

Minutes, City of Southaven, Southaven, Mississippi



**MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
September 3, 2024
6:00 PM
AGENDA**

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: August 20, 2024 & Special Meeting August 27, 2024
5. Resolution Adopting the FY 25 Budget and Tax Levy
6. Resolution for FY 25 Donations
7. Resolution for Stormwater Awareness Week
8. Resolution for Ratification for Utilities Emergency Repair
9. SFD Agreement and Addendum with ReNew Biomedical Services, LLC
10. Approval of SPD Purchase of Motorola Mobile Camera
11. Bank of America Lease Purchase
12. Utilities Software Contract with KorTerra
13. Liz Bone, Griffith Towing
14. Resolution to Clean Private Property
15. Planning Agenda: Item #1 Application by Crossroads Church for subdivision approval of a one lot subdivision on the west side of Getwell Road, south of Star Landing Road
Item #2 Application by MS Farm Bureau Insurance for design review approval of a two tenant office building to be located on lot 1 of the Country Oaks Commercial Subdivision
Item #3 Application by Autozone Stores, LLC for design review approval of a new retail building to be located on lot 1C of the Flower Creek Commercial Subdivision Sec. A
16. Mayor's Report
17. Personnel Docket
18. City Attorney's Legal Update
19. Utilities Billing Leak Adjustment Docket
20. Claims Docket
21. Executive Session: Land Acquisition for Utilities Relocation; Litigation/Claims Against SPD; Economic Development; Interdepartmental Personnel with No Action

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

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**MINUTES OF THE REGULAR MEETING
OF September 3, 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 3rd day of September, 2024 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 August 20, 2024 and the Minutes of the Special Meeting on August 27, 2024 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Jerome. Motion was put to a vote and passed unanimously.

RESOLUTION ADOPTING THE FY25 BUDGET AND TAX LEVY
Nick Manley, City Attorney, presented this item to the Board.

Mr. Manley stated that this resolution adopts and establishes the FY 25 Budget along with the tax levy for FY 25. The resolution includes the sanitation rate and utility rates with no increases in the City ad valorem tax rate. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

**RESOLUTION FIXING THE AD VALOREM TAX LEVY ON REAL AND
PERSONAL PROPERTY FOR TAXES
AND ESTABLISHING THE BUDGET
Appropriations and Expenditures for the Fiscal Year 2024-2025
FOR THE CITY OF SOUTHAVEN, MISSISSIPPI**

**BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF SOUTHAVEN, MISSISSIPPI**

SECTION 1. That for the Fiscal Year beginning October 1, 2024, there shall be and there is hereby levied on all taxable property, Real and Personal, within the corporate limits of the City of

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Southaven, Mississippi for Ad Valorem taxes for municipal purposes as indicated, the following levies to be collected upon each dollar of assessed value as shown upon the Real and Personal Ad Valorem assessment rolls of the City of Southaven as to such property within the city limits, to-wit:

FOR GENERAL REVENUE PURPOSES:
THIRTY-EIGHT POINT FIFTY FIVE (38.55) MILLS
SECTION 27-39-307 AND 83-3-37 PARAGRAPH 5 OF THE MISSISSIPPI CODE OF 1972

FOR DEBT RETIREMENT OF GENERAL OBLIGATION BONDS:
EIGHT POINT TWENTY THREE (8.23) MILLS
SECTION 21-33-45 OF THE MISSISSIPPI CODE OF 1972

TOTAL FOR SAID MUNICIPAL PURPOSES:
FORTY SIX POINT SEVENTY EIGHT (46.78) MILLS

FOR PARKS AND LIBRARY DEBT MILLAGE APPLIED TO EXEMPT BUSINESS AS PER AD VALOREM TAX ABATEMENT PURPOSES:
NINETEEN POINT NINE FOUR (19.94) MILLS
SECTION 27-39-329 OF THE MISSISSIPPI CODE OF 1972

WHEREAS, the Mayor and the Board of Aldermen of the City of Southaven, Mississippi, wish to prepare and publish a summarized budget of the municipal revenues and expense estimated for the fiscal year 2024-2025; and

WHEREAS, the budget herein shall be for the period beginning from October 1, 2024 and ending September 30, 2025; and

WHEREAS, the “Municipal Budget Law” of the State of Mississippi provides that said budget shall be adopted and approved as finally determined by governing authorities being the Mayor and Board of Aldermen of the City of Southaven, Mississippi; now therefore,

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, DESOTO COUNTY, MISSISSIPPI, AS FOLLOWS:

Fund Description	Budget for
	FYE 9/30/2025
GENERAL FUND	
REVENUE	
GENERAL PROPERTY TAXES	\$ (30,515,000)
LICENSES & PERMITS	(850,000)
INTERGOVERNMENTAL	(27,572,042)
CHARGES FOR SERVICES	(5,800,900)

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FINES	(6,965,000)
FRANCHISE TAXES	(2,470,000)
OTHER	<u>(785,000)</u>
TOTAL REVENUE	\$ (74,957,942)
EXPENDITURES	
GENERAL GOVERNMENT	
PERSONNEL SERVICES	5,777,600
SUPPLIES	508,800
OTHER SERVICES & CHARGES	<u>15,592,700</u>
TOTAL GENERAL GOVERNMENT	21,879,100
PUBLIC SAFETY	
POLICE	
PERSONNEL SERVICES	19,074,700
SUPPLIES	366,500
OTHER SERVICES & CHARGES	<u>2,094,000</u>
TOTAL POLICE	21,535,200
FIRE	
PERSONNEL SERVICES	13,676,200
SUPPLIES	460,000
OTHER SERVICES & CHARGES	<u>931,500</u>
TOTAL FIRE	<u>15,067,700</u>
TOTAL PUBLIC SAFETY	36,602,900
PUBLIC WORKS	
PERSONNEL SERVICES	1,755,800
SUPPLIES	316,500
OTHER SERVICES & CHARGES	<u>628,000</u>
TOTAL PUBLIC WORKS	2,700,300
CULTURE & RECREATION	
PERSONNEL SERVICES	4,507,800
SUPPLIES	288,000
OTHER SERVICES & CHARGES	<u>4,000,000</u>
TOTAL CULTURE & RECREATION	8,795,800
HEALTH & WELFARE	
PERSONNEL SERVICES	476,800
SUPPLIES	27,500
OTHER SERVICES & CHARGES	<u>151,000</u>
TOTAL HEALTH & WELFARE	655,300

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CAPITAL OUTLAY	4,764,833
TOTAL EXPENDITURES	75,398,233
NON REVENUE RECEIPTS	
PRIOR YEAR OBLIGATED CASH	(440,291)
TOTAL EXP& YEAR END BALANCE	-

CAPITAL PROJECTS FUND

EXPENDITURES

CAPITAL PROJECTS	7,633,534
TOTAL EXPENDITURES	7,633,534
NON REVENUE RECEIPTS	
PRIOR YEAR OBLIGATED CASH	(7,558,534)
INTEREST INCOME	(75,000)

TOTAL AVAILABLE RECEIPTS	(7,633,534)
TOTAL EXP& YEAR END BALANCE	-

TOURISM FUND

REVENUE

INTERGOVERNMENTAL	(3,300,000)
OTHER	(35,000)
TOTAL REVENUES	(3,335,000)

EXPENDITURES

PARK IMPROVEMENTS	3,335,000
TOTAL EXPENDITURES	3,335,000

NON REVENUE RECEIPTS	
PRIOR YEAR OBLIGATED CASH	-
TOTAL EXP & YEAR END BAL	-

DEBT SERVICE FUND

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REVENUE	
GENERAL PROPERTY TAX	<u>(6,125,000)</u>
TOTAL REVENUE	(6,125,000)
EXPENDITURES	
DEBT SERVICE	<u>6,125,000</u>
TOTAL EXPENDITURES	6,125,000
TOTOAL EXP & YEAR END BAL	-

UTILITY FUND	
REVENUES	
CHARGES FOR SERVICES	(17,694,862)
OTHER	(452,200)
NON REVENUE RECEIPTS	<u>(2,725,799)</u>
TOTAL REVENUES	(20,872,861)
EXPENDITURES	
PERSONNEL SERVICES	3,162,951
SUPPLIES	1,127,000
CAPITAL OUTLAY	6,446,057
DEBT SERVICE	3,181,353
OTHER SERVICES & CHARGES	<u>6,955,500</u>
TOTAL EXPENDITURES	20,872,861
TOTAL EXP & YEAR END BAL	-

SANITATION FUND	
REVENUES	
CHARGES FOR SERVICES	<u>(5,534,718)</u>
TOTAL REVENUES	(5,534,718)
EXPENDITURES	
PERSONNEL SERVICES	199,718
PROFESSIONAL SERVICES	5,260,000
OTHER SERVICES & CHARGES	<u>75,000</u>
TOTAL EXPENDITURES	5,534,718
TOTAL EXP & YEAR END BAL	-

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SECTION 2. It is hereby authorized by the Mayor and Board of Aldermen the funds as herein provided shall be appropriated for the provision of municipal services in the City of Southaven, DeSoto County, Mississippi, for the fiscal period 2024-2025.

SECTION 3. The above funds are set forth herein in the budget summary concerning both appropriations and expenditures.

SECTION 4. The Utility Rates for the City of Southaven shall be:

Residential

Water: \$2.89/100 cubic feet
Sewer: \$2.96/100 cubic feet
¾" Tap Fee: \$700
1" Tap Fee: \$800
2" Tap Fee: \$1,500
Irrigation Tee: 1" - \$350 ¾" - \$300
Cut-Off Fee: \$25.00
Pull Meter Fee: \$75

Commercial

Water: \$3.85/100 cubic feet
Sewer: \$4.44/100 cubic feet

¾" Tap Fee: \$950.00
1" Tap Fee: \$1000.00
1 ½" Tap Fee: \$1,300
2" Tap Fee: \$1,900.00
3" Tap Fee: \$2,100.00
4" Tap Fee: \$4,000.00
6" Tap Fee: \$6,000.00
Cut-Off Fee: \$25.00
Pull Meter Fee: \$75.00

Sewer Tap Fees

Inside Basin: \$1,400.00
Outside Basin: \$2,050.00

Fire Tap Fees

8" Water Line or Smaller: \$1,000.00
10" Water Line or Larger: \$2,000.00

These rates are to be effective October 1, 2024 and shall only be amended by the Southaven Board of Alderman.

SECTION 5. The sanitation rate for the City of Southaven shall be: \$20.00 per month.

SECTION 6. The Municipal Budget for the City of Southaven, DeSoto County, Mississippi, presented and reviewed at this public meeting for the fiscal year 2024-2025 shall be published according to law and be in full force and effect after passage.

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SECTION 7. The Motion to adopt the budget and establish the millage rate as presented being made by Alderman Flores with a second by Alderman Jerome with the following aldermen being present and voting thereon as follows:

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

RESOLVED THIS 3rd DAY OF SEPTEMBER 2024

Darren Musselwhite, Mayor

Andrea Mullen, City Clerk

CERTIFICATE

I, _____, clerk of the City of Southaven, Mississippi do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted at a Regular Meeting of the Mayor and Board of Aldermen on Tuesday, _____, 2024 and duly appears of record in Minute book _____ of the proceedings of the said Mayor and Board of Aldermen.

This the ____ day of _____ 2024

City Clerk

RESOLUTION FOR FY 25 DONATIONS

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

Mr. Manley stated that this resolution establishes the donations for FY 25 and the legal authority for each donation. There is no increase in the donations from FY 24. 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 APPROVING DONATIONS

WHEREAS, the City of Southaven ("City") desires to approve certain donations as allowed pursuant to the Mississippi Code; and

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WHEREAS, the City pursuant to Mississippi Code 21-19-44 desires to appropriate and contribute budgeted funds for, local economic development organizations; and

WHEREAS, the City pursuant to Mississippi Code 39-3-1 desires to appropriate and contribute budgeted funds for the M.R. Davis Library; and

WHEREAS, the City pursuant to Mississippi Code 39-15-1 desires expend monies from to match other funds available for the purpose of supporting the development, promotion and coordination of the arts within the City; and

WHEREAS, the City, pursuant to Mississippi Code 17-3-1 and 17-3-3 desires to expend moneys for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of the City which will be helpful toward advancing the moral interest of the City; and

WHEREAS, the City, pursuant to Mississippi Code 21-19-65, desires to match other funds via donation or rental donation for the purpose of supporting social and community service programs within the City; and

WHEREAS, the City, pursuant to Mississippi Code 21-17-1(3)(b)(ii), desires to provide rental donations to those entities set forth below which meet the requirements of Mississippi Code 21-17-1(3)(b)(ii); and

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

1. Pursuant to Mississippi Code 21-19-44 and 21-19-44.1, the City hereby approves donations to the Southaven Chamber in the amount of \$80,000.00 and the Desoto Economic Council in the amount of \$37,941.00 for the purpose of bringing favorable notice and economic opportunities to the City.
2. Pursuant to Mississippi Code 39-3-1, the City hereby approves appropriation to the M.R. Davis Library in the amount of \$300,000.00.
3. Pursuant to Mississippi Code 17-3-1 and 17-3-3 and Mississippi Code 39-15-1, the City hereby approves a donation in the amount of \$40,000.00 to Desoto Family Theatre for the promotion of the arts and favorable notice and opportunities for the arts to the City that the Desoto Family Theatre brings to the City and to serve as matching funds for the Theatre. Also, pursuant to Mississippi Code 17-3-1 and 17-3-3 and Mississippi Code 39-15-1, the City hereby approves a donation in the amount of \$9,000.00 to the Historic DeSoto Foundation for its museum which contribution will support the development, promotion and coordination of the arts and bring favorable notice to the City.
4. Pursuant to Mississippi Code 17-3-1 and 17-3-3 and Mississippi Code 21-19-65, the City hereby approves donations to The Arc of Northwest Mississippi in the amount of \$30,000.00 and Healing Hearts Child Advocacy Center in the amount of \$40,000.00 for the promotion of the City's moral interest associated with helping abused children by Healing Hearts Child Advocacy and helping individuals with development and intellectual disabilities by the Arc of Northwest Mississippi. The amounts provided to each entity by the City are matching funds for the support of social and community service programs within the City.
5. Pursuant to Mississippi Code 21-19-65 and 21-17-1(3)(b)(ii), the City hereby approves a donation to the House of Grace in the amount of \$9,000.00 for its efforts to help women

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and The Hope Center in the amount of \$20,000.00; a rental donation, contingent upon the schedule of the City and/or Lessee of the Arena events, for the Arena to the Community Foundation of Northwest Mississippi for its Crystal Ball to help with its mission is to connect and assist donors as well as nonprofit organizations and charitable causes to make a difference with an emphasis on education, health and children in order to impact communities, including individuals and causes in the City.

- 6. Pursuant to Mississippi Code 21-17-1(3)(b)(2), the City hereby approves a rental donation for use of the BankPlus Amphitheater Plaza for the Homerun 5K Habitat for Humanity fundraiser.
- 7. The City Clerk’s Office is hereby authorized and directed to make such donation from City funds.
- 8. The City Park’s Office is hereby authorized to coordinate the dates and logistics for the rental donations.
- 9. Upon application and approval by the City Parks Department and City Police Department as it relates to adequate security, the City Board grants an alcohol variance to the Community Foundation of Northwest Mississippi.

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

Alderman George Payne	RECUSED
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

RESOLVED AND DONE, this 3rd day of September, 2024.

RESOLUTION FOR STORMWATER AWARENESS WEEK

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

Mr. Manley stated that this resolution will establish September 23-27 as Stormwater Week and will satisfy the public outreach portion of the stormwater permit. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

**RESOLUTION OF THE SOUTHAVEN BOARD OF ALDERMEN,
DECLARING SEPTEMBER 23rd – 27th, 2024 AS STORMWATER AWARENESS WEEK**

WHEREAS, the citizens of the City of Southaven, Mississippi desire and deserve a safe and clean environment in which to live and raise their families; and

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WHEREAS, it is known that the streams of Southaven are adversely impacted by the introduction of man-made pollutants; and

WHEREAS, Southaven has been designated as a Stormwater Phase II Entity; and

WHEREAS, Southaven has developed a Stormwater Runoff Management Program to meet the requirements established by the Clean Water Act and mandated by the United States Environmental Protection Agency and the Mississippi Department of Environmental Quality; and

WHEREAS, public education about the causes, effects, and prevention measures of and for stormwater and non-point source pollution of our streams is essential to Southaven’s efforts to return its streams to their natural pollution-free condition; and

WHEREAS, Southaven has adopted Public Education and Public Involvement as part of their Stormwater Runoff Program.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of Southaven, Mississippi:

That the Week of September 23rd – 27th, 2024 be, and it is hereby declared to be “Stormwater Awareness Week”.

The foregoing resolution was introduced by Alderman Hoots, who moved its adoption. The motion was duly seconded by Alderman Payne and a roll call vote was taken with the following results:

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

RESOLVED AND DONE, this 3rd day of September, 2024

RESOLUTION FOR RATIFICATION FOR UTILITIES EMERGENCY REPAIR
Nick Manley, City Attorney, presented this item to the Board.

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Mr. Manley stated that this resolution ratifies the expenditures associated with the emergency repair for the Greenbrook Water Treatment Plant North Well for the immediate preservation of order and public health, as the Well had ceased operation; thus, jeopardizing the water supply to City residents. The cost for repair is \$27,913.00. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

**RESOLUTION OF THE SOUTHAVEN BOARD OF ALDERMEN,
DECLARING SEPTEMBER 23rd – 27th, 2024 AS STORMWATER AWARENESS WEEK**

WHEREAS, the citizens of the City of Southaven, Mississippi desire and deserve a safe and clean environment in which to live and raise their families; and

WHEREAS, it is known that the streams of Southaven are adversely impacted by the introduction of man-made pollutants; and

WHEREAS, Southaven has been designated as a Stormwater Phase II Entity; and

WHEREAS, Southaven has developed a Stormwater Runoff Management Program to meet the requirements established by the Clean Water Act and mandated by the United States Environmental Protection Agency and the Mississippi Department of Environmental Quality; and

WHEREAS, public education about the causes, effects, and prevention measures of and for stormwater and non-point source pollution of our streams is essential to Southaven’s efforts to return its streams to their natural pollution-free condition; and

WHEREAS, Southaven has adopted Public Education and Public Involvement as part of their Stormwater Runoff Program.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of Southaven, Mississippi:

That the Week of September 23rd – 27th, 2024 be, and it is hereby declared to be **“Stormwater Awareness Week”**.

The foregoing resolution was introduced by Alderman Hoots, who moved its adoption. The motion was duly seconded by Alderman Payne and a roll call vote was taken with the following results:

Alderman George Payne	YES
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman William Jerome	YES

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Alderman Joel Gallagher	YES
Alderman John David Wheeler	YES
Alderman Raymond Flores	YES

RESOLVED AND DONE, this 3rd day of September, 2024.

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

SFD AGREEMENT AND ADDENDUM WITH RENEW BIOMEDICAL SERVICES, LLC

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

Mr. Manley stated that this agreement with ReNew is for a one year preventive maintenance service for the SFD EMS Cardiac Monitors. The addendum contains the revisions which are required to the original contract for compliance with Mississippi law. Alderman Flores made the motion to approve the contract and amendment with Renew Biomedical Services, LLC. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kelly	YES
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 3rd day of September, 2024.

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

APPROVAL OF SPD PURCHASE OF MOTOROLA MOBILE CAMERA

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

Mr. Manley stated that the SPD is requesting to purchase a mobile camera on a raised mast within the City. The camera is in the amount of \$32,995.00 and is on state contract. Assuming state approval, the SPD will use wireless funds for the purchase but if such funds are not available, the SPD will use its funds. Alderman Hoots made the motion to approve the. Motion was seconded by Alderman Wheeler.

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Roll call was as follows:

ALDERMAN	VOTED
Alderman Kelly	YES
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 3rd day of September, 2024.

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

BANK OF AMERICA LEASE PURCHASE

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

Mr. Manley stated that the Bank of America Lease Purchase for the City Fire Truck have already been approved by the Board, via resolution and the final contract version needs to be entered in the minutes.

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

UTILITIES SOFTWARE CONTRACT WITH KORTERRA

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

Mr. Manley stated that this software contract with Korterra is for the use of the Korterra Ticket Management Software, which is needed by the City Utilities Department for Mississippi One Call for utility location. The software costs \$4,550 per year and is ancillary to the service provided and based on the prior experience with Korterra, the City Utilities Department is confident in Korterra providing the software as contracted for and paid in advance. Alderman Gallagher made the motion to approve the contract with Korterra. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Jerome	YES

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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 3rd day of September, 2024.

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

LIZ BONE, GRIFFITH TOWING

Ms. Liz Bone with Griffith Towing asked the Board to consider keeping Griffith Towing on the wrecker rotation as not be included will be detrimental to their business. After hearing from the Police Chief, it was his recommendation to keep Griffith Towing removed from the rotation and reconsider adding them back on in January. Chief Vickers stated that this will allow time for the company to work out any issues that the Police Department recently had with them as it relates to background checks and following the SPD Wrecker Policy. Mayor Musselwhite reiterated that Griffith Towing will be reconsidered in January. Ms. Bone thanked the Mayor and Board for allowing her to speak.

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.

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

1146 Sir Doyle Cove
Parcel #1079290400000300
Parcel # 1079290400000400
Parcel # 2075210000001400
Parcel # 2073050000000500

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.

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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, **September 3, 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, **September 3, 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
1146 Sir Doyle Cove
Parcel #1079290400000300
Parcel # 1079290400000400
Parcel # 2075210000001400
Parcel # 2073050000000500

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 Hoots. 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 **3rd day of September 2024**.

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CITY OF SOUTHAVEN, MISSISSIPPI BY

PLANNING AGENDA

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

- Item #1 Application by Crossroads Church for subdivision approval of a one lot subdivision on the west side of Getwell Road, south of Star Landing Road

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for a one lot subdivision on the west side of Getwell Road, south of Star Landing Road. The site is an existing 5.0 acre parcel of land which is being converted into a formal platted lot. The plat submitted provides the required fifty three (53') of dedicated ROW for Getwell Road as well as the standard utility easements on all four sides of the lot. Setback have also been identified on the plat on both the survey portion as well as the general notes. Mrs. Choat-Cook stated that staff has no issues with the plat submitted and it is compliant with the bulk regulations set forth in the ordinance for platting and the only comment is regarding the required road improvements for the site. The applicant should work with staff engineering to determine the required improvements along the road frontage and either proceed during construction phases with the road improvements or pay in lieu of to the city for future work to be done during expansion. Staff is agreeable to either scenario but it should be decided on prior to recording of the plat. Alderman Flores made the motion to approve the application by Crossroads Church. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kelly	YES
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 3rd day of September, 2024.

A copy of the staff report, web map, and preliminary map are attached and fully incorporated into these minutes.

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Item #2 Application by MS Farm Bureau Insurance for design review approval of a two tenant office building to be located on lot 1 of the Country Oaks Commercial Subdivision

Mrs. Choat-Cook stated the applicant is requesting design review approval for a two bay office building to be located in the Country Oaks Commercial Subdivision, lot 1. Building elevations and landscaping plan were submitted. Mrs. Choat-Cook stated that the hipped roof and shingles meet the requirements for residential commercial and staff appreciates the breakup of the roof line with the storefronts. The added exposed wood is a good accent also. The surrounding offices have similar appearances so this is in line with the residential type design that is already in play. The red oaks identified on the landscape legend needs to be adjusted to the proper shade tree size of 3”-3.5” caliper. The frontage line along Getwell Road should stagger more as opposed to the design showing a straight line and there should be an added layer of smaller shrubs incorporated along the frontage to give more depth and fill in some of the large open green space. The submitted documents identify both sod and seed. This area is in a commercially zoned district; therefore, seeding is not an option and the applicant will need to adjust the quantities for sod only. The applicant needs to replace the trees along the fence line along the western boundary where the lot abuts residential property. The applicant has submitted proper documentation regarding the lighting specs for the site. Staff’s only comment would be the use of the LED standard light in mid drive area. If the applicant wants additional lighting along the drive, staff would suggest using the two more acorn lights in this area to create a more decorative corridor line. If the lighting is not necessarily needed then the applicant may opt to simply remove the single pole completely and leave the two along Getwell and the two parking lot poles. Staffs wish would be to add the two decorative ones. Mrs. Choat-Cook stated that staff has no further comments and recommends approval with the stated revisions. Alderman Wheeler made the motion to approve the application by MS Farm Bureau Insurance. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kelly	YES
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 3rd day of September, 2024.

A copy of the design review staff report, web map, elevations and landscaping plan are attached and fully incorporated into these minutes.

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Item #3 Application by Autozone Stores, LLC for design review approval of a new retail building to be located on lot 1C of the Flower Creek Commercial Subdivision Sec. A

Mrs. Choat-Cook stated The applicant is requesting design review approval for a single tenant retail building to be located on the north side of Goodman Road, east of Flower Creek Drive. Building elevations and landscaping plan were submitted. Mrs. Choat-Cook stated that staff is agreeable to the elevation design of the building. The only concern is that the wainscot area is proposed as painted CMU block which tends to be a maintenance problem and deters from the overall appearance of the building. This area can replace that material with a natural beige textured CMU block which will provide a similar color and also some depth to the material with the textured appearance. The landscape plan has a good mixture and placement design. Staff's only comment would be for the applicant to revise the schedule with the appropriate sizes- Shrubs should be planted at a five (5) gallon minimum with ground cover or smaller vegetation using three (3) gallons. As with all new developments, decorative lighting is required. The applicant should include a minimum of two (2) acorn lights along the frontage of the site. Mrs. Choat-Cook stated that staff has no further comments and recommends approval with the stated revisions. Alderman Jerome made the motion to approve the application by Autozone Stores, LLC. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kelly	YES
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 3rd day of September, 2024.

A copy of the design review staff report, web map, elevations and landscaping plan are attached and fully incorporated into these minutes.

MAYOR'S REPORT

Getwell Road South Widening Update

Mayor Musselwhite reported that this project is within 3 weeks of completion.

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Swinnea and Church Road Project

The right lane has been extended and will be paved in the near future.

Tribute Hall

Mayor Musselwhite stated that the next person to be honored in the Tribute Hall will be Lorine Cady at the September 17th board meeting at 5:15 pm and ask that everyone make plans to attend.

Pro Tennis Tournament Update

Mayor Musselwhite recently reported that the City of Southaven had the only pro tennis tournament for the 5th year in a row. Mayor Musselwhite stated that the tournament had 122,000 viewers online, allowing the City to take advantage of free marketing.

PERSONNEL DOCKET

Personnel Docket

September 3,
2024

New Hire	Department	Position Title	Start Date	Rate of Pay
Caitlyn Thompson	Parks	Front Desk	9/4/2024	\$9.50
Kelsey Turner	Parks	Front Desk	9/4/2024	\$9.50
Madison Watkins	Parks	Front Desk	9/4/2024	\$9.50
Rachel Purvis	Court	Deputy Court Clerk	TBD	\$16.68

Promotion	Current Position Title	New Position Title	Effective Date	Rate of Pay
Laterrian Hannah	Parks Seasonal	Parks Laborer I	TBD	\$15.91
Lakayla Poindexter	Police Officer 2	Police Officer 3	9/9/2024	\$28.11
Joshua Reese	Police Officer 2	Police Officer 3	9/9/2024	\$28.11

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Kaley Russell	Police	Sergeant	8/30/2024	\$31.82
Jacob McAfee	Parks	Laborer II	8/29/2024	\$16.45

Alderman Payne made the motion to approve the Personnel Docket of September 03, 2024 as presented to this Board. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN

VOTED

Alderman Jerome

YES

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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 3rd day of September, 2024.

CITY ATTORNEY'S LEGAL UPDATE

Alderman Flores made the motion to approve the following events:

- Love Your Neighbor 5K – Broadway Baptist Church – September 21st 8am – 10am
- 2024 North Mississippi Walk/Run Against Prostate Cancer – Brown Missionary Church – September 21 – 8 am – 1pm
- Mid South Mini Masters – Mini Golf Course at Snowden Grove Park- October 19 – 9am – 5pm

Motion was seconded by Alderman Wheeler.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 3rd day of September, 2024.

A copy of the event application is attached to these minutes.

UTILITY BILL ADJUSTMENT DOCKET

UTILITIES BILL LEAK ADJUSTMENT DOCKET 09/03/2024						
The addresses below experienced unforeseen circumstances in their utilities for which no benefit was received.						
1	RESIDENTIAL	MARCUSJEFFERIES	3254	AMANDA BELLE	(40.95)	LEAK BEHIND WALL IN
2	RESIDENTIAL	JENNIFER BRACKEN	8390	CHESTERFIELD	(35.10)	FAUCET LEAK
3	RESIDENTIAL	WILLIAM JOHNSON	6515	EVERGREEN	(193.05)	POOL LINER LEAK
4	RESIDENTIAL	JEFFERY HAWKINS	8578	MILLBRANCH	(20.72)	POOLADJUSTMENT
5	RESIDENTIAL	DAVID THOMPSON	4625	DIXIE LYNN DR	(50.32)	POOLADJUSTMENT

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6	RESIDENTIAL	FLACKE MICHAEL &	5756	CARTER DR	(41.44)	POOLADJUSTMENT
7	RESIDENTIAL	MISTY MCCLURE	7094	TIMBER TRAIL DR	(94.72)	POOLADJUSTMENT
8	RESIDENTIAL	MICHAEL DELANEY	2635	COLLEGE RD	(335.27)	LEAK ON IRRIGATION LINE
9	RESIDENTIAL	KRISTOPHER COLE	1789	CRESENT LN	(95.23)	LEAK UNDER SLAB
10	COMMERCIAL	TRINITY MEDICAL	9063	MILLBRANCH	(513.57)	TOILET LEAK
11	RESIDENTIAL	PATRICK MACON	3460	HILLSDALE	(234.00)	TOILET LEAKS
12	RESIDENTIAL	JEROME HIGHTOWER	4560	DERBY DR	(508.00)	TOILET LEAK AND OUTSIDE
13	RESIDENTIAL	DERRYBERRY	1215	REDFIELD DR	(17.76)	POOLADJUSTMENT
14	RESIDENTIAL	LEIF RASMUSSEN	3333	CHATEAU CIR N	(100.64)	POOLADJUSTMENT
15	RESIDENTIAL	CHERI PIERCE	4866	HENRY DR	(106.56)	POOLADJUSTMENT
16	RESIDENTIAL	BOBBY GREEN	1252	TOWN AND	(38.48)	POOLADJUSTMENT
17	RESIDENTIAL	KEN ROLLS	3141	WOODLAND	(62.16)	POOLADJUSTMENT
18	RESIDENTIAL	MICHAEL HAWKINS	590	GREENCLIFF DR	(59.20)	POOLADJUSTMENT
19	RESIDENTIAL	MARLIN MAYO	2578	RUSSUM	(8.88)	POOLADJUSTMENT
20	RESIDENTIAL	MOTON RUTH	1945	PECAN MEADOWS	(117.00)	LEAK UNDER SLAB
21	RESIDENTIAL	RAJEEV PAREEK	4524	DAVIS RD	(46.24)	LEAK ON IRRIGATION LINE
22	RESIDENTIAL	JERRY VINZETIA	6359	EVERGREEN	(79.92)	POOLADJUSTMENT
23	RESIDENTIAL	BARBARA WINDSOR	8080	CANTERBURY	(62.16)	POOLADJUSTMENT
24	RESIDENTIAL	PAUL WINSTOOD	7185	COUNTRY OAKS DR	(26.64)	POOLADJUSTMENT
25	RESIDENTIAL	PATRICK WILBURN	3591	HENRY CV	(59.20)	POOLADJUSTMENT
26	RESIDENTIAL	GREG DAVIS	4085	DAVIS RD	(136.16)	POOLADJUSTMENT
27	RESIDENTIAL	SUNDRA BRACY	3426	KRUENEN ST	(89.80)	POOLADJUSTMENT
28	RESIDENTIAL	ALEX GRISANTI	2632	WASHINGTON	(53.28)	POOLADJUSTMENT
29	RESIDENTIAL	PITIMAN TRACY	4094	CHAUCER CV	(68.08)	POOLADJUSTMENT
30	RESIDENTIAL	ABUASSAF ABDALLA	5344	MEADOWPOINTE	(115.44)	POOLADJUSTMENT
31	RESIDENTIAL	NICOLE MILLER	5197	PEAR DR	(152.10)	LEAK UNDER SLAB
32	RESIDENTIAL	FLOYD REDDEN	3672	TANYA WAY	(228.15)	TOILET LEAK
33	RESIDENTIAL	CHRISTINE DOEUNG	1819	CRESENT LN	(70.20)	SERVICE LINE LEAK
34	RESIDENTIAL	JEFF GROZINGER	7027	CARROLTON	(117.22)	TOILET LEAK
35	RESIDENTIAL	ROY SHEARS	5375	PEAR DR	(122.85)	TOILET LEAK

Total (4100.49)

Alderman Payne made the motion to approve the Utility Bill Adjustment Docket of September 3, 2024 in the amount of \$4,100.49. 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 3rd day of September, 2024.

CLAIMS DOCKET

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A motion was made by Alderman Payne to approve the Claims Docket of September 3, 2024 in the amount of \$1,510,534.92. 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
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 3rd day of September, 2024.

EXECUTIVE SESSION

A motion was made by Alderman Gallagher to move for a closed determination of the issue on whether or not to declare an Executive Session. Motion was put to vote and passed unanimously. Alderman Hoots made the motion to go into Executive Session for the purpose of Discussing Land Acquisition for Utilities Relocation; Litigation/Claims Against SPD; Economic Development; SPD Personnel; Interdepartmental Personnel with No Action. Motion was seconded by Alderman Jerome. Motion was put to vote and passed unanimously.

The Board considered the demotion of Police Lt. James Scott, Jr. After hearing from Mr. Scott and discussing the issue and actions of Mr. Scott, as documented in his personnel file and based on the recommendation of the Southaven Police Chief, a motion was made by Alderman Flores to demote Mr. Scott to a P4 Officer. The motion was seconded by Alderman Kelly. The Mayor called for a roll call vote:

Roll call was as follows:

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

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Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 3rd day of September, 2024.

The Mayor and Board discussed the claim filed by Brandon Miller. After discussion of the claim and issues associated with the claim, a motion was made by Alderman Flores to settle the claim as authorized by Miss. Code 25-1-47. The motion was seconded by Alderman Kelly. The Mayor called for a roll call vote:

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 3rd day of September, 2024.

A motion was made by Alderman Hoots to end executive session and re-open the meeting. The motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously.

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Flores to adjourn. Motion was seconded by Alderman Wheeler. Motion was put to a vote and passed unanimously September 3, 2024 at 7:55 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

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

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