MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
October 4, 2016
6:00 p.m.
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval Of Minutes: September 20, 2016
5. Acceptance of Bids for Tennis Expansion at Snowden Grove
6. Resolution for Supplemental Donation to Chamber of Commerce
7. Contract with Hexagon Safety & Infrastructure
8. Resolution for Motor Vehicle for Hire
9. Resolution Authorizing Single Source Item Purchase from Tracker Products, LLC – SPD
10. Resolution Authorizing Single Source Item Purchase from Federal Signal – ITEC Dept.
11. Resolution for Assessing Unpaid Sanitation Fees
12. Request to Award the Decorative Streetscape Bid to Custom Product Corporation (CPC)
13. Resolution Granting Authority to Clean Private Property
14. Planning Agenda: Item #1 Application by Southaven Community Church to revise the PPV Church Site No. 1 Subdivision in the Plum Point PUD on the east side of Airways Blvd., south of Plum Pt. Road
    Item #2 Application by Life Fellowship Church to revise the Russwood Subdivision on the north side of Church Road, west of Swinnea Road
    Item #3 Request to vacate drainage easement in the Carriage Hills Subdivision Section B
15. Mayor's Report
16. Citizen's Agenda: Charlie Spearman, Executive Director, Region IV Mental Health Services
17. Personnel Docket
18. City Attorney's Legal Update
19. Old Business: Resolution Authorizing the Cleaning of Private Property at 1619 Stateline Road and Making Provisions for Collection
20. Claims Docket
21. Executive Session: Sale and Leasing of City Property, 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 OCTOBER 4, 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 4th[h] day of October, 2016 at six o'clock (6:00) p.m. at City Hall.

**Present were:**

| | |
|---|---|
| William Brooks | Alderman At Large |
| Kristian Kelly | Alderman, Ward 1 |
| Ronie Hale | Alderman, Ward 2 |
| George Payne | Alderman, Ward 3 |
| Joel Gallagher | Alderman, Ward 4 |
| Scott Ferguson | Alderman, Ward 5 |
| Raymond Flores | Alderman, Ward 6 |

Also present were Mayor Musselwhite, Andrea Mullen, City Clerk, Elissa Prewitt Deputy Clerk and Nick Manley, City Attorney. Approximately forty (40) 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 September 20, 2016 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

**ACCEPTANCE OF BIDS FOR TENNIS EXPANSION AT SNOWDEN GROVE**

Mayor Musselwhite presented this item to the Board.

Mayor Musselwhite stated that two years ago, the Board of Alderman passed a Parks Enhancement Plan and the Tennis Expansion at Snowden was part of that plan. The City received five bids with lowest bid from Murphy & Sons in the amount of $1,674,000 to add 8 (eight) new tennis courts with pavilion, bathrooms, covered seating, and additional parking to the Snowden Grove Tennis Complex. Construction is scheduled to begin in November with projected completion by June, 2017. Mayor Musselwhite explained that in 2015, the City extended Pine Tar Alley Road to Malone Road via Freeman Lane which connected the existing tennis center to Snowden Grove Park. Both of these projects are funded by the restaurant tourism tax, "A Penny for your Parks". Mayor Musselwhite stated that it is believed that this project will enhance the quality of life for the citizens of Southaven, as well as improve tourism revenues for the City with Southaven becoming a destination for tennis. Mayor Musselwhite stated that they had been contacted by the U.S. Tennis Association and many people are excited about the project outside of the City of Southaven. After discussion regarding the bids, Alderman Brooks made the motion to accept Murphy & Sons as the low bid in the amount of $1,674,000 including the additional additive of the parking lot as part of the project and to authorize the

Mayor to sign the contract with Murphy & Sons. Motion was seconded by Alderman Payne.

Roll call was as follows:

| ALDERMAN | VOTED |
|---|---|
| Alderman Brooks | YES |
| Alderman Kelly | 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 4th day of October, 2016.

**RESOLUTION FOR SUPPLEMENTAL DONATION TO CHAMBER OF COMMERCE**

This resolution will provide $1,000 to the Southaven Chamber of Commerce to develop an app, which will provide information regarding all aspects of living and working in Southaven. This app will include information for all Southaven business information for restaurants, retail, and entertainment.

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE**

**CITY OF SOUTHAVEN, MISSISSIPPI FOR DONATION TO SOUTHAVEN CHAMBER OF COMMERCE**

**WHEREAS**, pursuant to Mississippi Code Section 21-17-5, 21-19-44, 17-3-1 and Local and Private Legislation Chapter 938 HB 1618 the City of Southaven ("City") desires to donate One Thousand Dollars & 00/100 ($1,000.00) to the Southaven Chamber of Commerce ("Chamber"); and

**WHEREAS**, the City desires to support the Chamber's implementation of a phone application to use by local business and citizens which will provide information regarding business and activities and amenities in the City to assist with goal of recruiting business to the City; and

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:**

**SECTION 1.** Pursuant to Mississippi Code Section 21-17-5, 21-19-44, 17-3-1 and Local and Private Legislation Chapter 938 HB 1618 the Governing Authorities of the City hereby donate One Thousand Dollars & 00/100 ($1,000.00) to the Chamber for a phone application, which will be used by local business and citizens to provide information regarding business and activities and amenities in the City to assist with goal of recruiting business to the City.

**SECTION 2.** On behalf of the City, the Mayor or his designee is directed to take all actions to effectuate this Resolution.

Following the reading of the foregoing resolution, Alderman Brooks made the motion to adopt the Resolution and Alderman Flores 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: YES |
| Alderman Ronnie Hale | 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 4th day of October, 2016.

**CONTRACT WITH HEXAGON SAFETY AND INFRASTRUCTURE**

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

Mr. Manley stated that this contract is for the Police Department Record Management System for support. Each City and County entered into this contract last year and it is for another year renewal. The terms are the same as last year with an increase in price to $14,090.03. Mr. Manley stated that Hexagon agreed to a provision of Mississippi law with a severability clause. Alderman Flores

made the motion to approve the contract. Motion was seconded by Alderman Ferguson.

Roll call was as follows:

| ALDERMAN | VOTED |
|---|---|
| Alderman Brooks | YES |
| Alderman Kelly | 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 4th day of October, 2016.

A copy of the contract is attached to these minutes.

**RESOLUTION FOR MOTOR VEHICLE FOR HIRE**
Nick Manley, City Attorney, presented this item to the Board.

Mr. Manley stated that this resolution will grant a Motor Vehicle for Hire permit to Sabrina Sparrow upon her providing the appropriate insurance documentation to the City Clerk's Office. Mr. Manley stated that the Police and Court Department have performed the required background checks. After some discussion among the Board, the following resolution was considered:

**RESOLUTION OF CITY OF SOUTHAVEN BOARD OF ALDERMAN FOR DESOTO TRANSIT FOR MOTOR VEHICLE FOR HIRE**

**WHEREAS**, pursuant to Mississippi Code Section 21-27-131, application was made to the City of Southaven ("City") by Sabrina Sparrow for a permit to operate a motor vehicle for hire; and

**WHEREAS**, the City has reviewed the application of Sabrina Sparrow; and

**NOW THEREFORE**, be it resolved as follows:

1. The City hereby grants to Sabrina Sparrow a permit to operate a motor vehicle for hire contingent upon Sabrina Sparrow providing the required certificate of insurance to the City Clerk as set forth in Mississippi Code Section 21-27-133.

2. Pursuant to Mississippi Code 21-27-139, Sabrina Sparrow shall register the vehicles with the City Clerk in the name of the owner, with the number of motor, and number of license tag for that year. The clerk shall keep said registration in a book kept for that purpose and give a number to such vehicle, which the owner shall cause to be painted or stenciled on two sides of the said vehicle.

3. The Mayor, City Clerk or their designee are authorized to execute any and all documents required in order to effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Payne made the motion and Alderman Hale 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: YES |
| Alderman Ronnie Hale | 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 4th day of October, 2016.

**RESOLUTION AUTHORIZING SINGLE SOURCE ITEM PURCHASE FROM TRACKER PRODUCTS, LLC – SPD**

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

Mr. Manley stated that this resolution will allow for sole source with Tracker Products, LLC for tracking software in the amount of $7,575.90. Chief Pirtle stated that this software will allow for tracking of evidence by using a bar code opposed to entry of items into an excel spreadsheet. After some discussion, the Board of Alderman considered the following resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI AUTHORIZING SINGLE SOURCE ITEM PURCHASE**

**WHEREAS**, the City of Southaven Police Department ("City") has reviewed and examined certain equipment, specifically Tracker Software and various components, as more fully set forth in Exhibit A, which is needed for vital and protective functions for the City Police; and

**WHEREAS**, based on the review of the Tracker Software needed as set forth in Exhibit A and the sole source letter and justification as set forth in Exhibit A, the City hereby approves the single source purchase of said equipment from Tracker Products, LLC pursuant to Mississippi Code 31-7-13(m)(viii); and

**NOW, THEREFORE, BE IT ORDERED** by the Board of Aldermen of the City, to wit:

1. Pursuant to Mississippi Code 31-7-13(m)(viii), the City Police Department is authorized to purchase the items from Tracker Software, LLC as set forth in Exhibit A on a single-source basis.

2. The Mayor, City Police Chief or their designee(s) are authorized to take all actions to effectuate the intent of this Resolution.

Following a reading of the foregoing resolution, Aldermen Ferguson made the motion and Alderman Gallagher 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: YES |
| Alderman Ronnie Hale | 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 4th day of October, 2016.

A copy of the sole source letter and estimate is attached to these minutes.

**RESOLUTION AUTHORIZING SINGLE SOURCE ITEM PURCHASE FROM FEDERAL SIGNAL – ITEC DEPARTMENT**

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

Mr. Manley stated that this resolution will allow for sole source purchase of a tornado siren that needs to be replaced at Sacred Heart. The Board of Alderman considered the following resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI AUTHORIZING SINGLE SOURCE ITEM PURCHASE**

**WHEREAS**, the City of Southaven ("City") has a need to replace the head on one of its tornado sirens that is damaged beyond repair and will not sound;

**WHEREAS**, based on the review of the equipment needed as set forth in Exhibit A and the sole source letter and justification as set forth in Exhibit B, the City hereby approves the single source purchase of said equipment from Federal Signal Corporation pursuant to Mississippi Code 31-7-13(m)(viii); and

**NOW, THEREFORE, BE IT ORDERED** by the Board of Aldermen of the City, to wit:

1.Pursuant to Mississippi Code 31-7-13(m)(viii), the City is authorized to purchase the items from Federal Signal Corporation as set forth in Exhibit A on a single-source basis.

2.The Mayor, City IT Director or their designee(s) are authorized to take all actions to effectuate the intent of this Resolution.

Following a reading of the foregoing resolution, Aldermen Flores 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: YES |
| Alderman Ronnie Hale | 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 4th day of October, 2016.

A copy of the sole source letter and estimate is attached to these minutes.

**RESOLUTION FOR ASSESSING UNPAID SANITATION FEES**
Nick Manley, City Attorney, presented this item to the Board.

Mr. Manley stated that this resolution would allow for the collection of fees through tag renewal and/or filing of a lien for those that have not paid sanitation fees. The Board of Alderman considered the following resolution:

**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

**WHEREAS,** the individuals were provided an opportunity for a hearing at the August 16, 2016 and September 6, 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 Brooks moved that the foregoing Resolution be adopted. The motion was seconded by ALDERMAN Flores. 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: YES |
| Alderman Ronnie Hale | 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 4th day of October, 2016.

**REQUEST TO AWARD THE DECORATIVE STREETSCAPE BID TO CUSTOM PRODUCT CORPORATION (CPC)**

Whitney Choat-Cook, City Planner, presented this item to the Board.

Mrs. Choat-Cook stated that this item went to bid pursuant to Mississippi Code 31-7-13. Mrs. Choat-Cook noted all entities has an opportunity to bid and the City needs to move forward with these signs and that Custom Products Corporation was the only bidder. She further noted that this request to award the bid to Custom Products Corporation, located in Jackson, MS, is for a two-year term bid with a price per unit amount for the decorative street signs, stop signs, and mast- arm pole signs. Mrs. Choat-Cook stated that this is the same company that did the City entrance signs and they were the only one to bid since it was such a specialized request. Alderman Gallagher made the motion to approve the two-year term bid with Custom Products Corporation and authorize signature of the contract. Motion was seconded by Alderman Hale. Motion was put to vote and passed unanimously.

A copy of the bid/estimate 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 and there was none. 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

**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: **7977 New Castle Cove, 7470 Brittany Drive, 893 Oaklawn Place, 8431 Southernwood Cove,** 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, October 4, 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 uncleanliness 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, October 4, 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: **7977 New Castle Cove, 7470 Brittany Drive, 893 Oaklawn Place, 8431 Southernwood Cove,** 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 Kelly. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

| ALDERMAN | VOTED |
|---|---|
| Alderman William Brooks | voted: YES |
| Alderman Kristian Kelly | voted: YES |
| Alderman Ronnie Hale | voted: YES |
| Alderman George Payne | voted: YES |
| Alderman Joel Gallagher | voted: YES |
| Alderman Scott Ferguson | voted: YES |
| Alderman Raymond Flores | voted: YES |

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the **4th day of October, 2016.**

**CITY OF SOUTHAVEN, MISSISSIPPI**

**PLANNING AGENDA**

Planning Agenda presented by Mrs. Whitney Choat-Cook, Planning Director

Item #1 Application by Southaven Community Church to revise the PPV Church Site No.1 Subdivision in the Plum Point PUD on the east side of Airways Blvd., south of Plum Point Road

Mrs. Choat-cook stated that this revision application is from Southaven Community Church located at Plum Point and Airways Boulevard. The existing recorded plat shows three lots all owned by Southaven Community Church. Lot 1, which encompasses 3.17 acres includes frontage along Airways and goes to the backside of the parking lot on the eastern boundary. Lot 2 encompasses 2.86 acres and includes the office and playground area owned by the church and the

remaining open space on the site. Lot 3 encompasses both sides of Lateral D of Horn Lake Creek and is not a buildable lot. The applicant is requesting to revise Lot 1&2. Lot 1 would increase in acreage to capture the office and playground area of the site. This revision would adjust the acreage from 3.17 acres to 3.47 acres. Lot 2 would decrease from 2.86 to 2.58 acres. There are no changes to Lot 3 and both Lot 1 & 2 would still have direct access to Plum Point Boulevard. Mrs. Choat-Cook stated that it was her understanding that Lot 1 is going to be sold, so the requested changes are necessary, and is compliant with what is required for a commercial zoned subdivision. Mrs. Choat-Cook stated that staff recommends approval. Alderman Payne made the motion to approve the application. Motion was seconded by Alderman Brooks.

Roll call was as follows:

| ALDERMAN | VOTED |
|---|---|
| Alderman Brooks | YES |
| Alderman Kelly | 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 4th day of October, 2016.

A copy of the staff report, concept plan, and an outline plan conditions is attached and incorporated to these minutes.

Item # 2 Application by Life Fellowship Church to revise the Russwood Subdivision on the north side of Church Road, west of Swinnea Road

Mrs. Choat-Cook stated this item is a revision to the Russwood Subdivision at the northwest corner of Swinnea Road and Church Road. It is an existing subdivision with some homes located on the property. The applicants are requesting to move Lots 4 and 5 from the subdivision. Lot 4 is vacant and lot 5 has a home on it. Life Fellowship Church is doing a mass expansion to the building, but will also be adding some overflow parking to the east. The main purpose for removing the two lots is to add an access drive to the church from Swinnea Road. Mrs. Choat-Cook added that the house will stay on the property and it is believed that the pastor will live there. The home and an asphalt drive with a grand entrance into the church site are the only things that will be located on these two lots. The applicant was informed that part of the process is to notify the adjacent property owner and have them to sign off and agree to it. Mrs. Choat-Cook stated that everyone would have to sign the plat before it can be re-platted. Alderman Kelly made the motion to approve the application. Motion was seconded by Alderman Flores. Motion was put to vote and passed unanimously.

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

Item # 3 Request to vacate drainage easement in the Carriage Hills Subdivision Section B

Mrs. Choat-Cook stated that this application is a request to vacate a ten-foot drainage easement between Lots 150 and 151 in the Carriage Hills Estates Subdivision, Section B, which was recorded in 1963. Mrs. Choat-Cook stated that they relocated the line, the drainage easement is no longer necessary and they are requesting to vacate. Alderman Flores made the motion to approve the application. Motion was seconded by Alderman Kelly. Motion was put to vote and passed unanimously.

**MAYOR'S REPORT**

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

Mr. Wilson stated that the Municipal Compliance Questionnaire is required by state statute, must be completed at the end of the fiscal year, and entered into the minutes. Mr. Wilson further stated that this will begin the FY2016 audit process. Alderman Flores made the motion to adopt the Municipal Compliance Questionnaire. Motion was seconded by Alderman Ferguson. Motion was put to vote and passed unanimously.

A copy of the Municipal Compliance Questionnaire is attached to these minutes.

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

Mr. Wilson stated that this budget amendment will clean up the utility fund for year ending FY16. This is about a $500,000 difference in the utility fund where we increased our revenues in water sales and sewer sales and expensed back out in utility line extensions, professional services, and other work they have done. Mr. Wilson explained that this amendment will also clean up the prior year budget transfer that the Board voted on with the one-time sales tax money for the roads. That amount will be reversed out due to the increase in sales tax. There is also an amendment increasing tourism tax revenues to fall more in line with where they will project out and will only be for the nine months where we are scheduled to get the tourism tax per the repealer. After hearing from Mr. Wilson, the Board considered the following resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI TO AMEND 2016 BUDGET**

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the "City"), considered the matter of amending the 2016 City Budget.

**WHEREAS**, pursuant to Miss. Code 21-35-25, the City desires to amend its 2016 budget; and

**WHEREAS**, the City's actual collections and anticipated revenues will exceed the estimates; thus, the City desires to revise and increase the budget appropriation of such funds as set forth in Exhibit A; and

**WHEREAS**, the transfer from fund to fund, or from item to item, will not result in the expenditure of any money for a purpose different from that which was budgeted or collected; and

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The City Board approves the budget amendment as set forth in Exhibit A and authorizes the Mayor or CAO or their designee to take any and all actions for such amendment.
2. If required, the City is authorized to publish within two (2) weeks of this action in the same manner as the final adopted budget. This publication shall contain a description of the amendment, the amount of money and funds affected, and a detailed statement explaining the need and purpose of the amendment. The vote of each member of the municipality's governing authority on each amendment shall be included in the publication or posted notice.

3. The Mayor or CAO or their designee are authorized to take all actions to further the effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Flores 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: YES |
| Alderman Ronnie Hale | 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 4th day of October, 2016.

| CODE | DESCRIPTION | BUDGET | AMENDMENT | AMENDMENT AMOUNT |
|---|---|---|---|---|
| 0400 506 400 | Water Sales | $ (4,750,000) | $ (5,150,000) | $ (400,000) |
| 0400 506 700 | Sewer Sales | $ (4,450,000) | $ (4,575,000) | $ (125,000) |
| 0400 506 100 | Misc Revenues | $ (10,000) | $ (40,000) | $ (30,000) |
| 811 651 500 | DCRUA Tap Fees | $ 100,000 | $ 130,000 | $ 30,000 |
| 825 611 000 | Materials | $ 250,000 | $ 300,000 | $ 50,000 |
| 825 622 100 | Professional Services | $ 815,000 | $ 975,000 | $ 160,000 |

| | | | | |
|---|---|---|---|---|
| 811 650 | | $ | $ | $ |
| 902 | DWI Loan Payment | 1,325,000 | 1,357,000 | 32,000 |
| 815 625 | | $ | $ | $ |
| 300 | Extension Improvements | 1,078,500 | 1,200,000 | 121,500 |
| 820 600 | | $ | $ | $ |
| 100 | Salaries | 282,921 | 294,421 | 11,500 |
| 825 650 | Interceptor Sewer | $ | $ | $ |
| 903 | Treatment | 1,250,000 | 1,400,000 | 150,000 |
| | | | | $ |
| 0010 410 | | | | $ |
| 100 | Sales Tax | $(14,250,000) | $(14,825,000) | (575,000) |
| 0010 570 | | $ | | $ |
| 102 | Prior Year Transfer Balance | (575,000) | $ - | 575,000 |
| | | | | $ - |
| | | | | $ - |
| 0240 490 | | $ | $ | $ |
| 500 | Tourist Convention Tax | (1,800,000) | (1,861,000) | (61,000) |
| 611 623 | | $ | $ | $ |
| 800 | Park Improvements | 3,713,000 | 3,774,000 | 61,000 |
| | | | | $ |
| FY 2017 | | | | |
| 0240 490 | | $ | $ | $ |
| 500 | Tourism Tax | (1,250,000) | (1,350,000) | (100,000) |
| 611 623 | | $ | $ | $ |
| 800 | Park Improvements | 1,085,000 | 1,185,000 | 100,000 |

Swinnea Road Extension Update

Mayor Musselwhite stated that they realized in January that there were some problems with soft spots in the road, but wanted to identify the problem before money was spent to repair it. There was some additional engineering analysis done and some specialist came in to determine what the problem was. There was some settling near the sub-surface where the culvert was placed. There are two soft spots further south near the Church Road and Swinnea Road intersection that will be addressed in the spring with the final punch list of the project. Those two areas were considered minor compared to the other five (5) spots that were in terrible condition and were further down into the low-lying areas. Mayor Musselwhite stated that they were able to determine the problem, got a solution, and was happy to report that those issues have been resolved. Mayor Musselwhite added that there are some areas that will need re-striping after all of the repairs are made.

Airways & Stateline Mast Arm

Mayor Musselwhite stated that we are late in the year getting this mast arm done. It was budgeted under the line item intersection modernization. Mayor Musselwhite reminded everyone that the City has a plan in original Southaven, West End District, to replace all of the span wire traffic signals that do not have modern functionalities. In order to be a pedestrian friendly city, you need mast arms that are pedestrian friendly. Mayor Musselwhite stated that rather than borrowing money and do all of it at one time, they are doing them one at a time until they are all done. Mayor Musselwhite stated that we began with Stateline and Airways and that will be completely finished by the end of the month. MS Valley and Highway 51 is next on the list for FY17 and they hope to have it done much sooner.

Health Insurance Update

Mayor Musselwhite stated that they have done a lot of research and checked into many options regarding health insurance and with the number of City employees we have, it has become a big concern. Mayor Musselwhite further stated that they have requested to negotiate with our current health insurance provider, Blue Cross and Blue Shield of Mississippi, and they are standing firm with a 12% increase, which amounts to $384,000 for the City of Southaven. Mayor Musselwhite stated that they have been very conscious to the fact that we want to have stability with our benefits for employees and that no one wants to change insurance, but did seek other quotes. They received a quote from Cigna that is exactly the same plan we currently have with Blue Cross and Blue Shield with an option to make some changes that may give a decrease in our health insurance. The other benefit in going with Cigna is that dental, vision, and health is all with one company. The way it is now, we have health with Blue Cross and Blue Shield and dental and vision with two other companies. Mayor Musselwhite stated that it is wise to stay with the same coverage if you can, but it is going to be his recommendation that the City change to Cigna. This increase is not only affecting the City, but it is a 12% increase to all families as well, which can be significant for households. The other disadvantage to changing is that the current program with Blue Cross and Blue Shield has networks with Baptist and Methodist. The Cigna plan is all Methodist, but they have learned that most physicians, if you are not using the hospital itself, in the Metro Memphis area are going to be in both networks. They also discovered that for most it is not going to change in physicians. The only issue is that Baptist Hospital, if you have a planned medical procedure (not an emergency), then they would be excluded. After some further research, only 14 people out of 650 on our health insurance plan use Baptist Hospital for a pre-planned event, which is significant. Mayor Musselwhite stated that the financials and benefits of it are clear to him that the City needs to change to Cigna. Mayor Musselwhite explained that they reviewed other major players in the group health insurance market, which are Aetna, United Healthcare, and Humana. As many are aware, the City has had some loss ratios problems with terminal illness. Mayor Musselwhite stated that in 2016, the City is not an attractive risk and those three insurance companies would not even quote a policy. Mayor Musselwhite stated that action was not required at this meeting, but will have on the agenda for the next board meeting to make a formal decision, as enrollment will begin November 1, 2016.

**CITIZEN'S AGENDA**

Charlie Spearman, Executive Director, Region IV Mental Health Services

Mr. Spearman thanked the Mayor and Board for giving him the opportunity to speak of some of the services and goals they have for Region IV Mental Health Services. Mr. Spearman stated that in 2010, they were asked by the Desoto County Board of Supervisors to be their community mental health provider in the county. Although they were glad to accept, they were unsure of what they had to overcome. One of these obstacles that the Desoto County Board of Supervisors had was that 30-40 people on any given day with a mental illness were being housed in the jail. When they first came to the county, the identified that the majority of these people were coming from the Baptist Hospital Emergency room. After they became part of Desoto County, they set up a working relationship with Baptist Hospital where there is a professional mental health therapist in the emergency room at all times. Mr. Spearman stated that they offer a wide array of mental health services in Desoto County. They serve the IDD (intellectual developmental disabled) population and SMI (seriously mental illness). Mr. Spearman added that they have a day program on Swinnea Road and would like to expand it since they are the only mental health care provider in this county to provide services to indigent patients. Law mandates them to provide these services. Mr. Spearman stated that they are currently serving 8,000 individuals at this time with a budget of $28 million. Mr. Spearman stated that they are currently located in Hernando and have a number of citizens in Southaven, Horn Lake, Walls and Olive Branch that do not have transportation to get there. Mr. Spearman stated that they are interested in the property on Church Road (Church Road Church of God building) and would like to be able to purchase it and centralize all of their services to be more accessible to those in Desoto County. Mr. Spearman stated that they have invested several million in Desoto County already and they just simply cannot do anything more until they are able to secure additional office space. Mr. Spearman stated that they realize that it is going to cost several million dollars to purchase and develop the property and they have come up with a plan where they are asking Desoto County and the cities to give an additional $50,000 a year to help. Mr. Spearman added that this would be on going but would be a good return on the City's money. Mr. Spearman stated that they would appreciate any consideration that could be given to them. Mayor Musselwhite expressed that the Board just passed the budget for FY17, but this could be something that they would consider in the future. Mayor Musselwhite shared with the Board that he spoke with Chief Pirtle and Chief Thornton and they expressed that this is an issue for the City. There are times when the Police and Fire Department cannot take those that are struggling with a mental illness to a certain hospital and have to take them to jail. Mayor Musselwhite stated that because of funding limitations throughout the state, those individuals are usually released back onto the street without any help. Mayor Musselwhite stated that the Board would need to have additional time to consider before they could provide an answer. Chief Pirtle stated that they have close to thirty (30) officers on the Department that are CIT certified at this time and they have been doing this program since the 1980's. Chief Pirtle stated that if this facility were to open, they would be able to take those individuals straight to the facility and not take them to jail where they do not need to be. Mr. Spearman left brochures for the Board and again stated that any consideration they could give would be greatly appreciated.

## PERSONNEL DOCKET

**Personnel Docket**

October 4, 2016

| Payroll Additions | Position | Department | Start Date | Rate of Pay |
|---|---|---|---|---|
| Justice Shipp | Paramedic | Fire | TBD | $17.51 |
| Mark Sorrell | Assistant Prosecuting Attorney | Court | TBD | $200 1/2 day, $300 full day |
| Sherry Nix | Dispatcher 2 | ITEC | 10/3/2016 | $19.30 |

| Payroll Adjustments | Previous Classification | New Classification | Effective Date | Proposed Rate of Pay |
|---|---|---|---|---|
| Falkner | Supervisor Parks | Supervisor Parks | | $16.27 correction (was $16.29) |

| Payroll Deletions | Position | Department | Termination Date | Rate of Pay |
|---|---|---|---|---|

**Terminations / Resignations**

| Name | Department | Position | Termination Date | Rate of Pay |
|---|---|---|---|---|
| Travis Johnson | Public Works | Laborer | 9/20/2016 | $11.25 |
| Delight Hickey | Police | Patrol Officer 2 | 10/3/2016 | $19.83 |
| Holly Roberts | City Clerk | Deputy Clerk | approved 9/20-not hired | $16.00 |

Alderman Brooks made the motion to approve the Personnel Docket of October 4, 2016 as presented to this Board. Motion was seconded by Alderman Payne. The motion was put to vote and passed unanimously.

## CITY ATTORNEY'S LEGAL UPDATE

Utilities Department - Bid Approval for Dump Truck

Mr. Manley stated that the Utility Department needs authorization to go to bid for a dump truck. Originally, money was budgeted to purchase a vacuum truck, but they are now in need of an additional dump truck. Alderman Flores made the motion to authorize the Utilities Department to go to bid for a dump truck. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

Authorization to Remove Lien

Mr. Manley stated that authorization is needed to remove a lien from a property located at 9109 Hwy. 51. Bancorp South previously owned this property but they sold it in between the time of the notice of the lien and the time it went into effect. There was not a notice done last year. There was also an assessment filed pursuant to the lien that was removed from the last week's resolution. Alderman Payne made the motion to remove the lien. Motion was seconded by Alderman Gallagher. Motion was put to vote and passed unanimously.

## OLD BUSINESS: RESOLUTION AUTHORIZING THE CLEANING OF PRIVATE PROPERTY AT 1619 STATELINE ROAD AND MAKING PROVISIONS FOR COLLECTION

Alderman Gallagher made the motion to discuss old business. Motion was seconded by Alderman Kelly. Mayor Musselwhite stated that Sheila Myles met with the City Building Inspector, James Gentry, to create a detailed list of items that Mr. Gentry deemed sufficient on order for them to occupy the home located at 1619 Stateline Road. Mayor Musselwhite stated that it is their recommendation to allow the Myles to start on the exterior items first and give them until the end of the year to complete. After inspecting the inside of the home, they determined that there is a tremendous amount of work that will need to be done and to get the home into compliance. After some discussion among the Board, regarding timing and compliance the following motion was made. Alderman Kelly made the motion to allow an extension of time to not condemn the property, allow for the exterior repairs to be completed by December 31, 2016, and for a reevaluation to be in full compliance by July 1, 2017. Motion was seconded by Alderman Flores. Roll call was as follows:

| ALDERMAN | VOTED |
|---|---|
| Alderman Brooks | YES |
| Alderman Kelly | 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 4th day of October, 2016.

**CLAIMS DOCKET**

A motion was made by Alderman Payne to approve the Claims Docket of October 4, 2016, including demand checks and payroll in the amount of $2,111,093.76. Motion was seconded by Alderman Brooks.

**Excluding voucher numbers**:
267880, 268174, 268507, 268519

Roll call was as follows:

| ALDERMAN | VOTED |
|---|---|
| Alderman Brooks | YES |
| Alderman Kelly | 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 4th day of October, 2016.

**EXECUTIVE SESSION**

The Executive Session Minutes are maintained in the City Clerk's Office.

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Brooks to adjourn. Motion was seconded by Alderman Gallagher. Motion was put to a vote and passed unanimously, October 4, 2016 at 8:23 p.m.

_____
Darren Musselwhite,
Mayor

_____
Andrea Mullen,
City Clerk

(Seal)

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