

Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
December 5, 2023
6:00 PM
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: November 21, 2023
5. Approval of Travel for MML (January 9-11)
6. Lease of City Property
7. Contract with PBJ Happee Day Shows for Springfest
8. Resolution for Liens
9. Commercial Vehicle Ordinance
10. Resolution for Speed Hump Ordinance
11. Resolution for Revised Southaven Wrecker Rotation Policy
12. Planning Agenda: Item #1 Application by SMJ Enterprises for subdivision approval of Serenity Pointe Phase 2 on the north side of Nail Road, east of Tchulahoma Road
Item #2 Application by Renasant Bank for design review approval for a new bank site on the northeast corner of Airways Blvd. and Guthrie Drive
Item #3 Application for West End District Tax Incentive for a renovation project at 920 Stateline Road - American Deli
13. Mayor's Report
14. Personnel Docket
15. City Attorney's Legal Update
16. Utilities Billing Leak Adjustment Docket
17. Claims Dockets: Docket 1
Docket 2
18. Executive Session: Discussion regarding ongoing and potential claims/litigation by and against City (Miss. Code 25-41-7(4)(b)); Economic Development (Potential location/re-location of business to City) (Miss. Code 25-41-7(j)); Interdepartmental Personnel with No Action

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

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Minutes, City of Southaven, Southaven, Mississippi

MINUTES OF THE REGULAR MEETING OF December 5, 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 5th day of December, 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

Absent were:

Raymond Flores	Alderman, Ward 6
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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 November 21, 2023 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Payne. Motion was put to a vote and passed unanimously.

APPROVAL OF TRAVEL FOR MML (January 9-11)

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

Alderman Gallagher made the motion to authorize travel for the MML Mid-Winter Conference in Jackson, January 9-11 for the Mayor and Board of Alderman. Motion was seconded by Alderman Payne.

ALDERMAN	VOTED
Alderman Jerome	YES
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved on the 5th day of December, 2023.

Minutes, City of Southaven, Southaven, Mississippi

LEASE OF CITY PROPERTY

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

Mr. Manley stated that The property at 1320 Brookhaven Drive has been leased to True Word Ministries for a number of years. The lease expires on December 30, 2023 and True Word desires to extend the lease for an additional three (3) years until December 31, 2026. Previously, the City had two (2) appraisals for the lease and the average of the appraisals was \$8,400 per year (\$700.00 per month). The recommendation is to renew the lease as it provides a tenant in the building, who pays rent to the City and maintains the property. In addition, the lease contains a provision that in the event that the City sells the property, True Word will vacate the premises within sixty (60) days. Alderman Hoots made the motion to authorize Mayor Musselwhite to sign the lease. Motion was seconded by Alderman Kelly.

ALDERMAN	VOTED
Alderman Jerome	YES
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved on the 5th day of December, 2023.

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

CONTRACT WITH PBJ HAPPEE DAY SHOWS FOR SPRINGFEST

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

Mr. Manley stated that this contract with Happee Days, which is the entity that sets up the rides and games for Springfest, provides that the City's compensation is 35% of the Gross Receipts along with \$75.00 per game vendor and \$400 per food vendor. The dates for the contract are April 15-29 so that Happee Days can set up and Springfest will be April 23-27. Alderman Wheeler made the motion to authorize Mayor Musselwhite to sign the contract. Motion was seconded by Alderman Payne.

ALDERMAN	VOTED
Alderman Jerome	YES
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES

Minutes, City of Southaven, Southaven, Mississippi

Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved on the 5th day of December, 2023.

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

RESOLUTION FOR LIENS

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

Mr. Manley stated that this resolution will authorize liens and/or tax assessments to be filed for those properties that were cut and/or cleaned in accordance with Miss. Code 21-19-11. 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 ADJUDICATING THE COST OF CLEANING PROPERTY, IMPOSING A PENALTY AND IMPOSING LIEN OF THE SAME AGAINST PROPERTY

WHEREAS, the City of Southaven ("City") has the authority, pursuant to Section 21-19-11 of the Mississippi Code (1972) to clean up property within the City, under circumstances which create a menace to the public health and safety of the community, and

WHEREAS, the Mayor and Board of Aldermen conducted hearings regarding various properties, as set forth in Exhibit A, and determined that the conditions and circumstances of such properties created a menace to the public health and safety of the community, and ordered the clean-up of the properties, and

WHEREAS, pursuant to the authority granted to the City, the Mayor and Board of Aldermen, the City used City personnel for the clean-up of the properties; and

WHEREAS, the Mayor and Board of Aldermen have heard proof and find as a fact that the actual cost of the clean-up is as attached hereto as Exhibit A, and

WHEREAS, the Mayor and Board of Aldermen deem and resolve that the clean-up cost and penalty shall be collected as a lien against property and if not paid, the lien shall be converted as an assessment against each property, to be collected by the Tax Collector in the manner employed for the collection of all other taxes and assessments of the municipality, unless sooner collected through other means; and

Minutes, City of Southaven, Southaven, Mississippi

WHEREAS, the City Governing Authorities previously adopted, via resolution, the cost and penalties charged by the City for the clean-up of properties; and

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

1. The fees, costs, and penalties listed in Exhibit A be assessed to the property.
2. The total amount, as set forth above, be, and the same is hereby assessed against each property, to be filed as a lien and if not collected, to be converted as an assessment to be collected by the Tax Collector in the manner used for collection of other municipal taxes and assessments, unless sooner collected through other means.
3. The City Planner and/or her designee is authorized to take any and all action to effectuate the intent of this Resolution.

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

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

RESOLVED AND DONE this 5th day of December, 2023.

The standard penalties for the lots along with a list containing street names, parcel id#, and assessment totals is attached to these minutes.

COMMERCIAL VEHICLE ORDINANCE

Mayor Musselwhite presented this item to the Board.

As has been discussed at previous meetings, this ordinance has been revised in an attempt to address the comments by the Board. The revised ordinance prohibits commercial vehicles that are classified as a Class 3 or greater (as set forth by the ordinance chart), except for a Heavy-Duty Pickup which has neither a bed nor any equipment, excluding an antenna, that extends higher than the roof of the Heavy-Duty Pickup cab; or any trailer that exceeds 16

Minutes, City of Southaven, Southaven, Mississippi

feet in length shall be parked or stored at any residence or on any street in residential zones except for immediate service and delivery purposes. The goal of the proposed ordinance is to not prohibit those vehicles which would be allowed if they were not commercial while trying to conserve City roads and welfare of the City residents.

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

There was much discussion among the Mayor and Board of Alderman as it relates to the height of equipment on a cab. The proposed ordinance states that equipment cannot extend higher than the roof of the Heavy-Duty Pickup cab. The Board was in agreement to revise the height to reflect no more than 24" above the cab. Alderman Wheeler made the motion to approve the revision to change the equipment height on pickup cabs to no more than 24". Motion was seconded by Alderman Hoots.

ALDERMAN	VOTED
Alderman Jerome	YES
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved on the 5th day of December, 2023

This ordinance with the height revision will be brought back to the Board of Alderman on January 2 for approval.

RESOLUTION FOR SPEED HUMP ORDINANCE

Mayor Musselwhite presented this item to the Board.

As was discussed at last meeting, there has been review for a speed bump ordinance. This resolution for the ordinance sets forth the criteria and requirements for the speed bumps. The traffic safety committee, as already established by City Ordinance, will review adhere to and review the following requirements for placement of the speed bump:

- a. The speed hump shall only be located on a residential collector street;
- b. The speed hump shall only be located on streets with a posted speed limit of 25 mph or less;
- c. The speed hump shall only be located on streets where there is a high use by children and/or pedestrians of the street;
- d. The speed hump shall only be located on streets where the increase in unanticipated and unplanned traffic creates a hardship or danger for the citizens who live on the street.

Minutes, City of Southaven, Southaven, Mississippi

Alderman Kelly made the motion to open the floor up for discussion. Motion was seconded by Alderman Gallagher.

There was some discussion among the Board as it relates to location of humps, proper markings, and effectiveness. After discussion, the Board of Alderman considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI TO AMEND TITLE IX, CHAPTER 1, SECTION 9-14

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 21-37-3 provides the City of Southaven ("City") Governing Authorities shall have the power to exercise full jurisdiction in the matter of streets, and

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 21-19-15 also provides in pertinent part that the governing authorities of a municipality shall have the power to make all needful police regulations necessary for the preservation of good order and peace of the municipality, to prevent injury to, destruction of, or interference with public or private property; and

WHEREAS, Mississippi Code Section 63-3-209 grants the City the authority to adopt additional traffic regulations which are not in conflict with the provisions the relevant Mississippi laws; and

WHEREAS, the City Governing Authorities desire to authorize the criteria and implementation of speed humps within the City; and

WHEREAS, speed humps assist to protect and preserve the public health, safety, and welfare of City residents; and

WHEREAS, speed humps assist with the decreasing of speed in residential neighborhoods and public parks; and

WHEREAS, speed humps effectively reduce traffic volumes by encouraging drivers to use other routes; and

WHEREAS, speed humps improve pedestrian and bicycle safety; and

WHEREAS, the City needs to limit speed humps due to the risk of slowing emergency vehicles; and

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, THAT BY RESOLUTION THE CITY OF SOUTHAVEN CODE OF ORDINANCE TITLE IX, CHAPTER 1, SECTION 9-14 BE AMENDED AS FOLLOWS:

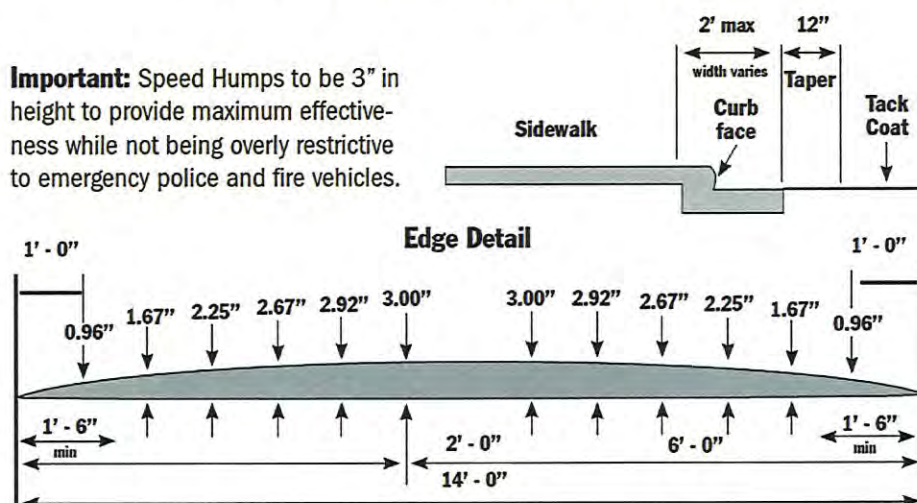
Minutes, City of Southaven, Southaven, Mississippi

Sec. 9-14

- a. The traffic safety committee, as established in Section 9-3(a), shall have the discretion to install speed humps within the City in accordance with the requirements this Section.
- b. The traffic safety committee shall consider the following factors when installing a speed hump within the City:
 1. The speed hump shall only be located on a residential collector street or a street within a public park;
 2. The speed hump shall only be located on a street with a posted speed limit of 25 mph or less;
 3. The speed hump shall only be located on a street where there is a high use by children and/or other pedestrians of the street;
 4. The speed hump shall only be located on a street where the increase in unanticipated and unplanned traffic creates a hardship or danger for the residents or pedestrians who use the street.
- c. Upon approval of a speed hump by the traffic safety committee, the committee shall provide its findings, based on the criteria set forth in this section, and the specific street(s) segment where the speed hump will be located to the Board of Alderman for inclusion in the City Minutes.
- d. The City shall indicate notice of the speed hump by providing white markings on the speed hump.
- e. The speed hump shall not exceed three (3) inches in height and shall be designed in accordance with this Section:

SPEED HUMP SPECIFICATIONS

Important: Speed Humps to be 3" in height to provide maximum effectiveness while not being overly restrictive to emergency police and fire vehicles.



Minutes, City of Southaven, Southaven, Mississippi

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 Ordinance shall be effective one (1) month from passage.

A motion was made to adopt the foregoing Resolution by Alderman Gallagher, seconded by Alderman Kelly and brought to a vote as follows:

Alderman Kristian Kelly	voted: YES
Alderman Charlie Hoots	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John David Wheeler	voted: YES
Alderman Raymond Flores	voted: ABSENT
Alderman William Jerome	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 5th day of December, 2023.

CITY OF SOUTHAVEN, MISSISSIPPI

RESOLUTION FOR REVISED SOUTHAVEN WRECKER ROTATION POLICY

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

Mr. Manley stated that this revision is requested by the SPD to delete the provision requiring that a towing company be in business in the City for 6 months prior to being eligible for the wrecker rotation list. This revision does not alter any other provisions and still requires each entity to adhere to all other aspects of the policy to be in compliance. Alderman Kelly made the motion to approve the revised policy. Motion was seconded by Alderman Payne.

ALDERMAN

VOTED

Minutes, City of Southaven, Southaven, Mississippi

Alderman Jerome	YES
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved on the 5th day of December, 2023

A copy of the revised policy is attached and incorporated into these minutes.

PLANNING AGENDA

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

Item #1 Application by SMJ Enterprises for subdivision approval of Serenity Pointe Phase 2 on the north side of Nail Road, east of Tchulahoma Road

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Serenity Pointe Phase 2 Area B on the north side of future Nail Road, east side of Tchulahoma Road. This phase includes 39 homes with a minimum lot size of 6,250 sq. ft. and a minimum heated square footage of 2,200 sq. ft. The access for this phase comes directly off of Nail Road. There are three COS shown on the title block of the plat. Staff was able to identify two of these spaces along the frontage on Nail Road where the decorative fence and landscape is proposed to be installed; however, staff was no able to identify the third area. There are two stub outs for future development of the subdivision both carrying to the west identified as Street N and Street Q. Nail Road is identified with eighty (80) feet of ROW that carries from the section line CL to the entire ROW for the road being on the applicants property. The interior roads show a fifty (50) foot ROW with a sidewalk and greenery area behind the back of the curb line. The proposed design is compliant with the requirements set forth in the PUD text approved in 2022.

Mrs. Choat-Cook stated that staff has two comments regarding roads:

1. Nail Road is being designed at present time by the city. The road shall include a three lane road with a boulevard center, a multi-use path on the north side and possible sidewalk on the south side. Due to hardships on the south properties of the section line, the applicant has agreed to take on the entire road width which simplifies the ROW process for the road construction. A subdivision agreement will be signed by both the applicant and the city for cost of the construction. In the meantime, this particular phase has the ability to construct a temporary construction access to the site from the existing Nail Road.
2. A big discussion with the commission during the PUD approval process was the disallowance of rental homes in this PUD. The applicant did agree with these stipulations which were added into the PUD text; however, in our previous

Minutes, City of Southaven, Southaven, Mississippi

approvals of similar projects, it is also required to be added to the minutes of the subdivision approval as well as added to the plat in the general notes.

The applicant should also add the minimum lot and house sizes onto the plat prior to recording. At this point, there are two phases approved so the applicant will need to record the HOA covenants that were approved by the commission with both of these phases to being the process of protective covenants. Alderman Payne made the motion to approve the application by SMJ Enterprises pending compliance. 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	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of December, 2023.

A copy of the staff report, plan data, and final plat are attached and fully incorporated into these minutes.

Item #2 Application by Renasant Bank for design review approval for a new bank site on the northeast corner of Airways Blvd. and Guthrie Drive

Mrs. Choat-Cook stated that the applicant is requesting design review approval for an office and storage building on lot 1 o Monahan Farms Subdivision. Building elevations and landscaping plans were submitted. The building has a modern appeal with both the materials and the elevation design. Prior to this submittal the bank on site was very dated so the applicant chose to demo it and come up with a new design. Staff has no comments on the building and recommends approval as submitted. The landscaping submitted is a nice mixture of materials; however, the sizing needs to be adjusted to meet the minimum requirements set forth in the ordinance. The shade trees are appropriately sized; however, the ornamentals need to be adjusted to 2.5" caliper and/or 8- 10' height minimums. Staff has no further comments on the landscaping and believes it to be a good plan for the site. As with all new development, it is required that decorative lighting be added into the streetscape area. Since this building is a modern design, staff made the recommendation that the applicant use similar lighting to the MOGA site on Airways which has a similar design in which the applicant agreed to use these lights on each side of the entrances along both Airways Blvd. and Guthrie Drive. Alderman Jerome made the

Minutes, City of Southaven, Southaven, Mississippi

motion to approve the application by Renasant Bank. 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	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of December, 2023.

A copy of the staff report, landscape plan, and building elevations are attached and fully incorporated into these minutes.

Item #3 Application for West End District Tax Incentive for a renovation project at 920 Stateline Road - American Deli

Mrs. Choat-Cook stated that the applicant purchased the building located at 920 Stateline Road and have been working with the Planning, Fire, and Building Departments on a renovation plan to the existing structure. It has been determined by Fire and Building Departments that the building can be renovated. An application for the West End Tax Incentive Program was submitted by the applicant. The improvements include interior structural improvements, new painting and roofing on the exterior, landscaping, and a new parking lot. This is proposed to be American Deli and a business summary was submitted that reflected approximately a \$500,000 investment. Alderman Hoots made the motion to approve the plan submitted by Kevin Hwang DBA as American Deli. Motion was seconded by Alderman Kelly. Mr. Manley noted that this approval is for the plans only and approval of abatement will occur once the applicant completes the construction in accordance with the plans approved by the Board of Alderman and the exemption is only for the increase in taxes resulting from the improvement to the property.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	YES
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES

Minutes, City of Southaven, Southaven, Mississippi

Alderman Wheeler	YES
Alderman Flores	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of December, 2023.

A copy of the West End District Tax Incentive application is attached and fully incorporated into these minutes.

Item 4 Request from Brian Hill, Developer of Silo Square and The City of Southaven Fire Department to Make Front Street a Public Right of Way

Mrs. Choat-Cook stated that Front street at Silo Square is a private drive, which is behind all of the out parcels along Getwell Road. Front Street is a private road built to City specifications; 48 feet wide for the easement. Mrs. Choat-Cook stated that from an addressing and accessibility concern, the Fire Department requested that Front Street to become a public street. Civil Link reviewed and made the determination that the road was built to City specifications. Mrs. Choat-Cook stated that the request is from the Fire Department and the Developer to make Front Street a public right of way which will be recorded at the Chancery Clerk's Office. Alderman Gallagher made the motion to approve Front Street as a City Right of Way. 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	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of December, 2023.

MAYOR'S REPORT

43rd Annual Christmas Parade

Mayor Musselwhite stated that the Christmas Parade held on Saturday morning, December 2 at 10:00 am was a great success.

Southern Lights

Mayor Musselwhite reminded everyone that Southern Lights in Central Park, a great tradition of the City of Southaven for many years, will go until December 31 and encouraged all to attend. All proceeds collected will go to the charitable organizations that work the admission gate.

Minutes, City of Southaven, Southaven, Mississippi

Street Paving Update

Mayor Musselwhite gave an update that there has been success with the street resurfacing list this Fall.

Neighborhood Parks Update

Mayor Musselwhite stated that there has been good progress with the neighborhood parks. Guthrie Park and Greenbrook Softball Complex are set to have new playground equipment soon.

Getwell Road South Widening Road Update

Mayor Musselwhite stated that the contractor has made great progress this year with the Getwell Road South Widening Project. The project is five lanes from Church Road to Starlanding Road and is projected to be complete in early 2025.

PERSONNEL DOCKET

Personnel December 5,
Docket 2023

New Hire	Department	Position Title	Start Date	Rate of Pay
Allen Sims	Utility	Operator	TBD	\$18.50

Re-Hire	Department	Position Title	Start Date	Rate of Pay
Haley Tedder	Fire	Paramedic	TBD	\$24.15
Moreco Crawford	Public Works	Mechanic	TBD	\$17.00

Promotions	Current Position Title	New Position Title	Effective Date	Rate of Pay
Ashley Ford	Deputy City Clerk	Assistant City Clerk	12/5/2023	\$60,000 annually
Caleb DeFries	Utility Operator	Utility Foreman	12/4/2023	\$22.16

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Hal Vanderford	Police	Sergeant	11/26/2023	\$31.82
Brandi Melton	City Clerk	Deputy Clerk	11/27/2023	\$18.00
Edith McIlwain	DFA	Finance Director	12/1/2023	\$119,000 annually
Kaylee Barton	Emergency Communications	Dispatch I	12/12/2023	\$22.32

Minutes, City of Southaven, Southaven, Mississippi

**Parks
Tournaments**

New Hires	Position Title	Start Date	Rate of Pay
Parker Williams	Concessions	12/5/2023	\$9.50

Alderman Payne made the motion to approve the Personnel Docket of December 5, 2023 as presented to this Board. 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	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved on the 5th day of December, 2023.

CITY ATTORNEY’S LEGAL UPDATE

Mr. Manley stated that this budget amendment is for FY23 funds expended in FY24 for Parks equipment and Fire Department employee uniforms. The following resolution was considered by the Board of Alderman:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI TO AMEND FY 2022
BUDGET**

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the “City”), considered the matter of amending the 2023 City Budget.

WHEREAS, pursuant to Miss. Code 21-35-25, the City desires to amend its FY24 budget by transferring prior year funds to the current fiscal year for the purchase of parks equipment and fire employee uniforms; and

WHEREAS, the City Governing Authorities, as part of this Amendment, desire to; and

Minutes, City of Southaven, Southaven, Mississippi

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 his designee to take any and all actions for such amendment.
2. If required, the City is authorized to publish within two (2) weeks of this action in the same manner as the final adopted budget. This publication shall contain a description of the amendment, the amount of money and funds affected, and a detailed statement explaining the need and purpose of the amendment.
3. The Mayor or his designee are authorized to take all actions to further effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Payne made the motion and Alderman Hoots 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: ABSENT

RESOLVED AND DONE, this the 5th day of December, 2023.

EXHBIIT A – Budget Amendment is attached and fully incorporated into these minutes.

UTILITY BILL ADJUSTMENT DOCKET

UTILITIES BILL LEAK ADJUSTMENT DOCKET 12/05/2023						
<u>The addresses below experienced unforeseen circumstances in their utilities for which no benefit was received.</u>						
1	RESID ENT	RANDY MOBLEY	7714	CUSTER DR	(40.95)	TOILET LEAK
2	RESID ENT	STEPHEN BURNS	8256	CAPROCK CV	(163.80)	TOILET LEAK

Minutes, City of Southaven, Southaven, Mississippi

3	RESID ENT	LINDA CLACK	9212	LOCHINVAR	(106.82)	TOILET LEAK
4	RESID ENT	DIANE AVERESCH	4770	DUSTIN PLACE DR	(150.96)	POOL ADJUSTME NT
5	RESID ENT	DANIEL CREEDON	1058	RASCO RD	(81.90)	TOILET LEAK
6	RESID ENT	JAMES TURNER	1624	SARAH ANN CV	(468.00)	TOILET LEAK
7	RESID ENT	MICHAEL SAMUELL	933	CLOVERLEAF	(234.00)	POOL LINER LEAK
8	RESID ENT	JOHN JONES	3545	SHADY OAKS	(107.89)	MAIN LINE LEAK
9	RESID ENT	BRIDGETTE BUMPOUS	201	TACKETT RUN	(380.25)	TOILET LEAK
10	RESID ENT	MARCUS LOONEY	1855	CONERLY DR S	(81.90)	TOILET LEAK
11	RESID ENT	VELICHETY SRIKAR	5227	SAVANNAH PKWY	(274.95)	TOILET LEAK
12	RESID ENT	RICE RAYMOND	244	BROOKS	(79.92)	POOL ADJUSTME NT
13	RESID ENT	JOSH BRAKE	554	CREEKWOOD CR S	(52.64)	TOILET LEAK
14	RESID ENT	LESLIE STANTON	5424	KAYLA	(752.40)	LEAK UNDER SLAB
15	RESID ENT	TJ MAHONEY	3822	PLUM POINT DR E	(146.25)	LEAK ON LINE TO OUTSIDE FAUCET
16	RESID ENT	CAROLYN MCGEHEE	8897	BENT GRASS LOOP W	(140.40)	TOILET LEAK
17	RESID ENT	TAMMY TIFFANY	505	BLAIR DR	(64.35)	TOILET LEAK
18	RESID ENT	JACOB LINTON	2470	GOODMAN RD E	(924.30)	TOILET LEAKS AND FAUCET LEAK
19	RESID ENT	KEISHA JOHNSON	3296	MAIDEN LN	(239.85)	LEAK ON MAIN LINE
20	RESID ENT	TAMICA HOLLINS	4430	NATIVE SON	(235.79)	TOILET LEAK
21	RESID ENT	TIFFANY SMITH	1760	GREENCLIFF	(76.05)	TOILET LEAK
22	RESID ENT	VIRGINIA SAVAGE	5119	GARNER LANE	(40.95)	TOILET LEAK

Minutes, City of Southaven, Southaven, Mississippi

			TOTAL	(4844.32)	
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Alderman Payne made the motion to approve the Utility Bill Adjustment Docket of December 5, 2023 in the amount of \$4,844.32 . 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	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of December, 2023.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of December 5, 2023 in the amount of \$3,223,675.67. Motion was seconded by Alderman Hoots.

Excluding voucher numbers:

411578 411244 411151 411150 411149 411148 411147 411146 411145 411144 411143
 411142 411141 411140 411139 411138 411137 411136 411135 411134 411133 411132
 411131 411130 411129 411128 411127 411126 411125 411124 411123 411122 411121
 411120 411119 411118 411117 411116 411115 411114 411113 411112 411111 411110
 411109 411108 411107 411106 411105 411104 411103 411102 411101 411100 411099
 411098 411097 411096 411095 411094 411093 411092 411091 411090 411089 411088
 411087 411086 411085 411084 411083 411082 411081 411080 411079 411078 411077
 411076 411075 411074 411073 411072 411071 411070 411069 411068 411067 411066
 411065 411064 411063 411062 411061 411060 411059 411058 411057 411056 411055
 411054 411053

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	ABSENT

Minutes, City of Southaven, Southaven, Mississippi

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 5th day of December, 2023.

SPECIAL CLAIMS DOCKET

Alderman Hoots recused himself and left the room.

Alderman Payne made the motion to approve the Special Claims Docket of December 5, 2023 in the amount of \$19,279.14. Motion was seconded by Alderman Kelly.

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	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 5th day of December, 2023.

Alderman Hoots returned to the room.

EXECUTIVE SESSION

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

Pepperchase Drive Connection

Alderman Kelly made the motion to deny cost sharing with the City of Horn Lake for the project connecting access to Pepperchase Drive. 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	ABSENT

Minutes, City of Southaven, Southaven, Mississippi

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of December, 2023.

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 Jerome. Motion was put to a vote and passed unanimously December 5, 2023 at 8:35 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

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

Minutes, City of Southaven, Southaven, Mississippi

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