

Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
June 20, 2023
6:00 PM
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: June 6, 2023
5. Resolution to Amend City Ordinance Title VII, Sections 7-10 and 7-15
6. Resolution for Conveyance of Property Pursuant to Miss. Code Section 57-7-1
7. Resolution for SPD Lt. Keith Goff Retirement
8. Resolution for Unmarked Vehicle
9. Resolution for Sanitation Assessment
10. Resolutions for SPD Sole Source
11. Dr. Progeorlan M. Walker, Sr., Introduction
12. Resolution to Clean Private Property
13. Planning Agenda
14. Mayor's Report
15. Personnel Docket
16. City Attorney's Legal Update
17. Utilities Billing Leak Adjustment Docket
18. Claims Docket
19. Executive Session: Potential and Ongoing Litigation in accordance with Miss. Code 25-41-7(4)(b);
Economic Development (Business or Industry Expansion or Location within the City);
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 June 20, 2023 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 20th day of June, 2023 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 twenty (20) other people were present. Mayor Musselwhite called the meeting to order. Alderman Gallagher led in prayer followed by the Pledge of Allegiance led by Alderman Payne.

Next, a motion was made by Alderman Hoots to approve the minutes of the Regular Meeting of June 6, 2023 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Payne. Motion was put to a vote and passed unanimously.

RESOLUTION TO AMEND CITY ORDINANCE TITLE VII, SECTIONS 7-10 AND 7-15

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

Mr. Manley stated that as the Mayor discussed at the previous meeting, some citizens are abusing the amount of rubbish/debris being left for trash pickup, which is the reason for the revision for Title VII, Sections 7-10 and 7-15 of the City Ordinances. The main revision to the ordinance is Sec. 7-15(b), which is revised to state: "The city shall not provide collection of trees or similar items, which have been cut, trimmed as part of non-routine maintenance or upkeep, or removed by any professional entity, third-party person or firm, or contractor. The owner or occupant of the premises shall be responsible for their removal within seven (7) days of the work being completed." This replaces the prior language which allowed for the public works director to have discretion. Also, the revised ordinance will provide more clarity regarding the actual obligations of the city for the collection of rubbish/debris. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN

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OF THE CITY OF SOUTHAVEN, MISSISSIPPI TO AMEND THE CITY OF SOUTHAVEN CODE OF ORDINANCE TITLE VII, SECTIONS 7-10 AND 7-15

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

WHEREAS, Mississippi Code Section 21-17-5 provides the City shall have the power to adopt any orders, resolutions or ordinances with respect to such municipal affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972; and

WHEREAS, Mississippi Code Section 21-19-1(2) provides that the City shall for the collect and dispose of garbage and the disposal of rubbish and have powers regarding the same; and

WHEREAS, Mississippi Code Section 21-19-1(2)(c) provides that the City Governing Authorities may make all rules and regulations for the collection and disposal of garbage and/or rubbish not in conflict with or prohibited by rules and regulations of the Commission on Environmental Quality; and

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, THAT BY RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI THE CITY OF SOUTHAVEN CODE OF ORDINANCE TITLE VII, SECTIONS 7-10 AND 7-15 BE AMENDED AS FOLLOWS:

Sec. 7-10. Leaves, limbs, etc.; placement for collection; prohibited in carts.

(a) Leaves, grass cuttings and garden trimmings, weeds, and roots from which all dirt has been removed shall be deposited in disposable containers, not placed in carts, and placed adjacent to the front property line (curb). Disposable containers for such rubbish shall be cardboard cartons or plastic bags or moisture-resistant paper bags and such containers shall have tops, ties, or other means of preventing spillage, scattering, or blowing away of the rubbish and be moisture proof or kept dry and be of sufficient strength to contain the refuse without spillage during handling. They shall not exceed in size the approximate capacity of a thirty-gallon regulation garbage container, which is considered the maximum size for manual lifting by a collector.

(b) Large accumulations of magazines and newspapers shall be bundled and securely tied and placed adjacent to curb for collection.

(c) Bulky refuse and tree trimmings shall be separated from other refuse and neatly placed adjacent to the front property line immediately behind the curb.

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(d) All garbage shall be drained of liquids before being placed in the cart.

(e) Gasoline, solvents, hot ashes, dirt, bricks, concrete, leaves, limbs, grass cuttings or garden trimmings are strictly prohibited from being placed in the cart.

Sec. 7-15. Nurserymen—Duty to remove trash.

(a) Every person or entity, who performs routine and natural trimming of shrubs or grass, shall place for collection such shrubs or grass in a manner prescribed by this section. Such shrubs and grass shall be removed by the city provided the shrubs and grass placed for collection are placed on the same property from which they were cut or trimmed. In the event shrubs and grass are placed on property other than that which they were trimmed from the disposal thereof shall be the responsibility of the contractor or owner or occupant of the premises on which the refuse is placed.

(b) The city shall not provide collection of trees or similar items, which have been cut, trimmed as part of non-routine maintenance or upkeep, or removed by any professional entity, third-party person or firm, or contractor. The owner or occupant of the premises shall be responsible for their removal within seven (7) days of the work being completed.

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.

NOW, THEREFORE BE IT ORDERED that the Ordinances shall be effective one (1) month after approval.

After a full discussion of this matter, Alderman Flores moved that the foregoing Resolution to adopted and said motion was seconded by Alderman Kelly and the vote thereupon was as follows:

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

RESOLVED AND DONE, this 20th day of June, 2023.

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RESOLUTION FOR CONVEYANCE OF PROPERTY PURSUANT TO MISS. CODE SECTION 57-7-1

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

Mr. Manley stated that this resolution authorizes Mayor Musselwhite to sign a contract for the conveyance of the City property, the SPD Station on May Blvd., and \$1,500,000.00 in exchange for a lot with a new police station located in Silo. The City property appraised for Seven Hundred Thousand Dollars and 00/100 (\$700,000.00) and the Silo property, upon completion of the building, appraised for Three Million One Hundred Thirty Five Thousand Dollars and 00/100 (\$3,135,000.00). The contract contemplates the closing to occur in December of 2024 and sets forth the specs of the building within the contract. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

RESOLUTION OF THE CITY OF SOUTHAVEN TO SURPLUS AND AUTHORIZE EXECUTION OF CONTRACT BY MAYOR FOR THE SURPLUS, PURCHASE, AND SALE OF REAL PROPERTY ACCORDANCE WITH MISSISSIPPI CODE 57-7-1

WHEREAS, pursuant to Mississippi Code 21-17-5, the City of Southaven ("City") Governing Authorities shall have the care, management and control of the City affairs and its property and finances and the power to adopt any resolution with respect to City property; and

WHEREAS, the City currently owns the approximate 1.81 acre tract of land on May Boulevard as set forth in Exhibit A ("the Property"); and

WHEREAS, in accordance with Mississippi Code 57-7-1, the City Governing Authorities desire to surplus the Property and include the Property as part of the consideration for a separate parcel located at Silo Square, Commercial Area 1, Phase 1, Lot 39 as further set forth and described in Exhibit B and such property shall include a building with the details and specifications in Exhibit C ("New Property") constructed by Silo Square Holdings, LLC ("Silo"); and

WHEREAS, in addition to the Property, the City shall also provide compensation in the amount of One Million Five Hundred Thousand Dollars and 00/100 (\$1,500,000.00) to Silo as consideration for the New Property; and

WHEREAS, upon the transfer of the Property, the City Governing Authorities find that the Property will not be needed for a government purpose; and

WHEREAS, the Property appraised for Seven Hundred Thousand Dollars and 00/100 (\$700,000.00) and the New Property, upon completion of the building, appraised for Three Million One Hundred Thirty Five Thousand Dollars and 00/100 (\$3,135,000.00); and

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WHEREAS, Silo and the City desire to enter into a contract for the Property upon such terms and conditions as the City shall prescribe;

WHEREAS, based on Silo's plans and purposes for the development of the Property as noted herein, the economic impact of the development to the City by expanding and providing commercial and industrial development within the City, along with the increase in sales tax accompanying the mixed-use development, the increase in property tax for the City, increase in sales tax, the City's vision for the Property as set forth in the City's Comprehensive Plan, and increase in tourism, the City desires to enter into a contract for good and valuable consideration pursuant to Mississippi Code 57-7-1 (MS AG Op. Manley (September 10, 2014)); and

WHEREAS, the Mississippi Supreme Court in *Ball v. Mayor and Board of Aldermen of City of Natchez*, 983 So.2d 295, 306-307 (Miss.2008), noted that Mississippi Code Annotated "Section 57-7-1 is an economic development statute and the objective of a [c]ity's sale or lease of surplus property may not be to receive the highest purchase price. In other words, the lease or sale may be tied to a vision for a city development plan...numerous opinions by the Attorney General's Office have opined that a lease or sale should be for "good and valuable consideration" and not necessarily fair market value." citing Op. Att'y Gen., O'Neal (September 1, 2006); Op. Att'y Gen., Wagner (March 31, 2006); and

WHEREAS, based on the aforementioned findings, Mississippi Attorney General Opinion to the City, and Mississippi law, the City Governing Authorities desire transfer the Property and \$1,5000,000.00 for the New Property; and

NOW THEREFORE, in consideration of the findings previously noted, be it resolved as follows:

1. Pursuant to Mississippi Code 57-7-1, the City finds that the Property will be used for industrial and commercial purposes by Silo, as it will help accomplish the City's Governing Authorities' visions and plans for the Property and surrounding area for increase in tourism by utilizing the Property for commercial, economic, and industrial purposes by developing the Property to include a mixed-use development.
2. The City also finds that the development of the Property by Silo will increase the economic impact to the City by expanding and commercial, economic, and industrial development within the City, along with the increase in sales tax accompanying the development, the increase in property tax for the City, increase in commercial development, increase in tourism to the City and visitors to City events.
3. The City will benefit from the New Property as it will receive a higher appraised parcel and building, which will be used as a City Building; thereby, providing protection and presence for the City's residents and visitors.

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4. Based on the foregoing and in accordance with Mississippi Code 57-7-1, the Mayor is authorized to sign the contract with Silo allowing for the conveyance of the Property and \$1,500,000.00 for the New Property, and the City finds that the transaction is for good and valuable consideration and does not constitute a donation.
5. The Mayor, on behalf of the City, is authorized, at his discretion, to hire all professionals needed with the consummation and due diligence of the Property and to sign any and all closing or other documents and take any and action to effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Flores made the motion and Alderman Gallagher 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: NO
Alderman Kristian Kelly	voted: YES
Alderman Charlie Hoots	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 20th day of June, 2023.

EXHIBIT A Final Plat
EXHIBIT B Legal Description
EXHIBIT C Planned Specifications

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

RESOLUTION FOR SPD LT. KEITH GOFF RETIREMENT

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

Mr. Manley stated that this resolution will authorize the surplus of Lt. Goff's firearm to him, as he is retiring from the Southaven Police Department effective June 30th, 2023. 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 PRESENTING LIEUTENANT KEITH GOFF HIS SERVICE WEAPON IN RECOGNITION OF HIS RETIREMENT

WHEREAS, the City of Southaven Police Department hereby desires to honor Lieutenant Keith Goff by presenting to him his service firearm, Glock, model 45 9MM, Serial# BVYF820 ("Weapon"), and

WHEREAS, Keith Goff is retiring under a state retirement system, and

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WHEREAS, in accordance with Mississippi Code Section 45-9-131, it has been recommended to the Mayor and Board of Aldermen that this Weapon be sold to Lieutenant Keith Goff for one dollar (\$1.00) in recognition of his retirement and service to the City of Southaven, and

WHEREAS, the Mayor and Board of Aldermen hereby authorize that the Weapon as described above be provided to Lieutenant Keith Goff.

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

1. The Weapon be provided to Lieutenant Keith Goff.
2. The Mayor and Chief of Police are hereby authorized to take all actions to effectuate the intent of this Resolution.

Motion was made by Alderman Hoots and seconded by Alderman Jerome, for the Resolution, and the question being put to a vote:

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

RESOLVED AND DONE, this 20th day of June, 2023.

RESOLUTION FOR UNMARKED VEHICLE

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

Mr. Manley stated that this resolution will authorize a new SPD vehicle to be unmarked in accordance with the Mississippi Code. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

RESOLUTION OF CITY OF SOUTHAVEN SETTING FORTH CITY OF SOUTHAVEN POLICE UNMARKED VEHICLES PURSUANT TO MISSISSIPPI CODE SECTION 25-1-87

WHEREAS, pursuant to Mississippi Code Section 21-21-3, the City of Southaven ("City") employs, regulates, and supports a sufficient police force; and

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WHEREAS, the City's support of the police force includes providing vehicles for use by the police to assist with maintaining order and peace, which, includes, but is not limited to conducting official criminal investigations; and

WHEREAS, it has been recommended to the City Board by the City Police, pursuant to Mississippi Code Section 25-1-87 that certain City Police vehicles, attached hereto as Exhibit A, should be unmarked as identifying marks would hinder official criminal investigations; and

WHEREAS, the City Governing Authorities defer to the City Chief of Police as the chief law enforcement officer of the City and his control over police officers and how investigations will proceed; 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 use of the unmarked City Police vehicles, attached hereto as Exhibit A, as the identifying marks would hinder official criminal investigations.

2. The Mayor, Police Chief, City Administrator, City Clerk, and/or their designee(s) are authorized to take any and all action to effectuate the intent of this Resolution and the City Clerk shall furnish the State Department of Audit with a certified copy of this Resolution.

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

RESOLVED AND DONE, this 20th day of June, 2023.

EXHIBIT A

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

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RESOLUTION FOR SANITATION ASSESSMENT

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

Mr. Manley stated that this resolution will authorize an assessment on car tags or lien placed on property for those individuals who have not paid the sanitation fee. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

RESOLUTION FOR ASSESSING UNPAID SANITATION FEES

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

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

WHEREAS, despite correspondence requesting that the City residents pay the sanitation fee and providing the residents the opportunity to address the City Board at previous City meetings, the residents listed at the properties on Exhibit A have failed to pay the sanitation fee; and

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

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

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

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

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

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

After a full discussion of this matter, ALDERMAN Payne moved that the foregoing Resolution be adopted. The motion was seconded by ALDERMAN Kelly. Upon the question being put to a vote, Members of the Board of Aldermen voted as follows:

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

RESOLVED AND DONE, this 20th day of June, 2023.

EXHIBIT A

A list of addresses with unpaid sanitation fees is attached to these minutes.

RESOLUTIONS FOR SPD SOLE SOURCE

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

Mr. Manley stated that the Southaven Police Department has requested the purchase of three (3) drones in the total amount of \$45,629.00 from Axon as the drones will store the video in the evidence.com website, which is provided by Axon and currently used by the SPD, along with having the capability to record and store the footage directly through Axon. Also, Axon has agreed to waive the licensing fees for the drones if the City purchase the hardware directly from Axon. The other sole source resolution is for the Axon Signal Unit, which Axon Body Camera to automatically turn on when a car door is opened or light bar is activated. After hearing from Mr. Manley, the Board of Alderman considered the following resolutions:

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 three (3) drones needed for police activities; and

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WHEREAS, the City Police utilize Axon for body worn cameras, which footage is stored at evidence.com; and

WHEREAS, the drone footage may be monitored, stored, and viewed through evidence.com, which is only available through Axon and the City Police currently utilize evidence.com with taser and body worn cameras and the addition of Axon drones 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 Enterprise's Axon Air ("Axon") is the sole manufacturer and distributor of the DJI Drone ("Drone"); and

WHEREAS, the Drone is the only device which is programmed to storage and provide footage via evidence.com; and

WHEREAS, based on the review by the City Police, it is determined that the Drone solely provided by Axon is what is needed by the City Police and as set forth in more detail in the sole source letter set forth in Exhibit A; and

WHEREAS, based on the need by the City Police of the Drone 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 Drone 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 Drone and related Drone services from Axon as set forth in Exhibit B on a single-source basis.
2. The Mayor, City Police Chief or their designee(s) are authorized to spend funds, including grant funds and take all actions to effectuate the intent of this Resolution.

Following a reading of the foregoing resolution, Aldermen Payne 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 Charlie Hoots	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 20th day of June, 2023.

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A copy of the sole source letter and quote are attached and fully incorporated into these minutes.

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 Signal Units, which cause the Axon Body Cameras used by the City Police to automatically turn on when a car door is open or light bar is activated; and

WHEREAS, after extensive research, the City Police previously designated Axon as the sole source provider for City Police body cameras; and

WHEREAS, the Signal Unit desired by the City Police must be compatible with Axon Body Cameras; and

WHEREAS, based on the review by the City Police, it is determined that the Signal Unit solely provided by Axon is what is needed by the City Police as it is compatible as set forth in more detail in the sole source letter set forth in Exhibit A; and

WHEREAS, based on the need by the City Police of the Signal Unit, 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 Signal Unit 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 Signal Unit(s) in the amount of \$6,975.00.
2. The Mayor, City Police Chief or their designee(s) are authorized to spend funds, including grant or seized funds and take all actions to effectuate the intent of this Resolution.

Following a reading of the foregoing resolution, Aldermen Payne 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 Charlie Hoots	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: YES

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Alderman Raymond Flores

voted: YES

RESOLVED AND DONE, this 20th day of June, 2023.

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

DR. PROGEORLAN M. Walker, Sr. Introduction

Dr. Walker introduced himself to the Mayor and Board of Alderman and announced that he is running for Mississippi House District 7 as a Republican. Dr. Walker expressed that he is a citizen and business owner in Desoto County that believes in smaller government, transparency, and lower taxes. Dr. Walker expressed that he stands with first responders, veterans, and educators of the county for their hard work, dedication and sacrifices for our wellbeing and to ensure they have the necessary resources and support to do their jobs. Mayor Musselwhite thanked Dr. Walker for coming to the meeting and introducing himself.

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:

CONDEMNATION ADDRESS
824 VALLEY SPRINGS DR.
PARCEL#10862332300000600
265 GARDENWALK DR.
8241 OAKBROOK DR.
8182 CEDARBROOK DR.
8044 JAMESBROOK DR.
920 MAIN ST.
1925 STATELINE RD. E
8606 CEDARVIEW CIRCLE W.
450 STATELINE RD. W
1416 MOSS POINT DR.
875 MAIN ST.
PARCEL#1084170600000100

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PARCEL# 10792919900000700
PARCEL# 1079291900000300
PARCEL#1079291900000500
PARCEL#1079292600000300
PARCEL#1079292600000200
965 GREAT OAKS DR.
5820 WESTMINISTER LANE

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, **June 20th 2023**, 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, **June 20th 2023**, 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:

CONDEMNATION ADDRES
824 VALLEY SPRINGS DR.
PARCEL#10862332300000600
265 GARDENWALK DR.
8241 OAKBROOK DR.
8182 CEDARBROOK DR.
8044 JAMESBROOK DR.
920 MAIN ST.
1925 STATELINE RD. E
8606 CEDARVIEW CIRCLE W.
450 STATELINE RD. W
1416 MOSS POINT DR.
875 MAIN ST.
PARCEL#1084170600000100
PARCEL# 10792919900000700
PARCEL# 1079291900000300
PARCEL#1079291900000500
PARCEL#1079292600000300
PARCEL#1079292600000200
965 GREAT OAKS DR.
5820 WESTMINISTER LANE

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

ALDERMAN	VOTED
Alderman George Payne	YES
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman William Jerome	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 **20th day of June 2023**.

CITY OF SOUTHAVEN

PLANNING AGENDA

No Planning Agenda

MAYOR'S REPORT

Police State Accreditation

Mayor Musselwhite stated that for the first time ever in our history, our Southaven Police Department has achieved accreditation with the Mississippi Law Enforcement Accreditation Commission (MSLEAC). Mayor Musselwhite commended Chief Moore and the rest of the team for a job well done in meeting the challenging qualifications of this accreditation.

July 5 Board Meeting

Mayor Musselwhite announced that the next Board Meeting will be on July 5 with the July 4 holiday.

Annual Fireworks Celebration

Mayor Musselwhite announced that the City will have a July 4 firework celebration and the Bank Plus Amphitheater with gates opening at 4pm.

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Tanger Outlet Development Update

Mayor Musselwhite reported a monumental accomplishment for the City. In 2015, the Tanger development qualified for the Mississippi Development Authority Rebate Program which allowed for the development to come. The City of Southaven had to commit that 30% of the sales tax dollars would go to the developer. It was projected that the City would not receive any sales tax revenue from the development for 5-7 years. Mayor Musselwhite reported that the City did not start paying the developer until January 2017 and according to the MS Department of Revenue, the City made final payment. Sales projections in 2014 and 2015 were very accurate and the last payment was \$2.1 million which means that effective immediately, there will be \$2.1 million put into the budget. Mayor Musselwhite stated that the City made a great decision with the development and we will begin seeing dividends from it.

PERSONNEL DOCKET

Personnel

Docket

June 20, 2023

New Hires	Department	Position Title	Start Date	Rate of Pay
Caiden Agner	Parks	Seasonal II	6/20/2023	\$12.00
Tommy Brown	Parks	PT Front Desk	6/21/2023	\$9.50
Troy Sims	Parks	Laborer I	TBD	\$15.45
Eric Wallace	Parks	Seasonal	6/21/2023	\$12.00
Justin Parker	Fire	Fire Fighter II	TBD	\$17.77
Freeman Weems	Fire	Paramedic	TBD	\$21.22

ReHire	Department	Position Title	Start Date	Rate of Pay
Latarius Carr	Utilities	Field Service Tech	TBD	\$16.50

Promotions	Current Position Title	New Position Title	Effective Date	Rate of Pay
Daviantal Ellington	Police Officer 3	Police Officer 4	6/19/2023	\$28.97
Markesse Archie	Police Officer 1	Police Officer 2	7/3/2023	\$26.01
Joseph Barbour	Police Officer 1	Police Officer 2	7/3/2023	\$26.01
Dylan Dever	Police Officer 1	Police Officer 2	7/3/2023	\$26.01
Dondrell Franklin	Police Officer 1	Police Officer 2	7/3/2023	\$26.01
Zarrious Moore	Police Officer 1	Police Officer 2	7/3/2023	\$26.01
Patrick Wiggins	Police Officer 1	Police Officer 2	7/3/2023	\$26.01
Jonathan McClure	Utility - Operator	Utility - Foreman	6/19/2023	\$21.52

Re-Classifications	Current Position Title	New Position Title	Effective Date	Rate of Pay
Taquuan Andings	Public Works Laborer	PW - Tractor Operator	6/19/2023	\$17.00
Tyler Putman	Public Works Laborer	PW - Tractor Operator	6/19/2023	\$17.00
Robert Sims	Public Works Laborer	PW - Tractor Operator	6/19/2023	\$17.00

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Ronnie Bailey	Utility - Field Service Tech	Utility - Inspector	6/19/2023	\$18.50
Pierre Wells	Utility - Field Service Tech II	Utility - Inspector	6/19/2023	\$18.50

Oath of Office

Emergency Communications

Alexis Lankston
D'Artra Rice

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Michael Collins	Utilities	Foreman	6/23/2023	\$21.52
Matthew Prewitt	Utilities	Inspector	6/30/2023	\$20.60
Johnny Garcia	Parks	Laborer I	6/20/2023	\$15.45
Angela Vance	Emergency Communications	Dispatch 2	6/18/2023	\$24.50
Justin Chapman	Fire	EMS Driver	7/9/2023	\$17.15

Parks Tournaments

New Hires	Position Title	Start Date	Rate of Pay
Sydney Berry	Gift Shop	6/21/2023	\$9.50
Victoria Brown	Gates	6/21/2023	\$9.75
Brooklynn Pace	Gates	6/21/2023	\$9.75
Michael Hankins	Concessions	6/21/2023	\$10.00
Coley Howard	Concessions	6/21/2023	\$9.50
Chloe Stewart	Concessions	6/21/2023	\$9.50

Parks Resignations/Terminations	Position Title	Term Date	Rate of Pay
Lauren Ballard	Gates	6/21/2023	\$9.75
Alton Bloodworth III	Gates	6/21/2023	\$9.75
Michelle Brignac	Gates	6/21/2023	\$9.75
Elizabeth Creel	Gates	6/21/2023	\$9.75
Teresa Daniels	Gates	6/21/2023	\$9.75
Irene Forsythe	Gates	6/21/2023	\$9.75
Kyla Head	Gates	6/21/2023	\$9.75
Abigail Johnston	Gates	6/21/2023	\$9.75
Veena Kapor	Gates	6/21/2023	\$9.75
Kimberly Milana	Gates	6/21/2023	\$9.75
Kirsten McVey	Gates	6/21/2023	\$9.75
Timothy McVey	Gates	6/21/2023	\$9.75
Alexis McGehee	Gates	6/21/2023	\$7.50
Dominique Robinson	Gates	6/21/2023	\$9.75
Melissa Simms	Gates	6/21/2023	\$9.75
Deandrea Stone	Gates	6/21/2023	\$9.75
Gene Sumners	Gates	6/21/2023	\$9.75
Wendy Lane	Gift Shop	6/21/2023	\$9.50
Jessica Neely	Gift Shop	6/21/2023	\$9.50

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Kayle Turner	Gift Shop	6/21/2023	\$9.50
Luke Goolsby	Grounds Crew	6/9/2023	\$9.50
Sam Jones	Grounds Crew	6/9/2023	\$9.50
Keshawn Robinson	Grounds Crew	6/9/2023	\$9.50
Christian Izaguirre	Seasonal	6/9/2023	\$10.00
Carter Bentley	Seasonal II	6/9/2023	\$12.00
Joe Litton	Seasonal II	6/9/2023	\$12.00
Gerald Pickering	Seasonal II	6/9/2023	\$12.00

Alderman Payne made the motion to approve the Personnel Docket of June 20, 2023 as presented to this Board. Motion was seconded by Alderman Gallagher.

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 20th day of June, 2023.

CITY ATTORNEY'S LEGAL UPDATE

Back on Track Chiropractor, LLC Contract

Mr. Manley stated that this contract is with Back on Track Chiropractor, LLC to perform drug tests and physicals for the Fire Department. Alderman Payne made the motion to approve the contract and authorize Melanie Drisdale to sign. Motion was seconded by Alderman Jerome. Motion was put to vote and passed unanimously.

A copy of the contract is attached to these minutes.

Amphitheater and Show Contracts for Dwight Yoakum

Mr. Manley entered the Amphitheater and Show Contracts for Dwight Yoakum as the Board previously approved the Mayor to sign these contracts, via Resolution, now are being entered in the minutes in accordance with the Resolution.

A copy of the contracts / intent are attached to these minutes.

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UTILITY BILL ADJUSTMENT DOCKET

ADJUSTMENT DOCKET 06/20/2023						UTILITIES BILL LEAK
The addresses below experienced unforeseen circumstances in their utilities for which no benefit was received.						
1	RESIDENT	CORDER APRIL	2973	GLENNBURY LANE	(38.48)	POOL ADJUSTMENT
2	RESIDENT	HOLLIMAN ROBIN	7769	MALONE	(65.12)	POOL ADJUSTMENT
3	RESIDENT	WOHLSCHLEGAL DAVID	2232	GREENCLIFF	(68.08)	POOL ADJUSTMENT
4	RESIDENT	EDNA SCOGGIN	587	COTTONBROOK CV	(93.60)	BUSTED PIPE IN ATTIC
5	RESIDENT	JESSIE HEARNS	2281	CORAL HILLS DR	(93.60)	BUSTED LINE OUTSIDE TO WATER HOSE
6	RESIDENT	JERRY MARTIN	546	WHITEASH	(82.88)	POOL ADJUSTMENT
7	RESIDENT	JANAY PHILLIPS	5054	GARNER LN	(298.35)	TOILET LEAK
8	RESIDENT	FISK PAUL	8201	ELM CV	(82.88)	POOL ADJUSTMENT
9	RESIDENT	BRANDON DAY	2500	BETHANY DR	(146.25)	TOILET LEAK
10	RESIDENT	CATHY AND JOHN CROSBY	1892	CHERRY CREEK DR	(40.95)	LEAK UNDER SLAB
11	RESIDENT	BERNETTA SCRUGGS	7457	GREENBROOK PKWY	(193.05)	BUSTED WATER PIPE
12	COMMERCIAL	MOHAMMED BLEIBEL	230	GOODMAN RD	(539.24)	LEAK AT SERVICE LINE
13	RESIDENT	CHERYL JONES	4598	SWEET FLAG LOOP	(186.86)	LEAK IN BATHROOM SINK

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1 4	RESIDEN T	JAMES WINTERS	3947	CHANDLER DR	(75.00)	TOILET LEAK
1 5	RESIDEN T	JAMES BELK	8371	WHITEHEAD CV	(20.72)	POOL ADJUSTME NT
1 6	RESIDEN T	ROSE BONDS	8675	GREENVIEW PL	(40.95)	LEAK ON MAIN SERVICE LINE
1 7	RESIDEN T	LORA BRIDGES	7409	GREENBROO K PKWY	(35.52)	POOL ADJUSTME NT
1 8	RESIDEN T	SHEKERRA OWENS	8067	JAMESBROO K	(836.55)	TOILET FLAPPER LEAK
1 9	RESIDEN T	LESLIE TACKETT	914	WHITE PINE	(35.10)	LEAK AT MAIN LINE
2 0	RESIDEN T	FELLISA MORGAN	8277	DOTTLEY DR	(760.80)	TOILET LEAKS
2 1	RESIDEN T	MARILYN CARLISLE	348	GRAHAMWO OD	(29.25)	LEAK BEHIND WASHER
2 2	RESIDEN T	ANDREA CLARK	441	BAINBRIDGE PLACE	(351.00)	2 TOILET LEAKS
2 3	RESIDEN T	JONES STRICKIE	8333	FARMINGTO N DR E	(20.72)	POOL ADJUSTME NT
2 4	RESIDEN T	MARK GRIFFIF	7740	WHITTEN POINT CV	(20.72)	POOL ADJUSTME NT
2 5	RESIDEN T	KELLEN HILLS	8971	OAKWOOD LN	(23.68)	POOL ADJUSTME NT
2 6	COMME RCIAL	GLITZY GIRL	6608	TOWNE CENTER LOOP	(666.28)	TOILET LEAK
2 7	RESIDEN TIAL	BRANDON COLEMAN	909	AUTUMN WOODS DR E	(99.45)	MAIN WATER LINE BURST UNDER DRIVEWAY
2 8	RESIDEN TIAL	MCPHERSON KIM	976	VIRGINIA PINE CV	(29.60)	POOL ADJUSTME NT
2 9	RESIDEN TIAL	LEECH THOMAS	3720	PLUM POINTE DR EAST	(41.44)	POOL ADJUSTME NT

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30	RESIDENTIAL	JACQUELINE GRAY	2275	PLUM POINTE DR EAST	(48.59)	WATER HEATER LEAK
	RESIDENTIAL	CRENSHAW KYLE	7639	BROOKWOOD PL	(94.72)	POOL ADJUSTMENT
	RESIDENTIAL	CANTRELL CHRIS & MAGEN	4189	GARDEN RD	(207.20)	POOL ADJUSTMENT
				TOTAL	(5366.63)	

Alderman Payne made the motion to approve the Utility Bill Adjustment Docket of June 20, 2023 in the amount of \$5,366.63. 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 20th day of June, 2023.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of June 20, 2023 in the amount of \$3,484,681.49. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

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

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Alderman Flores

YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 20th day of June, 2023.

EXECUTIVE SESSION

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

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Payne to adjourn. Motion was seconded by Alderman Hoots. Motion was put to a vote and passed unanimously June 20, 2023 at 7:30 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

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