

Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
MUNICIPAL COURT
March 17, 2020
6:00 p.m.
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: March 3, 2020
5. RFP Award for Landscape Maintenance Services
6. Resolution for Final Tax Exemption Approval for Tricorbraun, Inc.
7. Resolution for Earth, Inc. Personal Property Tax Exemption
8. SESAC, LLC Contract with City
9. Resolution for Budget Amendment
10. Resolution for Sanitation Assessment
11. MOU Between SPD and MDPS
12. Southaven Police Radio Purchase
13. Resolution to Clean Private Property
14. Planning Agenda: Item #1 Application by DeSoto Athletic Club for a Conditional Use Permit to allow a reader board sign on the north side of Goodman Road, east of Getwell Road
15. Mayor's Report
16. Citizen's Agenda: Daron Maxwell; Maxwell & Lewis Property Owners
17. Personnel Docket
18. City Attorney's Legal Update
19. Utility Bill Adjustment Docket
20. Claims Docket
21. Executive Session: Economic Development

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 March 17, 2020 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 17th day of March, 2020 at six o'clock (6:00) p.m. at City Municipal Court.

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 thirty (30) 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 Payne. Next, a motion was made by Alderman Payne to approve the minutes of the regular meeting of March 3, 2020 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Kelly. Motion was put to a vote and passed unanimously with all Alderman present.

RFP AWARD FOR LANDSCAPE MAINTENANCE SERVICES

Mayor Musselwhite presented this item to the Board.

Alderman Gallagher made the motion to open the floor for discussion. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

Mayor Musselwhite stated that the City received the following proposals for landscape maintenance services:

Package #1 – Grounds and Manicured ROW Maintenance

Previous pricing for this package with Bearden Integrated Landscaping for grounds and manicured right of ways maintenance services was \$35,500.00 month.

- Chandler's Lawn Service \$25,120.00
- C4 Landscaping - \$35,500.00
- American Services - \$55,250.00

Package 2 – Chemical Spraying of Grounds and Manicured ROW's

Previous pricing with Green King Spray Services was \$10,940.00 month

- Chandler's Lawn Service \$3,800.00

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- C4 Landscaping - \$7,100.00
- American Services - \$28,250.00

Package 3 – Condemned Property Maintenance

- Chandler's Lawn Service \$130.00 per hour
- C4 Landscaping - \$90.00 per hour
- American Services - \$133.00 per hour

(Total hourly combined for personnel with mowing equipment, weed eating equipment and to collect debris/yard waste)

Bradley Wallace, Public Works Director, stated that Chandler's Lawn Service submitted the lowest quote and best proposals for both Package #1 – Grounds and Manicured ROW Maintenance and Package 2 – Chemical Spraying of Grounds and Manicured ROW's and C4 Landscaping submitted the lowest quote and best proposal for Package 3 – Condemned Property Maintenance. Mr. Wallace stated that it is his recommendation to accept these proposals as the lowest and best.

There was discussion as it relates to the qualifications and low proposal submitted by Chandler's Lawn Service, Inc. Mr. Wallace responded that Chandler's Lawn Service meets all of the qualifications, has sufficient equipment and personnel, and has experience working with the City of Olive Branch, Landers Center, and Casinos. Mr. Wallace added that there were some minor changes to the contract due to work being done in house, but it is a similar scope as before. Mayor Musselwhite added that everyone had the same opportunity as they were provided the same specifications.

Alderman Brooks made the motion to award the contracts and authorize Mayor Musselwhite to sign the contract documents with Chandler's Lawn Service for Packages 1&2. Motion was seconded by Alderman Wheeler.

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 17th day of March, 2020.

Alderman Brooks made the motion to award the contracts and authorize Mayor Musselwhite to sign the contract documents with C4 Landscaping for Package 3. Motion was seconded by Alderman Wheeler.

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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 17th day of March, 2020.

A copy of the contracts is attached to these minutes.

RESOLUTION FOR FINAL TAX EXEMPTION APPROVAL FOR TRICORBRAUN, INC.

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

Mr. Manley stated that this tax exemption is for real and personal property and was previously approved by the Board and has now been approved by the MDOR. This resolution will finalize the approval. After hearing from Mr. Manley, the Board of Aldermen considered the following resolution:

FINAL RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING APPLICATION OF TRICORBRAUN, INC. FOR EXEMPTION FROM AD VALOREM TAXATION

The Board took up for consideration the matter of granting tax exemption from ad valorem taxes for Tricorbraun, Inc. the following Resolution, being first reduced to writing, was introduced:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, GRANTING FINAL APPROVAL OF AD VALOREM TAX EXEMPTION TO TRICORBRAUN, INC

WHEREAS, heretofore, Tricorbraun, Inc. is authorized to do business and doing business in Southaven, DeSoto County, Mississippi, filed with the Mayor and Board of Aldermen of the City of Southaven, Mississippi, an application for exemption from ad valorem taxes, except school district, parks and library taxes and the State mandated County levies, for a period of ten years in the amount of \$9,510,000.00 for real property and in the amount of \$551,540.28 for personal property, which said application was approved by the Mayor

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and Board of Aldermen of the City of Southaven, Mississippi, subject to the approval of the Department of Revenue of the State of Mississippi; and

WHEREAS, on the 2nd day of March, 2020, the Department of Revenue of the State of Mississippi approved said application as attached hereto as Exhibit A; and

WHEREAS, a copy of the aforesaid Department of Revenue's approval has been received by the Mayor and Board of Aldermen of the City of Southaven, Mississippi and recorded in its minutes.

NOW, THEREFORE, in consideration of the premises, the Mayor and Board of Aldermen of the City of Southaven, Mississippi, do hereby finally approve said Tricorbraun, Inc.'s application for ad valorem tax exemption, except school district, parks and library taxes and the State mandated County levies, for a period of ten years in the amount of \$9,510,000.00 for real property and \$551,540.28 for personal property from and after January 1, 2020.

The foregoing Resolution granting to Allen tax exemption made on motion by Alderman Flores and seconded by Aldermen Kelly and that the following vote was taken on this action:

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 the 17th day of March, 2020.

A copy of the Exemption Certification from MDOR is attached and fully incorporated into these minutes.

RESOLUTION FOR EARTH, INC. PERSONAL PROPERTY TAX EXEMPTION

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

Mr. Manley stated that this resolution will provide a ten (10) year tax exemption for ten (10) years for personal property in the amount of \$805,435.81. This has been approved by the Mississippi Economic Council and has been recommended to Desoto County. 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, GRANTING EXEMPTION FROM AD VALOREM TAXES TO EARTH, INC FOR A TEN YEAR PERIOD PURSUANT TO 27-31-101 ET SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED

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WHEREAS, Earth, Inc. ("Earth") located at 8680 Swinnea Road #101, Southaven, Mississippi filed with the City of Southaven ("City") for exemption from ad valorem taxation; and

WHEREAS, Earth has produced written verification and documentation to the City as to the authenticity and correctness of its Application in regard to the true value of the prayed for exemption and the completion date of said expanded enterprise; and

WHEREAS, the City Board finds as a fact that the property described in the aforesaid Application constitutes a new enterprise, which was completed on December 31, 2019 and that Earth is entitled to the exemption sought for a period of ten (10) years for personal property in the amount of \$805,435.81 beginning on the 1st day of January, 2020, subject to approval and certification by the Mississippi Department of Revenue.

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

1. Based on Earth's new enterprise providing approximately 50-80 new jobs, the application for ad valorem tax exemption for Earth for ten (10) years for personal property in the amount of \$805,43.81 beginning the 1st day of January, 2020 on the property described in the Application filed by Earth for tax exemption, be and the same is hereby approved.
2. That Earth is hereby granted a tax exemption on ad valorem taxes, except school district, parks and library taxes and the State mandated County levies, for personal property in the amount of \$805,435.81 for ten (10) years beginning January 1, 2020.
3. That the Clerk of this Board is hereby directed to spread a copy of this Resolution on the minutes of this Board; and that said Clerk shall forward the original Application and a certified copy of the transcript of this Resolution approving said Application to the Mississippi Department of Revenue for its approval and certification; and, that upon approval of this Application by the

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Mississippi Department of Revenue and the issuance of its certificate of approval, the Board of Alderman shall enter a Final Order on its minutes granting the exemption; and said Clerk shall also forward one (1) certified copy to the Tax Assessor of DeSoto County, Mississippi, and obtain the Certificate of said Tax Assessor stating that the personal property as itemized in the Application has been placed on the appropriate tax roll as "Non-Taxable", except for school district, parks and library taxes and the "mandated levies" for the duration of the exemption period only.

After a full discussion of this matter, Alderman Flores moved that the foregoing Resolution be adopted. The motion was seconded by Alderman Wheeler. 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 17th day of March, 2020.

A copy of the application is attached and fully incorporated into to these minutes.

SESAC, LLC CONTRACT WITH THE CITY

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

Mr. Manley stated that this contract with SESAC, LLC will provide a license to City to play or allowed to be played various music and artist at City Venues and Events. Currently, the City pays BMI and ASCAP for a license, but also needs to pay SESAC to ensure against federal copyright infringement claims. The fee for 2020 is \$1,496.00. Alderman Kelly made the motion to authorize Mayor Musselwhite to sign the agreement with SESAC, LLC. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES

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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 17th day of March, 2020.

A copy of the agreement is attached and fully incorporated into these minutes.

RESOLUTION FOR BUDGET AMENDMENT

Chris Wilson, City Administrator, presented this item to the Board.

Alderman Flores made the motion to open the floor for discussion. Motion was seconded by Alderman Wheeler.

Alderman Hoots made the motion to remove the Pedestrian Bridge from the original amendment to separate it from Fire Station 5 and Snowden Turf allowing for two separate votes. Motion was seconded by Alderman Wheeler.

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 17th day of March, 2020.

The resolutions for the following budget amendments reflect the total receipt of \$15 million in GO bond and expenses on those capital projects.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI TO AMEND 2020 BUDGET

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the "City"), considered the matter of amending the 2020 City Budget.

WHEREAS, pursuant to Miss. Code 21-35-25, the City desires to amend its 2020 budget; and

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WHEREAS, the City's actual collections and anticipated revenues will exceed the estimates; thus, the City desires to revise and increase the budget appropriation of such funds as set forth in Exhibit A; and

WHEREAS, the transfer from fund to fund, or from item to item, will not result in the expenditure of any money for a purpose different from that which was budgeted or collected; and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Board approves the budget amendment as set forth in Exhibit A and authorizes the Mayor or CAO or their designee to take any and all actions for such amendment.
2. If required, the City is authorized to publish within two (2) weeks of this action in the same manner as the final adopted budget. This publication shall contain a description of the amendment, the amount of money and funds affected, and a detailed statement explaining the need and purpose of the amendment. The vote of each member of the municipality's governing authority on each amendment shall be included in the publication or posted notice.
3. The Mayor or CAO or their designee are authorized to take all actions to further the effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Hoots made the motion and Alderman Wheeler seconded the motion for its adoption. The Mayor put the question to a roll call vote, and the result was 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 the 17th day of March, 2020

Current	Amend	Amended Total
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0100 580 600	Capital Proceeds	\$ 200,000	\$ 15,000,000	\$ 15,200,000
711-640- 220	Fire Station 5	\$ -	\$ 4,500,000	\$ 4,500,000
711-640- 230	Snowden Turf	\$ -	\$ 6,000,000	\$ 6,000,000
711-640- 900	Bond Expense	\$ 230,000	\$ 2,500,000	\$ 2,730,000
			\$ 13,000,000	

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI TO AMEND 2020 BUDGET

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the "City"), considered the matter of amending the 2020 City Budget.

WHEREAS, pursuant to Miss. Code 21-35-25, the City desires to amend its 2020 budget; and

WHEREAS, the City's actual collections and anticipated revenues will exceed the estimates; thus, the City desires to revise and increase the budget appropriation of such funds as set forth in Exhibit A; and

WHEREAS, the transfer from fund to fund, or from item to item, will not result in the expenditure of any money for a purpose different from that which was budgeted or collected; and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Board approves the budget amendment as set forth in Exhibit A and authorizes the Mayor or CAO or their designee to take any and all actions for such amendment.
2. If required, the City is authorized to publish within two (2) weeks of this action in the same manner as the final adopted budget. This publication shall contain a description of the amendment, the amount of money and funds affected, and a detailed statement explaining the need and purpose of the amendment. The vote of each member of the municipality's governing authority on each amendment shall be included in the publication or posted notice.

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3. The Mayor or CAO or their designee are authorized to take all actions to further the effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Flores made the motion and Alderman Brooks seconded the motion for its adoption. The Mayor put the question to a roll call vote, and the result was as follows:

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: NO
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: RECUSED
Alderman Raymond Flores	voted: YES
Alderman Charlie Hoots	voted: NO

RESOLVED AND DONE, this the 17th day of March, 2020

		Current	Amend	Amended Total
711-640- 240	Pedestrian Bridge	\$ -	\$ 2,000,000	\$ 2,000,000
			\$ 2,000,000	

RESOLUTION FOR SANITATION ASSESSMENT

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

Mr. Manley stated that this resolution will allow for assessment via a lien or on a car tag for the monthly sanitation assessments not paid pursuant to Miss. Code 21-19-2. 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

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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 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 Gallagher moved that the foregoing Resolution be adopted. The motion was seconded by ALDERMAN Wheeler. 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

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Alderman Charlie Hoots

voted: YES

RESOLVED AND DONE, this 17th day of March, 2020.

A list of addresses with unpaid sanitation fees is attached and fully incorporated into these minutes.

MOU BETWEEN SPD AND MDPS

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

Mr. Manley stated that this MOU is with the Mississippi Department of Public Safety and provides for the SPD to utilize the state's e-citation software at no cost. This software is deployed in Mississippi Highway Patrol vehicles already and other local agencies around the state. Alderman Brooks made the motion to approve the MOU with MDPS and authorize Chief Moore to sign. 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 17th day of March, 2020.

A copy of the MOU is attached and fully incorporated into these minutes.

MOU BETWEEN SPD AND MDTs

Mr. Manley stated that this MOU is with the Mississippi Department of Technology Services and will allow for citizens to pay for E-Crash reports online. This is part of the master contract with the state. The cost for reports is \$10.00 along with a \$5.00 processing fee if done online. Alderman Brooks made the motion to approve the MOU with MDTs and authorize Chief Moore to sign. 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

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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 17th day of March, 2020.

A copy of the MOU is attached and fully incorporated into these minutes.

SOUTHAVEN POLICE RADIO PURCHASE

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

Mr. Manley stated that this is the lease purchase is with Motorola for police radios. Chris Shelton has recommended the purchase via the state contract and the yearly payment is \$60,578.09 which has been budgeted. It is a four-year term with a 0 percent interest rate and the City can purchase the radios during the term for the lease amount owed. Alderman Brooks made the motion to authorize Chief Moore to sign the agreement with Motorola. Motion was seconded by Alderman Wheeler.

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 17th day of March, 2020.

A copy of the agreement is attached and fully incorporated into these minutes.

RESOLUTION OF CITY OF SOUTHAVEN GOVERNING AUTHORITIES APPROVING LEASE WITH MOTOROLA SOLUTIONS, INC.

WHEREAS, the City of Southaven ("City") Governing Authorities has determined that a true and very real need exists for the acquisition of the Equipment or other personal property described in the Lease between City of Southaven (Lessee) and Motorola Solutions, Inc. (Lessor); and

WHEREAS, the City Governing Authorities have determined that the Lease, substantially in the form presented at March 17, 2020 meeting, is in the best interests of the City for the acquisition of such Equipment or other personal property; and

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WHEREAS, the City Governing Authorities hereby approves the entering into of the Lease by the City and hereby designates and authorizes the Mayor, City Police Chief, City Clerk, City Administrator, City Attorney, and/or any of their designees referenced in the Lease to execute and deliver the Lease on the City's behalf with such changes thereto as such person deems appropriate, and any related documents, including any escrow agreement, necessary to the consummation of the transactions contemplated by the Lease; and

NOW THEREFORE BE IT RESOLVED THAT:

1. The City Governing Authorities hereby adopt this Resolution the signatures in the Lease from the designated individuals, as set forth above, for the Governing Body of the Lessee evidence the adoption by the Governing Body 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 Wheeler. 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 17th day of March, 2020.

RESOLUTION TO CLEAN PRIVATE PROPERTY

None listed for this meeting

PLANNING AGENDA

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

Item #1 Application by DeSoto Athletic Club for a Conditional Use Permit to allow a reader board sign on the north side of Goodman Road, east of Getwell Road

Mrs. Choat-Cook stated that this application is for a newly constructed monument based sign with a reader board on the north side of Goodman, east of Getwell Road. The actual location is on the First Tennessee Bank site which has a recorded sign easement platted to allow for DAC signage. The applicant has submitted an 8'6" tall sign with a three-foot masonry base with the primary signage on the top and the reader in the center. Per the code of ordinances, the reader board sign must be secondary to the primary sign and encompass less square footage than the primary sign. The coloring must be white or amber lighting with a maximum height of eight inches. The applicant submitted renderings showing the compliance. Alderman Wheeler made the motion to

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approve the application by the Desoto Athletic Club. 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 17th day of March, 2020.

A copy of the staff report and CUP application is attached and fully incorporated into these minutes.

MAYOR'S REPORT

Snowden Park Pedestrian Trail Project Award

Mayor Musselwhite stated that bids were opened on Friday, March 13 for the Snowden Park Pedestrian Trail Project. Civil Link reviewed the bids and based on the tabulation, recommended approval to award this project to JM Duncan, the lowest and best in the amount of \$1,371,981.65. Alderman Flores made the motion to accept the recommendation to award the project to JM Duncan as the lowest and best. 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 17th day of March, 2020.

A copy of the Civil Link recommendation letter is attached and fully incorporated into these minutes.

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Covid-19 Risk Management Plan Update

Mayor Musselwhite read the following statement:

As stated in previous updates, our world and our city continue to face many unknowns regarding this disease. We will continue to make decisions relying on information as it becomes available from public health experts. I've again copied the links to the CDC and MSDH below and encourage all to also follow and heed the advice of these experts.

<https://msdh.ms.gov/>

<https://www.cdc.gov/coronavirus/2019-ncov/about/index.html>

While I understand that some of our citizens may view some steps as an over-reaction, we must make decisions that prioritize public health and safety. Information available today is different than it was just 5 days ago when my initial statement was released. While we must continue with our common-sense approach with personal hygiene and social distancing without panic, it is important that we take further steps to flatten the curve of a possible pandemic over-run of our health care facilities. Our general plan is a strategy of statistics to minimize risks of spread by limiting mass gatherings of people. Effective immediately, until **Monday, MAY 11** and further notice, we will incorporate the following changes:

- All Park and Recreation Events (including Springfest) will be cancelled.
- Municipal Court will continue to follow the gathering limitations of the Mississippi Supreme Court
- Board of Aldermen Meetings will continue with a request for limited attendance for only those with pending business to be discussed at the meeting. All meetings are streamed live on the City website for remote viewing.
- Planning Commission Meetings will continue with a request for limited attendance using video conferencing.
- Water and sanitation service cut-off grace periods will be extended for delinquent accounts as well as corresponding late fees.
- In-person water payments will be limited to existing drop boxes located throughout the City and the drive-through window at City Hall. All other payment options remain available and encouraged.
- Business license renewals are encouraged to be made at drop boxes.
- Public records requests may be made online at www.southaven.org.
- Building Department Portal use is encouraged.

All other City facilities and services will remain unchanged. Please contact 662.280.CITY (2489) or our Citizen's Request Tracker on the website with any questions.

The City will also adjust internal operations to minimize risks and mitigate the financial impacts of these changes.

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Alderman Brook made the motion to extend water and sanitation service cut-off grace periods for delinquent accounts as well as corresponding late fees until Monday May 11. Motion was seconded by Alderman Kelly.

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 17th day of March, 2020.

Alderman Brooks made the motion to rescind all Springfest contracts in accordance with the cancellation of Springfest. Motion was seconded by Alderman Hoots.

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 17th day of March, 2020.

Emergency Funding

Mayor Musselwhite stated that he is waiting on information about funding that could be available if they declare an emergency in the City. Mayor Musselwhite stated that he did not want to take any action until he gets that information.

CITIZEN'S AGENDA

Daron Maxwell; Maxwell & Lewis Property Owners

Mr. Maxwell and his niece Tangella expressed concerns with the condition of the west and east side of Banks Road and requested for the City to call the bond that is in place for West Banks and legally make East Banks Road a City street. Mr. Maxwell stated that they had already signed over the ingress/egress rights to the

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City when Mayor Davis was in office. Mrs. Choat-Cook stated that there is an ongoing bond with Poag Development and they can look into that for the West Banks Road. As for East Banks Road, Mrs. Choat-Cook stated that they cannot locate any documentation showing where the City would have taken it over and cannot attest to what Ron Smith and Mayor Davis did in terms of agreeing for it to be a City road. Mrs. Choat-Cook stated that all documentation that the City has shows an ingress/egress which is not a City right of way and is identified differently on a plat and on easements.

Mayor Musselwhite explained to the Board that when Mr. Maxwell brought this to his attention, he explained to him that the current ordinance states that the road must meet certain specifications before the City will take it over.

Mrs. Choat-Cook stated that they could look into the option of a variance based on a hardship. Mayor Musselwhite asked that Mr. Maxwell allow them some time to do further research and get back to him. Mr. Maxwell stated that he would attend the April 7th meeting.

PERSONNEL DOCKET

Personnel Docket

March 17, 2020

New Hires	Department	Position Title	Start Date	Rate of Pay
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*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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Stipend	Type of Stipend	Effective Date	Yearly Amount
<i>Police</i>			
Clinton Horton	Training	3/16/2020	\$600.00

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Oath of Office Department

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Joseph Kirkpatrick Jr.	Police	Police Officer 4	3/5/2020	\$23.96
Wade McCuiston	Public Works	Operator	3/12/2020	\$19.72

Parks Dept March 17, 2020 Tournament (412) & Seasonal (411)

New Hires

Payroll Additions	Position	Start Date	Rate of Pay	
Trenton Bonner	Grounds	3/18/2020	\$7.25	
Terrence Burnette	Grounds	3/18/2020	\$7.25	
Jace Carter	Seasonal	3/18/2020	\$9.00	rehire
Chloe Eubanks	Concessions	3/18/2020	\$7.25	
Tennesson Jordan	Cook	3/18/2020	\$8.00	
Alyssa May	Concessions	3/18/2020	\$7.25	
Devin Middleton	Seasonal	3/18/2020	\$9.00	
Melanie Thiriot	Gates	3/18/2020	\$7.50	

Promotions

Payroll Additions	Current Position	New Position	Rate of Pay
Cassandra Price-Perry	Gift Shop	Gates	\$7.50

Alderman Brooks made the motion to approve the Personnel Docket of March 17, 2020 as presented to this Board. Motion was seconded by Alderman Hoots.

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

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Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 17th day of March, 2020.

CITY ATTORNEY'S LEGAL UPDATE

Urban Arch Contract Approved at the 03-03-20 Meeting

Mr. Manley explained that this is to formally enter the Urban Arch contract that was approved at the previous meeting into the minutes. Mr. Manley added that the contract reflects the terms that were voted on with 6% of the asking price. No action was taken.

UTILITY BILL ADJUSTMENT DOCKET

UTILITY BILL LEAK ADJUSTMENT DOCKET 03/17/2020

The addresses below experienced unforeseen circumstances in their utilities for which no benefit was received

HOUSE #	STREET	ADJUSTED AMOUNT	REASON FOR LEAK ADJUSTMENT
8811	HWY 51 N.	(3638.70)	FRONT YARD OF BUILDING (COMMERCIAL)
5905	AIRWAYS BLVD	(5309.44)	BROKEN SERVICE LINE BLDG 110
436	WOODSMOKE	(244.00)	TOILET LEAK
8082	ELMBROOK	(156.16)	TOILET LEAK
207	TACKETT RUN	(165.92)	TOILET LEAK
6805	HUNTERS GLEN	(122.00)	UNDER SLAB
940	TOWN & COUNTRY RD	(321.07)	LEAK IN PARKING LOT
1270	DIXIE LYNN DRIVE	(58.56)	TOILET LEAK
2273	GREENCLIFF DRIVE	(73.20)	TOILET LEAK
1663	NORTHFIELD DRIVE	(73.20)	KITCHEN FAUCET LEAK
207	TACKETT RUN	(165.92)	TOILET LEAK
1355	RICHLAND DRIVE	(48.80)	TOILET LEAK
3865	HILLSDALE RD	(163.93)	UNDER SLAB LEAK
	TOTAL	(10540.90)	

A motion was made by Alderman Payne to approve the Utility Bill Adjustment Docket of March 17, 2020 in the amount of \$10,540.90. Motion was seconded by Alderman Brooks.

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 on the 17th day of March, 2020.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of February 18, 2020 in the amount of \$1,715,831.72. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

337585, 337601, 337613, 337670, 337677, 337720, 337823, 337824, 337899, 337965, 337967, 337968, 338049, 338113, 338119, 338218, 338268, 338281

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 and approved for payment on the 17th day of March, 2020.

EXECUTIVE SESSION

A motion was made by Alderman Brooks to move for a closed determination of the issue on whether or not to declare an Executive Session. Motion was put to vote and passed unanimously. Alderman Flores made the motion to go into Executive Session for the purpose of discussing Economic Development. Motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously.

The Mayor and Board considered and discussed an economic development project within the City.

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A motion was made by Alderman Flores to end executive session and re-open the meeting. The motion was seconded by Alderman Gallagher. Motion was put to vote and passed unanimously.

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Gallagher to adjourn. Motion was seconded by Alderman Wheeler. Motion was put to a vote and passed unanimously March 17, 2020 at 9:05 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)