

Minutes, City of Southaven, Southaven, Mississippi



**MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
August 20, 2024
6:00 PM
AGENDA**

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: August 6, 2024 & Special Meetings August 15, 2024
5. Resolution for Surplus of Golf Carts
6. Approval of Right of Way for Entergy
7. Change Order for Public Works/Utilities Term Construction Contract
8. Resolution Authorizing Signatures for the Master Equipment Lease/Purchase Agreement with Bank of America and Separate Equipment Schedules for Purchase of Fire Truck
9. Approval for Addendum between City, Desoto County, CVB, and Wealth Hospitality
10. Approval of Agreement between Utility Department and Comcast
11. Approval of Special Event Permit
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 against and by the City; Public Works and City Court Personnel; Economic Development (Industry/Business Locating to 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 August 20, 2024
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 August, 2024 at six o'clock (6:00) p.m. at City Hall.

Present were:	
George Payne	Alderman At Large
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

Absent were:	
Kristian Kelly	Alderman, Ward 1

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 Flores 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 August 6, 2024 and the Minutes of the Special Meeting on August 15, 2024 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Jerome. Motion was put to a vote and passed unanimously.

RESOLUTION TO SURPLUS GOLF CARTS

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

Mr. Manley stated that this resolution will surplus the golf carts, which are no longer needed by the parks department. 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
DECLARING SURPLUS PROPERTY**

WHEREAS, the City of Southaven ("City") Parks Department is presently in possession of Golf Carts as set forth in Exhibit A ("Carts"), which are no longer needed by the City; and

WHEREAS, pursuant to Mississippi Code 17-25-25, it has been recommended by the City Parks Department to the Mayor and Board of Aldermen that the Carts be declared as surplus and sold and/or disposed of as appropriate and in accordance with Mississippi Code 17-25-25, and removed from the fixed assets inventory; and

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

- 1. The Carts be hereby declared as surplus property.
- 2. The City Parks Director, or his designee, is hereby authorized and directed to follow Mississippi Code 17-25-25 for the disposition of the Vehicles.

Motion was made by Alderman Hoots and seconded by Alderman Jerome, for the adoption of the above and foregoing Resolution, and the question being put to a roll call vote, the result was as follows:

Alderman William Jerome	voted: YES
Alderman Kristian Kelly	voted: ABSENT
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 August, 2024.

A list of the surplused items is attached and fully incorporated into these minutes.

APPROVAL OF RIGHT OF WAY FOR ENTERGY

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

Mr. Manley stated that this right of way is located on City Property near the SPD Gun Range. The right of way is needed by Entergy for power to be provided to the Horn Lake Creek Basin Interceptor Sewer District Storage Tank. Alderman Hoots made the motion to approve the right of way for Entergy. Motion was seconded by Alderman Jerome.

Roll call was as follows:

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

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Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of August, 2024.

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

CHANGE ORDER FOR PUBLIC WORKS/UTILITIES TERM CONSTRUCTION CONTRACT

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

Mr. Manley stated that this change order will extend the term bid contract with Tri Firma for public works and utility projects for one (1) final year. The CPI adjustment is 3.68% for this past year and a total of 20.59% over the past 4 years from the time it was contracted. Alderman Payne made the motion to approve the change order with Tri Firma. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kelly	ABSENT
Alderman Hoots	YES
Alderman Jerome	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 6th day of August, 2024.

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

RESOLUTION AUTHORIZING SIGNATURES FOR THE MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT WITH BANK OF AMERICA AND SEPARATE EQUIPMENT SCHEDULES FOR PURCHASE OF FIRE TRUCK

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

Mr. Manley stated that previously, the City took two (2) bids for lease/purchase of a fire truck and Bank of America was the low bid. At this juncture, the City Board needs to authorize the signature of the documents for the funding associated with the lease/purchase. This resolution will authorize the signatures and is scheduled to close on August 29. After

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hearing from Mr. Manley, the Board of Alderman considered the following resolution:

FORM OF AUTHORIZING RESOLUTION (AGREEMENT)

A RESOLUTION OF THE BOARD OF ALDERMAN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT AND SEPARATE EQUIPMENT SCHEDULES THERETO FOR THE ACQUISITION, FINANCING AND LEASING OF CERTAIN EQUIPMENT FOR THE PUBLIC BENEFIT WITHIN THE TERMS HEREIN PROVIDED; AUTHORIZING THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS REQUIRED IN CONNECTION THERewith; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION.

WHEREAS, the City of Southaven, Mississippi (the "*Lessee*"), a body corporate and politic duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State of Mississippi, is authorized by the laws of the State of Mississippi to acquire, finance and lease personal property (tangible and intangible) for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, the governing body of the Lessee (the "*Board*") has determined that a need exists for the acquisition, financing and leasing of certain equipment consisting of Pierce Enforcer 100 Ascendant Aerial Fire Truck, which constitutes personal property necessary for the Lessee to perform essential governmental functions (collectively, the "*Equipment*") on the terms herein provided; and

WHEREAS, in order to acquire such Equipment, the Lessee proposes to enter into that certain Master Equipment Lease/Purchase Agreement (the "*Agreement*") with Banc of America Public Capital Corp (or one of its affiliates), as lessor (the "*Lessor*"), substantially in the proposed form presented to the Board at this meeting, and separate Equipment Schedules thereto substantially in the form attached to the Agreement; and

WHEREAS, the Board deems it for the benefit of the Lessee and for the efficient and effective administration thereof to enter into the Agreement and separate Equipment Schedules thereunder and the other documentation relating thereto from time to time as provided in the Agreement for the acquisition, financing and leasing of the Equipment to be therein described on the terms and conditions therein and herein provided;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Lessee as follows:

Section 1. Findings and Determinations. It is hereby found and determined that the terms of the Agreement (including the form of Equipment Schedule and the form of Payment Schedule, both attached thereto), in the form presented to the Board at this meeting, are in the best interests of the Lessee for the acquisition financing and leasing of the Equipment.

Section 2. Approval of Documents. The form, terms and provisions of the Agreement (including the form of Equipment Schedule and the form of Payment Schedule,

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both attached thereto) are hereby approved in substantially the forms presented at this meeting, with such insertions, omissions and changes as shall be approved by the City Board of Alderman of the Lessee or other members of the governing body of the Lessee (the "*Authorized Officials*") executing (in writing or electronically) the same, the execution of such documents being conclusive evidence of such approval; and the Mayor of the Lessee is hereby authorized and directed to execute (in writing or electronically), and the City Clerk of the Lessee is hereby authorized and directed to attest, the Agreement and any related Exhibits attached thereto and to deliver the Agreement (including such Exhibits) to the respective parties thereto, and the City Clerk of the Lessee is hereby authorized to affix the seal of the Lessee to such documents. The Authorized Officials are each hereby authorized and directed to sign and deliver on behalf of the Lessee the Agreement, each Equipment Schedule thereto under which a separate Lease (as defined in the Agreement) is created, each Payment Schedule attached thereto, any related Escrow Agreement and any related exhibits attached thereto if and when required; *provided, however*, that, without further authorization from the governing body of the Lessee, (a) the aggregate principal component of Rental Payments under all Leases entered into pursuant to the Agreement shall not exceed \$2,029,845.00; (b) the maximum term under any Lease entered into pursuant to the Agreement shall not exceed 10 years; and (c) the maximum interest rate used to determine the interest component of Rental Payments under each Lease shall not exceed the lesser of the maximum rate permitted by law or 4.3509% per annum. The Authorized Officials may execute (in writing or electronically) and deliver Leases to the Lessor on behalf of the Lessee pursuant to the Agreement on such terms and conditions as they shall determine are in the best interests of the Lessee up to the maximum aggregate principal component, maximum term and maximum interest rate provided above. The foregoing authorization shall remain in effect for a period of [two] years from the date hereof during which the Authorized Officials are authorized to execute (in writing or electronically) and deliver Leases pursuant to the Agreement on the terms and conditions herein provided and to be provided in each such Lease.

Section 3. Other Actions Authorized. The officers and employees of the Lessee shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby (including the execution (in writing or electronically) and delivery of Final Acceptance Certificates, Escrow Agreements, Disbursement Requests and any tax certificate and agreement, as contemplated in the Agreement) and to take all action necessary in conformity therewith, including, without limitation, the execution (in writing or electronically) and delivery of any closing and other documents required to be delivered in connection with the Agreement and each Lease.

Section 4. No General Liability. Nothing contained in this Resolution, the Agreement, any Lease, any Escrow Agreement nor any other instrument shall be construed with respect to the Lessee as incurring a pecuniary liability or charge upon the general credit of the Lessee or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement, any Lease, any Escrow Agreement or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Lessee or any charge upon its general credit or against its taxing power, except to the extent that the Rental Payments payable under each Lease entered into pursuant to the Agreement are limited obligations of the Lessee, subject to annual appropriation, as provided in the Agreement.

Section 5. Appointment of Authorized Lessee Representatives. The Mayor and Chief Financial Officer of the Lessee are each hereby designated to act as authorized

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representatives of the Lessee for purposes of each Lease and related Escrow Agreement until such time as the governing body of the Lessee shall designate any other or different authorized representative for purposes of the Agreement and any Lease or Escrow Agreement.

Section 6. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 7. Repealer. All bylaws, orders and resolutions or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency with respect to this Resolution. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

Section 8. Effective Date. This Resolution shall be effective immediately upon its approval and adoption.

ADOPTED AND APPROVED by the governing body of the Lessee this 20th day of August, 2024.

_____ CITY OF SOUTHAVEN, MISSISSIPPI,
_____ as lessee

[SEAL]
_____ By: _____

_____ Printe
d Name: _____

Title: Mayor

ATTEST:

By: _____

Printed: Name: _____

Title: City Clerk

The undersigned, a duly elected or appointed and acting City Clerk of the Lessee identified in the above Resolution (the “Resolution”), hereby certifies that the Resolution is a full, true and correct copy of such Resolution as adopted by the governing body of the Lessee on August 20, 2024. The Resolution is in full force and effect on the date hereof and has not been amended, modified or otherwise changed by the governing body of the Lessee since the date of adoption of the Resolution.

DATED this 20th day of August, 2024.

Name: Andrea Mullen

Title: City Clerk

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Alderman Payne made the motion to approve the resolution. Motion was seconded by Alderman Gallagher.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kelly	ABSENT
Alderman Hoots	YES
Alderman Jerome	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 6th day of August, 2024.

A signed copy of the above resolution is attached and fully incorporated into these minutes.

APPROVAL FOR ADDENDUM BETWEEN CITY, DESOTO COUNTY, CVB, AND WEALTH HOSPITALITY

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

Mr. Manley stated that the City previously approved the addendum between the City, Desoto County, and CVB noting the CVB's authority to make improvements to the CVB Property in accordance with Miss. Code 57-7-1. This addendum removes all references to parking garage; increases the hotel site from 5.88 acres to 8.657; and inserts the provisions relative to 57-7-1 and the Pad Ready Improvements. In addition, it sets forth the duties of the CVB and Wealth Hospitality for the specific payments to the CVB in consideration of the CVB's efforts for the parking pad as authorized by Miss. Code 57-7-1. The anticipated closing date is October 18, 2024 for the 8.657 acres, more or less, 377,105 square feet at a price for \$13.00 per square foot or \$4,902,365.00. Upon the closing on the property, the County can issue bonds. Alderman Payne made the motion to authorize Mayor Musselwhite to sign the addendum. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kelly	ABSENT
Alderman Hoots	YES
Alderman Jerome	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 6th day of August, 2024.

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

APPROVAL OF AGREEMENT BETWEEN UTILITY DEPARTMENT AND COMCAST

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

Mr. Manley stated that this agreement is needed by the City Utilities Dept. for internet service at the Starlanding Water Plant for SCADA monitoring. The monthly charge is \$152.90 and one-time charge of \$129.95. Alderman Gallagher made the motion to authorize Ray Humphrey to sign the contract. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kelly	ABSENT
Alderman Hoots	YES
Alderman Jerome	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 6th day of August, 2024.

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

APPROVAL OF SPECIAL EVENT PERMIT

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

Mr. Manley stated that this event permit was submitted by Healing Hearts requesting to host a 5K on September 28 for a fundraiser from 7 a.m. to 12 p.m. at Snowden Grove. Alderman Flores made the motion to approve the special event application. Motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously.

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

RESOLUTION TO CLEAN PRIVATE PROPERTY

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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.

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

1395 Main St.
1554 Main St.
Parcel # 2081121500000200
Parcel # 2081110000000102
1825 Cherry Creek Dr.
Parcel # 2081111000000200
5776 Landau Dr.
Parcel # 1079311300000101
1397 Marion Lane
Parcel # 2072090000000800

To the effect that the said parcel of land has been neglected whereby the grass height is in violation and there exist other unsafe conditions and that the parcel of land in the present condition is deemed to be a menace to the public health and safety of the community.

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code Annotated (1972), the governing authorities of the City of Southaven, Mississippi, provided the owners of the above described parcel of land with notice of the condition of their respective parcel of land and further provided them with notice of a hearing before the Mayor and Board of Aldermen on Tuesday, **August 20, 2024** by United States mail and by posting said notice, to determine whether or not the said parcel of land were in such a state of uncleanness as to be a menace to the public health and safety of the community.

WHEREAS, none of the owners of the above described parcel of land appeared at the meeting of the Mayor and Board of Aldermen on Tuesday, **August 20, 2024**, 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 ADDRESS

1395 Main St.
1554 Main St.
Parcel # 2081121500000200
Parcel # 2081110000000102
1825 Cherry Creek Dr.

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Parcel # 2081111000000200
5776 Landau Dr.
Parcel # 1079311300000101
1397 Marion Lane
Parcel # 2072090000000800
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 and seconded by Alderman .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	ABSENT
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 August 2024**.

PLANNING AGENDA
No Planning Agenda

MAYOR'S REPORT

Hotel Convention Center Project
Mayor Musselwhite stated that there have been a few delays with starting this project. Initially, there was going to be a parking garage, but due to cost, the plans were amended to have a parking lot. This project involves three (3) different governmental entities and a private developer. The land is expected to close in October and at that point, we should start to see dirt work begin. Mayor Musselwhite reported that the project is expected to go vertical in Spring 2025. Mayor Musselwhite added that he thinks that when this project is complete, it will be the most influential development in the history of Desoto County and will be the only convention center in the State of Mississippi that will have a hotel on site.

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Getwell Road Widening Update

Mayor Musselwhite stated that Lehman Roberts will be on site this week to start the milling process and crews will then return to pave and stripe. This project is within 4-5 weeks of being complete.

Tribute Hall

Mayor Musselwhite stated that the next person to be honored in the Tribute Hall will be Lorine Cady either at the second board meeting in September or the first meeting in October and ask that everyone make plans to attend.

Speed Hump Ordinance

Mayor Musselwhite stated that this ordinance was adopted in December 2023 and current locations of the speed humps in place now need to be documented into the minutes based on the City ordinance / **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:

Current locations of speed humps in the City of Southaven:

- 3 on Snowden Lane – these were the first speed humps installed due to pedestrian traffic and drivers speeding through the park

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- 1 on Freeman Lane - for pedestrian trail crossings at the tennis center
- 3 on Baird Drive in the Deerpurchase Subdivision – due to school traffic, people speeding , and children crossing
- 2 in Castle Ridge Subdivision on Courtyard Drive –due to Getwell Road construction and unusual traffic circumstances

PERSONNEL DOCKET

Personnel Docket

August 20, 2024

New Hire	Department	Position Title	Start Date	Rate of Pay
Dale Steffens	Public Works	Laborer	TBD 08/21/202	\$15.45
Markell Wright**	Parks	Turf Tech	4 08/21/202	\$9.50
Aiden Smith	Parks	PT Golf	4 08/21/202	\$11.00
Jerry Wyatt	Parks	PT Golf	4	\$11.00

Promotions	Current Position Title	New Position Title	Effective Date	Rate of Pay
Katherine Gross	EMS Driver	Paramedic	8/8/2024	\$24.15
Geardo Venegas	Patrol Officer 2	Patrol Officer 3	8/26/2024	\$28.11
Michael House	FF3/Paramedic	Driver/Medic	9/4/2024	\$19.77

Stipends	Department	Stipend	Effective Date	Stipend Rate Annually
Parker Mallett	Fire	EMT	7/26/2024	\$600
Charles Washington	Fire	EMT	8/22/2024	\$600

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Sam Arton	Parks	Parks Seasonal	8/21/2024	\$12.00
Larry Cole	Parks	Golf Course Clerk	8/21/2024	\$9.50
Dan Canale	Parks	Golf Course Supervisor	8/21/2024	\$12.25
Marvin Summers	Parks	PT Golf	8/21/2024	\$9.50
Eric Wallace Jr	Parks	Parks Seasonal	8/21/2024	\$12.00
Andrew Hammond	Fire	EMS Driver	8/26/2024	\$17.15
Jaime Mease	Court	Deputy Court Clerk	9/2/2024	\$16.68
Robbie Hayes	Court	City Prosecutor	8/30/2024	\$78,000 Annually
Grant Volner	Fire	Driver/Paramedic	8/29/2024	\$20.56

Parks Tournaments				
Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Dawson Bowers	Parks	Grounds Crew	8/21/2024	\$9.50

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Jacob Dyer	Parks	Grounds Crew	8/21/2024	\$9.50
Chase Gronke	Parks	Grounds Crew	8/21/2024	\$9.50

Alderman Payne made the motion to approve the Personnel Docket of August 20, 2024 as presented to this Board. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	YES
Alderman Kelly	ABSENT
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 August, 2024.

CITY ATTORNEY’S LEGAL UPDATE

Resolution for Liens and Assessments
Nick Manley, City Attorney, presented this item to the Board.

Mr. Manley stated that this resolution will authorize a lien and/or an assessment to be filed on those properties that were cut and/or cleaned as authorized in 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

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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

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

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

RESOLVED AND DONE this 20th day of August, 2024.

EXHIBIT A				
Address	Cuttings	Penalty	Enrollment & Release	Total
Parcel# 1079301400000700	1	250.00	8.00	258.00
8911 Mary Frances Dr.	1	250.00	8.00	258.00
8903 Mary Frances Dr.	1	250.00	8.00	258.00
Parcel #1085212000028900	1	250.00	8.00	258.00
8923 Mary Frances Dr.	1	250.00	8.00	258.00
7885 Hwy 51 N	1	500.00	8.00	508.00
Parcel# 1087260900000200	1	500.00	8.00	508.00

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Parcel #1087260900000201	1	500.00	8.00	508.00
Parcel#1086240000000500	1	550.00	8.00	558.00
Parcel# 1084200400000100	1	550.00	8.00	558.00
Parcel #1084170600000100	1	250.00	258.00	258.00
Parcel #107419070111000	1	250.00	8.00	258.00
Parcel #1074190700110900	1	250.00	8.00	258.00
Parcel #1074190700110800	1	250.00	8.00	258.00
Parcel #1074190700110700	1	250.00	8.00	258.00
Parcel #1074190700110600	1	250.00	8.00	258.00
2211 Cedarwood Cove	1	250.00	8.00	258.00
568 Havenhill Cove	1	250.00	8.00	258.00
1676 Custer Dr.	1	250.00	8.00	258.00
526 Christybrook Cove	1	250.00	8.00	258.00
1352 Carriage View Lane	1	250.00	8.00	258.00
680 Thornwood Cove	1	250.00	8.00	258.00
1122 Warwick Place	1	250.00	8.00	258.00
Parcel # 1078282000000500	1	250.00	8.00	258.00
Parcel # 1079310800000716	1	650.00	8.00	658.00
Parcel # 1079310800000715	1	500.00	8.00	508.00
Parcel # 1079310800000717	1	500.00	8.00	508.00
Parcel # 1079310800000708	1	550.00	8.00	558.00
Parcel # 1078282000000400	1	250.00	8.00	258.00

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	YES
Alderman Kelly	ABSENT
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 August, 2024.

Snowden Grove Message Board Authorization to Advertise for Bids
Alderman Flores made the motion to authorize advertising for bids for the Snowden Grove Message Board. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	YES

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Alderman Kelly	ABSENT
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 August, 2024.

Information Security Compliance Director Appointment
Alderman Flores may the motion to appoint Michael Norris as the Information Security Compliance Director for the City. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	YES
Alderman Kelly	ABSENT
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 August, 2024.

UTILITY BILL ADJUSTMENT DOCKET

**UTILITIES BILL LEAK ADJUSTMENT DOCKET
08/20/2024**

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

1	RESIDE NTIAL	HESTER SCOTT & LINDA	6205	STAFFORD DR	(47.36)	POOL ADJUSTMENT
2	RESIDE NTIAL	MCNEESE JAMERIA	3530	HERBERT CV	(32.56)	POOL ADJUSTMENT
3	RESIDE NTIAL	WD JACKSON	1383	RANGER DR	(35.52)	POOL ADJUSTMENT
4	RESIDE NTIAL	KNOWLES JOYCE	7810	BRENTWOO D	(29.60)	POOL ADJUSTMENT

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5	RESIDE NTIAL	ALBONETTI TERRY	3355	PLUM POINT	(47.36)	POOL ADJUSTMENT
6	RESIDE NTIAL	B.K. HUNTER	2085	CHURCH RD E	(210.60)	FAUCET LEAK
7	RESIDE NTIAL	RHONDA AND ERIC HUBER	1255	JEWEL DR	(152.10)	POOL LINER LEAK
8	RESIDE NTIAL	JANAY PHILLIS & QUINCY JOHNSON	5054	GARNER LN	(397.80)	TOILET LEAK
9	RESIDE NTIAL	APRIL HAMILTON	8313	MALONE	(156.88)	POOL ADJUSTMENT
10	RESIDE NTIAL	KATHY JERRY	8507	SCHEFFIELD TERRACE	(105.30)	TOILET LEAK
11	RESIDE NTIAL	SHELL GWYLA	614	CAPEWOOD PL	(26.64)	POOL ADJUSTMENT
12	RESIDE NTIAL	MCCORMICK J	7900	BRENTWOOD D DR	(62.16)	POOL ADJUSTMENT
13	RESIDE NTIAL	TYRELL JAMES	8655	MILLBRANC H	(100.64)	POOL ADJUSTMENT
14	RESIDE NTIAL	WENDY WALKER	7388	CHIPPENDE LL	(38.48)	POOL ADJUSTMENT
15	RESIDE NTIAL	TONY IBARRA	7803	ANDOVER CV	(47.36)	POOL ADJUSTMENT
16	RESIDE NTIAL	BARNES ANDRE	2475	COLLEGE	(148.00)	POOL ADJUSTMENT
17	RESIDE NTIAL	CHARLOTTE GENTRY	7416	CHIPPENDE LL DR	(38.48)	POOL ADJUSTMENT
18	RESIDE NTIAL	TROY KLCO	566	HIDDEN PT DR	(29.60)	POOL ADJUSTMENT
19	RESIDE NTIAL	KOMICA MCEL RATH	8881	RASCO HILLS CV	(151.76)	TOILET LEAK
20	RESIDE NTIAL	RUTH HILLHOUSE	7657	CHARLESTON N DR	(53.28)	POOL ADJUSTMENT
21	RESIDE NTIAL	G L CLIFTON	8401	CEDARBRUS H DR	(32.56)	POOL ADJUSTMENT
22	RESIDE NTIAL	DANA SMITH	8878	RUNNING HORSE CV	(127.28)	POOL ADJUSTMENT
23	RESIDE NTIAL	TROY SIMS	5741	DEER RIDGE DR S	(111.15)	TOILET LEAK
24	RESIDE NTIAL	KIRK DENDY	4455	WINDSLET CV	(68.08)	POOL ADJUSTMENT
25	RESIDE NTIAL	LARRY MORRIS	1577	IVAN DR	(35.52)	POOL ADJUSTMENT
26	RESIDE NTIAL	STEPHEN UNDERWOOD	3889	CHAMPION HILLS DR	(32.56)	POOL ADJUSTMENT
27	RESIDE NTIAL	TEMKIA PENDELTON	3826	FARM POND CV E	(14.80)	POOL ADJUSTMENT
28	RESIDE NTIAL	BRYAN BRAZELTON	3585	BONNER	(139.12)	POOL ADJUSTMENT

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2 9	RESIDE NTIAL	BRIDGES LORA	7409	GREEN BROOK PKWY	(32.56)	POOL ADJUSTMENT
3 0	RESIDE NTIAL	DEBBIE PENNINGTON	5815	PLUM TREE DR	(156.88)	POOL ADJUSTMENT
3 1	RESIDE NTIAL	BIANCA BROOKS	8917	MARY FRANCES	(50.32)	POOL ADJUSTMENT
3 2	RESIDE NTIAL	MALLET MIKE	4387	JESSICA DR	(47.36)	POOL ADJUSTMENT
3 3	RESIDE NTIAL	JAMES BRICE	832	PONDEROS A	(173.41)	POOL LINER LEAK
3 4	RESIDE NTIAL	PATRICK KINCE	919	MECKLENB URG	(76.05)	TOILET LEAK
3 5	RESIDE NTIAL	DANA BRAZIL	7292	ROUNDTAB LE DR	(55.20)	TOILET LEAK
3 6	RESIDE NTIAL	NINA JOHNSON	4624	JACOB LN	(193.05)	TOILET LEAK
3 7	RESIDE NTIAL	HARRY PHILLIPS	1615	STONEHED GE DR	(293.04)	POOL ADJUSTMENT
3 8	RESIDE NTIAL	PAULETTE HOSKINS	1463	VICKSBURG	(140.64)	TOILET LEAK
3 9	RESIDE NTIAL	SHERRY MCCLURE	1228	RASCO RD	(23.02)	POOL ADJUSTMENT
4 0	RESIDE NTIAL	KREUNEN CONST.	3321	KREUNEN ST	(725.20)	LEAK ON IRRIGATION SYSTEM
4 1	RESIDE NTIAL	MARGEUX MATHIS	344	MILLBRIDG E	(41.44)	POOL ADJUSTMENT
4 2	RESIDE NTIAL	SHERRI ROTHWELL	8421	OLD FORGE	(74.00)	POOL ADJUSTMENT
4 3	RESIDE NTIAL	TAMMY BOUNDS	1758	CORAL HILLS DR	(38.48)	POOL ADJUSTMENT
4 4	RESIDE NTIAL	BRENDA BRUNNER	6561	EVERGREEN	(20.72)	POOL ADJUSTMENT
4 5	RESIDE NTIAL	JEFFREY WOODS	2474	KINDLEWO OD DR	(26.64)	POOL ADJUSTMENT
4 6	RESIDE NTIAL	LUIS MARRON	1805	EPPINF FOREST	(210.60)	SERVICE LINE LEAK
4 7	RESIDE NTIAL	MAX HERRING	8351	MAPLEWO OD LN	(53.28)	POOL ADJUSTMENT
4 8	COMME RCIAL	MARA INVESTMENTS	1079	MAIN ST	(2542.17)	SERVICE LINE LEAK
4 9	RESIDE NTIAL	STEPHANIE ALVARADO	2740	BLUE RIDGE DR	(111.15)	TOILET LEAK
5 0	RESIDE NTIAL	SANDERS MONTY	6835	FOX CHASE	(26.64)	POOL ADJUSTMENT
5 1	RESIDE NTIAL	SANDRA HINDS	1599	SARAH ANN CV	(64.35)	SERVICE LINE LEAK

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TOTAL (7648.75)

Alderman Payne made the motion to approve the Utility Bill Adjustment Docket of August 20, 2024 in the amount of \$7,648.75. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	YES
Alderman Kelly	ABSENT
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 August, 2024.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of August 20, 2024 in the amount of \$4,019,689.47. Motion was seconded by Alderman Flores.

Excluding voucher numbers:
425813, 425878, 425899, 426014, 426123

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 20th day of August, 2024.

EXECUTIVE SESSION

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

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There being no further business to come before the Board of Aldermen, a motion was made by Alderman Gallagher to adjourn. Motion was seconded by Alderman Hoots. Motion was put to a vote and passed unanimously August 20, 2024 at 7:15 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

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