

Minutes, City of Southaven, Southaven, Mississippi



**MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
July 5, 2016
6:00 p.m.
AGENDA**

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval Of Minutes: June 21, 2016
5. MOU Between Desoto County and The City of Southaven For Appointments to and Activities of the Advisory Board of the M.R. Davis Public Library Board
6. Award of Bid and Contract for ITEC Offices Renovation Project
7. Award of Bid for New Backhoe for Public Works Department
8. Resolution for Sanitation Accounts
9. Resolution for Liens
10. Resolution Granting Authority to Clean Private Property and Make Provision for Collection at 1676 Custer Drive
11. Resolution Granting Authority to Clean Private Property and Make Provision for Collection at 526 Christybrook Cove
12. Resolution Granting Authority To Clean Private Property
13. Planning Agenda: Item #1 Application by Pete Patel for subdivision approval for 5.25 acres of property on the north side of Stateline Road, west of Millbranch Drive
Item #2 Application by Dean Murrah for minor subdivision approval for 11.23 acres of property on the south side of Starlanding Road, east of Swinnea Road
14. Mayor's Report
15. Citizen's Agenda
16. Personnel Docket
17. City Attorney's Legal Update
18. Old Business: Request for a Variance to Don's Speed Shop on the southeast corner of Hwy. 51 and Stateline Road for motor vehicle repair
19. Claims Docket
20. Executive Session: Claims/Litigation against City and Economic Development

Any citizen wishing to comment on the above items may do so. Items may be added to or omitted from this agenda as needed.

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**MINUTES OF THE REGULAR MEETING
OF July 5, 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 5th day of July, 2016 at six o'clock (6:00) p.m. at City Hall.

Present were:

Kristian Kelly	Alderman, Ward 1
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:

William Brooks	Alderman At Large
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Also present were Mayor Musselwhite, Andrea Mullen, City Clerk and Nick Manley, City Attorney. Approximately twenty-five (25) 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 June 21, 2016 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Kelly. Motion was put to a vote and passed unanimously

**MOU BETWEEN DESOTO COUNTY AND THE CITY OF SOUTHAVEN
FOR APPOINTMENTS TO THE ACTIVITIES OF THE ADVISORY
BOARD OF THE M.R. DAVIS PUBLIC LIBRARY BOARD**

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

Mr. Manley stated that this MOU is between Desoto County and the City of Southaven for appointments of three (3) members to the M.R. Davis Public Library Board and for the approval of the bylaws of the Library Board so that there are uniform bylaws with all entities. Mr. Manley stated that the Library Board will provide names of individuals within the next few weeks for the Board to consider for appointments. Additionally, the Library Board's bylaws state that if appointments are not made by the City then the library will have the power to appoint. Alderman Payne made the motion to approve the Library Advisory Board MOU along with Desoto County and the First Regional Library and allow Mayor Musselwhite to sign. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN

VOTED

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Alderman Brooks	ABSENT
Alderman Kelly	YES
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 5th day of July, 2016.

A copy of the MOU and by laws is attached to these minutes.

AWARD OF BID AND CONTRACT FOR ITEC OFFICES RENOVATION PROJECT

Bradley Wallace, Public Works / Operations Director, presented this item to the Board.

Mr. Wallace stated that this renovation project is for the Information Technology Offices. Mr. Wallace explained that C&M Builders had the lowest and best bid in the amount of \$55,000.00 and stated that this project will allow for offices for Chris Shelton, Melitta Duncan, a large meeting room, and storage rooms that could be converted to offices if needed... Mr. Wallace further stated that this project will allow the Information Technology Department to expand and is consistent with the Mayor's future building renovation plan. Alderman Payne made the motion to award the bid to C&M Builders and allow Mayor Musselwhite to sign a contract.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
Alderman Kelly	YES
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 5th day of July, 2016.

A copy of the recommendation letter is attached to these minutes.

AWARD OF BID FOR NEW BACKHOE FOR PUBLIC WORKS DEPARTMENT

Bradley Wallace, Public Works / Operations Director, presented this item to the Board.

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Mr. Wallace explained that the City received three bids for the backhoe loader bid. Mr. Wallace explained that Stribling Equipment had the lowest and best bid in the amount of \$89,275.00. Alderman Kite made the motion to award the bid to Stribling Equipment and allow Mayor Musselwhite to sign. Motion was seconded by Alderman Gallagher.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
Alderman Kelly	YES
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 5th day of July, 2016.

A copy of the bid documents are attached to these minutes.

It was noted that some residents have not paid their sanitation charges; thus, the City would seek to collect the unpaid fees pursuant to Mississippi law.

RESOLUTION FOR SANITATION ACCOUNTS

RESOLUTION FOR ASSESSING UNPAID SANITATION FEES

WHEREAS, pursuant to Mississippi Code 21-19-1, the City of Southaven ("City") operates and maintains a garbage and rubbish collection system; and

WHEREAS, pursuant to Mississippi Code 21-19-2 and the City ordinances, the City previously implemented a \$12.00 per month sanitation fee to defray the cost for the operating and maintaining of the garbage and rubbish collection system; and

WHEREAS, despite correspondence requesting that certain City residents pay the sanitation fee, the residents listed at the properties on Exhibit A have failed to pay the sanitation fee; and

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WHEREAS, the individuals were provided an opportunity for a hearing at the May 17, 2016 and June 5th, 2016 City Board Meetings regarding the delinquent assessments and chose not to attend the hearing; and

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

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

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

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

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

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

Aldermen voted as follows:

Alderman William Brooks	voted: ABSENT
Alderman Kristian Kelly	voted: YES
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 5th day of July, 2016.

A list with the residents, addresses, and amount due is attached to these minutes.

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RESOLUTION FOR LIENS

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

Mr. Manley stated that this Resolution will allow for assessments, penalties and liens to be filed.

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 contracted with an outside contractor who has undertaken and completed the clean-up of the properties, and

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

WHEREAS, the Mayor and Board of Aldermen are desirous of imposing a penalty of Two Hundred Fifty Dollars and 00/100 (\$250.00) per property per cutting, 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.

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

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1. The actual cost of the clean-up of properties listed in Exhibit A be assessed to the property and the same is hereby determined to be as set forth in Exhibit A attached hereto.
2. A penalty in the amount of \$250 per lot per cutting as listed above be, and the same is hereby imposed against each parcel in addition to the actual cost of the property clean-up.
3. 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.

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

Alderman William Brooks	voted: ABSENT
Alderman Kristian Kelly	voted: YES
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 5th day of July, 2016.

A list of the street name, parcel id#, and assessment totals is attached to these minutes.

**RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE
PROPERTY AND MAKE PROVISION FOR COLLECTION AT 1676
CUSTER DRIVE**

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

Mrs. Choat-Cook stated that this request is for permission to proceed forward with the removal of a 2009 burned home located at 1676 Custer Drive. Mrs. Choat-Cook stated that official notifications have been sent, all necessary documentation has been recorded, and information was submitted to the deceased owner's mother, which is the only family member they were able to locate regarding the hearing. Mrs. Choat-Cook stated that the mother is aware and states that there is not anything that she can do and is elderly and hospitalized herself. Mrs. Choat-Cook stated that at this point she is requesting permission to fully condemn the property and remove the house after the ten (10) day waiting period. After considering Mrs. Choat-Cook's recommendation the Board considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN

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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 1676 Custer Drive 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, legal notice was provided as set forth in Exhibit A; and

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

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

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, 1676 Custer Drive be, and the same hereby is declared to be a menace to the public health and safety, and the same shall be addressed by removing the structure 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

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

Alderman William Brooks	voted: ABSENT
Alderman Kristian Kelly	voted: YES
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

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 5th day of July, 2016.

CITY OF SOUTHAVEN, MISSISSIPPI

A copy of the public hearing notice and pictures of the property are attached to these minutes.

RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY AND MAKE PROVISION FOR COLLECTION AT 526 CHRISTYBROOK COVE

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

Mrs. Choat-Cook stated that this request is for permission to proceed forward with the removal of a home located at 526 Christybrook Cove. Mrs. Choat-Cook stated that the property owner is an elderly man that has not lived in the home for quite some time and does not have the means to make repairs to the home. Mrs. Choat-Cook stated that the home is in a very dilapidated state and is quite dangerous to the neighboring properties. Mrs. Choat-Cook stated requested permission to fully condemn the property and remove the house after the ten (10) day waiting period. After considering Mrs. Choat-Cook's recommendation the Board considered the following resolution:

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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 526 Christybrook Cove 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, legal notice was provided as set forth in Exhibit A; and

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

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

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, 526 Christybrook Cove be, and the same hereby is declared to be a menace to the public health and safety, and the same shall be addressed by removing the structure 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

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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 Kelly 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	voted: ABSENT
Alderman Kristian Kelly	voted: YES
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

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 5th day of July, 2016.

CITY OF SOUTHAVEN, MISSISSIPPI

A copy of the public hearing notice and pictures of the property is attached to these minutes.

RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY

Mayor Musselwhite introduced the cleaning of property and asked if there were any comments from the Board. Mayor Musselwhite then asked for any comments from the public and there was none. The Board then considered the following Resolution to Clean Private Property.

RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY

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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: **3338 Forest Bend Drive, 5888 Garden Walk West**, 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, July 5, 2016**, 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, July 5, 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: **3338 Forest Bend Drive, 5888 Garden Walk**

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West, 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 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

voted: ABSENT
voted: YES
voted: YES
voted: YES
voted: YES
voted: YES
voted: YES

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the 5th day of July, 2016.

CITY OF SOUTHAVEN, MISSISSIPPI

PLANNING AGENDA

Item #1 Application by Pete Patel for subdivision approval for 5.25 acres of property on the north side of Stateline Road, west of Millbranch Drive

Mrs. Choat-Cook stated that this application is for a commercial subdivision on the north side of Stateline Road, west of Millbranch. The site has four existing buildings on site which will be taken into account and designed with proper boundaries on their own individual lots. There are two existing points of access into the site which are proposed to remain on site. The applicant has placed those

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access points into twenty-four (24) foot ingress/egress easements that will extend from Stateline Road to the northern most lots to provide legal access. The applicant is showing dedication of fifty three (53) feet of right of way for Stateline Road on the plat which complies with City requirements. Mrs. Choat-Cook stated that the site is in an infill development in the West End District of the City. Mrs. Choat-Cook stated that since the site already has the necessary infrastructure and the drives already exist, staff is inclined to allow the proposed widths and recommends approval. Alderman Kite made the motion to approve the subdivision application. Motion was seconded by Alderman Kelly.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
Alderman Kelly	YES
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 5th day of July, 2016.

A copy of the staff report and final plat is attached to these minutes.

Item #2 Application by Dean Murrah for minor subdivision approval for 11.23 acres of property on the south side of Starlanding Road, east of Swinnea Road

Alderman Gallagher recused himself and left the room.

Mrs. Choat-Cook stated that this application request is for a minor subdivision on the south side of Starlanding Road, east of Swinnea. The parcel encompasses 11.23 acres and is family owned. The applicant is proposing to break the parcel down into three (3) lots ranging in size from 3.36 to 4.5 acres. The lot is configured in a flag shape with the narrow end fronting on Starlanding Road. To ensure that no lot is landlocked, the applicant provided a fifty (50) foot ingress/egress from Starlanding Road all the way to lot three (3) which is the rear lot of the subdivision. Mrs. Choat-Cook stated that the applicant has complied with all requests and recommends approval.

Mayor Musselwhite stated that there have been some issues with ingress/egress with private streets that are not dedicated to the City. Mayor Musselwhite asked if this private street was being built to meet City requirements in the event they decided to dedicate it to the City in the future. Mrs. Choat-Cook stated that at this point they have opted to not do that and keep it as a private road. Mayor Musselwhite asked if the City could require a document to be signed by the property owner acknowledging that the road will not be maintained by the City

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due to it being privately owned. Mrs. Choat-Cook stated that the property owner is not required to file the minor subdivision with the County, but they are choosing to do so. Mrs. Choat-Cook stated that a note could be filed at the county along with requiring a signed document from the property owner.

Alderman Kite made the motion to approve the minor subdivision application. Motion was seconded by Alderman Payne.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of July, 2016.

Alderman Gallagher then returned to the room.

A copy of the staff report and land survey is attached to these minutes.

MAYOR'S REPORT

Mayor Musselwhite stated that NRCS is a federal agency that provides cooperative funding for drainage improvements and recently the City of Southaven was informed that they were approved for funding for the Stateline Road north drainage project in the Northcreek area. Mayor Musselwhite stated that the City of Southaven made application and was approved. Mayor Musselwhite explained that there are some upcoming time sensitive documents that will need to be signed. This funding is a 75/25 split and funds are budgeted in the drainage improvements fund. Mayor Musselwhite explained that it was a priority for the City to take advantage of any federal funds available and requested authorization from the Board to sign the agreement in order to move forward with the drainage project for the ditch on the north side of Stateline Road across from Northcreek Subdivision that ties into Horn Lake Creek. Mayor Musselwhite expressed that this project has been considered a high priority project and happy to receive cooperative funding. Alderman Kite made the motion to approve the agreement and authorize Mayor Musselwhite to sign. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
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Alderman Brooks	ABSENT
Alderman Kelly	YES
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 5th day of July, 2016.

Mayor Musselwhite stated that in 2014, they started allocating \$500,000 toward drainage improvements in the City of Southaven. Last budget year, the City was able to complete nine projects with those funds. Mayor Musselwhite stated that this year they have been able to do the same thing. There was a significant drainage problem on Charstone, located in the subdivision behind Kohl's Department store, east of Swinnea Road. This drainage problem was causing water to get into eight (8) to ten (10) homes. Mayor Musselwhite stated that when the drainage policy was set, it was based on cost benefit ratio. Mayor Musselwhite reported that the Charstone Project is complete with the exception of making a few repairs to the street. Alderman Ferguson stated that he would like to thank Dan Cordell, City Consulting Engineer, and his staff for their involvement with this project. Mayor Musselwhite stated that the City will continue working on the current list.

Mayor Musselwhite reported that the street improvement schedule has been approved and the Citizens should start to see work in the next two (2) to three (3) weeks. Mayor Musselwhite stated that they are looking forward to getting to all of the streets on the improvement list.

Mayor Musselwhite reminded everyone that Getwell Road South, south of Church Road, to College Road is being resurfaced and that it is a County project. The County applied and was approved for funding through the state aid program and it has been allocated to the City of Southaven. Mayor Musselwhite explained that this is not to be confused with the future widening project that will be in the same area that could be three (3) to four (4) years down the road. This project is not for widening or lane changes, but for resurfacing. Mayor Musselwhite stated that the City requested for the project to be completed before school started and the County has agreed to have it completed by then.

Mayor Musselwhite explained that when they set the budget, they had a beautification line item. This year they had planned to add brick based City entrance signs on the north and south side of I-55 that would make you aware that you were in the City of Southaven. Mayor Musselwhite explained that they still have plans of doing that, but have run into some hang-ups. The Federal Transportation has some strict guidelines on where you can place a brick based sign for safety reasons, so it has to be placed on private land and cannot be on Federal right of way highways. Additionally, they did not have good success with the design of the sign, so a decision was made to wait until things are made

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clearer on the interstate signs and move forward with general entrance signs on all arterial streets coming into the City. Mayor Musselwhite stated that a design company is currently working on those signs now and they will have a decorative wrought iron pole, not the typical green City limit sign, with a decorative sign that says "Southaven, Top of Mississippi". The signs will be paid for out of the City Beautification budget line item. Mayor Musselwhite stated that the City will be able to have more of these signs, since they are not going to be the more expensive brick based sign and will be much more practical and efficient due to safety and cost to repair. Mayor Musselwhite explained that they will focus on the I-55 signage next year.

CITIZEN'S AGENDA

No Citizen's Agenda

PERSONNEL DOCKET

Personnel Docket

July 5, 2016

Payroll Additions	Position	Department	Start Date	Rate of Pay
Kristen Coopwood*	Deputy Court Clerk	Court	TBD	\$13.00
Dennis Ericson*	Firefighter 2	Fire	TBD	\$14.82+hazmat+EMT-8

*Contingent upon successful completion of pre-employment screenings

Payroll Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Teresa Ried		Building Clerk	7/6/2016	\$14.00
Cliff Wilkins	Field Serviceman	Service Tech 2	7/6/2016	\$14.00

Payroll Deletions	Position	Department	Termination Date	Rate of Pay
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Terminations / Resignations

Name	Department	Position	Termination Date	Rate of Pay
Alex Brown	Parks	Laborer	06/4/2016	\$8.00
Brett Leggett	Animal Services	Laborer	06/21/2016	\$11.25
Stephen Sinn	Fire	Firefighter/Medic	6/17/2016	\$15.80+medic+haz

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Josiah Jones	Fire	Firefighter/Medic	7/8/2016	mat \$15.50
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Park's New Hires

Name	Department	Position	Rate of Pay	Start Date
Matthew Pate	412	Concessions Cook	\$8.00	7/6/2016
Amber Vines	412	Concessions Cook	\$8.00	7/6/2016
Kevin Hil	412	Gates	\$7.50	7/6/2016
Myri Greene	412	Gates	\$7.50	7/6/2016
Tatum Hancock	412	Gates	\$7.50	7/6/2016
Tony Wilson	412	Gates	\$7.50	7/6/2016
Katera Green	412	Gates	\$7.50	7/6/2016

New Rates of Pay

Name	Department	Position	Rate of Pay	Effective Date
Fletcher Couch	411	Deputy Parks Director	\$65,000.00	7/6/2016
Deljuan Robinson	411	Asst. Athletic Director	\$52,000.00	7/6/2016
Mike Upchurch	411	Arena Supervisor	\$36,500.00	7/6/2016
Karen White	411	Receptionist	\$17.00	7/6/2016
Manza Wright	411	Asst. Superintendent	\$52,500.00	7/6/2016
Roy Riley	411	Head Mechanic	\$22.00	7/6/2016
John Lyons	411	Cash Control Manager	\$45,345.00	7/6/2016
Ann Hamblin	120	Senior Service Director	\$47,500.00	7/6/2016
Loretta Duncan	120	Senior Services Staff	\$10.50	7/6/2016
Diane Dempsey	120	Senior Services Staff	\$11.00	7/6/2016

Resignations

Name	Department	Position	Effective Date
Avery Bynum	412	Concessions	6/28/2016
Kris Hewitt	412	Concessions	6/28/2016
Tate Whaley	412	Concessions	6/28/2016
Matthew McWhirter	412	Concessions	6/28/2016
Hanna Ross	412	Concessions	6/28/2016
Anna Hogue	411	Front Desk	6/23/2016

Alderman Payne made the motion to approve the Personnel Docket of July 5, 2016 as presented to this Board. Motion was seconded by Alderman Kelly. The motion was put to vote and passed unanimously.

CITY ATTORNEY'S LEGAL UPDATE

Professional Services Agreements in the Parks Department

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Mr. Manley requested authorization for Wes Brown to sign professional services agreements for Cindy Johnson, Joyce Smith, Margaret McArthur, Gloria McMullin, Janice Robbins, Wendy Perkins, Cyndi Wiseman, Jean Cain, Linda Cain and Vicki Paleo for providing various teaching services to the Senior Citizens. Alderman Flores made the motion to approve the agreements and allow Wesley Brown to sign. Motion was seconded by Alderman Ferguson. Motion was put to vote and passed unanimously.

A copy of each agreement is attached to these minutes.

Releasing a Lien

Mr. Manley stated that the City cut a property last fall and a lien was filed against the property this past spring. In the meantime, someone purchased the property and the lien that was filed was assessed against the new property owner. Mr. Manley requested authorization to release the lien on Lot 2 in Lauderdale Estates. Alderman Gallagher made the motion to forgive the lien. Motion was seconded by Alderman Ferguson. Motion was put to vote and passed unanimously.

Dex Imaging Contract – Animal Shelter Printer

Mr. Manley requested approval of the agreement with Dex Imaging for a printer in the Animal Shelter and authorization for Bradley Wallace to sign. This printer purchase will replace an existing printer that does not meet the needs of the department and is being purchased off of state contract pricing. Alderman Ferguson made the motion to approve the agreement and authorize Mr. Wallace to sign. Motion was seconded by Alderman Kite. Motion was put to vote and passed unanimously.

A copy of the agreement is attached to these minutes.

Appointment of Counsel

Mr. Manley stated that it was time to renew the annual contract with Butler Snow. Mr. Manley then stated that when dealing with an outside firm, the City by State statute has to approve the contract on an annual basis. Alderman Ferguson made the motion to approve the annual contract with Butler Snow. Motion was seconded by Alderman Flores. Motion was put to vote and passed unanimously.

A copy of the contract is attached to these minutes.

OLD BUSINESS – REQUEST FOR A VARIANCE TO DON'S SPEED SHOP ON THE SOUTHEAST CORNER OF HWY. 51 AND STATELINE ROAD FOR MOTOR VEHICLE REPAIR

Mayor Musselwhite stated that during the May 3, 2016 meeting, there was some discussion about granting a variance to Don's Speed Shop located at the southwest corner of Highway 51 and Stateline Road. At that time, the Board voted to allow Whitney Choat-Cook, Planning Director, to make a list of improvements to that corner for the Board to consider to determine if the business was worthy of a variance. Mrs. Choat-Cook sent a letter, which was hand delivered, listing six (6) improvements to be completed and to date none have been done.

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Mayor Musselwhite stated that Board action was not needed at this time, but wanted to inform them that they were going to start enforcing zoning violations the following day.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of July 5, 2016, including demand checks and payroll in the amount of \$1,368,023.88. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

262993, 263002, 263011, 263014, 263055, 263104, 263172, 263216, 263307, 263409, 263593

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
Alderman Kelly	YES
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 5th day of July, 2016.

EXECUTIVE SESSION

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

A motion was made by Alderman Kelly to end executive session and reopen the regular meeting. Motion was seconded by Alderman Payne. There was a unanimous vote to end executive session.

There being no further business to come before the Board of Aldermen, a Motion was made by Alderman Payne to adjourn. Motion was seconded by Alderman Kite. Motion was put to a vote and passed unanimously, July 5, 2016 at 7:15 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen, City Clerk
(Seal)

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