

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN**

The City of Starkville, Mississippi
April 7, 2009

Be it remembered that the Mayor and Board of Aldermen met in a Regular Meeting on
April 7, 2009 at 5:30 p.m. in the Courtroom of City Hall;

There being present were Mayor Robert D. Camp, Aldermen Sumner D. Davis, III,
Ward 1, Rodney Lincoln Ward 2, P. C. 'Mac' McLaurin, Jr., Ward 3, Richard Corey,
Ward 4, Matt Cox, Ward 5, Roy A.' Perkins, Ward 6, and Janette Self, Ward 7, Attending
the Mayor and Board were
Deputy City Clerk, Tammy R. Tyndall and City Attorney Rodney P. Faver.

**1. AN ORDER APPROVING THE OFFICIAL AGENDA OF THE APRIL 7, 2009
BOARD MEETING WITH AMENDMENTS AS FOLLOWS:**

OFFICIAL AGENDA
THE MAYOR AND BOARD OF ALDERMEN
OF THE
CITY OF STARKVILLE, MISSISSIPPI
REGULAR MEETING OF TUESDAY, APRIL 7, 2009
5:30 P.M., COURT ROOM, CITY HALL 101 EAST LAMPKIN STREET

I. CALL THE MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

III. APPROVAL OF THE OFFICIAL AGENDA

IV. APPROVAL OF BOARD OF ALDERMEN MINUTES

A. CONSIDERATION OF THE APPROVAL OF THE MINUTES OF THE RECESS MEETING OF
MARCH 3, 2009.

**V. ANNOUNCEMENTS AND COMMENTS BY THE MAYOR AND BOARD OF
ALDERMEN**

A. RECOGNIZE AISHA EL-AMIN FOR HER PLATOON LEADER STATUS AND FOR BEING THE
FIRST WOMAN PLATOON LEADER IN THE HISTORY OF THE ACADEMY AND MICHAEL
ROUND, WHO GRADUATED AT THE TOP OF HIS CLASS,
B. RECOGNIZE CHRIS BROOKS AS THE NEW CITY HALL RECEPTIONIST AND INSURANCE
CLERK.

VI. CITIZEN COMMENTS

VII. PUBLIC APPEARANCES

A. PRESENTATION BY STARKVILLE COMMUNITY THEATER PRESIDENT, KRISTA
VOWELL, REQUESTING PARTICIPATING IN A PROGRAM AD TO ADVERTISE THE
POSSIBILITIES, OPPORTUNITIES AND RESOURCES OF THE CITY IN ACCORDANCE WITH
MS STATUTE CODE §17-3-1.

- B. PRESENTATION BY RONALD AND SABRINA CAMPBELL REGARDING A FENCE ADJACENT TO THEIR PROPERTY LOCATED AT 409 WEST MAIN STREET.
- C. PRESENTATION OF THE LYNN LANE MULTI-USE PATH ALIGNMENT ALTERNATIVES BY NEEL-SCHAFFER.
- D. PRESENTATION BY JOAN WILSON OF THE OKTIBBEHA COUNTY HERITAGE MUSEUM ALONG WITH WAYNE WILKERSON AND COREY GALLOW OF THE LANDSCAPE ARCHITECTURE DEPARTMENT ON THE OKTIBBEHA COUNTY HERITAGE MUSEUM MASTER PLAN AND PROPOSED STORMWATER RAIN GARDEN.

VIII. PUBLIC HEARINGS

- A. SECOND PUBLIC HEARING ON PROPOSED ORDINANCE #OR 09-01: AN ORDINANCE REPEALING AND REPLACING CHAPTER 54, ARTICLE III, DIVISION 2, SECTIONS 54-71 THROUGH 54-76 OF THE CODE OF ORDINANCES, ESTABLISHING SPECIFIC MOWING STANDARDS.
- B. SECOND PUBLIC HEARING ON PROPOSED ORDINANCE #OR 09-02: AN ORDINANCE REPEALING AND REPLACING APPENDIX A, ARTICLE VI, SECTIONS B(1) THROUGH B(6) OF THE CITY'S CODE OF ORDINANCES, ESTABLISHING SPECIFIC STANDARDS FOR ACCESSORY STRUCTURES, DETACHED CARPORTS AND GARAGE, POOLS AND SCREEN ENCLOSURES/FENCES AND WALLS/RETAINING WALLS.
- C. FIRST PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER THE CHAPTER ADVERTISING, ARTICLE I. IN GENERAL, SEC. 6-1. POSTING GENERALLY; UNDER CHAPTER ANIMALS, ARTICLE IV. REPLACE ALL REFERENCES TO "HEALTH OFFICER" WITH "ANIMAL CONTROL OFFICER".
- D. FIRST PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES UNDER CHAPTER TRAFFIC AND VEHICLES, ARTICLE I. IN GENERAL, SEC. 106-3. USE OF COASTERS, ROLLERS KATES, TOY VEHICLES RESTRICTED. TO DELETE THE SENTENCE "THIS SECION SHALL NOT APPLY UPON ANY STREET WHILE SET ASIDE AS A PLAY STREET AS AUTHORIZED BY ORDINANCE OF THE CITY."
- E. FIRST PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE THE FOLLOWING CODE SECTIONS: ARTICLE II. ADMINISTRATION, SEC. 106-36. TRAFFIC DIVISION ESTABLISHED; SEC. 106-39. DRIVER'S FILES TO BE MAINTAINED; ARTICLE IV. PENALTIES AND PROCEDURE ON ARREST, SEC. 106-110(D). AUTHORITY TO IMPOUND VEHICLES; SEC. 106-366. QUIET ZONES.; SEC. 106-408. FINES.
- F. FIRST PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER ARTICLE XII. MISCELLANEOUS DRIVING RULES. SEC. 106-354. DRIVING THROUGH PROCESSIONS. "AND WHEN SUCH VEHICLES ARE CONSPICUOUSLY SO DESIGNATED AS REQUIRED IN SECTION 106-356."
- G. FIRST PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER CHAPTER 6. ADVERTISING, ARTICLE I. IN GENERAL. SEC. 6-1 POSTING GENERALLY IN ITS ENTIRETY.
- H. FIRST PUBLIC HEARING FOR ITEM #OR 09-03: A DRAFT ORDINANCE REPEALING AND REPLACING APPENDIX A, ARTICLE VI, SECTION J, ESTABLISHING SPECIFIC STANDARDS FOR OUTDOOR FURNITURE, OUTSIDE STORAGE AND GARAGE SALES.

IX. MAYOR'S BUSINESS

- A. DISCUSSION OF THE CONSIDERATION OF ADVERTISING FOR PROPOSALS FOR A CONTRACT INTERIM CITY ATTORNEY.

Removed from the agenda

- B. ~~CONSIDERATION OF A RESOLUTION OF SUPPORT AND AUTHORIZATION FOR THE MAYOR TO EXECUTE THE MEMORANDUM OF SUPPORT TO ESTABLISH THE MISSISSIPPI SUSTAINABILITY CONGRESS TO PROMOTE, ADVANCE, AND SUPPORT REGIONAL AND STATEWIDE SUSTAINABILITY EFFORTS.~~

X. BOARD BUSINESS

- A. CONSIDERATION OF A RESOLUTION DIRECTING THE SALE AND AWARD OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2009, OF THE CITY OF STARKVILLE, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF THREE MILLION DOLLARS (\$3,000,000).

Tabled (**order number 11 removes this item form the Consent Agenda; item was tabled**)

- C. ~~CONSIDERATION OF APPROVING THE PROPOSED ORDINANCE #OR-09-01: AN ORDINANCE REPEALING AND REPLACING CHAPTER 54, ARTICLE III, DIVISION 2, SECTIONS 54-71 THROUGH 54-76 OF THE CODE OF ORDINANCES, ESTABLISHING SPECIFIC MOWING STANDARDS.~~

Hold

- D. ~~CONSIDERATION OF APPROVING THE PROPOSED ORDINANCE #OR-09-02: AN ORDINANCE REPEALING AND REPLACING APPENDIX A, ARTICLE VI, SECTIONS B(1) THROUGH B(6) OF THE CITY'S CODE OF ORDINANCES, ESTABLISHING SPECIFIC STANDARDS FOR ACCESSORY STRUCTURES, DETACHED CARPORTS AND GARAGE, POOLS AND SCREEN ENCLOSURES/FENCES AND WALLS/RETAINING WALLS.~~
- E. AUTHORIZATION TO PROCEED WITH THE LYNN LANE MULTI-USE PATH ENGINEERING DESIGN.
- F. CONSIDERATION OF THE TERM AND COMPENSATION FOR THE MUNICIPAL JUDGE APPOINTMENT EFFECTIVE JULY 1, 2009.
- G. APPROVAL OF THE OKTIBBEHA COUNTY HERITAGE MUSEUM MASTER PLAN AND AUTHORIZATION TO PROVIDE IN-KIND SERVICES.
- H. CONSIDERATION OF APPROVING THE REQUEST BY STARKVILLE COMMUNITY THEATER PRESIDENT, KRISTA VOWELL, FOR CITY PARTICIPATION IN A PROGRAM AD TO ADVERTISE THE POSSIBILITIES, OPPORTUNITIES AND RESOURCES OF THE CITY IN ACCORDANCE WITH MS STATUTE CODE §17-3-1.

J. Add:

Approval for the Elected Officials to travel to the State Fire Academy and pay any necessary travel expenses.

B. BUILDING, CODES AND PLANNING DEPARTMENT

- 1. CONSIDERATION OF A RESOLUTION TO ADJUDICATE THE COST OF DEMOLITION AND CLEANUP OF THREE DILAPIDATED PROPERTIES FROM THE CODE ENFORCEMENT DIVISION, ALLOWING THE CITY ATTORNEY ENROLL ASSESSMENTS AGAINST THE PROPERTIES.
- 3. REQUEST AUTHORIZATION TO ENTER INTO A CONTRACT WITH OKTIBBEHA COUNTY FOR UTILIZATION OF THEIR VOTING SYSTEM UNITS.

Tabled

- 4. ~~REQUEST AUTHORIZATION TO ACCEPT THE PROPOSAL MOST FAVORABLE TO THE CITY FOR PROPERTY INSURANCE.~~

D. COURTS

1. REQUEST APPROVAL FOR SIX (6) HOURS OF CERTIFIED COURT CLERK TRAINING FOR DEBRA WOOD TO BE ENTERED UPON THE MINUTES IN ACCORDANCE WITH THE MS CODE §21-23-12.

E. ELECTRIC DEPARTMENT

- 1 REQUEST AUTHORIZATION TO WRITE OFF BAD DEBTS FOR FISCAL YEARS 2005 & 2006.
- 2 REQUEST AUTHORIZATION FOR SHANE GRANTHAM TO ATTEND SUPERVISORY CLASS IN NASHVILLE, TENNESSEE ON APRIL 15 – 16, 2009, AT A COST OF \$1,450.05.
3. REQUEST AUTHORIZATION FOR ANTHONY HARRIS TO ATTEND UTILITY TECHNOLOGY ASSOCIATION MEETING IN JACKSON, TENNESSEE ON APRIL 16 – 17, 2009. COST OF MEETING IS \$750.00.

E. ENGINEERING AND STREETS

1. A RESOLUTION DECLARING INTENT TO INITIATE THE ECONOMIC RECOVERY PROJECTS.
2. CONSIDERATION OF THE APPROVAL OF THE LOW BID FOR THE 2009 STREET IMPROVEMENT PROGRAM AND AUTHORIZATION TO ENTER INTO CONTRACTUAL AGREEMENT WITH SAID PROVIDER.

G. FIRE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

H. PERSONNEL

2. REQUEST AUTHORIZATION TO CONTRACT WITH EXPRESS EMPLOYMENT FOR A TEMPORARY, CONTRACT EMPLOYEE TO ASSIST IN THE CI CLERK'S OFFICE DURING THE EXTENDED ABSENCE OF AN EMPLOYEE ON FAMILY MEDICAL LEAVE.

K. SANITATION DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

XII. CLOSED DETERMINATION SESSION

XIII. EXECUTIVE SESSION

A. PENDING LITIGATION

B. POTENTIAL LITIGATION

- XIV. RECESS UNTIL APRIL 21, 2009 @ 5:30 AT 101 LAMPKIN STREET IN THE CITY HALL COURTROOM.

Moved to Consent:

BOARD BUSINESS

- B. CONSIDERATION OF ADVERTISING FOR LETTERS OF INTEREST FOR THE PLANNING AND ZONING COMMISSION IN WARDS 1, 3, 4 & 5; THE BOARD OF ADJUSTMENTS AND APPEALS IN WARDS 3, 6 AND 7; THE POSITION ON THE GOLDEN TRIANGLE AIRPORT COMMISSION AND THE PARK COMMISSION MEMBER, CURRENTLY SERVING FROM WARD IV, FOR THE TERMS ENDING JUNE 30, 2009.

MAYOR'S BUSINESS

- I. CONSIDERATION OF CALLING FOR A PUBLIC HEARING ON THE SIDEWALK ORDINANCE AS PROPOSED BY THE CITY OF STARKVILLE SIDEWALK COMMITTEE.

XI. DEPARTMENT BUSINESS

A. AIRPORT

Removed via order number 10

~~REQUEST APPROVAL OF THE REMOTE SYSTEMS INTEGRATION CONTRACT TO PERFORM MAINTENANCE ON THE AUTOMATED WEATHER OBSERVATION SYSTEM (AWOS) FOR CALENDAR YEAR BEGINNING ON APRIL 1, 2009 AND ENDING ON MARCH 31, 2010, IN THE AMOUNT OF \$2,400.00. REQUEST APPROVAL OF PAY REQUEST # 3, FROM CLEARWATER CONSULTANTS, INC. FOR CONTRACT B – RUNWAY REHAB, SURVEY, DESIGN INC. IN THE AMOUNT OF \$ 27,900.00 FROM THE 2008 AIP GRANT, NO. 3-28-0068-013-2008~~

- 2. REQUEST APPROVAL OF PAY REQUEST # 3, FROM CLEARWATER CONSULTANTS, INC. FOR CONTRACT B – RUNWAY REHAB, SURVEY ,DESIGN INC. IN THE AMOUNT OF \$27,900.00 FROM THE 2008 AIP GRANT, NO. 3-28-0068-013-2008.

- I. CONSIDERATION OF CALLING FOR A PUBLIC HEARING ON THE SIDEWALK ORDINANCE AS PROPOSED BY THE CITY OF STARKVILLE SIDEWALK COMMITTEE.

C. OFFICE OF THE CITY CLERK

- 1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET AS OF APRIL 2, 2009. **Excluding the Bluefield item on page 15 relative to the \$94.71 pending clarification.**
- 2. REPORT OF THE RECEIPTS AND EXPENDITURES FOR PERIOD ENDING FEBRUARY 29, 2009, IN ACCORDANCE WITH § 21-35-13 OF THE MISSISSIPPI CODE OF 1972 ANNOTATED.

D. COURTS

- 1. REQUEST APPROVAL FOR SIX (6) HOURS OF CERTIFIED COURT CLERK TRAINING FOR DEBRA WOOD TO BE ENTERED UPON THE MINUTES IN ACCORDANCE WITH THE MS CODE §21-23-12.

E. ELECTRIC DEPARTMENT

- 1. REQUEST AUTHORIZATION TO WRITE OFF BAD DEBTS FOR FISCAL YEARS 2005 & 2006.
- 2. REQUEST AUTHORIZATION FOR SHANE GRANTHAM TO ATTEND SUPERVISORY CLASS IN NASHVILLE, TENNESSEE ON APRIL 15 – 16, 2009, AT A COST OF \$1,450.05.
- 3. REQUEST AUTHORIZATION FOR ANTHONY HARRIS TO ATTEND UTILITY TECHNOLOGY ASSOCIATION MEETING IN JACKSON, TENNESSEE ON APRIL 16 – 17, 2009. COST OF MEETING IS \$750.00.

F. ENGINEERING AND STREETS

- 1. A RESOLUTION DECLARING INTENT TO INITIATE THE ECONOMIC RECOVERY PROJECTS.

H. PERSONNEL

1. REQUEST AUTHORIZATION TO HIRE ODIE HARRIS AS A DRIVER AND DENNIS WILLIAMS AS A LABORER FOR THE SANITATION DEPARTMENT.
3. REQUEST APPROVAL TO IMPLEMENT AN EMPLOYEE ASSISTANCE PROGRAM THROUGH BAPTIST MEMORIAL HOSPITAL BEHAVIORAL HEALTH CARE SERVICES.

I. POLICE DEPARTMENT

1. REQUEST AUTHORIZATION TO APPLY FOR A GRANT FOR FOUR (4) ADDITIONAL POLICE OFFICERS FUNDED BY THE BY THE UNITED STATES DEPARTMENT OF JUSTICE COPS PROGRAM.

J. PUBLIC SERVICES

1. REQUEST APPROVAL OF THE FINAL SRF LOAN AGREEMENT FOR THE CITY'S SHARE OF THE CONSTRUCTION OF THE ROCKHILL SEWER COLLECTION SYSTEM IN THE AMOUNT OF \$275,288 AT AN INTEREST RATE OF 2.75% FOR A TERM OF 236 MONTHS.
2. REQUEST APPROVAL FOR BK EDWARDS FABRICATION, THE SUBMITTER OF THE LOWEST QUOTE, TO FABRICATE AND INSTALL A REPLACEMENT CYLINDER FOR CLARIFIER NUMBER 1 AT THE WASTEWATER TREATMENT PLANT IN THE AMOUNT OF \$5,206.13.
3. REQUEST APPROVAL FOR RESURFACING CONCEPTS, THE SUBMITTER OF THE LOWEST QUOTE, TO FABRICATE AND INSTALL A NEW ELEVATOR SAFETY CAGE AND PIPE/ PUMP SUPPORTS AT A WASTEWATER PUMP STATION LOCATED ON SAND ROAD IN THE AMOUNT OF \$7,073.20.

There came for consideration the matter of the approval of the motion approving the Official Agenda of the April 7, 2009, Board meeting with the amendments enumerated above and the consent agenda items enumerated above, with all orders contained therein effectuated upon the approval of said agenda(s). After discussion and upon the motion of Alderman P.C. McLaurin Jr, duly seconded by Alderman Matt Cox,

The Board moved unanimous approval of the motion approving the Official Agenda of the April 7, 2009, Board meeting with the amendments enumerated above and the consent agenda items enumerated above, with all orders contained therein effectuated upon the approval of said agenda(s).

2. AN ORDER TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 3, 2009

There came for consideration the matter of the approval of the motion approving the minutes of March 3, 2009. After discussion and upon the motion of Alderman Richard Corey duly seconded by Alderman Matt Cox,

The Board moved unanimous approval of the minutes of March 3, 2009.

COMMENTS BY THE MAYOR AND BOARD

Mayor Camp congratulated Ms. Aisha El-Amin for her recent accomplishment as Platoon Leader noting that she is the first female in history of the Police Academy to receive such an honor. Additionally, Mayor congratulated Mr. Michael Round as the top graduate from his class.

Mayor welcomed Mr. Chris Brooks as the new Receptionist of City Hall.

CITIZENS COMMENTS

Mr. Alvin Turner, resident of Ward 7, addressed the Mayor et al relative to his concerns regarding the signs throughout the city and accessibility for individuals with disabilities.

Ms. Lydia Parks Gibson addressed the Mayor et al relative to the water and sewage service of her mother who is not connected to city services.

Noted for the record:

Alderman Self, Ward 6, stated for the record that as the Alderman from the ward in which Mrs. Park resides, that she had no knowledge of this matter until this evenings meeting of which she learned from Ms. Park's daughter Lydia.

3. AN ORDER APPROVING PAYMENT OF FEES FOR SERVICES NOT RENDERED BY THE CITY

There came for consideration the matter of the approval of the motion finding as fact that, Mrs. Elizabeth Park has been billed for services not received by her in an established amount of \$441.73, and that the appropriate fund of the City refund that specific amount and that, should other documentation be produced proving that additional fees were paid for services not provided, that they be considered at a subsequent meeting and that, the owner of the house be directed as the City ordinance requires, to get connected to the city services. After discussion and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Janette Self,

The Board voted unanimously to approve the finding as fact that, Mrs. Elizabeth Park has been billed for services not received by her in an established amount of \$441.73, and that the appropriate fund of the City refund that specific amount and that, should other documentation be produced proving that additional fees were paid for services not provided, that they be considered at a subsequent meeting and that, the owner of the house be directed as the City ordinance requires, to get connected to the city services.

CITIZENS COMMENTS CONTINUED:

Mr. Chris Taylor, representative of the NAACP, addressed the Mayor et al relative to his request that the City purchase and add in the NAACP brochure.

4. AN ORDER APPROVING THE PURCHASE OF AN ADD IN THE NAACP BROCHURE

There came for consideration the matter of the approval of the motion that the City purchase and add in the NAACP brochure, of one half page (\$60.00) , that said add will specifically advertise the resources and opportunities of the City of Starkville, with the ad being subject to review and approval through the CAO. After discussion and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Roy A' Perkins,

The Board moved unanimously to approve the motion that the City purchase and add in the NAACP brochure, of one half page (\$60.00), that said add will specifically advertise the resources and opportunities of the City of Starkville, with the ad being subject to review and approval through the CAO.

5. AN ORDER APPROVING THE PARTICIPATION IN THE PROGRAM FOR THE STARKVILLE COMMUNITY THEATER

There came for consideration the matter of the approval of the motion to approve the request to participate in the program for the Starkville Community Theater and that the financial contribution be in the amount of one thousand dollars (\$1,000.00) toward the trip of the Theater Team to Tacoma Washington, and that; the entire back page of said program to advertise the resources and opportunities of the City of Starkville; said add is to be approved through the CAO.

After discussion and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Richard Corey,

The Board moved unanimous approval of the motion to approve the request to participate in the program for the Starkville Community Theater and that the financial contribution be in the amount of one thousand dollars (\$1,000.00) toward the trip of the Theater Team to Tacoma Washington, and that; the entire back page of said program to advertise the resources and opportunities of the City of Starkville; said add is to be approved through the CAO..

CITIZENS COMMENTS CONTINUED:

The Mayor and Board heard from Ms. Sabrina Campbell relative to her concerns associated with a fence located at 409 West Main Street.

The Mayor and Board heard from representatives of Neel-Schaffer regarding an update in the Lynn Lane Multi-Use path.

6. AN ORDER APPROVING THE CONCEPTUAL PLAN OF THE LYNN LANE MULTI-USE PATH

There came for consideration the matter of the approval of the motion to approve the conceptual plan (as discussed) of the multi-use plan from McKee Park to South Montgomery Street, then moving from the original recommendation, to the West side of the road, crossing at Locksley Way. Approve conceptually, a move from the original recommendation to the North side of the road carrying that through Lincoln Green with a signalization moving it to the South Side of the road carrying it on to the university. After discussion and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Matt Cox,

The motion to approve to approve the conceptual plan (as discussed) of the multi-use plan from McKee Park to South Montgomery Street, then moving from the original recommendation, to the West side of the road, crossing at Locksley Way. Approve conceptually, a move from the original recommendation to the North side of the road carrying that through Lincoln Green with a signalization moving it to the South Side of the road carrying it on to the university,

Was put to a vote with the results as follows:

Alderman Richard Corey	voted: YEA
Alderman Matt Cox	voted: YEA
Alderman Sumner D. Davis, III	voted: NAY
Alderman P. C. (Mac) McLaurin, Jr.	voted: YEA
Alderman Rodney L. Lincoln	voted: YEA
Mayor pro tempore Roy A. Perkins	voted: YEA
Alderman Janette Self	voted: YEA

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

7. AN ORDER APPROVING THE OKTIBBEHA COUNTY HERITAGE MUSEUM MASTER PLAN

There came for consideration the matter of the approval of the motion to approve the requested in-kind services for the Oktibbeha County Heritage Museum for the purposes of assistance with the Museum’s master plan with said services enumerated below. After discussion and upon the motion of Alderman Richard Corey, duly seconded by Alderman Matt Cox,

(Derived from Mr. Wayne Wilkerson)

8 Hours Backhoe & Operator @ \$601 Hour	\$480.00
8 Hours Dump Truck & Operator @\$45/Hour	\$360.00
50 Cubic Yards of Sandi Topsoil @ \$12/ Cubic Yd.	\$600.00
11.5 Cubic Yards of Gravel @ \$15/ Cubic Yard	<u>\$172.50</u>

The Board moved unanimously approval of the motion to approve the requested in-kind services for the Oktibbeha County Heritage Museum for the purposes of assistance with the Museum’s master plan, with said services enumerated above.

8. AN ORDER WAIVING THE SEWER TAP FEE FOR MRS. PARKS

There came for consideration the matter of the approval of the motion to waive the sewer tap fee for Mrs. Elizabeth Parks; located at 107 Harlem Street. After discussion and upon the motion of Alderman Roy A. Perkins, duly seconded by Alderman Matt Cox,

The motion to waive the sewer tap fee for Mrs. Elizabeth Parks; located at 107 Harlem Street, was put to a vote with the result as follows:

Alderman Richard Corey	voted: YEA
Alderman Matt Cox	voted: YEA
Alderman Sumner D. Davis, III	voted: YEA
Alderman P. C. (Mac) McLaurin, Jr.	voted: NAY
Alderman Rodney L. Lincoln	voted: YEA
Mayor pro tempore Roy A. Perkins	voted: YEA
Alderman Janette Self	voted: YEA

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

PUBLIC HEARINGS

SECOND PUBLIC HEARING ON PROPOSED ORDINANCE #OR 09-0?: AN ORDINANCE REPEALING AND REPLACING CHAPTER 54, ARTICLE III, DIVISION 2, SECTIONS 54-71 THROUGH 54-76 OF THE CODE OF ORDINANCES, ESTABLISHING SPECIFIC MOWING STANDARDS

The Mayor and Board held a Public Hearing relative to the proposed ordinance repealing and replacing chapter 54, Article III, Division 2, Sections 54-71, through 54-76, Of the Code of Ordinances, establishing specific mowing standards.

After discussion between the Mayor and Board of Alderman, the Mayor opened the discussions for public comments.

Mr. Richard Mullenax addressed the Mayor and Board relative to the suggested height of the grass and suggested that everyone be required to adhere to the requirements outlined in the ordinance.

Alderman Cox asked for clarification relative to his concerns regarding natural habitats for wildlife and back yard habitats.

Alderman P.C. McLaurin, also expressed his opinion relative to habitats both front and back yard.

Calling for additional comments and receiving none, the Mayor called the hearing to a close.

Note:

The Mayor and Board asked the City Planner to further explore the “habitat” scenario before the Board adopted this ordinance and therefore there was no action toward adoption of this ordinance taken.

PUBLIC HEARINGS

SECOND PUBLIC HEARING ON PROPOSED ORDINANCE #OR 09-0?: AN ORDINANCE REPEALING AND REPLACING APPENDIX A, ARTICLE VI, SECTIONS B(1) THROUGH B(6) OF THE CITY’S CODE OF ORDINANCES, ESTABLISHING SPECIFIC STANDARDS FOR ACCESSORY STRUCTURES, DETACHED CARPORTS AND GARAGE, POOLS AND SCREEN ENCLOSURES/FENCES AND WALLS/RETAINING WALLS

The Mayor and Board held the second Public Hearing relative to a proposed ordinance repealing and replacing Appendix A, Article VI, Section B(1) through B(6) Accessory Structures, Detached Carports and Garage, Pools and Screen Enclosures/Fences and Walls/Retaining walls.

City Planner Ben Griffith explained the proposed ordinance to the Mayor et al. The Planner noted that he added the specific text requested by Alderman Rodney Lincoln. Additionally the City Planner called attention to page 7, of 11, item number 13 relating to fences; adding the text had been added to address enforcement.

After discussion between the Mayor, Board and staff, the Mayor called for additional comments; receiving none, the Mayor called the hearing to a close.

9. AN ORDER TAKING UNDER ADVISEMENT THE ADOPTION OF THE PROPOSED PROPOSED ORDINANCE #OR 09-0?: AN ORDINANCE REPEALING AND REPLACING APPENDIX A, ARTICLE VI, SECTIONS B(1) THROUGH B(6) OF THE CITY’S CODE OF ORDINANCES, ESTABLISHING SPECIFIC STANDARDS FOR ACCESSORY STRUCTURES, DETACHED CARPORTS AND GARAGE, POOLS AND SCREEN ENCLOSURES/FENCES AND WALLS/RETAINING WALLS

There came for consideration the matter of the approval of the motion to take under advisement the adoption of the proposed ordinance repealing and replacing Appendix A, Article VI, Section B (1) through B (6) Accessory Structures, Detached Carports and Garage, Pools and Screen Enclosures/Fences and Walls/Retaining Walls until a later date and time. After discussion and upon the motion of Alderman P.C. McLaurin, duly seconded by Alderman Richard Corey,

The Board moved unanimous approval of the motion to take under advisement the adoption of the proposed ordinance repealing and replacing Appendix A, Article VI, Section B (1) through B(6) Accessory Structures, Detached Carports and Garage, Pools and Screen Enclosures/Fences and Walls/Retaining Walls until a later date and time.

PUBLIC HEARINGS

FIRST PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES UNDER CHAPTER TRAFFIC AND VEHICLES, ARTICLE I. IN GENERAL, SEC. 106-3. USE OF COASTERS, ROLLER-SKATES, TOY VEHICLES RESTRICTED. TO DELETE THE SENTENCE “THIS SECTION SHALL NOT APPLY UPON ANY STREET WHILE SET ASIDE AS A PLAY STREET AS AUTHORIZED BY ORDINANCE OF THE CITY

The Mayor and Board held the first Public Hearing relative to amending the City of Starkville Code of Ordinance Traffic and Vehicles, Article I. in General, Section 106-3; Use of coasters, roller-skates, toy vehicles restricted, to delete the sentence “this sections shall not apply upon any street while set aside as a play street as authorized by ordinance of the City.

After discussion between the Mayor and Board of Alderman, the Mayor opened the discussions for public comments.

Calling for additional comments and receiving none, the Mayor called the hearing to a close.

FIRST PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE THE FOLLOWING CODE SECTIONS: ARTICLE II. ADMINISTRATION, SEC. 106-36. TRAFFIC DIVISION ESTABLISHED; SEC. 106-39. DRIVER’S FILES TO BE MAINTAINED; ARTICLE IV. PENALTIES AND PROCEDURE ON ARREST, SEC. 106-110(D). AUTHORITY TO IMPOUND VEHICLES; SEC. 106-366. QUIET ZONES.; SEC. 106-408. FINES.

The Mayor and Board held the first Public Hearing relative to amending the City of Starkville Code of Ordinance, to delete the sections: Article II Administrations, Section 106-36 Traffic Division Established; Section 106-39 Drivers files to be maintained; Article IV. Penalties and Procedures on Arrest, Section 106-110 (D) Authority to impound vehicles; Section 106-366. Quiet Zones section 106-408; Fines.

After discussion between the Mayor and Board of Alderman, the Mayor opened the discussions for public comments.

Calling for additional comments and receiving none, the Mayor called the hearing to a close.

FIRST PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER ARTICLE XII. MISCELLANEOUS DRIVING RULES. SEC. 106-354. DRIVING THROUGH PROCESSIONS. “AND WHEN SUCH VEHICLES ARE CONSPICUOUSLY SO DESIGNATED AS REQUIRED IN SECTION 106-356.”

The Mayor and Board held the first Public Hearing relative to Amending the City of Starkville Code of Ordinances to delete under Article XII. Miscellaneous Driving Rules. Sec. 106-354. Driving through processions. “and when such vehicles are conspicuously so designated as required in Section 106-356.

After discussion between the Mayor and Board of Alderman, the Mayor opened the discussions for public comments.

Calling for additional comments and receiving none, the Mayor called the hearing to a close.

FIRST PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER CHAPTER 6. ADVERTISING, ARTICLE I. IN GENERAL. SEC. 6-1 POSTING GENERALLY IN ITS ENTIRETY

The Mayor and Board held the first Public Hearing relative to Amending the City of Starkville Code of Ordinances to delete under Chapter 6. Advertising, Article I. In General. Sec. 6-1 Posting Generally in its entirety.

After discussion between the Mayor and Board of Alderman, the Mayor opened the discussions for public comments.

Calling for additional comments and receiving none, the Mayor called the hearing to a close.

FIRST PUBLIC HEARING FOR ITEM #OR 09-0?: A DRAFT ORDINANCE REPEALING AND REPLACING APPENDIX A, ARTICLE VI, SECTION J, ESTABLISHING SPECIFIC STANDARDS FOR OUTDOOR FURNITURE, OUTSIDE STORAGE AND GARAGE SALES

The Mayor and Board held the first Public Hearing relative to a draft ordinance repealing and replacing Appendix A, Article VI, Section J of the Code of Ordinances, establishing specific standards for outdoor furniture, outside storage and garage sales.

After discussion between the Mayor and Board of Alderman, the Mayor opened the discussions for public comments.

Calling for additional comments and receiving none, the Mayor called the hearing to a close.

10. AN ORDER TO REMOVE THE RSI CONTRACT FROM THE CONSENT AGENDA

There came for consideration the matter of the approval of the motion to remove the RSI contract from the consent agenda with its final approval subject to review and approval by the City Attorney. After discussion and upon the motion of Alderman Rodney Lincoln, duly seconded by Alderman Matt Cox,

Agenda Item: XI. DEPARTMENT BUSINESS

- A. AIRPORT REQUEST APPROVAL OF THE REMOTE SYSTEMS INTEGRATION CONTRACT TO PERFORM MAINTENANCE ON THE AUTOMATED WEATHER OBSERVATION SYSTEM (AWOS) FOR CALENDAR YEAR BEGINNING ON APRIL 1, 2009 AND ENDING ON MARCH 31, 2010, IN THE AMOUNT OF \$2,400.00.

The Board moved unanimous approval of the motion to remove the RSI contract from the consent agenda with its final approval subject to review and approval by the City Attorney; said agenda item is enumerated above.

11. AN ORDER TO REMOVE THE CONSIDERATION OF APPROVING THE PROPOSED ORDINANCE #OR 09-0?: AN ORDINANCE REPEALING AND REPLACING CODE OF ORDINANCES, ESTABLISHING SPECIFIC MOWING STANDARDS FROM THE CONSENT AGENDA

There came for consideration the matter of the approval of the motion to remove the approval of item #OR 09-?: an ordinance repealing and replacing Chapter 54, Article III, Division 2, Sections 54-71 through 54-76 of the Code of Ordinances, establishing specific mowing standards from the Consent Agenda on the grounds that the placement of the item on the Consent Agenda prior to the public hearing is not in accordance with the public hearing policy and that, the matter is tabled until the next meeting.

Note: The Mayor and Board asked the City Planner to further explore the “habitat” scenario before the Board adopted this ordinance and therefor there was no action toward adoption of this ordinance taken during the public hearing accruing in error.

After discussion and upon the motion of Alderman Matt Cox, duly seconded by Alderman Rodney Lincoln,

The Board moved unanimously to approve the motion to remove the approval of item #OR 09-?: an ordinance repealing and replacing Chapter 54, Article III, Division 2, Sections 54-71 through 54-76 of the Code of Ordinances, establishing specific mowing standards from the Consent Agenda on the grounds that the placement of the item on the Consent Agenda prior to the public hearing is not in accordance with the public hearing policy and that, the matter is tabled until the next meeting.

Note: The Mayor and Board asked the City Planner to further explore the “habitat” scenario before the Board adopted this ordinance and therefor there was no action toward adoption of this ordinance taken during the public hearing accruing in error.

12. AN ORDER APPROVING THE ADVERTISING FOR PROPOSALS FOR A CONTRACT INTERIM CITY ATTORNEY

There came for consideration the matter of the approval of the motion to advertise for letters of indications of interest for the possible vacancy in the office of the City Attorney and that, indications of interest will be accepted until June 30, 2009, which will be the deadline of acceptance. After discussion and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Roy A. Perkins,

The Board moved unanimous approval of the motion to advertise for letters of indications of interest for the possible vacancy in the office of the City Attorney and that, indications of interest will be accepted until June 30, 2009, which will be the deadline of acceptance.

13. AN ORDER APPROVING RESOLUTION DIRECTING THE SALE AND AWARD OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2009, OF THE CITY OF STARKVILLE, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF THREE MILLION DOLLARS (\$3,000,000)

There came for consideration the matter of the approval of the motion approving the resolution directing that General Obligation Public Improvement Bonds, Series 2009 (the "Bonds"), of the Municipality in the principal amount of Three Million Dollars (\$3,000,000). After discussion and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Sumner D. Davis, III,

The Board moved unanimous approval of the motion to approving the resolution directing that General Obligation Public Improvement Bonds, Series 2009 (the "Bonds"), of the Municipality in the principal amount of Three Million Dollars (\$3,000,000). Said resolution is as follows:

RESOLUTION DIRECTING THE SALE AND AWARD OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2009, OF THE CITY OF STARKVILLE, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF THREE MILLION DOLLARS (\$3,000,000).

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville, Mississippi (the "Governing Body"), acting for and on behalf of said City of Starkville, Mississippi (the "Municipality"), hereby finds, determines, adjudicates and declares as follows:

1. The Governing Body on February 17, 2009, did adopt a resolution directing that General Obligation Public Improvement Bonds, Series 2009 (the "Bonds"), of the Municipality in the principal amount of Three Million Dollars (\$3,000,000) be offered for sale on sealed bids to be received until the hour of 4 o'clock p.m on March 24, 2009. However, the newspaper inadvertently failed to make the initial publication on March 13, 2009.

2. On March 24, 2009, the Governing Body adopted a resolution (the "March 24, 2009 Resolution") repealing and rescinding the aforesaid resolution adopted February 17, 2009, and adopted a new resolution authorizing and directing the issuance of General Obligation Public Improvement Bonds, Series 2009 (the "Bonds") of the Municipality.

3. The March 24, 2009 Resolution directed that General Obligation Public Improvement Bonds, Series 2009 (the "Bonds") of the Municipality in the principal amount of Three Million Dollars (\$3,000,000) be offered for sale on sealed bids to be received until the hour of 4 o'clock p.m. on April 7, 2009.

4. As directed by the March 24, 2009 Resolution and as required by Section 31-19-25, Mississippi Code of 1972, notice of the sale of the Bonds was duly published in the Starkville Daily News and in The Commercial Dispatch, newspapers published in and of general circulation in Oktibbeha County, Mississippi, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, said notices having been published in said newspapers at least two (2) times, said publications having been made in the Starkville Daily News on March 27, 2009 and April 3, 2009, and in The Commercial Dispatch on March 27, 2009 and April 3, 2009, with the first publication thereof in each newspaper having been made at least ten (10) days preceding April 7, 2009, all as shown by the proof of publication of said notices attached hereto as **Attachment A**.

5. The City Clerk, acting on behalf of the Governing Body, did appear at the City Hall of the Municipality at 4 o'clock p.m on April 7, 2009, to receive bids.

6. The Governing Body did meet at the City Hall of the Municipality at 5:30 o'clock p.m. on April 7, 2009.

7. At said time and place six (6) bids for the Bonds (attached hereto as **Attachment B**) were received, examined and should be considered by the Governing Body, said bids having heretofore been presented by and being on file with the City Clerk.

8. The Governing Body finds and determines that the highest and best bid made for the Bonds on the basis of the lowest net interest cost over the life of the issue was made by Morgan Keegan & Company, Memphis, Tennessee (the "Purchaser"), and further finds that said bid was accompanied by a cashier's check, certified check or exchange, payable to the Governing Body in the amount of Sixty Thousand Dollars (\$60,000) and issued or certified by a bank located in the State of Mississippi, as a guaranty that said bidder would carry out its contract and purchase the Bonds if its bid be accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY AS FOLLOWS:

SECTION 1. Award of Bonds. The Bonds are hereby awarded and sold to the Purchaser in accordance with the offer submitted to the Governing Body and attached hereto as **Attachment C**.

SECTION 2. Notation of Acceptance. The City Clerk is hereby authorized and directed to endorse upon a copy or duplicate of the aforesaid offer a suitable notation as evidence of the acceptance thereof, for and on behalf of the Municipality.

SECTION 3. Good Faith Checks. The good faith checks filed by all unsuccessful bidders shall forthwith be returned to them upon their respective receipts therefor and the good faith check filed by the successful bidder shall be retained by the Municipality as a guaranty that said bidder will carry out its contract and purchase the Bonds. If said successful bidder fails to purchase the Bonds pursuant to its bid and contract, the amount of such good faith check shall be retained by the Municipality as liquidated damages for such failure.

SECTION 4. Bond Details. The Bonds shall be in registered form; shall be dated April 1, 2009; shall be of the denomination of \$5,000 each, or integral multiples thereof up to the amount of a single maturity; shall be numbered from one (1) upward in the order of issuance; shall be payable, both as to principal and interest, in lawful money of the United States of America at BancorpSouth, Jackson, Mississippi, said bank to act as paying agent, registrar and transfer agent for the Bonds; shall bear interest from the date thereof at the rates hereinafter set forth, payable on October 1, 2009, and semiannually thereafter on April 1 and October 1 in each year; and shall mature and become due and payable serially, with option of prior payment, as heretofore provided, on April 1 in the years and principal amounts as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>RATE</u>
2010	\$255,000	3.00%
2011	265,000	3.00
2012	270,000	3.00
2013	280,000	3.00
2014	295,000	3.00
2015	305,000	3.00
2016	315,000	3.00
2017	325,000	3.00
2018	340,000	3.00
2019	350,000	3.25

SECTION 5. Repealer. All orders, resolutions or proceedings of the Governing Body in conflict with the provisions of this resolution shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict.

SECTION 6. Effective Date. For cause, this resolution shall become effective immediately upon the adoption thereof.

Alderman P.C. McLaurin Jr., moved and Alderman Sumner D. Davis, III seconded the motion to adopt the foregoing resolution and the question being put to a roll call vote, the result was as follows:

Alderman Richard Corey	voted: <u>YEA</u>
Alderman Matt Cox	voted: <u>YEA</u>
Alderman Sumner D. Davis, III	voted: <u>YEA</u>
Alderman P. C. (Mac) McLaurin, Jr.	voted: <u>YEA</u>
Alderman Rodney L. Lincoln	voted: <u>YEA</u>
Alderman Roy A' Perkins	voted: <u>YEA</u>
Alderman Janette Self	voted: <u>YEA</u>

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this, the 7th day of April, 2009.

Robert D. Camp, Mayor

ATTEST:

Markeeta Outlaw, City Clerk

ATTACHMENT A
PROOF OF PUBLICATIONS
NOTICE OF BOND SALE

ON FILE WITH THE CITY CLERK

ATTACHMENT B
BIDS RECEIVED

ON FILE WITH THE CITY CLERK

ATTACHMENT C
WINNING BID

ON FILE WITH THE CITY CLERK

14. AN ORDER APPROVING THE RESOLUTION TO ADJUDICATE THE COST OF DEMOLITION AND CLEANUP OF THREE DILAPIDATED PROPERTIES FROM THE CODE ENFORCEMENT DIVISION, ALLOWING THE CITY ATTORNEY ENROLL ASSESSMENTS AGAINST THE PROPERTIES

There came for consideration the matter of the approval of the motion approving a resolution to adjudicate the cost of demolition and cleanup of three dilapidated properties from the Code Enforcement Division, allowing the City Attorney to enroll assessments against the properties. After discussion and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Rodney Lincoln,

The Board moved unanimous approval of the motion approving a resolution to adjudicate the cost of demolition and cleanup of three dilapidated properties from the Code Enforcement Division, allowing the City Attorney to enroll assessments against the properties; said motion is as follows:

RESOLUTION NUMBER 2009-?

A RESOLUTION TO ADJUDICATE THE COST OF DEMOLITION AND CLEANUP OF DILAPIDATED PROPERTIES BY ORDER OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI

WHEREAS, the Mayor and Board of Aldermen did hold a public hearing and found that the properties listed below were a menace to the public health and safety of the community; and

WHEREAS, the Mayor and Board of Aldermen ordered City staff to demolish and clean the subject properties; and

WHEREAS, Section 21-19-11 of the Mississippi Code of 1972 allows a local governing authority to assess the cost of demolition and cleanup of the subject properties as a lien against said properties and enroll said lien against the said properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI that the Board does hereby adjudicate the following listed amounts as the actual costs of cleaning the said properties in the amounts shown.

Owner	Location	Parcel Number	Amount
Kizmet Johnson	Curtis Circle	102C-00-144.00	\$3,768.15
Sallie Barnes	W. Main Street	118O-00-338.00	\$4,367.31
Willie Wilson	Beattie Street	118O-00-248.00	\$4,576.08

BE IT FURTHER RESOLVED, that the assessments adjudicated above shall be a lien against the above referenced properties and the City Attorney is hereby authorized to enroll in the Office of the Circuit Clerk of Oktibbeha County said assessments against the properties.

Upon the motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Rodney Lincoln, that the Resolution be adopted, a roll call vote was taken which resulted as follows:

Alderman Richard Corey	Voted: <u>YEA</u>
Alderman Matt Cox	Voted: <u>YEA</u>
Alderman Sumner Davis	Voted: <u>YEA</u>
Alderman Rodney Lincoln	Voted: <u>YEA</u>
Alderman P.C. McLaurin, Jr.	Voted: <u>YEA</u>
Alderman Roy A'. Perkins	Voted: <u>YEA</u>
Alderman Janette Self	Voted: <u>YEA</u>

Adopted this the 7th day of April, A.D., 2009, at the Regular Meeting of the Mayor and Board of Aldermen of the City of Starkville, Oktibbeha County, Mississippi.

Robert D. Camp, Mayor
City of Starkville, Mississippi

Markeeta A. Outlaw, Clerk
City of Starkville, Mississippi

(SEAL)

15. AN ORDER APPROVING THE LOW BID FOR THE 2009 STREET IMPROVEMENT PROGRAM AND AUTHORIZATION TO ENTER INTO CONTRACTUAL AGREEMENT WITH SAID PROVIDER

There came for consideration the matter of the approval of the motion to approve APAC as the lowest and best bidder for this project and authorize to enter into a contractual agreement to perform the 2009, Street Improvement program with the low bid being \$ 1,247,500.00. After discussion and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Matt Cox,

The Board moved unanimous approval of the motion approve APAC as the lowest and best bidder for this project and authorize to enter into a contractual agreement to perform the 2009, Street Improvement program with the low bid being \$ 1,247,500.00.

16. AN ORDER APPROVING THE TRAVEL OF ELECTED OFFICIALS TO TRAVEL TO THE FIRE ACADEMY

There came for consideration the matter of the approval of the motion to approve the travel of elected officials to travel to the Fire Academy to participate in the Elected Official's Day with any necessary fees approved. After discussion and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Richard Corey,

The Board moved unanimous approval of the motion to approve the travel of elected officials to travel to the Fire Academy to participate in the Elected Official's Day with any necessary fees approved.

17. AN ORDER APPROVING THE CONTRACT WITH EXPRESS EMPLOYMENT FOR A TEMPORARY, CONTRACT EMPLOYEE TO ASSIST IN THE CITY CLERK'S OFFICE DURING THE EXTENDED ABSENCE OF AN EMPLOYEE ON FAMILY MEDICAL LEAVE

There came for consideration the matter of the approval of the motion to approve the contractual services of Express Personnel Services to provide temporary clerical assistance in the City Clerk's Office during the absence of an employee on Family Medical Leave with the services ending upon return of the employee out on leave. After discussion and upon the motion of Alderman Roy A' Perkins duly seconded by Alderman Matt Cox,

The motion to approve the contractual services of Express Personnel Services to provide temporary clerical assistance in the City Clerk’s Office during the absence of an employee on Family Medical Leave with the services ending upon return of the employee out on leave, was put to a vote with the results as follows:

Alderman Richard Corey	voted: YEA
Alderman Matt Cox	voted: YEA
Alderman Sumner D. Davis, III	voted: YEA
Alderman P. C. (Mac) McLaurin, Jr.	voted: NAY
Alderman Rodney L. Lincoln	voted: YEA
Mayor pro Tempore Roy A. Perkins	voted: YEA
Alderman Janette Self	voted: YEA

Having received a majority of the affirmative vote, Mayor pro tempore declared the motion passed, approved and adopted.

18. AN ORDER TO MOVE INTO A CLOSED DETERMINATION SESSION

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There came for consideration the matter of the approval of the motion to move into a closed determination session. After discussion and upon the motion of Alderman Rodney Lincoln duly seconded by Alderman Richard Corey,

The Board moved unanimously to approve the motion to move into a closed determination session.

19. AN ORDER TO MOVE INTO EXECUTIVE SESSION

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There came for consideration the matter of the approval of the motion to move into executive session for the purposes of the discussion of potential litigation. After discussion and upon the motion of Alderman Matt Cox duly seconded by Alderman Richard Corey.

The Board moved unanimously to approve the motion to move into executive session.

20. AN ORDER TO APPOINT AN ADJUSTER

There came for consideration the matter of the approval of the motion to hire and adjuster (through the Public Works Director) to review and appraise the damages of the houses located at 106 Elm Place and 110 Elm Place and report back to the Board in writing, his findings. After discussion and upon the motion of Alderman Rodney Lincoln duly seconded y Alderman Roy A.’ Perkins,

The Board moved unanimously to approve the motion to hire and adjuster (through the Public Works Director) to review and appraise the damages of the houses located at 106 Elm Place and 110 Elm Place and report back to the Board in writing, his findings.

21. AN ORDER TO APPOINT AN ADJUSTER

There came for consideration the matter of the approval of the motion to hire and adjuster (through the Engineering Department) to review and appraise the damages of the Shapley Residence in Ward 1, and report back to the Board in writing, his findings. After discussion and upon the motion of Alderman Rodney Lincoln duly seconded y Alderman Roy A.' Perkins,

The Board moved unanimously to approve the motion to hire and adjuster (through the Engineering Department) to review and appraise the damages of the Shapley Residence in Ward 1, and report back to the Board in writing, his findings

22. AN ORDER TO MOVE OUT OF EXECUTIVE SESSION

There came for consideration the matter of the approval of the motion to move into executive session for the purposes of the discussion of potential litigation. After discussion and upon the motion of Alderman Roy A.' Perkins duly seconded by Alderman Rodney Lincoln,

A MOTION TO ADJOURN UNTIL 5: 30 PM ON TUESDAY APRIL 21 2009

Alderman Sumner D. Davis, III moved that the Board of Aldermen adjourn until 5:30 p.m. on Tuesday April 21, 2009, in the Court Room of City Hall Alderman Lincoln seconded, with the motion carrying unanimously.

ROBERT D. CAMP, MAYOR

TAMMY R. TYNDALL,
DEPUTY CITY CLERK

SIGNED AND SEALED THIS ___ DAY OF _____ 2009.