MINUTES OF THE RECESS MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
The City of Starkville, Mississippi
February 20, 2024

Be it remembered that the Mayor and Board of Alderman met in a Recess Meeting on February 20, 2024 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 Kim Moreland, Sandra Sistrunk, Jeffrey Rupp, Mike Brooks, Hamp Beatty, Roy A'. Perkins and Henry Vaughn, Sr. as well as City Attorney Berk Huskison 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 no changes, the Mayor called for a motion to approve the agenda with consent items as presented.

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

Alderman Rupp offered a motion, duly seconded by Alderman Brooks, to approve the February 20, 2024 Official Agenda. The Board voted as follows:

Alderman Kim Moreland	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, FEBRUARY 20, 2023
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 FEBRUARY 2, 2024 WORK SESSION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

CONSIDERATION OF THE MINUTES OF THE FEBRUARY 6, 2024 REGULAR 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

Boys and Girls Club Annual Report – Christopher Thompson, Starkville Unit Director

VIII. PUBLIC HEARINGS

A. SECOND PUBLIC HEARING ON ADOPTING A SECURITY CAMERA ORDINANCE FOR RETAIL AND PROFESSIONAL CENTERS OF A CERTAIN SIZE.

IX. MAYOR'S BUSINESS

A. CONSIDERATION OF THE RESOLUTION IN SUPPORT OF PROJECT SQUEEZE.

B. CONSIDERATION OF THE MATCH FOR THE GRANT IMPROVING THE NORTHSTAR INDUSTRIAL PARK.

X. BOARD BUSINESS

A. CONSIDERATION OF THE FY24 CDBG PUBLIC FACILITIES APPLICATION FOR SEWER IMPROVEMENTS IN AN AREA NOT CURRENTLY BEING SERVED WHICH INCLUDES THE AREA OF HENDERSON ROAD AND SAND ROAD.

B. CONSIDERATION OF THE APPROVAL OF A TAX ABATEMENT REQUEST BY 44 PROPERTIES, LLC – ROY OSWALT, MANAGER.

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
THERE ARE NO ITEMS FOR THIS AGENDA

E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF FEBRUARY

13, 2024 FOR FISCAL YEAR ENDING 9/30/24, 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 JANUARY 2024 FINANCIAL STATEMENTS.

F. FIRE DEPARTMENT

1. REQUEST PERMISSION TO PURCHASE THE REMAINING EQUIPMENT IN ORDER TO FULFILL THE REQUIREMENTS FOR THE ASSISTANCE TO FIREFIGHTERS GRANT WITH THE LOWEST OF THE TWO QUOTES BEING $38,287.00 FROM CENTRAL ALABAMA SOLUTIONS.

2. REQUEST PERMISSION TO ALLOW JMCM CONSULTING TO WRITE AND DEVELOP FEMA GRANTS FOR THE SFD AND TO PAY 5% OF THE FUNDED AMOUNT FOR PROJECT ADMINISTRATION IF THE GRANT IS AWARDED AND ACCEPTED.

G. HUMAN RESOURCES

1. REQUEST AUTHORIZATION TO EXTEND THE TEMPORARY FIRE INSPECTOR/DEPUTY CHIEF POSITION IN THE STARKVILLE FIRE DEPARTMENT THROUGH THE FISCAL YEAR.

H. INFORMATION TECHNOLOGY

THERE ARE NO ITEMS FOR THIS AGENDA

I. PARKS

1. CONSIDERATION OF THE LOWER QUOTE FOR THE JULY 4TH FIREWORKS SHOW IN THE AMOUNT OF $14,000.00 FROM PYROSHOWS.

2. REQUEST APPROVAL TO DECLARE SPEED AIR COMPRESSOR AND METAL PULL BEHIND RACK AS SURPLUS PROPERTY AND SELL TO THE HIGHEST BIDDER ON GOVDEALS, DISCARD OR SELL DIRECTLY TO A SCRAP DEALER.

3. CONSIDERATION OF APPROVING AMENDMENT #2 TO THE MCKEE PARK PHASE 1 PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY HORN FOR THE ADDITIONAL DESIGN OF THE STAND-ALONE RESTROOMS AND THE RENOVATION OF THE EXISTING CONCESSION STAND FOR AN ADDITIONAL FEE OF $10,000.00.

J. POLICE DEPARTMENT

1. POLICE

   1. REQUEST APPROVAL FOR CORPORAL JOSH HORTON TO ATTEND THE REID TECHNIQUE OF INVESTIGATIVE INTERVIEW AND ADVANCED INTERROGATION COURSE HELD IN RUSSELLVILLE, AL IN MARCH AT A TOTAL ADVANCED COST NOT TO EXCEED $1,130.00 FOR COURSE AND LODGING.

2. CODE ENFORCEMENT
THERE ARE NO ITEMS FOR THIS AGENDA

K. SANITATION DEPARTMENT
THERE ARE NO ITEMS FOR THIS AGENDA

L. UTILITIES DEPARTMENT

1. ACCEPT EMERGENCY AUTHORIZATION CONSISTENT WITH PRESIDENTIAL DETERMINATION NO. 2022-19 FROM MS-TN TRANSFORMERS, INC. TO PURCHASE TRANSFORMERS IN THE AMOUNT OF $39,400.00.

XII. CLOSED DETERMINATION SESSION

XIII. OPEN SESSION

XIV. EXECUTIVE SESSION

BRIEFING ON PENDING AND POTENTIAL LITIGATION MATTERS

XV. OPEN SESSION

XVI. ADJOURN UNTIL MARCH 5, 2024 @ 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, Stein McMullen, at (662) 323-2525, ext. 3121 at least forty-eight (48) hours in advance for any services requested.

Consent items 2 – 15:

2. CONSIDERATION OF THE MINUTES OF THE FEBRUARY 2, 2024 WORK SESSION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval of minutes of the February 2, 2024 work session of the Mayor and Board of Aldermen" is enumerated, this consent item is thereby approved.

3. CONSIDERATION OF THE MINUTES OF THE MINUTES OF THE FEBRUARY 6, 2024 REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval of minutes of the February 2, 2024 regular meeting of the Mayor and Board of Aldermen" is enumerated, this consent item is thereby approved.

4. CONSIDERATION OF THE RESOLUTION IN SUPPORT OF PROJECT SQUEEZE.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval of the tax abatement resolution requested by the industry for the expansion known as Project Squeeze" is enumerated, this consent item is thereby approved.

The Board of Aldermen of the City of Starkville, Mississippi, (the "Board" of the "City") took up the matter of expressing its intent to grant an ad valorem tax incentive to that certain company confidentially disclosed to the Board and assigned the code name Project Squeeze ("Project Squeeze" or the "Company") as an inducement to the Company to pursue the construction, installation, equipping and operation of an expansion of its existing manufacturing facility in the City; and the following Resolution, having first been reduced to writing, was introduced:

RESOLUTION OF INTENT OF THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, TO GRANT AN EXEMPTION FROM AD VALOREM TAXES PURSUANT TO SECTION 27-31-101 OF THE MISSISSIPPI CODE FOR AN EXPANSION OF A MANUFACTURING FACILITY TO BE CONSTRUCTED, INSTALLED, EQUIPPED AND OPERATED IN THE CITY IN CONNECTION WITH PROJECT SQUEEZE; AND RELATED MATTERS.

WHEREAS, the Board hereby finds, adjudicates and determines as follows:

1. The Company owns and operates a manufacturing facility in the City (the "Existing Facility") and has proposed to construct, install, equip and operate an expansion of its Existing Facility to, among other things, add new production capabilities and capacity (the "Expansion");

2. The Company has advised the Board that the Expansion, if undertaken in the City, is expected to result over a two (2) year period in a capital investment of as much as Nine Million Five Hundred Thousand Dollars ($9,500,000) in the City to construct and equip the Expansion (the "Anticipated Investment") and the creation over a five (5) year period of approximately twenty (20) additional full-time jobs in excess of the number of employees currently maintained by the Company at the Existing Facility;

3. If the Expansion is undertaken by the Company in the City, the Expansion would also be expected to provide construction employment and the opportunity for local contractors to bid on Expansion-related construction work;

4. If the Expansion is undertaken by the Company in the City, the City and its citizens will benefit from the availability of new employment opportunities, as well as from a significant enhancement to the local ad valorem tax base and an annual source of new ad valorem tax revenues over the life of the Expansion, together with incremental sales and/or use tax revenues during the construction of the Expansion;

5. Pursuant to Sections 27-31-101 and 27-31-105(1) of the Mississippi Code of 1972, as amended (the "Code"), the Mississippi Legislature has authorized the Board, if the Board elects to do so, to grant to an "expansion" of a "manufacturing or other enterprise of public utility as enumerated in [Code] Section 27-31-101," as such terms are defined in Code Sections 27-31-101 and 27-31-105(1) an exemption from all City ad valorem taxes, except school district ad valorem taxes, the "mandated levies" described in Code Section 27-39-329 and ad valorem taxes on tagged over-the-road motor vehicles, for a period of ten (10) consecutive years, subject to the timely submission by the Company of a proper application therefor pursuant to Code Section 27-31-107;

6. As an expansion of a manufacturing facility, the Expansion constitutes an "expansion" of a "manufacturing or other enterprise of public utility as enumerated in [Code] Section 27-31-101," as such terms is defined in Code Section 27-31-101 and 27-31-105(1) and is therefore eligible, upon satisfaction of the conditions set forth therein, to be granted an exemption from all City ad valorem taxes, except

school district ad valorem taxes, the "mandated levies" described in Code Section 27-39-329 and ad valorem taxes on tagged over-the-road motor vehicles, for a period of ten (10) consecutive years, subject to the timely submission by the Company of a proper application therefor pursuant to Code Section 27-31-107;

7. The Board recognizes that the Company could pursue development of the Expansion in other locations outside of the City and desires to encourage the Company to construct, equip and operate the Expansion in the City for the benefit of its citizens;

8. In furtherance of the City's objectives, and to encourage the Company to pursue development of the Expansion in the City, the Board desires to hereby declare its intent to approve and grant to the Company and the Expansion an exemption from all City ad valorem taxes, except school district ad valorem taxes, the "mandated levies" described in Code Section 27-39-329 and ad valorem taxes on tagged over-the-road motor vehicles, for a period of ten (10) consecutive years, subject to the timely submission by the Company of a proper application therefor pursuant to Code Section 27-31-107; provided, however, that such exemption shall not apply to any real or personal property comprising or located upon or within the Existing Facility that was subject to ad valorem taxation in 2024 or in any prior years;

9. The Board acknowledges and understands that such intent of the Board, as expressed herein, will play a material role in the Company's decision to construct, equip and operate the Expansion in the City; and

10. The Board now therefore finds and determines that it would be in the best interest of the City and its citizens for the Board to express its intent, as stated herein, to approve and grant to the Company and the Expansion an exemption from all City ad valorem taxes, except school district ad valorem taxes, the "mandated levies" described in Code Section 27-39-329 and ad valorem taxes on tagged over-the-road motor vehicles, for a period of ten (10) consecutive years, subject to the timely submission by the Company of a proper application therefor pursuant to Code Section 27-31-107, to induce the location thereof by the Company in the City; provided, however, that such exemption shall not apply to any real or personal property comprising or located upon or within the Existing Facility that is subject to ad valorem taxation in 2024 or in any prior years.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. Expansion Benefits. The Board acknowledges and agrees that the Expansion, if undertaken by the Company in the City, will result in significant benefits to the City and its citizens, including the creation of new construction job opportunities and new manufacturing-related job opportunities, as well as a long-term increase of ad valorem tax revenues.

SECTION 2. Intent to Grant Ad Valorem Tax Incentive. Acting for and on behalf of the City and by virtue of such authority as may now or hereafter be conferred upon it by the statutes and by any other applicable laws of the State of Mississippi, this Board does hereby declare its intention, to approve and grant to the Company and the Expansion an exemption from all City ad valorem taxes, except school district ad valorem taxes, the "mandated levies" described in Code Section 27-39-329 and ad valorem taxes on tagged over-the-road motor vehicles, for a period of ten (10) consecutive years, subject to the timely submission by the Company of a proper application therefor pursuant to Code Section 27-31-10; provided, however, that such exemption shall not apply to any real or personal property comprising or located upon or within the Existing Facility that is subject to ad valorem taxation in 2024 or in any prior years.

SECTION 3. Captions. The captions or headings of this resolution are for convenience only and in no way define, limit or describe the scope or intent of any provision of these resolutions.

SECTION 4. Board Minutes. The City Clerk is hereby directed to spread a copy of this resolution on the minutes of this Board.

After discussion thereof, Alderman Jeffrey Rupp moved and Alderman Mike Brooks seconded the motion to adopt the foregoing resolution, and the question of the adoption of the foregoing resolution being put to a roll call vote, the result was as follows:

Alderwoman Kim Moreland	voted:	yea
Alderwoman Sandra C. 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 N. Vaughn, Sr.	voted:	yea

The motion having received the affirmative vote of a majority of the Selectmen present, the motion was declared passed by the Mayor on this the 20th day of February, 2024.

Lynn Spruill,
Mayor

ATTEST:

Lesa Hardin

Lesa Hardin

Title: City Clerk / CFO

CITY OF STARKVILLE
STATE OF MISSISSIPPI

5. CONSIDERATION OF THE MATCH FOR THE GRANT IMPROVING THE NORTHSTAR INDUSTRIAL PARK.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval of utilizing the City's remaining Northstar bond funds to match the required amount from the MDA grant of $2,518,380 to construct a 200,000 SF building pad in Northstar Industrial Park with the costs to be shared in a 50% proportion with Oktibbeha County" is enumerated, this consent item is thereby approved. The City's portion of the match is estimated to be $139,910.00.

6. CONSIDERATION OF THE FY24 CDBG PUBLIC FACILITIES APPLICATION FOR SEWER IMPROVEMENTS IN AN AREA NOT CURRENTLY BEING SERVED WHICH INCLUDES THE AREA OF HENDERSON ROAD AND SAND ROAD.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval of the FY24 CDBG Public Facilities application for sewer improvements in an area not currently being served which includes the area of Henderson Road and Sand Road" is enumerated, this consent item is thereby approved. The Resolution follows this page.

7. ACCEPTANCE OF JANUARY 2024 FINANCIAL STATEMENTS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "acceptance of the January 2024 financial statements" is enumerated, this consent item is thereby approved.

8. CONSIDERATION TO PURCHASE THE REMAINING EQUIPMENT IN ORDER TO FULFILL THE REQUIREMENTS FOR THE ASSISTANCE TO FIREFIGHTERS GRANT WITH THE LOWEST OF THE TWO QUOTES BEING $38,287.00 FROM CENTRAL ALABAMA SOLUTIONS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval to purchase the remaining equipment in order to fulfill the requirements for the Assistance to Firefighters Grant with the lower of the two quotes being $38,287.00 from Central Alabama Training Solutions" is enumerated, this consent item is thereby approved. Two quotes: Nafeco - $41,465.00 and Central Alabama Solutions - $38,287.00.

9. CONSIDERATION TO ALLOW JMCM CONSULTING TO WRITE AND DEVELOP FEMA GRANTS FOR THE SFD AND TO PAY 5% OF THE FUNDED AMOUNT FOR PROJECT ADMINISTRATION IF THE GRANT IS AWARDED AND ACCEPTED.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval to allow JMCM Consulting to write and develop FEMA grants for the SFD and if the grant is approved, the SFD would owe JMCM Consulting 5% of the funded amount for project administration" is enumerated, this consent item is thereby approved. The agreement follows the CDBG Resolution.

RESOLUTION

Authorizing the Golden Triangle Planning and Development District to Prepare and Submit A Community Development Block Grant Application for Starkville, Mississippi

WHEREAS, the City of Starkville, Mississippi has certain pressing Community Development needs; and

WHEREAS, the Mississippi Development Authority has available funds under the FY-2024 Community Development Block Grant (CDBG) Program; and

WHEREAS, the City of Starkville is eligible to apply for said CDBG assistance; and

WHEREAS, the Golden Triangle Planning and Development District (GTPDD) has sufficient, experienced professional staff to prepare necessary application documents, and upon approval, to administer said CDBG projects;

THEREFORE, BE IT RESOLVED, by the Board of Aldermen of the City of Starkville:

- That the Golden Triangle Planning and Development District is hereby authorized to prepare an FY-2024 CDBG Public Facilities Application on behalf of the City of Starkville for sewer improvements in an area not currently being served which includes the area of Henderson Road and Sand Road; and

- That, upon approval of said application, the Golden Triangle Planning and Development District is hereby authorized to administer said CDBG Project; and

- That D. Lynn Spruill, in her official capacity as the Mayor of the City of Starkville, is hereby authorized to advertise and conduct required public hearings, and to sign all necessary documents, including Grant Agreements with the State of Mississippi, upon approval of said application by the Mississippi Development Authority.

SO ORDERED THIS THE 20th day of February 2024, by the Board of Aldermen of the City of Starkville, Mississippi in a Regular Scheduled Meeting.

Lesa Hardin

Lesa Hardin
City Clerk

(SEAL)

CITY OF STARKVILLE STATE OF MISSISSIPPI

D. Lynn Spruill
Mayor

INITIALS_______

JMCM
consulting

AUTHORIZATION TO ENGAGE JMCM CONSULTING

SCOPE OF WORK

JMCM Consulting (CONSULTANT) will prepare a project plan and application for the Assistance to Firefighter Grant Program(s). The total project request will be determined after reviewing the CLIENT's need assessment. The amount will be discussed with the CLIENT representative BEFORE the application is submitted.

The CLIENT will provide CONSULTANT all of the information needed to develop the project proposal. CONSULTANT will work with the CLIENT to identify the CLIENT's greatest needs and advise projects that have a higher likelihood of funding (based on CONSULTANT's experience and the AFGP Program Guidance).

PROJECT SCHEDULE

Once the "Authorization to Engage JMCM Consulting" and the CLIENT's information worksheets are received, CONSULTANT will begin work on the application.

Client will be provided actual dates, once FEMA publishes the application period dates.

Once the final application is loaded to FEMA's GO portal, the CLIENT will be notified and be given the opportunity to review the application before it is submitted. Once approved the CLIENT may submit the application OR the CLIENT may authorize the CONSULTANT to submit on their behalf. CLIENT understands they are responsible for the content of the application.

PROJECT COST

JMCM Consulting will provide professional project development and administrative services for 5% of the federal funded grant amount. This fee is NOT included in the project cost request. It cannot be paid from grant funds the department may receive. It must be paid from the Client's general fund as a fee for professional services. No grant funds from any federal program can be used to pay consulting fees.

Once the total cost of the project is determined, the CLIENT will be provided a PROJECT COST estimate worksheet. If the grant funds, professional service fees will be due in full 30 days from date of grant official award.

<u>This agreement will remain in effect for the current and subsequent years, until cancellation by either party by written notification.</u>

JMCM Consulting
STANDARD TERMS AND CONDITIONS

1. GENERAL
   1.1 Each of the parties warrants its power to enter into this agreement and has obtained all necessary approvals to do so.
   1.2 Each party acknowledges that this agreement and the conditions contain the whole agreement between the parties and that it is not relied upon any oral or written representations made to it by the other or its employees or agents.
   1.3 CONSULTANT is not the employee of the CLIENT and affirms that no CONFLICT OF INTEREST exists.
   1.4 This agreement remains in effect for current and subsequent years until cancelled in writing by either party.
2. CLIENT'S RESPONSIBILITIES
   2.1 Designate CLIENT's representative that has the authority to provide information and instructions to the CONSULTANT.

2.2 Provide CONSULTANT with all information needed to develop the project proposal, including, but not limited to, financial records, operation records, budgets, revenue sources, incident records and all other information requested by the CONSULTANT pertaining to this project.
2.3 CLIENT certifies information provided to the CONSULTANT is accurate and correct and will not hold CONSULTANT responsible for inaccurate or incomplete information provided by the CLIENT.
2.4 Obtain consents and approvals necessary to prepare the project proposal and submit the application.
2.5 Notify CONSULTANT when CLIENT learns of any development that affects scope or timing of CONSULTANT's services.
2.6 CLIENT agrees to follow procurement laws as defined by FEMA and CLIENT'S governmental authority.
2.7 CONSULTANT agrees to prepare all procurement specifications generically so as to avoid conflicts of interest.

3. PERIOD OF SERVICE
3.1 CONSULTANT will prepare the project proposal to submit for funding consideration to the Assistance to Firefighter Grant Program(s) during the published application period.
3.2 Once the application period is published, the CLIENT will be promptly notified.
3.3 The CONSULTANT will assist with the project until the closeout documents are submitted and approved at which time the CONSULTANT will provide the CLIENT written notification that services for this project are completed.

4. PROJECT COSTS
4.1 CONSULTANT will provide professional project development and administrative services for 5% of the federal funded grant amount. Once the total cost of the project is determined, the CLIENT will be notified of this amount.
4.2 CLIENT understands that project development services are provided at no charge.

5. CONSULTANT'S OUTPUT, MATERIALS AND INFORMATION
5.1 All tangible and intellectual items prepared by CONSULTANT, such as project narratives or information or (without limit) any other materials created or provided pursuant to this contract by the CONSULTANT are considered intellectual property and shall be and remain the CONSULTANT's property and copyright. CLIENT may retain copies for reference, but any substantive reuse on another project; in whole or in part; or distribution to a third party by any means without CONSULTANT's written consent is prohibited.
5.2 CONSULTANT shall not unreasonably withhold or deny written permission for the CLIENT to disclose the narrative created by the CONSULTANT to the CLIENT's attorneys, accountants, auditors or other professional agents associated with the entity for the purposes of conducting usual audits and other business of the CLIENT.
5.3 CLIENT agrees they will not copy, share or distribute information contained in the project proposal or grant application with anyone other than the aforementioned.
5.4 CLIENT agrees that if the CONSULTANT's work product is distributed or shared without the CONSULTANT's permission, CLIENT will be responsible for payment of the 5% professional services fee due to distribution without authorization.
5.5 CLIENT agrees that if a project application is created and submitted pursuant to this Agreement is denied, and the CLIENT does not retain the CONSULTANT to assist with resubmission of this project; and CLIENT resubmits any or part of the information contained in the CONSULTANT's work product, such an act will be considered a continuance of the of this original agreement; therefore professional fees will be due to the CONSULTANT if the project is successfully awarded funding in the same manner as this original agreement.
5.6 CONSULTANT undertakes not at any time to divulge or allow to be divulged to any person any confidential information relating to the business or affairs of the Client.

6. PAYMENT
6.1 If CLIENT receives an AFGP award, CONSULTANT will submit an invoice for payment, due within 30 days of the published award date.

INITIALS_______

6.2 If CLIENT fails to make payment within thirty (30) days of receipt of invoice, a monthly late fee of 1.5% of balance due will be applied. In addition, CONSULTANT may give written notice to suspend services until paid in full or payment arrangements have been made.

6.3 CONSULTANT's compensation shall not be reduced by any amounts.

6.4 This agreement may be terminated without cause by either party before completion of services; however, 100% of the professional services will be payable within the terms set forth in the agreement.

7. SERVICES UPON PROJECT FUNDING

7.1 CONSULTANT agrees to provide the following services for the CLIENT upon receipt by the CLIENT of an official grant award notification. These services will be provided to the extent agreed upon between the CONSULTANT and the CLIENT.

7.1.1CONSULTANT will assist CLIENT with submission necessary performance reports or other documentation as required by AFGP.

7.1.2CONSULTANT will assist CLIENT with submission of required documents to complete/close the awarded grant.

7.1.3If requested, CONSULTANT will assist CLIENT with development and/or review of equipment specifications.

7.1.4CONSULTANT will assist CLIENT with understanding procurement requirements as defined by FEMA and CLIENT'S local jurisdiction.

8. MISCELLANEOUS

8.1 The agreement shall be governed by the laws of the State of Alabama and Chambers County, Alabama.

8.2 Failure on the part of the CONSULTANT to remedy any breach of its obligations hereunder within a reasonable time following written notice from the CLIENT which refers to this clause; specifies the breach with full particulars; indicates how the breach is to be remedied and specifies the CLIENT's opinion of a reasonable time for remedy.

8.3 CLIENT agrees that CONSULTANT reserves the right to withdraw from the project if the CLIENT fails to follow his/her advice or engages in conduct which makes continued administration of the project difficult or if the CLIENT directs the CONSULTANT to engage in conduct which CONSULTANT perceives as unethical or illegal or in direct conflict to AFGP program guidance.

IN WITNESS WHEREOF, the CLIENT has signed and approved engaging JMCM Consulting for the purpose of developing and submitting an application to Assistance to Firefighter Grant Program. Signature certifies that Standard Terms and Conditions have been read and agrees to all conditions.

Client certifies that the person signing this contract has the authority to contractually obligate the department for the professional services set forth in this agreement. If this statement is determined to be untrue, the person signing this contract understands they will be personally responsible for all fees associated with this agreement.

JMCM Consulting, LLC.
By: Cindy Tubbs Monroe, President

PO Box 252, Five Points, Alabama 36855
Office (334) 864-0094
Fax (334) 864-0147 or (800)-211-9006
cmonroe@jmcmconsulting.com

Signature: ____________________

Name: ____________________

Title: ____________________

Department: ____________________

Date: ____________________

10. CONSIDERATION TO EXTEND THE TEMPORARY FIRE INSPECTOR/DEPUTY CHIEF POSITION IN THE STARKVILLE FIRE DEPARTMENT THROUGH THE FISCAL YEAR.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval to extend the temporary Fire Inspector/Deputy Chief position through fiscal year 2024" is enumerated, this consent item is thereby approved.

11. CONSIDERATION OF THE LOWER QUOTE FOR THE JULY 4TH FIREWORKS SHOW IN THE AMOUNT OF $14,000.00 FROM PYROSHOWS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval of the lowest quote for the 4th July Fireworks show in the amount of $14,000.00 from PyroShows" is enumerated, this consent item is thereby approved. Two quotes received: PyroShows - $14,000 and Diversified Pyrotechnics - $20,000.

12. CONSIDERATION TO DECLARE SPEED AIR COMPRESSOR AND METAL PULL BEHIND RACK AS SURPLUS PROPERTY AND SELL TO THE HIGHEST BIDDER ON GOVDEALS, DISCARD OR SELL DIRECTLY TO A SCRAP DEALER.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval to declare speed air compressor and metal pull behind rack as surplus property and sell to the highest bidder on GovDeals, discard or sell directly to a scrap dealer" is enumerated, this consent item is thereby approved.

13. CONSIDERATION TO APPROVE AMENDMENT #2 TO THE MCKEE PARK PHASE 1 PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY HORN FOR THE ADDITIONAL DESIGN OF THE STAND-ALONE RESTROOMS AND THE RENOVATION OF THE EXISTING CONCESSION STAND FOR AN ADDITIONAL FEE OF $10,000.00.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval of Amendment #2 to the McKee Park Phase 1 professional services agreement with Kimley Horn for the additional design of the stand-alone restrooms and the renovation of the existing concession stand for an additional fee of $10,000.00" is enumerated, this consent item is thereby approved. The Amendment follows this page.

14. CONSIDERATION FOR CORPORAL JOSH HORTON TO ATTEND THE REID TECHNIQUE OF INVESTIGATIVE INTERVIEW AND ADVANCED INTERROGATION COURSE HELD IN RUSSELLVILLE, AL IN MARCH AT A TOTAL ADVANCED COST NOT TO EXCEED $1,130.00 FOR COURSE AND LODGING.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval for Corporal Josh Horton to attend the Reid Technique of Investigative Interview and Advanced Interrogation course held at the Franklin County Sheriff's Office in Russellville, AL March 5th-8th, 2024 at a total advanced cost not to exceed $1,130 for course and lodging" is enumerated, this consent item is thereby approved.

15. CONSIDERATION OF EMERGENCY AUTHORIZATION CONSISTENT WITH PRESIDENTIAL DETERMINATION NO. 2022-19 FROM MS-TN TRANSFORMERS, INC. TO PURCHASE TRANSFORMERS IN THE AMOUNT OF $39,400.00.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the February 20, 2024 Official Agenda, and to accept items for consent, whereby the "approval of emergency authorization consistent with Presidential Determination No. 2022-19 from MS-TN Transformers, Inc. to purchase transformers in the amount of $39,400.00" is enumerated, this consent item is thereby approved.

AMENDMENT NUMBER 02 TO THE AGREEMENT BETWEEN CLIENT AND KIMLEY-HORN AND ASSOCIATES, INC.

This is Amendment number 02 dated February 2, 2024 to the agreement between the City of Starkville ("Client") and Kimley-Horn and Associates, Inc. ("Consultant") dated May 10, 2022 ("the Agreement") concerning McKee Park – Phase 1 Improvements (the "Project").

The Consultant has entered into the Agreement with Client for the furnishing of professional services, and the parties now desire to amend the Agreement.

The Agreement is amended to include services to be performed by Consultant for compensation as set forth below in accordance with the terms of the Agreement, which are incorporated by reference.

Kimley-Horn Scope of Services

The City of Starkville has decided to revise the Site Plan reflected in the original contract dated May 10, 2022. The scope and fee indicated in this amendment aligns with the revised scope of improvements which includes additional architectural design services for renovations to the existing concessions building as well as a new freestanding restroom facility.

Additional services to be performed by Consultant shall include the following:

Task 5A – Architectural Construction Documents
Services provided within Task 5A will be additional architectural design for renovations to the existing concessions building as well as the new restroom facility that was previously planned to be incorporated into the large pavilion. Deliverables as outlined in the original Agreement between the Client and the Consultant remain the same.

For the services set forth above, Client shall pay Consultant the following compensation:

Scope of Services	Fee	Fee Type
Task 5A – Architectural Construction Documents	$10,000.00	Lump Sum

CLIENT:

By: D. Lynn Spruill

Title: Mayor

Date: 2.20.2024

CONSULTANT:

KIMLEY-HORN AND ASSOCIATES, INC.

By: Henry Minor

Title: Associate

Date: 2/2/2024

CITY OF STARKVILLE STATE OF MISSISSIPPI

Rev. 7/18

ANNOUNCEMENTS AND COMMENTS:

MAYOR'S COMMENTS:

Mayor Spruill introduced new Firemen Eddie Heard, Jr., Stephan Miller, Darion Rivera and Kessler Thompson as well as new Sanitation and Environment Services employees Dylan Coleman, Ronald Starling and Michael Bush.

The Mayor then announced that the Babe Ruth Series has chosen Starkville to hold a tournament July 17 – 21, 2024.

BOARD OF ALDERMEN COMMENTS:

All Aldermen welcomed Alderwoman Ward 1, Kim Moreland, to her first meeting after winning the February 13, 2024 Special Election.

CITIZEN COMMENTS:

Alvin Turner, Ward 7, noted that citizens on Azaelea Drive would like to see cameras added to the area for safety. He also asked if the sidewalks along Jefferson Street could be looked at near the funeral home.

Jullian Gallo, Ward 2, thanked the election workers and fellow Election Commissioners, along with the City Clerk's Office, for what he felt was an efficient election.

PUBLIC APPEARANCE:

Boys and Girls Club Annual Report – Christopher Thompson, Starkville Unit Director

Christopher Thompson thanked the Mayor and Board for allowing him to present an update each year. The goal is to provide a safe space where children can grow and learn. The program served 180 youth in the previous year while averaging 150 daily. He thanked the supporters and encouraged citizens to volunteer and to become mentors to the youth.

PUBLIC HEARING:

PUBLIC HEARING ON ADOPTING A SECURITY CAMERA ORDINANCE FOR RETAIL AND PROFESSIONAL CENTERS OF A CERTAIN SIZE.

Mayor Spruill opened the Public Hearing by noting this Ordinance requires developers and/or owners of commercial retail or professional establishments of a certain size to provide security cameras for the entrances and exits of their parking areas and entrances. Several changes have been implemented based on the past public hearing.

Alvin Turner, Ward 7, stated he felt Starkville is safer than some cities and feels cameras will help keep it safer.
Bo Richardson, Ward 3, owner of businesses along Stark Road, asked that the City consider funding the cameras in that all taxpayers will benefit from the safety aspect.
Cory Anthony, inquired as to a definition of private property as it is used in the proposed Ordinance.

There being no additional comments from the general public, the Mayor closed the Public Hearing and noted there is a third public hearing set for March 5, 2024.

36. CONSIDERATION OF A TAX ABATEMENT REQUEST BY 44 PROPERTIES, LLC – ROY OSWALT, MANAGER.

Attorney Julie Brown, representing Roy Oswalt and 44 Properties, LLC, requested the City grant a ten-year tax abatement to the development on Hwy 12 by 44 Properties, LLC based on the Ordinance passed by the City April 18, 2023. Three businesses are proposed to locate in the renovated building. The Board agreed to consider the request.

41. CONSIDERATION OF THE CITY OF STARKVILLE CLAIMS DOCKET

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Beatty, to approve the City of Starkville Claims Docket for all departments including Starkville Utilities, as of February 13, 2024 for fiscal year ending 9/30/24, 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 Kim Moreland 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	$ 304,308.37
Airport Fund	015	19,843.95
Sanitation / Environ Services	022	80,453.78
Debt Service Fund	200	81,008.43
Capital Projects Fund	300	9,551.20
Ind Park Fund	303	18.12
2022 GO Public Improv Funds	305	2,388.49
Parks Capital Projects - 2023	312	121.74
Park and Rec Tourism	375	540,516.75
Build Grant – MS 182 / MLK	377	98,101.00
Park Bonds – 2020	380	459,720.72
Economic Dev, Tourism	630	134,600.13
Sub Total Before Utilities		$ 1,730,632.68
Utilities Dept.	SED	443,741.12
Total Claims	Total	$ 2,174,373.80

20. A MOTION TO GO INTO 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 Beatty, 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 Kim Moreland 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.

21. A MOTION TO ENTER EXECUTIVE SESSION.

Alderman Rupp offered a motion to go into Executive Session for the purpose of discussion of pending and potential litigation matters. Following a second by Alderman Vaughn, the Board voted as follows to enter Executive Session:

Alderman Kim Moreland 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 to go into Executive Session for the purpose of discussion of pending and potential litigation matters. The Mayor and Board then went into Executive Session.

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

Alderman Beatty offered a motion, seconded by Alderman Rupp, to exit executive session and return to open session. The Board voted as follows:

Alderman Kim Moreland 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 taken no action in Executive Session.

42. MOTION TO ADJOURN UNTIL MARCH 5, 2024 @ 5:30 P.M. IN THE COURT ROOM AT 110 WEST MAIN STREET.

Upon the motion of Alderman Vaughn, duly seconded by Alderman Beatty, for the Board of Aldermen to recess the meeting until March 5, 2024 @ 5:30 at 110 W Main Street in the Court Room of City Hall, the Board voted as follows:

Alderman Kim Moreland 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 19th DAY OF MARCH, 2024.

Attest:

____
D. LYNN SPRUILL, MAYOR

____
LESA HARDIN, CITY CLERK