

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

The City of Starkville, Mississippi
April 21, 2009

Be it remembered that the Mayor and Board of Aldermen met in a Recess Meeting on
April 21, 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 21, 2009 BOARD MEETING WITH AMENDMENTS AS FOLLOWS:

OFFICIAL AGENDA

THE MAYOR AND BOARD OF ALDERMEN

OF THE

CITY OF STARKVILLE, MISSISSIPPI

RECESS MEETING OF TUESDAY, APRIL 21, 2009
5:30 P.M., COURT ROOM, CITY HALL
101 EAST LAMPKIN STREET

******ITEMS SHOWN IN ITALICS WITH AN ASTERISK HAVE BEEN ADDED, ~~DELETED~~ OR MODIFIED FROM THE ORIGINAL AGENDA.*

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 THE CITY OF STARKVILLE BOARD OF ALDERMEN HELD MARCH 17, 2009.

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

- A. EARTH DAY FESTIVITIES WILL BE ON APRIL 22 AND THE CITY WILL BE PARTICIPATING IN A JOINT EFFORT WITH SEVERAL ORGANIZATIONS AROUND TOWN AND ON CAMPUS.
- B. THERE WILL BE A WORKSHOP CONDUCTED BY COMVEST FOR THE PLANNING AND ZONING COMMISSION REGARDING THE COTTON MILL MARKETPLACE PROJECT HELD BEGINNING AT 5:30 PM AT THE REGULARLY SCHEDULED MEETING OF MAY 12th AT CITY HALL.

- C. CONGRATULATIONS TO RYAN LAWRENCE WHO HAS EARNED HIS EAGLE SCOUT RANK AS A MEMBER OF BOY SCOUT TROOP 14, PUSHMATAHA AREA COUNCIL, STARKVILLE, MS.

VI. CITIZEN COMMENTS

RELOCATED HERE:

B. BUILDING, CODES AND PLANNING DEPARTMENT

1. CONSIDERATION TO APPROVE P&Z ITEM #RZ 09-01: A REQUEST BY B&P DEVELOPERS OF MS, LLC, FOR A ZONING CHANGE FROM R-1 (SINGLE FAMILY) TO R-3A (SINGLE-FAMILY, MEDIUM-DENSITY) LOCATED SOUTHEAST OF THE INTERSECTION OF YELLOW JACKET AND ECKFORD DRIVES IN WARD 3.

VII. PUBLIC APPEARANCES

- A. PUBLIC PRESENTATION BY P&Z CHAIRMAN DORA HERRING OF ANNUAL P&Z ACTIVITY REPORT AS REQUIRED BY CHAPTER 2, ARTICLE V, SECTION 2-138 OF THE CITY'S CODE OF ORDINANCES.
- B. PUBLIC PRESENTATION BY WHITNEY HILTON, CHAIR OF THE COMMISSION ON DISABILITY, PROVIDING AN ANNUAL REPORT ON THE ACTIVITIES OF THE COMMISSION.

VIII. PUBLIC HEARING

- A. SECOND PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER THE CHAPTER, ANIMALS, ARTICLE IV. RABIES CONTROL, SEC. 18-106 THROUGH 18-119. REPLACE ALL REFERENCES TO "HEALTH OFFICER" WITH "ANIMAL CONTROL OFFICER".
- B. SECOND 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.".
- C. SECOND PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE THE FOLLOWING CODE SECTIONS: CHAPTER TRAFFIC AND VEHICLES, 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.
- D. SECOND PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER CHAPTER TRAFFIC AND VEHICLES, 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."
- E. SECOND 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.
- F. SECOND 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.

- G. FIRST PUBLIC HEARING OF A PROPOSED "SIDEWALK ORDINANCE" REQUIRING AND REGULATING THE CONSTRUCTION AND MAINTENANCE OF PUBLIC SIDEWALKS IN THE CITY OF STARKVILLE, MISSISSIPPI.

IX. MAYOR'S BUSINESS

- A. CONSIDERATION OF AUTHORIZATION TO AMEND THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER CHAPTER ANIMALS, ARTICLE IV. REPLACE ALL REFERENCES TO "HEALTH OFFICER" WITH "ANIMAL CONTROL OFFICER".
- B. CONSIDERATION OF AUTHORIZATION TO AMEND 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.".
- C. CONSIDERATION OF AUTHORIZATION TO AMEND THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE THE FOLLOWING CODE SECTIONS: UNDER TRAFFIC AND VEHICLES, 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.
- D. CONSIDERATION OF AUTHORIZATION TO AMEND THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER CHAPTER TRAFFIC AND VEHICLES, 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."
- E. CONSIDERATION OF AUTHORIZATION TO AMEND 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.

****F. *CONSIDERATION OF A RESOLUTION AUTHORIZING GOLDEN TRIANGLE PLANNING AND DEVELOPMENT DISTRICT (GTPDD) TO SEEK A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE IMPROVEMENT OF REED ROAD.*

X. BOARD BUSINESS

*With the inherent understanding that the reimbursement to the estate be authorized.

- E. REPORT ON THE STATUS OF THE REIMBURSEMENT OF \$490.24 TO THE ESTATE OF MS. PARKS FOR THE SEWER FEES BILLED IN ERROR.

XI. DEPARTMENT BUSINESS

- A. AIRPORT

THERE ARE NO ITEMS FOR THIS AGENDA

RELOCATED:

- B. ~~BUILDING, CODES AND PLANNING DEPARTMENT~~

- ~~1. CONSIDERATION TO APPROVE P&Z ITEM #RZ 09-01: A REQUEST BY B&P DEVELOPERS OF MS, LLC, FOR A ZONING CHANGE FROM R 1 (SINGLE FAMILY) TO R 3A (SINGLE FAMILY, MEDIUM DENSITY) LOCATED SOUTHEAST OF THE INTERSECTION OF YELLOW JACKET AND ECKFORD DRIVES IN WARD 3.~~

C. OFFICE OF THE CITY CLERK

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET AS OF APRIL 16, 2009.
2. REQUEST APPROVAL OF THE INSURANCE PROVIDER WITH THE BEST AND MOST FAVORABLE BID FOR THE CITY OF STARKVILLE.
3. REQUEST APPROVAL OF THE INTERLOCAL AGREEMENT WITH OKTIBBEHA COUNTY FOR THE USE OF THE ELECTRONIC VOTING MACHINES.

G. FIRE DEPARTMENT

1. REQUEST EDUCATIONAL LEAVE FOR GREG HUDSON, JUSTIN EDWARDS, BRIAN ARNETT AND JONATHAN WADE FOR TRAVEL TO PEARL, MS, MAY 11 - 14, 2009 TO ATTEND THE CERTIFIED ADVANCED RESCUE SPECIALIST CLASS AT THE MISSISSIPPI STATE FIRE ACADEMY AT A TOTAL COST OF \$1,752.00.
2. REQUEST EDUCATIONAL LEAVE FOR DAVID GAUDIN, MARK MCCURDY AND STEIN MCMULLEN FOR TRAVEL TO BILOXI, MS, MAY 6 - 8, 2009 TO ATTEND THE MS FIRE INVESTIGATORS ASSOCIATION SEMINAR AT A TOTAL COST OF \$1,281.00 .
3. REQUEST EDUCATIONAL LEAVE FOR CHARLES YARBROUGH FOR TRAVEL TO PEARL, MS, MAY 11 -13, 2009 TO ATTEND THE TRAINING OFFICER CLASS AT THE MISSISSIPPI STATE FIRE ACADEMY AT A TOTAL COST OF \$226.00.
4. REQUESTING EDUCATIONAL LEAVE FOR MATT SCHOBER AND CURTIS RANDLE FOR TRAVEL TO PEARL, MS, MAY 11 - 14, 2009 TO ATTEND THE SAFETY OFFICER CLASS AT THE MISSISSIPPI STATE FIRE ACADEMY AT A TOTAL COST OF \$786.00.

H. PERSONNEL

1. REQUEST AUTHORIZATION TO ADVERTISE TO FILL A VACANT EQUIPMENT OPERATOR POSITION IN THE STREET DEPARTMENT.

I. POLICE DEPARTMENT

1. REQUEST AUTHORIZATION FOR SERGEANTS STEVE LYLE AND CHADD GARNETT TO ATTEND A GLOCK ARMORERS COURSE IN SOUTHAVEN, MS, ON MAY 19, 2009, FOR A TOTAL COST OF THE REGISTRATION FEE OF \$300.00 {\$150.00 PER OFFICER}.

J. PUBLIC SERVICES

1. REQUEST APPROVAL TO PURCHASE A 52" HEAVY DUTY COMMERCIAL GRADE MOWER FOR THE DRINKING WATER DIVISION FROM STATE CONTRACT IN THE AMOUNT OF \$6,699.
2. REQUEST APPROVAL TO PURCHASE UP TO A MAXIMUM AMOUNT 2,000 TONS OF #610 CRUSHED LIMESTONE IN CALENDAR YEAR 2009 FROM THE DIRT COMPANY, SUBMITTER OF THE LOWEST QUOTE, IN THE AMOUNT OF \$24.00 PER TON.

K. SANITATION DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

XII. CLOSED DETERMINATION SESSION**XIII. EXECUTIVE SESSION**

- A. PENDING LITIGATION
- B. POTENTIAL LITIGATION
- C. PROPERTY ACQUISITION

XIV. ADJOURN UNTIL THE RECESS MEETING OF MAY 5, 2009 @ 5:30 AT 101 LAMPKIN STREET IN THE CITY HALL COURTROOM.**FOLLOWING MOVED TO CONSENT:**

BOARD BUSINESS

***With the inherent understanding that the reimbursement to the estate be authorized.**

- E. REPORT ON THE STATUS OF THE REIMBURSEMENT OF \$490.24 TO THE ESTATE OF MS. PARKS FOR THE SEWER FEES BILLED IN ERROR.
- C. OFFICE OF THE CITY CLERK
 - 1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET AS OF APRIL 16, 2009.
 - 2. REQUEST APPROVAL OF THE INSURANCE PROVIDER WITH THE BEST AND MOST FAVORABLE BID FOR THE CITY OF STARKVILLE.
 - 3. REQUEST APPROVAL OF THE INTERLOCAL AGREEMENT WITH OKTIBBEHA COUNTY FOR THE USE OF THE ELECTRONIC VOTING MACHINES.
- G. FIRE DEPARTMENT
 - 1. REQUEST EDUCATIONAL LEAVE FOR GREG HUDSON, JUSTIN EDWARDS, BRIAN ARNETT AND JONATHAN WADE FOR TRAVEL TO PEARL, MS, MAY 11 - 14, 2009 TO ATTEND THE CERTIFIED ADVANCED RESCUE SPECIALIST CLASS AT THE MISSISSIPPI STATE FIRE ACADEMY AT A TOTAL COST OF \$1,752.00.
 - 2. REQUEST EDUCATIONAL LEAVE FOR DAVID GAUDIN, MARK MCCURDY AND STEIN MCMULLEN FOR TRAVEL TO BILOXI, MS, MAY 6 - 8, 2009 TO ATTEND THE MS FIRE INVESTIGATORS ASSOCIATION SEMINAR AT A TOTAL COST OF \$1,281.00 .
 - 3. REQUEST EDUCATIONAL LEAVE FOR CHARLES YARBROUGH FOR TRAVEL TO PEARL, MS, MAY 11 -13, 2009 TO ATTEND THE TRAINING OFFICER CLASS AT THE MISSISSIPPI STATE FIRE ACADEMY AT A TOTAL COST OF \$226.00.
 - 4. REQUESTING EDUCATIONAL LEAVE FOR MATT SCHOBBER AND CURTIS RANDLE FOR TRAVEL TO PEARL, MS, MAY 11 - 14, 2009 TO ATTEND THE SAFETY OFFICER CLASS AT THE MISSISSIPPI STATE FIRE ACADEMY AT A TOTAL COST OF \$786.00.

H. PERSONNEL

1. REQUEST AUTHORIZATION TO ADVERTISE TO FILL A VACANT EQUIPMENT OPERATOR POSITION IN THE STREET DEPARTMENT.

I. POLICE DEPARTMENT

1. REQUEST AUTHORIZATION FOR SERGEANTS STEVE LYLE AND CHADD GARNETT TO ATTEND A GLOCK ARMORERS COURSE IN SOUTHAVEN, MS, ON MAY 19, 2009, FOR A TOTAL COST OF THE REGISTRATION FEE OF \$300.00 {\$150.00 PER OFFICER}.

J. PUBLIC SERVICES

2. REQUEST APPROVAL TO PURCHASE UP TO A MAXIMUM AMOUNT 2,000 TONS OF #610 CRUSHED LIMESTONE IN CALENDAR YEAR 2009 FROM THE DIRT COMPANY, SUBMITTER OF THE LOWEST QUOTE, IN THE AMOUNT OF \$24.00 PER TON.

There came for consideration the matter of the approval of the motion approving the Official Agenda of the April 21, 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 Roy A.' Perkins,

The Board moved unanimous approval of the motion approving the Official Agenda of the April 21, 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 APPROVING THE CONSENT AGENDA OF THE APRIL 21, 2009 BOARD MEETING

There came for consideration the matter of the approval of the motion approving the Consent Agenda of the April 21, 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 Roy A.' Perkins, duly seconded by Alderman P.C. McLaurin Jr.,

The Board moved unanimous approval of the motion approving the approving the Consent Agenda of the April 21, 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).

3. AN ORDER TO APPROVE THE MINUTES OF THE RECESS MEETING OF MARCH 17, 2009

There came for consideration the matter of the approval of the motion approving the minutes of March 17, 2009. After discussion and upon the motion of Alderman Rodney Lincoln duly seconded by Alderman Richard Corey

The Board moved unanimous approval of the minutes of March 17, 2009.

COMMENTS BY THE MAYOR AND BOARD

Mayor Camp invited all interested parties to join the Earth Day Festivities around the City.

Mayor Camp noted that the Cotton Mill Market Place will hold a workshop (conducted by Comvest Properties) for the Planning and Zoning Commission at 5:30 pm at the regularly scheduled meeting of May 12th at 101 Lampkin Street in City Hall; everyone is invited and encouraged to attend.

The Mayor congratulated Mr. Ryan Lawrence for his recent achievement of earning the Eagle Scout award. Mr. Lawrence is a member of Boy Scout Troop 14, Pushmataha Area Council, Starkville MS.

CITIZENS COMMENTS

Mr. Alvin Turner, resident of Ward 7, addressed the Mayor et al relative to his concerns regarding voting and voter turnout.

Ms. Campbell, resident of Ward 6, addressed the Mayor et a relative to her concerns relative to the fence located adjacent to her property.

Mr. Milo Burnham addressed the Mayor and Board relative to his concerns associated with the matter associated with the enforcement of the ordinance associated with animal control and the animal waste.

Ms. Whitney Hilton, Chairperson of the Commission on Disability, presented to Grumpy's, the advocate of the quarter award.

Ms. Nisreen Cain addressed the Mayor et al relative to the recycling events around Starkville and observance of Earth Day.

DEPARTMENTAL BUSINESS:

Before the following matter was considered for a vote, the Mayor called for comments from the Board and audience.

Alderman Perkins offered comments in support of the Planning and Zoning Commission.

Alderman McLaurin, asked Mr. Brewer for his comments and anyone in support of or in opposition to said comments.

Mr. Brewer stated that (specifically to the residents of Pleasant Acres), that he fully intended to maintain the “integrity of the neighborhood”.

Mr. Stan Maynard, representative of Pleasant Acres, addressed the Mayor et al stating the he and some of the residents of the neighborhood (45 petition signers) were concerned about the character of the property, traffic, historic value and property values of the homes located in said neighborhood. Mr. Maynard cited specifically, Mississippi Code § 17-1-17 as the basis on which the denial should be based.

Alderman McLaurin stated that many requests for re-zoning and zoning changes have been made in the past and that the only considerations to considerations are those outlined in statute.

4. CONSIDERATION TO DENY P&Z ITEM #RZ 09-01: A REQUEST BY B&P DEVELOPERS OF MS, LLC, FOR A ZONING CHANGE FROM R-1 (SINGLE FAMILY) TO R-3A (SINGLE-FAMILY, MEDIUM-DENSITY) LOCATED SOUTHEAST OF THE INTERSECTION OF YELLOW JACKET AND ECKFORD DRIVES IN WARD

The came for consideration the matter of the denial of the motion to grant the request P&Z item # RZ 09-01: a request by B&P Developers of MS, LLC, for a zoning change from R-1 (Single Family) to R-3A (Single-Family, Medium-Density) located southeast of the intersection of Yellow Jacket and Eckford Drives in Ward 3. After discussion among the Mayor and Board, and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Sumner D. Davis, III,

The motion to deny the request P&Z item # RZ 09-01: a request by B&P Developers of MS, LLC, for a zoning change from R-1 (Single Family) to R-3A (Single-Family, Medium-Density) located southeast of the intersection of Yellow Jacket and Eckford Drives in Ward 3, was put to a vote with the results as follows:

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

Having received the majority of the affirmative vote, the Mayor declared the motion to deny the request, passed, approved and adopted.

PUBLIC APPEARANCES:

The Mayor et all heard a Public presentation by P&Z Chairman Dora Herring of annual P&Z activity report as required by Chapter 2, Article V, Section 2-138 of the City's Code of Ordinances. Dr. Herring reported the following:

2008 P&Z Activity Report

P&Z	ZONING MAP AMENDMENTS	BOA
Approved	Logan—C-2 to R-5	Approved
DENIED	McKee—R-2 to B-1	DENIED upon appeal
Withdrawn	McReynolds—R-1 to R-2	Not heard
Approved	McKee—R-2 to R-5	DENIED
Approved	Ashford—R-1 to C-2	Approved
Approved	Roberts—C-1 to R-4	Approved
Approved	Rogers—R-5 to C-2	Approved
Approved	Gibson—R-1 to R-6	Approved
Approved	McKee—R-2 to R-5	Approved
DENIED	B&P Developers—C-2 to R-3	DENIED upon appeal
Approved	Cork—R-1 to C-2	Approved
Approved	Rollins—C-1 to R-5	TABLED
Approved	LWIN, LLC—R-5 to C-2	Approved
TABLED	Boyd—R-1 to C-2	Not heard
Approved	Criser—R-1 to C-2	Approved
P&Z	PLANNED UNIT DEVELOPMENT	BOA
Approved	Stateside Development—Phase 1	Not yet heard
P&Z	SITE PLAN REVIEW	BOA
Approved	Armstrong Middle School	Approved
Approved	Henderson-Ward-Stewart School	Approved
Approved	Sudduth Elementary School	Approved
Approved	Starkville High School	Approved
Approved	Social Security Admin. Building	Approved
Approved	Oasis Resort & Suites	Approved

P&Z	ORDINANCES	BOA
Approved	R-3A/R-4A Zoning Districts	Approved
P&Z	PRELIMINARY PLATS	BOA
Approved	Pat Station	Approved
Approved	Belle Grove	Approved
Not heard due to rezoning denial	Dublin Court Subdivision	Not heard due to rezoning denial
Approved	Box Avenue Development	Approved
Approved	Cotton Mill Marketplace—Phase 1	Approved
Approved	South Wedgewood—Part II	Approved
Approved	Providence Hill Subdivision	Approved

P&Z	FINAL PLATS	BOA
Approved	Roberts Cove	Approved
Approved	University Flats	Approved
Approved	Pitot House	Approved
Approved	Elsko Subidivision	Approved
Approved	Bagwell Place	Approved
Approved	Redbud Springs—Phase 1	Approved
Approved	Raintree Place	Approved
Approved	Carpenter Place	Approved
Approved	Starkville Pediatric Clinic	Approved
Approved	Cotton Quarters Condo Plat	Approved
Approved	University Crossing Condo Plat	Approved
Approved	52 Maxwell—A Condominium	Approved
Approved	G.T. Thames Center Condo Plat	Approved
Approved	Masion de Ville Subdivision	Approved
Approved	Condos at the Carpenter Place	Approved
Approved	Outparcel No. 7 Center Condo Plat	Approved
Approved	Huntington Park Subdivision Phase 8—Part 4	Approved
Approved	Firehouse Center Condo Plat	Approved
P&Z	CONDITIONAL USE	BOA
Approved	Peterson (church)	Approved
Approved	Crawford (apartment in C-2)	Approved
Approved	Pines MHP mini-storage	Approved
Approved	Dr. Starr (apartment in C-2)	Approved
DENIED	Kraker (residential use in C-2)	DENIED upon appeal

PUBLIC APPEARANCES CONTINUED:

The Mayor et all heard a Presentation by Whitney Hilton, Chair of the Commission on Disability, providing an annual report on the activities of the commission. Ms. Hilton reported the following:

• **June 2006- 2007**

Collaborated with the City to:

1. Include ADA in the building permit and inspection procedures
2. Survey and begin a five-year plan to upgrade existing sidewalks
3. Make new City website accessible

4. Assist architect with plans for Multi Purpose Building at Sports Plex
5. Provide an ADA workshop for City and Park employees

- **June 2007-2008**

Collaborated with Starkville Parks Commission to:

1. Survey the parks for accessibility
2. Create and adopt a transition plan for making all parks accessible

Reached out to community by:

1. Giving first Advocate of the Quarter Award
2. Presenting "Making Communities Accessible" at the Working 2 Play Seminar, Small Towns Center

- **June 2008-present**

Effectively communicated with Mississippi State University about accessibility concerns at Lee Hall:

1. Providing accessible seating with comparable line of sight and evacuation routes for guests with disabilities
2. Providing assistive listening systems with neck loops as well as earpieces
3. Keeping assistive listening systems charged at all times

Working with the City to:

1. Make downtown accessible parking ADA compliant
2. Improve accessible parking and entrance at City Hall
3. Make accessible parking ADA compliant by writing an accessible parking ordinance

Collaborating with Starkville Parks Commission to:

1. Provide ADA workshop on park and program accessibility
-Mike White, MSU

www.commissionondisability@cityofstarkville.org

PUBLIC HEARINGS**SECOND PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER THE CHAPTER, ANIMALS, ARTICLE IV. RABIES CONTROL, SEC. 18-106 THROUGH 18-119. REPLACE ALL REFERENCES TO “HEALTH OFFICER” WITH “ANIMAL CONTROL OFFICER”**

The Mayor and Board held the second Public Hearing on amending the City of Starkville Code of Ordinances to delete under the Chapter Animals, Article IV. Replace all references to Health officer with Animal control Officer.

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.

5. AN ORDER APPROVING THE ADOPTION OF THE AMENDMENT TO THE CITY OF STARKVILLE’S CODE OF ORDINANCES TO DELETE UNDER THE CHAPTER, ANIMALS, ARTICLE IV. RABIES CONTROL, SEC. 18-106 THROUGH 18-119. REPLACE ALL REFERENCES TO “HEALTH OFFICER” WITH “ANIMAL CONTROL OFFICER”

There came for consideration the matter of the approval of the motion to approve and adopt the amendment to the City of Starkville Code of Ordinances to delete under the Chapter Animals, Article IV. and replace all references to Health officer with Animal control Officer. After discussion and upon the motion of Alderman Richard Corey, duly seconded by Alderman Rodney Lincoln,

The Board moved unanimous approval of the motion to adopt the amendment to the City of Starkville Code of Ordinances to delete under the Chapter Animals, Article IV. and replace all references to Health officer with Animal control Officer.

SECOND 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 second 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

6. AN ORDER APPROVING AND ADOPTING THE AMENDMENT TO THE CITY OF STARKVILLE'S 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

There came for consideration the matter of the approval of the motion to approve and adopt the amendment 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". After discussion and upon the motion of Alderman Richard Corey duly seconded by Alderman Rodney Lincoln,

The Board moved unanimous approval of the motion to approve and adopt the amendment 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"

SECOND 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 second 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.

7. **AN ORDER TO APPROVE AND ADOPT THE 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.**

There came for consideration the matter of the approval of the motion to approve and adopt the amendment to 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 and upon the motion of Alderman Richard Corey duly seconded by Alderman Rodney Lincoln,

The Board moved unanimously to approve and adopt the amendment 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.

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

SECOND PUBLIC HEARING ON AMENDING THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER CHAPTER TRAFFIC AND VEHICLES, 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 second 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

8. AN ORDER TO ADOPT AND AMEND THE CITY OF STARKVILLE CODE OF ORDINANCES TO DELETE UNDER CHAPTER TRAFFIC AND VEHICLES, 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.”

There came for consideration the matter of the approval of the motion to approve and adopt the amendment to the City of Starkville Code of Ordinance 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 and upon the motion of Alderman Richard Corey duly seconded by Alderman Rodney Lincoln,

The Board moved unanimous approval of the motion to approve and adopt the amendment the City of Starkville Code of Ordinances approve and adopt the amendment to the City of Starkville Code of Ordinance 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”.

SECOND 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 second 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

9. AN ORDER AMENDING THE CITY OF STARKVILLE’S CODE OF ORDINANCES TO DELETE UNDER CHAPTER 6, ADVERTISING, ARTICLE I. IN GENERAL. SEC. 6-1 POSTING GENERALLY IN ITS ENTIRETY

There came for consideration the matter of the approval of the motion to adopt and amend 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 and upon the motion of Alderman Richard Corey duly seconded by Alderman Rodney Lincoln,

The Board moved unanimous approval of the motion to adopt and amend 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.

SECOND 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

The Mayor and Board held the second public hearing for item #OR 09-03: 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.

The Mayor and Board heard comments from, Mr. Carey Hunt, Ward 1. Mr. Hunt stated that he believes that this ordinance is a gross abuse of the City's authority and is unconstitutional.

Mr. Rye Lewis, resident of Ward 4, addressed the Mayor and Board relative to his adamant disapproval of the proposed ordinance. Mr. Lewis listed the reason as to why his "couch" should not be included in this ordinance; imploring the Mayor and Board to institute the ordinance on a case by case basis.

Mr. Mullenax addressed the Mayor and Board in support of the proposed ordinance.

Mr. Toby Gray of Ward 5 addressed the Mayor and Board relative to his support of the proposed ordinance.

Mr. Milo Burnham addressed the Mayor and Board citing "mixed feelings" associated with the couches.

Alderman Richard Corey addressed the Mayor and Board in opposition to the ordinance.

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

10. AN ORDER TO TABLE THE CONSIDERATION OF THE APPROVAL AND ADOPTION OF AN ORDINANCE REPEALING AND REPLACING APPENDIX A, ARTICLE VI, SECTION J, ESTABLISHING SPECIFIC STANDARDS FOR OUTDOOR FURNITURE, OUTSIDE STORAGE AND GARAGE SALES

There came for consideration the matter of the approval of the motion to table the proposed 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 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 table the proposed 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.

FIRST PUBLIC HEARING OF A PROPOSED "SIDEWALK ORDINANCE" REQUIRING AND REGULATING THE CONSTRUCTION AND MAINTENANCE OF PUBLIC SIDEWALKS IN THE CITY OF STARKVILLE, MISSISSIPPI

The Mayor and Board held the first public hearing of a proposed "Sidewalk Ordinance" requiring and regulating the construction and maintenance of public sidewalks in the City of Starkville, Mississippi.

Alderman McLaurin commented on various sections of the proposed ordinance specifically those pertaining to the capital improvement budget.

Alderman Cox voiced his support for the proposed ordinance applauding the Committee for their efforts.

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

Mr. Frank Williams, resident of Ward 3, requested information relative to the Sidewalk Committee, stating that he was unaware that such a committee existed.

Ms. Jan Morgan, resident of Ward 3, addressed the Mayor and Board in support of complete streets.

Mr. Ron Cossman addressed the Mayor and Board in support of the proposed ordinance.

Calling for and hearing no further comments the Mayor called the hearing to a close.

11. AN ORDER A RESOLUTION AUTHORIZING GOLDEN TRIANGLE PLANNING AND DEVELOPMENT DISTRICT (GTPDD) TO SEEK A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE IMPROVEMENT OF REED ROAD

There came for consideration the matter of the approval of the motion to approve and adopt the resolution Authorizing the Golden Triangle Planning and Development Authority to prepare and submit a Community Block Grant Application for the City of Starkville for the Community Development Block Grant (CDBG) Program; and proceed with the design portion for the project, excluding the engineering portion. After discussion and upon the motion of Alderman Janette Self, duly seconded by Alderman Sumner D. Davis, III,

The Board moved unanimous approval of the motion to approve and adopt the resolution Authorizing the Golden Triangle Planning and Development Authority to prepare and submit a Community Block Grant Application for the City of Starkville for the Community Development Block Grant (CDBG) Program; and proceed with the design portion for the project, excluding the engineering portion; said resolution is as follows:

RESOLUTION NUMBER 2009- R 7

A RESOLUTION AUTHORIZING THE GOLDEN TRIANGLE PLANNING AND DEVELOPMENT AUTHORITY TO PREPARE AND SUBMIT A COMMUNITY BLOCK GRANT APPLICATION FOR THE CITY OF STARKVILLE,

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

WHEREAS, the Mississippi Development Authority has available funds under the FY2009 Community Development Block Grant (CDBG) Program; and

WHEREAS, the City of Starkville, Mississippi, 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;

- That the Golden Triangle Planning and Development District is hereby authorized to prepare an FY-2009 CDBG Public Facilities Application on behalf of the City of Starkville for Street Improvements; and
- That, upon approval of said application, the Golden Triangle Planning and Development District is hereby authorized to administer said CDBG Project; and
- That Robert D. Camp, in his 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.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, this the 21st day of April 2009, by the Board of Aldermen of the City of Starkville, Mississippi in a Recess Meeting.

Upon the motion of Alderman Janette Self, duly seconded by Alderman Sumner Davis 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 21st day of April A.D., 2009, at the Recess Meeting of the Mayor and Board of Aldermen of the City of Starkville, Oktibbeha County, Mississippi.

Robert D. Camp, Mayor
City of Starkville, Mississippi

City, Clerk or Deputy Clerk
City of Starkville, Mississippi

(SEAL)

12. AN ORDER APPROVING 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

There came for consideration the matter of the approval of the motion approving the 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 and upon the motion of Alderman Matt Cox., duly seconded by Alderman Roy A.' Perkins,

The Board moved unanimous approval of the motion approving the 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; said ordinance is as follows:

ORDINANCE NUMBER 2009-1

**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 FOR
THE CITY OF STARKVILLE, OKTIBBEHA COUNTY, MISSISSIPPI**

WHEREAS, the City of Starkville's Beautification Committee has determined that developed and undeveloped areas around the City should be maintained and aesthetically pleasing; and

WHEREAS, the Mayor and Board of Aldermen having reviewed the recommendations of the Beautification Committee and their recommendations for approval of these mowing standards; and

WHEREAS, the Mayor and Board of Aldermen believe there is a need to establish standards for the mowing of properties within the City and believe that it is in the best interest of the City of Starkville to adopt specific mowing standards.

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

SECTION I. RECITALS

The foregoing recitals are true and correct, and included herein.

SECTION II. STATEMENT OF INTENT**Section 54-71. Purpose and intent.**

The purpose and intent of this ordinance is to prohibit the existence of excessive accumulation or untended growth of grass, weeds, brush, undergrowth or other living or dead plant life upon any lot, tract or parcel of land within the City, to the extent and in the manner that such lot, tract or parcel of land is or may reasonably become infested with or inhabited by rodents, vermin, snakes or wild animals; or may furnish a breeding place for mosquitoes or other insects; or may cause undue pollenization which may produce hay fever or other respiratory conditions in humans; or may reasonably cause disease; or may be unsightly and therefore, reduce neighboring property values and the quality of life; or may contribute to the combustion and spread of fire; or may become an attractive nuisance or menace to children and others; or otherwise, threatens or endangers the public health, safety or welfare, and declared to be a public nuisance for all or any of the aforesaid reasons. It shall be the duty of the owner of each lot, tract or parcel of land within the City to reasonably regulate and effectively control the excessive growth of grass or weeds on their property by regular mowing of such property.

Section 54-72. Definitions.

Grass, weeds or brush shall mean plants that by reason of abandonment, lack of care or lack of maintenance, choke out the growth of other plant material in the area. Dead, dying or unattended plant life, named or unnamed, which is abandoned or overgrown, shall, for the purposes of this ordinance, be defined as a weed.

Improved property shall mean any lot, tract or parcel of land in the City zoned for residential, commercial, professional office or industrial purposes which contains one or more buildings or structures, paving or other improvements, excluding underground utilities, pipes, wires, cables, culverts, conduits or other similar improvements.

Mowing shall mean cutting and/or trimming of grass, weeds or brush by mechanical means (bush hog-type equipment) without damage to the lot or the mowing equipment. Abatement may occur on a lot having constraining conditions for operation of heavy mechanical mowers by means of light mowing equipment (push mower, riding mower or weed trimmer).

Owner shall mean the person whose name appears as the owner of record of the lot as shown on the latest Oktibbeha County property tax roll, which shall be prima facie evidence of ownership for purposes of this ordinance.

Property shall mean any lot, tract or parcel of land, or portion thereof, whether unimproved or improved with buildings or structures.

Unimproved property shall mean any lot, tract or parcel of land in the City zoned for residential, commercial, professional office or industrial purposes which does not contain any buildings or structures, paving or other improvements, but may include underground utilities, pipes, wires, cables, culverts, conduits or other similar improvements.

Section 54-73. Prohibited conditions.

- A. It shall be unlawful for any person owning, leasing or having actual control of any lot, tract or parcel of land located within the City to permit grass or weeds to grow thereon over a height of twelve (12) inches above the surface of the ground upon a substantial portion of any improved property and remain in such condition for a continuous period of ten (10) calendar days after written notice by the City's code enforcement inspector thereof, whether or not such property is occupied or in use throughout the calendar year.
- B. It shall be unlawful for any person owning, leasing or having actual control of any unimproved property of five (5) acres or more located within the City to permit grass or weeds to grow thereon over a height of twenty-four (24) inches above the surface of the ground and remain in such a condition for a continued period of ten (10) calendar days after written notice by the City's code enforcement inspector thereof. Unimproved properties of five (5) acres or more shall be mowed a minimum of four (4) times during the annual growing season, beginning April 1st and ending October 31st.
- C. This Ordinance shall not apply to properties utilized for bona fide agricultural production such as crops, livestock, dairy, fowl, swine, timber, etc.
- D. Residentially-zoned tracts or parcels of land, two (2) acres or less in size, which have been previously developed or improved, but are actively maintained in a "semi-natural" vegetative state to provide food and habitat for birds and other non-dangerous wildlife, shall be exempt from the requirements of this ordinance upon certification from a recognized organization such as a federal or state agency, special interest group, extension service, garden club or horticultural society. As much as is possible, a ten (10) foot strip from the edge of the pavement or back of curb shall be kept mowed to a height not to exceed twelve (12) inches above the surface of the ground to provide pedestrians and other passersby with a level of comfort and safety.

Section 54-74. Opposition to and immunity of code enforcement inspector.

No person shall oppose, obstruct or resist any code inspector or any person authorized by the code enforcement inspector in the discharge of his duties as provided in this ordinance. Any code enforcement inspector shall be immune from prosecution, civil or criminal, for reasonable, good faith trespass upon property while in the discharge of duties imposed by this ordinance.

Section 54-75. Determination of nuisance.

The code enforcement inspector is hereby authorized and empowered to identify violations of this ordinance. The inspector shall issue a warning to the owner of the property, allowing ten (10) calendar days to correct the violation. If, after that time the violation is still outstanding, the inspector shall issue a notice to appear before the Administration Hearing Officer at the next scheduled public hearing. At the public hearing, the inspector will present evidence documenting the history of the violation for the Administrative Hearing Officer to determine whether or not the subject parcel of land is in such a state of excessive growth as to be a menace to the public health, safety and welfare of the community.

Section 54-76. Abatement.

If at the Administrative Hearing, the Administrative Hearing Officer shall, by order, adjudicate such a parcel of land in its then condition to be a menace to the public health, safety and welfare of the community, the Administrative Hearing Officer shall, if the owner does not do so himself, proceed to clean the land, by the use of City employees or by contract, by mowing weeds, filling cisterns, removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris and draining cesspools and standing water there from.

Section 54-77. Determination of assessment.

After the abatement of the nuisance, the Administrative Hearing Officer, may at the next public hearing, by order, adjudicate the actual cost of cleaning the property and may also impose a penalty in an amount not to exceed twenty-five percent (25%) of such actual cost. The cost and any penalty may become a civil debt against the property owner, or, at the option of the Administrative Hearing Officer, an assessment against the property. The cost assessed against the property means the cost to the City of using its own employees to do the work or the cost to the City of any contract executed by the City to have the work done. The action authorized in this Division shall not be undertaken against any one parcel of land more than five (5) times in any one calendar year, and the expense of cleaning of such property shall not exceed an aggregate amount of \$10,000 per year, or the fair market value of the property subsequent to cleaning, whichever is less.

Section 54-78. Declaration of lien.

The assessment provided for in Section 54-77 shall be a lien against the property and may be filed in the Office of the Oktibbeha County Circuit Clerk as other judgments are enrolled. The City Attorney, upon the order of the Administration Hearing Officer, shall proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent taxes.

Section 54-79. Appeals.

An order by the Administrative Hearing Officer may be appealed in writing to the Mayor and Board of Aldermen within ten (10) calendar days of the rendering of the order.

SECTION III. INVALIDATION/SEVERABILITY

The requirements and provisions of this Ordinance are severable. If any article, section paragraph, sentence, or portion thereof, be declared by any court of competent jurisdiction to be void, invalid, or inoperative, the decision of the Court shall not affect the validity or applicability of the Ordinance as a whole or of any part thereof other than the part held void, invalid, or otherwise inoperative.

All Ordinances, parts of Ordinances or Resolutions of the Mayor and Board of Aldermen of the City of Starkville that conflict with the provisions of this Ordinance shall be hereby repealed.

SECTION V. EFFECTIVE DATE

This Ordinance shall become effective and be in force from and after its passage in the manner provided by law on or after the 30th day after its adoption.

The City Clerk is directed to post the Ordinance in three conspicuous public places, place the Ordinance on the City's website and to publish the Ordinance one time in the Starkville Daily News, obtaining proof of publication thereof.

THE FOREGOING ORDINANCE was proposed in a motion by Alderman Matt Cox, duly seconded by Alderman Roy A'. Perkins, that the aforesaid Ordinance be adopted. The vote being as follows:

Richard Corey Voted: YEA

Matt Cox Voted: YEA

Sumner Davis Voted: YEA

Rodney Lincoln Voted: YEA

P.C. 'Mac' McLaurin Voted: YEA

Roy A'. Perkins Voted: YEA

Janette Self Voted: YEA

ORDAINED AND ADOPTED, this the 21st day of April, A.D., 2009, at the Recess 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 OUTLAW, Clerk
City of Starkville, Mississippi

(SEAL)

13. **AN ORDER APPROVING THE PAYING AGENT AGREEMENT BETWEEN BANCORP SOUTH, JACKSON, MISSISSIPPI, AND THE CITY OF STARKVILLE, MISSISSIPPI, PERTAINING TO THE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2009**

There came for consideration the matter of the approval of the motion approving the Paying Agent Agreement between Bancorpsouth, Jackson, Mississippi, And the City of Starkville, Mississippi, Pertaining to the General Obligation Public Improvement Bonds, Series 2009. 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 approve the Paying Agent Agreement between Bancorpsouth, Jackson, Mississippi, And the City of Starkville, Mississippi, Pertaining to the General Obligation Public Improvement Bonds, Series 2009; said agreement is as follows:

(Derived from the Bond Attorney)

**AGREEMENT CONCERNING THE CITY OF STARKVILLE, MISSISSIPPI,
GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2009**

BancorpSouth, Jackson, Mississippi (the "Bank"), hereby acknowledges receipt of the Award Resolution adopted April 7, 2009, by the Mayor and Board of Aldermen of the City of Starkville, Mississippi (the "Board" of the "Municipality"), wherein the Bank was designated as the paying agent, registrar and transfer agent (the "Paying Agent") for the (\$3,000,000) General Obligation Public Improvement Bonds, Series 2009 (the "Bonds") of the Municipality, and hereby accepts said designation. The Bank further acknowledges that it has reviewed the Bond Resolution for the Bonds and agrees to act as Transfer Agent and Paying Agent pursuant to ~ provisions thereof.

A copy of the Bank's schedule of compensation which details its current bond registrar/transfer/paying agent fees is attached, as **Attachment A**. However, the Bank reserves the right to adjust the fees upon thirty (30) days prior written notice to the City Clerk of the Municipality.

BancorpSouth, Jackson, Mississippi

The foregoing Agreement Concerning the City of Starkville, Mississippi, (\$3,000,000) General Obligation Public Improvement Bonds, Series 2009, has been accepted by the Mayor and Board of Aldermen of the City of Starkville, Mississippi, and entered on its minutes.

14. AN ORDER APPROVING IDENTITY THEFT POLICY IN ACCORDANCE WITH THE REQUIREMENTS OF THE FAIR AND ACCURATE CREDIT TRANSACTIONS ACT (FACTA) OF 2003

There came for consideration the matter of the approval of the motion approving the "City of Starkville Identity Theft Policy". The development and implantation of this Identity Theft Policy is a Federal requirement mandated under the Fair and Accurate Credit Transactions Act of 2003 and is set to become effective on May 1, 2009 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 approving the motion approving the "City of Starkville Identity Theft Policy". The development and implantation of this Identity Theft Policy is a Federal requirement mandated under the Fair and Accurate Credit Transactions Act of 2003 and is set to become effective on May 1, 2009; said policy is as follows:

ORDER OF THE CITY OF STARKVILLE, MISSISSIPPI ADOPTING AN IDENTITY THEFT POLICY

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection to be promulgated; and

WHEREAS, those rules are effective May 1, 2009, and require municipal utilities and other departments to implement an identity theft program and policy, and

WHEREAS, the City of Starkville Mississippi has determined that the following policy is in the best interest of the municipality and its citizens.

NOW, THEREFORE, BE IT ORDERED, by the City of Starkville, Mississippi, that the following Identity Theft Policy is, and it hereby is, adopted and shall read in full as follows:

IDENTITY THEFT POLICY

SECTION 1 – BACKGROUND

The risk to the municipality, its employees and customers from data loss and identity theft is of concern to the municipality and may be reduced through the combined efforts of employees and contractors.

SECTION 2 – PURPOSE

The municipality adopts this information policy to help protect from damages related to the loss or misuse of information.

This policy will:

1. Define sensitive information;
2. Describe the physical security of data when it is printed on paper;
3. Describe the electronic security of data when stored and distributed; and
4. Place the municipality in compliance with state and federal law regarding identity theft protection.

5. This policy enables the municipality to help protect existing customers, reducing risk from identity fraud, and minimize potential damage to the municipality from fraudulent new accounts.

The program should help the municipality:

1. Assist in identifying risks that may signify potentially fraudulent activity within new or existing covered accounts;
2. Assist in detecting risks when they occur in covered accounts;
3. Assist in responding to risks to determine if fraudulent activity has occurred and act if fraud has been attempted or committed; and
4. Assist in updating the program periodically, including reviewing the accounts that may be covered and the identified risks as may be part of the program.

SECTION 3 – SCOPE

This policy and protection program applies to employees, contractors, consultants, temporary workers, and other workers at the municipality, including all personnel affiliated with third parties.

SECTION 4 – POLICY

A – Sensitive Information Policy

1. Definition of Sensitive Information

Sensitive information includes the following items whether stored in electronic or printed format:

(A) Credit card information, including any of the following:

1. Credit card number (in part of whole)
2. Credit card expiration date
3. Cardholder name
4. Cardholder address

(B) Tax identification numbers, including:

1. Social Security number
2. Business identification number
3. Employer identification numbers

(C) Payroll information, including, among other information:

(D) Cafeteria plan check requests and associated paperwork

(E) Medical information for any employee or customer, including but not limited to:

1. Doctor names and claims
2. Insurance claims
3. Prescriptions
4. Any related personal medical information

(F) Other personal information belonging to any customer, employee or contractor, examples of which include:

1. Date of birth
2. Address
3. Phone numbers
4. Maiden name
5. Names
6. Customer number

(G) Municipal personnel are encouraged to use common sense judgment in securing confidential information to the proper extent. Furthermore, this section should be read in conjunction with the Mississippi Public Records Act and the municipality's open records policy. If an employee is uncertain of the sensitivity of a particular piece of information, he/she should contact their supervisor. In the event that the municipality cannot resolve a conflict between this policy and the Mississippi Public Records Act, the municipality will follow the direction of the Mississippi Attorney General's Office, if available.

B – Hard Copy Distribution

Each employee and contractor performing work for the municipality is to comply with the following policies:

1. File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with sensitive information are to be locked when not in use.
2. Storage rooms containing documents with sensitive information and record retention areas are to be locked at the end of each workday or when unsupervised.
- 3). Desks, workstations, work areas, printers and fax machines, and common shared work areas are to be cleared of documents containing sensitive information when not in use.

4. Whiteboards, dry-erase boards, writing tablets, in common shared work areas are to be erased, removed, or shredded when not in use.
5. When documents containing sensitive information are discarded same should be shredded. Provided, however, municipal records may only be destroyed in accordance with the applicable records retention policy.

C – Electronic Distribution

Employees and contractors performing work for the municipality are to comply with the following policies:

1. Internally, sensitive information may be transmitted using approved municipal email. All sensitive information must be encrypted, if such process is available, when stored in an electronic format.
2. Any sensitive information sent externally must be encrypted and password protected, if such process is available, when possible and only to approved recipients. Additionally, a statement such as this should be included in the e-mail:
“This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.”

SECTION 5 – ADDITIONAL IDENTITY THEFT PREVENTION PROGRAM

To the extent the City of Starkville may maintain certain covered accounts pursuant to federal legislation, the following additional program details apply.

A – Covered accounts

A covered account includes any account that involves or is designed to permit multiple payments or transactions. Every new and existing customer account that meets the following criteria is covered by this program:

1. Business, personal and household accounts for which there is a reasonably foreseeable risk of identity theft; or
2. Business, personal and household accounts for which there are a reasonably foreseeable risk to the safety or soundness of the municipality from identity theft, including financial, operational, compliance, reputation, or litigation risks.

B – Suspicious documents

1. Documents provided for identification that appears to have been altered or forged.
2. The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.

3. Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.
4. Other information on the identification is not consistent with readily accessible information that is on file with the municipality, such as a signature card or a recent check.
5. An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.

C – Suspicious personal identifying information

1. Personal identifying information provided is inconsistent when compared against external information sources, if used by the municipality. For example:
 - a. The address does not match any address in the consumer report;
 - b. The Social Security number (SSN) has not been issued or is listed on the Social Security Administration's Death Master File; or
 - c. Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer. For example, there is a lack of correlation between the SSN range and date of birth.
2. Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the municipality. For example, the address on an application is the same as the address provided on a known fraudulent application
3. Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the municipality. For example,
 - a. The address on an application is fictitious, a mail drop, or a prison; or
 - b. The phone number is invalid or is associated with a pager or answering service.
4. The SSN provided is the same as that submitted by other persons opening an account or other customers.
5. The address or telephone number provided is the same as or similar to the address or telephone number submitted by an unusually large number of other customers or other persons opening accounts.

6. The customer or the person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
7. Personal identifying information provided is not consistent with personal identifying information that is on file with the municipality.
8. When using security questions (mother's maiden name, pet's name, etc), the person opening the covered account or the customer cannot provide authentication information beyond that which generally would be available from a wallet or consumer report.

D – Unusual use of, or suspicious activity related to, the covered account

1. Shortly following the notice of a change of address for a covered account, the municipality receives a request for new, additional, or replacement goods or services, or for the addition of authorized users on the account.
2. A new account is used in a manner commonly associated with fraud. For example, the customer fails to make the first payment or makes an initial payment but no subsequent payments.
3. A covered account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:
 - a. Nonpayment when there is no history of late or missed payments; a material change in purchasing or usage patterns.
4. A covered account that has been inactive for a reasonably lengthy period of time is used (taking in consideration the type of account, the expected pattern of usage and other relevant factors).
5. Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's covered account.
6. The municipality is notified that the customer is not receiving paper account statements.
7. The municipality is notified of unauthorized charges or transactions in connection with a customer's covered account.
8. The municipality receives notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts held by the municipality.
9. The municipality is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

SECTION 6 – RESPONDING TO FRAUD INDICIA**A. Once potentially fraudulent activity is detected, employees should act promptly.**

1. Once potentially fraudulent activity is detected, gather documentation and write a description of the situation. Present this information to the designated authority for determination.
2. The designated authority will complete additional authentication to determine whether the attempted transaction was fraudulent or authentic.

B. If a transaction is determined to be fraudulent, appropriate actions are to be taken.**Actions may include:**

- a. Canceling the transaction;
- b. Notifying and cooperating with appropriate law enforcement;
- c. Determining the extent of liability of the municipality; and
- d. Notifying the actual customer that fraud has been attempted.

SECTION 7 – PERIODIC UPDATES TO PLAN

- A. At periodic intervals, the program will be re-evaluated to determine whether all aspects of the program are up to date and applicable in the current business environment.
- B. Periodic reviews will include an assessment of which accounts are covered by the program.
- C. As part of the review, fraud indicia may be revised, replaced or eliminated. Defining other fraud indicia may also be appropriate.
- D. Actions to take in the event that fraudulent activity is discovered may also require revision to reduce damage to the municipality and its customers.

SECTION 8 – PROGRAM ADMINISTRATION**A. Involvement of management**

- a. The Identity Theft Prevention Program shall not be operated as an extension to existing fraud prevention programs.
- b. The Identity Theft Prevention Program is the responsibility of the governing body. Approval of the initial plan is to be appropriately documented and maintained.
- c. Operational responsibility of the program is delegated to the Chief of Police.

B. Staff training

- a. Staff training is to be conducted for all employees, officials and contractors for whom it is reasonably foreseeable that they may come into contact with accounts or personally identifiable information that may constitute a risk to the municipality or its customers.
- b. The Chief of Police is responsible for ensuring identity theft training for all requisite employees and contractors.
- c. Employees must receive annual training in all elements of this policy.
- d. To ensure maximum effectiveness, employees may continue to receive additional training as changes to the program are made.

C. Oversight of service provider arrangements

- a. It is the responsibility of the municipality to ensure that the activities of all service providers are conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.
- b. A service provider that maintains its own identity theft prevention program, consistent with the guidance of the fraud indicia and validated by appropriate due diligence, may be considered to be meeting these requirements.
- c. Any specific requirements should be specifically addressed in the appropriate contract arrangements.

For the preservation of the public peace, health and safety and for other good cause shown, including but not limited to the need to comply with The Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection effective

May 1, 2009, this Order shall be in force and effect from and after its adoption.

14. AN ORDER TO APPROVE P&Z ITEM #PP 09-01: A REQUEST BY MR. FRANK WILLIAMS FOR A PRELIMINARY PLAT APPROVAL OF "VINE PLACE SUBDIVISION" IN AN R-2 (SINGLE FAMILY/DUPLEX) ZONING DISTRICT LOCATED ON THE WEST SIDE OF VINE STREET, APPROXIMATELY 400 FEET SOUTH OF GILLESPIE STREET IN WARD 7

There came for consideration the matter of the approval of the motion to approve P&Z item #PP 09-01: a request by Mr. Frank Williams for a preliminary plat approval of "Vine Place Subdivision" in an R-2 (Single Family/Duplex) zoning district located on the west side of Vine Street, approximately 400 feet south of Gillespie Street in Ward 7; with staff recommendations. After discussion and upon the motion of Alderman Janette Self, duly seconded by Alderman P.C. McLaurin Jr.,

The Board moved unanimous approval of the motion approve to approve P&Z item #PP 09-01: a request by Mr. Frank Williams for a preliminary plat approval of "Vine Place Subdivision" in an R-2 (Single Family/Duplex) zoning district located on the west side of Vine Street, approximately 400 feet south of Gillespie Street in Ward 7; with staff recommendations.

(Derived from the City Planner)

STAFF RECOMMENDATIONS

The Planning & Zoning Commission's recommendation for approval of the "Vine Place Subdivision" preliminary subdivision plat located at 503 Vine Street would be based on the preliminary plat dated March 11, 2009, the findings of fact and conclusions of this staff report dated April 8, 2009, and the following conditions:

1. The preliminary plat meets the minimum standards for the State of Mississippi, as required by Chapters 13 & 23 of Title 17 of the Mississippi Code of 1972, as amended.
2. The proposed preliminary plat meets the minimum requirements for R-2 (Single-Family/Duplex) zoning dimensions.
3. A final plat review and approval shall be required prior to the recording of the plat at the Oktibbeha County Chancery Clerk's Office.

15. AN ORDER TO TRANSFER \$10,342.00 IN GENERAL FUNDS TO ACCOUNT 001-201-730 (STREET DEPARTMENT MACHINERY & EQUIPMENT) IN ORDER TO PURCHASE A REPLACEMENT VEHICLE FOR ONE THAT WAS WRECKED

There came for consideration the matter of the approval of the motion to approve the transfer of \$10,342.00 in the general funds to account 001-201-730 (Street Department Machinery & Equipment) in order to purchase a replacement vehicle. After discussion and upon the motion of Alderman Matt Cox, duly seconded by Alderman Richard Corey,

The motion to transfer \$10,342.00 in the general funds to account 001-201-730 (Street Department Machinery & Equipment) in order to purchase a replacement vehicle 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: YEA
Alderman Rodney L. Lincoln	voted: YEA
Mayor pro Tempore Roy A. Perkins	voted: NAY
Alderman Janette Self	voted: YEA

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

16. AN ORDER TO MOVE INTO A CLOSED DETERMINATION SESSION

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 P. C. McLaurin Jr., duly seconded by Alderman Roy A.' Perkins,

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

17. AN ORDER TO MOVE INTO 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 and property acquisition. After discussion and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Matt Cox,

The Board moved unanimously to approve the motion to move into a executive session for the purposes of the discussion of potential litigation and property acquisition.

18. AN ORDER TO PAY THE TWO INVOICES FOR APPRAISALS

There came for consideration the matter of the approval of the motion to grant authorization to pay the invoices for Mr. Moody's appraisal services. After discussion and upon the motion of Alderman Sumner D. Davis, III duly seconded by Alderman P.C. McLaurin Jr.,

The Board moved unanimous approval of the motion to grant authorization to pay the invoices for Mr. Moody's appraisal services.

19. AN ORDER TO MOVE OUT OF EXECUTIVE SESSION

There came for consideration the matter of the approval of the motion to move out of executive session. After discussion and upon the motion of Alderman P.C. McLaurin Jr., duly seconded by Alderman Matt Cox,

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

A MOTION TO ADJOURN UNTIL 5: 30 PM ON TUESDAY MAY 5, 2009

Alderman Sumner D. Davis, III moved that the Board of Aldermen adjourn until 5:30 p.m. on Tuesday May 5, 2009, in the Building Department of City Hall located at 101 Lampkin Street. Alderman Corey seconded, with the motion carrying unanimously.

ROBERT D. CAMP, MAYOR

TAMMY R. TYNDALL,
DEPUTY CITY CLERK

SIGNED AND SEALED THIS ___ DAY OF _____ 2009.