

**MINUTES OF THE RECESS MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
The City of Starkville, Mississippi
January 18, 2022**

Be it remembered that the Mayor and Board of Alderman met in a Recess Meeting on January 18, 2022 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, Jeffrey Rupp, Mike Brooks, Hamp Beatty, Roy A'. Perkins and Henry Vaughn, Sr. as well as City Attorney Chris Latimer and City Clerk / CFO Lesa Hardin.

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

REQUESTED REVISIONS TO THE OFFICIAL AGENDA:

Mayor D. Lynn Spruill asked for any revisions to the Official Agenda. There being none, the Mayor then called for a motion to approve the agenda with consent items.

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

Alderman Rupp offered a motion, duly seconded by Alderman Brooks, to approve the January 18, 2022 Official Agenda. The Board voted as follows:

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

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

**OFFICIAL AGENDA OF
THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI
RECESS MEETING OF TUESDAY, JANUARY 18, 2022
5:30 P.M., COURT ROOM, CITY HALL
110 WEST MAIN STREET**

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

**CONSIDERATION OF THE MINUTES OF THE NOVEMBER 30, 2021 SPECIAL CALL MEETING
OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.**

CONSIDERATION OF THE MINUTES OF THE DECEMBER 1, 2021 SPECIAL CALL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

V. **ANNOUNCEMENTS AND COMMENTS**

A. MAYOR'S COMMENTS: Employee Introductions

B. BOARD OF ALDERMEN COMMENTS:

VI. **CITIZEN COMMENTS**

VII. **PUBLIC APPEARANCES**

VIII. **PUBLIC HEARING**

PUBLIC HEARING AND PRESENTATION OF THE SMART TRANSPORTATION PROGRAM BY JEREMIAH DUMAS OF MISSISSIPPI STATE UNIVERSITY TRANSPORTATION DEPARTMENT.

THIRD PUBLIC HEARING FOR THE RENTAL HOUSING ORDINANCE AND THE UNIFIED DEVELOPMENT CODE AND CONSIDERATION OF AMENDING THE UNIFIED DEVELOPMENT CODE (UDC).

IX. **MAYOR'S BUSINESS**

A. CONSIDERATION OF EXTENDING THE PROCLAMATION OF A LOCAL EMERGENCY DUE TO THE COVID-19 VIRUS FOR AN ADDITIONAL THIRTY (30) DAYS.

B. CONSIDERATION OF EXPANDING THE BOARD-APPROVED USE OF THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS BASED ON THE UNITED STATES DEPARTMENT OF TREASURY'S FINAL RULE, WHICH EXPANDED THE SCOPE OF ALLOWABLE EXPENDITURES, TO INCLUDE GENERAL INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH CITY PROJECTS SUCH AS THE BUILD GRANT HIGHWAY 182 INFRASTRUCTURE MATCH REQUIREMENTS AND MAIN STREET IMPROVEMENTS.

X. **BOARD BUSINESS**

THERE ARE NO ITEMS FOR THIS AGENDA

XI. **DEPARTMENT BUSINESS**

A. AIRPORT

THERE ARE NO ITEMS FOR THIS AGENDA

B. COMMUNITY DEVELOPMENT AND PLANNING DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

C. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

D. ENGINEERING

1. CONSIDERATION OF CHANGE ORDER #2 FOR THE SPORTSPLEX TURF FIELD.

2. CONSIDERATION OF CHANGE ORDER #4 FOR THE SPORTSPLEX PARKING LOT.

E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF JANUARY 10, 2022 FOR FISCAL YEAR ENDING 9/30/22, ACKNOWLEDGING THAT THE CITY CLERK HAS ATTESTED AND CERTIFIED ON THE COVER OF THE CLAIMS DOCKET THAT ALL CLAIMS ON THE DOCKET ARE TRUE, ACCURATE, LAWFUL AND PROPER TO THE BEST OF HER KNOWLEDGE, FOR PAYMENT PURSUANT TO HER DUTIES UNDER MISS. CODE SECTIONS 21-39-5, 21-39-7, 21-39-9, 21-39-17 AND 21-15-21.

2. ACCEPTANCE OF DECEMBER 2021 FINANCIAL STATEMENTS.

F. FIRE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

G. HUMAN RESOURCES

1. REQUEST AUTHORIZATION TO HIRE LISA LEMASTERS AS A DEPUTY CLERK/ACCOUNTS RECEIVABLE IN THE FINANCE DEPARTMENT.

2. REQUEST AUTHORIZATION TO HIRE TIERRA PRATER AS A FULL-TIME RADIO OPERATOR (DISPATCHER) AND BRIDIE RYAN AS A PART-TIME RADIO OPERATOR (DISPATCHER) IN THE STARKVILLE POLICE DEPARTMENT.

3. REQUEST AUTHORIZATION TO HIRE ALEX STEVENS AS A PART-TIME RECEPTIONIST IN THE CITY CLERK'S OFFICE.

4. REQUEST AUTHORIZATION TO ADVERTISE FOR A CUSTODIAN SHARED BETWEEN THREE (3) DEPARTMENTS WHICH INCLUDE: UTILITIES, CITY HALL, AND THE AIRPORT.

5. REQUEST AUTHORIZATION TO HIRE JAMES SMITH AS POLICE OFFICER IN THE STARKVILLE POLICE DEPARTMENT.

6. REQUEST AUTHORIZATION TO HIRE DARIAN KING AS A MAINTENANCE WORKER IN THE SANITATION & ENVIRONMENTAL SERVICES DEPARTMENT.

H. INFORMATION TECHNOLOGY

THERE ARE NO ITEMS FOR THIS AGENDA

I. PARKS

THERE ARE NO ITEMS FOR THIS AGENDA

J. POLICE DEPARTMENT

1. POLICE

- a. REQUEST APPROVAL TO DECLARE SEVEN (7) FORD CROWN VICTORIA'S WITH SERIAL NUMBERS ENDING IN 8065, 1901, 2114, 1904, 1896, 7330 AND 1902 AS SURPLUS PROPERTY AND TO BE SOLD ON GOVDEALS.COM TO THE BEST OR HIGHEST BIDDER.
- b. REQUEST APPROVAL TO PURCHASE TWO (2) 2022 DODGE DURANGO PPV (AWD) VEHICLES FROM JACKSON MAC HAIK CDJR IN JACKSON, MS AT THE STATE CONTRACT PRICE OF \$37,000 EACH AS WELL AS RADIO SYSTEMS FOR BOTH VEHICLES FROM COMSOUTH AT \$3,912.50 WITH THE TOTAL OF \$77,912.50 TO BE PAID FROM THE AMERICAN RESCUE PLAN ACT FUNDS POLICE GRANT.
- c. CONSIDERATION TO APPROVE THE LIST OF 15 UNMARKED VEHICLES FOR FISCAL YEAR 2022 AS REQUIRED BY MS CODE 25-1-87.

2. CODE ENFORCEMENT

THERE ARE NO ITEMS FOR THIS AGENDA

K. SANITATION DEPARTMENT

1. REQUEST APPROVAL FOR CONSIDERATION TO PURCHASE A KUBOTA M6- 131DTC-F 4 TRACTOR, FROM CHICKASAW EQUIPMENT AT A COST OF \$74,926.40 FROM STATE CONTRACT ITEM #8200055841 AND TO SURPLUS THE 1987 FORD 7610 TRACTOR ONCE THE NEW TRACTOR IS IN SERVICE.
2. REQUEST APPROVAL FOR CONSIDERATION TO PURCHASE A TIGER BOOM MOWER FROM COVINGTON SALES AND SERVICE AT A COST OF \$62,557.52 FROM STATE CONTRACT #8200055762.
3. REQUEST APPROVAL TO DECLARE FORTY DUMPSTERS AS SURPLUS PROPERTY, ADVERTISE FOR SALE, AND SELL TO THE HIGHEST BIDDER.

L. UTILITIES DEPARTMENT

1. REQUEST AUTHORIZATION TO DECLARE THE WATER DIVISION 2003 CHEVY TRUCK, VIN NUMBER ENDING IN 5234 AS SURPLUS AND TO AUCTION ON GOVDEALS AND AUTHORIZATION TO PURCHASE AN EQUIVALENT VEHICLE REPLACEMENT FROM STATE CONTRACT.
2. REQUEST AUTHORIZATION TO DECLARE THE VEHICLES, MACHINERY AND GENERATORS AS LISTED AS SURPLUS AND ADVERTISE FOR SALE ON GOVDEALS.COM.

XII. CLOSED DETERMINATION SESSION

XIII. OPEN SESSION

XIV. EXECUTIVE SESSION

- PROPERTY ACQUISITION

XV. OPEN SESSION

XVI. ADJOURN UNTIL FEBRUARY 1, 2022 @ 5:30 IN THE COURT ROOM AT 110 WEST MAIN STREET.

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

Consent items 2 – 22:

2. CONSIDERATION OF THE MINUTES OF THE NOVEMBER 30, 2021 SPECIAL CALL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval of minutes of the November 30, 2021 Special Call meeting of the Mayor and Board of Aldermen” is enumerated, this consent item is thereby approved.

3. CONSIDERATION OF THE MINUTES OF THE DECEMBER 1, 2021 SPECIAL CALL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval of minutes of the December 1, 2021 Special Call meeting of the Mayor and Board of Aldermen” is enumerated, this consent item is thereby approved.

4. CONSIDERATION EXTENDING THE PROCLAMATION OF A LOCAL EMERGENCY DUE TO THE COVID-19 VIRUS FOR AN ADDITIONAL THIRTY (30) DAYS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval of extending the emergency declaration for the COVID pandemic another 30 days” is enumerated, this consent item is thereby approved.

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY City of Starkville, Oktibbeha County, Mississippi

WHEREAS, The City of Starkville Mayor and Board of Aldermen did find that conditions of extreme peril to the safety of persons and property arose within the City of Starkville, caused by Infectious Disease Pandemic COVID-19 commencing on March 17, 2020 and

WHEREAS, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID19 beginning on January 27, 2020, on March 11, 2020, the World Health Organization (WHO) publicly characterized COVID-19 as a pandemic; and on March 13, 2020, the President of the United States declared a nationwide state of emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the continuation of the proclamation of the existence of a local emergency in order to provide for the health and safety of the citizens and the protection of their property within the affected jurisdiction;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that in accordance with Section 33-15-17(d), Mississippi Code of 1972, as amended, a local emergency continues to exist throughout the City of Starkville and Oktibbeha County; and shall be reviewed every thirty (30) days until such local emergency is no longer in effect and proclaimed terminated by Mayor and Board of Aldermen of the City of Starkville, Oktibbeha County, State of Mississippi.

IT IS FURTHER PROCLAIMED AND ORDERED that all City of Starkville agencies and departments shall render all possible assistance and discharge their emergency responsibilities as set forth in the Oktibbeha County Comprehensive Emergency Management Plan.

DATE: January 18, 2022

Mayor, D. Lynn Spruill

ATTEST:

City Clerk, Lesa Hardin

5. CONSIDERATION OF EXPANDING THE BOARD-APPROVED USE OF THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS BASED ON THE UNITED STATES DEPARTMENT OF TREASURY'S FINAL RULE, WHICH EXPANDED THE SCOPE OF ALLOWABLE EXPENDITURES, TO INCLUDE GENERAL INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH CITY PROJECTS SUCH AS THE BUILD GRANT HIGHWAY 182 INFRASTRUCTURE MATCH REQUIREMENTS AND MAIN STREET IMPROVEMENTS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the "approval of expanding the board approved uses of the American Rescue Plan Act (ARPA) funds based on the United States Department of Treasury Final Rule to include paying for infrastructure projects such as those associated with the BUILD grant match requirements and the infrastructure requirements for the expansion of Main Street" is enumerated, this consent item is thereby approved.

6. CONSIDERATION OF CHANGE ORDER #2 FOR THE SPORTSPLEX TURF FIELD.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the "approval of Change Order #2 to add 59 calendar days and no price increase for the Sportsplex turf field due to weather and material delays" is enumerated, this consent item is thereby approved. The Change Order follows this page.

7. CONSIDERATION OF CHANGE ORDER #4 FOR THE SPORTSPLEX PARKING LOT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the "approval of Change Order #4 to add 21 calendar days and no price increase for the Sportsplex parking lot due to weather and material delays" is enumerated, this consent item is thereby approved. This Change Order follows Change Order #2 for the Turf Field.

Change Order

No. 2

Date of Issuance: 1/18/22

Effective Date: 1/18/22

Project: Starkville Sportsplex
Improvements, Contract A

Owner: City of Starkville

Owner's Contract No.: 21031

Contract: Starkville Sportsplex Improvements, Contract A

Date of Contract: 07/19/21

Contractor: Sports Contractors Unlimited, LLC

Engineer's Project No.: 21031

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Time Extension

Reason for Change Order: Contract time extension due to weather and material delays.

Attachments (list documents supporting change):

None

CHANGE IN CONTRACT PRICE:

Original Estimated Contract Price:

\$1,373,950.00

Increase from previously approved Contract to
No. 2:

\$11,500.00

Contract Price prior to this Change Order:

\$1,385,450.00

Increase of this Change Order:

\$0.00

Contract Price incorporating Change Order:

\$1,385,450.00

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days ☒ Calendar days

Substantial completion (days or date): 12/21/21

Ready for final payment (days or date): 12/21/21

Increase from previously approved Change Orders
to No. 2:

Substantial completion (days): 0

Ready for final payment (days): 0

Contract Times prior to this Change Order:

Substantial completion (days or date): 12/21/21

Ready for final payment (days or date): 12/21/21

Increase of this Change Order:

Substantial completion (days or date): 2/18/22

Ready for final payment (days or date): 2/18/22

Contract Times with all approved Change Orders:

Substantial completion (days or date): 2/18/22

Ready for final payment (days or date): 2/18/22

RECOMMENDED:

By: Mary Williams
Engineer (Authorized Signature)

Date: 1-18-22

ACCEPTED:

By: [Signature]
Owner (Authorized Signature)

Date: 1-18-2022

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 1-19-22

Change Order

No. 4

Date of Issuance: 1/18/22

Effective Date: 1/18/22

Project: Starkville Sportsplex Improvements, Contract B	Owner: City of Starkville	Owner's Contract No.: 21031
Contract: Starkville Sportsplex Improvements, Contract B	Date of Contract: 07/12/21	
Contractor: Gregory Construction	Engineer's Project No.: 21031	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Time Extension

Reason for Change Order: Contract time extension due to weather and material delays.

Attachments (list documents supporting change):

None

CHANGE IN CONTRACT PRICE:

Original Estimated Contract Price:

\$851,300.00

Increase from previously approved Contract to No. 4:

\$177,836.74

Contract Price prior to this Change Order:

\$1,029,136.74

Increase of this Change Order:

\$0.00

Contract Price incorporating Change Order:

\$1,029,136.74

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days ☒ Calendar days

Substantial completion (days or date): 1/5/22

Ready for final payment (days or date): 1/5/22

Increase from previously approved Change Orders to No. 4:

Substantial completion (days): 17

Ready for final payment (days): 17

Contract Times prior to this Change Order:

Substantial completion (days or date): 1/22/22

Ready for final payment (days or date): 1/22/22

Increase of this Change Order:

Substantial completion (days or date): 2/12/22

Ready for final payment (days or date): 2/12/22

Contract Times with all approved Change Orders:

Substantial completion (days or date): 2/12/22

Ready for final payment (days or date): 2/12/22

RECOMMENDED:

By: Mayhew
Engineer (Authorized Signature)

Date: 1-18-22

ACCEPTED:

By: [Signature]
Owner (Authorized Signature)

Date: 1-18-2022

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 1/20/2022

8. ACCEPTANCE OF DECEMBER 2021 FINANCIAL STATEMENTS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “acceptance of December 2021 Financial Statements” is enumerated, this consent item is thereby approved.

9. AUTHORIZATION TO HIRE LISA LEMASTERS AS A DEPUTY CLERK/ACCOUNTS RECEIVABLE IN THE FINANCE DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to hire Lisa LeMasters as a Deputy Clerk/Accounts Receivable in the Finance Department” is enumerated, this consent item is thereby approved.

10. AUTHORIZATION TO HIRE TIERRA PRATER AS A FULL-TIME RADIO OPERATOR (DISPATCHER) AND BRIDIE RYAN AS A PART-TIME RADIO OPERATOR (DISPATCHER) IN THE STARKVILLE POLICE DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to hire Tierra Prater as a full-time Radio Operator (Dispatcher) and Bridie Ryan as a part-time Radio Operator (Dispatcher) in the Starkville Police Department” is enumerated, this consent item is thereby approved.

11. CONSIDERATION TO HIRE ALEX STEVENS AS A PART-TIME RECEPTIONIST IN THE CITY CLERK’S OFFICE.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to hire Alex Stevens as a part-time Receptionist in the City Clerk’s Office” is enumerated, this consent item is thereby approved.

12. CONSIDERATION TO ADVERTISE FOR A CUSTODIAN SHARED BETWEEN THREE (3) DEPARTMENTS WHICH INCLUDE: UTILITIES, CITY HALL, AND THE AIRPORT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to advertise for a Custodian shared between three (3) Departments which include: Utilities, City Hall and the Airport” is enumerated, this consent item is thereby approved.

13. CONSIDERATION TO HIRE JAMES SMITH AS POLICE OFFICER IN THE STARKVILLE POLICE DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to hire James Smith as Police Officer in the Starkville Police Department” is enumerated, this consent item is thereby approved.

14. CONSIDERATION TO HIRE DARIAN KING AS A MAINTENANCE WORKER IN THE SANITATION & ENVIRONMENTAL SERVICES DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to hire Darian King as a Maintenance Worker in the Sanitation & Environmental Services Department” is enumerated, this consent item is thereby approved.

15. CONSIDERATION TO DECLARE SEVEN (7) VEHICLES WITH SERIAL NUMBERS ENDING IN 8065, 1901, 2114, 1904, 1896, 7330 AND 1902 AS SURPLUS PROPERTY AND TO BE SOLD ON GOVDEALS.COM TO THE BEST OR HIGHEST BIDDER.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to declare the listed seven (7) vehicles as surplus property AND to be sold on govdeals.com to the best or highest bidder” is enumerated, this consent item is thereby approved.

VIN#1FAHP2M8XD198065	2013 Ford Taurus
VIN#2FAFP71W87X151901	2007 Ford Crown Victoria
VIN#1FAHP2M89DG222114	2013 Ford Taurus
VIN#2FAFP71W37X151904	2007 Ford Crown Victoria
VIN#2FAFP71W87X151896	2007 Ford Crown Victoria
VIN#2FABP7BV3AX117330	2009 Ford Crown Victoria
VIN#2FAFP71WX7X151902	2007 Ford Crown Victoria

16. CONSIDERATION TO PURCHASE TWO (2) 2022 DODGE DURANGO PPV (AWD) VEHICLES FROM JACKSON MAC HAIK CDJR IN JACKSON, MS AT THE STATE CONTRACT (071-05-40027-4) PRICE OF \$37,000 EACH AS WELL AS RADIO SYSTEMS FOR BOTH VEHICLES FROM COMSOUTH AT \$3,912.50 WITH THE TOTAL OF \$77,912.50 TO BE PAID FROM THE AMERICAN RESCUE PLAN ACT FUNDS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to purchase two (2) 2022 Dodge Durango PPV (AWD) vehicles from Jackson Mac Haik CDJR in Jackson, MS at the State of Mississippi contract (071-05-40027-4) price of \$37,000 each as well as radio systems for both vehicles from Comsouth at \$3,912.50 with the total of \$77,912.50 to be paid from the American Rescue Plan Act Funds” is enumerated to be used consistent with the report provided by Chief Ballard to the Board of Aldermen this consent item is thereby approved.

17. CONSIDERATION TO APPROVE THE LIST OF 15 UNMARKED VEHICLES FOR FISCAL YEAR 2022 AS REQUIRED BY MS CODE 25-1-87.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval of the list of City of Starkville unmarked cars for Fiscal Year 2022” is enumerated, this consent item is thereby approved.

1. vin# 3GCEC13GX7G55663
2. vin # 2FABF7B8AX117324
3. vin# 1GNLC2EOSBR362260
4. vin# 06899
5. vin #2C3CDXAGBEH194659
6. vin# 2C3CDXATXCI316299
7. vin# 1GNLC2EC9FR634115
8. vin # 1FM5K8AR4GGB65932
9. vin# 1FM5K8AR2GGB65931
10. vin# HGC07160
11. vin# 1G12D5ST3JF1440X3
12. vin# 1C4RDJFG8KC659449
13. vin# 1C4RDJFG3KC692620
14. vin# 1C4RDJFG1KC692616
15. vin# 2C3CDXAGILH1140908

18. CONSIDERATION TO PURCHASE A KUBOTA M6- 131DTC-F4 TRACTOR, FROM CHICKASAW EQUIPMENT AT A COST OF \$74,926.40 FROM STATE CONTRACT ITEM #8200055841 AND TO SURPLUS THE 1987 FORD 7610 TRACTOR ONCE THE NEW TRACTOR IS IN SERVICE.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to purchase a Kubota M6-131DTC-F4 tractor, from Chickasaw Equipment at a cost of \$74,926.40 from state contract item #8200055841” is enumerated, this consent item is thereby approved.

19. CONSIDERATION TO PURCHASE A TIGER BOOM MOWER FROM COVINGTON SALES AND SERVICE AT A COST OF \$62,557.52 FROM STATE CONTRACT #8200055762.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to purchase a Tiger boom mower from Covington sales and service at a cost of \$62,557.52 from State Contract #8200055762” is enumerated, this consent item is thereby approved.

20. CONSIDERATION TO DECLARE FORTY DUMPSTERS AS SURPLUS PROPERTY, ADVERTISE FOR SALE, AND SELL TO THE HIGHEST BIDDER.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to declare forty dumpsters as surplus property, advertise for sale, and sell to the highest bidder” is enumerated, this consent item is thereby approved.

21. CONSIDERATION TO DECLARE THE WATER DIVISION 2003 CHEVY TRUCK, VIN NUMBER ENDING IN 5234 AS SURPLUS AND TO AUCTION ON GOVDEALS AND AUTHORIZATION TO PURCHASE AN EQUIVALENT VEHICLE REPLACEMENT FROM STATE CONTRACT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to declare the Water Division 2003 Chevy truck, vin number ending in 5234, as surplus and to auction on Govdeals and authorization to purchase an equivalent vehicle replacement from state contract” is enumerated, this consent item is thereby approved.

22. CONSIDERATION TO DECLARE THE VEHICLES, MACHINERY AND GENERATORS AS LISTED AS SURPLUS AND ADVERTISE FOR SALE ON GOVDEALS.COM.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the January 18, 2022 Official Agenda, and to accept items for consent, whereby the “approval to declare the vehicles, machinery and generators as listed as surplus and advertise for sale, and sell to the highest bidder on govdeals.com” is enumerated, this consent item is thereby approved.

Vermeer RT650 / Serial Number: 1VRZ0821151000215 / Trencher Serial Number: 1VRZ070U551000189
Deutz diesel engine

1970-1980 Ford 2000 / Gasoline engine with bulldozer and trencher attachments / Power steering

New Holland(Ford) 555E / Model Number: 555E-699000001 / Serial Number: 031002906
Engine Number: EA652553 / Transmission Number: 15647J96573 / Rear Axle Number: 644-06

Vehicle Number: 53 / Make/Model: Ford F250 / Year: 1995 / Vin: 1FTHF25H9PNB10599

Vehicle Number: 165 / Make/Model: Ford F350 / Year: 2002 / Vin: 1FTSW30S92EB58403

Water division older Generator- Not in working condition

Vehicle Number: 51 / Make/Model: Ford F150 / Year: mid 90s / Vin: ?

Vehicle Number: 56 / Make/Model: Chevy 1 ton dump truck / Year: 1988 / Vin: 1GBHR34KXJJ118529

Vehicle Number: 57 / Make/Model: Ford F150 / Year: 1995 / Vin: 1FTEF15N6SNA84572

Electric Division Diesel Generator - Not in working condition

ANNOUNCEMENTS AND COMMENTS:

MAYOR'S COMMENTS:

Mayor Spruill introduced two new employees of the City: Denisha Paten, Administrative Assistant in Sanitation and Environmental Services and Webb Corban, Director of Finance.

She encouraged everyone to participate in the upcoming MLK Day of Service even though no formal program is being held locally.

BOARD OF ALDERMEN COMMENTS: None

CITIZEN COMMENTS: None

PUBLIC APPEARANCE: None

PUBLIC HEARINGS:

PUBLIC HEARING AND PRESENTATION OF THE SMART TRANSPORTATION PROGRAM BY JEREMIAH DUMAS OF MISSISSIPPI STATE UNIVERSITY TRANSPORTATION DEPARTMENT.

Jeremiah Dumas, Director, 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 as well as various contracts and advertising. Ridership in 2021 saw an increase in the fixed route ridership as well as the paratransit ridership. Mr. Dumas noted the Transit Operations Facility is nearing completion. The transit coordinator and a driver were recognized this past year with statewide awards. The proposed budget for FY23 is \$5,297,241 which includes \$2,271,994 in proposed local cost share.

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

Beverly Hammond, who lives toward the Adaton area in Oktibbeha County, stated she missed the paratransit services in that she is sight impaired. She was encouraged to contact her Supervisor to urge County support of the service.

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

THIRD PUBLIC HEARING FOR THE RENTAL HOUSING ORDINANCE AND THE UNIFIED DEVELOPMENT CODE AND CONSIDERATION OF AMENDING THE UNIFIED DEVELOPMENT CODE (UDC).

City Planner Daniel Havelin and Assistant Planner Odie Avery presented the proposed amendments to the UDC Code:

UDC Section Number	Description of Revision
3.4.1	Changed "Development Requirements" to "Development Standards" for Special Exceptions
3.8	Added Criteria for Administrative Appeal
3.10.4.D.4	Changed "Administrative Appeal" process for Architecture Review to be reviewed by Planning and Zoning Commission prior to Board of Aldermen
4.5	Changed procedure and notification requirement for annexed areas to align with State law.
13.3.6.B	Added "Recreational Vehicle Parks" as Special Exception/Use Exception in C zoning districts
13.7.11	Added sound requirements to "Food Trucks"
14.6	Updated Development Standards chart to allow for "Monument Signs" in Form-Based Districts
14.7.9.A	Added "Monument Sign" type as Permitted with Additional Standards for T-5C, T-5D, and T-5U
14.7.10.D	Added Additional size options for "Yard Signs" in non-residential and mixed-use zones.
14.6 and 14.7.11.E	Removing the word "pennants" from title and excluded the US Flag from the requirements
18	Adding, Updating, and Deleting Definitions

23. A MOTION TO AMEND THE UNIFIED DEVELOPMENT CODE OF THE CITY OF STARKVILLE.

Upon the motion of Alderman Brooks, seconded by Alderman Sistrunk, to amend the Unified Development Code, the Board voted as follows:

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

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

The amended UDC Code sections appear on the following pages.

ORDINANCE NO. 2022-__

**ORDINANCE OF THE CITY OF STARKVILLE, MISSISSIPPI FOR AMENDING
THE UNIFIED DEVELOPMENT CODE**

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville, Mississippi, did hold two public hearings as described in the proof of publication of the notices of hearings which is appended to the Minutes, in connection with the proposed amendments of the Unified Development Code; and

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville, Mississippi, did hold a third public hearings on Tuesday, January 18, 2022 as called for at the Recess Meeting of the Mayor and Board of Aldermen on Tuesday, December 21, 2021, in connection with the proposed amendments of the Unified Development Code; and

WHEREAS, the Mayor and Board of Aldermen do hereby find that notice of said public hearings were given as required by law and based upon the input from citizens and others, the City of Starkville finds the need to amend the Unified Development Code; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Starkville, Mississippi:

SECTION 1. That Sections 3, 4, 13, 14, and 18 of the Unified Development Code of the City of Starkville shall be amended as provided herein-above.

SECTION 2. Upon unanimous vote of the members of the Board of Aldermen, this Ordinance shall go into effect immediately. However, in the event the vote of the Board of Aldermen is less than unanimous, that this Ordinance shall go into effect thirty (30) days after the adoption hereof.

SECTION 3. Said Ordinance having been previously reduced to writing, a motion was made by Alderman _____ and seconded by Alderman _____ to adopt the Ordinance and no request having been made by the Mayor or any member of the Board of Aldermen that said Ordinance be read by the City Clerk before a vote was taken, and reading of such having been waived, said Ordinance was adopted by the vote of the Board of Aldermen, the results being as follows:

Alderman Ben Carver	Ward 1	Voted:
Alderman Sandra C. Sistrunk	Ward 2	Voted:
Alderman Jeffrey Rupp	Ward 3	Voted:
Alderman Mike Brooks	Ward 4	Voted:
Alderman Hamp Beatty	Ward 5	Voted:
Vice Mayor Roy A'. Perkins	Ward 6	Voted:
Alderman Henry N. Vaughn, Sr.	Ward 7	Voted:

ORDAINED AND APPROVED, this the 18th day of January, 2022, at the Recess Meeting of the Mayor and Board of Aldermen of the City of Starkville, Mississippi.

City of Starkville, Mississippi

D. Lynn Spruill, Mayor

ATTEST:

Lesa Hardin, City Clerk

Draft

Proof of Publication of the Notices

AFFP

UDC - Notice - BOA - 2

Affidavit of Publication

STATE OF MISSISSIPPI } SS
COUNTY OF OKTIBBEHA }

Wil Bane, being duly sworn, says:

That he is Classified Clerk of the Starkville Daily News, a daily newspaper of general circulation, printed and published in Starkville, Oktibbeha County, Mississippi; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

November 16, 2021, December 02, 2021

Two public hearings will be conducted by the City of Starkville Board of Aldermen to consider updates to the Unified Development Code and Chapter 30 of Code of Ordinances. The amendments to the Unified Development Code include but are not limited to: removing conflicting text, adding criteria for Administrative Appeals, changing the process for Administrative Appeals, adding use of RV Parks in C Zoning Districts, adding sound requirements for food trucks, allowing for monument signs in form-based districts, adding size options for yard signs in non-residential zones, adding Rental Housing Code, and updating definitions section. The sections affected by this update include but are not limited to: Sections 3, 13, 14, 17, and 18. The amendments to the Code of Ordinance include but are not limited to: Updating Article II Transient Vendors in Chapter 30 and adding Article III Mobile Food Vendor to Chapter 30.

There will be a total of two public hearings held by the Board of Aldermen. The Board of Aldermen will hold the first hearing on December 7, 2021 and the second hearing on December 21, 2021. Both hearings will be held at 5:30 pm in the courtroom on the 1st floor of City Hall at 110 West Main Street in Starkville, Mississippi.

At the hearings interested parties may appear and be heard with respect to the request. A digital version of the draft will be made available on the City's website www.cityofstarkville.org. A printed copy may be reviewed in the Community Development Department by the public at City Hall during normal business hours. For more information, please contact Daniel Havelin, City Planner or Odie Avery, Assistant City Planner.

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Classified Clerk

Subscribed to and sworn to me this 2nd day of December 2021.



Kimberley G. Jones, Business Manager, Oktibbeha County, Mississippi

My commission expires: September 30, 2023



Publish

November 16, 2021

December 2, 2021

00000131 00095369 662-323-4961

Lesia Hardin
City of Starkville (SDN)
110 West Main Street
Starkville, MS 39759

3.4. Special Exception

1. Special exceptions shall include any building, sign, accessory structure, or site feature associated with the use that is being altered or built and is not permitted by right in a zoning district. Special exceptions shall follow the additional design standards associated with a use that shall be adhered to as a part of the approval unless specifically removed as part of approval. A special exception shall also include any request to deviate from the Use Standards, Development requirements, **Standards**, Subdivision Standards, or Base Dimensional Standards that are non-dimensional in nature.
2. The purpose and intent of this article is to ensure that special exceptions shall only be permitted on sites where the proposed building, sign, accessory structure, or site associated with the use may be adequately accommodated, without generating adverse impacts in the area of the proposed special exception. The determination of need for a special exception shall be made by the City Planner. A special exception shall be permitted only upon a finding by the Planning and Zoning Commission and the Board of Alderman in compliance with the procedures and criteria set forth below:

3.4.1. Criteria for special exception review and approval in all zoning districts.

- A. **Site suitability.** The proposed location of the structure and use has adequate space for development, adequate access to the site, fits contextually with the surrounding area, and has been properly designed for any environmental constraints.
- B. **Traffic.** There is no undue nuisance or serious hazard to pedestrian or vehicular traffic in the surrounding area by the proposed structure and use.
- C. **Immediate neighborhood impact.** The proposed structure and use are not detrimental, injurious, obnoxious, or offensive to other properties in the neighborhood. Negative impacts can include excessive

trip generation, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors, and inappropriate hours of operation.

Availability of public services. The proposed structure and use are adequately served by sewer, water, electricity, fire protection, police protection, and provides for any stormwater requirements.

- D. **Site plan.** A site plan shall be reviewed by the Development Review Committee prior to review by the Planning and Zoning Commission only if the proposed development meets the requirements for site plan review. This review shall be to determine if elements have been adequately provided on the plan. These elements can include, but are not limited to: parking areas, loading areas, buffers, screening, landscaping, and signage. Additional approval by the Development Review Committee may be required for site plan approval after approval of a special exception.

- F. **Impact on property values.** The proposed location of the structure and use will not cause or contribute to a decline in property values of surrounding properties.

- G. **Consistency with Comprehensive Plan.** The proposed special exception is consistent with the goals, objectives, and policies of the Comprehensive Plan.

- H. **Additional standards.** All associated additional standards for the proposed building, sign, accessory structure, or site associated with the use have been adequately provided for on the site plan.

3.4.2. Additional Criteria for special exception review and approval in form-based districts

- A. The special exception request shall be consistent with the intent of the form-based districts.

3.4.3. Review procedures.

- A. **Application.** All applications for a special exception shall be in the form required and provided by the City Planner. Completed application packages are due by 5:00 p.m. on the deadline date as set forth by the approved Planning and Zoning Commission schedule. Such applications shall be submitted to the City Planner together with the fee

Section 3. Procedures & Processes

established by resolution of the Mayor and Board of Aldermen. A "completed application" shall include the application form, the applicable fee, a legal description of the subject property, letter of authorization if required and all required supplemental information necessary to render determinations related to the special exception request including:

1. **Interest and ownership.** The applicant's name, address, and interest in the application, and the concurrence of the owner or owners of the entire land area and structures to be included within the subject property.

2. **Applicant statement.** The applicant statement shall include an explanation with the reasoning for the special exception request and a citation of the specific code section from which the special exception is sought.

B. Review by the Development Review Committee. The application shall be reviewed by the Development Review Committee before their public hearing date. Comments from this meeting, if not addressed prior to the hearing, may be added to the staff report for the public hearing as recommended condition(s) of approval.

C. Administrative examination. Upon receipt of an application for a special exception, the City Planner shall examine, or cause to be examined, the application and shall make such investigation into the proposed special exception as is necessary. If the application is determined to be complete, the City Planner shall place the item on the agenda for the Commission. The date the item will be heard by the Commission shall be determined by the Planning and Zoning Commission schedule.

D. Public hearing. Upon receipt of a completed application for a special exception by the City Planner, the Planning and Zoning Commission shall hold a public hearing in accordance with the procedures cited in this section. The Commission shall recommend approval with or without conditions or recommend denial of the request. If recommended for approval or denial, the request will then

be scheduled for a public hearing for the Mayor and Board of Aldermen.

E. Notice and public hearing procedure for special exception. In considering and acting upon applications for special exception, the following procedures shall be observed:

1. **Mailing of notices.** The City Planner shall mail notices at least fifteen (15) calendar days prior to the scheduled public hearing, setting forth the time, place, and purpose of the public hearing to all owners of real property within a minimum of one hundred and sixty (160) feet of the boundaries of the land upon which the special exception is requested. For the purpose of notice requirements to nearby owners of real property, the names and addresses of the owners shall be deemed to be those on the current tax records of Oktibbeha County. The failure of any owner required by this section to be notified by mail sent to the address on the current tax records of Oktibbeha County shall not invalidate or otherwise have any effect on the recommendation or final decision of any application.

2. **Legal ad.** A legal ad shall be placed in the newspaper of record for Starkville at least fifteen (15) calendar days prior to the scheduled public hearing with the following information: governing body to hear the request, date of the hearing, time of the hearing, the location of the hearing, reason for the request, and a legal description of the property per Mississippi Code Title § 17-1-17.

3. **Posting.** A sign shall be placed on the subject property in a conspicuous location at least fifteen (15) calendar days prior to the public hearing, notifying the general public of the request.

F. Applicant to pay costs. All costs of notification shall be paid by the applicant together with the application fee established by resolution of the Mayor and Board of Aldermen. Costs which exceed that paid at the time of application shall be billed and paid by the applicant prior to the public hearing by the Planning and Zoning Commission and/or Board of Aldermen. The application

Section 3. Procedures & Processes

fee for a special exception that did not receive approval prior to the commencement of construction and/or requires a modification of an approved site plan or building plan shall be charged an application fee three (3) times the established rate.

G. Appearance and presentation. At any public hearing upon any matter subject to the provisions of this article, the applicant seeking the special exception and any other party desiring to be heard upon the application may appear in person, by agent, or by attorney. The applicant shall be entitled to make a presentation and at the conclusion of presentations or statements by all other parties, shall be entitled to offer a statement in rebuttal if desired. The chairman of the Planning and Zoning Commission shall, at the commencement of the hearing upon each application or at any time during such hearing, require that parties desiring to make a presentation identify themselves and may specify the time to be allowed each such party within which to make such a presentation.

H. Action. If approval or denial is recommended by the Planning and Zoning Commission, that recommendation and any specific conditions shall be forwarded to the Mayor and Board of Aldermen for their binding decision.

I. Appeal. Parties aggrieved by the final decision of the Mayor and Board of Aldermen, may appeal to a court of competent jurisdiction pursuant to state statute.

J. Conditions of approval. The Mayor and Board of Aldermen may attach conditions in accordance with the approval. Conditions attached to the approval of a Special Exception shall run with the land and shall be binding upon the applicants, their heirs, and/or successors. The condition can be assigned for the duration of the use of the building, sign, accessory structure, or site.

K. Abandonment or discontinuance. Any built structure or site associated with an approved special exception may continue with the associated use unless the use is made a nonconformity by any subsequent zoning ordinance

and/or action by the Board of Aldermen. All nonconformities shall be regulated in accordance with section 3-17. If a specific time is not set as part of the approval of a special exception, the special exception shall expire within 18 months if no building permit has been issued and/or construction activities have ceased on the site. A special exception for any sign type shall expire upon the abandonment or discontinuance of the use or business. Reapplication for a special exception for sign will be required.

L. Reapplication. Reapplication for the same piece of property requesting the same special exception cannot be made within one (1) year from the date the application was originally denied by the Planning and Zoning Commission and/or the Board of Aldermen.

Other uses not specified. Any proposed structure or use not specifically prohibited by this Code shall be reviewed as a special exception application.

3-4-4.

3.8. Administrative Appeal. An administrative appeal is any appeal from administrative interpretations on all matters pertaining to the adopted codes of the City that does not require a variance, waiver, use exception, or special exception. **Administrative Appeals of the interpretation of the adopted Technical Codes or any issue related to stormwater requirements shall be reviewed by the Board of Adjustments and Appeals.** All other Administrative Appeals shall be reviewed by the Planning and Zoning Commission.

3.8.1. Criteria for Administrative Appeal.

- A.** **Interpretation.** The appeal of the interpretation of the requirements by City Staff or the City's Consultant(s) shall be based on an alleged error in interpreting and/or the application of the requirements of the Unified Development Code.
- B.** **Appropriateness of the request.** The request for an Administrative Appeal shall be for interpretation only and does not trigger the requirements of a variance, waiver, use exception, or special exception.
- C.** **Review.** The Planning and Zoning Commission, Board of Adjustment and Appeals, and the Board of Aldermen shall have the power to review the decision of City Staff, *de novo*, but shall not consider new evidence that was not available to City Staff at the time of making an interpretation.

3.8.2. Application. An application for an appeal shall be submitted along with any supporting information to the Planning Department within ten (10) days of the written denial of an application by the Building Department, City Planner, Development Review Committee, and/or **City Engineer.**

3.8.3. Administrative Examination. Upon receipt of an application for an administrative appeal, the City Planner shall examine, or cause to be examined, the application and shall make such investigation into the proposed administrative appeal as is necessary. If the application is determined to be complete, the City Planner shall place

the item on the agenda for either the Planning and Zoning Commission or the Board of Adjustment and Appeals. The appeal shall be placed on the next regularly scheduled meeting of either the Planning and Zoning Commission or the Board of Adjustments and Appeals in accordance with the submittal schedule for non-advertised agenda items.

3.8.4. Appearance and Presentation. At the meeting, the applicant seeking the administrative appeal and any other party desiring to be heard upon the application may appear in person, by agent or by attorney. The applicant shall be entitled to make a presentation and at the conclusion of presentations or statements by all other parties, shall be entitled to offer a statement in rebuttal if desired. The chairman of either the Planning and Zoning Commission or the Board of Adjustment and Appeals shall, at the commencement of the meeting upon each application or at any time during such meeting, require that parties desiring to make a presentation identify themselves and may specify the time to be allowed each such party within which to make such a presentation.

3.8.5. Action. The decision recommended by either the Planning and Zoning Commission or the Board of Adjustments and Appeals and any specific conditions for approval shall be forwarded to the Mayor and Board of Aldermen for their binding decision. A super majority vote by either the Planning and Zoning Commission or the Board of Adjustments and Appeals shall be necessary to modify or reverse any order, requirement, decision, or determination of the Building **Official Department**, City Planner, Development Review Committee, **and/or City Engineer.** The Mayor and Board of Aldermen shall proceed to review the recommendation by either the Planning and Zoning Commission or the Board of Adjustment and Appeals. At the meeting, the decision of either the Planning and Zoning Commission or the Board of Adjustment and Appeals shall either be affirmed, modified, or reversed by the Board of Aldermen **by majority vote.**

Section 3. Procedures & Processes

- 3.8.6.** **Appeal.** Parties aggrieved by the final decision of the Mayor and Board of Aldermen, may appeal to a court of competent jurisdiction pursuant to state statute.
- 3.8.7.** **Conditions of Approval.** The Mayor and Board of Aldermen may attach conditions in accordance with the approval. Conditions attached to the approval of an administrative appeal shall run with the land and shall be binding upon the applicants, their heirs, and/or successors.

Section 3. Procedures & Processes

3.10. Architecture Review

- 3.10.1. Intent of architecture review.** The intent of architecture review is to ensure that development within the City of Starkville is consistent with all applicable development standards. The approval of such development will be based upon the provisions of this code, the contextual surroundings of the development, potential visual impacts, compatibility with existing developments, and compatibility with anticipated developments within the immediate area and the City as a whole.

3.10.2. Applicability and filing process

- A.** All land areas in the city which are zoned for commercial use, industrial use, mixed-use, or multi-unit residential greater than two (2) dwelling units per site shall be subject to Architecture Review.
- B.** All proposed buildings or proposed remodeled buildings that require site plan review shall require Architecture Review approval prior to receiving a building permit.
- C.** The architecture review process can begin before, during, or after the site plan review and approval process.

3.10.3.

Review and action by the Independent Consultant. After reviewing the building design plan and finding that the proposed plan meets the minimum requirements, the Architecture Review Committee will approve the building design plan. If the building design plan includes any requests for waiver, variance, or exception, the Architecture Review Committee will approve the building design plan only after approval from the Board of Aldermen. Approval of a building design plan is required prior to building permit approval.

3.10.4. Building design plan application requirements

- A. Pre-Application.** A pre-application meeting may be scheduled at the request of the applicant to discuss requirements and review conceptual drawings. A pre-application meeting is not required, but recommended.
- B. Application.** An application for Architecture Review shall be submitted along with the building plans to the Planning Department. Such applications shall be submitted to the

City Planner together with the fee established by resolution of the Mayor and Board of Aldermen. The application shall include the following:

- 1. Applicant and/or owner information.** The application shall list the property owner or authorized agents contact information including mailing address, email address, and phone number.
- 2. Project information.** The following shall be listed on the application: project name, project address, parcel id number, and zoning district.
- 3. Project description.** All projects shall include a description of the project indicating the proposed uses (commercial, residential, mixed-use, etc.). If the development is being proposed to be built in phases, the applicant shall submit an application for the entire development showing all phases. Target dates for completion of each phase and the entire development shall be included.

C. Building design plan requirements. The following sheet with required information shall be submitted as part of a complete application for review by the Architecture Review Committee. The maximum sheet size shall not exceed thirty (30) inches by forty-two (42) inches. A sheet size of twenty-four (24) inches by thirty-six (36) inches is preferred. Plans shall also be provided digitally as a Portable Document Format (PDF). Multiple sheets may be used provided each sheet is numbered and the total number of sheets is indicated on each sheet. Cross referencing between sheets shall be required. All of the following information shall be required prior to being placed on the Architecture Review Committee's agenda:

1. **Coversheet.** The coversheet shall include:

- i. Project name
- ii. Vicinity map
- iii. Sheet Index
- iv. Contact information for the Owner and Design Professionals
- v. Building data including the following: total proposed square footage for each use (commercial, residential, office, etc.), the total number of residential dwelling units, and the total number of bedrooms
- vi. Submittal date and any revision dates
2. **Site plan.** Site plans shall be drawn at a scale of one (1) inch to fifty (50) feet or larger. Necessary notes and symbol legends shall be included. Abbreviations should be avoided but if used they shall be defined in the notes. Drawings shall illustrate the following:
 - i. Boundary, setback lines, and easements
 - ii. North arrow, legend, and graphic scale
 - iii. The location of parking areas, loading zones, dumpster enclosure, sidewalks, and walkways
 - iv. The locations of all buildings on the site

3. **Building plans.** Building drawings shall be drawn at a common scale so as to be legible. Necessary notes and symbol legends shall be included. Abbreviations should be avoided, but if used, shall be defined in the notes. Drawings shall illustrate the following:

- i. Schematic floor plan for each floor for the purpose of locating exterior windows and doors
- ii. Door and window schedule for all exterior doors and windows
- iii. Color rendered elevations of all sides of the building with facade requirements (see Development Standards Chart Section 14)
- iv. An elevation of the street face side of the building with dimensions showing the overall height of the building and each individual floor
- v. All proposed building finishes shall be labeled. A finish schedule shall be included on the sheet for which they are

referenced. The finish schedule shall include material type, color, and product reference information

vi. For projects located within a T-4, T-5D, T-5C, and T-5U zoning districts, a percentage of fenestration per floor shall be required (see Development Standards Chart Section 14).

4. **Building Materials Board.** A material sample of all key materials and colors, properly labeled, and affixed to hard surface, may be required upon request from reviewer for review. Material samples shall be a minimum size of three inch by three inch (3"x3"). Major colors must be actual samples. Minor colors may be printed samples. Paint and stain samples from wood color fans are acceptable.

D. Approval, disapproval, and appeal procedures

1. **Comment procedure.** Comments from Architecture Review shall be issued in writing after each review. The applicant shall revise the proposed building plan per the comments or reply in writing as to why the revisions cannot be made. Only after revisions to the proposed building plan meets the requirements of the Architecture Review will the approval procedure begin.

2. **Approval procedure.** Upon approval of such building design proposal by Architecture Review and an approved site plan by the Development Review Committee, a building permit application may be submitted to the building department for subsequent review. The approved building design proposal shall be signed by the consultant of the Architecture Review.

3. **Disapproval procedure.** If Architecture Review denies a building design proposal plan, it shall specify the reasons said plan was denied.

Section 3. Procedures & Processes

4. **Appeal procedure.** A decision to deny a building design proposal by the independent consultant for any reason that does not require a variance, waiver, or exception, can be appealed **as an Administrative Appeal** to the Board of Aldermen. The applicant shall have ten (10) business days **from the decision to deny** to appeal that decision ~~to the Board of Aldermen. The appeal will be placed on the Board of Aldermen agenda.~~ **The appeal shall be placed on the next regularly scheduled meeting of the Planning and Zoning Commission in accordance with the submittal schedule for non-advertised agenda items.** Parties aggrieved by the final decision of the Mayor and Board of Aldermen, may appeal to a court of competent jurisdiction pursuant to state statute.
5. **Expiration.** The building design proposal approval shall expire twelve (12) months after approval by Architecture Review if construction has not been started evidenced by steady and continuous progress as determined by the Building Official or the City Planner.
6. **Extension.** The approval of a building design proposal may be extended for six (6) months by the City Planner. If an extension is not granted, reapplication is required.
7. **Transfer of approval.** In the event property with an approved building design is sold, transferred, leased, or any other change in ownership, the approval shall be transferable and subject to the same terms of approval as the original approval.

4.5. Annexation. Any land annexed into the City of Starkville shall within six (6) months of the final approval of the annexation by a court of competent jurisdiction shall be ~~the Board of Aldermen~~ be represented in the placetype map in the Comprehensive Plan and the Official Zoning Map of the City of Starkville. The zoning designation of the annexed property shall be determined and approved in accordance with the amendment procedures and public notification requirements in this code. The procedure and public notification requirements shall be in accordance with Miss. Code Ann. 17-1-1 et. seq. and approved by the Board of Aldermen.

Section 13. Use Standards

Use Chart	P = Permitted Use A= Permitted Use with Additional Standards UE = Use Exception SE = Special Exception -- =Not Permitted																O-Use Categories								
	RN	SD-2	SD-6	TN-N	TN-E	MU-9	MU-20	CN	C	CR	I	T-4	T-5D	T-5C	T-5U	S-M	S-I	S-E	O-TND	O-CD	O-I	O-C	O-E	O-TN	
	COMMERCIAL (cont.)																								
Recreational Vehicle Parks <i>sec.13.7.21</i>	SE	--	--	--	--	--	SE	A	A	A	A	--	--	--	--	--	--	--	--	--	A	A	A	SE	--
Retail Sales and Services- Inside Only <i>sec.13.7.22</i>	--	--	--	UE SE	UE SE	--	--	A	A	A	A	--	A	A	A	--	A	--	--	A	--	--	A	--	UE SE
Retail Sales and Services- with Outside Displays <i>sec.13.7.23</i>	--	--	--	--	--	--	--	A	A	A	A	--	UE SE	UE SE	UE SE	UE SE	--	--	--	--	--	--	A	--	--
Studios - Art, Craft, Music, Dance, and Fitness <i>sec.13.7.24</i>	--	--	--	UE SE	UE SE	--	--	A	A	A	P	--	A	A	A	A	--	--	--	A	--	--	P	--	UE SE
Theaters <i>sec.13.7.25</i>	--	--	--	--	--	--	--	P	P	P	--	--	A	A	A	A	--	--	--	A	--	--	P	--	--
Vehicle Repair and Maintenance <i>sec.13.7.26</i>	--	--	--	--	--	--	--	A	A	A	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--
INDUSTRIAL																									
Airport <i>sec.13.8.1</i>	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	P	--	--	--	--	--	--	--
Heliport <i>sec.13.8.2</i>	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	A	A	A	--	--	A	--	--	--
Borrow Pit, Soil Fill Site, and Soil Storage Site <i>sec.13.8.3</i>	SE	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--	--	--	--	SE	--
Landfill <i>sec.13.8.4</i>	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--
Manufacturing and Industrial Heavy <i>sec.13.8.5</i>	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	--	--	--	--	--	A	--	--	--

13.7.11. Food Truck

- A. Definition:** A licensed, motorized vehicle or mobile food unit which is temporarily parked on private property and not on the right-of-way where food items are sold to the general public. If on the right-of-way, refer to the ~~transient vendor requirements~~ **Mobile Food Vendor requirements**.

B. Parking: None.

C. Loading: None.

D. Additional Standards:

1. Food trucks and/or associated seating must not occupy on-site parking spaces required to fulfill the minimum requirements for the principal use, unless the principal use's hours of operation do not coincide with those of the food truck business.
2. Traffic circulation, public safety, siting of food trucks, and parking will be reviewed and may be subject to the conditions of approval by the City Planner.
3. No audio amplification or permanent signage may be installed as part of a food truck's vending operation. One (1) sidewalk sign shall be allowed within ten (10) feet of the food truck.
4. The food truck vendor is responsible for the proper disposal of waste and trash associated with the operation. City trash receptacles are not to be used for this purpose. Vendors must provide their own trash receptacle on-site for patrons. Vendors must remove all waste and trash from their approved location at the end of each day or as needed to maintain the health and safety of the public. The vendor must keep all areas associated with the food truck and any associated seating area clean of grease, trash, paper, cups or cans associated with the vending operation. No liquid waste or grease is to be disposed in tree pits, storm drains, onto the sidewalks, streets, or

other public space. Under no circumstances can grease be released or disposed of in the City's sanitary sewer or stormwater system. All waste must be disposed of in accordance to all applicable local, state, and federal laws. All food truck vendors shall obtain and maintain a City of Starkville Privilege License and a mobile food vending permit for each mobile pushcart or mobile food preparation vehicle in operation. All applications for permit renewal shall be filed annually with the City of Starkville City Clerk's Office.

6. If a business is subject to a Certificate of Health or sanitary examination, the person applying for permit must produce such certificate or permit from the County Health Department before a permit can be issued.
7. A written indemnity agreement that will hold harmless the city, its officers, and employees, for any loss or liability or damage, including costs, for bodily injury or property damage sustained by a person as a result of the negligent installation, use, or maintenance of a permitted space.
8. Food trucks shall provide written permission from the property owner.
9. The operators must be present at all times during the hours of operation.
10. A food truck operating in all districts shall operate only Thursday through Saturday between the hours of 6:00 a.m. and 2:00 a.m. and on Sunday through Wednesday between the hours of 6:00 a.m. and 10:00 p.m. Cleanup and removal of the food truck shall be completed within thirty (30) minutes of closing.
11. **All generators associated with a food truck shall provide sound buffering for each generator. At no time shall any generator operate at 65 decibels or above measured at twenty-five (25) feet from the generator.**

Section 14. Development Standards

Development Standards Chart	Residential Use Districts							Commercial / Industrial Use Districts				Form-Based Districts				Special Districts			Optional District					
	RN	SD-2	SD-6	TN-N	TN-E	MU-9	MU-20	CN	C	CR	I	T-4	T-5D	T-5C	T-5U	S-M	S-I	S-E	O-TND	O-CD	O-I	O-C	O-E	O-TN
P = Permitted Use A= Permitted Use with Additional Standards UE = Use Exception SE = Special Exception Blank = Not Permitted																								
Section 14.7 SIGNS																								
BUILDING SIGNS																								
Wall Sign	A			A		UE	UE	A	A	A	A		A	A	A	A	A	A	A		A	A	A	A
Projecting Sign	A			A				P	P	P			A	A	A	P			P			P	A	A
Suspended Sign	A			A				P	P	P			A	A	A	P			P			P	A	A
Awning Sign	A			A				A	A	A			A	A	A	A			A				A	A
Marquee Sign	A			A					A	A			A	A	A	A							A	A
Window Sign	A			A				A	A	A	A		A	A	A	A							A	A
Nameplate Sign	A			A				P	P	P		P	P	P	P	P							A	A
Address Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Outdoor Display Case				A				A	A	A			A	A	A	A								A
SITE SIGNS																								
Monument Sign	A					A	A	A	A	A	A		A	A	A	A	A	A			A	A	A	
Multi-tenant Sign	A							A	A	A											A	A	A	
TEMPORARY SIGNS																								
Sidewalk Sign				A				P	P	P			P	P	P									A
Banner Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Yard Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fence Screen Sign								P	P		P	P	P	P	P				P		P	P		
Construction Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
OTHER SIGNS																								
Development Entrance Sign	A	A	A	A	A	A	A	A	A	A	A					A	A	A	A	A	A	A		A
Electronic Message Center Sign								A	A	A	A			A	A		A	A				A		
Flags and Pennants	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Any sign type not listed on the chart will be reviewed as a Use Exception																								

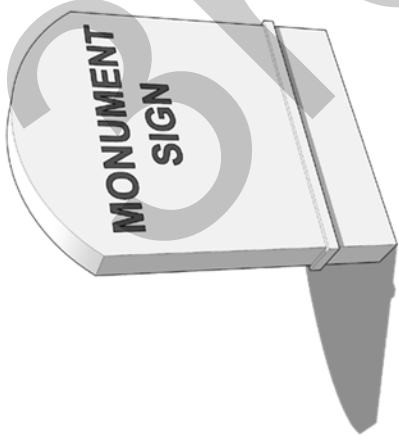
Any sign type not listed on the chart will be reviewed as a Use Exception

Section 14. Development Standards

14-7.9. Site Sign Types

A. Monument Signs

Fig. 14.7-12



1. Description

- i. A monument sign is a freestanding on-premise sign with one (1) or two (2) sides attached to a permanent foundation or decorative base and not attached or dependent on support from any building, pole, posts or similar uprights on a site with one (1) or multiple tenants.
- ii. A sign permit is required for a monument sign.

2. Size Requirements

- i. Monument signs shall not exceed eighty (80) square feet in sign area.
- ii. The maximum height is eight (8) feet above the finished grade.
- iii. The maximum width is twelve (12) feet.
- iv. The maximum depth is twenty-four (24) inches.

3. Location

- i. No sign shall be placed closer than five (5) feet to the right-of-way of a street.
- ii. No sign shall be placed within a sight triangle of a street or driveway.
- iii. Only one (1) sign is allowed for every three-hundred and thirty (330) linear feet of street frontage and a minimum separation of two-hundred (200) feet between multiple signs is required

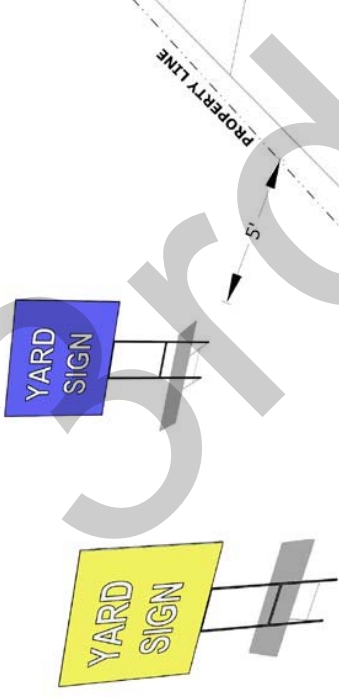
on a site.

4. Additional Standards

- i. A planted and maintained landscape area of thirty-six (36) inches wide shall be provided around the base of every monument sign.
- ii. Electronic message centers can be attached to monument signs per zoning district requirements.
- iii. Monument signs shall have exterior finishes matching or complementing the finishes on the facade of the primary building and shall comply with minimum facade standards for that district.
- iv. Hand painted lettering or logos shall not be permitted to be attached to or apart of monument signs unless otherwise approved by the City Planner.
- v. Monument signs can be internally or externally illuminated. The use of exposed neon tubing is not permitted.
- vi. In zoning districts where monument signs are permitted, the maximum square footage may be increased to one hundred and sixty (160) square feet and the overall height increased to sixteen (16) feet if located adjacent to US Highway 82 and/or US Highway 25 where the posted speed limit is sixty (60) miles per hour or more.
- vii. In MU-9 zoning districts sign area shall be less than forty (40) square feet with a maximum of height of six (6) feet.
- viii. This sign type is only allowed in RN and O-E zoning district with approved commercial or multi-dwelling unit residential use.
- ix. In T-5D, T-5U, and T-5C, zoning districts sign area shall be less than sixty (60) square feet with a maximum of height of six (6) feet. Monument signs shall only be allowed on lots where the existing building exceeds the maximum setback for that zoning district. Corner lots are not eligible for monument sign types unless approved as a Use Exception.

D. Yard sign

Fig. 14-7-16



1. Description

- i. A yard sign is any temporary sign placed on the ground or attached to a supporting structure, posts, or poles, and that is not attached to any building or permanently attached to the ground.
- ii. There shall be a maximum of two (2) faces to the sign, mounted back-to-back. Double-sided or back-to-back signs shall be measured by the surface area of one (1) face.
- iii. A sign permit is not required for a yard sign, but requirements must be followed.

2. Residential districts

i. Size Requirements

- a. A maximum sign size of four (4) square feet is permitted for lots less than two (2) acres.
- b. A maximum sign size of sixteen (16) square feet is permitted for lots greater than two (2) acres.
- c. The maximum total square footage of all temporary signs on a lot in residential districts is sixteen (16) square feet.

ii. Location

- a. No sign shall be placed closer than five (5) feet to the right-of-way of a street.
- b. No sign shall be placed within a sight triangle of a street or driveway.

iii. Duration

- a. The maximum duration for any yard sign shall be ninety (90) days or until the conclusion of the event.

3. Non-residential and mixed-use districts

i. Size Requirements

- a. The maximum total square footage of all temporary signs on any non-residential or mixed-use district zoned property with an existing building is four (4) square feet.

- b. The maximum total square footage of all temporary signs on any vacant non-residential or mixed-use district zoned property is sixteen (16) square feet.

- c. The maximum total square footage of all temporary signs on any vacant non-residential or mixed-use district zoned property is thirty-two (32) square feet if located adjacent to US Highway 82 and/or US Highway 25 where the posted speed limit is sixty (60) miles per hour or more.

ii. Location

- a. No sign shall be placed within a sight triangle of a street or driveway.
- b. No sign shall obstruct any walkway or public sidewalk.

iii. Duration

- a. The maximum duration for any yard sign shall be thirty (30) days or until the conclusion of the event.

E. Flags and Pennants

1. Description

- i. A flag and/or means a piece of fabric or cloth attached to a flag pole or other support on one side, where the length at right angles to the support is at least as long as the length of the attached side.
- ii. There shall be a maximum of two (2) faces to the flags, mounted back-to-back. Double-sided or back-to-back signs shall be measured by the surface area of one (1) face.
- iii. A sign permit is not required for a flag, but requirements must be followed.

iv. These requirements shall not apply to the official current flag of the United States of America.

2. Residential districts

i. Size Requirements

- a. A maximum sign size of fifteen (15) square feet is permitted per flag.
- b. The maximum height to length ratio for a flag shall be 1:2.
- c. The maximum number of flags may not exceed three (3) flags per acre of site area, rounded up to the nearest whole acre.
- ii. **Location**
 - a. No flag shall be placed closer than five (5) feet to the right of-way of a street.
 - b. No flag shall be placed within a sight triangle of a street or driveway.

3. Non-residential and mixed-use districts

i. Size Requirements

- a. A maximum sign size of twenty-five (25) square feet is permitted per flag.
- b. The maximum height to length ratio for a flag shall be 1:2.
- c. The maximum number of flags may not exceed two (2) flags per twenty-five (25) feet of frontage up to a maximum of eight (8) flags per premises. Corner lots shall be allowed up to a maximum of twelve (12) flags total along both frontages.

ii. Location

- a. No flag shall be placed closer than five (5) feet to the right of-

way of a street.

- b. No flag shall be placed within a sight triangle of a street or driveway.
- c. No flag shall obstruct any walkway or public sidewalk.

Section 18. DEFINITIONS

UPDATED DEFINITION: (changes are underlined)

Dwelling or dwelling unit- A house or other building used for residential purposes including accessory use areas, except that the word “dwelling” shall not include boardinghouses or rooming houses, bed and breakfast inns, Airbnb, weekend rentals, gameday rentals, tents, tourist camps, hotels, trailers, trailer camps, or other structures designed or used primarily for transient residents.

NEW DEFINITIONS:

Administrative Inspection Warrant - a warrant issued by a Judge or any other person of similar authority enabling an inspector with enforcement powers granted by the City of Starkville to check and verify compliance and/or enforce compliance of the Unified Development Code.

Long-term rental- Any rental housing unit that is rented out to a long-term tenant paying a fee or other compensation for a period of time longer than thirty consecutive days.

Rental Housing Unit- Any portion of a dwelling for which payment or other consideration is being made to an owner, agent, or manager for the use or occupancy of that portion as an independent living facility for a period of time longer than thirty consecutive days, excluding transient occupancy such as hotels, motels, short-term rental and/or any bed and breakfast. It also means each apartment or each rental unit within a complex.

Short-term rental- Any dwelling unit or portion of a dwelling unit that is available for use or is used for accommodations or lodging of guests, paying a fee or other compensation for a period of time less than thirty consecutive days excluding transient occupancy such as hotels, motels, and/or any bed and breakfast

CONFLICTING DEFINITIONS TO BE REMOVED:

Short-Term Residential Rental- The short-term occupancy of a residential dwelling unit for a fee. Bed and breakfast shall not be considered short term residential rentals. Examples of short-term residential rental shall include but not limited to: Airbnb, weekend rentals, and gameday rentals.

Vacation rental home- A single-family dwelling where the entire dwelling is provided to guests for short-term stays of less than thirty (30) days for compensation. See “Bed and breakfast inn” and “Short-term rental property.”

24. CONSIDERATION OF THE CITY OF STARKVILLE CLAIMS DOCKET

Upon the motion of Alderman Carver, duly seconded by Alderman Brooks, to approve the City of Starkville Claims Docket for all departments including Starkville Utilities, as of January 10, 2022 for fiscal year ending 9/30/22, acknowledging that the City Clerk has attested and certified on the cover of the claims docket that all claims on the docket are true, accurate, lawful and proper to the best of her knowledge, for payment pursuant to her duties under Miss. Code Sections 21-39-5, 21-39-7, 21-39-9, 21-39-17 and 21-15-21. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	Voted: Yea
Alderman Hamp Beatty	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	\$ 565,033.41
	003	40,954.00
Airport Fund	015	24,144.58
Sanitation	022	56,607.45
Industrial Park Bond	303	346,017.48
Public Improv Bonds - 2018	319	3,625.00
BUILD Grant	377	36,558.82
Park Bond - 2020	380	1,658,264.58
Sub Total Before Utilities		\$ 2,731,205.32
Utilities Dept.	SED	272,339.24
Total Claims	Total	\$ 2,210,105.86

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

There came for consideration the matter of entering a closed session to determine if there is a proper cause for executive session. Upon the motion of Alderman Rupp, seconded by Alderman Sistrunk, 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 Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.
The Board entered closed session.

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

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

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

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

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

The Mayor invited the public back in and then announced that the Board had decided not to go into Executive Session.

27. MOTION APPROVING THE PURCHASE OF 24.7 +/- ACRES SOUTH OF THE STARKVILLE AIRPORT RUNWAY.

Upon the motion of Alderman Brooks, duly seconded by Alderman Beatty, to move approval to exercise the option to purchase 24.7 +/- acres south of the Starkville Airport runway, as further described in the Option Contract approved by the Board of Aldermen during its meeting on December 21, 2021, as part of the Starkville Airport runway expansion project for the amount of \$500,000, and authorizing the Mayor to enter into a purchase and sales contract consistent with these terms and to effectuate the closing of the transaction, including procuring title insurance.

The Board voted as follows:

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

Having received a majority affirmative vote, the Mayor declared the motion passed.
A copy of the signed agreement follows this page.

28. MOTION TO ADJOURN UNTIL FEBRUARY 1, 2022 @ 5:30 IN THE COURT ROOM AT 110 WEST MAIN STREET.

Upon the motion of Alderman Vaughn, duly seconded by Alderman Brooks, for the Board of Aldermen to adjourn the meeting until February 1, 2022 @ 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 Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	Voted: Yea
Alderman Hamp Beatty	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 _____, 2022.

Attest:

D. LYNN SPRUILL, MAYOR

LESA HARDIN, CITY CLERK

STATE OF MISSISSIPPI:
COUNTY OF OKTIBBEHA:

**OPTION CONTRACT FOR THE SALE
AND PURCHASE OF REAL ESTATE**

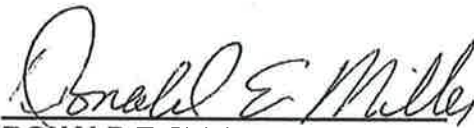
The undersigned Sellers hereby agrees to sell, and the undersigned Purchaser hereby agrees to purchase the hereinafter described property in accordance with the following terms and conditions:

1. **DESCRIPTION:** 24.7+/-ac located in the South Half of the Southeast Quarter of Section 17 and in the North Half of the Northeast Quarter of Section 20, All in Township 18 North, Range 14 East, Oktibbeha County, Mississippi as set forth and described on Exhibit "A" attached hereto.
2. **PRICE:** The total purchase price to be paid by Purchaser to Sellers shall be the sum of \$500,000.00 in cash or certified funds at closing.
3. **TAXES:** It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to pay on the basis of an actual proration.
4. **TITLE:** At closing, Sellers shall execute and deliver to Purchaser a general Warranty Deed to the above described property
5. **CLOSING:** Closing shall occur within 15 business days following receipt by the City of Starkville of AIP funds allocated to cover the purchase price.
6. **DEPOSIT:** Purchaser shall deposit with Donald E. Miller the sum of \$500.00 as option money. If title is merchantable, the option money shall be credited to the sales price at closing. If the title is not merchantable or adequate funding is not received through AIP as set forth in Paragraph 9(b) the option money shall be refunded to Purchaser. In the event title is found to be merchantable with all contract contingencies met and the Purchaser fails to carry out and perform the terms of this agreement, the option money shall be retained by the Sellers as liquidated damages with this option contract then being cancelled.
7. **ENVIRONMENTAL WARRANTY:** Sellers warrants that it has not engaged in any activities on the subject property that could result in the imposition of an environmental levy or assessment. Purchaser, at Purchaser's expense, is granted a period not to exceed 45 days from the date of this contract to have any reasonable and necessary environmental tests conducted on the subject property. Closing of this transaction is contingent upon the absence of any negative findings from said tests provided that notice of said findings is provided to Seller in writing within 45 days from the date of this contract.

8. **ATTORNEY'S FEES:** If it becomes necessary for a non-defaulting party to employ an attorney to insure the performance of this contract, or to recover damages, then the defaulting party or parties agree to pay, as part of any judgement, all reasonable attorney's fees and court costs incurred by the non-defaulting party.
9. **SPECIAL PROVISIONS:** Purchaser shall pay all cost of closing.
- a. Purchaser shall pay all costs of closing.
- b. Closing on this option contract shall be contingent upon the City of Starkville receiving adequate AIP funds sufficient to cover the purchase price of the subject property and construction of the proposed runway extension.

Executed in duplicate this the 30th of Nov., 2021, each copy to be deemed an original.

SELLERS:

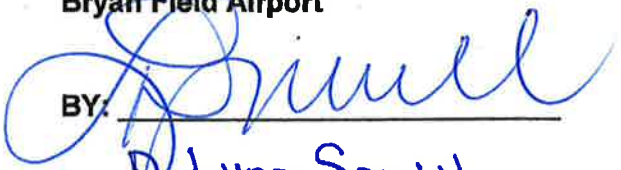

DONALD E. MILLER


DONALD E. MILLER, JR.


WILLIAM DANIEL MILLER


ALAN F. MILLER

**PURCHASER: City of Starkville,
Bryan Field Airport**

BY: 

D. Lynn Spruill
Mayor - City of Starkville

MISS. HWY. NO. 25

PROPOSED RUNWAY PROTECTION ZONE

610.0'

24.7 AC.

612.0'

PROPOSED LAND PURCHASE

200.0'

1000.0'

1700.0'

1,759.3'

1,757.2'

1510.0'

1000.0'

GEORGE M. BRYAN
PROPERTY BOUNDARY (TYP)

EXHIBIT
A
LEGAL

tabbler