

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

The City of Starkville, Mississippi
June 1, 2004

Be it remembered that the Mayor and Board of Aldermen met at their Regular Meeting on June 1, 2004 at 5:30 p.m. in the Courtroom of City Hall on Lampkin Street. There being present were Mayor Mack D. Rutledge, Aldermen Sumner Davis, Frank Davis, P.C. McLaurin, Jr., Lee Beck, Virgil Bolin, Roy Perkins, and Vic Zitta. Attending the Mayor and Board were Deputy City Clerk Markeeta Outlaw, and Acting City Attorney Katherine Kerby.

The meeting was opened with a moment of silent invocation followed by the Pledge of Allegiance to the flag.

**1. A MOTION TO APPROVE THE
OFFICIAL AGENDA AS AMENDED**

There came for consideration the matter of approving the Official Agenda with certain changes, additions and deletions.

Upon the motion of Alderman Frank Davis, duly seconded by Alderman Sumner Davis, the Board voted unanimously to approve the Official Agenda with certain amendments which allows for the deletion of the Homeland Security Cooperative Agreement, and Timothy Naylor's request to tie onto the City's Sewer System, to add discussions of the Fire Department Radios, approval for Mr. Webb to attend an American Public Works Association meeting in Atlanta, Georgia in September, 2004, scheduling a Wastewater Infrastructure Meeting, and designating signatories for the City's Bank Accounts, moving discussion pertaining to transcribing minutes and related matters to executive session.

**2. A MOTION TO APPROVE THE MINUTES
OF THE MAY 18, 2004 RECESS MEETING
WITH NECESSARY CORRECTIONS**

Upon the motion of Alderman Frank Davis, duly seconded by Alderman Virgil Bolin, the Board voted unanimously to approve the minutes of the May 18, 2004 Recess Meeting with necessary corrections.

PUBLIC APPEARANCES

Charles Johnson of the Apostolic Assembly of Jesus Christ ask the Board to close the south half of Lafayette Street between Main Street and Lampkin Street during the hours of 3p.m. and 9 p.m. on July 10, 2004 for the Youth Fest 2004.

**3. A MOTION TO APPROVE CLOSING THE
SECTION OF LAFAYETTE STREET BETWEEN
MAIN STREET AND LAMPKIN STREET ON
JULY 10, 2004 DURING THE HOURS OF 3:00 P.M. TO 9:00 P.M.**

After discussion and

upon the motion of Alderman Frank Davis, duly seconded by Alderman Roy Perkins, the Board voted its unanimous consent to close the section of Lafayette Street Between Main Street and Lampkin Street on July 10, 2004 during the hours of 3:00 p.m. to 9:00 p.m. for the Youth Fest 2004.

CITIZEN INVOLVEMENT

Mr. Alvin Turner voiced several concerns. 1) Who should citizens contact in the City Clerks Office for assistance? 2) The no left turn sign from Lafayette Street onto Jefferson Street is not properly marked.

Mayor Rutledge responded to Mr. Turners concerns that anyone in the City Clerks Office will assist the citizens. The Mayor also asked Bill Webb and Doug Devlin to arrange for striping on the pavement of Jefferson Street at Lafayette Street, and to determine if additional signs are necessary.

**4. A MOTION AUTHORIZING MR. BILL WEBB
COMMUNITY SERVICES DIRECTOR TO ATTEND
THE APWA MEETING IN ATLANTA, GEORGIA
SEPTEMBER 12, 2004 THROUGH SEPTEMBER 15, 2004**

After discussion, and

upon the motion of Alderman Sumner Davis, duly seconded by Alderman Frank Davis giving authorization for Community Services Director Bill Webb to attend the (APWA) American Public Works Association meeting in Atlanta, Georgia from September 12 - 15, 2004. The Board voted its unanimous consent.

NOTE: Status Report of Street Repairs

Community Service Director Bill Webb gave an update on the citywide street re-surfacing project.

**5. A MOTION AUTHORIZING PUBLIC SERVICES
DIRECTOR DOUG DEVLIN, SANITATION
SUPERINTENDENT SHARON BOYD, AND SANITATION
FOREMAN CALVIN WARE TRAVEL TO TUSCALOOSA, ALABAMA**

After discussion, and

upon the motion of Alderman Frank Davis, duly seconded by Alderman Lee Beck, the Board unanimously voted to authorize Public Services Director Doug Devlin, Sanitation Superintendent Sharon Boyd, and Sanitation Foreman Calvin Ware travel to Tuscaloosa, Alabama to view and study their sanitation collection system.

**6. A MOTION TO ACCEPT THE LOW BID FROM
BERGKAMP, INC. FOR A HOT ASPHALT PATCHING MACHINE**

There came for consideration the matter of accepting the bid for a Hot Asphalt Patching Machine for the Street Department. The bids received are as follows:

NAME	BID AMOUNT	APPARENT BEST BID
Bergkamp, Inc. Waco, TX 76710	\$48,700.00	Apparent Best Bid
H.D. Industries Jacksonville, TX	\$49,655.00	

After discussion, and

upon the motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Lee Beck the Board voted unanimously to accept the low bid of \$48,700.00 from Bergkamp, Inc., for a Hot Asphalt Patching Machine.

**7. A MOTION AUTHORIZING THE PURCHASE
OF AN INTERNATIONAL TRUCK FROM STATE CONTRACT
AT A COST OF \$42,391.17**

After discussion, and

upon the motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Frank Davis authorizing the purchase of an International truck from the state contract list for the street department at a cost of \$42,391.17. The Board voted its unanimous consent.

**8. A MOTION TO AUTHORIZE THE LEASE
PURCHASE OF AN ASPHALT PATCHING MACHINE**

After discussion, and

upon the motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Frank Davis to accept the low proposal of First Continental Leasing at a rate of 3.11 % for the financial package and to authorize the payment of the lease purchase on a quarterly in advance basis to utilize the savings of \$537.00. The Board voted unanimously in favor of the motion.

**9. A MOTION AUTHORIZING THE WRITTEN
QUOTE PURCHASE OF A 36' RIDING VIBRATORY ROLLER**

After discussion, and

upon the motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Lee Beck to authorize acceptance of the low quote of \$4,990.00 from Rental Service for the purchase of a 36' riding vibratory roller. The Board voted unanimously its consent.

**10. A MOTION TO AUTHORIZE OUT OF TOWN TRAVEL
FOR A POLICE OFFICER TO ATTEND
THE ROCIC SUMMER TRAINING SESSION**

After discussion, and

upon the motion of Alderman P.C. McLaurin, duly seconded by Alderman Lee Beck the Board unanimously voted to authorize a police officer to attend the R.O.C.I.C. Summer Training Session in Huntsville, AL, June 13, 2004 through June 16, 2004, and to authorize any necessary advance for travel to the training session.

NOTE:

Chief Grantham gave a synopsis of their visit to the Alabama State Fire Academy. The Fire Chief also spoke to the Board concerning radios for the Fire Department.

11. **A MOTION AUTHORIZING APPROVAL OF A 10 YEAR LEASE WITH AMSOUTH BANK AT A RATE OF 3.84% AND TO APPLY FOR A HOMELAND SECURITY FUND GRANT IF AVAILABLE, TO FUND FIRE DEPARTMENT RADIOS**

After discussion, and

upon the motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Frank Davis, the Board's vote was unanimous to authorize approval of a 10 year lease agreement with AmSouth Bank at a interest rate of 3.84%, and to apply for a homeland security fund grant to be used to fund the purchase of fire department radios.

12. **A MOTION AUTHORIZING APPROVAL TO FILL A VACANT POSITION IN THE ENGINEERING DEPARTMENT**

After discussion, and

upon the motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Lee Beck the Board unanimously voted to authorize approval to fill a vacant position in the Engineering Department.

13. **A MOTION APPROVING THE PROPOSAL FROM ELECTRIC POWER SYSTEM FOR ELECTRICAL SUBSTATION MAINTENANCE FOR FISCAL YEARS 2005 AND 2006**

After discussion, and

upon the motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Lee Beck to approve the proposal from Electric Power System for electrical substation maintenance for fiscal years 2005 and 2006. The Board voted its unanimous approval.

NOTE: Zoning

City Attorney Kathryn Kerby informed the Board of the zoning decision in the case Tillman -vs- Louisville in that it stated an appeal of the decision must occur within ten (10) days from the adjournment of the meeting.

14. **A MOTION TO APPROVE THE CLAIMS DOCKET AND FINANCIAL STATEMENT**

After discussion, and

upon the motion of Alderman Vic Zitta, duly seconded by Alderman Virgil Bolin to approve the claims docket and the financial statement Alderman McLaurin stated his concerns.

Alderman P.C. McLaurin, Jr., then offered a motion to take these items under advisement to allow Alderman P.C. McLaurin, Jr., time to review them to determine the accuracy, and if inconsistencies exist to have them corrected. The Board voted as follows:

Alderman Sumner Davis	voted: <u>Yea</u>
Alderman Frank Davis	voted: <u>Nay</u>
Alderman P.C. McLaurin, Jr.	voted: <u>Yea</u>
Alderman Lee Beck	voted: <u>Yea</u>
Alderman Virgil Bolin	voted: <u>Nay</u>
Alderman Roy Perkins	voted: <u>Yea</u>
Alderman Vic Zitta	voted: <u>Nay</u>

Having received a majority affirmative vote of those members present and voting the Mayor declared the motion carried.

15. **A MOTION GIVING AUTHORIZATION TO FILL A VACANCY ON THE GOLDEN TRIANGLE REGIONAL AIRPORT COMMISSION**

After discussion, and

upon the motion of Alderman Vic Zitta, duly seconded by Alderman P.C. McLaurin, Jr., the Board unanimously voted to fill the vacancy on the Golden Triangle Regional Airport Commission.

NOTE: Planning & Zoning Commission

Board of Aldermen clarified that the appointment made to the Planning and Zoning Commission must be from citizens of ward 4.

16.

**A MOTION TO EXTEND ADVERTISING FOR A
PLANNING AND ZONING COMMISSIONER UNTIL
FRIDAY 12:00 NOON JUNE 15, 2004**

After discussion, and

upon the motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Lee Beck to authorize extending the advertisement for a Planning and Zoning Commissioner until Friday, June 15, 2004 at 12:00 noon. The Board voted unanimously in favor of the motion.

NOTE: 2% Food and Beverage Tax

House Bill # 1833 was passed and states that the food and beverage tax does not need a referendum to be extended.

17.

**A MOTION AUTHORIZING CITY ATTORNEY KATHERINE
KERBY TO CONTACT THE ATTORNEY GENERAL=S
OFFICE FOR AN OFFICIAL OPINION.**

After discussion, and

upon the motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Lee Beck giving authorization to Acting City Attorney Katherine Kerby to contact the Attorney General=s Office for an Official Opinion to House Bill # 1833 as it pertains to the requirement of a referendum to extend the Food and Beverage Tax. The Board voted as follows:

Alderman Sumner Davis	voted: <u>Yea</u>
Alderman Frank Davis	voted: <u>Yea</u>
Alderman P.C. McLaurin, Jr.	voted: <u>Yea</u>
Alderman Lee Beck	voted: <u>Yea</u>
Alderman Virgil Bolin	voted: <u>Yea</u>
Alderman Roy Perkins	voted: <u>Yea</u>
Alderman Vic Zitta	voted: <u>abstain</u>

Having received a majority affirmative vote of those members present and voting the Mayor duly declared the motion carried.

NOTES: Water/Sewer Committee

A Water Sewer Committee Meeting is set for Monday, June 7, 2004, at 10:00 a.m. Acting City Attorney Katherine Kerby is asked to attend.

Alderman Perkins expressed his opposition to tie in county residents onto the City=s sewer system.

18.

**A MOTION TO RECESS UNTIL 5:30 P.M.
TUESDAY, JUNE 15, 2004**

Upon the motion of Alderman Perkins, duly seconded by Alderman Beck, the Board voted unanimously to recess until 5:30 p.m. Tuesday, June 15, 2004.

MACK D. RUTLEDGE, MAYOR

SIGNED AND SEALED, THIS THE

_____ DAY OF _____ 2004

MARKEETA OUTLAW, DEPUTY CLERK