

Minutes, City of Southaven, Southaven, Mississippi



**MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
October 18, 2022
6:00 PM
AGENDA**

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: October 4, 2022
5. SPD Software Agreement with Rekor Systems, Inc.
6. Ground Lease and Easement with C Spire
7. Engagement Letter with Lewis and Ellis for Professional Actuary Services
8. Approval of Municipal Questionnaire
9. Resolution for SPD Sole Source Purchase
10. Authority to Advertise for Depository Bids
11. Award of Bid for Snowden Grove Park Roofing Project
12. Resolution for Budget Amendment
13. Planning Agenda: Item #1 Application by the City of Southaven to rezone properties identified on submitted map to a Commercial Medical (CM) overlay zone
14. Alex Whittington, Citizen
15. Mayor's Report
16. Personnel Docket
17. City Attorney's Legal Update
18. Utilities Billing Leak Adjustment Docket
19. Claims Dockets: Docket 1
Docket 2
20. Executive Session: Personnel in SPD and Utilities; Economic Development; Interdepartmental Personnel with No Action

Items may be added to or omitted from this agenda as needed.

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**MINUTES OF THE REGULAR MEETING
OF OCTOBER 18, 2022
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 a Regular Meeting on the 18th day of October, 2022 at six o'clock (6:00) p.m. at City Hall.

Present were:	
George Payne	Alderman At Large
Kristian Kelly	Alderman, Ward 1
Charlie Hoots	Alderman, Ward 2
William Jerome	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 forty (40) 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 Hoots to approve the minutes of the Regular Meeting of October 4, 2022 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Jerome. Motion was put to a vote and passed unanimously.

SPD SOFTWARE AGREEMENT WITH REKOR SYSTEMS, INC.
Nick Manley, City Attorney, presented this item to the Board.

This software agreement with Rekor Recognition Systems, Inc. is for the software subscription needed for the LPR used by the SPD. The software is ancillary to the service provided, which consists of providing the streaming needed for the LPR cameras. The contract is for one (1) year in the amount of \$13,860.00 and Rekor Systems, Inc. has agreed to the revisions requested in the contract. After noting that the software is ancillary to the service provided by the LPR, Alderman Hoots made the motion to authorize Chief Moore to sign the agreement with Rekor Systems, Inc. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 18th day of October, 2022.

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

GROUND LEASE AND EASEMENT WITH C SPIRE

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

Mr. Manley stated that C Spire recently canceled the contract for communication antennas on the Airways Water Tower; however, C Spire wants to continue to lease a small area on the ground where its communications equipment was originally and still remains. This equipment is still a functional part of C Spire infrastructure. This ground lease is in the amount of \$2,500.00 per year and allows for an easement of approximately 350 sq. feet. Alderman Wheeler made the motion to approve the ground lease and easement with C Spire. Motion was seconded by Alderman Jerome.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 18th day of October, 2022.

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

ENGAGEMENT LETTER WITH LEWIS AND ELLIS FOR PROFESSIONAL ACTUARY SERVICES

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

This engagement letter with Lewis and Ellis will authorize the entity to provide the required actuary and valuation services for retiree health insurance. This postemployment benefit is required to be evaluated in accordance with GASB 75. This benefit by the City to the retirees is considered employee consideration, so must be reviewed in accordance with GASB. The engagement is for two (2) years in the amount of \$9,000.00. Alderman Gallagher made the motion to approve the engagement letter. Motion was seconded by Alderman Flores. Motion was put to vote and passed unanimously.

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

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APPROVAL OF MUNICIPAL QUESTIONNAIRE

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

As part of the audit, the City Governing Authorities are required to make certain findings and/or assertions. The questionnaire has been completed to ensure compliance. Alderman Flores made the motion to approve the municipal questionnaire. Motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously.

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

RESOLUTION FOR SPD SOLE SOURCE PURCHASE

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

This resolution will authorize the SPD to purchase additional body cameras from Axon on a sole source basis for the additional officers that have been hired. Axon is the sole source provider of the cameras needed by the SPD for the reasons set forth in the resolution. The total costs for the cameras, software, and warranty is \$81,231.70. 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 AUTHORIZING SINGLE SOURCE ITEM PURCHASE

WHEREAS, the City of Southaven Police Department ("City Police") has determined that it desires to purchase body video cameras ("Cameras"); and

WHEREAS, the City Police previously formed a research team to determine the best and specific cameras that are needed and desired by the City Police to ensure quality, retention, reliability, storage, data management, and performance; and

WHEREAS, the City Police currently utilize Taser brand Conducted Energy Weapons (CEW) which are only available through Axon Enterprises, Inc. ("Axon"); and

WHEREAS, Taser CEW's are monitored, supported, and updated through evidence.com, which is only available through Axon and the City Police currently utilize evidence.com with the Taser CEW's, and the addition of Axon body worn cameras and fleet camera systems will be monitored, supported, and updated through evidence.com; thus, Axon is only entity that can provide consistency that is needed in the context of evidence.com; and

WHEREAS, Axon is the sole manufacturer and distributor of Taser brand CEW's, Axon Branded products

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and the sole developer and provider of evidence.com data management services; and

WHEREAS, the City Police desire the three (3) body worn digital video/audio recorder, and such recorder is only available through Axon; and

WHEREAS, the City Police desire the recorder device that has four (4) built-in microphones, wireless upload option via cellular data transmission, encryption, and up 120-second buffering period that records footage before pressing the record button and only Axon can provide, support, repair, and replace the Axon Body 3 body worn camera; and

WHEREAS, Axon signal technology allows Taser CEW and Axon body worn cameras to wirelessly communicate with each other and recognizes when a change in status is detected, which is needed and desired by the City Police and communication between Taser CEW and Axon body worn cameras is only compatible with Axon products; and

WHEREAS, Axon provides cellphone applications free of charge that allows playback of videos stored on paired Axon devices and Axon apps allows adding meta-data to videos such as categories, titles, case ID's and GPS data, and these apps only work with Axon devices which can only be procured through Axon; and

WHEREAS, based on the review by the City Police's research team as previously set forth, it is determined that the goods and services solely provided by Axon are what is needed by the City Police and as set forth in more detail in Exhibit A; and

WHEREAS, based on the need by the City Police of the exact Camera products and services as noted above and as specifically set forth in Exhibit A and the sole source letter and justification as set forth in Exhibit A, the City of Southaven Board hereby approves the single source purchase of the Cameras from Axon pursuant to Mississippi Code 31-7-13(m)(viii); and

NOW, THEREFORE, BE IT ORDERED by the Board of Aldermen of the City, to wit:

1. Pursuant to Mississippi Code 31-7-13(m)(viii), the City Police Department is authorized to purchase the Cameras and related Camera services from Axon as set forth in Exhibit A on a single-source basis.
2. The Mayor, City Police Chief or their designee(s) are authorized to spend funds, including grant funds and

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take all actions to effectuate the intent of this Resolution.

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

Alderman William Jerome	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 18th day of October, 2022.

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

AUTHORITY TO ADVERTISE FOR DEPOSITORY BIDS

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

The current depository, Bancorp South/Cadence Bank expires in January and bids are required for the City Depository. Due to the recent revision in the law, the term of the bid is now for four (4) years as opposed to two (2). Bids will open in November and be awarded in December. Alderman Payne made the motion to authorize advertising for bank depository bids. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 18th day of October, 2022.

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

AWARD OF BID FOR SNOWDEN GROVE PARK ROOFING PROJECT

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

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Bids were received and opened for the Snowden Grove Roofing Project and the low bid was Jaycon Development Corporation in the total amount of \$868,650.00. This price includes the roofing for the main concession structures and the alternate bid for complex d and dugouts. Alderman Flores made the motion to award the bid to Jaycon Development and authorize Mayor Musselwhite or his designee to sign any and all documents associated with the project. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 18th day of October, 2022.

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

RESOLUTION FOR BUDGET AMENDMENT

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

This year end budget amendment finalizes and balances the FY22 Budget and will be advertised as required by Mississippi law. 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 AMEND 2022 BUDGET

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the “City”), considered the matter of the final amendment for the FY 2022 City Budget.

WHEREAS, pursuant to Miss. Code 21-35-25, the City desires to amend its FY2022 budget to finalize and balance; and

WHEREAS, as set forth in Exhibit A, the FY2022 budget is balanced as required by Mississippi law; 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 Finance Director or their designee to take any and all actions for such amendment.

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- 2. 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 Finance Director or their designee are authorized to take all actions to further effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Flores made the motion 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 Jerome	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John David Wheeler	voted: YES
Alderman Charlie Hoots	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this the 18^h day of October, 2022

		Current	Amend	Amended Total
		\$		
0010-000-000-00-		(27,000,00	\$	\$
400100-	AD VALOREM TAX	0)	2,421,610	(24,578,390)
0010-000-000-00-	HOMESTEAD	\$	\$	\$
400101-	REIMBURSEMENT	(180,000)	(25,000)	(205,000)
		\$		
0010-000-000-00-		(16,200,00	\$	\$
410100-	GENERAL SALES TAX	0)	(2,312,533)	(18,512,533)
0010-000-000-00-		\$	\$	\$
420400-	PERMITS-BUILDING	(750,000)	(165,000)	(915,000)
0010-000-000-00-		\$	\$	\$
450100-	POLICE GRANT	-	(60,900)	(60,900)
0010-000-000-00-		\$	\$	\$
480100-	COURT FINES	(1,400,000)	(150,000)	(1,550,000)
0010-000-000-00-		\$	\$	\$
480500-	COURT SUPPLIES	(550,000)	(175,000)	(725,000)
0010-000-000-00-	CONFISCATED FUNDS -	\$	\$	\$
480600-	HOLDING	-	(68,950)	(68,950)
0010-000-000-00-	ALCOHOLIC BEV COMM	\$	\$	\$
490400-	LICENSE	(60,000)	(40,000)	(100,000)
0010-000-000-00-	ROAD BRIDGE MAINT	\$	\$	\$
491901-	TAX	(950,000)	(40,000)	(990,000)
	BASEBALL			
0010-000-000-00-	TOURNAMENT ENTRY	\$	\$	\$
500910-	FEES	(360,000)	(70,000)	(430,000)

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	BASEBALL			
0010-000-000-00-500912-	GATE/CON/RETAIL SALES	\$ (675,000)	\$ (30,000)	\$ (705,000)
0010-000-000-00-501000-		\$	\$	\$
0010-000-000-00-501500-	PARK SPONSORSHIPS	(50,000)	(100,000)	(150,000)
0010-000-000-00-581100-	AMBULANCE BILLING	\$	\$	\$
0010-000-000-00-602500-	REVENUE	(1,600,000)	(80,000)	(1,680,000)
0010-100-111-00-602500-		\$	\$	\$
0010-100-111-00-630600-	INSURANCE PROCEEDS	(20,000)	(28,000)	(48,000)
0010-100-115-00-602500-		\$	\$	\$
0010-100-125-00-600100-	MEDICAL/LIFE-CITY PAID	20,500	(7,000)	13,500
0010-100-125-00-602500-		\$	\$	\$
0010-100-145-00-600100-	VEHICLES	-	67,317	67,317
0010-100-145-00-622100-		\$	\$	\$
0010-100-155-00-602500-	MEDICAL/LIFE-CITY PAID	39,000	(15,000)	24,000
0010-100-160-00-600100-	SALARIES-ADMINISTRATION	\$	\$	\$
0010-100-160-00-602500-		675,000	(25,000)	650,000
0010-100-180-00-602500-		\$	\$	\$
0010-100-180-00-622100-	MEDICAL/LIFE-CITY PAID	83,000	(25,000)	58,000
0010-200-211-00-600100-	SALARIES-ADMINISTRATION	\$	\$	\$
0010-200-211-00-602500-		330,000	42,000	372,000
0010-200-211-00-611300-	PROFESSIONAL SERVICES	\$	\$	\$
0010-200-211-00-612500-		4,000	5,000	9,000
0010-200-211-00-614000-		\$	\$	\$
0010-200-211-00-615500-	MEDICAL/LIFE-CITY PAID	40,500	(15,000)	25,500
0010-200-211-00-622100-		\$	\$	\$
0010-200-211-00-626000-	WAGES AND SALARIES	195,000	(100,000)	95,000
0010-200-215-00-600100-		\$	\$	\$
0010-200-215-00-602500-	MEDICAL/LIFE CITY PAID	27,000	(10,000)	17,000
0010-200-290-00-602500-		\$	\$	\$
	MEDICAL/LIFE CITY PAID	115,000	(50,000)	65,000
		\$	\$	\$
	PROFESSIONAL FEES	320,000	(20,000)	300,000
		\$	\$	\$
	SALARIES-ADMINISTRATION	9,730,000	(150,000)	9,580,000
		\$	\$	\$
	MEDICAL/LIFE-CITY PAID	1,021,000	(300,000)	721,000
		\$	\$	\$
	MAINTENANCE	\$	\$	\$
	VEHICLES	268,200	39,000	307,200
		\$	\$	\$
	UNIFORMS	140,000	43,000	183,000
		\$	\$	\$
	FUEL & OIL	415,000	52,000	467,000
		\$	\$	\$
	JAIL FEES	250,000	32,000	282,000
		\$	\$	\$
	PROFESSIONAL SERVICES	147,500	23,000	170,500
		\$	\$	\$
	UTILITIES	53,000	19,000	72,000
		\$	\$	\$
	WAGES AND SALARIES	1,420,845	(25,000)	1,395,845
		\$	\$	\$
	MEDICAL/LIFE-CITY PAID	909,000	(400,000)	509,000

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0010-200-290-00-611000-		\$	\$	\$
	MATERIALS	35,000	(15,000)	20,000
0010-200-297-00-620901-		\$	\$	\$
	BILLING SERVICES	145,000	(10,000)	135,000
0010-300-311-00-600100-		\$	\$	\$
	ADMINISTRATION	824,000	(43,000)	781,000
0010-300-311-00-602500-		\$	\$	\$
	MEDICAL/LIFE-CITY PAID	175,500	(75,000)	100,500
0010-300-311-00-614000-		\$	\$	\$
	FUEL & OIL	40,000	43,000	83,000
0010-400-411-00-600100-		\$	\$	\$
	ADMINISTRATION	1,826,000	(200,000)	1,626,000
0010-400-411-00-602500-		\$	\$	\$
	MEDICAL/LIFE-CITY PAID	305,000	(125,000)	180,000
0010-400-411-00-611300-		\$	\$	\$
	MAINTENANCE VEHICLE	15,000	(5,000)	10,000
0010-400-411-00-612201-		\$	\$	\$
	PARK MAINTENANCE	425,000	226,000	651,000
0010-400-411-00-613100-		\$	\$	\$
	BALL EQUIPMENT	60,000	(25,000)	35,000
0010-400-411-00-613400-		\$	\$	\$
	COMMUNITY EVENTS	100,000	(25,000)	75,000
0010-400-411-00-626000-		\$	\$	\$
	UTILITIES	330,000	121,000	451,000
0010-400-411-00-626900-		\$	\$	\$
	TRAVEL & TRAINING	2,000	(2,000)	-
0010-300-315-00-626000-		\$	\$	\$
	UTILITIES	700,000	235,000	935,000
0010-400-412-00-600100-		\$	\$	\$
	WAGES AND SALARIES	370,000	(90,000)	280,000
0010-400-412-00-612400-		\$	\$	\$
	RESELL / CONCESSION EXPENSE	725,000	(177,040)	547,960
0010-400-412-00-627901-		\$	\$	\$
	TOURNAMENT UMPIRE FEES	650,000	136,000	786,000
0010-500-511-00-602500-		\$	\$	\$
	MEDICAL/LIFE-CITY PAID	41,000	(10,000)	31,000
0010-900-902-00-620902-		\$	\$	\$
	FACILITIES MANAGEMENT	900,000	48,000	948,000
0010-900-902-00-625100-		\$	\$	\$
	STREET RESURFACING	4,893,333	762,453	5,655,786
0010-900-902-00-625150-		\$	\$	\$
	DRAINAGE IMPROVEMENT	500,000	869,043	1,369,043
0010-900-905-00-602700-		\$	\$	\$
	WORKMAN'S COMP INSUR	550,000	(75,000)	475,000
0010-900-905-00-629300-		\$	\$	\$
	INSURANCE-LIABILITY	880,000	200,000	1,080,000
0010-900-906-00-622300-		\$	\$	\$
	MEMBERSHIP DUES	40,000	(20,000)	20,000
				\$
				-
0400-000-000-00-506400-		\$	\$	\$
	WATER SALES	(5,750,000)	(120,000)	(5,870,000)
0400-000-000-00-506700-		\$	\$	\$
	SEWER SALES	(5,350,000)	(270,000)	(5,620,000)

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0400-000-000-00-562500-	TAP FEES-WATER	\$ (375,000)	\$ (40,000)	\$ (415,000)
0400-000-000-00-562800-	TAP FEES-SEWER	\$ (525,000)	\$ (200,000)	\$ (725,000)
0400-000-000-00-563000-	DCRUA TAP FEE	\$ (200,000)	\$ (100,000)	\$ (300,000)
0400-800-811-00-650905-	DCRUA SEWER TREATMENT FEE	\$ 1,000,000	\$ (71,000)	\$ 929,000
0400-800-815-00-625310-1003	STARLANDING WATER	\$ 2,683,300	\$ 923,000	\$ 3,606,300
0400-800-825-00-600100-	SALARIES-ADMINISTRATION	\$ 1,250,000	\$ 25,000	\$ 1,275,000
0400-800-825-00-611100-	CHEMICALS	\$ 220,000	\$ 3,000	\$ 223,000
0400-800-825-00-622100-	PROFESSIONAL SERVICES	\$ 595,000	\$ (20,000)	\$ 575,000
0400-800-825-00-630600-	VEHICLES	\$ 395,000	\$ (90,000)	\$ 305,000
0400-800-811-00-650901-	HORN LAKE CREEK BASIN LOAN PYM	\$ 75,000	\$ (40,000)	\$ 35,000
0400-800-825-00-626000-	UTILITIES	\$ 340,000	-	\$ 340,000
0450-000-000-00-507600-	SANITATION COLLECTION CHARGE	\$ (2,500,000)	\$ (373,800)	\$ (2,873,800)
0450-000-000-00-507602-	RECYCLING FEE	\$ (145,000)	\$ (47,000)	\$ (192,000)
	prior year transfer	-	\$ (409,064)	\$ (409,064)
0450-810-850-00-600100-	SALARIES-ADMINISTRATION	\$ 109,000	\$ 20,000	\$ 129,000
0450-810-850-00-622100-	PROFESSIONAL SERVICES	\$ 2,500,000	\$ 376,990	\$ 2,876,990
0450-810-850-00-622100-	RECYCLING SERVICES	\$ -	\$ 269,700	\$ 269,700
0450-810-850-00-630600	VEHICLES	\$ -	\$ 163,174	\$ 163,174
				\$ -
		\$ (24,737,322)	\$ -	\$ (24,737,322)

PLANNING AGENDA

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

Item #1 Application by the City of Southaven to rezone properties identified on submitted map to a Commercial Medical (CM) overlay zone

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Mrs. Choat-Cook stated that the applicant is requesting to

The state of Mississippi passed legislation earlier in 2022 to allow for medical marijuana to be cultivated, tested, researched and dispensed by local governing authorities pending they opt in to the program with or without further restricted requirements. After several public discussions, the Board of Alderman opted to allow the dispensing, testing and researching aspects of the medical marijuana in certain areas of the city which were displayed on the map attached to this report. The cultivation was excluded as an allowable use. This map proposed the medical marijuana to be located in areas that have existing medical uses around the Airways/Southcrest corridor with existing buildings and vacant areas to provide options for investors and also along Airways Blvd. south of Goodman to Nail Road. The Southaven Board of Alderman made amendments to the comprehensive plan to allow medical marijuana in certain areas and followed with an amendment to the zoning ordinance to incorporate a new zoning designation Commercial Medical (CM). Now that the stage has been set, this application is to take the parcels identified in the boundaries of that map and rezone them to allow CM as an overlay to their existing zoning and uses. Prior to this public hearing, a public notice was placed in the local newspaper, all parcel owners were sent a certified letter by OPD staff and several public hearing signs were placed in highly visible areas. Each parcel owner was given the option to remove their property from the rezoning hearing if requested so the parcels submitted exclude any parcels and/or lots that the owners have requested such removal. The proposed overlay zoning does not remove any allowances already in place and does not adjust any bulk regulations already in place. Furthermore, it does not require any property owners to allow the uses but leaves the sale or leasing to the owners discretion. The only action that is being taken with the overlay is to place medical marijuana dispensaries, testing and research facilities into the allowable uses which will also be held to the requirements set forth in the state's legislation. This application has been submitted by the city of Southaven; therefore, staff will not provide a recommendation. Staff will state that the request does comply with the comprehensive plan and the state requirements for the allowance. This resolution to re-zone does not mean that the City is opting-in for medical cannabis, but that a zone has been established for dispensaries for medical cannabis if and when the City opts-in.

Alderman Payne made the motion to close the regular meeting and open the public hearing. Motion was seconded by Alderman Jerome. Motion was put to vote and passed unanimously.

Mayor Musselwhite asked if there was anyone in the audience that would like to speak and there were none. Alderman Gallagher made the motion to close the public hearing and open the regular meeting. Motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously.

After closing the public hearing and re-opening the regular meeting and hearing from Mrs. Choat-Cook, the Board of Alderman, and after noting at this juncture, the City is not opting in for medical cannabis, considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI AMENDING

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**THE CITY OF SOUTHAVEN ZONING MAP BY REZONING FOR AN
OVERLAY AREA WITHIN THE CITY OF SOUTHAVEN AS THE
MEDICAL COMMERCIAL ZONE**

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the “City”), considered the matter of amending the Southaven Zoning Map by rezoning for an overlay area within the City as the Commercial Medical Zone.

Thereupon Alderman Jerome offered and moved the adoption of the following resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI AMENDING
THE CITY OF SOUTHAVEN ZONING MAP BY REZONING AN AREA
WITHIN THE CITY OF SOUTHAVEN AS THE MEDICAL
COMMERCIAL ZONE**

WHEREAS, pursuant to Miss. Code 17-1-3, the City is vested with authority of regulatory controls over zoning and land uses, and may do all things, consistent with the laws of the state, which they deem necessary to protect the health and welfare of the residents; and

WHEREAS, further pursuant to Miss. Code 17-1-3, the City is empowered to promote the health, safety, morals, or the general welfare of the City by regulating the percentage of lot that may be occupied, 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 17-1-7, the City may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land and regulations in one zone may differ from those in other zones; and

WHEREAS, on June 7, 2022 the City amended its Comprehensive Plan, by including the allowance of medicinal marijuana dispensaries as a permitted use in the Medical Commercial Zone, which amendment to the City Comprehensive Plan was designed a to lessen congestion in the streets; to secure safety by ensuring adequate City Police patrol for the sale of specialized products; to provide adequate light and air; to prevent the overcrowding of land; and to avoid undue concentration of population;

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WHEREAS, on June 7, 2022, the City amended Title XIII, Chapter 12, Section 13-12(g) and Section 13-12(m), Chart 4, Commercial Zone Districts to include the “Medical Commercial Zone”; and

WHEREAS, the City’s creation of the “Medical Commercial Zone” is consistent with character of the district and its peculiar suitability for particular use with a view to conserving the value of buildings, and encouraging the most appropriate use of land throughout the City; and

WHEREAS, based upon the Mississippi Legislature allowing for medical cannabis and the character of the subject area, there exists a public need for the rezoning of the property located within the City, set forth in Exhibit A, as the Medical Commercial Zone allows for medical cannabis dispensaries, testing and research facilities authorized by the Mississippi Legislature and in accordance with Mississippi law; and

WHEREAS, the purpose of the Medical Commercial Zone is to provide an area centralized in the city that not only allows for normal retail shopping and personal services but also provides a concentrated location for medical uses including, but not limited to, medical cannabis dispensaries, medical cannabis research facilities and medical cannabis testing facilities and the area is generally situated within the boundaries of major street systems, in close proximity to the hospital and not adjacent to any residential areas; and

WHEREAS, the rezoning of the property within the City, as set forth in Exhibit A, is consistent and tailored to further development of health care, medical services, and related uses for those properties in the Medical Commercial Zone; and

WHEREAS, pursuant to Miss. Code 17-1-17, the City provided fifteen (15) days' notice of the hearing before the City Planning Commission and City Board of Alderman regarding the proposed re-zoning in an official paper or a paper of general circulation in Southaven, Desoto County; and

WHEREAS, on September 26, 2022, the City Planning Commission heard the need and reasoning for the re-zoning and recommended re-zoning of the property set forth in Exhibit A to the Medical Commercial Zone; and

WHEREAS, by rezoning the property in Exhibit A to the Medical Commercial Zone, the City is permitting business, which is authorized by

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Mississippi Medical Cannabis Act, to be located in a City zone that is consistent with the character of the area as the Medical Commercial Zone encompasses a hospital, pharmacies, medical specialists, and other medical services; and

WHEREAS, the City has the power and responsibility for planning and zoning in the City and to that end desires to provide clear guidelines for businesses located in the City, which shall ensure compliance with the zoning regulations of the City; and

WHEREAS, the City currently adheres and enforces regulations that allow for the review and recommendations of proposed land uses by the Planning and Development Department; and

WHEREAS, this re-zoning by the City is made in accordance with the City's Comprehensive Plan; and

WHEREAS, in accordance with the Mississippi Attorney General Opinion issued to Mayor Darren Musselwhite, the City may designate specific types of commercial zones in which dispensaries, cannabis research facilities, or cannabis testing facilities may operate (MS AG Op., Musselwhite (April 15, 2022); and

WHEREAS, the Board authorizes the Mayor, or his designee, to sign such documents or take actions that are necessary or required for the effectuation of the amended Ordinance; and

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, BY RESOLUTION TO AMEND THE CITY OF SOUTHAVEN ZONING MAP BY REZONING AN AREA WITHIN THE CITY OF SOUTHAVEN AS THE MEDICAL COMMERICAL ZONE:

1. Based on the reasoning and findings as set forth above, the property as set forth in Exhibit A shall be zoned with an overlay to Medical Commercial Zone.
2. The City Planning Director shall revise the City Zoning Map to reflect the re-zoning of the property in Exhibit A to reflect the Medical Commercial Zone.
3. The property in Exhibit A shall be utilized in a manner consistent with the regulations of the Medical Commercial Zone as promulgated by the City.

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4. The City Mayor and/or City Planning Director are authorized to take any and all actions to effectuate the intent of this Resolution.

The foregoing Resolution was seconded by Alderman Payne and brought to a vote as follows:

Alderman Kristian Kelly	voted: YES
Alderman Charlie Hoots	voted: YES
Alderman William Jerome	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John David Wheeler	voted: YES
Alderman Raymond Flores	voted: YES
Alderman George Payne	voted: 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 18th day of October, 2022.

CITY OF SOUTHAVEN, MISSISSIPPI

Exhibit A

LEGAL DESCRIPTION OF A TRACT LOCATED IN THE NORTHEAST, SOUTHEAST, SOUTHWEST AND NORTHWEST QUARTERS OF SECTION 25 TOWNSHIP 1 SOUTH RANGE 7 WEST AND THE NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 30 TOWNSHIP 1 SOUTH RANGE 7 WEST DESOTO COUNTY, MISSISSIPPI.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 25 TOWNSHIP 1 SOUTH RANGE 7 WEST; THENCE NORTH ALONG THE CENTERLINE OF AIRWAYS BOULEVARD (106' R.O.W.) A DISTANCE OF 48.44 FEET TO A POINT; THENCE WEST A DISTANCE OF 91.65 FEET TO A POINT IN THE NORTH RIGHT OF WAY OF STATE ROAD 302 (GOODMAN ROAD R.O.W VARIES.) SAID POINT BEING THE POINT OF BEGINNING FOR THIS TRACT; THENCE WEST ALONG SAID RIGHT OF WAY A DISTANCE OF 1747.25 FEET TO A POINT; THENCE NORTH ALONG SAID RIGHT OF WAY A DISTANCE OF 24.46 FEET TO A POINT; THENCE WEST ALONG SAID RIGHT OF WAY A DISTANCE OF 277.22 FEET TO A POINT IN THE EAST RIGHT OF WAY LINE OF U.S. INTERSTATE 55 (R.O.W. VARIES); THENCE NORTH ALONG THE U.S. INTERSTATE 55 RIGHT OF WAY A DISTANCE OF 2825.88 FEET TO A POINT; THENCE EAST ALONG SAID RIGHT OF WAY A DISTANCE OF 50.92 FEET TO A POINT; THENCE ALONG SAID RIGHT OF WAY NORTH A DISTANCE OF 1486.11 FEET TO THE NORTHWEST CORNER OF LOT 14 OF SOUTHCREST SUBDIVISION AS RECORDED IN PLAT BOOK 32 PAGE 3 IN THE CHANCERY CLERK'S OFFICE OF DESOTO COUNTY MISSISSIPPI; THENCE LEAVING SAID RIGHT OF WAY HEADING EAST ALONG THE NORTH LINES OF LOT 14 AND LOT 10 OF SAID SOUTHCREST SUBDIVISION A DISTANCE OF 2552.03 FEET TO A POINT; THENCE EAST A DISTANCE OF 1517.11 FEET TO A POINT IN THE WEST RIGHT OF WAY OF AIRWAYS BOULEVARD AND THE SOUTH RIGHT OF WAY OF RASCO ROAD (80' R.O.W.); THENCE SOUTH ALONG THE WESTERN RIGHT OF WAY OF AIRWAYS BOULEVARD A DISTANCE OF

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1956.99 FEET TO A POINT IN THE SOUTH RIGHT OF WAY OF BAPTIST MEMORIAL BOULEVARD (R.O.W. VARIES); THENCE EAST A DISTANCE OF 147.31 FEET TO A POINT IN THE SOUTH RIGHT OF WAY OF CLARINGTON DRIVE (68' R.O.W.); THENCE EAST ALONG SAID RIGHT OF WAY A DISTANCE OF 412.00 FEET TO A POINT IN THE CENTERLINE OF CLARINGTON COVE (50' R.O.W.); THENCE SOUTH ALONG SAID CENTERLINE A DISTANCE OF 464.54 FEET TO A POINT; THENCE LEAVING SAID CENTERLINE AND CONTINUING SOUTH A DISTANCE OF 657.30 FEET TO A POINT IN THE NORTH LINE OF LOT 6A OF THE 3RD REVISION OF AIRWAYS COMMERCIAL CENTER AS RECORDED IN PLAT BOOK 58 PAGE 48 IN THE CHANCERY CLERK'S OFFICE OF DESOTO COUNTY MISSISSIPPI; THENCE WEST A DISTANCE OF 19.11 FEET TO THE NORTHWEST CORNER OF SAID LOT 6A; THENCE SOUTH ALONG THE WEST LINE OF LOT 6A A DISTANCE OF 289.09 FEET TO A POINT IN THE SOUTH RIGHT OF WAY OF GUTHRIE DRIVE (68' R.O.W.); THENCE WEST ALONG SAID RIGHT OF WAY A DISTANCE OF 57.00 FEET TO THE NORTHWEST CORNER OF LOT 4B OF THE 3RD REVISION OF AIRWAYS COMMERCIAL CENTER; THENCE SOUTH ALONG WEST LINE OF 4B A DISTANCE OF 313.25 FEET TO A POINT IN THE NORTH LINE OF LOT 1C OF THE DIVISION OF LOT 1A 3RD REVISION OF AIRWAYS COMMERCIAL CENTER AS RECORDED IN PLAT BOOK 66 PAGE 36 IN THE CHANCERY CLERK'S OFFICE OF DESOTO COUNTY MISSISSIPPI; THENCE EAST ALONG SAID NORTH LINE OF LOT 1C A DISTANCE OF 77.00 FEET TO THE NORTHEAST CORNER OF LOT 1C; THENCE SOUTH ALONG EAST LINE OF LOT 1C A DISTANCE OF 314.88 FEET TO THE SOUTHEAST CORNER OF LOT 1F OF THE DIVISION OF LOT 1A 3RD REVISION OF AIRWAYS COMMERCIAL CENTER; THENCE WEST ALONG SOUTH LINE OF LOT 1F A DISTANCE OF 577.50 FEET TO A POINT IN THE WEST RIGHT OF WAY OF AIRWAYS BOULEVARD; THENCE SOUTH ALONG SAID RIGHT OF WAY A DISTANCE OF 1286.57 FEET TO THE POINT OF BEGINNING, CONTAINING 315.39 ACRES MORE OF LESS. THIS TRACT IS SUBJECT TO ALL RIGHTS OF WAY AND EASEMENTS OF RECORD IN EFFECT FOR DESOTO COUNTY AND THE CITY OF SOUTHAVEN.

LEGAL DESCRIPTION OF A TRACT LOCATED IN THE SOUTHWEST AND NORTHWEST QUARTERS OF SECTION 36 TOWNSHIP 1 SOUTH RANGE 7 WEST DESOTO COUNTY, MISSISSIPPI.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 36 TOWNSHIP 1 SOUTH RANGE 7 WEST; THENCE SOUTH ALONG THE CENTERLINE OF AIRWAYS BOULEVARD (106' R.O.W.) A DISTANCE OF 598.84 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING FOR THIS TRACT; THENCE EAST ALONG THE NORTH LINE OF THE DIVISION OF LOT 10 2ND REVISION TO SECTION "B" BRIARGATE COMMERCIAL SUBDIVISION AS RECORDED IN PLAT BOOK 61 PAGE 7 IN THE CHANCERY CLERK'S OFFICE OF DESOTO COUNTY, MISSISSIPPI A DISTANCE OF 1480.70 FEET TO A POINT IN THE EAST RIGHT OF WAY OF HOSPITALITY LANE (68' R.O.W.); THENCE ALONG SAID RIGHT OF WAY SOUTH A DISTANCE OF 405.19 FEET TO THE NORTHWEST CORNER OF LOT 7E OF THE BRIARGATE COMMERCIAL SUBDIVISION AND HOSPITALITY LANE STREET DEDICATION AS RECORDED IN PLAT BOOK 105 PAGE 45 IN THE CHANCERY CLERK'S OFFICE OF DESOTO COUNTY, MISSISSIPPI; THENCE EAST ALONG THE NORTH LINE OF

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SAID LOT A DISTANCE OF 611.33 FEET TO THE NORTHEAST CORNER OF LOT 7E; THENCE SOUTH A DISTANCE OF 562.42 FEET TO THE NORTHWEST CORNER OF LOT 1 OF THE FIRST REVISION TO MARATHON COMMERCIAL SUBDIVISION AS RECORDED IN PLAT BOOK 107 PAGE 14 IN THE CHANCERY CLERK'S OFFICE OF DESOTO COUNTY, MISSISSIPPI; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 258.24 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTH A DISTANCE OF 296.56 FEET TO A POINT IN THE NORTH RIGHT OF WAY OF MARATHON WAY (68' R.O.W.); THENCE SOUTH A DISTANCE OF 94.23 FEET TO A POINT IN THE SOUTH RIGHT OF WAY OF MARATHON WAY; THENCE EAST A DISTANCE OF 69.61 FEET TO THE NORTHWEST CORNER OF LOT 1 OF THE FIRST REVISION TO LOTS 1,2,3 AND 4 OF THE BRIARGATE COMMERCIAL SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF SAID SUBDIVISION A DISTANCE OF 1451.17 FEET TO A POINT IN THE NORTH LINE OF THE KAY GARNER TRACT AS RECORDED IN DDED BOOK 862 PAGE 378 IN THE CHANCERY CLERK'S OFFICE OF DESOTO COUNTY, MISSISSIPPI; THENCE ALONG SAID NORTH LINE WEST A DISTANCE OF 281.17 FEET TO THE NORTHWEST CORNER OF THE KAY GARNER TRACT; THENCE SOUTH A DISTANCE OF 1704.76 FEET TO A POINT; THENCE EAST A DISTANCE OF 116.84 FEET TO THE NORTHWEST CORNER OF THE KEDS LLC TRACT AS RECORDED IN DEED BOOK 600 PAGE 351 IN THE CHANCERY CLERK'S OFFICE OF DESOTO COUNTY, MISSISSIPPI; THENCE SOUTH A DISTANCE OF 189.23 FEET TO A POINT IN THE CENTERLINE OF NAIL ROAD (80' R.O.W.); THENCE WEST ALONG SAID CENTERLINE AROUND A CURVE TO THE LEFT A DISTANCE OF 692.85 FEET TO A POINT IN THE SAID CENTERLINE; THENCE CONTINUING ALONG CENTERLINE WEST A DISTANCE OF 1036.20 FEET TO A POINT; THENCE CONTINUING WEST SAID CENTERLINE AROUND A CURVE TO THE LEFT A DISTANCE OF 968.13 FEET TO A POINT; THENCE CONTINUING WEST ALONG SAID CENTERLINE A DISTANCE OF 340.47 FEET TO A POINT IN THE CENTERLINE OF AIRWAYS BOULEVARD; THENCE ALONG SAID CENTERLINE A DISTANCE OF 2938.74 FEET TO THE POINT OF BEGINNING, CONTAINING 178.09 ACRES MORE OF LESS. THIS TRACT IS SUBJECT TO ALL RIGHTS OF WAY AND EASEMENTS OF RECORD IN EFFECT FOR DESOTO COUNTY AND THE CITY OF SOUTHAVEN.

A copy of the staff report, proposed commercial medical zone map, and a listing of all of the parcels affected is attached and fully incorporated into these minutes.

Alex Whittingdon, Citizen

Alex thanked the Mayor and Board of Alderman for allowing him to speak. Alex stated that he is a 7th grader at Desoto Central Middle School and last October he was riding his bike home from school and was struck by a car and thrown into a ditch. Alex expressed great appreciation for the addition of walking and bike trails throughout the City. Mayor Musselwhite thanked Alex for his message and stated that the road will be widened and a consistent bike and pedestrian trail added on Nail Road in the area where he was struck.

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MAYOR’S REPORT

Street Resurfacing Update
Mayor Musselwhite reported that 60% of the street resurfacing list has been patched and contractors are now in position to start paving.

Rental Property Ordinance Update
Mayor Musselwhite stated that they are working on a property database that should be complete within 10-12 months. Code Enforcement, Police, Fire, and Building Inspectors will all be able to utilize the same software program.

Veteran’s Day Luncheon
Mayor Musselwhite reported that the Veteran’s Day Luncheon is on Friday, November 11 at 11:00 am at the Community Safe Room on Highway 51.

PERSONNEL DOCKET

Personnel Docket October 18, 2022

New Hires	Department	Position Title	Start Date	Rate of Pay
Eric Becerra	Fire	EMS Driver	TBD	\$17.15
Casandra Gianquinto	Emergency Communications	Dispatch 2	TBD 10/19/202	\$24.50
*Logan Stephens	Parks	Laborer	2	\$15.45
**Trace McCaleb	Utility	Service Tech	TBD	\$16.50

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

Rescinded Resignation	Department	Position Title
Angela Vance	Emergency Communication	Dispatch 2

Promotions	Current Position Title	New Position Title	Effective Date	Rate of Pay
Police				
William Channell	Police Officer 3	Police Officer 4	11/7/2022 10/24/202	\$28.97
Christopher Collins	Police Officer 2	Police Officer 3	2 10/28/202	\$27.03
Nicholas Haley	Police Officer 1	Police Officer 2	2 10/28/202	\$26.01
Cody Hall	Police Officer 1	Police Officer 2	2 10/28/202	\$26.01
Katterria Moore	Police Officer 1	Police Officer 2	2	\$26.01
Sedrick White	Police Officer 3	Police Officer 4	11/7/2022	\$28.97

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Information Technology

Lisa Cunningham	Admin Asst/Cell Tech	Admin Asst/IT Tech	10/19/2022 2	\$25.21
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Transfer	From Dept/Position	To Dept/Position	Effective	Proposed Rate of Pay
Clifton Percy	Utility/Field Service Tech	Police/Fleet Maintenance Tech Assistant	10/17/2022 2	\$17.22

Certificate

Thomas Mastin, Court Clerk

Certificate of Attendance
2022 Municipal Court Clerks Continuing Education Course

Oath of Office

Police
Ditavion
Nash

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Jarred Davis	Police	Police Officer 2	10/11/2022 2	\$26.01
Whittney Gee	Police	Police Officer 4	10/23/2022 2	\$28.97
Titus Hawkins	Police	Police Officer 4	10/24/2022 2	\$28.97
Dale Raggio	Planning	Code Enforcement Officer	10/04/2022 2	\$18.00
Samuel Ross	Fire	Paramedic	10/17/2022 2	\$19.45
James Sheffield	Fire	FF3/Paramedic	10/29/2022 2	\$19.04
Christian Wisneski	Fire	Paramedic	10/24/2022 2	\$21.22
Christian Richardson	Parks	Laborer 1	10/18/2022 2	\$15.00
Darrell Young	Parks	Parks Supervisor	10/13/2022 2	\$18.04

Parks Tournaments

New Hires	Position Title	Start Date	Rate of Pay
Keiton Clinton	Concessions	10/19/2022	\$9.50
Aiden Steht	PT Front Desk	10/19/2022	\$9.50

ReHire	Position Title	Start Date	Rate of Pay
Alton Bloodworth III	Gates	10/19/2022	\$9.75
Cooper Crapa	Concessions	10/19/2022	\$10.25

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Alderman Payne made the motion to approve the Personnel Docket of October 18, 2022 as presented to this Board. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 18th day of October, 2022.

CITY ATTORNEY’S LEGAL UPDATE

Water Treatment Chemicals Bid

Alderman Payne made the motion to authorize advertising the water treatment chemicals bid and utilizing Central Bidding for reverse auction. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 18th day of October, 2022.

Covid-19 Program Manager Appointment

Mr. Manley stated that this resolution will authorize appointing Edi McIlwain as Southaven Administrator for 4528 Covid-19 Program Manager. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

RESOLUTION APPOINTING EDI MCILWAIN AS CITY OF SOUTHAVEN ADMINISTRATOR FOR 4528 COVID-19 PROGRAM

WHEREAS, the City of Southaven (“City”) Governing Authorities are required to appoint an administrator who is authorized to execute applications for

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the purpose of obtaining and administering certain federal financial assistance under the Disaster Relief Act of 1974 (Public Law 93.228), amended by Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, (Public Law 100-707); and

WHEREAS, the administrator shall also to file the required applications with the Governor's Authorized Representative; and

NOW THEREFORE BE IT RESOLVED BY THE CITY OF SOUTHAVEN GOVERNING AUTHORITIES:

1. Edi Mcilwain, City Chief Financial Officer, shall be the City Administrator for the 4528 Covid-19 Program.

2. As the City Administrator for the aforementioned Program, Edi Mcilwain shall be authorized to take any and all actions required, including but not limited to, executing and filing applications for the purpose of obtaining and administering certain federal financial assistance under the Disaster Relief Act of 1974 (Public Law 93.228), amended by Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, (Public Law 100-707).

3. In addition, Edi Mcilwain is authorized to take any and all actions to effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Flores 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 Jerome	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John David Wheeler	voted: YES
Alderman Charlie Hoots	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this the 18^h day of October, 2022

Comcast Contract Fire Station 5

Alderman Flores made the motion to authorize Michael Norris to sign the contract with Comcast for Fire Station No. 5. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 18th day of October, 2022.

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

Southaven Police Department Hosting of Chiefs Association Lunch & Training

Alderman Hoots made the motion to authorize the SPD to provide all food and drinks for the Chief’s Association lunch and training in accordance with Miss. Code 17-3-1. Motion was put to vote and passed unanimously.

UTILITY BILL ADJUSTMENT DOCKET

UTILITY BILL LEAK ADJUSTMENT
DOCKET 10/18/22

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

NAME	HOUSE #	STREET	ADJUSTED AMOUNT	REASON FOR LEAK ADJUSTMENT
GAY YVETTE SWAVY	4585	GOLDEN WEST CV	(190.32)	IRRIGATION LEAK
REKYIA CHERRY	3886	ROLLING WAGON CV	(126.88)	LEAK ON SERVICE LINE
ELGIN MCDOWELL	3964	RASCO HILLS DR	(82.96)	TOILET LEAK
EDITH WHEATLEY	3814	FARM POND CV	(117.12)	TOILET LEAK
DAKOTA HOOD	1684	COLONIAL HILLS DR	(208.11)	TOILET LEAK
CHRIS CORY	946	MECKLENBURG CV	(424.56)	TOILET LEAK
NORTH MISSISSIPPI INV GROUP	5699	GETWELL RD BLDG G	(470.89)	TOILET LEAK
DEBRA JOYNER	8404	CHESTERFIELD	(156.16)	LEAK UNDER SLAB
RAYMOND BARNES	2044	HEATHER RIDGE	(112.24)	BUSTED HOT WATER HEATER
JARED MCCARTHY	8168	MANHATTEN DR	(175.68)	TOILET LEAK
DEBRAYSHIA DOUGLAS	797	BARRINGTON WOODS CV	(219.60)	TOILET LEAK /PIPE UNDER SINK BURST
ZANETA JOHNSON	3044	JOHN MICHAEL DR	(248.88)	TOILET LEAK
KENNETH CARVER	3740	KENNETH CARVER	(46.93)	POOL ADJUSTMENT
MELISSA CALDWELL	1766	FORREST DR	(238.09)	LEAK ON OUTSIDE FAUCET

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JOSHUA MCCARTY	3767	BAILEY LN	(50.57)	POOL ADJUSTMENT
DEREK JONES	8681	YORKTOWN	(87.84)	TOILET LEAK
STEPHANIE KREHL	3216	SUMMERHILL DR	(358.68)	LEAK ON OUTSIDE FAUCET
CALDWELL BANKER COLLINS	3276	GOODMAN	(4167.38)	BUSTED SPRINKLER HEAD
		TOTAL	(7482.89)	

A motion was made by Alderman Payne to approve the Utility Bill Adjustment Docket of October 18, 2022 in the amount of \$7,482.89. Motion was seconded by Alderman Kelly.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 18th day of October, 2022.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of October 18, 2022 in the amount of \$5,088,211.70. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

387511,387612,387613,387618,387619,387623,387735,387758,387761,387814,
388066,388083

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 and approved for payment on the 18th day of October, 2022.

SPECIAL CLAIMS DOCKET

Alderman Hoots recused himself and left the room.

Alderman Payne made the motion to approve the Special Claims Docket 2 of October 18, 2022 in the amount of \$17,502.34. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	YES
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 18th day of October, 2022.

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 Hoots to adjourn. Motion was seconded by Alderman Wheeler. Motion was put to a vote and passed unanimously October 18, 2022 at 8:30 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

All exhibits and attachments are electronically filed in the City Clerk’s Office.