

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
The City of Starkville, Mississippi
November 6, 2012**

Be it remembered that the Mayor and Board of Alderman met in a Regular Meeting on November 6, 2012 at 5:30 p.m. in the Courtroom of City Hall, located at 101 E. Lampkin Street, Starkville, MS. There being present were Mayor Parker Wiseman, Aldermen Ben Carver, Sandra Sistrunk, Eric Parker, Richard Corey, Jeremiah Dumas, Roy A. Perkins, and Henry Vaughn, Sr. Attending the Board were City Attorney Chris Latimer and City Clerk Taylor V. Adams.

Mayor Parker Wiseman opened the meeting with the Pledge of Allegiance followed by a moment of silence.

Mayor Parker Wiseman asked for any revisions to the Official Agenda.

REQUESTED REVISIONS TO THE OFFICIAL AGENDA:

Alderman Jeremiah Dumas requested the following changes to the published October 16, 2012 Official Agenda:

Add to Consent Item X.A Approval of the Holiday Schedule for the Calendar Year 2013 for the City of Starkville.

Add to Consent Item X.B Approval of the Special Event Permit for the Greater Starkville Development Partnership to close streets and provide in-kind services from the City of Starkville for the 2012 Christmas Parade and Tree Lighting scheduled for Monday, November 26, 2012 beginning at 6:00 PM.

Add to Consent Item XI.I-1 Authorization to advertise to fill the position of Crew Leader, Landfill, Sanitation & Environmental Services.

Add to Consent Item XI.I-2 Authorization to advertise to fill the position of Apprentice Lineman, Electric Department.

Add to Consent Item XI.I-3 Authorization to advertise to fill the position of Maintenance Worker, New Construction, Public Services.

The Mayor asked for further revisions to the published November 6, 2012 Official Agenda. No further revisions were requested.

1. A MOTION TO APPROVE THE OFFICAL AGENDA AS REVISED

There came for consideration the matter of approving and adopting the November 6, 2012, Official Agenda of the Regular Meeting of the Mayor and Board of Aldermen, as revised. After discussion, and

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, to approve the November 6, 2012, Official Agenda as modified with items listed as consent, the Board voted unanimously to approve the motion.

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



OFFICIAL AGENDA
THE MAYOR AND BOARD OF ALDERMEN
OF THE
CITY OF STARKVILLE, MISSISSIPPI

REGULAR MEETING OF TUESDAY, NOVEMBER 6, 2012
5:30 P.M., COURT ROOM, CITY HALL
101 EAST LAMPKIN STREET

**PROPOSED CONSENT AGENDA ITEMS ARE NOTED ##### AND 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 A MOMENT OF SILENCE**
- III. **APPROVAL OF THE OFFICIAL AGENDA**
 - A. APPROVAL OF THE CONSENT AGENDA
- IV. **APPROVAL OF BOARD OF ALDERMEN MINUTES**
 - A. CONSIDERATION OF THE APPROVAL OF THE MINUTES FROM THE OCTOBER 31, 2012, SPECIAL CALL MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.
- V. **ANNOUNCEMENTS AND COMMENTS**
 - A. MAYOR'S COMMENTS:

INTRODUCTION OF NEW EMPLOYEES:

KENNETH ROGERS – LANDSCAPE DIVISION OF SANITATION
AND ENVIRONMENTAL SERVICES

B. BOARD OF ALDERMEN COMMENTS:

ANNOUNCEMENT OF THE EMPLOYEE OF THE MONTH:

ALDERMAN SISTRUNK WILL PRESENT THE EMPLOYEE OF THE
MONTH AWARD TO:

JOYNER WILLIAMS – BUILDING OFFICIAL

VI. CITIZEN COMMENTS

VII. PUBLIC APPEARANCES

A. PUBLIC APPEARANCE BY CHARLES EVANS ON THE RE-
ESTABLISHMENT OF THE HISTORIC NEEDMORE DISTRICT TO
INCLUDE STREET AND PARK RE-NAMING AND AN HISTORICAL
MARKER.

B. PUBLIC APPEARANCE BY FORMER ALDERMAN SUMNER
DAVIS ON THE MATTER OF ISSUES RELATED TO REMARKS
FROM THE PREVIOUS BOARD OF ALDERMEN MEETING.

VIII. PUBLIC HEARING

THERE ARE NO PUBLIC HEARINGS SCHEDULED

IX. MAYOR'S BUSINESS

THERE ARE NO ITEMS FOR CONSIDERATION

X. BOARD BUSINESS

A. CONSIDERATION OF THE APPROVAL OF THE HOLIDAY
SCHEDULE FOR THE CALENDAR YEAR 2013 FOR THE CITY OF
STARKVILLE.

B. CONSIDERATION OF APPROVAL OF THE SPECIAL EVENT

PERMIT FOR THE GREATER STARKVILLE DEVELOPMENT PARTNERSHIP TO CLOSE STREETS AND PROVIDE IN-KIND SERVICES FROM THE CITY OF STARKVILLE FOR THE 2012 CHRISTMAS PARADE & TREE LIGHTING SCHEDULED FOR MONDAY, NOVEMBER 26, 2012 BEGINNING AT 6:00 PM.

- C. CONSIDERATION OF THE APPROVAL OF THE TRAVEL OF ALDERMAN COREY AND ALDERMAN DUMAS TO ATTEND THE NATIONAL LEAGUE OF CITIES ANNUAL CONFERENCE IN BOSTON, MA FROM NOVEMBER 28 TO DECEMBER 2, 2012.
- D. DISCUSSION OF THE JOB DESCRIPTION AND DUTIES FOR THE HEAD OF THE BUILDING, CODES AND PLANNING DEPARTMENT.

XI. DEPARTMENT BUSINESS

A. AIRPORT

THERE ARE NO ITEMS FOR THIS AGENDA

B. BUILDING, CODES AND PLANNING DEPARTMENT

- 1. CONSIDERATION TO APPROVE P&Z ITEM #CU 12-06: A REQUEST BY MR. CLYDE PRITCHARD ON BEHALF OF TECHNOLOGY MILLS, LLC, TO ALLOW A MULTI-FAMILY CORPORATE HOUSING PROJECT IN A P-O (PLANNED OFFICE) ZONING DISTRICT LOCATED AT 300 RESEARCH BOULEVARD IN WARD 5.

C. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

D. ELECTRIC DEPARTMENT

- ##### 1. REQUEST APPROVAL TO PURCHASE FROM STATE CONTRACT TWO (2) ONE TON EXTENDED CAB TRUCKS IN THE AMOUNT OF \$21,296.00 EACH.

E. ENGINEERING AND STREETS

THERE ARE NO ITEMS FOR THIS AGENDA

F. FINANCE AND ADMINISTRATION

- 1. REQUEST APPROVAL OF THE CITY OF STARKVILLE

CLAIMS DOCKET FOR THE FIRE DEPARTMENT AS OF
OCTOBER 31, 2012.

2. REQUEST CONSIDERATION OF THE APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS EXCEPT THE FIRE DEPARTMENT AS OF OCTOBER 31, 2012.

G. FIRE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

H. INFORMATION TECHNOLOGY

THERE ARE NO ITEMS FOR THIS AGENDA

I. PERSONNEL

1. REQUEST TO ADVERTISE TO FILL THE POSITION OF CREW LEADER, LANDFILL, SANITATION & ENVIRONMENTAL SERVICES.
2. REQUEST TO ADVERTISE TO FILL THE POSITION OF APPRENTICE LINEMAN, ELECTRIC DEPARTMENT.
3. REQUEST TO ADVERTISE TO FILL THE POSITION OF MAINTENANCE WORKER, NEW CONSTRUCTION, PUBLIC SERVICES.
4. REQUEST AUTHORIZATION FOR TEMPORARY ACTING PAY INCREASES PER THE PERSONNEL MANUAL FOR THE AFFECTED FIRE DEPARTMENT EMPLOYEES.

J. POLICE DEPARTMENT

1. REQUEST APPROVAL TO ENTER INTO A GRANT AGREEMENT WITH THE OFFICE OF JUSTICE PROGRAMS FOR A 100% REIMBURSABLE GRANT FOR UNDERAGE DRINKING ENFORCEMENT AND EDUCATION.

2. REQUEST APPROVAL TO ENTER INTO A GRANT AGREEMENT WITH THE OFFICE OF JUSTICE PROGRAMS TO PURCHASE FIVE (5) TASERS WITH A 75%/25% MATCH.

3. REQUEST APPROVAL FOR CHIEF LINDLEY TO TRAVEL TO THE WINTER EDUCATIONAL CONFERENCE FROM

DECEMBER 9-12, 2012 WITH ADVANCE TRAVEL REQUESTED.

K. PUBLIC SERVICES

1. REQUEST APPROVAL TO PURCHASE PVC WATER AND SEWER PIPE FROM EMPIRE PIPE AND SUPPLY, THE SUBMITTER OF THE LOWEST QUOTE BASED ON UNIT PRICING, IN THE AMOUNT OF \$49,984.40.

2. REQUEST APPROVAL OF THE FIRST AND FINAL CHANGE ORDER TO STIDHAM CONSTRUCTION FOR THE INSTALLATION OF THE HIGHLAND ESTATES SEWER LINE IN THE AMOUNT OF: \$2,257.30.

3. REQUEST APPROVAL TO PURCHASE A CREW TRUCK FOR THE WATER DEPARTMENT FROM STATE CONTRACT IN THE AMOUNT OF \$23,046.08

~~***** 4. REQUEST APPROVAL TO DECLARE A 2003 CREW TRUCK AS SURPLUS PROPERTY FOR SALE.~~

***** 5. REQUEST APPROVAL TO ISSUE A NOTICE TO PROCEED TO STIDHAM CONSTRUCTION, THE LOWEST SOURCE OF SUPPLY BIDDER, TO REPLACE A FAILING SANITARY SEWER LINE ON SYCAMORE ST IN AN AMOUNT NOT TO EXCEED \$18,777.99.

L. SANITATION AND ENVIRONMENTAL SERVICES

THERE ARE NO ITEMS FOR THIS AGENDA

XII. CLOSED DETERMINATION SESSION

XIII. OPEN SESSION

XIV. EXECUTIVE SESSION

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

XV. OPEN SESSION

**XVI. RECESS UNTIL THE MEETING OF NOVEMBER 20, 2012 @ 5:30
IN THE COURTROOM AT CITY HALL LOCATED AT 101 EAST
LAMPKIN STREET.**

The City of Starkville is accessible to persons with disabilities. Please call the ADA Coordinator, Joyner Williams, at (662) 323-2525, ext. 121 at least forty-eight (48) hours in advance for any services requested.

APPENDIX A

PROPOSED CONSENT AGENDA

IX. MAYOR'S BUSINESS – NO ITEMS

X. BOARD BUSINESS – NO ITEMS

XI. DEPARTMENT BUSINESS

A. AIRPORT – NO ITEMS

B. BUILDING DEPARTMENT – NO ITEMS

C. COURTS – NO ITEMS

D. ELECTRIC DEPARTMENT

1. REQUEST APPROVAL TO PURCHASE FROM STATE CONTRACT TWO (2) ONE TON EXTENDED CAB TRUCKS IN THE AMOUNT OF \$21,296.00 EACH.

E. ENGINEERING AND STREETS – NO ITEMS

F. FINANCE AND ADMINISTRATION – NO ITEMS

G. FIRE DEPARTMENT – NO ITEMS

H. INFORMATION TECHNOLOGY – NO ITEMS

I. PERSONNEL – NO ITEMS

J. POLICE DEPARTMENT

1. REQUEST APPROVAL TO ENTER INTO A GRANT AGREEMENT WITH THE OFFICE OF JUSTICE PROGRAMS FOR A 100% REIMBURSABLE GRANT FOR UNDERAGE DRINKING ENFORCEMENT AND EDUCATION.
2. REQUEST APPROVAL TO ENTER INTO A GRANT AGREEMENT WITH THE OFFICE OF JUSTICE PROGRAMS TO PURCHASE FIVE (5) TASERS WITH A 75%/25% MATCH.
3. REQUEST APPROVAL FOR CHIEF LINDLEY TO TRAVEL TO THE WINTER EDUCATIONAL CONFERENCE FROM DECEMBER 9-12, 2012 WITH ADVANCE TRAVEL REQUESTED.

K. PUBLIC SERVICES

1. REQUEST APPROVAL TO PURCHASE PVC WATER AND SEWER PIPE

FROM EMPIRE PIPE AND SUPPLY, THE SUBMITTER OF THE LOWEST QUOTE BASED ON UNIT PRICING, IN THE AMOUNT OF \$49,984.40.

2. REQUEST APPROVAL OF THE FIRST AND FINAL CHANGE ORDER TO STIDHAM CONSTRUCTION FOR THE INSTALLATION OF THE HIGHLAND ESTATES SEWER LINE IN THE AMOUNT OF: \$2,257.30.
3. REQUEST APPROVAL TO PURCHASE A CREW TRUCK FOR THE WATER DEPARTMENT FROM STATE CONTRACT IN THE AMOUNT OF \$23,046.08
4. ~~REQUEST APPROVAL TO DECLARE A 2003 CREW TRUCK AS SURPLUS PROPERTY FOR SALE.~~

L. SANITATION AND ENVIRONMENTAL SERVICES – NO ITEMS

CONSENT ITEMS 2-13

2. CONSIDERATION OF THE APPROVAL OF THE HOLIDAY SCHEDULE FOR THE CALENDAR YEAR 2013 FOR THE CITY OF STARKVILLE.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "the approval of the Holiday Schedule for the Calendar Year 2013 for the City of Starkville" is enumerated, this consent item is thereby approved.

3. CONSIDERATION OF APPROVAL OF THE SPECIAL EVENT PERMIT FOR THE GREATER STARKVILLE DEVELOPMENT PARTNERSHIP TO CLOSE STREETS AND PROVIDE IN-KIND SERVICES FROM THE CITY OF STARKVILLE FOR THE 2012 CHRISTMAS PARADE & TREE LIGHTING SCHEDULED FOR MONDAY, NOVEMBER 26, 2012 BEGINNING AT 6:00 PM.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of the Special Event Permit for the Greater Starkville Development Partnership to close streets and provide in-kind services from the City of Starkville for the 2012 Christmas Parade and Tree Lighting scheduled for Monday, November 26, 2012 beginning at 6:00 PM" is enumerated, this consent item is thereby approved.

4. REQUEST APPROVAL TO PURCHASE FROM STATE CONTRACT TWO (2) ONE TON EXTENDED CAB TRUCKS IN THE AMOUNT OF \$21,296.00 EACH.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to purchase from State Contract two (2) one ton extended cab trucks in the amount of \$21,296.00 each" is enumerated, this consent item is thereby approved.

5. REQUEST TO ADVERTISE TO FILL THE POSITION OF CREW LEADER, LANDFILL, SANITATION & ENVIRONMENTAL SERVICES.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to advertise to fill the position of Crew Leader, Landfill, Sanitation & Environmental Services" is enumerated, this consent item is thereby approved.

6. REQUEST TO ADVERTISE TO FILL THE POSITION OF APPRENTICE LINEMAN, ELECTRIC DEPARTMENT.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "authorization to advertise to fill the position of Apprentice Lineman, Electric Department" is enumerated, this consent item is thereby approved.

7. REQUEST TO ADVERTISE TO FILL THE POSITION OF MAINTENANCE WORKER, NEW CONSTRUCTION, PUBLIC SERVICES.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to advertise to fill the position of Maintenance Worker, New Construction, Public Services" is enumerated, this consent item is thereby approved.

8. REQUEST APPROVAL TO ENTER INTO A GRANT AGREEMENT WITH THE OFFICE OF JUSTICE PROGRAMS FOR A 100% REIMBURSABLE GRANT FOR UNDERAGE DRINKING ENFORCEMENT AND EDUCATION.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to enter into a grant agreement with the Office of Justice Programs for a 100% reimbursement grant for underage drinking enforcement and education" is enumerated, this consent item is thereby approved.

9. REQUEST APPROVAL TO ENTER INTO A GRANT AGREEMENT WITH THE OFFICE OF JUSTICE PROGRAMS TO PURCHASE FIVE (5) TASERS WITH A 75%/25% MATCH..

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to enter into a grant agreement with the Office of Justice Programs to purchase five (5) tasers with a 75%/25% match" is enumerated, this consent item is thereby approved.

10. REQUEST APPROVAL FOR CHIEF LINDLEY TO TRAVEL TO THE WINTER EDUCATIONAL CONFERENCE FROM DECEMBER 9-12, 2012 WITH ADVANCE TRAVEL REQUESTED.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "approval for Chief Lindley to travel to the Winter

Educational Conference from December 9-12, 2012 with advance travel requested" is enumerated, this consent item is thereby approved.

11. REQUEST APPROVAL TO PURCHASE PVC WATER AND SEWER PIPE FROM EMPIRE PIPE AND SUPPLY, THE SUBMITTER OF THE LOWEST QUOTE BASED ON UNIT PRICING, IN THE AMOUNT OF \$49,984.40.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to purchase PVC water and sewer pipe from Empire Pipe and Supply, the submitter of the lowest quote based on unit pricing, in the amount of \$49,984.40" is enumerated, this consent item is thereby approved.

12. REQUEST APPROVAL OF THE FIRST AND FINAL CHANGE ORDER TO STIDHAM CONSTRUCTION FOR THE INSTALLATION OF THE HIGHLAND ESTATES SEWER LINE IN THE AMOUNT OF: \$2,257.30.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of the first and final change order to Stidham Construction for the installation of the Highland Estates Sewer Line in the amount of \$2,257.30" is enumerated, this consent item is thereby approved.

13. REQUEST APPROVAL TO PURCHASE A CREW TRUCK FOR THE WATER DEPARTMENT FROM STATE CONTRACT IN THE AMOUNT OF \$23,046.08.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the November 6, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to purchase a crew truck for the Water Department from State Contract in the amount of \$23,046.08" is enumerated, this consent item is thereby approved.

END OF CONSENT AGENDA ITEMS

ANNOUNCEMENTS AND COMMENTS:

The Mayor introduced Kenneth Rogers, a new employee in the Landscape Division of Sanitation and Environmental Services.

Alderman Richard Corey reminded citizens of the National Election and encouraged them to vote before the polls closed that evening.

Alderman Sandra Sistrunk recognized City Building Official Joyner Williams as Employee of the Month.

CITIZEN COMMENTS:

Alvin Turner, Ward 7 recognized Aldermen Sistrunk and Vaughn, and then spoke to some perceived concerns of Starkville residents regarding community signage.

Margaret Mason and Dorothy Isaacs, both of Ward 6 offered concerns regarding drainage and sewer issue on Carver Dr. Both ladies also commended Alderman Roy A.' Perkins for his efforts in promoting the concerns of citizens in Ward 6.

PUBLIC APPEARANCES:

Charles Evans made a public appearance and gave an update on the establishment of the Historic Needmore District. He offered a brief history of the area, and spoke to his hopes that the community's efforts would be rewarded with Street and Park Re-naming along with the placement of an Historic Marker.

Former Alderman Sumner Davis, accompanied by former Mayor Dan Camp, made a public appearance where he offered thoughts on the handling of the issues surrounding the gate at the end of Douglas McArthur that were considered by the Board of Aldermen at the preceding meeting. Mr. Davis's comments centered on payment of the gate, and he provided proof for the position that the gate was funded legally on an appropriate claims docket.

BOARD BUSINESS:

14. CONSIDERATION OF THE APPROVAL OF THE TRAVEL OF ALDERMAN COREY AND ALDERMAN DUMAS TO ATTEND THE NATIONAL LEAGUE OF CITIES ANNUAL CONFERENCE IN BOSTON, MA FROM NOVEMBER 28 TO DECEMBER 2, 2012.

There came consideration of the approval of the travel of Alderman Corey and Alderman Dumas to attend the National League of Cities Annual Conference in Boston, MA from November 28 to December 2, 2012. Alderman Henry Vaughn, Sr. motioned approval of the travel of Alderman Corey and Alderman Dumas to attend the National League of Cities Annual Conference in Boston, MA from November 28 to December 2, 2012, duly seconded by Alderman Sandra Sistrunk.

Without further discussion, the Board voted 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, Sr. Voted: Yea

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

15. DISCUSSION OF THE JOB DESCRIPTION AND DUTIES FOR THE HEAD OF THE BUILDING, CODES AND PLANNING DEPARTMENT.

There came consideration Discussion of the job description and duties for the Head of the Building, Codes and Planning Department. Alderman Jeremiah Dumas suggested that the Board should use this vacancy as an opportunity to ensure that the City Planning Department was set in the way that would deliver the highest possible value to the City of Starkville. Alderman Dumas went on to say that he would like to empower Chief Administrative Officer D. Lynn Spruill to research the market place and to come back to the Board with a report. After Ms. Spruill agreed that she was willing to take on this effort, Alderman Jeremiah Dumas motioned approval of tasking Chief Administrative Officer D. Lynn Spruill with conducting research relating to the structure and function of City Planning/Community Development Departments and to report her findings preferably at the next Board meeting but not later than the first December meeting of the Board of Aldermen of the City of Starkville, duly seconded by Alderman Roy A'. Perkins.

Without further discussion, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
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, Sr.	Voted: Yea

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

16. CONSIDERATION OF P&Z ITEM #CU 12-06: A REQUEST BY MR. CLYDE PRITCHARD ON BEHALF OF TECHNOLOGY MILLS, LLC, TO ALLOW A MULTI-FAMILY CORPORATE HOUSING PROJECT IN A P-O (PLANNED OFFICE) ZONING DISTRICT LOCATED AT 300 RESEARCH BOULEVARD IN WARD 5.

There came consideration of P&Z Item #CU 12-06: A request by Mr. Clyde Pritchard on behalf of Technology Mills, LLC, to allow a multi-family corporate housing project in a P-O (Planned Office) Zoning District located at 300 Research Boulevard in Ward 5.

Assistant City Planner Pamela Daniels offered a synopsis of the request by the development group. She also informed the Board of Aldermen of the processes that had been followed by City

Personnel leading up to the P&Z approval of the project, as outlined in the staff report. The Mayor then opened the matter for discussion by the Board.

Alderman Jeremiah Dumas asked City Attorney Chris Latimer whether residential use is allowed in an area that is zoned Planned Office (PO) based on Starkville's chart of land uses. Mr. Latimer responded that the City's chart of land uses did not allow residential in a PO district, but that City Planner Ben Griffith had brought the application forward under Appendix A, Article IV, Sec. I (I) (3) (C), a "catch-all" provision, that allowed the Board to view the application as a conditional use at its discretion.

Alderman Sandra Sistrunk stated that it was clear from the recently amended chart of land uses that the Board did not intend residential use in areas that were zoned PO. Alderman Sistrunk then asked Mr. Latimer if he agreed with her statement. He suggested that it was up to the Board to determine the legislative intent of the list of permitted uses with its action issues like the one being considered. Alderman Sistrunk then reiterated that she believed that residential use was not intended under this zoning.

Alderman Jeremiah Dumas stated that he agreed with Alderman Sistrunk. He went on to say that he was troubled by employing the "catch all" phrase, given the amount of time that went in to developing the new chart of land uses. Alderman Dumas then stated concerns over the view from Highway 12 and the fact that this development would be at one of the primary entrances to the City. Alderman Dumas then stated that he did not think the proposed residential use was compatible with adjacent land uses.

Mr. Latimer offered the Board the following framework for its analysis: 1) whether the Board was willing to travel under the catch-all; and 2) if so, it should apply the five-factor legal test for a conditional use zoning request as outlined in the staff report before the Board.

Alderman Sistrunk offered support for the concerns of Alderman Dumas. She went on to say that this development would take a piece of commercial property that could be used as part of the new Regional Economic Development Alliance with the Columbus Link.

The Mayor then asked Clyde Pritchard if he wanted to comment. Mr. Pritchard reminded the Board that this project had gone through a several phases of review before it was presented to the Board. He stated that City staff had advised the applicant to proceed under the catch all provision. He said that the development group had significant cost in getting to the point that the Board was considering the request.

Alderman Eric Parker stated that since this project had been recommended for approval by the planning and zoning commission, it should be approved by the Board. He also said that this is the type of action that reflects poorly on Starkville in the development community. Alderman Parker encouraged the Board to approve the request and stated that he thought it was a great mixed use.

Alderman Sandra Sistrunk reiterated that she thought this really was a re-zoning issue that should be considered by P&Z and that Board should not apply the catch-all.

Alderman Dumas said that given the effort that went into developing the new chart of land uses that he is bothered that something as loose as a catch-all would be used. He went on to say that the City would be better served if this request went back through P&Z for re-zoning.

Alderman Eric Parker motioned approval of P&Z Item #CU 12-06: A request by Mr. Clyde Pritchard on behalf of Technology Mills, LLC, to allow a multi-family corporate housing project in a P-O (Planned Office) Zoning District located at 300 Research Boulevard in Ward 5, duly seconded by Alderman Ben Carver.

Without further discussion, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Nay
Alderman Eric Parker	Voted: Yea
Alderman Richard Corey	Voted: Nay
Alderman Jeremiah Dumas	Voted: Abstain
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

Having not received a majority affirmative vote of those members present and voting, the Mayor declared the motion failed.

Note: Alderman Carver exited the meeting at this time.

17. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR THE FIRE DEPARTMENT AS OF OCTOBER 31, 2012.

There came a request for approval of the City of Starkville Claims Docket for the Fire Department as of October 31, 2012. Alderman Eric Parker motioned approval of the City of Starkville Claims Docket for the Fire Department as of October 31, 2012, duly seconded by Alderman Richard Corey.

Without further discussion, the Board voted as follows:

Alderman Ben Carver	Voted: Recused
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: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

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

Note: Alderman Carver entered the meeting at this time.

18. REQUEST CONSIDERATION OF THE APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS EXCEPT THE FIRE DEPARTMENT AS OF OCTOBER 31, 2012.

There came Request consideration of the approval of the city of Starkville Claims Docket for all departments except the Fire Department as of October 31, 2012. Alderman Jeremiah Dumas motioned approval of the city of Starkville Claims Docket for all departments except the Fire Department as of October 31, 2012, duly seconded by Alderman Eric Parker.

Without further discussion, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
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: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

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

November 6, 2012 BOA Meeting

FIRE REFUND	261	\$93,381.97
	262	\$1,319.71
	263	\$4,758.48
	264	\$
	267	\$2,746.82
	TOTAL	\$102,206.98

General Fund	001	\$787,489.21
Restricted Police Fund	002	\$236.95
Restricted Fire Fund	003	\$
Airport Fund	015	\$3,704.30
Sanitation	022	\$101,508.42
Landfill	023	\$11,518.77
CDBG Henderson Street Project	102	\$
IT	107	\$13,549.79
CDBG Rehab Loan Program	116	\$33,540.88

City Bond and Interest	202	\$2,000.00
2009 Road Maintenance	304	\$276,151.59
Fire Station No. 5	306	
A R R Act	309	
P & R Bond Series 2007	325	
Park & Rec Tourism 2%	375	\$136,930.53
Water/Sewer	400	\$2,925,986.88
Vehicle Maintenance	500	\$21,444.91
Hotel/Motel	610	\$10,974.36
2% (VCC, EDA, MSU)	630	\$65,762.83
Total		
Electric Department		\$
Total Claims	Total	\$4,390,799.42

19. REQUEST APPROVAL TO ISSUE A NOTICE TO PROCEED TO STIDHAM CONSTRUCTION, THE LOWEST SOURCE OF SUPPLY BIDDER, TO REPLACE A FAILING SANITARY SEWER LINE ON SYCAMORE ST IN AN AMOUNT NOT TO EXCEED \$18,777.99.

There came a request for approval to issue a notice to proceed to Stidham Construction, the lowest source of supply bidder, to replace a failing sanitary sewer line on Sycamore St in an amount not to exceed \$18,777.99. Alderman Henry Vaughn, Sr. motioned approval to issue a notice to proceed to Stidham Construction, the lowest source of supply bidder, to replace a failing sanitary sewer line on Sycamore St in an amount not to exceed \$18,777.99, duly seconded by Alderman Roy A'. Perkins.

Without further discussion, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
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, Sr.	Voted: Yea

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

20. A MOTION TO ENTER INTO A CLOSED SESSION TO DETERMINE IF THERE IS PROPER CAUSE FOR EXECUTIVE SESSION

There came for consideration the matter of entering a closed session to determine if there is proper cause for an executive session. Upon the motion of Alderman Jeremiah Dumas, duly seconded by Alderman Henry Vaughn, Sr., to enter into a Closed Session to determine if there is proper cause for Executive Session:

Without further discussion, The Board voted as follows:

Alderman Ben Carver	Voted: Yea
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, Sr.	Voted: Yea

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

Note: Alderman Ben Carver exited the meeting at this time.

21. A MOTION TO ENTER EXECUTIVE SESSION

There came for consideration the matter of entering an executive session to discuss pending litigation relating to MCCO and McGovern v. Starkville, personnel matters relating to a potential employee termination and to discuss potential temporary pay raises in the Fire Department, and property acquisition for sewer system expansion and the addition of a pumping station. Upon the motion of Alderman Jeremiah Dumas, duly seconded by Alderman Sandra Sistrunk, to enter into an executive session to discuss pending litigation relating to MCCO and McGovern v. Starkville, personnel matters relating to a potential employee termination and to discuss potential temporary pay raises in the Fire Department and property acquisition relating to sewer system expansion and the addition of a pumping station,

The Board voted as follows:

Alderman Ben Carver	Voted: Absent
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, Sr.	Voted: Yea

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

The Mayor invited the Public back in to make the announcement of the Board's decision to enter into executive session.

At this time the Board entered executive session.

22. A MOTION TO EXIT EXECUTIVE SESSION AND RETURN TO OPEN SESSION

Upon the motion of Alderman Jeremiah Dumas, duly seconded by Sandra Sistrunk, to exit Executive Session and return to Open Session, the Board members in attendance voted unanimously in favor of the motion.

The Mayor announced that the Board had taken action in executive session.

23. A MOTION TO AUTHORIZE THE CITY ATTORNEY TO MOVE FORWARD WITH A QUICK TAKE PROCEEDING FOR CONSTRUCTION OF A SEWER PUMPING STATION AND UTILITY EASEMENTS ON PARCEL # 104-17-013.00.

Upon the motion of Alderman Sandra Sistrunk, duly seconded by Alderman Jeremiah Dumas, to authorize the City Attorney to move forward with a quick take proceeding for construction of a sewer pumping station and utility easements on parcel #104-17-013.00, the Board members in attendance voted unanimously in favor of the motion.

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

24. A MOTION TO AUTHORIZE THE CITY ATTORNEY TO MOVE FORWARD WITH A QUICK TAKE PROCEEDING FOR UTILITY EASEMENTS ON PARCEL # 103-07-052.00.

Upon the motion of Alderman Sandra Sistrunk, duly seconded by Alderman Jeremiah Dumas, to authorize the City Attorney to move forward with a quick take proceeding for utility easements on parcel #103-07-052.00, the Board members in attendance voted unanimously in favor of the motion.

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

25. A MOTION TO AUTHORIZE THE CITY ATTORNEY TO MOVE FORWARD WITH A QUICK TAKE PROCEEDING FOR UTILITY EASEMENTS ON PARCEL # 118K-00-00.00.

Upon the motion of Alderman Sandra Sistrunk, duly seconded by Alderman Jeremiah Dumas, to authorize the City Attorney to move forward with a quick take proceeding for utility easements on parcel #118K-00-00.00, the Board members in attendance voted unanimously in favor of the motion.

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

26. A MOTION TO TERMINATE JONATHON UPCHURCH EFFECTIVE IMMEDIATELY.

There came a motion to terminate Jonathon Upchurch effective immediately. Upon the motion of Alderman Eric Parker, duly seconded by Alderman Jeremiah Dumas, to terminate Jonathon Upchurch effective immediately, the Board members in attendance voted unanimously in favor of the motion.

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

27. REQUEST AUTHORIZATION FOR TEMPORARY ACTING PAY INCREASES PER THE PERSONNEL MANUAL FOR THE AFFECTED FIRE DEPARTMENT EMPLOYEES.

Upon the motion of Alderman Jeremiah Dumas, duly seconded by Alderman Eric Parker to authorize temporary acting pay increases per the personnel manual for the affected Fire Department Employees, the Board members in attendance voted as follows:

Alderman Ben Carver	Voted: Absent
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: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

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

28. A MOTION TO RECESS UNTIL NOVEMBER 20, 2012 @ 5:30 at 101 LAMPKIN STREET IN THE CITY HALL CONFERENCE ROOM.

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Henry Vaughn, Sr., for the Board of Aldermen to recess the meeting until November 20, 2012 @ 5:30 at 101 Lampkin Street in the City Hall Conference Room, the Board voted as follows:

Alderman Ben Carver	Voted: Absent
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, Sr.	Voted: Yea

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

SIGNED AND SEALED THIS THE _____ DAY OF _____ 2012.

PARKER WISEMAN, MAYOR

Attest:

TAYLOR V. ADAMS, CITY CLERK

(SEALED)