

Minutes, City of Southaven, Southaven, Mississippi

MINUTES OF THE REGULAR MEETING OF June 7, 2016 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 Regular Session on the 7th day of June, 2016 at six o'clock (6:00) p.m. at City Hall.

Present were:

William Brooks	Alderman At Large
Shirley Kite	Alderman, Ward 2
George Payne	Alderman, Ward 3
Joel Gallagher	Alderman, Ward 4
Scott Ferguson	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Absent were:

Kristian Kelly	Alderman, Ward 1
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Also present were Mayor Musselwhite, Andrea Mullen, City Clerk and Nick Manley, City Attorney. Approximately thirty (30) 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 Ferguson. Next, a motion was made by Alderman Payne to approve the minutes of the Regular Meeting of May 17, 2016 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously. Alderman Payne made the motion to approve the minutes of the Special Called Meeting of May 27, 2016 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Kite. Motion was put to a vote and passed unanimously.

MEMA / FEMA CHANGE ORDER

Chris Wilson, City Administrator, presented this item to the Board.

Mr. Wilson stated that this change order extends the date of completion from the end of March 2016 to June 30, 2016. Mr. Wilson explained that no additional funds are involved, just an extension of the contract time due to rain, which will allow us to continue to be reimbursed for the project. Alderman Brooks made the motion to approve the contract extension. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN

Alderman Brooks
Alderman Kelly

VOTED

YES
ABSENT

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Alderman Kite	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 7th day of June, 2016.

A copy of the change order is attached to these minutes.

CONTRACT MODIFICATIONS FOR GREEN MACHINE ENTERPRISES

Mayor Musselwhite stated that the contract between the City of Southaven and Green Machine Enterprises allows for the waiver of rent for any improvements made to the Amphitheatre. Recently, \$60,000.00 dollars of improvements were made to add box seats to the Amphitheatre and the City has the ability to modify the lease to allow a waiver or credit for rent up to the amount of the cost of improvements per the lease. Mayor Musselwhite asked the Board of Alderman to make a motion to allow for a full or partial waiver. No action was taken.

APPROVAL OF JAG INTERLOCAL AGREEMENT

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

Mr. Manley stated that this agreement is between the County, City of Olive Branch and the City of Southaven which will allow for funding through the Departmental of Justice to purchase certain equipment for the Police Department. This agreement is the same type of agreement that the City has entered into in 2013, 2014, and 2015. Mr. Manley explained that once Mayor Musselwhite signs the agreement, it will be sent for AG approval and filed with the Secretary of State's office in order for the funds to be available for use by the Southaven Police Department.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI APPROVING INTERLOCAL AGREEMENT BETWEEN DESOTO COUNTY, THE CITY OF SOUTHAVEN, AND THE CITY OF OLIVE BRANCH FOR 2016 EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG)

WHEREAS, the Mississippi Interlocal Cooperative Act of 1974, Section 17-13-1 et seq. of the Mississippi Code (1972), provides that local government units may cooperate and contract with one another on the basis of mutual advantage and thereby provide services for the most efficient use of their powers, and

WHEREAS, the City of Southaven was chartered under the laws of the State of Mississippi, and

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WHEREAS, the Mayor and Board of Aldermen are charged with the responsibility of maintaining the health, safety and welfare of the citizens of the City, and

WHEREAS, Desoto County, the City of Southaven and the City of Olive Branch desire to enter into an Interlocal Agreement for participation in the 2016 Byrne Justice Assistance Grant in the amount of \$36,211.00, and

WHEREAS, the entities have proposed a formal agreement between them, a copy of which is referred to and incorporated herein by reference, and

WHEREAS, the City of Southaven and the City of Olive Branch will share the JAG Program funding award amount as follows:

- a. Twelve Thousand and thirty-five Dollars and no cents (\$12,035.00) for Olive Branch Police Department to purchase Solar Powered, Portable Changeable Message Sign.
- b. Twenty Four Thousand One Hundred Seventy Six Dollars and no cents (\$24,176.00) for Southaven Police Department to purchase two (2) Sage 40 MM 2 shot over and under launchers, 40 mm munitions for the Less Lethal launchers, bean bag rounds sponge rounds, OC/CS rounds, qualification and training rounds, 140 individual patrol officer trauma kits, twenty (20) trauma kits for SWAT, one (1) level III large ballistic shield for SWAT, one (1) laptop computer for teaching and public presentations in the City of Southaven.

WHEREAS, the Mayor and Board of Aldermen have determined that it is in the best interest of the citizens of Southaven that the City participate in the Interlocal Agreement.

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

1. The Interlocal Agreement between the City of Southaven and the City of Olive Branch, to participate in the 2016 Byrne Justice Assistance Grant in the joint amount of \$36,211.00 be, and the same is hereby approved.
2. Terms of the 2016 Byrne Justice Assistance Grant be, and the same are hereby approved as set forth in said Interlocal Agreement.

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

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: ABSENT
Alderman Shirley Kite	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Scott Ferguson	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 7th day of June, 2016.

A copy of the memorandum of understanding is attached to these minutes.

RESOLUTION TO FREE PORT WAREHOUSE TAX EXEMPTION FOR SABA HOLDING COMPANY, LLC D/B/A TEREX TRUCK AMERICAS

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

Mr. Manley stated that this authorization request is for the Freeport Warehouse tax exemption for SABA Holding Company, LLC D/B/A Terex Trucks Americas. Mr. Manley stated that the County has approved and it comes recommended from the Desoto County Economic Tax Incentive Committee.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, GRANTING FREE PORT WAREHOUSE AD VALOREM TAX EXEMPTION TO SABA HOLDING COMPANY, LLC D/B/A TEREX TRUCKS AMERICAS AS AUTHORIZED BY SECTION 27-31-51 ET. SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED

WHEREAS, SABA Holding Company, LLC d/b/a Terex Trucks Americas ("SABA") seeks an exemption from ad valorem taxes at its warehouse operation located at 8800 Rostin Road, Southaven, Mississippi to the fullest extent permitted by statute on all personal property held in the applicant's finished good warehouse and in transit through the State of Mississippi and which either is moving in interstate commerce through or over the territory of the State of Mississippi or is consigned or transferred to SABA's finished goods warehouse for storage in transit to a final destination outside the State of Mississippi; and

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WHEREAS, SABA has filed an Application in triplicate for exemption from free port tax warehouse ad valorem tax exemption; and

WHEREAS, SABA has produced written verification and documentation to this Board as to the authenticity and correctness of its Application; and

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

1. That SABA ships personal property to a final destination outside the State of Mississippi during the calendar year.
2. That SABA is qualified to make application for exemption from Freeport Warehouse Ad Valorem Tax.
3. This Mayor and Board of Alderman of the City of Southaven, Mississippi, acknowledge SABA's contribution to the economic development of Southaven and believe that it should exercise its discretionary authority to exempt from all free port taxes to the full extent permitted by statute all personal property held in SABA's free port warehouse and in transit through this State and which either is moving in interstate commerce through or over the territory of the State of Mississippi or is consigned or transferred to SABA's finished goods warehouse for storage in transit to a final destination outside the State of Mississippi as authorized by Section 27-31-51 et seq. of the Mississippi Code (1972) as amended.
4. That the Clerk of this Board is hereby directed to spread a copy of this Resolution on the minutes of this Board; and that said Clerk shall forward the original Application and a certified copy of the transcript of this Resolution approving said Application to the Tax Assessor of DeSoto County, Mississippi.

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

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: ABSENT
Alderman Shirley Kite	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Scott Ferguson	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 19th day of April, 2016.

A copy of the Desoto County guidelines for business investment incentive and Freeport warehouse application for licensure is attached to these minutes.

PURCHASE BY CITY UTILITIES DEPARTMENT FROM CITY FIRE DEPARTMENT

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

Mr. Manley explained that this action will allow for the Utilities Department to purchase a storage facility from the Southaven Fire Department for \$25,000.00. Mr. Manley explained that the State Auditor's Office stated that the Utility Fund is a standalone fund and authorization is required to be recorded in the minutes. Alderman Ferguson made the motion to authorize the purchase by the Utilities Department from the Fire Department in the amount of \$25,000.00.. Motion was seconded by Alderman Kite.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	ABSENT
Alderman Kite	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 7th day of June, 2016.

RESOLUTION TO SURPLUS POLICE PROPERTY

Steve Pirtle, Police Chief, presented this item to the Board.

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Chief Pirtle stated that this is a request to surplus eight (8) vehicles and one (1) bicycle. Chief Pirtle stated that all of the items were seized by the Narcotics Division and they do not have any use for them. Funds received will go back into the Narcotics fund to purchase equipment and vehicles for that departments use.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI DISPOSING OF SEIZED PROPERTY

WHEREAS, the City of Southaven Police Department is presently in possession and ownership of certain vehicles and property (collectively "Seized Property") as set forth in Exhibit A; and

WHEREAS, the Seized Property has cleared all Court Proceedings and has been forfeited to the City; and

WHEREAS, the Seized Property is no longer needed by City Police, so that the Seized Property is now considered "surplus"; and

WHEREAS, pursuant to Mississippi Code 17-25-25, the City desires to surplus the Seized Property; 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 Seized Property be hereby disposed of pursuant Mississippi Code 17-25-25.
2. The City Police Chief, City Clerk, or their designee, be, and, if needed, is hereby authorized and directed to advertise the Property on Govdeals.com or sell the Property at public auction or to otherwise dispose of said property in accordance with state law, or to retain such items and remove them from the fixed assets inventory pursuant to State guidelines.

Motion was made by Alderman Brooks and seconded by Alderman Ferguson, 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 Brooks	voted: YES
Alderman Kristian Kelly	voted: ABSENT
Alderman Shirley Kite	voted: YES

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Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Scott Ferguson	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 7th day of June, 2016.

Copies of the vehicle titles and letter of request to surplus are attached to these minutes.

RECOMMENDATIONS OF AWARD

Dan Cordell, City Consulting Engineer, presented this item to the Board.

Mr. Cordell stated that the City of Southaven received bids for the following contracts and recommendations to award are as follows for the Annual Asphalt Overlays Contract, Annual Asphalt Overlays, Annual Pavement Striping & Markings, and Annual Pavement Surface Treatments. Additionally, Mr. Cordell explained that each contract has a dollar figure related to them. These figures are not dollar figures related to the actual contract amounts as they are term bids and were only used to simply compare the bids. Mr. Cordell stated that the work will be awarded based off of the overlay program annually. The contracts can be renewed each year and fuel adjustments are included.

1. Annual Asphalt Overlays: Materials and Installation
Primary Awarded to: Lehman Roberts as the lowest and best bidder and 1st
Alternate to: APAC

A motion was made by Alderman Flores to award the annual asphalt overlays contract to Lehman Roberts in the amount of \$813,071.00 and to APAC as the 1st Alternate contractor in the amount of \$889,150.00.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	ABSENT
Alderman Kite	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 7th day of June, 2016.

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2. Annual Asphalt Overlays: Installation Only

The only contractor to bid was North Mississippi Driveways, Inc. Mr. Cordell recommended awarding the contract to North Mississippi Driveways as the Primary contractor in the amount of \$336,910.00. Alderman Kite made the motion to approve the award and allow Mayor Musselwhite to sign. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	ABSENT
Alderman Kite	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 7th day of June, 2016.

3. Annual Pavement Striping & Markings:

The only contractor to bid was Riverside Traffic Systems, Inc. Mr. Cordell recommended awarding the contract to Riverside Traffic Systems, Inc. as the primary contractor in the amount of \$159,550.00. Alderman Payne made the motion to approve the award and allow Mayor Musselwhite to sign. Motion was seconded by Alderman Gallagher.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	ABSENT
Alderman Kite	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 7th day of June, 2016.

4. Annual Pavement Surface Treatments:

Mr. Cordell stated that the City received two bids for this project and his recommendation is to award the contract to Vance Brothers, Inc. with the lowest and best bid in the amount of \$311,900.00. Alderman Brooks made the motion to approve the award and allow Mayor Musselwhite to sign. Motion was seconded by Alderman Flores.

Roll call was as follows:

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ALDERMAN

VOTED

Alderman Brooks	YES
Alderman Kelly	ABSENT
Alderman Kite	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 7th day of June, 2016.

A copy of the recommendation of award letter and bid tabulation is attached to these minutes.

SUPPLEMENTAL AGREEMENT NO.2 FOR GETWELL ROAD WIDENING PROJECT (STATELINE ROAD TO HWY. 302)

Whitney Choat-Cook presented this item to the Board.

Mrs. Choat-Cook stated that there were some drainage issues that will have to be added back into the design and cost for the Getwell Road Widening Project at Stateline Road North at the intersection of Getwell Road. Mrs. Choat-Cook reported that when broken down with the quantity adjustments, there was a decrease to the project in the amount of \$11,898.60. Mrs. Choat-Cook explained that this decrease was not due to the project addition, but when MDOT decided to do the cement project at the same time, they took over some of the milling and paving at the Intersection of 302 and Getwell and it in turn dropped our price on the job. Mrs. Choat-Cook stated that these drainage improvements had to be done to make the site work on the north end. Mrs. Choat-Cook requested approval of the agreement and allow Mayor Musselwhite to sign so that it can be sent back to MDOT. Alderman Ferguson made the motion to approve the agreement and authorize Mayor Musselwhite to sign. Motion was seconded by Alderman Gallagher.

Roll call was as follows:

ALDERMAN

VOTED

Alderman Brooks	YES
Alderman Kelly	ABSENT
Alderman Kite	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 7th day of June, 2016.

A copy of the supplemental agreement and quantity adjustments is attached to these minutes.

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RESOLUTION GRANTING TO CLEAN PRIVATE PROPERTY

Mayor Musselwhite asked if anyone in the audience had any objections or would like to speak in regards to these properties. Mr. Dennis Fowlin approached the Board of Alderman and expressed concerns about his property located at 5908 Surrey Lane being on the permission to clean private property list. Mr. Fowlin acknowledged that he received notice to cut his grass and remove any inoperable cars on his property. Mr. Fowlin further explained that he had not cut the grass because he was waiting on code enforcement to make him aware of any additional requirements. Mayor Musselwhite asked Mr. Fowlin if he could get his grass cut to avoid any charges, in which, Mr. Fowlin stated that he would have it cut within two days. Mrs. Choat-Cook stated that although Mr. Fowlin has agreed to cut his grass, she would advise the Board to leave his property on the list to give authorization for the City to cut in the event that Mr. Fowlin was not able to take care of it. After hearing from Mr. Fowlin and no other requests to come forward to speak, the Board considered the following resolution:

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: **8131 Pinebrook Drive, 5908 Surrey Lane, 2466 Lester Road, 7411 Paddock Cove, 8578 Millbranch Road, 1866 Forrest Drive, Parcel ID# 107419070 0111000**, to the effect that the said parcel of land has been neglected whereby **the grass height is in violation and there exist other unsafe conditions** and that the parcel of land in the present condition is deemed to be a menace to the public health and safety of the community.

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code Annotated (1972), the governing authorities of the City of Southaven, Mississippi, provided the owners of the above described parcel of land with notice of the condition of their respective parcel of land and further provided them with notice of a hearing before the Mayor and Board of Aldermen on **Tuesday, June 7, 2016**,

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by United States mail and by posting said notice, to determine whether or not the said parcel of land were in such a state of uncleanness as to be a menace to the public health and safety of the community.

WHEREAS, none of the owners of the above described parcel of land appeared at the meeting of the Mayor and Board of Aldermen on **Tuesday, June 7, 2016**, 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: **8131 Pinebrook Drive, 5908 Surrey Lane, 2466 Lester Road, 7411 Paddock Cove, 8578 Millbranch Road, 1866 Forrest Drive, Parcel ID# 107419070 0111000**, 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 Brooks and seconded by Alderman Kite. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

ALDERMAN

Alderman William Brooks
Alderman Kristian Kelly
Alderman Shirley Kite
Alderman George Payne
Alderman Joel Gallagher
Alderman Scott Ferguson
Alderman Raymond Flores

VOTED

YES
ABSENT
YES
YES
YES
YES
YES

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The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the 7th day of June, 2016.

PLANNING AGENDA

No Planning Agenda

MAYOR'S REPORT

Mayor Musselwhite announced that there will be a press conference at the new Senior Center in the banquet room on Thursday, June 9 at 10:00 a.m. and will then have a tour of the Senior Center, Snowden Grove mini stadium improvements, bathroom and concession additions, amphitheatre improvements that were done last year and tour the proposed site of the new tennis center expansion that is slated for FY2017. Mayor Musselwhite stated that he will also discuss the importance of the tourism tax, or commonly known as the Penny for Your Parks and how this tax paid for all of these projects. This tax was approved in 2012 and since then it has had a repealer on it leaving the City with the challenge of working off of a three (3) year budget. Mayor Musselwhite stated that the Board has been very supportive and many projects have been completed using those funds. Mayor Musselwhite stated that he wants the City of Southaven and the State of Mississippi to know that the tourism tax is being used wisely and it is very beneficial to the City.

Mayor Musselwhite stated that an issue came up that some may have seen on social media. There was a news organization called the Guardian News and Media that listed the City of Southaven on a list of Cities in the United States that are cheating on their water samples. These water samples are done throughout the U.S. to prevent dangerous lead content in the water. The EPA gives instructions to each state on testing procedures. The City of Southaven was listed because they said that we were using outdated instructions that were used in the past. The cities of Mississippi take a sample every three years. All of this occurred after the Flint, Michigan problems and there was a minor change made to the instructions. Mayor Musselwhite stressed that this accusation was completely false and the City could not have cheated because a water sample has not been taken since these changes were made. Mayor Musselwhite stated that it is very disappointing to him that an organization would twist and turn facts, but wants the people of Southaven to know that we are considered a low risk City and they do not have to worry about their water. Mayor Musselwhite stated that he has been very vocal about his dissatisfaction with placing the City on that list, and reiterated the fact that the article is completely false.

CITIZEN'S AGENDA

Tiffany Walters & Theresa Walters

Ms. Tiffany Walters stated that she was there concerning her mini pig Charlotte that was picked up by animal control two weeks ago and was told that she had two weeks to get rid of her or be fined \$250.00. Ms. Walters stated that she was

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aware that there had been some discussion among the Board about the possibility of rezoning or changing the ordinance to allow mini pigs in the City. Ms. Walters asked if the Board had reached a decision and wanted to know what she could do at this point to keep animal control and the citations away. Mayor Musselwhite stated that they had not met officially, but administratively pulled the ordinance and has done some research. Mayor Musselwhite stated that at this point, they will have an ordinance committee meeting, and consider all of the information that has been gathered for a possible change. Mayor Musselwhite stated that he did not want to mislead Ms. Walters because there are concerns and the challenge is that the City has to be careful when they start amending ordinances that a door isn't opened that would allow an even bigger problem. Mayor Musselwhite stated that he understood that Ms. Walters home owner's association did not allow for mini pigs to be there. Ms. Walters stated that she put a packet together for the Mayor and Board with information from her home owner's association, other city ordinances and regulations for livestock and vet bills for their review and consideration. Ms. Walters asked what she could do until a decision was made. Mayor Musselwhite stated that if a change is made, they will notify her and if a change is not made then the animal control director will work with her to find another location for her pig. Mayor Musselwhite added that they would not have known about her pig if it had not been out eating trash in the neighborhood alarming her neighbors. Ms. Walters thanked the Mayor and Board for their time.

PERSONNEL DOCKET

Personnel Docket

June 7, 2016

Payroll Additions	Position	Department	Start Date	Rate of Pay
Austin Andrews*	Intern	ITEC	TBD	\$10.00
Michael Eason*	Intern	ITEC	TBD	\$10.00

*Contingent upon
successful
completion of pre-
employment
screenings

Payroll Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Arsenio Hardrick	Paramedic	Firefighter II/Medic	6/08/2016	\$15.50+Medic stipend
Jess McDonald	Firefighter II	Firefighter III	6/8/2016	\$15.12+hazmat+EMT-B

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Payroll Deletions	Position	Department	Termination Date	Rate of Pay
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Terminations / Resignations				
Name	Department	Position	Termination Date	Rate of Pay
Joan Latimer	Court	Deputy Clerk	6/30/2016	\$15.00
Kevin Reeves	Fire	Lieutenant Office	6/2/2016	\$18.46+EMT-B+Shift+Hazmat
Patsy Clifton	Parks	Manger	6/30/2016	\$1,453.77
Stephen Sinn	Fire	Firefighter III/Medic	6/17/2016	\$15.80+Medic+Shift+HazMat

Park's Dept. New Hires

Name	Department	Position	Rate of Pay	Start Date
Eric Hight	412	Grounds	\$7.25	6/8/2016
Taylor Embrey	412	Grounds	\$7.25	6/8/2016
J Parker Hawkes	412	Grounds	\$7.25	6/8/2016
Johnny Faulkner Jr	412	Grounds	\$7.25	6/8/2016
Benjamin Schreck	412	Grounds	\$7.25	6/8/2016
Justin Curl	412	Grounds	\$7.25	6/8/2016
Arlie Gagne	412	Grounds	\$7.25	6/8/2016
Graham Naramore	412	Grounds	\$7.25	6/8/2016
Nicholas Grant Goodwin	412	Grounds	\$7.25	6/8/2016
Larry Cress	412	Grounds	\$7.25	6/8/2016
Christopher Foreman	412	Concessions	\$7.25	6/8/2016
Kaitlyn Edwards	412	Concessions	\$7.25	6/8/2016
Rebecca Edwards	412	Concessions	\$7.25	6/8/2016
Melissa Jackson	412	Concessions	\$7.25	6/8/2016
Savannah Hayden	412	Concessions	\$7.25	6/8/2016
Nicholas Lawson	412	Concessions	\$7.25	6/8/2016
Kenneth Austin Winn	411	Front Desk	\$7.25	6/8/2016
Adriane Allen	412	Gift Shop	\$7.25	6/8/2016

Rehire

Name	Department	Position	Rate of Pay	Start Date
Allison Williams	411	Front Desk	\$7.25	6/8/2016

Promotions

Name	Department	Position	Rate of Pay	Effective Date
Rita Echols	412	Cash Control Gift Shop	\$10.00	6/8/2016
Lori Shelton	412	Supervisor	\$9.00	6/8/2016

Resignations

Name	Department	Position	Rate of Pay	Effective Date
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Danielle Summers	412	Concessions	\$7.25	6/13/2016
Skylar Smith	412	Concessions	\$7.25	6/13/2016
Anna Freeman	412	Concessions	\$7.25	6/13/2016
Savannah Muse	412	Concessions	\$7.25	6/13/2016

Alderman Brooks made the motion to approve the Personnel Docket of June 7, 2016 as presented to this Board. Motion was seconded by Alderman Kite. The motion was put to vote and passed unanimously.

CITY ATTORNEY'S LEGAL UPDATE

Mr. Manley stated that authorization is needed for Chief Thornton to sign the contract to purchase a storage facility building for the Fire Department. Mr. Manley stated that proceeds from the sale of one of their storage buildings to the Utilities Department will be used toward the purchase. Alderman Flores made the motion to approve the contract and allow Chief Thornton to sign. Motion was seconded by Alderman Ferguson.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	ABSENT
Alderman Kite	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 7th day of June, 2016.

A copy of the agreement is attached to these minutes.

OLD BUSINESS – RESOLUTION GRANTING TO CLEAN PRIVATE PROPERTY AT 8206 CEDARBROOK DRIVE (TABLED ITEM FROM MAY 3, 2016)

Whitney Choat-Cook, Planning Director, presented this item to the Board.

Alderman Gallagher made the motion to untable the resolution to clean private property at 8206 Cedarbrook Drive from the May 3, 2016 meeting. Motion was seconded by Alderman Gallagher.

Mrs. Choat-Cook stated that 8206 Cedarbrook Drive was presented to be removed at the May 3, 2016 meeting. Since that time, Mrs. Choat-Cook has spoken with

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the property owners numerous times. Mrs. Choat-Cook stated that the property owners had a person that was interested in purchasing the property and renovating it, but it fell through. The property owner then stated that they had another interested party. After speaking with the gentleman, he stated that he had not seen the inside of the property, but if it was fixable, then he would be interested in purchasing it. The gentleman went to meet the property owner at the home, but had already left before the owner got there. Mrs. Choat-Cook stated that at this point things were not coming to fruition and it is her recommendation to condemn the property. After some discussion, the following resolution was considered:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI AUTHORIZING THE CLEANING OF PRIVATE PROPERTY AND MAKING PROVISION FOR COLLECTION

WHEREAS, pursuant to Miss. Code Ann. Section 21-19-11, the Mayor and Board of Aldermen of the City of Southaven, Mississippi are authorized and empowered on their own motion to clean private property which is in a condition to be a menace to the public health, safety and welfare of the community, and

WHEREAS, it has been brought to the attention of the Mayor and Board of Aldermen that certain property owned by and located at 8206 Cedarbrook Drive Brook Hollow Subdivision Section "A", Lot 121 is in such a state of uncleanness and dilapidation so as to constitute a menace to the public health and safety, in violation of State Law and local Ordinance, and

WHEREAS, in addition to notice being provided to the address for the ad valorem taxes, notice was provided to the property owner as further set forth in Exhibit A, and

WHEREAS, as further evidence of notice, the City Planning Department has spoken with representatives of 8206 Cedarbrook Drive and informed them of the condition of the subject property and the City's intention of removing the building from the property based on its condition be a menace to the public health, safety and welfare of the community, and

WHEREAS, this item was previously tabled at the May 3rd Board Meeting until the June 7th Board Meeting at the request of the property owner's son so that they could attempt to rectify the existing issues with the structure; and

WHEREAS, to-date no action has been taken to bring the property into compliance with applicable health and safety standards, and

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WHEREAS, the Mayor and Board of Aldermen are convinced that the condition of said property is such as to be a menace to the public health and safety of the community and that the property should be cleaned and demolished, and

WHEREAS, attached hereto as Collective Exhibit "B" are various pictures documenting the deteriorated and hazardous condition of the home, 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 property, 8206 Cedarbook Drive, Brook Hollow Subdivision Section "A", Lot 121 be, and the same hereby is declared to be a menace to the public health and safety, and the same shall be addressed by cleaning and removing the structure either by City crews, or an outside contractor, at the choice of the City. If addressed by outside contractor, City will follow the mandates as set forth in Mississippi Code 31-7-13.
2. Upon completion of activities related to the abatement of the menace/nuisance, a hearing shall be scheduled before the Mayor and Board of Aldermen to determine the actual cost incurred by the City resulting from the cleaning and removal of hazardous substances associated with this property.
3. The Mayor and Board of Aldermen at said meeting will adopt a resolution determining the amount of the actual cost incurred and considering the imposition of a penalty not to exceed fifty per cent (50%) of such actual cost, or the imposition of a penalty of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00), whichever is greater, and shall determine the appropriate method for collecting same against the property identified herein.

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

Alderman William Brooks	YES
Alderman Kristian Kelly	ABSENT
Alderman Shirley Kite	YES
Alderman George Payne	YES

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Alderman Joel Gallagher	YES
Alderman Scott Ferguson	YES
Alderman Raymond Flores	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 7th day of June, 2016.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of June 7, 2016, including demand checks and payroll in the amount of \$3,726,346.30. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

260417, 260418, 260428, 260431, 260456, 260469, 260474, 260483, 260497, 260511, 260512, 260513, 260520, 260556, 260562, 260607, 260608, 260609, 260610, 260611, 260612, 260613, 260655, 260657, 260658, 260691, 260692, 260709, 260739, 260754, 260761, 260781, 260818, 260830, 260864, 260882, 260886, 260895, 260901, 260905, 260933, 260937, 260967, 260985, 260992, 260995, 261004, 261008, 261010, 261012, 261019, 261028, 261030, 261032, 261033, 261034, 261035, 261066, 261068, 261073, 261074, 261084, 261135, 261164, 261184, 261189, 261239, 261242, 261251, 261283, 261288, 261292, 261304, 261311, 261316, 261318, 261342, 261350, 261469, 261684, 261707, 261710, 261713, 261715, 261731, 261732, 261741, 261743, 261746, 261752, 261759

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	ABSENT
Alderman Beshears	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	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 7th day of June, 2016.

EXECUTIVE SESSION

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 Ferguson to adjourn. Motion was seconded by Alderman Gallagher. Motion was put to a vote and passed unanimously, June 7, 2016 at 8:05 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen, City Clerk
(Seal)