



MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
August 4, 2020
6:00 PM
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: July 21, 2020
5. Planning Commissioner Appointment -Ward 3
6. Resolution for Adoption of Comprehensive Plan
7. Resolution for "Big Box" Ordinance
8. Resolution Amending City Ordinance Title XIII, Chapter 12, Section 13-12(m)
9. Resolution for Final Tax Exemption for K.T.G. (USA), Inc.
10. Resolution for Grinder Pump Station for Utilities Department
11. Bid Award Recommendation for Water System Automatic Meter Read Conversion
12. Resolution for Ratification of Emergency Repair for Nail Road Well
13. Resolution to Clean Private Property
14. Planning Agenda: Item #1 Application by Panattoni for design review approval of a 60,000 sq. ft. office building to be located on Lot 6 of the Plum Point PUD Area H on the west side of Airways Blvd. north of Church Road
Item #2 Scrivener's Error to Central Park Section "P" to change street name
15. Mayor's Report
16. Citizen's Agenda
17. Personnel Docket
18. City Attorney's Legal Update
19. Utility Bill Adjustment Docket
20. Claims Dockets: Docket 1
Docket 2
21. Executive Session: Litigation/Claims against SPD; Economic Development

THIS PAGE WAS LEFT BLANK INTENTIONALLY

**MINUTES OF THE REGULAR MEETING
OF August 4, 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 4th day of August, 2020 at six o'clock (6:00) p.m. at City Hall.

Present were:

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

Absent were:

William Brooks	Alderman At Large
----------------	-------------------

Also present were Mayor Musselwhite, Andrea Mullen, City Clerk, and Nick Manley, City Attorney (by teleconference). Approximately twenty-five (25) 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 July 21, 2020 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Hoots. Motion was put to a vote and passed unanimously.

PLANNING COMMISSIONER APPOINTMENT – WARD 3

Mayor Musselwhite swore in Mr. Ben Moore as the new Planning Commissioner for Ward 3.

A copy of the Oath of Office is attached to these minutes.

RESOLUTION FOR ADOPTION OF COMPREHENSIVE PLAN

Whitney Choat-Cook, Director of Planning and Development, presented this item to the Board.

This resolution will allow for the approval and adoption of the City. Comp Plan, which is required by Mississippi law to be updated every twenty (20) years. This plan was discussed at a special meeting in February and has now been advertised and is being recommended for adoption. Mrs. Choat-cook stated that a change was made to update the economic data with the 2019 numbers and everything else remained the same. Mayor Musselwhite added that this was their chance to incorporate the Mayor and Board's goals into the plan. Next, Mayor Musselwhite

asked if there was anyone in the audience that would like to speak on the comprehensive plan and there were none. The Board of Alderman then considered the following resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI ADOPTING 2020
COMPREHENSIVE PLAN**

WHEREAS, Mississippi Code Section 17-1-9 states that “[z]oning regulations shall be made in accordance with a comprehensive plan, and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements”; and

WHEREAS, Mississippi Code Section 17-1-1 defines the term “comprehensive plan” as “a statement of public policy for the physical development of the entire municipality...adopted by resolution of the governing body, consisting of the following elements at a minimum: (1) goals and objectives for the long range (twenty to twenty-five years) development of the...municipality...; (2) a land use plan...; (3) a transportation plan...; and (4) a community facilities plan...; and

WHEREAS, a Comprehensive Plan (“Plan”) has been prepared for the City of Southaven (“City”); and

WHEREAS, the City Mayor and Board of Aldermen have discussed the Plan; and

WHEREAS, on July 27, 2020, the City Planning Commission held a duly noticed public hearing to consider the Plan; and

WHEREAS, on August 4, 2020, the City Mayor and Board of Aldermen held a duly noticed public hearing to consider the Plan as recommended by the City Planning Commission; and

WHEREAS, the public was given the opportunity to speak regarding the Plan; and

WHEREAS, based on review of the Plan and the goals of the City, along with the City’s policy for the development of the City in the context of its long range goals and objectives, land use, transportation, and community facilities, the City hereby incorporates and adopts the Plan 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. Based on the aforementioned findings and review of the Plan by the City Mayor and Board, the Plan, attached hereto as Exhibit A, is hereby adopted and approved by the City.
2. A copy of the Plan shall be available for public inspection at the City Clerk’s Office during normal business hours.
3. The Mayor, Planning Director, or their designees are authorized to take any and all action to effectuate the intent of this Resolution.

4. Exhibit A, which is the Plan, is fully incorporated and included as part of this Resolution and the City Minutes of August 4, 2020.

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

Alderman William Brooks	ABSENT
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

RESOLVED AND DONE this 4th day of August, 2020.

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 4th day of August, 2020.

CITY OF SOUTHAVEN, MISSISSIPPI

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

RESOLUTION FOR "BIG BOX" ORDINANCE

Whitney Choat-Cook, Director of Planning and Development, presented this item to the Board.

This resolution sets forth the ordinance which will regulate "Big Box" stores, as defined within the City Ordinances, and is being proposed to protect overdevelopment of large scale retail buildings as such buildings are becoming more vacant and these large vacant buildings contribute to blight, and reduced property values. This ordinance allows the City to monitor the existing supply of vacant large scale retail buildings and approve new ones contingent on a supply and demand system by way of a conditional use permit. It will allow the City to encourage the redevelopment of vacant existing structures, which will help with the issue of large vacant buildings and blight. The Board of Alderman considered the following resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF SOUTHAVEN, MISSISSIPPI AMENDING THE SOUTHAVEN CODE OF
ORDINANCES TITLE XIII, CHAPTER 19, SECTION 13**

WHEREAS, Mississippi Code Section 21-17-5 provides that the City of Southaven ("City") shall have the power to alter and modify 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; and

WHEREAS, Mississippi Code Section 17-1-9 provides that the City shall have the power to make regulations with reasonable consideration, among other things, to the character of the district and with a view to conserving the value of buildings and encouraging the most appropriate use of land in the City; and

WHEREAS, Mississippi Code Section 17-1-7 provides that the City shall have the power to regulate and restrict the erection, construction, reconstruction, alteration, repair or use of structures; and

WHEREAS, the City desires to regulate the construction of "box stores" in a content neutral manner; and

WHEREAS, the City desires to ensure the size and location of newly constructed retail buildings are consistent with the area where such buildings are constructed so that there is not unnecessary negative impacts to the City's developmental goals as set forth in its Comprehensive Plan and to avoid blight and vacant structures, which leads to crime and decreased property values; 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 TO AMEND THE SOUTHAVEN CODE OF ORDINANCES TITLE XIII, CHAPTER 19, SECTION 13 AS FOLLOWS:

Title XIII Chapter 19 "Big Box Retail Development" Ordinance

Sec. 13-19(a). Introduction.

The Big Box Retail Development Ordinance regulates the size and location of newly constructed retail buildings to ensure the supply and demand are met within the City without creating unnecessary negative impacts to the city's economic development or citizens quality of life.

Sec. 13-19(b) Definitions.

Big box retail buildings are any commercial buildings with a total square footage of more than 25,000 sq. ft. These buildings may be single tenant or multiple tenant buildings and can be located in any zone of the city if deemed a permissible use.

Total square footage shall be defined as all enclosed areas of the structure including storage space as well as all outdoor storage and sales area.

Sec. 13-19(c) Permit Requirements

All retail buildings over 25,000 sq. ft. shall be required to file for a conditional use permit to determine the compliance of the project. This permit approval will be based in part on the proximity to vacant big boxes of a similar size, the location of the site to similar uses and a determination of the compliance with the character of the surrounding neighborhood. In addition to these factors, approval shall be based on a city wide need for additional large commercial space.

Sec. 13-19(c) Categories.

There are three separate categories for total square footage of commercial buildings. This square footage shall include all interior space as well as outdoor storage and/or sales areas.

Category A shall be defined as all commercial structures with less than 25,000 sq. ft. total. This category will not require a conditional use permit and may apply formally for the proper site plan and design procedures as stated in the zoning ordinance.

Category B shall be defined as all commercial structures with a total square footage between 25,000 sq. ft. and 80,000 sq. ft. This category will require a conditional use permit approval prior to any further formal processes can be completed.

Category C shall be defined as all commercial structures with a total square footage above 80,000 sq. ft. This category will require a conditional use permit approval prior to any further formal processes can be completed.

Sec. 13-19(d) Parking.

Parking for all new commercial box developments as defined in this chapter shall be limited to a maximum number of stalls. Parking for these projects shall be calculated with

a 1:300 sq. ft. ratio. These stalls must be located on all four sides of the building to deter a large scale single parking lot and to create a more aesthetic design incorporating more green space.

NOW, THEREFORE BE IT ORDERED that the City Clerk, pursuant to Miss. Code 21-13-11, provide notice of the adoption of the Ordinance in the Desoto Times for one (1) time.

A motion was made by Alderman Payne to approve the foregoing Resolution and was seconded by Alderman Kelly and brought to a vote as follows:

Alderman William Brooks	ABSENT
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

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 4th day of August, 2020.

CITY OF SOUTHAVEN, MISSISSIPPI

RESOLUTION AMENDING CITY ORDINANCE TITLE XIII, CHAPTER 12, SECTION 13-12(m)

Whitney Choat-Cook, Director of Planning and Development, presented this item to the Board.

This resolution to amend the ordinance is being done in conjunction with the “Big Box” Ordinance as it adds the categories for the conditional use permits in context of “Big Box” stores. The Board of Alderman considered the following resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF SOUTHAVEN, MISSISSIPPI AMENDING THE SOUTHAVEN CODE OF
ORDINANCES TITLE XIII, CHAPTER 12, SECTION 13-12(m)**

WHEREAS, Mississippi Code Section 21-17-5 provides that the City of Southaven (“City”) shall have the power to alter and modify 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; and

WHEREAS, Mississippi Code Section 17-1-9 provides that the City shall have the power to make regulations with reasonable consideration, among other things, to the character of the district and with a view to conserving the value of buildings and encouraging the most appropriate use of land in the City; and

WHEREAS, Mississippi Code Section 17-1-7 provides that the City shall have the power to regulate and restrict the erection, construction, reconstruction, alteration, repair or use of structures; and

WHEREAS, the City desires to regulate the construction of “box stores” in a content neutral manner; and

WHEREAS, the City desires to ensure the size and location of newly constructed retail buildings are consistent with the area where such buildings are constructed so that there is not unnecessary negative impacts to the City’s developmental goals as set forth

in its Comprehensive Plan and to avoid blight and vacant structures, which leads to crime and decreased property values; 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 TO AMEND THE SOUTHAVEN CODE OF ORDINANCES TITLE XIII, CHAPTER 19, SECTION 13-12(m) AS FOLLOWS:

Sec. 13-12(m) Chart 4 Commercial Zone Districts

Use Permitted	O	RO	C1	C3	C4	PBP	M1	M2	PUD
Big box Category A	S		S	S	S				S
Big box Category B				C	C				C
Big box Category C				C	C				C

NOW, THEREFORE BE IT ORDERED that the City Clerk, pursuant to Miss. Code 21-13-11, provide notice of the adoption of the Ordinance in the Desoto Times for one (1) time.

A motion was made by Alderman Payne to approve the foregoing Resolution and was seconded by Alderman Wheeler and brought to a vote as follows:

Alderman William Brooks	ABSENT
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

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 4th day of August, 2020.

CITY OF SOUTHAVEN, MISSISSIPPI

RESOLUTION FOR FINAL TAX EXEMPTION FOR K.T.G. (USA), INC.

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

K.T.G. was previously approved by the Board for a period of ten years in the amount of \$12,260,000.00 for real property and \$901,139.75 for personal property. It has now been approved by MDOR and this resolution is the final approval from the City. The Board of Alderman considered the following resolution:

**FINAL RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING
APPLICATION OF K.T.G. (USA), INC. FOR EXEMPTION FROM AD
VALOREM TAXATION**

The Board took up for consideration the matter of granting tax exemption from ad valorem taxes for K.T.G. (USA),

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 K.T.G. (USA), Inc.**

WHEREAS, heretofore, K.T.G. (USA), 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 \$12,260,000.00 for real property and \$901,139.75 for personal property, which said application was approved by the Mayor 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 22nd day of July, 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 K.T.G. (USA), 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 \$12,260,000.00 for real property and \$901,139.75 for personal property from and after January 1, 2020.

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

Alderman William Brooks	ABSENT
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

RESOLVED AND DONE this the 4th day of August, 2020.

Final tax approval from the MS Department of Revenue is attached and fully incorporated into these minutes.

RESOLUTION FOR GRINDER PUMP STATION FOR UTILITIES DEPARTMENT

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

This resolution will set forth the policy/procedures for the protocol for the installation of sewer grinder stations. This was previously discussed by the Mayor and Board and this resolution will help with providing consistency and clarity for the utility department. The Board of Alderman considered the following resolution:

RESOLUTION OF CITY OF SOUTHAVEN GOVERNING AUTHORITIES AUTHORIZING THE INSTALLATION OF GRINDER PUMPS FOR SEWER SERVICE

WHEREAS, pursuant to Mississippi Code Section 21-27-23 of the Mississippi Code, the City of Southaven ("City") is authorized to create and maintain a sewage disposal system by extending main lines within the corporate limits so that individual residents and businesses may connect service lines onto the main lines; and

WHEREAS, the City Governing Authorities desire to provide sewer services to City residents for the health and welfare of the City residents; and

WHEREAS, it is the determination of the City's Governing Authorities that it is necessary and integral to utilize grinder pumps for certain residents in order to extend municipal sewer service to those residences; and

WHEREAS, the City has previously installed grinder pumps within the City; and
NOW, THEREFORE, BE IT RESOLVED by the City Mayor and Board of Aldermen of
as follows, to wit:

1. The City Governing Authorities hereby authorize the City Utility Department and City Engineers to install grinder pumps including 500 feet of the sewer lines needed for the pumps for those residences in communities where grinder pumps have previously been installed as the grinder pump is necessary and integral for the municipal sewer service to those residences.

2. The City Utility Department and City Engineers are authorized to procure easements needed to install the grinder pumps.

3. The residences in communities where grinder pumps have previously been installed shall not be responsible for the costs of the grinder pump as such grinder pump is necessary for the City to provide the sewer service; however, the resident shall be responsible for any and all City sewer tap fees.

Following the reading of the foregoing resolution, Alderman Wheeler made the motion to adopt the Resolution and Alderman Payne 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	ABSENT
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

RESOLVED AND DONE, this 4th day of August, 2020.

BID AWARD RECOMMENDATION FOR WATER SYSTEM
AUTOMATIC METER READ CONVERSION

Dan Cordell, City Consulting Engineer, presented this item to the Board.

Mr. Cordell stated that the Automatic Meter Readers ("AMR") previously went to bid and it is his recommendation to award the low bid to Pedal Valves, Inc. in the amount of \$7,855,035.01. Mayor Musselwhite recommended paying for the project with a revenue bond instead of utilizing funds in Utilities. Alderman Gallagher made the motion to award the bid to Pedal Valves, Inc. and authorize Mayor Musselwhite to sign all contract documents associated with this project. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN

VOTED

Alderman Brooks	ABSENT
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 4th day of August, 2020.

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

**RESOLUTION FOR RATIFICATION OF EMERGENCY REPAIR
FOR NAIL ROAD WELL**

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

Mr. Manley stated that this resolution will authorize the ratification of expenditure in the amount of \$56,458.00 to the Nail Road Well for repair to the pump. 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 FOR DECLARATION OF
EMERGENCY EXPENDITURE**

WHEREAS, the City of Southaven ("City") pursuant to Mississippi Code Section 31-7-13(k) hereby ratifies the expenditures associated with the emergency repairs for the well failure at the Nail Road Well for the immediate preservation of order and public health to ensure water to the City's citizens; and

WHEREAS, the repairs were necessary to ensure the health and safety of the City's citizens; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. Pursuant to Mississippi Code 31-7-13(k) and recommendation of the City's Utilities Director, the City Board ratifies the expenditure in the amount of \$56,458.00 to the Nail Road Well. as set forth in Exhibit A.

SECTION 2. On behalf of the City, the Mayor or his designee is authorized to take all actions to effectuate the intent of this Resolution.

Following the reading of the foregoing resolution, Alderman Kelly made the motion to adopt the Resolution 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	ABSENT
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

RESOLVED AND DONE, this 4th day of August, 2020.

A copy of the invoice (exhibit A) is attached and fully incorporated into these minutes.

RESOLUTION TO CLEAN PRIVATE PROPERTY

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:

946 Mecklenburg Cv
 8241 Oak Brook Dr
 Parcel #1086231600001000
 Parcel #1086231600000800
 Parcel #1086231600000900
 Parcel #1086231600002600
 Parcel #1086231600001200
 Parcel #1086231600001500
 Parcel #1086231600001600
 Parcel #1086231600002000
 8646 Southaven Circle
 1175 Main ST
 2744 Austin James DR
 Parcel# 2072042300000500
 1203 Thames DR
 7960 Getwell Rd
 PARCEL# 1087360000000100
 7526 MILLBRIDGE PL.
 Parcel # 1079302900003900
 176 GOODMAN RD. E. TGIF
 6671 TOWN CENTER LOOP

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, August 4, 2020, 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, August 4, 2020, to voice objection or to offer a defense.

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:

946 Mecklenburg Cv
8241 Oak Brook Dr
Parcel #1086231600001000
Parcel #1086231600000800
Parcel #1086231600000900
Parcel #1086231600002600
Parcel #1086231600001200
Parcel #1086231600001500
Parcel #1086231600001600
Parcel #1086231600002000
8646 Southaven Circle
1175 Main ST
2744 Austin James DR
Parcel# 2072042300000500
1203 Thames DR
7960 Getwell Rd
PARCEL# 1087360000000100
7526 MILLBRIDGE PL.
Parcel # 1079302900003900
176 GOODMAN RD. E. TGIF
6671 TOWN CENTER LOOP

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 Kelly and

seconded by Alderman Wheeler. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

ALDERMAN	VOTED
Alderman William Brooks	ABSENT
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 4th day of August, 2020.

**CITY OF SOUTHAVEN,
MISSISSIPPI BY**

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 Panattoni for design review approval
of a 60,000 sq. ft. office building to be located on Lot 6
of the Plum Point PUD Area H on the west side of
Airways Blvd. north of Church Road**

Mrs. Choat-Cook stated that the applicant is requesting design review approval for a 60,000 sq. ft. office building to be located on lot 6 of Plum Point PUD Area H on the west side of Airways Blvd., north of Church Road. Mrs. Choat-Cook stated that staff has been working with the applicant regarding the proposed changes.

Building elevation comments:

1. The plans make note of screening at eye level for the roof mounted units. This site is extremely visible from several areas especially the I-55 corridor. Staff would like assurance that all units will be screened sufficiently to block their view from any traffic along that roadway in conjunction with the eye level screening;
2. The color palette is somewhat outdated for the city's overall color scheme. New developments especially in the office realm should go with more of a black/gray/white to ensure better comprehensive uniformity. This could be achieved easy enough with this site since the tilt up concrete is a painted aspect of the site. The metro district references the comprehensive

- plan which specifies the grayscale theme when in this district.
3. The south elevation should incorporate something to break up the monotony of the wall. This may be a sensitive area on the interior and if so the use of faux windows may be possible or the applicant could create a pilaster column depth to mimic the offsets of the other areas so give this area more variety OR the applicant can create a natural screening via an evergreen type landscape material with height and run a tight line in groups along this area to break it up;
 4. In reviewing several of the tenants other sites, windows seem to be a big aspect of their office design. It would be recommended that this office incorporate more to increase the office look of the site.

Landscaping comments:

5. Per the ordinance, there should be a twenty (20) foot streetscape design along the frontage on Airways Blvd. As presented this area is only shown as Bermuda grass. The applicant should incorporate the submitted materials into a design specifically for this area to comply;

Photometric comments:

6. The lighting needs to be changed to a warmer light. The city's standard lumen requirement is 3,000k.
7. Decorative lighting should be placed along the streetscape line to comply with all new developments. The standard is an acorn style light; however, this site has a modern look which would clash with the traditional acorn style. Staff would like the applicant to research a modern decorative style lighting and submit for administrative approval.

*The applicant should be conscience of the surrounding area when finalizing the lighting plan. This site is a 24/7 operation and is situated around two areas of residential subdivisions. Lighting along the north and east perimeters should not be intrusive.

Mrs. Choat-Cook stated pending these changes/additions staff recommends approval. Alderman Gallagher made the motion to approve the design review application by Panattoni Development Company. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
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 4th day of August, 2020.

A copy of the staff report, site plan, and exterior renderings is attached and fully incorporated into these minutes.

Item #2 Scrivener's Error to Central Park Section "P" to change street name

Mrs. Choat-Cook stated that there is a scrivener's error that occurred in Central Park Section "P" with a street named Emeline. Emeline runs north and south and has been recorded as Emeline Drive which is part of the master plan; however, there is a curve at the top that goes from Central Trails to Emeline, but the GIS database and the houses that are in that curve have a Park Valley address. Mrs. Choat-Cook made the recommendation to remove Emeline and make the street name Park Valley and with permission will make the appropriate changes with the Chancery Clerk's Office. Alderman Wheeler made the motion to approve the recommended change and authorize the Planning Department to take all action to correct the error. Motion was seconded by Alderman Kelly.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
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 4th day of August, 2020.

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

MAYOR'S REPORT

Mayor Musselwhite stated that the artificial turf project to replace in fields and foul lines at Snowden Grove Park and Greenbrook Park in underway. Mayor Musselwhite explained that time is an issue and we are trying to get all twenty-five fields completed before the 1st tournament in March 2021.

Mayor Musselwhite stated that Governor Reeves mentioned today with his COVID 19 update that there will be delayed schools openings in certain counties and Desoto County was not one of them. Mayor Musselwhite reminded everyone that there is hope and to keep proper perspective. The real numbers as of today of those that have survived COVID19 in the State of MS is 99.94% and 99.994% in Desoto County.

CITIZEN'S AGENDA

Terry Tongumpun reminded the Board that he is applying for a variance at the next meeting and ask that they keep in mind the comprehensive plan for West End District. Mayor Musselwhite stated that the Building Inspector and Fire Marshal will be present at the next meeting to discuss variance.

PERSONNEL DOCKET

Personnel Docket

August 4,
2020

New Hires	Department	Position Title	Start Date	Rate of Pay
Dylan Hudson **	Police	Police Officer 2	TBD	\$21.89
Leroy Dorsey **	Police	Police Officer 2	8/17/2020	\$21.89
Ryan Kornrumpf **	Police	Police Officer 4	8/17/2020	\$23.96
Benny McCall **	Police	Police Officer 2	8/17/2020	\$21.89
Timothy Millican	Police	Police Officer 4	TBD	\$23.96
Brandon Smith	Police	Police Officer 4	8/17/2020	\$23.96
Brandon Wallace *	Public Works	Laborer I	TBD	

*pending 1 pre-emp
screening

** pending 2 pre-emp
screenings

Rescinded Resignation	Department	Current Position Title	Effective Date	Rate of Pay
Dominic Bianchi IV <i>(from Personnel Docket 7/21/2020)</i>	Police	Police Officer 4	7/23/2020	\$23.96

Pay Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Alex Fennell	Lieutenant	Captain	8/5/2020	\$30.21
Brett Logazino	Police Officer 4	Lieutenant	8/5/2020	\$27.86
Richard Phelps	Sergeant	Lieutenant	8/5/2020	\$27.86
LaDarius Tucker	Police Officer 2	Police Officer 3	7/29/2020	\$23.16
Nicholas York	Sergeant	Lieutenant	8/5/2020	\$27.86

Stipend	Type of Stipend	Effective Date	Yearly Amount
Fire			
John T. Coke	Haz-Mat	7/16/2020	\$600
Hunter Rybolt	Haz-Mat	7/16/2020	\$600

Oath of Office	Department
Angela Vance	ITEC

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Bryce Archer	Utility	Crew Foreman	7/27/2020	\$20.28
Benjamin French	Parks	PT Front Desk	7/31/2020	\$7.25
Derrick Harris	Police	Police Officer 4	8/7/2020	\$23.96

Noah Ivy	Utility	Field Service Tech	8/14/2020	\$13.72
Tony Logan	Police	Police Officer 4	8/6/2020	\$23.96
Thomas Nickels	Police	Police Officer 4	8/8/2020	\$23.96
Andrew Studer	Parks	PT Front Desk	8/3/2020	\$7.25
Brad W. Sutherlen	Police	Lieutenant	7/30/2020	\$27.86
Kevin Ware	Police	Lieutenant	8/14/2020	\$27.86

Personnel

Docket

August 4, 2020

Parks Tournaments 412 & Seasonal 411

Resignations/Terminations	Current Position Title	Effective Date	Rate of Pay
Concessions			
Hannah Canankamp	Cook	8/5/2020	\$8.00
Gary Harwood	Cook	8/5/2020	\$8.00
Alander Norris	Cook	8/5/2020	\$8.00
Taylor Williams	Tennis Cook	8/5/2020	\$8.00
Abigail Green	Supervisor		
	Concessions	8/5/2020	\$8.00
	Supervisor		
Clara Johnston	Concessions	8/5/2020	\$8.00
	Supervisor		
Katherine Satchfield	Concessions	8/5/2020	\$8.00
	Supervisor		
Emerson Thomas	Concessions	8/5/2020	\$8.00
	Tournament		
Amber Avent	Concessions	8/5/2020	\$7.25
	Tournament		
Summar Barton	Concessions	8/5/2020	\$7.25
	Tournament		
Morgan Brower	Concessions	8/5/2020	\$7.25
	Tournament		
Madalyn Ennis	Concessions	8/5/2020	\$7.25
	Tournament		
David Foucault III	Concessions	8/5/2020	\$7.25
	Tournament		
Victoria Fulp	Concessions	8/5/2020	\$7.25
	Tournament		
Anna Henson	Concessions	8/5/2020	\$7.25
	Tournament		
Michael C. Johnson	Concessions	8/5/2020	\$7.25
	Tournament		
Alyssa May	Concessions	8/5/2020	\$7.25
	Tournament		
John A. McDaniel	Concessions	8/5/2020	\$7.25
	Tournament		
John Miller	Concessions	8/5/2020	\$7.25
	Tournament		
Abby Peacock	Concessions	8/5/2020	\$7.25
	Tournament		
Lincoln Perry	Concessions	8/5/2020	\$7.25

Scott Sharp	Tournament Concessions	8/5/2020	\$7.25
Charles W. Taylor	Tournament Concessions	8/5/2020	\$7.25
Hamilton Tacker	Tournament Concessions	8/5/2020	\$7.25
Kylie Tygart	Tournament Concessions	8/5/2020	\$7.25
Shelby Wilson	Tournament Concessions	8/5/2020	\$7.25

Gates

Cryatal Aldridge	Gates	8/5/2020	\$7.50
Savannah Aldridge	Gates	8/5/2020	\$7.50
Martha Alexander	Gates	8/5/2020	\$7.50
Debra Bryant	Gates	8/5/2020	\$7.50
Teresa Carlin	Gates	8/5/2020	\$7.50
Dionna Denton	Gates	8/5/2020	\$7.50
Tennyson Guffey	Gates	8/5/2020	\$7.50
Hannah Helms	Gates	8/5/2020	\$7.50
Javier Iniguez	Gates	8/5/2020	\$7.50
Jessica Jaimes-Ramon	Gates	8/5/2020	\$7.50
Veena Kapoor	Gates	8/5/2020	\$7.50
Amya Parker	Gates	8/5/2020	\$7.50
Caroline Ponder	Gates	8/5/2020	\$7.50
Emma Ponder	Gates	8/5/2020	\$7.50
Brandon Redder	Gates	8/5/2020	\$7.50
Kevin Rico	Gates	8/5/2020	\$7.50
Madison Streiber	Gates	8/5/2020	\$7.50
Baileigh Tubbs	Gates	8/5/2020	\$7.50

Gift Shop

Ester Barulli	Gift Shop	8/5/2020	\$7.25
India Day	Gift Shop	8/5/2020	\$7.25
Jana Harford	Gift Shop	8/5/2020	\$7.25
Shelby Shelton	Gift Shop	8/5/2020	\$7.25
Sarah Sullivan	Gift Shop	8/5/2020	\$7.25

Grounds

Benjamin Adkins	Grounds Crew	7/29/2020	\$7.25
Johnathan Adkins	Grounds Crew	7/29/2020	\$7.25
Hunter Agner	Grounds Crew	7/29/2020	\$7.25
Jacob Black	Grounds Crew	7/29/2020	\$7.25
Joseph K. Bloodworth	Grounds Crew	7/29/2020	\$7.25
Trenton Bonner	Grounds Crew	7/29/2020	\$7.25
Joshua Bradford	Grounds Crew	7/29/2020	\$7.25
Terrence Burnette Jr	Grounds Crew	7/29/2020	\$7.25
Samuel Cole	Grounds Crew	7/29/2020	\$7.25
William Cole	Grounds Crew	7/29/2020	\$7.25
Benjamin Cope	Grounds Crew	7/29/2020	\$7.25
Theodore Dorian	Grounds Crew	7/29/2020	\$7.25
David Earnest	Grounds Crew	7/29/2020	\$7.25
Noah Goolsby	Grounds Crew	7/29/2020	\$7.25

Heath Heinz	Grounds Crew	7/29/2020	\$7.25
Caleb High	Grounds Crew	7/29/2020	\$7.25
Jonathan Howell	Grounds Crew	7/29/2020	\$7.25
Jacob James	Grounds Crew	7/29/2020	\$7.25
Jacob McAfee	Grounds Crew	7/29/2020	\$7.25
Elijah Mashburn	Grounds Crew	7/29/2020	\$7.25
Terrence Moore	Grounds Crew	7/29/2020	\$7.25
Jackson Pitts	Grounds Crew	7/29/2020	\$7.25
Ethan Rogers	Grounds Crew	7/29/2020	\$7.25
Charles W. Saffold	Grounds Crew	7/29/2020	\$7.25
Preston Shands	Grounds Crew	7/29/2020	\$7.25
Blake Simon	Grounds Crew	7/29/2020	\$7.25
Brayden Simon	Grounds Crew	7/29/2020	\$7.25
Steven H. Sims	Grounds Crew	7/29/2020	\$7.25
Benjamin Skinner	Grounds Crew	7/29/2020	\$7.25
Dalton Turner	Grounds Crew	7/29/2020	\$7.25
Nathan Watts	Grounds Crew	7/29/2020	\$7.25
Richard Wiggins	Grounds Crew	7/29/2020	\$7.25
Thomas Williams Jr.	Grounds Crew	7/29/2020	\$7.25

Alderman Payne made the motion to approve the Personnel Docket of August 4, 2020 as presented to this Board. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
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 4th day of August, 2020.

CITY ATTORNEY'S LEGAL UPDATE

Mr. Manley entered the Urban Arch contract for the Pedestrian Bridge Project that was approved at the last meeting into the minutes.

Mr. Manley entered the Lehman Roberts contract for the street overlay that was approved at the last meeting into the minutes.

Both of the contracts are in process of being signed/finalized and the Urban Arch is attached to these minutes.

UTILITY BILL ADJUSTMENT DOCKET

UTILITY BILL LEAK ADJUSTMENT DOCKET 08/04/20

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

NAME	HOUSE #	STREET	ADJUSTED AMOUNT	REASON FOR LEAK ADJUSTMENT
ALE MORRIS	7705	MALONE RD	(69.16)	POOL ADJUSTMENT
DAVID DAMRON	174	HILLBROOK	(12.35)	POOL ADJUSTMENT
GLEN WILSON	794	AUTUMN WOOD CV	(54.34)	POOL ADJUSTMENT
SCOTT MICHELL	7653	ROCKINGHAM	(29.64)	POOL ADJUSTMENT
M WILSON - RENTAL (JEANA SHULTZ)	635	CAPEWOOD PLACE	(93.86)	POOL ADJUSTMENT
COLLIN HITE	7160	TIMBER RAIL DR	(39.52)	POOL ADJUSTMENT
MARSHA COLEMAN	1938	CLAIRMONT DRIVE	(73.20)	SUPPLY TUBE ON THE FRIDGE
ALETHA HENDRIX	8201	PARK PIKE	(46.93)	POOL ADJUSTMENT
TOMMY WILLIAMS	6017	WEATHERBY CV	(12.35)	POOL ADJUSTMENT
SARA TATUM	5563	KAYLA DR	(41.99)	POOL ADJUSTMENT
ALAINA GRAY	1455	MOSS POINT	(17.29)	POOL ADJUSTMENT
HOYT MARTIN	2775	DOVE MEADOWS LN	(46.93)	POOL ADJUSTMENT
DIANNE HENDRIX	5429	KAYLA DR	(234.24)	TOILET LEAK
BARBARA BROOKS	837	PONDEROSA COVE	(19.52)	TOILET LEAK
ROBERT SUMNER	379	ANN MARIE DRIVE	(58.56)	TREE ROOTS IN WATER LINE
NICHOLE HALMON - WOODS	9166	WHITWORTH STREET	(297.68)	TUB & TOILET LEAK
LATASHA CARROLL	810	CARROLL	(292.60)	TOILET LEAK
JAMES H. HOOD	2970	BARRETT DRIVE	(398.40)	LEAK UNDER DRIVEWAY
BARRY AVENT	5160	WILDWOOD	(83.98)	POOL ADJUSTMENT
SAMANTHA FRAZIER	574	GREENCLIFF DR	(24.70)	POOL ADJUSTMENT
ANGELA KELLEY	6066	STAFFORD DR	(86.45)	POOL ADJUSTMENT
JEFFERY WOODS	2474	KINDLEWOOD DR	(32.11)	POOL ADJUSTMENT
AHMAD AKLBARY	2520	DICKENS PLACE	(131.76)	POOL LINER LEAK
RHONDA LAVECK	5598	FAWN DEN CV	(54.34)	POOL ADJUSTMENT
JAMES MCCracken	2700	SUMMER KNOLL DR	(27.17)	POOL ADJUSTMENT
DONNA DUNCAN	3611	EAST POINTE DR	(98.80)	POOL ADJUSTMENT
PAT DOLLAHITE	7584	LILLY	(34.16)	SERVICE LINE LEAK
VARGAS CLARK	562	OLE DAN RD	(118.56)	POOL ADJUSTMENT

LONNIE MCCOLM	317	GRAHAMWOOD CV	(51.87)	POOL ADJUSTMENT
GINA & MICHAEL CASOL	803	WHITE PINE DRIVE	(19.52)	SERVICE LINE LEAK
SHENIKA BRATCHER	909	SCOTCH PINE CV	(96.33)	POOL ADJUSTMENT
		TOTAL	(2698.31)	

A motion was made by Alderman Payne to approve the Utility Bill Adjustment Docket of August 4, 2020 in the amount of \$2,698.31. Motion was seconded by Alderman Kelly.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
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 4th day of August, 2020.

CLAIMS DOCKET 1

A motion was made by Alderman Payne to approve the Claims Docket of August 4, 2020 in the amount of \$4,305,490.01. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

344991, 345099, 345189, 345348, 345429, 345475, 345497, 345558, 345637, 345638, 345677

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
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 4th day of August, 2020.

Alderman Hoots recused himself and left the room.

CLAIMS DOCKET 2

A motion was made by Alderman Payne to approve the Special Claims Docket of August 4, 2020 in the amount of \$15,966.32. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
Alderman Kelly	YES
Alderman Hoots	RECUSED
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 4th day of August, 2020.

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 Flores to adjourn. Motion was seconded by Alderman Gallagher. Motion was put to a vote and passed unanimously August 4, 2020 at 7:40 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)