

Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN SOUTHAVEN, MISSISSIPPI

CITY HALL

July 2, 2019

6:00 p.m.

AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: June 18, 2019
5. Resolution for Sanitation Assessment
6. Resolution for Amending Ordinance Title X, Chapter I, Section 10-7
7. Resolution for Adding Ordinance for Authority to Revoke Certificate of Occupancy
8. Wrecker Rotation Removal
9. Resolution to Clean Private Property
10. Planning Agenda: Item #1 Application by Lifestyle Homes, LLC for subdivision approval of Brambles Section "H" on the east side of Getwell Road, north of College Road.
 Item #2 Application by Lifestyle Homes, LLC for subdivision approval of Silo Square Section "I" on the east side of Tchulahoma Road, south of Goodman Road.
 Item #3 Condemnation proceedings to begin at 1905 Stateline Road per Code of Ordinances Title IV Chapter 4. Slum Clearance
11. Mayor's Report
12. Citizen's Agenda: Eddie Gossett, Gossett Wrecker Service
13. Personnel Docket
14. City Attorney's Legal Update
15. Utility Bill Adjustment Docket
16. Claims Dockets: Docket 1
 Docket 2
17. Executive Session: Personnel in SPD; Economic Development (Business/Industry Locating to City);
 Litigation against SPD

Any citizen wishing to comment on the above items may do so.
Items may be added to or omitted from this agenda as needed.

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MINUTES OF THE REGULAR MEETING OF July 02, 2019 OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI

BE IT REMEMBERED that the Mayor and Board of Aldermen of the City of Southaven, Mississippi met in Regular Session on the 2nd day of July, 2019 at six o'clock (6:00) p.m. at City Hall.

Present were:

William Brooks	Alderman At Large
Kristian Kelly	Alderman, Ward 1
Charlie Hoots	Alderman, Ward 2
George Payne	Alderman, Ward 3
Joel Gallagher	Alderman, Ward 4
John David Wheeler	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Also present were Mayor Musselwhite, Andrea Mullen, City Clerk, and Nick Manley, City Attorney. Approximately twenty (20) other people were present.

Mayor Musselwhite called the meeting to order. Alderman Gallagher led in prayer followed by the Pledge of Allegiance led by Alderman Kelly. Next, a motion was made by Alderman Payne to approve the minutes of the regular meeting of June 18, 2019 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

RESOLUTION FOR SANITATION ASSESSMENT

Nick Manley, City Attorney, presented this item to the Board.

Mr. Manley stated that this resolution will allow for collection of unpaid sanitation fees either through liens on property or by including the cost on the individual's car tag fee. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

RESOLUTION FOR ASSESSING UNPAID SANITATION FEES

WHEREAS, the City of Southaven ("City") operates and maintains a garbage and rubbish collection system; and

WHEREAS, the City previously implemented a \$12.00 per month sanitation fee to defray the cost for the operating and maintaining of the garbage and rubbish collection system; and

WHEREAS, despite correspondence requesting that the City residents pay the sanitation fee and providing the residents the opportunity to address the City

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Board at previous City meetings, the residents listed at the properties on Exhibit A have failed to pay the sanitation fee; and

WHEREAS, the individuals were provided an opportunity for a hearing at the City Board Meetings regarding the delinquent assessments and chose not to attend the hearing; and

WHEREAS, the City desires to collect the sanitation fees from the individuals and in the amount as set forth in Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Southaven, Mississippi, as follows, to-wit:

1. Pursuant to Mississippi Code Section 21-19-2, the City Public Works Director and his staff are authorized to notify the Desoto County Tax Collector of the unpaid fees for those residents as set forth in Exhibit A. Upon receipt of the residents and addresses as set forth in Exhibit A from the City, the Desoto County Tax Collector shall not issue or renew a motor vehicle road and bridge privilege license for the motor vehicle owned by those individuals, unless such fees or charges, in addition to any other taxes or fees assessed against the motor vehicle, are paid.

2. In lieu of filing the assessments with the Desoto County Tax Collector, the City, pursuant to Mississippi Code 21-19-2, may file a lien on the property offered the sanitation service.

3. The Mayor, City Public Works Director and any of their designees are authorized to take any and all action to effectuate the intent of this Resolution.

After a full discussion of this matter, ALDERMAN Brooks moved that the foregoing Resolution be adopted. The motion was seconded by ALDERMAN Gallagher. Upon the question being put to a vote, Members of the Board of

Aldermen voted as follows:

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES
Alderman Charlie Hoots	voted: YES

RESOLVED AND DONE, this 2nd day of July, 2019.

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Property Owners/Previous Tenants who live
somewhere else in Desoto County other than service

SERVICE ADDRESS:	PROPERTY OWNER/ TENANT NAME:	PROP. OWNER/TENANT PERSONAL ADDRESS:	AMOUNT INFORMATION:	ACTION:
5388 Bradley Lane	Drew Williams	7085 Dawnhill Road Memphis, TN 38135	STILL NOT PAID ☐ \$78.00 (Drew Williams account)	Car tag hold at Bradley address
8975 Grandview Cove	Karen Bianchi	5370 Goodman Road, Lot 3, Horn Lake, MS 38637	STILL NOT PAID ☐ \$48.40 (Karen Bianchi account)	Car tag hold at both addresses (Grandview & Goodman)
5593 Lexy Lane	Emily Kay Courteau	855 S. Pear Orchard Road, Suite 404, Building 400 Ridgeland, MS 39157	STILL NOT PAID ☐ \$276.93 (Courtney McMillen account) & \$107.00 (Amanda Jeff account) ☐ \$383.93 TOTAL	Car tag hold at Lexy address
712 Poplar Cove	Michael Curry	7100 Tulane Road, Apt. 512 Horn Lake, MS 38637	STILL NOT PAID ☐ \$374.11 (Michael Curry account)	Car tag hold at both addresses (Poplar & Tulane)
5493 Remington Cove	Shapiro & Massey, LLC	1080 River Oaks Drive, Suite B 202 Flowood, MS 39232	STILL NOT PAID ☐ \$66.20 (Rickey W. Hall account)	Car tag hold at Remington address
5288 Russell Drive	Lauren Fish	Same as service	STILL NOT PAID ☐ \$51.60 (Lauren Fish account)	Car tag hold at Russell address
5357 Woodchase Drive	Shelby Rayman	7345 Osborn Meadows Road Arlington, TN 38002	STILL NOT PAID ☐ \$63.60 (Shelby Rayman account)	Car tag hold at Woodchase address
5434 Worth Cove	Andrea Gross	1284 Odom Road Hernando, MS 38632	STILL NOT PAID ☐ \$55.20 (Andrea Gross account)	Car tag hold at both addresses (Worth & Odom)

Customers who got 5/7/19 Letter, to be paid by 6/7/19; Picked up carts on 4/23/19, Still Not Paid as of 5/2/19

address (got letters to pay by certain date & never did)

Address:	Resident:	ACTION:	ADDITIONAL NOTES:
701 Burton Lane	Joe Scott	Car tag hold	
972 Charlotte Lane	Karlle Cummings	Car tag hold	
1261 Great Oaks	Doris O'Neel	Car tag hold	
5392 Kristy Lane	Khadija Cotes	Car tag hold	
1125 McGowan Drive	Robert Ming	Car tag hold	
5359 Russell Drive	Leon Matthis III	Car tag hold	
1335 South Point Cove	Cindy Martin	Car tag hold	
786 W.E. Ross Parkway	Noel Stanley Balch	Car tag hold	
5752 Westminster Lane	James W. Lee	Car tag hold	

List Current as of 6/27/19

RESOLUTION FOR AMENDING ORDINANCE TITLE X, CHAPTER I, SECTION 10-7

Nick Manley, City Attorney, presented this item to the Board.

Mr. Manley stated that this ordinance was discussed at the last board meeting. This resolution amends City Ordinance Title X, Chapter I, Section 10-7 to require properties that are ten (10) acres or more to only maintain and mow a two hundred yard perimeter around the entire parcel of land as opposed to maintaining the entire property. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

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RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI TO AMEND THE CITY OF SOUTHAVEN CODE OF ORDINANCES, TITLE X, CHAPTER I, SECTION 10-7

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the “City”), considered the matter of amending the Southaven Code of Ordinances, Title X, Chapter I, Section 10-7 (“Ordinances”).

WHEREAS, pursuant to Miss. Code Section 21-17-5, the City Governing Authorities have the power to adopt any orders, resolutions or ordinances with respect to such municipal affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi, and shall likewise have the power to alter, modify and repeal such orders, resolutions or ordinances; and

WHEREAS, the City Governing Authorities have the authority pursuant to Miss. Code Section 21-19-11 to allow for the City to clean private property after due notice is served; and

WHEREAS, it is necessary for the City Governing Authorities to regulate vacant lots and other properties in order to preserve the appearance and atmosphere of the City and its neighborhoods as it will improve the general public health, safety or welfare of the City; and

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, THAT BY RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI THE CITY OF SOUTHAVEN CODE OF ORDINANCE TITLE X, CHAPTER 1, SECTION 10-7 BE AMENDED AS FOLLOWS:

1. Section 10-7(f) shall be added to state: “Any parcel of land encompassing ten (10) or more acres shall only be required to mow and maintain a two hundred yard perimeter around the entire parcel of land. All other parcels encompassing less than ten (10) acres shall be required to mow and maintain the entire parcel of land.”

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BE IT ORDERED that the passage of this Ordinance is now official, and the same shall take effect one month from this date. The City Clerk shall cause this Ordinance to be advertised as provided by law.

The foregoing Ordinance was read, discussed and voted upon in a public meeting, section by section, and as a whole, and whereas a motion was made by Aldermen Brooks to adopt the Ordinance, and said motion was seconded by Aldermen Payne with the vote thereon having the following results:

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES
Alderman Charlie Hoots	voted: YES

The foregoing Ordinance was passed, adopted and approved on the 2nd day of July 2019.

RESOLUTION FOR ADDING ORDINANCE AUTHORITY TO REVOKE CERTIFICATE OF OCCUPANCY

Nick Manley, City Attorney, presented this item to the Board.

Mr. Manley stated that this ordinance was discussed at the last board meeting. The proposed ordinance gives the authority to the City to revoke a certificate of occupancy if a non-residential structure, building, warehouse, facility, and/or land receives two (2) citations from the City Fire Department for violation of the occupancy limits as set forth and in accordance with the International Fire Code within a two (2) year period. The violations are provided to the City Court for a hearing to be set by the City Judge. After consideration of the facts and testimony by the City Judge, the City Judge shall have the discretion to revoke the certificate of occupancy for the structure, building, warehouse, facility, and/or land for a length of time not exceeding two (2) years. In addition, the City Judge can impose a fine not to exceed \$1,000.00. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI TO AMEND THE CITY OF SOUTHAVEN CODE OF ORDINANCES

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the “City”), considered the matter of amending the Southaven Code of Ordinances (“Ordinances”).

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WHEREAS, pursuant to Miss. Code 21-19-21 and Miss. Code 21-19-25, the City Governing Authorities may adopt regulations and fire codes or any other codes dealing with general public health, safety or welfare, or a combination of the same; and

WHEREAS, pursuant to Miss. Code 17-1-3, the City Governing Authorities may regulate the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes; and

WHEREAS, pursuant to Miss. Code 21-17-5, the City Governing Authorities have the power to adopt any orders, resolutions or ordinances with respect to such municipal affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi, and shall likewise have the power to alter, modify and repeal such orders, resolutions or ordinances; and

WHEREAS, the City Governing Authorities previously adopted the 2012 International Fire Code (“Code”); and

WHEREAS, the Section 1004 of the Code allows for the City Fire Department to regulate the number of patrons within a building, structure, and/or area; and

WHEREAS, buildings and/or structures within the City have occupational limits which ensure the safety, health, and welfare of the City’s citizens; and

WHEREAS, the City Governing Authorities desire to ensure that its citizens and individuals visiting and occupying buildings, structures, and/or areas within the City are safe from any and all fires and potential hazards; and

WHEREAS, the City Governing Authorities also desire to ensure that the regulations within the Code are followed within the City to ensure the safety of any and all individuals; and

WHEREAS, the City Code of Ordinances, specifically, Title IV, Chapter 2, Article 1, Section 4-32 require that a certificate of occupancy be granted by the City before it is occupied; and

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI,

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THAT BY RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI THE CITY OF SOUTHAVEN CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

1. In the event that a non-residential structure, building, warehouse, facility, and/or land receives two (2) citations from the City Fire Department for violation of the occupancy limits as set forth and in accordance with the International Fire Code within a two (2) year period, such violations shall be provided to the City Court for a hearing to be set by the City Judge. After consideration of the facts and testimony by the City Judge, the City Judge shall have the discretion to revoke the Certificate of Occupancy for the structure, building, warehouse, facility, and/or land for a length of time not exceeding two (2) years.

2. In addition to the revocation of the Certificate of Occupancy by the City Judge, the City Judge may issue a fine in an amount not to exceed One Thousand Dollars and 00/100 (\$1,000.00).

BE IT ORDERED that the passage of this Ordinance is now official, and the same shall take effect one month from this date. The City Clerk shall cause this Ordinance to be advertised as provided by law.

The foregoing Ordinance was read, discussed and voted upon in a public meeting, section by section, and as a whole, and whereas a motion was made by Aldermen Payne to adopt the Ordinance, and said motion was seconded by Aldermen Hoots with the vote thereon having the following results:

Alderman William Brooks	Voted: YES
Alderman Kristian Kelly	Voted: YES
Alderman Charlie Hoots	Voted: YES
Alderman George Payne	Voted: YES
Alderman Joel Gallagher	Voted: YES
Alderman John Wheeler	Voted: YES
Alderman Raymond Flores	Voted: YES

The foregoing Ordinance was passed, adopted and approved on the 2nd day of July 2019.

WRECKER ROTATION REMOVAL
Captain Mark Little presented this item to the Board.

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Captain Mark Little explained that the Police Department learned in 2017 that Eddie Spencer Gossett, Eddie Stewart Gossett and Taffy Gossett were all indicted by a Desoto County Grand Jury. They found that Eddie Stewart Gossett (Senior) and Taffy Gossett both plead guilty to charges of tax evasion. Eddie Spencer Gossett (Junior) plead to a non-adjudication and did not receive a conviction but did have a probationary period. In February 2019, Eddie Spencer was indicted again on the charge of embezzlement by the MS Department of Revenue. He plead guilty to both the 2017 and 2019 charges. Eddie Stewart Gossett, Taffy Gossett, and Eddie Spencer Gossett are all convicted felons listed on the business license. Captain Little stated that the language in the wrecker rotation policy clearly states that no owners, managers, or drivers shall be allowed to participate in the wrecker rotation if they have been convicted of a felony. Captain Little stated that it is the recommendation from the Police Department to remove Gossett Wrecker Service from the Wrecker Rotation. Mr. Gilder, Attorney, representing Misty Gossett spoke on her behalf representing Gossett Wrecker Service, LLC. Mr. Gilder stated that Eddie Spencer surrendered his management membership interest in the LLC prior to June 12, 2019 on June 8, 2019. Mr. Gilder stated that Misty Gossett was the owner of Gossett Wrecker Service, LLC and that the other three convicted felons did not have any managing interest in the Wrecker Service, LLC and since they are no longer part of the ownership, they are not in violation of the policy. Alderman Gallagher made the motion to open the floor for discussion. Motion was seconded by Alderman Kelly.

After much discussion among the Mayor and Board of Alderman as it relates to the wrecker rotation being a privilege and not a legal obligation and review of the indictments of Eddie Spencer Gossett, Eddie Stewart Gossett, and Taffy Gossett, Alderman Kelly made the motion to remove Gossett Wrecker Service, LLC from the wrecker rotation. Motion was seconded by Alderman Gallagher.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hoots	NO
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of July, 2019.

A copy of the recommendation letter from the Police Department is attached to these minutes.

RESOLUTION TO CLEAN PRIVATE PROPERTY

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Mayor Musselwhite introduced the cleaning of property and asked if there were any comments from the Board and there were none. Mayor Musselwhite then asked for any comments from the public and there were none. The Board then considered the following resolution to clean private property:

RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY

WHEREAS, the governing authorities of the City of Southaven, Mississippi, have received numerous complaints regarding the parcel of land located at the following address, to-wit:

Parcel # 2075160000000102
Parcel # 2075160000000104
8524 Farmington Cove
Parcel # 2073061500000600
Parcel # 1087360000000100
Parcel # 1087361000001101
Parcel # 1087361000000300
Parcel # 1087361000000200
Parcel # 1087361000001700
7526 Millbridge Drive
Parcel # 1079310000001302
6225 Elmore Road
Parcel # 1079310000001304
1175 Main Street
7745 Whitten Hill Cove
Parcel # 1079310800000703
Parcel # 1079310800000708
Parcel # 1079310800000717
Parcel # 1079310800000713
Parcel # 1079310800000715

to the effect that the said parcel of land has been neglected whereby the grass height is in violation and there exist other unsafe conditions and that the parcel of land in the present condition is deemed to be a menace to the public health and safety of the community.

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code Annotated (1972), the governing authorities of the City of Southaven, Mississippi, provided the owners of the above described parcel of land with notice of the condition of their respective parcel of land and further provided them with notice of a hearing before the Mayor and Board of Aldermen on Tuesday, July 2, 2019, by United States mail and by posting said notice, to determine whether or not the said parcel of land were in such a state of uncleanness as to be a menace to the public health and safety of the community.

WHEREAS, none of the owners of the above described parcel of land appeared at the meeting of the Mayor and Board of Aldermen on Tuesday, July 2, 2019, to voice objection or to offer a defense.

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NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Board of Alderman of the City of Southaven, Mississippi, that the above described parcel of land located at:

Parcel # 2075160000000102
Parcel # 2075160000000104
8524 Farmington Cove
Parcel # 2073061500000600
Parcel # 1087360000000100
Parcel # 1087361000001101
Parcel # 1087361000000300
Parcel # 1087361000000200
Parcel # 1087361000001700
7526 Millbridge Drive
Parcel # 1079310000001302
6225 Elmore Road
Parcel # 1079310000001304
1175 Main Street
7745 Whitten Hill Cove
Parcel # 1079310800000703
Parcel # 1079310800000708
Parcel # 1079310800000717
Parcel # 1079310800000713
Parcel # 1079310800000715

is deemed in the existing condition to be a menace to the public health and safety of the community.

BE IT FURTHER RESOLVED that the City of Southaven shall, if the owners of the above described parcel of land do not do so themselves, immediately proceed to clean the respective parcel of land, by the use of municipal employees or by contract, by cutting weeds and grass and removing rubbish and other debris.

Following the reading of this Resolution, it was introduced by Alderman Brooks and seconded by Alderman Payne. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

ALDERMAN	VOTED
Alderman William Brooks	YES
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman John David Wheeler	YES
Alderman Raymond Flores	YES

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the 2nd day of July, 2019.

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A copy of the notices along with pictures of the properties is attached to these minutes.

PLANNING AGENDA

Planning Agenda presented by Whitney Cook, Director of Planning & Development.

- Item #1 Application by Lifestyle Homes, LLC for subdivision approval of Brambles Section “H” on the east side of Getwell Road, north of College Road.

Mrs. Choat –Cook stated that this is an application for subdivision approval of Brambles, Section H. This section will contain 18 lots on approximately 7.38 acres with lots ranging in size from 12,000 – 17,000 square feet. This will have single point access onto College Road and carries into existing sections. Mrs. Choat-Cook stated that per the master plan the minimum heated square footage for this area is 2,000 square feet and the applicant is showing a minimum heated house plan of 2,107 square feet and above. They have a 50 foot right of way throughout except for the entrance where the medians are designed to match the ones on Getwell Road. The only thing that the Planning Commission requested is that there is an old historical smoke stack on the property. They did not want to see it torn down, so they asked the applicant to utilize the brick as part of the entrance sign for the College Road portion. Mrs. Choat-Cook stated that the applicant agreed upon this request. They are compliant with the bulk regulations for the PUD and the ordinance and approval was recommended. Alderman Flores made the motion to approve the subdivision application with Life Style Homes, LLC. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of July, 2019.

A copy of the staff report and final plat is attached to these minutes.

- Item #2 Application by Lifestyle Homes, LLC for subdivision approval of Silo Square Section “T” on the east side of Tchulahoma Road, south of Goodman Road.

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Mrs. Choat-Cook stated that this application is for subdivision approval of Silo Square, Section I on the east side of Tchulahoma Road, south of Goodman Road for the single residential portion of Silo Square. This portion is going to be off of Tchulahoma and will be the first cove to the north with a portion of it down future May Boulevard and extending just past where the cove is located. There areas are considered the conservation area of the PUD that was approved in 2018. There is a wraparound of the conservation areas around the cove that has trails ways as approved by the PUD. You also have a portion of the new Urban Greenway multiuse trail down May Blvd, which is a 10 foot wide multi-use trail also approved by the original PUD. There are 35 lots on 36 acres with lots range in size from 15,000 square feet to upwards ½ acre. The minimum square footage is set at 2,300 square feet. Mrs. Choat-Cook stated that this is compliant with the PUD that was approved and staff recommends approval with no comments. Alderman Flores made the motion to approve the application by Lifestyle Homes, LLC. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of July, 2019.

A copy of the staff report, PUD application packet and plat of survey for Phase I, Residential Area I.

Item #3 Condemnation proceedings to begin at 1905 Stateline Road per Code of Ordinances Title IV Chapter 4. Slum Clearance

Mrs. Choat-Cook made the Board aware that they are starting Mrs. Choat-Cook made the Board aware that they are starting condemnation procedures on the home located at 1905 Stateline Road. Mrs. Choat-Cook explained that pictures were sent to the property owner. The property owner contacted Mrs. Choat-Cook on Monday, July 3 requesting to put in windows and doors. Mrs. Choat-Cook stated that she agreed to meet the property owner on Monday July 8 with the Fire Marshal and Building Official to see if they can appease his request which is not likely. Mrs. Choat-Cook stated that she informed the property owner of a time line put forth to demolish or fix it, with the hearing set for August 6. The property owner stated that he did not want the home torn down. Mrs. Choat-Cook stated that this is a home attached to a travel trailer and it is caving in and the recommendation has already been to condemn it. Mrs. Choat-Cook stated that she, the Fire Marshal and Building Official will meet with the property owner to

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answer any questions. Mrs. Choat-Cook explained no action was needed at this meeting.

MAYOR'S REPORT

Arena Floor Update

Mayor Musselwhite stated that the arena floor project that is part of the Parks Enhancement and Expansion Plan to level the floor should be complete next week. Mayor Musselwhite explained that this will make the Arena more versatile for multiuse in addition to volleyball.

Springfest Pavement Project Update

Mayor Musselwhite stated that the Springfest Pavement Project that will pave the area where the Springfest BBQ has always been will be bid on August 2 and will be brought back to the Board for approval. Construction will be completed before Springfest 2020.

Snowden Grove Multiuse Trail Update

Mayor Musselwhite stated that the City received MPO Federal Coop funding for the Snowden Grove Multiuse Trail project that will add sidewalks all through Snowden Grove Park. These trails will be on Sunset Loop, Snowden Lane and down Pine Tar Alley that turns into Freeman Lane. The trail will be used by many and will help take a step forward in helping to make the City more pedestrian friendly. Mayor Musselwhite stated that they will be breaking ground in 4 weeks and will have under construction.

Sell of Getwell Road Property/ Stateline Road Repair

Mayor Musselwhite stated that the City sold the Getwell property and netted \$2.5 million which has been received by the City and is in the unassigned fund balance. Mayor Musselwhite added that we are above our 12% general fund goal, which is important to us for bond ratings and financial stability and are now close to \$7 million above that goal. Mayor Musselwhite stated that since they have the funding, it is his recommendation to move forward and immediately and repair Stateline Road between I55 east to Tchulahoma and Hwy 301 to Horn Lake Road. Mayor Musselwhite explained that they tried to get federal co-op funding and other state funding, but all of the funding has been obligated to other projects and not available. Mayor Musselwhite stated they work in four (4) cycles and the City cannot wait four (4) years to repair the road. The project was estimated at \$1.7 million and would not have to be bid since the City already has a contract in place with Lehman Roberts. Mayor Musselwhite stated that it is his recommendation to do a budget amendment and put money into the street improvement schedule. Alderman Payne made the motion to do a budget amendment up to \$2 million for the Stateline Road repairs. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN

VOTED

Alderman Brooks
Alderman Kelly

YES
YES

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Alderman Hoots
Alderman Payne
Alderman Gallagher
Alderman Wheeler
Alderman Flores

YES
YES
YES
YES
YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of July, 2019.

A copy of the budget amendment is attached to these minutes.

Alderman Flores stated that he was all in favor of the Stateline Road project since there are funds available, but they also need to address Old Dominion Road. Mayor Musselwhite stated that the challenge is that it is a truck route and they have no way to monitor it. Although Old Dominion is in Tennessee, there are many industrial areas on the Stateline Road corridor that have to use Stateline Road. Mayor Musselwhite added that he has had discussions in the past with previous Police Chiefs and he was never given a way to enforce it. Mrs. Choat-Cook added that when Old Dominion originally came through, the City started expressing problems with the road being damaged. The City contacted them and the City of Memphis agreed upon doing a loop route. If they were entering Old Dominion, they had to get off on Shelby Drive, come down to Airways and enter that way so that they wouldn't been on City streets. When exiting they were allowed to utilize Stateline to I55. Mrs. Choat-Cook stated that they made this agreement so that the City would only get 50% of the traffic. After some discussion among the Mayor and Board, Mayor Musselwhite stated that he would continue to research and do what they could to enforce it.

CITIZEN'S AGENDA

Eddie Gossett, Gossett Wrecker Service

Mr. Gossett's Attorney spoke on his behalf prior to item 8 on the meeting agenda being discussed and voted on by the Board of Alderman.

PERSONNEL DOCKET

Personnel Docket
July 2, 2019

Payroll Additions	Department	Position Title	Start Date	Rate of Pay
Hector Reyes	Parks	Spray Tech	07/03/2019	\$21.00
Donavon Ward	Parks	Laborer I	07/03/2019	\$11.50
Roderick Wilson	Parks	Laborer I	07/03/2019	\$11.50

*pending 1 pre-emp screening
** pending 2 pre-emp screenings

Pay Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
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Fire				
Kevin Smith	FF III/Paramedic	Driver	07/03/2019	\$17.46

ITEC

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Bobbie Baker	Dispatch 3	Shift Supervisor	07/08/2019	\$23.80
Gary Boisseau	Dispatch 1	Dispatch 2	07/03/2019	\$20.35
Robert Pogue	Shift Supervisor	Dispatch 3	07/08/2019	\$21.21

Police

Mary Fite	Police Officer 2	Sergeant	07/08/2019	\$22.86
Rachel W. Haire	Records Clerk 1	Administrative Assistant	07/08/2019	\$22.76
Clinton Horton	Police Officer 2	Sergeant	07/08/2019	\$22.86

Utility

Steven Pirtle Jr	Operator	Crew Foreman	07/03/2019	\$18.56
Bryce Archer	Lead Sewer Tech	Crew Foreman	07/03/2019	\$18.56

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Marlon Bell	Police	Patrol Officer II	7/4/2019	\$20.79
Shayne Carnes	Public Works	Laborer I	7/17/2019	\$12.00
Samuel Maze	Police	Sergeant	7/3/2019	\$22.86

Parks Dept
Tournament (412) & Seasonal (411)
July 2, 2019

New Hires

Payroll Additions	Position	Start Date	Rate of Pay
Avery Durdin	Concessions	07/03/2019	\$7.25
Eli Lamb	Concessions	07/03/2019	\$7.25
Matthew Moton	Seasonal	07/03/2019	\$8.50
Rodney Saulsberry	Cook	07/03/2019	\$8.00

Promotion

Payroll Additions	Current Position	New Position	Rate of Pay
Andrew O'Neal	Concessions	Cook	\$8.00

Terminations

Name	Position	Effective Date	Rate of Pay
Leah Bane	Concessions	07/03/2019	\$7.25
Rebecca Blackwell	Concessions	07/03/2019	\$7.25
Austin George	Concessions	07/03/2019	\$8.00
Jalyn Joyner	Concessions	73/2019	\$7.25

Alderman Brooks made the motion to approve the Personnel Docket of July 2, 2019 as presented to this Board. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of July, 2019.

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CITY ATTORNEY'S LEGAL UPDATE

Data Facts Agreement

Mr. Manley stated that authorization was needed for Chris Wilson to sign an agreement with Data Fax contingent upon review to allow Data Facts to be the new entity for background checks. This contract will save the City \$4.45 per background check, going from \$17.95 to \$13.50. Alderman Brooks made the motion to authorize Chris Wilson to sign the agreement with Data Facts contingent upon the City Attorney's review. Motion was seconded by Alderman Gallagher

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES
Alderman Hoots	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of July, 2019.

A copy of the agreement is attached to these minutes.

EPW Projects

Mr. Manley stated that authorization is needed to allow Mayor to sign two agreements with the EPW Program. This will allow for the City to get 75% funding through NRCS for two different projects. The City will pay 25% for each project.

Project 1

The first project is for road and bank civilization at Meadow Point – Church Road; Shiloh Church-College Road; Stateline Road; and Windy Lane – Tchulahoma. The total cost of the project is \$470,468 with NRCS share being \$352,851 and the City share being \$117,617. Alderman Payne made the motion to authorize Mayor Musselwhite to sign the agreement with EPW for the referenced projects. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES

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Alderman Wheeler
Alderman Flores
Alderman Hoots

YES
YES
YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of July, 2019.

A copy of the agreement is attached to these minutes.

Project 2

Project 2 is for road and bank civilization at Bonner-Nolehole Creek and Plum Point Road – Essayons. The total cost of the project is \$511,340 with NRCs share being \$381,100 and the City share being \$130,240. Alderman Payne made the motion to authorize Mayor Musselwhite to sign the agreement with EPW for the referenced projects. Motion was seconded by Alderman Kelly.

Roll call was as follows:

ALDERMAN

VOTED

Alderman Brooks
Alderman Kelly
Alderman Payne
Alderman Gallagher
Alderman Wheeler
Alderman Flores
Alderman Hoots

YES
YES
YES
YES
YES
YES
YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of July, 2019.

A copy of the agreement is attached to these minutes.

UTILITY BILL ADJUSTMENT DOCKET

		UTILITY BILL ADJUSTMENT DOCKET 07/02/19	
The addresses below experienced unforeseen circumstances in their utilities for which no benefit was received			
HOUSE #	STREET	ADJUSTED AMOUNT	REASON FOR LEAK ADJUSTMENT
1729	CARLA COVE	(\$209.84)	FEMALE ADAPTER BROKE
7775	DAVIS PKWY	(\$24.40)	SHUT OFF VALVE
910	LONG STREET	(\$54.34)	POOL ADJUSTMENT
3893	ROLLING WAGON CV	(\$22.23)	POOL ADJUSTMENT

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5635	ALEXANDRIA LANE	(\$199.33)	TOILET LEAK
7759	AUBURN	(\$34.16)	TOILET LEAK
7759	AUBURN	(\$4.94)	POOL ADJUSTMENT
910	LONG STREET	(\$268.40)	POOL LINER LEAK
1608	GOLDEN OAKS LP N	(\$253.76)	SERVICE LINE LEAK
8005	CREEKWOOD CIRCLE W	(\$43.92)	TOILET LEAK
1337	MOSS POINT	(\$195.20)	TOILET LEAK
8525	FARMINGTON CV	(\$48.80)	LEAK UNDER HOUSE
8391	LAKESHORE DRIVE	(\$151.28)	TOILET LEAK
7606	BROOKWOOD PL	(\$102.48)	TOILET LEAK
3668	ANISTON	(\$39.52)	POOL ADJUSTMENT
1921	WINNERS CIRCLE CV	(\$27.17)	POOL ADJUSTMENT
1845	PECAN RIDGE N	(\$44.46)	POOL ADJUSTMENT
8060	ROSEBUSH CV	(\$83.98)	POOL ADJUSTMENT
6184	BERKSHIRE CIR	(\$107.36)	LEAK OUTSIDE SPOUT
		(\$1,915.57)	

A motion was made by Alderman Payne to approve the Utility Bill Adjustment Docket of July 2, 2019 in the amount of \$1,915.57. Motion was seconded by Alderman Brooks.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of July, 2019.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of July 2, 2019 in the amount of \$3,181,197.72. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

323739, 323753, 323774, 323796, 323797, 323798, 323799, 323800, 323807, 323865, 323906, 323914, 323990, 323991, 323995, 324313, 324322, 324327, 324328, 324329, 324351, 324352

Roll call was as follows:

ALDERMAN	VOTED
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Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 2nd day of July, 2019.

SPECIAL CLAIMS DOCKET

Alderman Hoots recused himself and left the room.

Alderman Payne made the motion to approve the Special Claims Docket of July 2, 2019 in the amount of \$16,432.73. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman William Brooks	YES
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	RECUSED
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman John David Wheeler	YES
Alderman Raymond Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 2nd day of July, 2019.

Alderman Hoots returned to the room.

EXECUTIVE SESSION

A copy of the Executive Session Minutes are maintained in the City Clerk's Office.

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Payne to adjourn. Motion was seconded by Alderman Gallagher. Motion was put to a vote and passed unanimously July 2, 2019 at 7:45 p.m.

Andrea Mullen,
City Clerk
(Seal)

Darren Musselwhite,
Mayor

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