

**MINUTES OF THE REGULAR MEETING  
OF THE MAYOR AND BOARD OF ALDERMEN  
The City of Starkville, Mississippi  
November 15, 2016**

Be it remembered that the Mayor and Board of Alderman met in a Regular Meeting on November 15, 2016 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS. Present were Mayor Pro Tempore Roy A.' Perkins, Aldermen Ben Carver, Lisa Wynn, David Little, Jason Walker, Scott Maynard and Henry Vaughn, Sr. Attending the Board were City Clerk Lesa Hardin and Attorney Chris Latimer. Mayor Parker Wiseman was at the National League of City Conference.

Mayor Pro Tempore Roy A.' Perkins opened the meeting with the Pledge of Allegiance followed by a moment of silence.

Mayor Pro Tempore Roy A.' Perkins asked for any revisions to the Official Agenda.

**REQUESTED REVISIONS TO THE OFFICIAL AGENDA:**

**Alderman Jason Walker** requested the following changes to the published November 15, 2016 Official Agenda:

**Add to Agenda the following Item IX. H.** Consideration of a lease agreement between the City of Starkville and Dan Camp Family Real Estate Company to be used as an office for members of the Starkville Police Department for a space located at 621-A University Drive, Starkville, Mississippi and authorize the Vice-Mayor to execute the document.

**Alderman Scott Maynard** requested the following changes to the published November 15, 2016 Official Agenda:

**Add a Consent Agenda with the following Items:** IV (Minutes); IX. C, D, E, G and H; X.B.2.d; X.E.1; X.I.1 and 2; and X.J.1,2,3 and 4.

**1. A MOTION TO APPROVE THE CONSENT AGENDA.**

Alderman Little offered a motion, duly seconded by Alderman Wynn, to approve the November 15, 2016 Consent Agenda of the Mayor and Board of Aldermen. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor Pro Tempore declared the motion carried.

**2. A MOTION TO REMOVE ITEM IX. A.**

Alderman Little offered a motion to remove Item IX. A.: Discussion and consideration of approval of a Resolution of the Mayor and Board of Aldermen of the City of Starkville, Mississippi approving the adoption and implementation of the tax increment financing plan, Starkville neighborhood market project, City of Starkville, Mississippi, September 2016 and authorizing the issuance of tax increment financing revenue bonds in an amount not to exceed one million three hundred fifty thousand dollars (\$1,350,000); and for related purposes.

Alderman Walker seconded the motion and the Board voted as follows:

Alderman Ben Carver Voted: Nay  
Alderman Lisa Wynn Voted: Nay  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Nay  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a tie vote, the Mayor Pro Tempore voted Yea and declared the motion carried and the item removed from the agenda.

**3. A MOTION TO REMOVE ITEM IX. B.**

Alderman Little offered a motion to remove Item IX. B.: Consideration of a Resolution of the Mayor and Board of Aldermen of the City of Starkville, Mississippi, adopting, approving and authorizing the execution of the development and reimbursement agreement in connection with the Starkville neighborhood market project. Alderman Walker seconded the motion and the Board voted as follows:

Alderman Ben Carver Voted: Nay  
Alderman Lisa Wynn Voted: Nay  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Nay  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a tie vote, the Mayor Pro Tempore voted Yea and declared the motion carried and the item removed from the agenda.

Mayor Pro Tempore Roy A.' Perkins asked for further revisions to the published November 15, 2016 Official Agenda. No further revisions were requested.

**4. A MOTION TO APPROVE THE OFFICIAL AGENDA.**

Alderman Little offered a motion, duly seconded by Alderman Vaughn, to approve the November 15, 2016 Official Agenda of the Mayor and Board of Aldermen, as revised with items listed as consent. The Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor Pro Tempore declared the motion carried.

**OFFICIAL AGENDA OF  
THE MAYOR AND BOARD OF ALDERMEN  
OF THE  
CITY OF STARKVILLE, MISSISSIPPI  
RECESSED MEETING OF TUESDAY, NOVEMBER 15, 2016  
5:30 P.M., COURT ROOM, CITY HALL  
110 WEST MAIN STREET**

**PROPOSED CONSENT AGENDA ITEMS ARE HIGHLIGHTED AND PROVIDED AS APPENDIX A ATTACHED**

**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 THE BOARD OF ALDERMEN MINUTES**

**CONSIDERATION OF THE MINUTES OF THE OCTOBER 18, 2016 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS INCORPORATING ANY AND ALL CHANGES RECOMMENDED BY THE CITY ATTORNEY.**

**V. ANNOUNCEMENTS AND COMMENTS**

A. VICE MAYOR'S COMMENTS:

B. BOARD OF ALDERMEN COMMENTS:

**VI. CITIZEN COMMENTS**

**VII. PUBLIC HEARING**

A. PUBLIC HEARING ON VA 16-08 519 UNIVERSITY DRIVE.

**VIII. MAYOR'S BUSINESS**

*THERE ARE NO ITEMS FOR THIS AGENDA*

**IX. BOARD BUSINESS**

A. **CONSIDERATION OF TREES TO BE PURCHASED AND PLANTED ALONG LYNN LANE BIKE PATH AND PARKING LOT BEHIND STARKVILLE CAFÉ WITH FUNDS TO BE PAID FROM WARD 4 DISCRETIONARY FUNDS.**

B. **CONSIDERATION OF ADDING A PORTION OF WEST MAIN STREET TO THE 2016 STREET IMPROVEMENT LIST WITH THE FUNDING FOR THIS PROJECT TO COME FROM WARD 7 DISCRETIONARY FUNDS.**

C. **CONSIDERATION OF REQUEST APPROVAL TO ADD BANYAN ROAD TO THE 2016 STREET IMPROVEMENT LIST TO PROVIDE BASE REPAIRS AND LEVELING AT A COST NOT TO EXCEED \$40,000 WITH THE FUNDING FOR THIS PROJECT TO COME FROM WARD 3 DISCRETIONARY FUNDS.**

D. REPORT FROM COMMUNITY DEVELOPMENT DIRECTOR BUDDY SANDERS ON CONSTRUCTION WORK AT SONIC LOCATED AT 711 VINE ST / 302 HWY 12.

E. **DISCUSSION AND CONSIDERATION OF PROMOTING CALVIN WARE TO AN EXEMPT EMPLOYEE STATUS SUPERINTENDENT IN THE SANITATION DEPARTMENT AND ADOPT THE JOB DESCRIPTION AS PRESENTED IN PACKET**

AT THE SALARY SET IN THE PAY PROGRESSION PLAN AT GRADE 15 EFFECTIVE JANUARY 1, 2017.

- F. CONSIDERATION OF A LEASE AGREEMENT BETWEEN THE CITY OF STARKVILLE AND DAN CAMP FAMILY REAL ESTATE COMPANY TO BE USED AS AN OFFICE FOR MEMBERS OF THE STARKVILLE POLICE DEPARTMENT FOR A SPACE LOCATED AT 621-A UNIVERSITY DRIVE, STARKVILLE, MISSISSIPPI AND AUTHORIZE THE VICE-MAYOR TO EXECUTE THE DOCUMENT.

**X. DEPARTMENT BUSINESS**

A. AIRPORT

*THERE ARE NO ITEMS FOR THIS AGENDA*

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. CODE ENFORCEMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

2. PLANNING

- a. DISCUSSION AND CONSIDERATION OF VA 16-08 519 UNIVERSITY DRIVE.
- b. DISCUSSION AND CONSIDERATION OF LW 16-04 SPARROW PROPERTIES.
- c. DISCUSSION AND CONSIDERATION OF LW 16-05 STARKVILLE VILLAGE CROSSING.
- d. DISCUSSION AND CONSIDERATION OF TRAVEL AND TRAINING FOR MIKE ST. LOUIS TO ATTEND THE BUILDING OFFICIALS ASSOCIATION OF MISSISSIPPI WINTER TRAINING EVENT WITH COSTS NOT TO EXCEED \$400.00.

C. COURTS

*THERE ARE NO ITEMS FOR THIS AGENDA*

D. ENGINEERING

*THERE ARE NO ITEMS FOR THIS AGENDA*

E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF NOVEMBER 8, 2016 FOR FISCAL YEAR ENDING 9/30/17.

F. FIRE DEPARTMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

G. INFORMATION TECHNOLOGY

*THERE ARE NO ITEMS FOR THIS AGENDA*

## H. PARKS

*THERE ARE NO ITEMS FOR THIS AGENDA*

## I. PERSONNEL

1. REQUEST APPROVAL TO HIRE THOMAS WARE AS A WASTEWATER OPERATOR LEVEL IV IN THE STARKVILLE UTILITIES DEPARTMENT, SUBJECT TO SIX (6) MONTH PROBATIONARY PERIOD.
2. REQUEST AUTHORIZATION TO ADVERTISE TO FILL THE VACANT POSITION OF OPERATOR 1 IN THE DRINKING WATER DIVISION.

## J. POLICE DEPARTMENT

1. REQUEST AUTHORIZATION TO APPLY FOR 100% REIMBURSABLE GRANT FUNDING FROM THE OFFICE OF HIGHWAY SAFETY IN THE AREA OF DUI ENFORCEMENT AND LEL (LAW ENFORCEMENT LIAISON DUTIES) IN THE AREA OF SALARIES, OVERTIME, LEL MEETINGS, AND TRAVEL IN THE AMOUNT OF \$91,588.34.
2. REQUEST AUTHORIZATION TO APPLY FOR FUNDING WITH THE OFFICE OF HIGHWAY SAFETY IN THE AREA OF POLICE TRAFFIC SAFETY GRANTS 100% REIMBURSABLE GRANT FUNDING IN THE AREA OF OVERTIME AND LEL DUTIES IN THE AMOUNT OF \$17,800.00.
3. REQUEST AUTHORIZATION TO APPLY FOR FUNDING WITH THE JUSTICE ASSISTANCE GRANT IN THE AREA OF HOT SPOT POLICING FOR 100% REIMBURSABLE GRANT FUNDING IN THE AREA OF OVERTIME AND EQUIPMENT IN THE AMOUNT OF \$37,596.00.
4. REQUEST APPROVAL TO PURCHASE 10 NEW POLICE VEHICLES AT A \$267,338 FROM STATE CONTRACT AND TO AUTHORIZE THE CITY CLERK / CFO TO OBTAIN LEASING QUOTES.

## K. SANITATION DEPARTMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

## L. UTILITIES DEPARTMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

## **XII. CLOSED DETERMINATION SESSION**

## **XIII. OPEN SESSION**

## **XIV. EXECUTIVE SESSION**

A. PENDING LITIGATION

B. PERSONNEL

C. POTENTIAL LITIGATION

**XV. OPEN SESSION**

**XVI. ADJOURN UNTIL DECEMBER 6, 2016 @ 5:30 IN THE COURT ROOM AT CITY HALL LOCATED AT 110 WEST MAIN STREET.**

*The City of Starkville is accessible to persons with disabilities. Please call the ADA Coordinator, Joyner Williams, at (662) 323-2525, ext. 3121 at least forty-eight (48) hours in advance for any services requested.*

**APPENDIX A  
CONSENT 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 THE BOARD OF ALDERMEN MINUTES**

CONSIDERATION OF THE MINUTES OF THE OCTOBER 18, 2016 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS INCORPORATING ANY AND ALL CHANGES RECOMMENDED BY THE CITY ATTORNEY.

**V. ANNOUNCEMENTS AND COMMENTS**

B. VICE MAYOR'S COMMENTS:

B. BOARD OF ALDERMEN COMMENTS:

**VI. CITIZEN COMMENTS**

**VII. PUBLIC HEARING**

A. PUBLIC HEARING ON VA 16-08 519 UNIVERSITY DRIVE.

**VIII. MAYOR'S BUSINESS**

*THERE ARE NO ITEMS FOR THIS AGENDA*

**IX. BOARD BUSINESS**

A. CONSIDERATION OF TREES TO BE PURCHASED AND PLANTED ALONG LYNN LANE BIKE PATH AND PARKING LOT BEHIND STARKVILLE CAFÉ WITH FUNDS TO BE PAID FROM WARD 4 DISCRETIONARY FUNDS.

B. CONSIDERATION OF ADDING A PORTION OF WEST MAIN STREET TO THE 2016 STREET IMPROVEMENT LIST WITH THE FUNDING FOR THIS PROJECT TO COME

**FROM WARD 7 DISCRETIONARY FUNDS.**

- C. **CONSIDERATION OF REQUEST APPROVAL TO ADD BANYAN ROAD TO THE 2016 STREET IMPROVEMENT LIST TO PROVIDE BASE REPAIRS AND LEVELING AT A COST NOT TO EXCEED \$40,000 WITH THE FUNDING FOR THIS PROJECT TO COME FROM WARD 3 DISCRETIONARY FUNDS.**
- D. REPORT FROM COMMUNITY DEVELOPMENT DIRECTOR BUDDY SANDERS ON CONSTRUCTION WORK AT SONIC LOCATED AT 711 VINE ST / 302 HWY 12.
- E. **DISCUSSION AND CONSIDERATION OF PROMOTING CALVIN WARE TO AN EXEMPT EMPLOYEE STATUS SUPERINTENDENT IN THE SANITATION DEPARTMENT AND ADOPT THE JOB DESCRIPTION AS PRESENTED IN PACKET AT THE SALARY SET IN THE PAY PROGRESSION PLAN AT GRADE 15 EFFECTIVE JANUARY 1, 2017.**
- F. **CONSIDERATION OF A LEASE AGREEMENT BETWEEN THE CITY OF STARKVILLE AND DAN CAMP FAMILY REAL ESTATE COMPANY TO BE USED AS AN OFFICE FOR MEMBERS OF THE STARKVILLE POLICE DEPARTMENT FOR A SPACE LOCATED AT 621-A UNIVERSITY DRIVE, STARKVILLE, MISSISSIPPI AND AUTHORIZE THE VICE-MAYOR TO EXECUTE THE DOCUMENT.**

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B. AIRPORT

*THERE ARE NO ITEMS FOR THIS AGENDA*

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*THERE ARE NO ITEMS FOR THIS AGENDA*

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*THERE ARE NO ITEMS FOR THIS AGENDA*

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1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF NOVEMBER 8, 2016 FOR FISCAL YEAR ENDING 9/30/17.

N. FIRE DEPARTMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

O. INFORMATION TECHNOLOGY

*THERE ARE NO ITEMS FOR THIS AGENDA*

P. PARKS

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1. REQUEST AUTHORIZATION TO APPLY FOR 100% REIMBURSABLE GRANT FUNDING FROM THE OFFICE OF HIGHWAY SAFETY IN THE AREA OF DUI ENFORCEMENT AND LEL (LAW ENFORCEMENT LIAISON DUTIES) IN THE AREA OF SALARIES, OVERTIME, LEL MEETINGS, AND TRAVEL IN THE AMOUNT OF \$91,588.34.
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K. SANITATION DEPARTMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

L. UTILITIES DEPARTMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*



**XII. CLOSED DETERMINATION SESSION**

**XIII. OPEN SESSION**

**XIV. EXECUTIVE SESSION**

A. PENDING LITIGATION

B. PERSONNEL

C. POTENTIAL LITIGATION

**XV. OPEN SESSION**

**XVI. ADJOURN UNTIL DECEMBER 6, 2016 @ 5:30 IN THE COURT ROOM AT CITY HALL LOCATED AT 110 WEST MAIN STREET.**

**CONSENT ITEMS 5 – 18:**

**5. CONSIDERATION OF THE MINUTES OF THE OCTOBER 18, 2016 RECESS MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS INCORPORATING ANY AND ALL CHANGES RECOMMENDED BY THE CITY ATTORNEY.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval of the minutes of the October 18, 2016 recess meeting of the Mayor and Board of Aldermen of the City of Starkville, MS incorporating any and all changes recommended by the city attorney” is enumerated, this consent item is thereby approved.

**6. CONSIDERATION OF TREES TO BE PURCHASED AND PLANTED ALONG LYNN LANE BIKE PATH AND PARKING LOT BEHIND STARKVILLE CAFÉ WITH FUNDS TO BE PAID FROM WARD 4 DISCRETIONARY FUNDS.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval of trees to be purchased and planted along Lynn Lane bike path and parking lot behind Starkville Café with funds to be paid from Ward 4 discretionary funds” is enumerated, this consent item is thereby approved.

**7. CONSIDERATION OF ADDING A PORTION OF WEST MAIN STREET TO THE 2016 STREET IMPROVEMENT LIST WITH THE FUNDING FOR THIS PROJECT TO COME FROM WARD 7 DISCRETIONARY FUNDS.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval to add a portion of West Main Street to the 2016 Street Improvement list with the funding for this project to come from Ward 7 discretionary funds” is enumerated, this consent item is thereby approved.



**CITY OF STARKVILLE- 2016 STREET IMPROVEMENT PROGRAM**

Additional Ward 7 Street Improvement Projects and Estimated Costs  
9/19/2016

**ROADWAY MAINTENANCE PROJECTS**

Street Project	Project Limits		Length	Width	Work Type	Est. Base/ Leveling (tons)	Estimated Surface (tons)	Est. Base/ Leveling Cost	Est. Surface Cost	Estimated Milling Cost	Project Estimated Cost
	(from)	(to)									
<b>ROADWAY MAINTENANCE PROJECTS-WARD 6</b>											
West Main	Long Street	Raymond	701	28	Milling, Patching, Overlay	18	180	\$2,602	\$26,320	\$4,385	\$33,907
		Total	0.13	miles						Total	\$33,907

**8. CONSIDERATION OF APPROVAL TO ADD BANYAN ROAD TO THE 2016 STREET IMPROVEMENT LIST TO PROVIDE BASE REPAIRS AND LEVELING AT A COST NOT TO EXCEED \$40,000 WITH THE FUNDING FOR THIS PROJECT TO COME FROM WARD 3 DISCRETIONARY FUNDS.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval to add Banyan Road to the 2016 Street Improvement list to provide base repairs and leveling at a cost not to exceed \$40,000 with the funding for this project to come from Ward 3 discretionary funds” is enumerated, this consent item is thereby approved.

**9. DISCUSSION AND CONSIDERATION OF PROMOTING CALVIN WARE TO AN EXEMPT EMPLOYEE STATUS SUPERINTENDENT IN THE SANITATION DEPARTMENT AND ADOPT THE JOB DESCRIPTION AS PRESENTED IN PACKET AT THE SALARY SET IN THE PAY PROGRESSION PLAN AT GRADE 15 EFFECTIVE JANUARY 1, 2017.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval to promote Calvin Ware to an exempt employee status superintendent in the Sanitation department and adopt the job description as presented in Board packets at the salary set in the pay progression plan at grade 15 effective January 1, 2017” is enumerated, this consent item is thereby approved.

**10. CONSIDERATION OF A LEASE AGREEMENT BETWEEN THE CITY OF STARKVILLE AND DAN CAMP FAMILY REAL ESTATE COMPANY TO BE USED AS AN OFFICE FOR MEMBERS OF THE STARKVILLE POLICE DEPARTMENT FOR A SPACE LOCATED AT 621-A UNIVERSITY DRIVE, STARKVILLE, MISSISSIPPI.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval of a lease agreement between the City of Starkville and Dan Camp Family Real Estate Company to be used as an office for members of the Starkville Police Department for a space located at 621-A University Drive, Starkville, Mississippi” is enumerated, this consent item is thereby approved.

621-A University Drive  
LEASE AGREEMENT

THIS AGREEMENT ("the Lease") is entered into on this the 16<sup>th</sup> day of November, 2016, between DAN CAMP FAMILY REAL ESTATE COMPANY, hereinafter referred to as "LANDLORD" and the City of Starkville, Mississippi, on behalf of its Police Department, hereinafter referred to as "TENANT." For and in consideration of the mutual covenants herein contained, and other good and valuable consideration, the parties hereto agree as follow:

1. PREMISES – LANDLORD leases to TENANT to be used as an office for members of the Starkville Police Department the following described space: 621-A University Drive, Starkville, MS 39759. This space is located at 621-A University Drive, Starkville, Mississippi, and is part of Lot 27 of Block 28 of the City of Starkville, Mississippi, as shown on the A. L. Goodman Official Map of Starkville, of record and on file in the office of the Chancery Clerk of Oktibbeha County, Mississippi.
2. TERM - The Lease commences on December 1, 2016. The Lease term ends on November 30, 2017. The parties shall have the right to renew the lease upon mutually agreeable terms by separate written agreement. Either party may cancel this lease upon three months written notice to the other party.
3. RENT – Rental payments shall not be required during the term of TENANT's occupancy under the Lease. LANDLORD is receiving and benefitting from a law enforcement and security presence on the property based merely on TENANT'S occupancy.
4. SECURITY – LANDLORD waives any security deposit.
5. IMPROVEMENTS – The TENANT may make structural changes to the interior of the rented space, only after securing the written approval of the LANDLORD, which will not be unreasonably withheld. The structural changes proposed must be submitted in writing outlining the details of the changes to be made. TENANT acknowledges that the LANDLORD may require the TENANT to restore the space to its original condition at the time the TENANT leaves the premises.
6. COMMON AREA - The parking that is provided by the LANDLORD for the TENANT is for the use of the TENANT in its role in protecting and serving the citizens of Starkville, Mississippi. Such parking area is considered a common area.
7. REPAIRS – The LANDLORD shall be responsible for major repairs to the leased structure. The TENANT shall be responsible for all regular maintenance and repairs, including the replacement of the air conditioning filters, wall switches, the repair of blocked or stopped up plumbing, and repairs of light fixtures. The LANDLORD shall replace defective and worn motors, compressors and other major components of the air conditioning system. The TENANT shall pay for all normal maintenance and servicing of the air conditioning and heating systems for the leased space. Such regular maintenance shall be done so as not to compromise the functioning of the system and damage the unit(s).
8. SUBLET – During the term of this lease, the TENANT shall not sublease or assign the space to another party.
9. PARTIES – The parties to this agreement are solely in a contractual relationship and this agreement no way constitutes or creates a partnership, limited liability company or joint venture.

10. INSURANCE – The LANDLORD will, during the lease term, keep the leased premises insured under an extended coverage for property damage, liability and fire.

11. CONDITION – The TENANT agrees to keep the leased premises in good condition.

12. RE-ENTRY – If the TENANT abandons the leased space, or if the TENANT fails to abide by any provision in this lease agreement, then the LANDLORD may forthwith cancel this lease and re-enter the leased premises.

13. NUISANCE – It is expressly agreed and understood that the TENANT will at all times conduct its business in a manner consistent with good law enforcement practice and by so doing shall not unreasonably create a nuisance to the other tenants in the building and parking area of the leased premises designated as 621-A University Drive, Starkville, Mississippi.

14. COMPETITION – LANDLORD covenants that at no time during the period of this Lease, will any space in University Drive Apartments be rented that would impede, deter, or otherwise negatively affect the TENANT's law enforcement activities without TENANT'S written agreement and consent.

15. UTILITIES – LANDLORD agrees to pay all utilities for this property.

IN WITNESS WHEREOF the parties have executed this agreement on the 16<sup>th</sup> day of November, 2016.



Attest:

*Lesa Hardin*  
Lesa Hardin, Starkville City Clerk

*Roy H. Perkins*  
~~Mayor~~, Starkville Mayor, Tenant  
Roy H. Perkins, Vice Mayor, Tenant

*Dan Camp*  
DAN CAMP/OWNER/MANAGER  
DAN CAMP FAMILY REAL ESTATE  
COMPANY, Landlord

**11. DISCUSSION AND CONSIDERATION OF TRAVEL AND TRAINING FOR MIKE ST. LOUIS TO ATTEND THE BUILDING OFFICIALS ASSOCIATION OF MISSISSIPPI WINTER TRAINING EVENT WITH COSTS NOT TO EXCEED \$400.00.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval of travel and training for Mike St. Louis to attend the Building Officials Association of Mississippi Winter Training Event with costs not to exceed \$400.00” is enumerated, this consent item is thereby approved.

**12. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS AS OF AUGUST 31, 2016 FOR FISCAL YEAR ENDING 9/30/16.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval of the City of Starkville Claims Docket for all departments as of August 31, 2016 for fiscal year ending 9/30/16” is enumerated, this consent item is thereby approved.

General Fund	001	\$ 701,334.66
Restricted Police Fund	002	552.50
Restricted Fire Fund	003	99,428.18
Restricted Airport	016	
Airport Fund	015	20,419.69
Sanitation	022	90,903.32
Landfill	023	23,451.61
Computer Assessments	107	1,799.30
Police Building Renovation Bonds	135	103,156.43
City Bond & Interest	202	2,150.00
Park and Rec Tourism	375	6,653.92
Sub Total Before Stk Utilities	Sub	\$ 440,990.56
Utilities Dept.	SED	1,257,210.59
Total Claims	Total	\$ 1,698,201.15

**13. REQUEST APPROVAL TO HIRE THOMAS WARE AS A WASTEWATER OPERATOR LEVEL IV IN THE STARKVILLE UTILITIES DEPARTMENT, SUBJECT TO SIX (6) MONTH PROBATIONARY PERIOD.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval to hire Thomas Ware, as a Wastewater Operator Level IV, in the Starkville Utilities Department, subject to six (6) month probationary period” is enumerated, this consent item is thereby approved.

**14. REQUEST AUTHORIZATION TO ADVERTISE TO FILL THE VACANT POSITION OF OPERATOR 1 IN THE DRINKING WATER DIVISION**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval

to advertise to fill the vacant position of Operator 1, in the Drinking Water Division” is enumerated, this consent item is thereby approved.

**15. REQUEST AUTHORIZATION TO APPLY FOR 100% REIMBURSABLE GRANT FUNDING FROM THE OFFICE OF HIGHWAY SAFETY IN THE AREA OF DUI ENFORCEMENT AND LEL (LAW ENFORCEMENT LIAISON DUTIES) IN THE AREA OF SALARIES, OVERTIME, LEL MEETINGS, AND TRAVEL IN THE AMOUNT OF \$91,588.34.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval for authorization to allow the Starkville Police Department to apply for funding with the Office of Highway Safety in the area of DUI Enforcement and LEL (Law Enforcement Liaison Duties) This request is for \$91,588.34 in 100% reimbursable funds in the area of Salary for two DUI Officers, Overtime for DUI Enforcement, LEL Meetings, and Travel for DUI related training” is enumerated, this consent item is thereby approved.

**16. REQUEST AUTHORIZATION TO APPLY FOR FUNDING WITH THE OFFICE OF HIGHWAY SAFETY IN THE AREA OF POLICE TRAFFIC SAFETY GRANTS 100% REIMBURSABLE GRANT FUNDING IN THE AREA OF OVERTIME AND LEL DUTIES IN THE AMOUNT OF \$17,800.00.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval for the Starkville Police Department to apply for 100% reimbursable grant funding in the area of Overtime and LEL Duties in the amount of \$17,800.00” is enumerated, this consent item is thereby approved.

**17. REQUEST AUTHORIZATION TO APPLY FOR FUNDING WITH THE JUSTICE ASSISTANCE GRANT IN THE AREA OF HOT SPOT POLICING FOR 100% REIMBURSABLE GRANT FUNDING IN THE AREA OF OVERTIME AND EQUIPMENT IN THE AMOUNT OF \$37,596.00.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval for the Starkville Police Department to apply for 100% reimbursable grant funding in the area of Overtime and Equipment in the amount of \$37,596.00” is enumerated, this consent item is thereby approved.

**18. REQUEST APPROVAL TO PURCHASE 10 NEW POLICE VEHICLES AT \$267,338 FROM STATE CONTRACT AND TO AUTHORIZE THE CITY CLERK / CFO TO OBTAIN LEASING QUOTES.**

Upon the motion of Alderman Henry Vaughn, Sr., duly seconded by Alderman Lisa Wynn, and adopted by the Board to approve the November 15, 2016 Official Agenda, and to accept items for Consent, whereby the “Approval to purchase 10 new police vehicles at \$267,338 from state contract and to authorize the City Clerk / CFO to obtain leasing quotes” is enumerated, this consent item is thereby approved.

**END OF CONSENT AGENDA ITEMS**

**ANNOUNCEMENTS AND COMMENTS:**

**VICE-MAYOR’S COMMENTS:** Mayor Pro-Tempore Perkins had no comments at this time.

**BOARD OF ALDERMEN COMMENTS:**

Alderman Wynn expressed her disappointment in the removal of the Wal-Mart TIF items. She listed reasons she felt the project would benefit the area and welcomed citizens to stay and comment.

Alderman Walker spoke of the recent tragedy in the Cotton District. The City, Starkville Police Department and citizens will take all steps possible to make the community safe.

#### **CITIZEN COMMENTS:**

Alvin Turner, Ward 7, noted the upcoming holidays and time change. He hopes everyone stays safe.

Lashonda Bush, 713 Vine Street, questioned the zoning of Sonic near her home. She asked that the conditions be enforced in that large trucks continue to exit on Vine Street.

Dewitt Hicks, legal counsel for Sonic, asked for forgiveness for his client in any of the conditions having not been met. Representatives are prepared to work with the City to correct anything necessary.

Patricia Ward Johnson, 306 Apple St., expressed disappointment in the City not supporting Walmart on the North side of town. She stated she felt Walmart Market would inspire additional growth in that area.

Hamp Beatty, 112 St. Charles St., read a statement against granting Walmart a TIF. He stated taxes should be used to support public services, not private business.

Dorothy Issac, welcomed a new Walmart in that area of the City but felt they should pay their own way. She stated sidewalks were more needed with the money.

June Carpenter, asked for a better speaker system in the City court room in that many cannot hear. She recognized Alderman Perkins for his consistency in being against TIFs. She asked that the Northeast side of town be recognized and growth promoted.

Johnny Moore, noted there are only seven (7) neighborhood markets in Mississippi. There are many Dollar Generals, but they seem to be allowed to decline quickly. The Retail Strategy group hired by the City recommends retail growth in this area of the City and feels it is a good return on investment.

Mike McGill, co-owner of new dealership in the area, thanked the City for their support of the TIF which made his dealership possible. He stated more businesses in that area would only help the other nearby businesses.

Eileen Carr-Tabb, 1831 Oktoc Road, stated she understood Walmart had funds, but the focus should be on offering services to all areas of the City.

Dr. Walter Conley, expressed concern with how and why TIFs are granted and asked that a clearer policy be followed in the future.

Alderman Carver responded that TIFs have become sporadic over the years and does agree that the City needs to develop better guidelines for the future. He felt the City had granted all the TIFs they should for a while.

Christiana Sugg, Gouras and Associates, counsel for Walmart Market, thanked the Board for their time and opportunity. She listed reasons for consideration of what development will bring to that area of the City.

Alderman Walker addressed the inconsistencies in the granting of TIFs. He explained that he felt the land near the proposed Walmart is landlocked and it will be difficult for future development. The car dealership connected Highway 389 to Old West Point Road. Academy Sports connected Hollywood Blvd to Hwy 12. He encouraged Walmart to build without the TIF.

#### **PUBLIC HEARING**

**PUBLIC HEARING ON VA 16-08 519 UNIVERSITY DRIVE.**

Mayor Pro Tempore Perkins opened the Public Hearing with Community Development Director Buddy Sanders presented a history of the Variance request. Alderman Maynard inquired as to the original conditions to which Mr. Sanders stated the sidewalks would be built by the applicant.

Mayor Pro Tempore Perkins called for Public Comments. There being none, he closed the Public Hearing.

**19. REPORT FROM COMMUNITY DEVELOPMENT DIRECTOR BUDDY SANDERS AND ENGINEER EDWARD KEMP ON CONSTRUCTION WORK AT SONIC LOCATED AT 711 VINE ST / 302 HWY 12.**

Community Development Director Buddy Sanders and City Engineer Edward Kemp offered a history of the Sonic construction and the current issues. The eight conditions imposed in September 2010 were read. A stop work order was issued for work being done North of the Sonic (West of the Sprint Mart). Discussion followed as to the construction of the curb and how the one recently constructed will be corrected. Mr. Kemp noted the original entrance / exit was constructed for commercial traffic, but is being used for non-commercial traffic.

Alderman Vaughn offered a motion that the recently constructed concrete pad, dumpster pad and bollards, and any and all other materials associated with such construction at the Sonic restaurant located at the intersection of Highway 12 and Vine Street be approved and accepted by the City of Starkville, contingent upon the following: that Sonic, at its sole cost and expense, shall construct a triangular or other sized curb cut of sufficient height, width and depth that will, in the opinion of the City Engineer, physically and completely prohibit traffic from turning left from the newly constructed area onto Vine Street in a southbound direction; that the design of the curb cut shall be presented to, and approved by, the Starkville Board of Aldermen prior to construction; and that the curb cut shall be constructed within 15 (fifteen) days of the Board’s approval of the design. Should Sonic fail to adhere to this Order, the City shall pursue any and all available legal remedies including, but not limited to, proceeding under the City’s Code Enforcement process and / or seeking injunctive relief in a court of competent jurisdiction. Alderman Walker seconded the motion and the Board voted as follows to approve the motion:

- Alderman Ben Carver Voted: Yea
- Alderman Lisa Wynn Voted: Yea
- Alderman David Little Voted: Yea
- Alderman Jason Walker Voted: Yea
- Alderman Scott Maynard Voted: Yea
- Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor Pro Tempore declared the motion carried.

**20. DISCUSSION AND CONSIDERATION OF VA 16-08 519 UNIVERSITY DRIVE.**

Buddy Sanders presented the history of the request. Alderman Walker offered a motion to approve the VA 16-08 a Variance request from the maximum lot width requirements for a proposed lot aggregation of three lots located at 519 University Drive with three recommended conditions:

1. Building 1 and 5 of the proposed site plan (attachment 3) shall have the front door of both units face University Drive with a walkway going straight to University Drive.
2. Building 1 and 5 shall be both built as part of Phase I of the development.
3. No ADA Ramps shall be constructed along any façade along University Drive.

Alderman Vaughn seconded the motion and the Board voted as follows:

- Alderman Ben Carver Voted: Yea
- Alderman Lisa Wynn Voted: Yea



Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor Pro Tempore declared the motion carried.

## **21. DISCUSSION AND CONSIDERATION OF LW 16-04 SPARROW PROPERTIES.**

Upon the motion of Alderman Walker, duly seconded by Alderman Little, to approve LW 16-04 a Request for a Landscape Waiver with one recommended condition that the total plant unit count not to be less than 50% of the required count without approval of the City Planner, the Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor Pro Tempore declared the motion carried.

## **22. DISCUSSION AND CONSIDERATION OF LW 16-05 STARKVILLE VILLAGE CROSSING.**

Alderman Walker offered a motion, duly seconded by Alderman Little, to approve LW 16-05 a Request for a Landscape Waiver for the property located at 400 Highway 12 with one recommended condition, that a maximum of 25% reduction in the amount of Canopy Trees shown on Approved Site Plan dated August 16, 2016. Alderman Walker complimented the developer on the progress of the area and noted the success of the Landscape Ordinance. The Board voted as follows:

Alderman Ben Carver Voted: Yea  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor Pro Tempore declared the motion carried.

## **23. 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 a proper cause for executive session. Upon the Motion of Alderman Vaughan to enter into a Closed Session to determine if there is proper cause for Executive Session, the Board voted as follows:

Alderman Ben Carver Voted: Absent  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor Pro Tempore declared the motion carried.

The Board entered closed session.

**24. A MOTION TO ENTER EXECUTIVE SESSION FOR THE PURPOSE OF PENDING LITIGATION RELATED TO THE STARKVILLE AIRPORT BOARD AND A GRIEVANCE OF AN EMPLOYEE OF THE SANITATION AND ENVIRONMENTAL DEPARTMENT.**

Alderman Vaughn offered a motion to enter Executive Session for the purpose of pending litigation related to the Starkville Airport Board and a grievance of an employee of the Sanitation and Environmental Department on a finding that the proposed topics qualified for Executive Session. Following a second by Alderman Maynard, the Board voted as follows to enter Executive Session:

Alderman Ben Carver	Voted: Absent
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor Pro Tempore declared the motion carried.

The Mayor Pro Tempore invited the public back in, and after allowing the public time to enter the room, made the announcement of the Board's decision to enter into Executive Session for the purpose of pending litigation related to the Starkville Airport Board and a grievance of an employee of the Sanitation and Environmental Department on a finding that the proposed topics qualified for Executive Session.

At this time the Board entered Executive Session.

**25. A MOTION TO RETURN TO OPEN SESSION.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Vaughn, to return to Open Session, the Board voted as follows:

Alderman Ben Carver	Voted: Absent
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Scott Maynard	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor Pro Tempore declared the motion carried.

The Mayor invited the public back in and then announced that the Board had taken action in Executive Session.

**26. A MOTION TO RECLASSIFY A SANITATION AND ENVIRONMENTAL SERVICES EMPLOYEE.**

Upon the motion of Alderman Maynard, duly seconded by Alderman Wynn, to grant in part, the grievance of Cap Riley dated October 13, 2016, by reclassifying him to Equipment Operator 1 in the Sanitation and Environmental Services Department with his current salary, the Board voted as follows:

Alderman Ben Carver	Voted: Absent
Alderman Lisa Wynn	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea

Alderman Scott Maynard Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor Pro Tempore declared the motion carried.

**27. A MOTION TO RECESS UNTIL DECEMBER 6, 2016 @ 5:30 IN THE COURT ROOM AT CITY HALL LOCATED AT 110 WEST MAIN STREET.**

Upon the motion of Alderman Vaughn, duly seconded by Alderman Wynn, for the Board of Aldermen to recess the meeting until December 6, 2016 @ 5:30 at 110 West Main Street in the Court Room of City Hall, the Board voted as follows:

Alderman Ben Carver Voted: Absent  
Alderman Lisa Wynn Voted: Yea  
Alderman David Little Voted: Yea  
Alderman Jason Walker Voted: Yea  
Alderman Scott Maynard Voted: Yea  
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor Pro Tempore declared the motion carried.

SIGNED AND SEALED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016.

Attest:

\_\_\_\_\_  
ROY A'. PERKINS, MAYOR PRO-TEMPORE

\_\_\_\_\_  
LESA HARDIN, CITY CLERK

(SEAL)