

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

The City of Starkville, Mississippi

Be it remembered that the Mayor and Board of Aldermen met in a Regular Meeting on
September 1, 2009 at 5:30 p.m. in the Courtroom of City Hall,
located at 101 Lampkin Street, Starkville, MS.

There being present were Mayor Parker Wiseman , Alderman Ben Carver Ward 1, Sandra C. Sistrunk
Ward 2, Eric Parker Ward 3, Richard Corey Ward 4, Jeremiah Dumas Ward 5,
Roy A.' Perkins, Ward 6, and Henry N. Vaughn, Sr., Ward 7.

Attending the Mayor and Board was Deputy City Clerk, Tammy R. Tyndall.

**1. AN ORDER APPROVING THE OFFICIAL AGENDA OF THE SEPTEMBER 1, 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, SEPTEMBER 1, 2009,
5:30 P.M., CITY HALL COURTROOM
101 LAMPKIN STREET

PROPOSED CONSENT AGENDA IS PROVIDED AS APPENDIX A ATTACHED

*****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

A. CONSIDERATION OF THE APPROVAL OF THE CONSENT AGENDA (SEE
APPENDIX A)

IV. APPROVAL OF BOARD OF ALDERMEN MINUTES

A. REQUEST CONSIDERATION OF THE APPROVAL OF THE MINUTES OF THE
SPECIAL CALL MEETING OF JULY 27, 2009.

B. REQUEST CONSIDERATION OF THE APPROVAL OF THE MINUTES OF THE
SPECIAL CALL MEETING OF AUGUST 3, 2009.

V. ANNOUNCEMENTS AND COMMENTS

A. MAYOR'S COMMENTS:

1. CONGRATULATIONS TO THE FOLLOWING MEMBERS OF BSA TROOP 14, PUSHMATAHA AREA COUNCIL: ERIC BICKFORD, ANDREW SCHULZ AND FREDDIE WILLIAMS FOR SUCCESSFULLY ACHIEVING THE EAGLE SCOUT RANK.
2. INTRODUCTION OF NEW EMPLOYEES:

JONATHAN HENRY – NEW ENGINEERING ASSISTANT
3. PRESENTATION OF THE NEW SANITATION DEPARTMENT RECYCLING BAGS

B. BOARD COMMENTS:

1. ALDERMAN CARVER WISHES TO ANNOUNCE THE "NAME THAT PARK" COMPETITION FOR THE PARK LOCATED ON WHITFIELD STREET.

VI. CITIZEN COMMENTS

VII. PUBLIC APPEARANCES

- A. PUBLIC APPEARANCE BY BILL BROYLES, BILL KIBLER AND BLAKE JETER ON BEHALF OF MISSISSIPPI STATE UNIVERSITY FOR THE APPROVAL OF THE ANNUAL BUDGET FOR THE EXPENDITURE OF THE 2% FUNDS IN ACCORDANCE WITH THE REQUIREMENTS OF HOUSE BILL 1833 AND BOARD RESOLUTION DATED MARCH 16, 2004.
- B. PUBLIC APPEARANCE BY BLAKE JETER REQUESTING CITY APPROVAL OF THE SPECIAL EVENT, BULLDOG BASH AND THE APPROVAL OF CITY FUNDED IN-KIND SERVICES FOR SAME.
- C. PUBLIC APPEARANCE BY DAN MORELAND, CHAIRMAN AND MATTHEW RYE, PARK DIRECTOR, FOR THE PARK COMMISSION PROVIDING THE QUARTERLY REPORT IN ACCORDANCE WITH MS CODE § 21-37-34.

VIII. PUBLIC HEARINGS

- A. PUBLIC HEARING ON THE BUDGET FOR THE CITY OF STARKVILLE FOR THE FISCAL YEAR 2010 IN ACCORDANCE WITH MS CODE § 21-35-5.

IX. MAYOR'S BUSINESS

- A. CONSIDERATION OF THE ACCEPTANCE OF AND AUTHORIZATION FOR THE MAYOR TO EXECUTE THE CDBG GRANT FOR THE CONSTRUCTION OF A FIRE STATION TO BE LOCATED ON REED ROAD AND HIGHWAY 25 SOUTH.

- B. DISCUSSION OF THE APPOINTMENT OF AN AD HOC COMMITTEE FOR THE PURPOSE OF INTERVIEWING AND RECOMMENDING FIVE (5) ELECTION COMMISSIONERS FOR APPOINTMENT BY THE BOARD OF ALDERMEN IN ACCORDANCE WITH MS CODE § 23-15-221.

X. BOARD BUSINESS

****A. CONSIDERATION OF THE APPROVAL OF THE SPECIAL EVENT PERMIT FOR BULLDOG BASH AND THE CITY'S PARTICIPATION IN THE APPROXIMATE AMOUNT OF \$9,966.00 USING IN-KIND SERVICES. (ORDER REVERSED FROM THE ORIGINAL AGENDA)

****B. CONSIDERATION OF THE APPROVAL OF THE ANNUAL BUDGET OF MISSISSIPPI STATE UNIVERSITY FOR THEIR EXPENDITURE OF THE 2% FUNDS AUTHORIZED BY THE HB 1833 AND BOARD RESOLUTION DATED MARCH 16, 2004. (ORDER REVERSED FROM ORIGINAL AGENDA)

C. CONSIDERATION OF A HIRING FREEZE AS OF AUGUST 5, 2009, UNTIL DECEMBER 31, 2009, FOR THE POLICE DEPARTMENT, WATER AND LANDSCAPE DIVISION OF THE PUBLIC SERVICES DEPARTMENT, ELECTRIC DEPARTMENT, STREET DEPARTMENT AND FIRE DEPARTMENT AS APPLICABLE TO THEN CURRENTLY VACANT POSITIONS.

D. CONSIDERATION OF THE APPROVAL OF THE HEALTH CARRIER FOR THE CITY OF STARKVILLE FOR THE FISCAL YEAR 2010, EFFECTIVE OCTOBER 1, 2009 TO SEPTEMBER 30, 2010.

E. CONSIDERATION OF THE APPROVAL OF AN AMENDMENT TO THE BUDGET FOR THE 2% FUNDS FOR THE PARK COMMISSION.

F. CONSIDERATION OF THE APPROVAL OF THE CONTRCT WITH STARKVILLE RECYCLING FOR THE RECEIPT OF THE CITY OF STARKVILLE RECYCLING MATERIALS.

G. CONSIDERATION OF THE APPROVAL OF THE CONTRACT WITH BUDGET FOR THE RENTAL OF OFFICE SPACE AT GEORGE M. BRYAN FIELD.

H. CONSIDERATION OF THE APPOINTMENT OF MEMBERS TO THE STARKVILLE HOUSING AUTHORITY AND THE STARKVILLE SOLID WASTE AND RECYCLING COMMITTEE

I. CONSIDERATION OF THE APPOINTMENT OF THE BOARD LIAISON MEMBERS TO THE STANDING COMMITTEES, COMMISSIONS AND BOARDS FOR THE CITY OF STARKVILLE.

J. SOLID WASTE AND RECYCLING COMMITTEE REPORT BY ALDERMAN PARKER.

K. CONSIDERATION OF THE APPROVAL OF THE BUDGET AMENDMENT FOR THE CITY OF STARKVILLE FISCAL YEAR 2009.

****L. CONSIDERATION OF DIRECTING THE STREET DEPARTMENT TO REPAIR THE PARKING LOT AT THE GILLESPIE STREET CENTER ON BEHALF OF THE PARK COMMISSION.

****M. CONSIDERATION OF ADOPTING A RESOLUTION DECLARING AN EMERGENCY SITUATION CONCERNING THE WASTEWATER FORCEMAIN FAILURE.

****N. DISCUSSION AND CONSIDERATION OF THE PROCESS FOR THE SELECTION OF CITY ATTORNEY.

XI. DEPARTMENT BUSINESS

A. AIRPORT (ITEMS 1-6 INCLUDED UNDER APPENDIX A)

1. REQUEST APPROVAL OF SUPPLEMENTAL AGREEMENT NO.2 WITH RENROCK CONSTRUCTION LLC. FOR FENCING MODIFICATIONS AND CONCRETE PIPE BEDDING MATERIAL TO GEORGE M. BRYAN FIELD IN THE AMOUNT OF \$3,686.54 FROM AIP NO. 3-28-0068-013-2008.

2. REQUEST APPROVAL OF FINAL PAY REQUEST TO RENROCK CONSTRUCTION LLC. FOR FENCING MODIFICATIONS AND CONCRETE PIPE BEDDING MATERIAL TO GEORGE M. BRYAN FIELD IN THE AMOUNT OF \$21,356.39 FROM AIP NO. 3-28-0068-013-2008.

3. REQUEST APPROVAL FOR THE FINAL PAY REQUEST FROM CLEARWATER CONSULTANTS, INC. FOR CONTRACT OF ENGINEERING SERVICES TO GEORGE M. BRYAN FIELD IN THE AMOUNT OF \$2,797.00 FROM TH 2006 AIP PROJECT, NO. 3-28-0068-011-2006.

4. REQUEST APPROVAL OF FINAL PAY REQUEST FROM CLEARWATER CONSULTANTS, INC. FOR CONTRACT OF ENGINEERING SERVICES TO GEORGE M. BRYAN FIELD IN THE AMOUNT OF \$11,750.50 FROM THE 2008 AIP PROJECT, NO. 3-28-0068-013-2008.

5. REQUEST AUTHORIZATION TO ADVERTISE FOR THE POSITION OF EQUIPMENT OPERATOR/MAINTENANCE TECHNICIAN FOR BRYAN FIELD AND TO ALLOW THE PERSONNEL DIRECTOR TO ASSIST THE AIRPORT BOARD IN THE SELECTION PROCESS.

6. REQUEST AUTHORIZATION TO ADVERTISE FOR THE POSITION OF MAINTENANCE TECHNICIAN/CUSTODIAN FOR BRYAN FIELD AND TO ALLOW THE PERSONNEL DIRECTOR TO ASSIST IN THE SELECTION PROCESS.

7. REQUEST AUTHORIZATION TO APPOINT RODNEY LINCOLN TO THE POSITION OF AIRPORT MANAGER ON A VOLUNTEER, UNCOMPENSATED BASIS, EFFECTIVE IMMEDIATELY.

B. BUILDING, CODES AND PLANNING DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

C. OFFICE OF THE CITY CLERK (ITEM 2 INCLUDED UNDER APPENDIX A)

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET AS OF AUGUST 27, 2009.

2. REPORT OF THE RECEIPTS AND EXPENDITURES FOR PERIOD ENDING JULY 31, 2009, IN ACCORDANCE WITH § 21-35-13 OF THE MISSISSIPPI CODE OF 1972 ANNOTATED.

D. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

E. ELECTRIC DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

F. ENGINEERING AND STREETS (ALL ITEMS INCLUDED UNDER APPENDIX A)

1. REQUEST APPROVAL OF INVOICE NO. 71212502 FROM APAC, MS INC. IN THE AMOUNT OF \$257,336.06 FOR THE 2009 STREET IMPROVEMENT PROGRAM.

2. REQUEST APPROVAL OF INVOICE NO. 985359 FROM NEEL-SCHAFFER IN THE AMOUNT OF \$11,360.16 FOR THE 2009 AMERICAN RECOVERY AND REINVESTMENT ACT.

3. REQUEST APPROVAL OF INVOICE NO. 985322 FROM NEEL-SCHAFFER IN THE AMOUNT OF \$13,705.50 FOR THE LYNN LANE MULTI-USE PATH.

G. FIRE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

H. PERSONNEL (ALL ITEMS INCLUDED UNDER APPENDIX A)

1. REQUEST AUTHORIZATION TO ADVERTISE TO FILL A MAINTENANCE WORKER 1 POSITION IN THE WATER DIVISION OF PUBLIC WORKS.

2. REQUEST AUTHORIZATION TO ADVERTISE TO FILL TWO (2) POSITIONS OF LABORER IN THE SANITATION DEPARTMENT.

***** ### ~~3. REQUEST AUTHORIZATION TO ADVERTISE TO FOR AN INDEPENDENT CONTRACTOR TO PERFORM THE DUTIES OF OUTREACH COORDINATOR AS PART OF THE SAFE ROUTES TO SCHOOL PROJECT.~~

I. POLICE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

J. PUBLIC SERVICES

THERE ARE NO ITEMS FOR THIS AGENDA

K. SANITATION DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

XII. CLOSED DETERMINATION SESSION

XIII. EXECUTIVE SESSION

A. PENDING LITIGATION

B. LAND ACQUISITION

XIV. RECESS UNTIL SEPTEMBER 15, 2009 @ 5:30 AT 101 LAMPKIN STREET IN THE CITY HALL COURTROOM.

APPENDIX A

PROPOSED CONSENT AGENDA

X. BOARD BUSINESS

THERE ARE NO AGENDA ITEMS FOR THE CONSENT AGENDA

XI. DEPARTMENT BUSINESS

A. AIRPORT

1. REQUEST APPROVAL OF SUPPLEMENTAL AGREEMENT NO.2 WITH RENROCK CONSTRUCTION LLC. FOR FENCING MODIFICATIONS AND CONCRETE PIPE BEDDING MATERIAL TO GEORGE M. BRYAN FIELD IN THE AMOUNT OF \$3,686.54 FROM AIP NO. 3-28-0068-013-2008.
2. REQUEST APPROVAL OF FINAL PAY REQUEST TO RENROCK CONSTRUCTION LLC. FOR FENCING MODIFICATIONS AND CONCRETE PIPE BEDDING MATERIAL TO GEORGE M. BRYAN FIELD IN THE AMOUNT OF \$21,356.39 FROM AIP NO. 3-28-0068-013-2008.
3. REQUEST APPROVAL FOR THE FINAL PAY REQUEST FROM CLEARWATER CONSULTANTS, INC. FOR CONTRACT OF ENGINEERING SERVICES TO GEORGE M. BRYAN FIELD IN THE AMOUNT OF \$2,797.00 FROM TH 2006 AIP PROJECT, NO. 3-28-0068-011-2006.
4. REQUEST APPROVAL OF FINAL PAY REQUEST FROM CLEARWATER CONSULTANTS, INC. FOR CONTRACT OF ENGINEERING SERVICES TO GEORGE M. BRYAN FIELD IN THE AMOUNT OF \$11,750.50 FROM THE 2008 AIP PROJECT, NO. 3-28-0068-013-2008.
5. REQUEST AUTHORIZATION TO ADVERTISE FOR THE POSITION OF EQUIPMENT OPERATOR/MAINTENANCE TECHNICIAN FOR BRYAN FIELD AND TO ALLOW THE PERSONNEL DIRECTOR TO ASSIST THE AIRPORT BOARD IN THE SELECTION PROCESS.
6. REQUEST AUTHORIZATION TO ADVERTISE FOR THE POSITION OF MAINTENANCE TECHNICIAN/CUSTODIAN FOR BRYAN FIELD AND TO ALLOW THE PERSONNEL DIRECTOR TO ASSIST IN THE SELECTION PROCESS.

B. BUILDING DEPARTMENT – NO ITEMS

C. OFFICE OF THE CITY CLERK

2. REPORT OF THE RECEIPTS AND EXPENDITURES FOR PERIOD ENDING JUNE 30, 2009, IN ACCORDANCE WITH § 21-35-13 OF THE MISSISSIPPI CODE OF 1972 ANNOTATED.

- D. COURTS – NO ITEMS
- E. ELECTRIC DEPARTMENT – NO ITEMS
- F. ENGINEERING AND STREETS
 - 1. REQUEST APPROVAL OF INVOICE NO. 71212502 FROM APAC, MS INC. IN THE AMOUNT OF \$257,336.06 FOR THE 2009 STREET IMPROVEMENT PROGRAM.
 - 2. REQUEST APPROVAL OF INVOICE NO. 985359 FROM NEEL-SCHAFFER IN THE AMOUNT OF \$11,360.16 FOR THE 2009 AMERICAN RECOVERY AND REINVESTMENT ACT.
 - 3. REQUEST APPROVAL OF INVOICE NO. 985322 FROM NEEL-SCHAFFER IN THE AMOUNT OF \$13,705.50 FOR THE LYNN LANE MULTI-USE PATH.
- G. FIRE DEPARTMENT – NO ITEMS
- H. PERSONNEL
 - 1. REQUEST AUTHORIZATION TO ADVERTISE TO FILL A MAINTENANCE WORKER 1 POSITION IN THE WATER DIVISION OF PUBLIC WORKS.
 - 2. REQUEST AUTHORIZATION TO ADVERTISE TO FILL TWO (2) POSITIONS OF LABORER IN THE SANITATION DEPARTMENT.
 - **** ~~3. REQUEST AUTHORIZATION TO ADVERTISE TO FOR AN INDEPENDENT CONTRACTOR TO PERFORM THE DUTIES OF OUTREACH COORDINATOR AS PART OF THE SAFE ROUTES TO SCHOOL PROJECT.~~
- I. POLICE DEPARTMENT – NO ITEMS
- J. PUBLIC SERVICES. - NO ITEMS
- K. SANITATION DEPARTMENT - NO ITEMS

APPENDIX A

IX. MAYOR'S BUSINESS

- A. CONSIDERATION OF ADVERTISING FOR LETTERS OF INTEREST FOR THE OKTIBBEHA COUNTY HERITAGE MUSEUM AND THE OKTIBBEHA COUNTY LIBRARY BOARD OF TRUSTEES TERMS ENDING 09-30-09.

X. BOARD BUSINESS

- D. CONSIDERATION OF APPROVING THE FLYER AS REQUESTED BY THE OKTIBBEHA COUNTY HUMANE SOCIETY FOR DISTRIBUTION IN ELECTRIC DEPARTMENT INVOICES.

- F. REQUEST BY JACK BRYAN REQUESTING THE WAIVING OF BUILDING PERMIT FEES FOR AN EAGLE SCOUT PAVILION CONSTRUCTION PROJECT AT THE STARKVILLE HIGH SCHOOL TENNIS COURTS.
- G. CONSIDERATION OF APPROVING A RESOLUTION TO ADOPT THE HAZARD MITIGATION PLAN FOR THE CITY OF STARKVILLE TO INCLUDE AUTHORIZING THE MAYOR TO SIGN SAID RESOLUTION.
- I. CONSIDERATION OF CALLING FOR A PUBLIC HEARING ON THE PROPOSED MUNICIPAL BUDGET FOR THE FISCAL YEAR 2010.

XI. DEPARTMENT BUSINESS

- I. POLICE DEPARTMENT
 - 2. REQUEST AUTHORIZATION FOR UNIFORMED STARKVILLE POLICE OFFICERS TO WORK STARKVILLE PUBLIC SCHOOLS ATHLETIC EVENTS AND SECURITY/CROWD CONTROL FOR SKATE ODYSSEY, PURSUANT TO MISSISSIPPI CODE 17-25-11.

There came for consideration the matter of the approval of the motion approving the Official Agenda of the September 1, 2009, Board meeting with the amendments enumerated above with orders contained in the aforementioned agenda are effectuated upon the approval of said agenda(s). After discussion, and upon the motion of Alderman Richard Corey, duly seconded by Alderman Jeremiah Dumas

The members of the Board present and voting moved unanimous approval of the Official Agenda of the September 1, 2009 board meeting with the amendments enumerated above with orders contained in the aforementioned agenda are effectuated upon the approval.

2. AN ORDER APPROVING THE JULY 27, 2009 MINUTES OF THE REGULAR MEETING

There came for consideration the matter of the approval of the motion to approve the minutes of the July 27, 2009 regular meeting of the Mayor and Board of Aldermen. After discussion and upon the motion of Alderman Richard Corey, duly seconded by Alderman Eric Parker,

The members of the Board present and voting moved unanimous approval of the minutes of the July 27, 2009 regular meeting of the Mayor and Board of Aldermen.

3. AN ORDER APPROVING THE MINUTE OF THE SPECIAL CALL MEETING OF AUGUST 3, 2009

There came for consideration the matter of the approval of the motion to approve the minutes of the August 3, 2009 special call meeting of the Mayor and Board of Aldermen. After discussion and upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra C. Sistrunk,

The members of the Board present and voting moved unanimous approval of the minutes of the August 3, 2009 special call meeting of the Mayor and Board of Aldermen.

COMMENTS BY THE MAYOR AND BOARD

Mayor Wiseman acknowledged the accomplishment of attaining the Eagle Scout Badge by BSA Troop 14, Scouts Eric Bickford, Andrew Schultz and Freddie Williams. Mayor congratulated the Scouts on this very distinguished honor.

Alderman Perkins addressed the Mayor et al regarding his concerns relative to the amount of the (2%) funding given to the "Bulldog Bash" annually.

Mayor Wiseman welcomed Mr. Jonathan Henry to the City workforce in that capacity of Engineering Assistant.

Mayor noted that the recycling bags for the City's curbside recycling project have arrived.

CITIZENS COMMENTS

Mr. Alvin Turner resident of Ward 7 addressed the Mayor et al relative some of his concerns regarding the proposed alcohol potential increase in crime.

Mr. Jim Gafford resident of Ward 5 addressed the Mayor et al regarding the state of sidewalks in the community and the walk ability issues associated therewith.

Mr. Ron Palmer resident of Ward 1 addressed the Mayor et al stating that he was offended by the comments made by Alderman Perkins relative to the alcohol ordinance and ..."that all citizens need to be in church on Sunday... further, Mr. Palmer read to the Mayor et al the "Oath of Office " for elected officials.

PUBLIC APPEARANCES:

The Mayor and Board heard from Mr. Blake Jeter MSU Student Body President, Dr. Bill Kibler and Mr. Bill Broyels regarding their request for the approval of the annual budget for the expenditure of the (2%) funds in accordance with the requirements of House Bill 1833 and the Board of Alderman Resolution dated March 16, 2004.

The Mayor and Board heard from Mr. Blake Jeter MSU Student Body President, requesting the City's approval of the special event "Bulldog Bash" and the approval of the in-kind services for same.

The Mayor et al heard from Dan Moreland, Chairman of the Park Commission, and Matthew Rye, Park Director, presenting the quarterly budget report in accordance with the requirements of MS State Code § 21-37-37, to wit:

**Starkville Parks and Recreation
Quarterly Report
September 1, 2009
"BUILDING A HEALTHIER AND
HAPPIER COMMUNITY"
Submitted by
Dan Moreland, Commission Chair**

Current Sport's Program Summary

- Youth Flag Football Registration On-going – Approximately 110 Kids so far.
- Co-ed Fall Softball Registration on-going
- Starkville Soccer Association is finished with their registration. They have approximately 525 registered this year. They will begin play approximately the third week in September.
- Cheerleading on Tuesday nights – Ages 5-15 – Approximately 30 attend

Non Sport Programs

Seniors and Adults # of Participants Age Group

Line Dancing on Monday afternoons 20 Age 50 & older
Square Dancing on Monday nights 20 Age 60 & older
Senior Citizens Crafts on Tuesday mornings 25 Age 65 & older
Quilters Guild 25 Age 55 & older
Line Dancing on Thursday nights 7 Age 45 & older
Swing Dance Class 25 Ages 18 & older
Painting for Beginner's (Bob Ross) 10 Age 18 & older
Kids Craft – Once a Month 20 Age 4 – 12
Youth Sewing – Summer Camp 8 Ages 10-18

Summary of Pool Activity for the Summer

- Moncrieff Pool: June 1 – August 8th
 - 4845 Attended
 - Took in \$9098.00
- J. L. King Pool: June 1 – August 8th
 - 690 Attended
 - Took in \$594.00
- Total Spent on Lifeguards for the summer = \$18,267

Aerobic Class Summary

- Move & Flow –4-6 Participants – Ages 30& up – Monday, Wednesday, & Friday
- AM Aerobics –4-6 Participants– Ages 30& up – Monday & Wednesday
- POP Arts – Kids dance –25 Participants – Ages 4-18 – Monday - Thursday
- Flirty Girls –10 Participants – Ages 18 & up – Monday, Wednesday & Saturday

June-August Events at the Parks

- Soccer Tournament at Sportsplex on June 5-7
- Adult Softball Tournament at Sportsplex on June 5-7
- USSSA Baseball Tournament at Sportsplex on June 12
- Adult Softball Tournament at Sportsplex on June 20
- Fun Day in the Park help by Starkville Police Department on June 27 at J. L. King Park.
- George Evans Softball Tournament on June 27
- Soccer Camp at Sportsplex on June 29-July 3
- Fireworks show on July 4th. We also had 3 big jumpers free to the kids. We gave out 300 free hot dogs along with drinks. We also had performance from John Robert Arnold's band, who also gave away free ice cream. The fireworks show was also synchronize with patriotic music.
- Women's ASA State Tournament at Sportsplex on Aug. 1
- Semi-Pro Baseball Tournament at J. L. King on Aug. 15
- 6th Annual College Exposure Fast-Pitch Softball Tournament on Aug. 22
- USSSA Baseball Tournament at McKee on Aug. 22
- USSSA Baseball Tournament at Sportsplex on Aug. 29
- Travis Outlaw Day in The Park at McKee Park and the multi-purpose facility

Upcoming Scheduled Events

- USSSA Baseball Tournament at McKee Park on Sept. 5
- Humane Society Event at the Sportsplex in September on Sept. 19
- Baseball Tournament at the Sportsplex in September on Sept. 19
- Wheel-a-thon sponsored by 52 moms at J. L. King Park on Sept. 12

Activity at the new multi-purpose building

- There has been an average of 65 walkers that use the track on a daily basis from May 11th – August 5th. The track is open from 6am – 9pm on weekday, 7am-3pm on Saturday, and 1pm – 5pm on Sunday.
- There has been an average of 80 walkers that have used the track on a daily basis from August 5th – August 24th. We have seen an increase in daily usage.
- There has been an average of 45 participants that use the gym and racquetball courts on a daily basis from May 5th – August 24th.
- We have hosted the following events at the new multi-purpose facility:
 1. High School Basketball Camp with 22 high school and junior varsity teams.
 2. Held the 1st annual Silly Sports Camp from 8am – noon for the first three week in June
 3. Hosted the Starkville Christian School graduation ceremony.
 4. Frank Nichols hosted a step-show talent show.
 5. Hosted voting.
 6. Hosted the 2 mayor's forum.
 7. Hosted the Don Foster's Memorial Service
 8. Hosted 2 big family reunions.
 9. Peter's Rock Chapel hosted a men's conference.
 10. Hosted a FCA Rally with Starkville High School, Starkville Academy, Starkville Christian, and East Webster High School. R. V. Brown was the speaker.

PUBLIC HEARING:

PUBLIC HEARING ON THE BUDGET FOR THE CITY OF STARKVILLE FOR THE FISCAL YEAR 2010 IN ACCORDANCE WITH MS CODE § 21-35-5

The Mayor and Board held a public hearing on the budget for the next fiscal year, 2010, in accordance with MS State Code § 21-35-5. After brief comments by the Mayor, comments from the public were received as follows:

Alvin Turner resident of Ward 7 addressed the Mayor et al regarding his concerns over what he perceived to be “shortfalls” in the budget.

Richard Mullenax resident of Ward 5 addressed the Mayor et al regarding the tax increase from 2008.

Calling for and hearing no additional comments from the public, the Mayor declared the public comments section of the public hearing closed.

The Mayor called for comments from the Board members. After discussion and upon conclusion of comments from all parties, the Mayor declared that the Public Hearing on the budget for the next fiscal year, 2010, in accordance with MS State Code § 21-35-5 closed.

4. AN ORDER DIRECTING THE CITY CLERK TO CONSTRUCT A BUDGET WITH RECLASSIFICATIONS

There came for consideration the matter of the approval of the motion to direct the City Clerk to run a budget (as reflected in option two) with the outside contributions being restored to the 2008 level, and re-classify the amount of fifty thousand dollars from the Street Department to the Americans with Disabilities line. After discussion and upon the motion of Alderman Sandra C. Sistrunk, duly seconded by Alderman Richard Corey,

The motion to to run a budget (as reflected in option two) with the outside contributions being restored to the 2008 level, and re-classify the amount of fifty thousand dollars from the Street Department to the Americans with Disabilities line, was put to a vote with the results as follows:

Alderman Ben Carver	Voted: NAY
Alderman Sandra Sistrunk	Voted: YEA
Alderman Eric Parker	Voted: YEA
Alderman Richard Corey	Voted: YEA
Alderman Jeremiah Dumas	Voted: YEA
Alderman Roy A. Perkins	Voted: YEA
Alderman Henry Vaughn	Voted: YEA

Having received a majority of the affirmative vote, the Mayor declared the motion passed, approved and adopted; said budget option is as follows:

Following was derived from the Office of The City Clerk:

OPTION 2: This scenario starts with the budget submitted on August 11, 2009 with the exclusion of 3% surplus from enterprise funds, but adding the permissible utility reimbursements. These corrections have the budget out of balance by \$408,982.00. Departmental requests are being added back to the budget, amounts created from a hiring freeze for Police, Fire and Street are being credited, a one-time recapture of surplus funds realized from a Water and Electric hiring freeze is being added as well as funds from cuts to outside contributions, and P & R administration fee is being deleted.

GENERAL FUND

	REVENUE	EXPENSES
8/11 Budget w/cor	\$ 408,982-	
P & R Admin fee	\$ 95,000-	
Dept. Head Request		\$ 17,500
O/S contrib. cuts	\$ 33,370	
Hiring Freeze	<u>\$ 403,480</u>	<u>\$ 129,000-</u>
TOTAL	\$ 67,132-	\$ 111,500-

*******THIS OPTION BALANCES THE BUDGET WITH \$44,368.00 IN EXCESS**

OPTION 3: This scenario starts with the budget submitted on August 11, 2009 with the exclusion of 3% surplus from enterprise funds, but adding the permissible utility reimbursements. These corrections have the budget out of balance by \$408,982.00. Departmental requests are being added back to the budget. P&R Administration fee is taken away from revenue projections and funds derived from a 2.45 mil rate increase are being added as well as cuts to outside contributions.

GENERAL FUND

	REVENUE	EXPENSES
8/11 Budget w/cor	\$ 408,982-	
P & R Admin fee	\$ 95,000-	
Dept. Head Request		\$ 17,500
O/S contrib. cuts	\$ 33,370	
2.45 mill increase	<u>\$ 428,750</u>	
TOTAL	\$ 41,862-	\$ 17,500

*******\$59,362.00 NEEDED TO BALANCED BUDGET**

OUTSIDE CONTRIBUTION FY 2010 GENERAL FUND 001-094-697	2009	2010 REQUEST	PROPOSED BUDGETED AMOUNT 2010
American Red Cross	\$ 5,000.00	\$ 10,000.00	\$ 4,875.00
Boy Scouts	\$ 500.00	\$ 500.00	\$ 487.50
Boys and Girls Club	\$ 5,000.00	\$ 5,000.00	\$ 4,875.00
Brickfire	\$ 5,000.00	\$ 10,000.00	\$ 4,875.00
Community Counseling	\$ 12,000.00	\$ 12,000.00	\$ 11,700.00
Girl Scouts	\$ 500.00	\$ 500.00	\$ 487.50
GTPDD/Area Agency on Aging/Mini Bus	\$ 32,500.00	\$ 35,750.00	\$ 31,687.50
GTPDD/AAA/home delivered meals/match	\$ -	\$ 6,166.00	\$ -
National Guard	\$ 3,000.00	\$ 3,000.00	\$ 2,925.00
Safe Haven	\$ 5,000.00	\$ 5,000.00	\$ 4,875.00
Starkville Reads	\$ 500.00	\$ -	\$ 487.50
Misc./Contingency	\$ 1,000.00	\$ 1,000.00	\$ 975.00
	\$ 70,000.00	\$ 88,916.00	\$ 68,250.00
TRANSFER TO OTHER AGENCIES			
001-095-			
Greater Stk Development Partnership	-0-		
Chamber of Commerce	\$ 20,000.00	\$ -	\$ 19,500.00
Heritage Museum	\$ 3,500.00	\$ 4,500.00	\$ 3,412.50
TOTAL	\$ 23,500.00	\$ 4,500.00	\$ 22,912.50
OCH AMBULANCE			
001-142-645			
	\$ 40,000.00	\$ 40,000.00	\$ 39,000.00
HUMANE SOCIETY			
001-260-904			
	\$ 106,000.00	\$ 119,914.00	\$ 103,350.00
HORSE PARK			
105-650-720			
	\$ 70,000.00	\$ 70,000.00	\$ 70,000.00
PARK COMMISSION			
	\$909,405.00	\$ 954,211.00	\$886,670.00
LIBRARY			
001-351-900			
	\$ 170,400.00	\$ 178,000.00	\$ 166,140.00
ECONOMIC DEVELOPMENT			
001-653-			
Stk Area Arts Council	\$ 3,000.00	\$ 7,400.00	\$ 2,925.00
Stk community Theater	\$ 3,500.00	\$ 5,000.00	\$ 3,412.50
Stk- Msu Symphony	\$ 3,500.00	\$ 5,000.00	\$ 3,412.50
Vision Fine Artists Series	\$ 500.00	\$ -	\$ 487.50
Festival Support	\$ 5,000.00	\$ 10,000.00	\$ 4,875.00
	\$ 15,500.00	\$ 27,400.00	\$ 15,112.50
TOTAL	\$ 1,404,805.00	\$ 1,482,941.00	\$ 1,371,435.00

5. AN ORDER TO ACCEPT CDBG GRANT CONTRACT FOR THE CONSTRUCTION OF A FIRE STATION

There came for consideration the matter of the approval of the motion to authorize the Mayor to execute the necessary documents accepting the CDBG grant for the construction of a fire station on Reed Road west of Highway 25 bypass. After discussion and upon the motion of Alderman Ricahrd Corey, duly seconded by Jeremiah Dumas,

The Board moved unanimous approval of the motion to authorize the Mayor to execute the necessary documents accepting the CDBG grant for the construction of a fire station on Reed Road west of Highway 25 bypass.

6. AN ORDER TO APPOINT AN AD HOC COMMITTEE FOR THE PURPOSE OF INTERVIEWING AND RECOMMENDING FIVE (5) ELECTION COMMISSIONERS FOR APPOINTMENT BY THE BOARD OF ALDERMEN IN ACCORDANCE WITH MS CODE § 23-15-221

There came for consideration the matter of the approval of the motion to appoint an ad hoc selection committee to interview and recommend the selection of commissioners for the City of Starkville in accordance with MS Code § 23-15-221 and that the Committee include the City Clerk, Alderman Perkins, Vaughn and Corey with the Committee consisting of four members total. After discussion and upon the motion of Alderman Sandra C. Sistrunk, duly seconded by Alderman Ricahrd Corey,

The Board moved unanimous approval of the motion to to appoint an ad hoc selection committee to interview and recommend the selection of commissioners for the City of Starkville in accordance with MS Code § 23-15-221 and that the Committee include the City Clerk, Alderman Perkins, Vaughn and Corey with the Committee consisting of four members total.

7. AN ORDER APPROVING THE SPECIAL EVENT PERMIT FOR BULLDOG BASH AND THE CITY'S PARTICIPATION IN THE APPROXIMATE AMOUNT OF \$9,966.00 USING IN-KIND SERVICES

There came for consideration the matter of the approval of the motion to approve the Special Event Permit for the Bulldog Bash and the City's participation in the approximate amount of \$9,966.00 using in-kind services. After discussion and upon the motion of Alderman Richard Corey, duly seconded by Alderman Jeremiah Dumas,

The Board moved approval of the motion to approve the Special Event Permit for the Bulldog Bash and the City's participation in the approximate amount of \$9,966.00 using in-kind services, with one vote in opposition being cast by Alderman Perkins.

8. AN ORDER TO APPROVE MISSISSIPPI STATE UNIVERSITY'S ANNUAL BUDGET FOR FISCAL YEAR 2010 FOR THEIR 2% FUNDS EXPENDITURE IN ACCORDANCE WITH THE ENABLING LEGISLATION

There came for consideration the matter of the approval of the motion the annual budget for Mississippi State University for the expenditures of the 2% funds for the fiscal year 2010. After discussion and upon the motion of Alderman Jeremiah Dumas duly seconded by Alderman Richard Corey,

The Board moved unanimous approval of the motion to motion the annual budget for Mississippi State University for the expenditures of the 2% funds for the fiscal year 2010.

9. AN ORDER APPROVING THE HIRING FREEZE FOR THE CITY OF STARKVILLE DEPARTMENTS AS FOLLOWS: POLICE DEPARTMENT, FIRE DEPARTMENT, LANDSCAPE AND WATER DIVISION OF THE PUBLIC SERVICES DEPARTMENT, STREET DEPARTMENT AND THE ELECTRIC DEPARTMENT WITH THE EFFECTIVE DATES AUGUST 5, 2009 UNTIL DECEMBER 31, 2009 FOR THE POSITIONS THAT WERE VACANT AS OF AUGUST 5, 2009

There came for consideration the matter of the approval of the motion approving the hiring freeze for the Police Department, Fire Department, Landscape and Water division of the Public Services Department, the Street Department and the Electric Department as of August 5, 2009. After discussion and upon the motion of Alderman Roy A. Perkins duly seconded by Alderman Jeremiah Dumas,

The Board moved unanimous approve to the motion to approve the freeze for the Police Department, Fire Department, Landscape and Water division of the Public Services Department, the Street Department and the Electric Department as of August 5, 2009.

10. AN ORDER APPROVING THE HEALTH CARRIER FOR THE CITY OF STARKVILLE FOR THE FISCAL YEAR 2010, EFFECTIVE OCTOBER 1, 2009 TO SEPTEMBER 30, 2010

There came for consideration the matter of the approval of the motion to approve "option two" of the the Blue Cross Blue Shield of Mississippi as the health care carrier for the City with Humana Insurance providing the dental and life insurance coverage for the period of 2009-2010. After discussion and upon the motion of Alderman Perkins duly seconded by Alderman Dumas,

the Board moved unanimous approval of the motion to "option two" of the Blue Cross Blue Shield of Mississippi as the health care carrier for the City with Humana Insurance providing the dental and life insurance coverage for the period of 2009-2010.

11. AN ORDER APPROVING THE BUDGET AMENDMENT FOR THE PARK COMMISSION IN THE AMOUNT OF \$32,640.36 FOR THE PURPOSE OF PAYING MALOUF CONSTRUCTION AND SHAFER ASSOCIATES FOR CHANGE ORDERS RELATED TO THE SPORTSPLEX

There came for consideration the matter of the approval of the motion to approve the budget amendment requested by the Park Commission for the 2% funds to be used for additional construction payments in the amount of \$32,640.36 from the 2% funds held by the city for the purpose of paying for the bonds for the construction of the Sportsplex. After discussion and upon the motion of Alderman Eric Parker duly seconded by Alderman Richard Corey,

The Board moved unanimous approval of the motion to to approve the budget amendment requested by the Park Commission for the 2% funds to be used for additional construction payments in the amount of \$32,640.36 from the 2% funds held by the city for the purpose of paying for the bonds for the construction of the Sportsplex.

12. AN ORDER TO APPROVE THE RECYCLING CONTRACT WITH STARKVILLE RECYCLING FOR THE ACCEPTANCE OF THE RECYCLING MATERIALS TO INCLUDE AUTHORIZATION FOR THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

There came for consideration the matter of the approval of the motion to approve contract with Starkville Recycling for the City's recycling program with authorization for the Mayor to execute said contract which is enumerated below. After discussion and upon the motion of Alderman Henry N. Vaughn, Sr. duly seconded by Alderman Richard Corey,

The Board moved unanimous approval of the motion to approve contract with Starkville Recycling for the City's recycling program with authorization for the Mayor to execute said contract which is enumerated below.

**STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA
SERVICE CONTRACT FOR ACCEPTANCE OF RECYCLING MATERIALS
FOR THE CITY OF STARKVILLE**

THIS CONTRACT is made and entered into this ___ day of September, 2009, by and between the City of Starkville, Mississippi hereinafter referred to as "City", and Starkville Recycling, Inc. hereinafter referred to as "Contractor".

WITNESSETH:

WHEREAS, The City of Starkville desires to contract for services for the receipt of recycling materials for the City of Starkville Sanitation Department; and

WHEREAS, the City has recognized the services that are locally provided by Starkville Recycling, Inc. , and the contractor filed with the City its privilege license and insurance and has a verbal proposal to perform functions for and on behalf of the City as a private contractor upon certain terms and conditions, and the City has accepted said proposal as the most favorable to its operations.

NOW THEREFORE, in consideration of the premises and the mutual promises and covenants hereinafter contained, the parties agree as follows:

1. Services: The Contractor shall, in good and workmanlike manner and at his own cost and expense, furnish all labor, materials, plant, and equipment not furnished by the City of Starkville Sanitation Department necessary for the complete acceptance of the recycling materials as contained in the City of Starkville recycling program as adopted and outlined by the Board of Aldermen:

2. Contract documents: The Contractor and the City agree that the Requirements of services, the City of Starkville Recycling Program directives, Performance Bond, Specifications, and other items attached hereto, the accompanying interpretations and all additional instructions in explanation of all details and changes which may be furnished to the Contractor as provided herein, are each and all, by reference hereto, incorporated herein and together with this Service Contract constitute the Contract.

3. Commencement Date: The Contractor shall begin work under this contract on or before a date specified in a written "Notice to Proceed" and shall faithfully execute and fully complete all work as specified in a workmanlike and timely manner.

4. Contract Price: The Contract price set forth under Paragraph 5 following shall represent the total of all sums due the Contractor for work performed under this contract and no order of the City or any of their employees, either verbal or written, shall modify or act as a waiver of the Contract Price and the Contract Price shall not be modified in any fashion except by the execution of the parties hereto of a Contract Amendment, approved by the City and prepared in a form acceptable by the parties hereto which shall automatically modify the Contract Price in accordance with such executed Contract Amendment, after which the amended Contract price will govern until further amended by additional Contract Amendment(s) or termination of the Contract.

5. Terms of Payment: The Contractor shall:

On Wednesday of each month, the Contractor shall prepare to receive the materials delivered by the City of Starkville Sanitation Department. Said materials shall be contained in green specially marked recycling bags provided by the Sanitation Department which have been collected by same throughout the city. The Contractor acknowledges and agrees that the materials contained in said bags will not be sorted and will contain recyclable materials to include paper, newsprint, plastic, steel, aluminum, varying metals, and other materials. The Contractor agrees to accept all recyclables at no charge to the City.

6. Remedies for Breach Non-Exclusive: Neither the inspection of the City or any of their employees, nor any decision, interpretation, order, measurements, or certificate by the City, nor any order by the City for payment of the money, nor any payment for or acceptance of the whole or any part of the work by the City, nor any extension of time, nor any possession taken by the City, nor any right to damages herein provided, nor any waiver of any breach of contract shall be held to be a waiver of any subsequent breach. Any remedy provided in this

Contract shall be taken and construed as cumulative; that is, in addition to all other suits, actions, or legal proceedings, the City shall also be entitled as of right to writ of injunction against any breach of any of the provisions of the Contract. Contractor shall be entitled to all remedies for breach to which it is entitled under the laws of the State of Mississippi.

7. Indemnification: The Contractor agrees to indemnify and hold the City of Starkville harmless from any liability of any kind which may occur through its negligence in the performance of this Contract or which may accrue out of the performance of this contract. To that end, the Contractor further agrees to make the City of Starkville an additional named insured on the policy of the insurance required hereunder.

8. Damages for Breach: Should the Contractor default or breach this Contract, as defined herein, the Contractor shall pay upon demand \$5,000.00 as liquidated damages to the City to enable the City to collect said materials and establish a proposal and a resource to collect said recyclables and deliver same to alternate provider. In addition, prejudgment interest on the liquidated damages may be awarded against the Contractor in any action for the breach. This amount of liquidated damages shall be in addition to any funds held by the City at the time of breach, and in addition to any other damages to which the city may be entitled hereunder. Contractor shall be entitled to such damages for breach to which it may be entitled under the law of the State of Mississippi.

9. Damages for Equipment Not Returned: Should the Contractor, his agents or assigns fail to return equipment as herein described in paragraph six (6) of the specifications, attached hereto and incorporated herein by this reference, the Contractor shall pay such damages to the City as may be awarded by a court of competent jurisdiction

10. Consequential Damages: Other loss or damage to the City shall be specified in writing to the Contractor within a reasonable period subsequent to the breach (reasonable being contemplated by the parties to be conditioned as not sooner than 45 days after the occurrence of the breach.

11. Default or breach: Contractor's default or breach under this contract shall be defined as:

- a. Failure or refusal of Contractor to proceed with work after notice by the Sanitation Department Head to commence or proceed with work. Oral notice is not acceptable.
- b. Assignment of this contract or any part thereof without previous written consent of the City.
- c. Unnecessary or unreasonable delay of work under contract.
- d. Violation of any provisions of the terms of this contract.
- e. Failure or refusal to fully complete the work on schedule as specified herein or as extended by the Contractor

City's default or breach under this contract shall be defined as violation of any provisions of the terms of this contract.

12. Term: This Contract shall be for a period of time not to extend beyond the swearing in of the newly appointed Board of Aldermen on the first Monday of July 2013, notwithstanding anything else in the contractual agreement. At that time the contract may be canceled without notice until such time a new contract has been approved by the Board of Aldermen that will take office on the first Monday of July 2013. After a period of three (3) years, the contract may be renewed or rebid at the discretion of the City.

13. Termination: Either party to this Contract may terminate the same without cause upon giving the other party sixty (60) days notice in writing of its intention to terminate this Contract.

14. Entire Agreement: This agreement constitutes the entire agreement of the parties with reference to the subject matter hereof and supersedes all prior negotiations, understandings, representations, and agreements, if any. The parties acknowledge that they are entering into this agreement as a result of their own independent investigations and not as a result of any representations of the other party not contained herein.

15. Binding On Personal Representatives: All the terms of this agreement shall be binding upon and inure to the benefit of, and be enforced by, the respective legal representatives of the parties hereto.

16. Attorney's fees: If it becomes necessary for a non-defaulting party to employ an attorney to insure the performance of the terms and conditions of this agreement or to recover damages, then the defaulting party agrees to pay, as part of any judgment, reasonable attorney's fees and court costs.

17. Choice of Law. This agreement shall be construed and enforced according to the laws of the State of Mississippi.

18. Modification of Agreement: This agreement sets forth the entire understanding of the parties hereto, and it may not be changed except by a written document signed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto by their duly authorized representatives executed this Contract.

Parker Wiseman, Mayor
City of Starkville, Mississippi

Stan Shurden
Starkville Recycling, Contractor

12. AN ORDER APPOINTING MEMBERS TO THE STARKVILLE HOUSING AUTHORITY AND THE STARKVILLE SOLID WASTE AND RECYCLING COMMITTEE

There came for consideration the matter of the approval of the motion to re-appoint Dr. James Smith to the Housing Authority. After discussion and upon the motion of Alderman Richard Corey duly seconded by Alderman Roy A.' Perkins,

The Board moved unanimous approval of the motion to re-appoint Dr. James Smith to the Housing Authority.

13. AN ORDER APPOINTING MEMBERS TO THE STARKVILLE THE STARKVILLE SOLID WASTE AND RECYCLING COMMITTEE

There came for consideration the matter of the approval of the motion to appoint Dr. Tennyson O'Donnell Ward 1, and Nick Wilson Ward 4, to the Solid Waste and Recycling Committee. After discussion and upon the motion of Alderman Jeremiah Dumas duly seconded by Alderman Roy A.' Perkins,

The Board moved unanimous approval of the motion to appoint Dr. Tennyson O'Donnell Ward 1, and Nick Wilson Ward 4, to the Solid Waste and Recycling Committee.

14. AN ORDER APPOINTING BOARD LIAISONS COMMITTEES/COMMISSIONS/BOARDS

There came for consideration the matter of the approval of the motion to appoint board liaison members to the standing committees, commissions and boards for the City of Starkville those appointees being, Heritage Museum; Richard Corey, Committee on Disability; Sandra Sistrunk, Beautification Committee; Richard Corey and Jeremiah Dumas Sidewalk Committee; Jeremiah Dumas and Parks and Recreation Eric Parker. After discussion and upon the motion of Alderman Eric Parker duly seconded by Alderman Richard Corey,

The Board moved unanimous approval of the motion to appoint board liaison members to the standing committees, commissions and boards for the City of Starkville those appointees being, Heritage Museum; Richard Corey, Committee on Disability; Sandra Sistrunk, Beautification Committee; Richard Corey and Jeremiah Dumas, Sidewalk Committee; Jeremiah Dumas and Parks and Recreation Eric Parker.

15. AN ORDER TO APPROVE THE BUDGET AMENDMENT FOR THE CITY OF STARKVILLE FISCAL YEAR 2009

There came for consideration the matter of the approval of the motion to approve budget amendment number two for the City of Starkville fiscal year 2009. After discussion and upon the motion of Alderman Richard Corey, duly seconded by Alderman Ben Carver,

The Board moved unanimous approval of the motion to approve budget amendment number two for the City of Starkville fiscal year 2009.

16. AN ORDER DIRECTING THE STREET DEPARTMENT TO REPAIR THE PARKING LOT AT THE GILLESPIE STREET CENTER ON BEHALF OF THE PARK COMMISSION

There came for consideration the matter of the approval of the motion to repair the parking lot at the Gillespie Street Center on behalf of the Park Commission using City services and labor. After discussion and upon the motion of Alderman Richard Corey, duly seconded by Alderman Roy A. Perkins,

The Board moved unanimous approval of the motion to repair the parking lot at the Gillespie Street Center on behalf of the Park Commission using City services and labor.

17. AN ORDER ADOPTING A RESOLUTION DECLARING AN EMERGENCY SITUATION CONCERNING THE WASTEWATER FORCEMAIN FAILURE

There came for consideration the matter of the approval of the motion to adopt approve the Resolution if the City of Starkville to apply for a Community Development Block Grant (CDBG) Emergency Public Facilities grant from the Mississippi Development Authority in the amount of \$100,000 for the replacement of the main wastewater forcemain at the Starkville/Mississippi State University wastewater treatment facility that is needed due to a severe failure. After discussion and upon the motion of Alderman Jeremiah Dumas duly seconded by Alderman Richard Corey,

The Board moved unanimous approval of the motion to adopt approve the Resolution if the City of Starkville to apply for a Community Development Block Grant (CDBG) Emergency Public Facilities grant from the Mississippi Development Authority in the amount of \$100,000 for the replacement of the main wastewater forcemain at the Starkville/Mississippi State University wastewater treatment facility that is needed due to a severe failure, with said resolution following:

**RESOLUTION OF THE CITY OF STARKVILLE DECLARING AN EMERGENCY SITUATION
CONCERNING THE WASTEWATER FORCEMAIN FAILURE**

WHEREAS, the City of Starkville proposes to apply for a Community Development Block Grant (CDBG) Emergency Public Facilities grant from the Mississippi Development Authority in the amount of \$100,000 for the replacement of the main wastewater forcemain at the Starkville/Mississippi State University wastewater treatment facility that is needed due to a severe failure;

WHEREAS, the City of Starkville recognizes the need to use the Emergency funds to repair the failed wastewater forcemain;

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

- That the failing wastewater forcemain project, applied for through the above referenced Community Development Block Grant (CDBG) application, be declared an emergency situation under the authority given under both Section 31-7-13(k), Mississippi Code of 1972, Annotated, as amended and 24 CFR Part 85 (The "Common Rule"), and
- The existing conditions pose a serious and immediate threat to the health and welfare of the citizens of the City of Starkville and the environment; and
- That the City of Starkville does not have the financial resources available to meet these immediate and pressing needs; and
- That the City of Starkville is authorized to proceed and negotiate a contract for said wastewater forcemain improvements and related engineering services, pending notification of approval by the Mississippi Development Authority;

SO ORDERED THIS the 1st day of September 2009, by the City of Starkville Board of Aldermen in a Regularly Scheduled Meeting.

(SEAL)

Markeeta Outlaw, City Clerk

Parker Wiseman, Mayor

18. AN ORDER SETTING THE DEADLINE FOR RECEIPT OF MUNICIPAL ATTORNEY EVALUATION FORMS

There came for consideration the matter of the approval of the motion to establish Tuesday September 8th by 5:00 p.m. as the deadline for the receipt of the evaluation forms for the position of Municipal Attorney with the full Board reviewing the forms to determine the best three (3) applicants for the position. After discussion and upon the motion of Alderman Jeremiah Dumas duly seconded by Alderman Alderman Roy A.' Perkins,

The Board moved unanimous approval of the motion to establish Tuesday September 8th by 5:00 p.m. as the deadline for the receipt of the evaluation forms for the position of Municipal Attorney with the full Board reviewing the forms to determine the best three (3) applicants for the position.

19. AN ORDER TO APPROVE THE CITY Y OF STARKVILLE CLAIMS DOCKET AS OF AUGUST 27, 2009

There came for consideration the matter of the approval of the motion to approve the Claims Docket for the City of Starkville as of August 27, 2009.

Before the discussion and consideration of the approval of the Claims Docket, Alderman Ben Carver recused himself.

The majority of the members of the Board present and voting moved unanimous approval of the City of Starkville as of August 27, 2009. Absent and not voting was Alderman Ben Carver.

20. AN ORDER TO MOVE INTO CLOSED 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 Eric Parker, duly seconded by Alderman Jeremiah Dumas,

The Board moved unanimous approval of the motion to move into a closed determination session to discuss the need for an executive session.

21. 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 discussion for the purpose of the discussion of a land acquisition. After discussion and upon the motion of Alderman Jeremiah Dumas, duly seconded by Alderman Henry N. Vaughn, Sr.,

The Board moved unanimous approval of the motion to move into executive session for the purposes of the discussion of

22. AN ORDER TO PROCEED WITH THE NEGOTIATIONS RELATIVE TO LAND ACQUISITION

There came for consideration the matter of the approval of the motion to authorize the appropriate City Staff to proceed with the negotiations relative to land acquisition. After discussion and upon the motion of Alderman Jeremiah Dumas duly seconded by Alderman Henry N. Vaughn, Sr. ,

The Board moved unanimous approval of the motion to authorize the appropriate City Staff to proceed with the negotiations relative to land acquisition.

23. 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 Eric Parker duly seconded by Alderman Jeremiah Dumas,

The Board moved unanimous approval of the motion to move out of executive session

A MOTION TO RECESS UNTIL UNTIL 4:30 PM ON TUESDAY SEPTEMBER 15, 2009

Alderman Roy A.' Perkins moved that the Board of Aldermen recess until 4:30 p.m. on Tuesday September 15, 2009, in the Court Room of City Hall located at 101 Lampkin Street, Starkville, MS. Alderman Jeremiah Dumas, seconded, with the motion carrying unanimously.

PARKER WISEMAN, MAYOR

TAMMY R. TYNDALL,
DEPUTY CITY CLERK

SIGNED AND SEALED THIS ___ DAY OF _____ 2009.