

G. HUMAN RESOURCES

1. REQUEST APPROVAL TO HIRE NICHOLAS BEAN, RAHEEM CLEMONS, AND DALTON DANIEL AS CERTIFIED POLICE OFFICERS FOR THE STARKVILLE POLICE DEPARTMENT.

2. REQUEST AUTHORIZATION TO HIRE TORA NORHEIM AND ALAYNA STEVENS AS PART-TIME RECEPTIONISTS FOR THE CITY HALL FRONT DESK UNDER THE DIRECTION OF THE FINANCE AND ADMINISTRATION DEPARTMENT.

3. REQUEST AUTHORIZATION TO CHANGE THE EMPLOYMENT STATUS OF DENISE MARBLE FROM PART-TIME TO FULL-TIME WITH BENEFITS IN THE SANITATION/ENVIRONMENTAL SERVICES DEPARTMENT.

4. REQUEST AUTHORIZATION TO ADVERTISE FOR A PART-TIME MAINTENANCE WORKER IN THE SANITATION/ENVIRONMENTAL SERVICES DEPARTMENT.

5. REQUEST PERMISSION TO ALLOW THE STARKVILLE FIRE DEPARTMENT TO BEGIN THE PROMOTION PROCESS TO FILL POSITIONS OF CAPTAIN AND BATTALION CHIEF.

6. REQUEST AUTHORIZATION TO ADVERTISE FOR A TEMPORARY FULL TIME SYSTEMS / HELP DESK ADMINISTRATOR IN THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT.

7. REQUEST AUTHORIZATION TO HIRE LEVI THOMPSON AS A ENTRY LEVEL FIREFIGHTER IN THE STARKVILLE FIRE DEPARTMENT.

H. INFORMATION TECHNOLOGY

THERE ARE NO ITEMS FOR THIS AGENDA

I. PARKS

1. CONSIDERATION OF THE APPROVAL OF THE FACILITY USE AGREEMENT WITH STARKVILLE SOCCER ASSOCIATION FOR USE OF ATHLETIC FIELDS AT THE STARKVILLE SPORTSPLEX.

2. CONSIDERATION OF REQUEST FOR EXTENDED EVENT HOURS UNTIL 11:59 P.M. AT THE TRAVIS OUTLAW CENTER ON JULY 5 AND JULY 6, 2019, FOR OKTIBBEHA COUNTY TRAINING SCHOOL AND HENDERSON HIGH SCHOOL SCHOLARSHIP FUND ELEVENTH BIENNIAL REUNION CELEBRATION AND SCHOLARSHIP AWARDS BANQUET.

3. CONSIDERATION OF PARKS AND RECREATION PROGRAM THAT INCLUDES TRAVEL TO BRANSON, MISSOURI.

II. POLICE DEPARTMENT

1. CONSIDERATION TO DECLARE A 2006 LINCOLN NAVIGATOR VIN # 5LMFU27526LJ20393, OBTAINED THROUGH A DECLARATION OF FORFEITURE THROUGH THE OFFICE OF THE DISTRICT ATTORNEY, SURPLUS AND TO SELL IT.

III. SANITATION DEPARTMENT

1. CONSIDERATION TO ADVERTISE FOR THE ANNUAL PURCHASE OF 12,000 ROLLS OF GARBAGE BAGS.

IV. UTILITIES DEPARTMENT

1. REQUEST AUTHORIZATION TO BEGIN ADVERTISING FOR BIDS FOR THE ROUNDHOUSE SEWER PROJECT ON SEPTEMBER 6, 2018.

2. REQUEST THE BOARD ACCEPT THE TVA PREPARED JOINT USE STUDY AND AUTHORIZE AGREEMENT CONTRACT TO BE EFFECTIVE OCTOBER 1, 2018.

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

XIII. <u>OPEN SESSION</u>

XIV. <u>EXECUTIVE SESSION</u>

A. POTENTIAL LAND ACQUISITION

XV. <u>OPEN SESSION</u>

XVI. <u>RECESS UNTIL SEPTEMBER 18, 2018 @ 5:30 IN THE COURT ROOM AT 110 WEST MAIN STREET.</u>

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

Consent items 2 – 23:

2. CONSIDERATION OF THE MINUTES OF THE AUGUST 7, 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 September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval of the minutes of the August 7, 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 LANDSCAPE MANAGEMENT AGREEMENT WITH SGK LANDSCAPES, INC. TO BEGIN SEPTEMBER 1, 2018 AT A COST OF $1,654.20 PER MONTH.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval of a Landscape Management Agreement with SGK Landscapes, Inc. to begin September 1, 2018 at a cost of $1,654.20 per month" is enumerated, this consent item is thereby approved.

SGK LANDSCAPES MAINTENANCE•DESIGN•INSTALLATION

Proposal

Your Goals

Having the new medians along Highway 12 of Starkville professionally maintained on a regular basis to ensure that the turf, beds and surfaces associated with the city portray the image the City of Starkville desires.

Our Background and References

Our Background:
SGK Landscapes was established in 2002 by Michael Everett, who realized the need for a landscape company that cared more about customer satisfaction and quality. This company, known as Southern Green Keepers, started primarily as a lawn maintenance company. In 2006, growth came at a rapid rate with landscape construction being added to our services. In 2008, we expanded, once again, our services to include project management, landscape lighting, outdoor water features, stone patios & walkways and outdoor overhead structures.

SGK Landscapes employs three full time Account Managers, a Sales Professional and a Landscape Designer and Estimator. We are licensed by the Mississippi State Board of Contractors, Mississippi State Bureau of Plant Industry Landscape Horticulturists, and are also bonded and insured. We have also received many accreditations from "The Better Business Bureau", PLANET (Professional Landcare Network), Mississippi Nursery & Landscape Association, and are a member of the NFIB. SGK Landscapes was also awarded The Best People's Choice Award for local landscape companies by the Starkville Daily News.

Commercial:

The following is a list of a few customers throughout our community:

Property	Owner/Manager
Tabor Management Starkville, MS	Beth Bland (662) 324.0506
Pleasant Hills Baptist Chuch Columbus, MS	Dale Brewer (662) 386.2186
Ceco Building Systems Columbus, MS	Gregg Smith (662) 386.1190

Renasant Bank Starkville, MS	Tommy Tomlinson (662) 338.1202
Buffalo Wild Wings Restaurants Starkville, MS	Jeff Ousley (662) 312.0206

Landscape Enhancement Solutions

Not only is SGK Landscapes, Inc. a full service landscape maintenance company. We are a design/build/project management firm. We have an experienced team of landscape designers, irrigation and management professionals. The following is a list of our Project services:

- Professional Design Consultation
- Project Management
- Plant Installation
- Seed & Sod Installation
- Irrigation Installation & Maintenance
- Drainage Solutions
- Landscape Lighting Systems
- Water Features
- Patios & Walkways
- Wooden Fence, Decks, & Arbors
- Outdoor Kitchens
- Swimming Pools
- Outdoor Fireplaces & Entertainment Areas

Visit our website: http://www.sgklandscapes.com to view recent projects.

Landscape Management Solutions

SGK Landscapes, Inc. is not only a full service landscape design/build and project management contractor; we also provide full service maintenance packages to accommodate any size property both commercial and residential. We employ a knowledgeable and experienced team of landscape management technicians, certified spray technicians, and account managers dedicated to maintaining your property to the highest standards. Below is a list of maintenance services we provide.

- Spring & Fall Clean-Ups
- Scheduled Lawn Maintenance
- Fertilizer Applications
- Turf Chemical Applications
- Aeration
- De-Thatching
- Shrubbery & Small Tree Trimming
- Weeding
- Mulch Installation
- Seasonal Color
- Soil PH Testing & Adjustment
- Property Management

Visit our website at www.sgklandscapes.com to review our complete list of services

Landscape Management Solutions for the Medians Included in this Proposal

Property Detail:
We will weed median beds. We will blow around medians. We will keep weeds controlled along curbs and sidewalks. These will be done a regular basis to make sure pine straw areas and hard surfaces are kept weed free. Also to include ant hill treatment and routine litter pick-up. (2 times per month)

Shrub & Tree Pruning:
All shrubs will be pruned 3 times a year to keep them in a neat presentable appearance. Low hanging limbs on trees will be pruned 1 times a year to prevent injury to pedestrians or damage to vehicles.

Tree Pesticide & Fungicide Application:
We will spray trees two times per year for preventative measures against pest and fungus.

Pine Straw Installation:
We will enhance the beauty of your property by installing pine straw once per year.

Benefits to You

The proposed landscape enhancements/management solutions are beneficial in a number of ways:

1. SGK Landscapes, Inc. is a firm that takes as much pride in the properties they manage as the owners themselves.
2. You will have the peace of mind knowing that landscape maintenance professionals are on-site regularly.
3. SGK Landscapes, Inc. employees are uniformed, friendly, and knowledgeable.
4. SGK Landscapes, Inc. is a full service design/build/maintenance firm that can handle any of your landscape needs or wants.
5. An Account Manager will make routine site visits and schedule 4 quarterly CARE calls to make sure all your expectations are being met.
6. Regular landscape maintenance performed by SGK Landscapes, Inc. will help to ensure the new medians are being managed to the level that you, other city officials, and taxpayers expect.

Fee Schedule: Landscape Management Solution for the Medians

Start Date: September 1, 2018 / Monthly Fee: $1,654.20 / Yearly Fee: $19,850.41

Please do not hesitate to contact us if you have thoughts or questions.

Thank you for the opportunity to present this proposal.

Sonny Trimm
Sr. Account Manager
SGK Landscapes, Inc.

4. CONSIDERATION OF APPROVAL OF THE FUNDING OF THE GAME DAY SHUTTLE SERVICE SHARED WITH THE GREATER STARKVILLE DEVELOPMENT PARTNERSHIP FOR PROVIDING SMART BUS SERVICE TO AND FROM VARIOUS LOCATIONS THROUGHOUT THE CITY OF STARKVILLE FOR THOSE ATTENDING THE MSU HOME FOOTBALL GAMES.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval of the funding of the Game Day Shuttle service shared with the Greater Starkville Development Partnership for providing SMART bus service to and from various locations throughout the City of Starkville for those attending the MSU home football games at an amount not to exceed $3,500" is enumerated, this consent item is thereby approved.

5. CONSIDERATION OF APPROVAL TO PURCHASE A FERRIS 61" MOWER AT STATE CONTRACT PRICE OF $6,058.00 FROM THE OKTIBBEHA COUNTY CO-OP.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval to Purchase a Ferris 61" Zero turn Riding Mower from the Oktibbeha County CO-OP on State Contract in the amount of $6,058.00" is enumerated, this consent item is thereby approved.

6. CONSIDERATION OF TRAVEL FOR JEFF LYLES TO ATTEND THE MISSISSIPPI ASSOCIATION OF CODE ENFORCEMENT EDUCATIONAL CONFERENCE IN HATTIESBURG, MISSISSIPPI FOR TRAINING OCTOBER 10 – 12, 2018 AT A COST NOT TO EXCEED $450.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval for Jeff Lyles to attend the Mississippi Association of Code Enforcement Educational Conference in Hattiesburg, Mississippi for training October 10 – 12, 2018 at a cost not to exceed $450" is enumerated, this consent item is thereby approved.

7. CONSIDERATION OF ADOPTION OF RESOLUTION AND ACCEPTANCE OF THE BIDS FOR STP-7101-00(004) LPA/107116-701000, LOUISVILLE STREET MULTI-USE PATH PROJECT FROM LYNN LANE TO EMERSON SCHOOL, IN ACCORDANCE WITH THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION LOCAL PUBLIC AGENCY GUIDELINES AND PROCEDURES, AND AUTHORIZATION FOR THE CITY ENGINEER AND MAYOR TO PROCEED WITH CONTRACT EXECUTION WITH THE SELECTED CONTRACTOR, GREGORY CONSTRUCTION AS THE LOWEST AND BEST BID WITH A TOTAL BID OF $1,580,199.30.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval of adoption of Resolution and to accept the bids for STP-7101-00(004) LPA/107116-701000, Louisville Street Multi-use path project from Lynn Lane to Emerson school, in accordance with the Mississippi Department of Transportation Local Public Agency guidelines and procedures, approval of Gregory Construction as the lowest and best bid with a total bid of $1,580,199.30 and authorization for the City Engineer and Mayor to proceed with contract execution pending MDOT review and concurrence" is enumerated, this consent item is thereby approved.

Bids received:
Gregory Construction: $1,580,199.30
Phillips Construction: $2,348,298.90
Simmons Erosion: $1,900,002.58

EXHIBIT 1

RESOLUTION TO PROVIDE AUTHORITY
FOR
THE MAYOR TO EXECUTE
A CONTRACT FOR
CONSTRUCTION ENGINEERING AND INSPECTION SERVICES

WHEREAS, the City of Starkville has executed an MOU with the Mississippi Department of Transportation for the designated Federal-Aid Project STP-7107-00(004)LPA/107116-701000 project on July 13, 2015; and

WHEREAS, the City of Starkville must enter into a contract with a professional engineering firm for the provision of construction engineering and inspection services relative to the designated project; and

WHEREAS, Volkert, Inc. has provided the preliminary and design engineering services for the designated project; and

WHEREAS, the City of Starkville desires to enter into a contract with Volkert, Inc. for the provision of construction engineering and inspection services relative to the designated project.

NOW, THEREFORE, be it resolved by the Board of Aldermen and Mayor of the City of Starkville, Mississippi that the City authorizes Mayor Lynn Spruill to execute a contract for construction engineering and inspection services for the designated project with Volkert, Inc.

WHEREUPON, the foregoing Resolution was declared passed and adopted at the meeting of the Board of Aldermen and Mayor of the City of Starkville, Mississippi, on this the ___ day of ______________, 2018. I Lesa Hardin, City Clerk of the City of Starkville, Mississippi do hereby certify that the excerpt of the Mayor and Aldermen Meeting Minutes is taken verbatim from the minutes of the Regular Mayor and Aldermen Meeting of _________________, 2018.

This, the ____ day of _______________, 2018.

____

Lesa Hardin, City Clerk

8. CONSIDERATION OF THE APPROVAL OF TRAVEL FOR DEPUTY CLERKS LASHONDA WILSON, JAMEIKA SMITH, MARY IVY AND LEANNE MCGARR TO THE 2018 DEPUTY MUNICIPAL CLERK TRAINING CLASSES TO BE HELD WITH ADVANCE REGISTRATION, TRAVEL AND HOTEL COSTS AT VARIOUS TIMES AND LOCATIONS DURING SEPTEMBER AND OCTOBER NOT TO EXCEED $700 EACH.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval of travel for Deputy Clerks LaShonda Wilson, Mary Ivy, Jameika Smith and Leanne McGarr to the 2018 Deputy Clerk Training classes to be held with advance registration, travel and hotel costs during September and October not to exceed $700 each" is enumerated, this consent item is thereby approved.

9. CONSIDERATION FOR MARK MCCURDY TO ATTEND THE MISSISSIPPI FIRE INVESTIGATORS 2018 FALL SEMINAR FROM OCTOBER 10-12, 2018 IN PEARL, MS, WITH ADVANCED TRAVEL NOT TO EXCEED $520.00.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval for Mark McCurdy to attend the Mississippi Fire Investigators 2018 Fall Seminar from October 10-12, 2018 in Pearl, MS, with advanced travel not to exceed $520.00." is enumerated, this consent item is thereby approved.

10. CONSIDERATION FOR STEIN MCMULLEN TO ATTEND THE INTERNATIONAL CODE COUNCIL ANNUAL CONFERENCE, CODE HEARING AND EXPO ON OCT. 21-31, 2018, IN RICHMOND, VIRGINIA, FOR AN APPROXIMATE COST OF $2,045.00, TO BE PAID FROM STATE REBATE FUNDS.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval for Stein McMullen to attend the International Code Council Annual Conference, Code Hearing and Expo on Oct. 21-31, 2018, in Richmond, Virginia for an approximate cost of $2045.00" is enumerated, this consent item is thereby approved.

11. CONSIDERATION TO HIRE NICHOLAS BEAN, RAHEEM CLEMONS, AND DALTON DANIEL AS CERTIFIED POLICE OFFICERS FOR THE STARKVILLE POLICE DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval to hire Nicholas Bean, Raheem Clemons, and Dalton Daniel as Certified Police Officers for the Starkville Police Department, Grade 9, based on 2236 hours" is enumerated, this consent item is thereby approved.

12. CONSIDERATION TO HIRE TORA NORHEIM AND ALAYNA STEVENS AS PART-TIME RECEPTIONISTS FOR THE CITY HALL FRONT DESK UNDER THE DIRECTION OF THE FINANCE AND ADMINISTRATION DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval to hire Tora Norheim and Alayna Stevens as part-time Receptionists for the Finance and Administration Department not to exceed twenty (20) hours per week at $9.00 per hour with this position not eligible for benefits" is enumerated, this consent item is thereby approved.

13. CONSIDERATION TO CHANGE THE EMPLOYMENT STATUS OF DENISE MARBLE FROM PART-TIME TO FULL-TIME WITH BENEFITS IN THE SANITATION/ENVIRONMENTAL SERVICES DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval to change the employment status of Denise Marble from part-time to full-time with benefits" is enumerated, this consent item is thereby approved.

14. CONSIDERATION TO ADVERTISE FOR A PART-TIME MAINTENANCE WORKER IN THE SANITATION/ENVIRONMENTAL SERVICES DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval to advertise for a part-time Maintenance Worker in the Sanitation/Environmental Services Department" is enumerated, this consent item is thereby approved.

15. CONSIDERATION TO ALLOW THE STARKVILLE FIRE DEPARTMENT TO BEGIN THE PROMOTION PROCESS TO FILL POSITIONS OF CAPTAIN AND BATTALION CHIEF.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval to allow the Starkville Fire Department to begin the promotion process to fill positions of Captain and Battalion Chief" is enumerated, this consent item is thereby approved.

16. REQUEST AUTHORIZATION TO ADVERTISE FOR A TEMPORARY FULL TIME SYSTEMS / HELP DESK ADMINISTRATOR IN THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval to advertise for a temporary Help Desk Administrator in the Information Technology Services Department, as a replacement for Eddie Rodrick, who will be deployed for two (2) years" is enumerated, this consent item is thereby approved.

17. REQUEST AUTHORIZATION TO HIRE LEVI THOMPSON AS AN ENTRY LEVEL FIREFIGHTER IN THE STARKVILLE FIRE DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval to hire Levi Thompson as a Entry Level Firefighter in the Starkville Fire Department at Grade 5, based on 2676 hours" is enumerated, this consent item is thereby approved.

18. CONSIDERATION OF THE APPROVAL OF THE FACILITY USE AGREEMENT WITH STARKVILLE SOCCER ASSOCIATION FOR USE OF ATHLETIC FIELDS AT THE STARKVILLE SPORTSPLEX.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval of the facility use agreement with Starkville Soccer Association for use of athletic fields at the Starkville Sportsplex" is enumerated, this consent item is thereby approved.

STARKVILLE PARKS AND RECREATION DEPARTMENT
FACILITY USE AGREEMENT

This is an agreement by and between the **CITY OF STARKVILLE**, a Mississippi municipal corporation hereinafter referred to as the "City", by and through its authorized representative, and **STARKVILLE SOCCER ASSOCIATION**, a Mississippi **Nonprofit** hereinafter referred to as the "Association".

WHEREAS, the Association provides a form of recreation for the City of Starkville and the Oktibbeha County area; and

WHEREAS, the City desires to assist in providing such form of recreation to area residents;

NOW, THEREFORE, for and in consideration of the mutual promises recited herein, the parties agree as follows:

ARTICLE I
DEFINITIONS

1.01 The term "Association" shall mean an entity organized under the laws of the State of Mississippi whose main purpose is to participate in athletic league games against athletic teams in the same athletic league at City Facilities. The Association shall offer divisions in age groups that adequately meet the needs of the community. If an age group is not offered but requested by the community, the Association shall make all efforts to add the requested age group in future seasons.

1.02 The term "City Facility or City Facilities or Facility" shall mean any athletic fields owned and operated by the City of Starkville.

1.03 The Term "Participant" shall mean any person whether individually or as part of a team that takes part in the Association's activities.

1.04 The term "Participant Fee" shall mean any consideration paid on the basis of individual registration.

ARTICLE II
GENERAL TERMS

2.01 This Agreement shall be in effect from the date of execution until August 31, 2019. The City will permit the Association to use all necessary fields at the Starkville Sportsplex, located at 405 Lynn Lane, Starkville, MS 39759 for the purpose of organizing and implementing athletic leagues for practices and games to be played on City Facilities. While primary use by the Association shall be at the Starkville Sportsplex, if necessary, other fields or facilities may be used, including fields or facilities at locations other than the Starkville Sportsplex. The City shall have the option to immediately terminate this Agreement at any time with or without cause with Thirty (30) days notice.

2.02 The User must deliver a schedule of activities to the City prior to the beginning of the initial term of the Agreement and updated before the start of each new Season.

(d) Any requested changes to the facility usage schedules submitted to the City shall be forwarded and approved prior to taking effect.

2.03 In exchange for the above-referenced use of the Facility, the User shall pay the City the amount described below for the term of the agreement:

(a) Fifteen and no/100 Dollars ($15.00) per player.
(b) Five and no/100 Dollars ($5.00) per player for individuals that show proof of financial hardship. This provision would be on a player-by-player basis and User is responsible for collecting this proof.
(c) The User shall also pay the City a deposit of five-hundred and no/100 Dollars ($500.00) at the time of the execution of the agreement before facility use begins. This deposit shall be credited towards the final payment if no damage to the facility occurs. If damage does occur, the amount needed to repair the damage will be deducted from the deposit and the remaining balance will be applied towards the final payment. If damage repair cost exceeds the deposit amount, the remaining amount above the deposit will be billed to the user.

2.04 Participant fees as defined in paragraph 2.03 are to be paid within 30 days of the conclusion of the season.

2.05 The Association agrees that it will be solely responsible for the following items:

(a) Locking all doors to buildings and structures and securing all gates and other access points prior to leaving after each use of the Facility

(b) Picking up ground litter from Facility, including fields and surrounding areas, prior to leaving after each use of the Facility

(c) Paying for all damages related to and arising out of use of the Facility by the Association

(d) Assisting with minor soccer net repairs including, but not limited to, usage of zip ties to affix the soccer net to the goal frame.

2.06 To maintain order and safety, the Association will assign one person as an on-site representative during all scheduled uses of the Facility and provide the City contact information for the individual assigned.

2.07 The City agrees that it will be responsible for providing the following items during the term of this Agreement:

(a) Marking fields to proper dimensions prior to the first properly scheduled game of the season and remarking as necessary

(b) Cleaning and stocking of restrooms

(c) Installing nets, bases, goal anchors and similar equipment related to the proposed use of Facility by the Association

(d) General grounds maintenance of Facility and City-installed equipment

(e) Determining whether the Facility will be open or closed for the Association's use because of inclement weather, damage to the Facilities, and other unforeseen acts of God and updating the City's pre-recorded telephone system, web page or other communication devices it may have in place to notify the public of such schedule changes. The Association agrees to abide by all rulings regarding whether the facility is open or closed, and will be held responsible for damages resulting from play that occurs on closed fields.

2.08 The Association is prohibited from using personal equipment to perform maintenance on any City facilities.

2.09 Priority usage of City facilities shall go to recreational leagues and teams, with all others including non-recreational, tournament teams receiving secondary priority.

2.10 The Association is prohibited from transferring use or renting out any City facility for profit. The City maintains the right to rent out all City facilities when not in use by the Association.

2.11 The User acknowledges decisions regarding field usage priority for other user groups is at the City's discretion.

ARTICLE III
INSURANCE REQUIREMENTS

3.01 During the term of this Agreement, the Association 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 the use of the Facility and the activities associated with the use of the Facility by the Association, its agents, representatives, participants, attendees, employees, and volunteers for limits of not less than **$1,000,000** for **personal injury,**

death, or property damage to the Facility 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 Association'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 Association's insurance and shall not contribute to it.

3.02 A certificate of insurance and copies of all endorsements shall be furnished to the City at the time of execution of this Agreement and is attached.

ARTICLE IV
NON-DISCRIMINATION CLAUSE

The Association hereby agrees to refrain from any activity in relation to use of the Facility 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 V
USE OF FACILITY KEYS

The City will issue key(s) to the Association for and during the use of the Facility. The keys may not be reproduced or duplicated by the Association. The Association 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 Association, the Association agrees to reimburse City for the cost to make new key(s) and install new lock(s).

ARTICLE VI
REPAIRS AND DAMAGES TO FACILITIES

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

ARTICLE VII
OFFICERS' NAMES AND SCHEDULE OF ACTIVITIES

7.01 The Association agrees to provide a list of all officers and other persons who will be in charge of the activities engaged in by the Association during the use of the Facility. The Association also agrees to provide addresses and phone numbers for the above-referenced persons.

This list of names, addresses, and phone numbers must be provided to the City prior to the beginning of the term of the Agreement and updated as necessary, included at the beginning of each new Season of play.

ARTICLE VIII
RESIDENT POLICY

All City of Starkville recreation programs and facilities are designed to benefit the Starkville community first. Residents may be charged a discounted fee for certain activities or for use of certain facilities.

ARTICLE IX
SAFETY PROCEDURES

The Association hereby agrees to abide by generally-recognized standards of safety, regulations and procedures for the nature of the proposed use of the Facility. The Association, including its players, attendees, league officials, employees and volunteers, are also required to abide by City of Starkville park rules and ordinances.

ARTICLE X
CRIMINAL BACKGROUND CHECKS

The Association shall conduct criminal background checks on all persons acting as head coaches, assistant coaches, board members, and any other person acting in an official capacity with any organization involved in the Association's youth activities. These checks shall be conducted prior to the beginning of the season for which the individual is first involved and shall be valid for no more than one calendar year. The Association shall employ a reputable company licensed by the State of Mississippi to conduct such checks unless these checks are conducted by the Association'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 Association shall prohibit that individual from serving in any official capacity with the Association's activities. Additionally, the Association shall provide to the City, upon request, a listing of all individuals who have undergone a criminal background check.

ARTICLE XI
INDEMNIFICATION

The Association 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 the use of the Facility by the Association. 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 Association, 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 XII
RELEASE

The Association 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 Association's use of the Facility whether or not said claims, demands, or causes of action are covered in whole or in part by insurance.

ARTICLE XIII
FINANCIAL RECORDS

13.01 The Association shall employ financial management systems that reasonably safeguard its financial resources and ensure that public facilities are not being used to generate profits for individuals or groups. Financial records should be developed and maintained in a way that is accessible and understandable to program participants.

13.02 The City shall have the right to review all financial records relating to the operation of the Association and its activities and operations that take place on City facilities. Such records should be maintained in accordance with generally acceptable accounting principles and be submitted to the City within ten (10) days of request.

ARTICLE XIV
MISCELLANEOUS TERMS

14.01 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.

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

14.03 This Agreement contains the entire agreement between the parties. There are no other written or oral agreements, contracts, or understandings between the parties.

14.04 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.

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

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

ATTACHMENTS

A. Insurance

STARKVILLE SOCCER ASSOCIATION

By: ______________________

Printed Name: CHRIS DRISKILL

Title: PRESIDENT

Date: 9/12/2018

CITY OF STARKVILLE

By: ______________________
Mayor D. Lynn Spruill

Date: 9-4-2018

19. CONSIDERATION OF PARKS AND RECREATION PROGRAM THAT INCLUDES TRAVEL TO BRANSON, MISSOURI.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval of parks and recreation program that includes travel to Branson, Missouri at no cost to the City" is enumerated, this consent item is thereby approved.

20. CONSIDERATION TO DECLARE A 2006 LINCOLN NAVIGATOR VIN # 5LMFU27526LJ20393, OBTAINED THROUGH A DECLARATION OF FORFEITURE THROUGH THE OFFICE OF THE DISTRICT ATTORNEY, SURPLUS AND TO SELL IT.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval to declare a 2006 Lincoln Navigator, VIN:5LMFU27526LJ20393, obtained through a declaration of forfeiture through the Office of the District Attorney, surplus and to authorize it be sold to the highest or best bidder with 20% of the proceeds from the sale going to the Office of the District Attorney and 80% of the proceeds from the sale going to the Starkville Police" is enumerated, this consent item is thereby approved.

21. REQUEST AUTHORIZATION TO ADVERTISE FOR THE ANNUAL PURCHASE OF 12,000 ROLLS OF GARBAGE BAGS.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval to advertise for bids for the purchase of 12,000 rolls of garbage bags" is enumerated, this consent item is thereby approved.

22. REQUEST AUTHORIZATION TO BEGIN ADVERTISING FOR BIDS FOR THE ROUNDHOUSE SEWER PROJECT ON SEPTEMBER 6, 2018.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval to advertise for bids for the Roundhouse Sewer project" is enumerated, this consent item is thereby approved.

23. REQUEST AUTHORIZATION TO ACCEPT THE TVA PREPARED JOINT USE STUDY AND AUTHORIZE AGREEMENT CONTRACT TO BE EFFECTIVE OCTOBER 1, 2018.

Upon the motion of Alderman Little, duly seconded by Alderman Walker, and adopted by the Board to approve the September 4, 2018 Official Agenda, and to accept items for consent, whereby the "approval of a Joint Use study of expenses which the Electric Department incurs jointly with other departments of the utility and the city prescribing methods of allocating such expenses is part of the TVA power contract and that the Board accepts the TVA prepared Joint Use study and authorize Agreement contract to be effective October 1, 2018" is enumerated, this consent item is thereby approved.

ANNOUNCEMENTS AND COMMENTS:

MAYOR'S COMMENTS:

Mayor Spruill and Park Director Gerry Logan recognized the following for their work of August 18, 2018 at George Evans Park: Lowe's Home Improvement - Matt Lehr, Store Manager; Clint Gannon, Human Resources Manager; Southscape - Trent Helms, Owner; Four Seasons Lawn and Landscape, LLC - Cliff Crowley, Owner; and the Keep Starkville Beautiful Committee.

Mayor Spruill then introduced the following new employees:

Patricia Cartwright – Firefighter – Fire Dept.
Ben Oswalt – Police Officer – Police Dept.
Will Simon – Police Officer – Police Dept.

BOARD OF ALDERMEN COMMENTS:

Alderman Carver recognized the recent loss of Johnny Moore and noted his contributions to the community.
Alderman Walker thanked all city services for their work over the past weekend with all the events.

CITIZEN COMMENTS:

Alvin Turner asked that the metal bollard sleeves being installed around Starkville be explained to the citizens. He also asked that military personnel be respected.

Chris Taylor asked for fair treatment for all employees. He also asked that all applicants to City Boards and Committees be considered.

Dorothy Isaacs expressed concern with the proposed annexation and the racial makeup of the proposed area. She noted that Starkville Community Day did not end until 11 p.m. and she was concerned with young children out that late at night.

PUBLIC APPEARANCES:

JEREMIAH DUMAS WITH AN UPDATE ON THE SMART BUS SERVICE ROUTES AND RIDERSHIP.

Director Jeremiah Dumas gave a brief overview of the Starkville – MSU Area Rapid Transit (SMART) public transportation system.

Funding is provided from the Federal Transit Authority 5311 Rural Mass Transit Funds via the MS Department of Transportation. Local cash match is provided by MSU parking services and the City of Starkville has provided in-kind services in the form of city shelter construction, electrical and maintenance in the past.

Mr. Dumas discussed that this eighth year since the program began has seen an increase in new riders. He noted there were 681,000 total riders in 2017. He stated that 24% of the ridership are off-campus riders. Discussion of handicap ridership followed. He also encouraged anyone with questions or comments to call his office.

PRESENTATION BY REGINA YOUNG HYATT WITH AN ANNUAL SALES TAX ALLOCATION DISTRIBUTION REPORT AND APPROVAL IN ACCORDANCE WITH SENATE BILL 3012.

Dr. Regina Young Hyatt, Vice President of MSU Student Affairs, along with Mayah Emerson, MSU Student Association President, presented the annual sales tax allocation distribution report. Dr. Hyatt noted that MSU is expected to soon announce the Fall 2018 to be the largest enrollment in MSU history. They discussed Bulldog Bash and that due to past growth, an additional $25,000 has been added to that budget item this year.

Alderman Little, duly seconded by Alderman Miller, offered a motion to approve the MSU 2% Budget for Fiscal Year 2019 budget as presented. 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.

Proposed Distribution of 2019 Food & Beverage Sales Tax Allocation

		FY2018	
Music Maker Productions	$150,000	$150,000	$150,000
Bulldog Bash	$145,000	$145,000	$170,000
Cowbell Cabs	$20,000	$20,000	$20,000
Old Main Music Festival	$30,000	$30,000	$30,000
Lyceum Series	$60,000	$60,000	$60,000
Global Lecture Series	$20,000	$20,000	$20,000
Total	$425,000	$425,000	$450,000

As presented to the Starkville Board of Aldermen

Previous years' surplus	$27,381
FY 2019 revenue projection	$425,000
Total available	$452,381

PUBLIC HEARING:

FIRST PUBLIC HEARING TO AMEND STARKVILLE CODE OF ORDINANCES CHAPTER 82, ARTICLE III - ASSEMBLIES, PARADES, AND PROCESSIONS.

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

Dorothy Isaacs noted there to be some positive and some negative items in the proposed Ordinance. She objected to the allowance of alcohol at some events.

There being no additional comments from the public or comments from the Board, the Mayor announced the public hearing closed. The second public hearing will be held September 18, 2018 at 5:30 p.m.

SECOND PUBLIC HEARING ON THE ADOPTION OF THE 2018-2019 BUDGET FOR THE CITY OF STARKVILLE AND ESTABLISHING THE MILLAGE RATE FOR THE FISCAL YEAR 2018-2019.

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

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

24. CONSIDERATION FOR PURCHASE OF AN AD IN THE SEMI-ANNUAL FULL COLOR PUBLICATION TITLED, PROGRESS TO BE RECEIVED WITH THE COMMERCIAL DISPATCH AND THE STARKVILLE DISPATCH IN ACCORDANCE WITH MS CODE §17-3-1.

Alderman Sistrunk, duly seconded by Alderman Walker, offered a motion to favorably promote Starkville with the purchase of two 1/6 page ads in the semi-annual full color publication titled Progress, to be received with the Commercial Dispatch and the Starkville Dispatch, at a cost of $440 each. 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.

25. CONSIDERATION OF ADOPTION OF A RESOLUTION SETTING THE MILLAGE RATE FOR THE CITY OF STARKVILLE FISCAL YEAR 2019 AT 26.63 MILLS.

Alderman Sistrunk, duly seconded by Alderman Walker, offered a motion approving a Resolution as amended, setting the millage rate at 26.63 mills for Fiscal Year 2019 for the City of Starkville, Mississippi.
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: 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.

RESOLUTION SETTING THE MILLAGE RATE FOR THE FISCAL YEAR 2019 FOR THE CITY OF STARKVILLE, MISSISSIPPI

WHEREAS, the City of Starkville shall in accordance with the requirements of the State of Mississippi set its millage rate and adopt a budget for each of its operating years at a time and in a manner set forth by law;

WHEREAS, MS Code Ann. Section 21-33-45 states that the governing authority of the municipality shall by resolution set the tax rate for the taxing district; and

WHEREAS, the Board of Aldermen of the City of Starkville have determined and have so publicly noticed that the millage rate for the fiscal year 2019 will be set at the rate of 26.63 mills. Of that 26.63 mills, 14.98 mills will be designated for general revenue purposes and improvements, 10.90 mills for Municipal Bonds and Interest thereon pursuant to MS Code Ann. Section 21-33-45, and 0.75 mills for the Starkville Library pursuant to MS Code Ann. 39-3-7 for a total of 26.63 mills; and

NOW THEREFORE, BE IT RESOLVED, by Mayor D. Lynn Spruill and the Board of Aldermen of the City of Starkville to:

Hereby levy upon each dollar of assessed valuation, including motor vehicles, appearing on the Assessment

Roll of the City of Starkville, Mississippi, except as to such value as may be exempt by law, as follows, pursuant to the authority of Section 21-33-45 of the Mississippi Code of 1972 as amended:

TOTAL LEVY FOR GENERAL REVENUE PURPOSES AND GENERAL IMPROVEMENTS: 26.63 MILLS

There is hereby levied upon each dollar of assessed valuation in the designated Downtown Business District 2 mills for the purpose of providing parking facilities, and making other improvements to develop and promote the growth of said Downtown Business District, pursuant to the authority of Senate Bill number 1601. 969 Extraordinary session of the Mississippi Legislature.

TOTAL LEVY FOR DOWNTOWN BUSINESS DISTRICT: 2.00 MILLS

Signed and Sealed, This, the 4th Day of September 2018.

____
D. Lynn Spruill, Mayor
City of Starkville, Mississippi

Attest: ____________________________
Lesa Hardin, City Clerk / CFO

CERTIFICATE
STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA
CITY OF STARKVILLE

I, Lesa Hardin, clerk for the City of Starkville, MS hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Mayor and Board of Aldermen of the City of Starkville, MS on the 4th day of September, 2018, in a regular meeting held at 5:30 p.m. in the Municipal Court Room of Starkville City Hall.

____
City Clerk / CFO

26. CONSIDERATION OF THE APPROVAL OF THE SUMMARY BUDGET FOR THE CITY OF STARKVILLE INCLUDING STARKVILLE UTILITIES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019.

Alderman Walker, duly seconded by Alderman Sistrunk, offered a motion approving the summary budget for the City of Starkville including Starkville Utilities for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019. 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: 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.

27. CONSIDERATION OF APPOINTMENT TO THE HOUSING AUTHORITY BOARD TO FILL A POSITION CURRENTLY OCCUPIED BY MR. JAMES HENLEY, JR., WHOSE TERM WILL EXPIRE ON SEPTEMBER 5, 2018. THE NEW TERM WOULD BEGIN SEPTEMBER 6, 2018 AND END SEPTEMBER 6, 2023 UPON BOARD APPROVAL.

The applicants, Regina Evans and James Henley, Jr., were interviewed by the Mayor and Board in alpha order.

Alderman Sistrunk, duly seconded by Alderman Walker, offered a motion to take the appointment under advisement until the September 18, 2018 meeting of the Mayor and Board of Aldermen. The Board voted as follows:

Alderman Ben Carver	Voted: Nay
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Nay
Alderman Jason Walker	Voted: Yea
Alderman Patrick Miller	Voted: Nay
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Nay

Having not received a majority affirmative vote, the Mayor declared the motion failed.

Alderman Carver, duly seconded by Alderman Little, offered a motion to re-appoint James Henley, Jr.to the Housing Authority Board to fill a position term ending September 6, 2023.
The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Nay
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.

28. CONSIDERATION OF VA 18-07, A REQUEST BY JAY FOWLER REAL ESTATE LLC FOR A VARIANCE FROM THE REQUIRED LOT AREA PER UNIT FOR A PROPOSED MULTI-FAMILY BUILDING AT 701 AND 707 NORTH MONTGOMERY STREET WITH THE PROPERTY NUMBERS 118I-00-002.03 AND 118I-00-002.00.

Alderman Little offered a motion to approve VA 18-07, a request by Jay Fowler Real Estate LLC for a variance from the required lot area per unit for a proposed multi-family building at 701 and 707 North Montgomery Street with the property numbers 118I-00-002.03 and 118I-00-002.00. 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: Nay
Alderman Henry Vaughn, Sr. Voted: Yea

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

29. CONSIDERATION OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF AUGUST 28, 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 Sistrunk, to approve the City of Starkville Claims Docket for all departments including Starkville Utilities as of August 28, 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	$ 224,861.78
Restricted Fire Fund	003	3,050.67
Airport Fund	015	35,021.81
Sanitation	022	38,605.54
Landfill	023	173.00
Computer Assessments	107	29,647.81
Industrial Park Bond	303	9,643.89
Public Improvement Bonds	319	112,706.45
Park and Rec, Tourism	375	30,902.28
Sub Total Before Utilities		$ 483,029.49
Utilities Dept.	SED	441,099.89
Total Claims	Total	$ 924,129.38

30. FIRE ENGINE REPLACEMENT PLAN.

Chief Yarbrough informed the Board that Ladder 1 was not properly functioning and that he feels it is time to order a replacement. Discussion followed as to the need of a 100 ft ladder truck due to the height of some of the buildings on campus and a few local buildings. He noted it will take a year to build the truck after ordering and that prices are expected to rise September 12.

Upon the motion of Alderman Sistrunk, seconded by Alderman Little, to purchase a new ladder truck on state contract, with twelve year lease purchase financing with the first payment due after October 1, 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 REQUEST FOR EXTENDED EVENT HOURS UNTIL 11:59 P.M. AT THE TRAVIS OUTLAW CENTER ON JULY 5 AND JULY 6, 2019, FOR OKTIBBEHA COUNTY TRAINING SCHOOL AND HENDERSON HIGH SCHOOL SCHOLARSHIP FUND ELEVENTH BIENNIAL REUNION CELEBRATION AND SCHOLARSHIP AWARDS BANQUET.

Upon the motion of Alderman Vaughn to approve extended event hours until 11:59 p.m. at the Travis Outlaw Center on July 5 and July 6, 2019, for Oktibbeha County Training School and Henderson High School Scholarship Fund Eleventh Biennial Reunion Celebration and Scholarship Awards Banquet, duly seconded by Alderman Sistrunk, the Board voted as follows:

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

32. 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 Vaughn, 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.

33. A MOTION TO ENTER EXECUTIVE SESSION.

Alderman Little offered a motion to enter Executive Session for the purpose of a potential land acquisition relating to a wastewater project. 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 a potential land acquisition relating to a wastewater project.

At this time, the Board entered Executive Session.

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

Alderman Perkins offered a motion to return to Open Session. Alderman Miller 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.

The Mayor invited the public back in and then announced that the Board had taken no action in Executive Session.

35. MOTION TO RECESS UNTIL SEPTEMBER 18, 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 September 18, 2018 @ 5:30 at 110 West Main Street in the Court Room of City Hall, 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, Mayor Spruill declared the motion passed.

SIGNED AND SEALED THIS THE _______ DAY OF ____________________ 2018.

____
D. LYNN SPRUILL, MAYOR

Attest:

____
LESA HARDIN, CITY CLERK

(SEAL)