

Minutes, City of Southaven, Southaven, Mississippi



**MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
October 18, 2016
6:00 p.m.
AGENDA**

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval Of Minutes: October 4, 2016 & October 7, 2016
5. Bid Acceptance for Rasco Road Extension
6. Authorization to Renew Health Insurance
7. MDOT MOU
8. Resolution Granting Free Port Warehouse Ad Valorem Tax Exemption to Remington Arms Co., LLC
9. Resolution to Accept In-Kind Donation from Curb Appeal Tree Services, LLC
10. Resolution to Surplus Property – ITEC Dept.
11. Resolution to Surplus Property - SPD
12. Resolution Granting Authority to Clean Private Property
13. Planning Agenda: Item #1 Application by Braid Baby for a Conditional Use Permit to allow a braiding establishment to be located at 230 Goodman Road on the north side of Goodman Road, east of Airways Blvd.
14. Mayor's Report
15. Citizen's Agenda: Stuart Davidson, Chick-Fil-A
Freddy Turner, Rental Property at 624 Tuscany Way
16. Personnel Docket
17. City Attorney's Legal Update
18. Old Business
19. Claims Docket
20. Executive Session: Economic Development, Personnel in Court Dept.

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 18, 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 18th 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
Ronnie 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 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 October 4, 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 October 7, 2016 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Kelly. Motion was put to a vote and passed unanimously.

BID ACCEPTANCE FOR RASCO ROAD EXTENSION

Dan Cordell, City Consulting Engineer / Civil Link, LLC, presented this item to the Board.

Mr. Cordell stated that this bid acceptance request is for the Rasco Road Extension project. Mr. Cordell stated that based on the tabulation of bids, his recommendation is to award the bid to Ensco, LLC, which is the lowest and best bid of \$745,631.87. Alderman Brooks made the motion to award the bid to Ensco, LLC and authorize Mayor Musselwhite to sign a contract. Motion was seconded by Alderman Kelly.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	YES
Alderman Payne	YES

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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 18th day of October, 2016.

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

AUTHORIZATION TO RENEW HEALTH INSURANCE

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

Mr. Wilson explained that there will be a 12% increase across the board if they choose to stay with the current insurance offered through Blue Cross and Blue Shield of Mississippi. This increase will equate to an additional \$250,000 plus to cover employee insurance as well as a 12% increase to the employees as well. Mr. Wilson stated that the City has two options and the best option appears to move from BCBS to Cigna. The Cigna plan is in the Methodist network and BCBS is in the Baptist network. Mr. Wilson stated that the tradeoffs would be losing the Baptist network, an increase in the co-pay from \$15.00 to \$25.00, and the prescription plan would go from 10/25/50 to 10/30/60. Mr. Wilson stated that after reviewing the options, they feel strongly that the Cigna plan is in fact the best deal for the City and the employees. Alderman Flores made the motion to approve the request to renew the health insurance with Cigna. Motion was seconded by Alderman Ferguson.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	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 18th day of October, 2016.

MDOT MOU

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

Mr. Manley stated that this MOU is between the City and MDOT and will require that the City report real time accidents, road work and traffic congestion to MDOT if the accident/traffic congestion is deemed to take longer than 12 minutes to clear. It identifies only specific roads that MDOT identifies as problem areas. This mandate was handed down to MDOT as part of the Federal

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Highway Act. The City will use its best efforts to report these issues 24/7 through the police dispatch or IT and through the Planning Department. Alderman Payne made the motion to approve the MOU and allow Mayor Musselwhite to sign. Motion was seconded by Alderman Hale.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	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 18th day of October, 2016.

A copy of the MOU is attached to these minutes.

RESOLUTION GRANTING FREE PORT WAREHOUSE AD VALOREM TAX EXEMPTION TO REMINGTON ARMS CO., LLC

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

Mr. Manley stated that the Desoto County Economic Council tax committee recommends this free port warehouse tax exemption. Based on the application, Remington will provide one (1) job. In addition, as noted in Remington's application, there are currently 60 employees of Ozburn-Hessey Logistics, which are employed in Remington's operations. After hearing from Mr. Manley, the Board considered the following Resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, GRANTING FREE PORT WAREHOUSE AD VALOREM TAX EXEMPTION TO REMINGTON ARMS COMPANY, LLC AS AUTHORIZED BY SECTION 27-31-51 ET. SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED

WHEREAS, Remington Arms Company, LLC ("Remington") seeks an exemption from ad valorem taxes at its warehouse operation located at 336 Stateline 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

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or transferred to Remington's finished goods warehouse for storage in transit to a final destination outside the State of Mississippi; and

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

WHEREAS, Remington 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 Remington ships personal property to a final destination outside the State of Mississippi during the calendar year.
2. That Remington 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 Remington'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 Remington'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 Remington'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

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approving said Application to the Tax Assessor of DeSoto County, Mississippi.

After a full discussion of this matter, ALDERMAN Flores moved that the foregoing Resolution be adopted. The motion was seconded by ALDERMAN Kelly. 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 18th day of October, 2016.

A copy of the Free Port Warehouse Application for License is attached to these minutes.

RESOLUTION TO ACCEPT IN-KIND DONATION FROM CURB APPEAL TREE SERVICES, LLC

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

Mr. Manley stated that Curb Appeal Tree Services, LLC has offered to donate its services to the City by trimming trees in Saucier Park. The Board of Alderman considered the following Resolution that notes the authority of the City to perform the service and accept the donation:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI AUTHORIZING THE CITY OF SOUTHAVEN TO ACCEPT IN-KIND DONATION FROM CURB APPEAL TREE SERVICE

WHEREAS, Curb Appeal Tree Service, LLC ("Curb Appeal") desires to donate in-kind services to the City of Southaven ("City") in the form of trimming and cutting trees at Saucier Park in the City; and

WHEREAS, pursuant to Mississippi Code 21-17-5 and 21-17-3, the City has the right to perform maintenance in City parks as a municipal function and responsibility; and

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WHEREAS, the Mayor and Board of Aldermen are desirous of accepting the in-donation from Curb Appeal for the trimming and cutting of trees as it will assist with the maintenance and aesthetics needed at Saucier Park; 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 donation the in-kind services from Curb Appeal for the trimming and cutting of trees at Saucier Park is hereby accepted by the City.
2. Curb Appeal shall provide a copy of the relevant insurance to the City before the commencement of work.
3. The Mayor and/or his designee is authorized to take any and all action to effectuate the intent of this Resolution.

Alderman Ferguson made the motion for the Resolution and Alderman Flores seconded the motion for its adoption. The Mayor put the question to a roll call vote,

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 18th day of October, 2016.

RESOLUTION TO SURPLUS PROPERTY – ITEC DEPT.

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

Mr. Manley stated that the IT Department requested to surplus items under Mississippi Code 17-25-15. The Board of Alderman considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI DECLARING SURPLUS PROPERTY

WHEREAS, the City of Southaven Information Technology Department is presently in possession of a variety of property attached hereto as Exhibit A,

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which is outdated, not useful or cost effective due to the storage and maintenance costs; and

WHEREAS, pursuant to Mississippi Code 17-25-25, it has been recommended to the Mayor and Board of Aldermen that the property as set forth in Exhibit A be declared as surplus and sold and/or disposed of as appropriate and in accordance with Mississippi Code 17-25-25, and removed from the fixed assets inventory; and

WHEREAS, the Mayor and Board of Aldermen are desirous of disposing of such property and amending, its fixed assets inventory pursuant to State guidelines; 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 listed in Exhibit A be hereby declared as surplus property due to the fact that the property is outdated, not useful or cost effective due to the storage and maintenance costs and has no value to the City.
2. The City Clerk, IT Director, or their designee, is hereby authorized and directed to follow Mississippi Code 17-25-25 for the disposition of the property in Exhibit A.

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

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

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 18th day of October, 2016.

CITY OF SOUTHAVEN, MISSISSIPPI

A copy of the letter of request to surplus and a surplus property listing is attached to these minutes.

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RESOLUTION TO SURPLUS PROPERTY – SPD

The Board discussed the surplus of property from the Southaven Police Department. After discussion, the following Resolution was considered:

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: 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

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RESOLVED AND DONE, this 18th day of October, 2016.

A copy of the letter of request to surplus along with vehicle titles 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 were none. Mayor Musselwhite then asked for any comments from the public and there were 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: **7094 Timber Trail**, 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 18, 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.

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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 18, 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: **7094 Timber Trail**, 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 Kelly. 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 Ronnie Hale
Alderman George Payne
Alderman Joel Gallagher
Alderman Scott Ferguson
Alderman Raymond Flores

VOTED

voted: YES
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 **18th day of October, 2016**.

CITY OF SOUTHAVEN, MISSISSIPPI

PLANNING AGENDA

Planning Agenda presented by Mayor Musselwhite.

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Item #1 Application by Braid Baby for a Conditional Use Permit to allow a braiding establishment to be located at 230 Goodman Road on the North side of Goodman Road, East of Airways Blvd.

Mayor Musselwhite stated that the applicant is requesting a conditional use permit to open a hair braiding and weaving establishment at 230 Goodman Road in an existing multi story office/commercial building on the north side of Goodman Road, east of Airways Blvd. The applicant has stated that there will be no other amenity provided at the site. Per the ordinance, braiding establishments must be no closer than ½ mile from an existing establishment. Staff did a window survey to determine the distance compliance. There is an existing facility at Swinnea Road and Goodman Road, which is approximately 4,330 ft. from this site. The applicant has met the requirements for the conditional use; therefore, staff recommends approval of a one (1) year permit with a four (4) year extension to be renewed annually. After discussion, the following Resolution was considered:

**RESOLUTION OF THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI
GRANTING CONDITIONAL USE PERMIT TO I CLUB, LLC
FOR BRAIDING AND WEAVING ESTABLISHMENT AT 230
GOODMAN ROAD SOUTHAVEN, MISSISSIPPI**

WHEREAS, the City of Southaven's ("City") Planning Commission previously held a hearing on September 26, 2016, for the conditional use permit ("permit") application of I Club, LLC for a conditional use permit for a braiding and weaving establishment; and

WHEREAS, "Conditional Use" is defined in the City Code of Ordinances at Title XIII, Chapter 1, Section 13-1(b) as "a use that would not be appropriate generally or without restrictions throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare;" and

WHEREAS, the Laws of the State of Mississippi, Section 17-1-1 to 17-1-27, inclusive, of the Mississippi Code of 1972, annotated, as amended, empower the City to enact a Zoning Ordinance and to provide for its administration, enforcement and amendment; and

WHEREAS, pursuant to Mississippi Code Ann. Sections 21-17-5, the City has the authority to adopt ordinances with respect to City property including the adoption of all lawful orders, resolutions or ordinances with respect to municipal affairs, property, and finances, and to alter, modify, and repeal such orders, resolutions or ordinances; and

WHEREAS, based on findings of the City Planning Commission at the hearing and City Code of Ordinances and findings as further set forth in Exhibit A to this Resolution, the City's Planning Commission and Planning Director makes recommendation as set forth in Exhibit A and subject to the City Board's revocation, a one (1) year permit with up to four (4), one year extensions to be renewed annually at the discretion of the City Board of Aldermen, pursuant to its

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discretion as set forth in the City Code of Ordinances at Title XIII, Chapter 9, Section 13-9(a); and

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

1. Subject to the Board's revocation for violation of the permit or ordinances, the City Board grants a permit, contingent upon the stated conditions being met as set forth in Exhibit A, to I Club, LLC for a conditional use permit for a braiding and weaving establishment for one (1) year with up to four (4), one year extensions to be renewed annually at the discretion of the City Board of Aldermen. The City Board or Planning Director may revoke the permit upon I Club, LLC violating the permit or City ordinances.
2. The Mayor and City Planning Director or their designee are authorized to take any and all action to effectuate the intent of this Resolution.

Following the reading of this Resolution, it was introduced by Alderman Payne and seconded by Hale. 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 Ronnie Hale
Alderman George Payne
Alderman Joel Gallagher
Alderman Scott Ferguson
Alderman Raymond Flores

VOTED

voted: YES
voted: YES
voted: YES
voted: YES
voted: YES
voted: YES
voted: YES

RESOLVED AND DONE this 18th day of October, 2016.

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 18th day of October, 2016.

CITY OF SOUTHAVEN, MISSISSIPPI

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

MAYOR'S REPORT

Hazardous Waste Day

Mayor Musselwhite stated that Hazard Waste Day in the City of Southaven will be at the Landers Center on Saturday, October 22nd.

Special Award

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Mayor Musselwhite reported that the Government Finance Officers Association recently awarded the City of Southaven a certificate of achievement for excellence in financial reporting. Mayor Musselwhite stated that since 2013, the City has gone back to the mentality of black and white and by the book.

Authorization to Advertise Budget Amendment FY2016

Chris Wilson, City Administrator, presented this item under the Mayor's Report.

Mr. Wilson explained that state law mandates that the City publish the amended budget the same exact way the original budget was published. Alderman Flores made the motion to authorize publishing the amended FY16 budget.

RESOLUTION FIXING THE AD VALOREM TAX LEVY ON REAL AND PERSONAL PROPERTY FOR TAXES AND ESTABLISHING THE AMENDED BUDGET Appropriations and Expenditures for the Fiscal Year 2015-2016 FOR THE CITY OF SOUTHAVEN, MISSISSIPPI

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

SECTION 1. That for the Fiscal Year beginning October 1, 2015, there shall be and there is hereby levied on all taxable property, Real and Personal, within the corporate limits of the City of Southaven, Mississippi for Ad Valorem taxes for municipal purposes as indicated, the following levies to be collected upon each dollar of assessed value as shown upon the Real and Personal Ad Valorem assessment rolls of the City of Southaven as to such property within the city limits, to-wit:

FOR GENERAL REVENUE PURPOSES:

**TWENTY-NINE POINT FOUR EIGHT (29.48) MILLS
SECTION 27-39-307 AND 83-3-37 PARAGRAPH 5 OF THE
MISSISSIPPI CODE OF 1972**

***FOR DEBT RETIREMENT OF GENERAL OBLIGATION BONDS:*
FOURTEEN POINT TWO FIVE (14.25) MILLS
SECTION 21-33-45 OF THE MISSISSIPPI CODE OF 1972**

***TOTAL FOR SAID MUNICIPAL PURPOSES:*
FORTY-THREE POINT SEVENTY THREE (43.73) MILLS**

***FOR PARKS AND LIBRARY DEBT MILLAGE APPLIED TO
EXEMPT BUSINESS AS PER AD VALOREM TAX ABATEMENT
PURPOSES:***

**TWENTY-FIVE POINT THREE ONE (25.31) MILLS
SECTION 27-39-329 OF THE MISSISSIPPI CODE OF 1972**

WHEREAS, the Mayor and the Board of Aldermen of the City of Southaven, Mississippi, wish to prepare and publish a summarized budget of the municipal revenues and expense estimated for the fiscal year 2015-2016; and

WHEREAS, the budget herein shall be for the period beginning from October 1, 2015 and ending September 30, 2016; and

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

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

<u>Fund Description</u>	<u>Budget for FYE 9/30/2016</u>
GENERAL FUND	
REVENUE	
	\$
GENERAL PROPERTY TAXES	(17,640,000)
LICENSES & PERMITS	(591,500)
INTERGOVERNMENTAL	(15,773,000)
CHARGES FOR SERVICES	(3,640,000)
FINES	(2,677,000)
FRANCHISE TAXES	(1,775,000)
GRANTS	(148,000)
OTHER	<u>(1,456,500)</u>
	\$
TOTAL REVENUE	(43,701,000)
EXPENDITURES	
GENERAL GOVERNMENT	
PERSONNEL SERVICES	4,595,435
SUPPLIES	131,350
OTHER SERVICES & CHARGES	<u>5,880,533</u>
TOTAL GENERAL GOVERNMENT	10,607,318
PUBLIC SAFETY	
POLICE	
PERSONNEL SERVICES	9,343,292
SUPPLIES	

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	501,000
OTHER SERVICES & CHARGES	<u>1,172,000</u>
TOTAL POLI CE	11,016,292
FIRE	
PERSONNEL SERVICES	8,550,240
SUPPLIES	296,000
OTHER SERVICES & CHARGES	<u>719,700</u>
TOTAL FIRE	<u>9,565,940</u>
TOTAL PUBLIC SAFETY	20,582,232
PUBLIC WORKS	
PERSONNEL SERVICES	611,923
SUPPLIES	206,500
OTHER SERVICES & CHARGES	<u>1,037,500</u>
TOTAL PUBLIC WORKS	1,855,923
CULTURE & RECREATION	
PERSONNEL SERVICES	2,482,927
SUPPLIES	547,250
OTHER SERVICES & CHARGES	<u>2,039,475</u>
TOTAL CULTURE & RECREATION	5,069,652
HEALTH & WELFARE	
PERSSONEL SERVICES	218,500
SUPPLIES	28,350
OTHER SERVICES & CHARGES	<u>58,900</u>
TOTAL HEALTH & WELFARE	305,750
CAPITAL OUTLAY	5,280,125

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TOTAL EXPENDITURES	43,701,000
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TOTAL EXP& YEAR END BALANCE	-
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**BOND FUNDED CAPITAL PROJECTS
FUND**

EXPENDITURES

BOND FUNDED CAPITAL PROJECT	<u>3,500,000</u>
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TOTAL EXPENDITURES	3,500,000
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NON REVENUE RECEIPTS

CAPITAL GRANT PROCEEDS	-
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PRIOR YEAR OBLIGATED CASH	<u>(3,500,000)</u>
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TOTAL AVAILABLE RECEIPTS	(3,500,000)
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TOTAL EXP& YEAR END BALANCE	-
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TOURISM FUND

REVENUE

INTERGOVERNMENTAL	(1,861,000)
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OTHER	<u>(2,273,500)</u>
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TOTAL REVENUES	(4,134,500)
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EXPENDITURES

PARK IMPROVEMENTS	3,774,000
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OTHER	<u>360,500</u>
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TOTAL EXPENDITURES	4,134,500
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TOTAL EXP & YEAR END BAL

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DEBT SERVICE FUND

REVENUE

GENERAL PROPERTY TAX	(6,774,000)
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TOTAL REVENUE	(6,774,000)
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EXPENDITURES

DEBT SERVICE	6,774,000
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TOTAL EXPENDITURES	6,774,000
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TOTAL EXP & YEAR END BAL	-
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UTILITY FUND

REVENUES

CHARGES FOR SERVICES	(10,665,000)
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OTHER	(41,000)
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NON REVENUE RECEIPTS	(1,000,000)
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TOTAL REVENUES	(11,706,000)
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EXPENDITURES

PERSONNEL SERVICES	1,442,661
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SUPPLIES	500,339
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CAPITAL OUTLAY	1,682,500
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DEBT SERVICE	4,539,500
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OTHER SERVICES & CHARGES	3,541,000
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TOTAL EXPENDITURES	11,706,000
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TOTAL EXP & YEAR END BAL	-
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SANITATION FUND

REVENUES

CHARGES FOR SERVICES (2,400,000)

MISCELLANEOUS REVENUES (5,000)

TOTAL REVENUES (2,405,000)

EXPENDITURES

PERSONNEL SERVICES 202,800

PROFESSIONAL SERVICES 2,200,000

OTHER 2,200

TOTAL EXPENDITURES 2,405,000

TOTAL EXP & YEAR END BAL -

SECTION 2. It is hereby authorized by the Mayor and Board of Aldermen the funds as herein provided shall be appropriated for the provision of municipal services in the City of Southaven, DeSoto County, Mississippi, for the fiscal period 2015-2016:

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

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

Residential

Water: \$2.41/100 cubic feet

Sewer: \$2.47/100 cubic feet

¾" Tap Fee: \$525

1" Tap Fee: \$630

2" Tap Fee: \$1,315

Irrigation Tee: 1" - \$300 ¾" - \$250

Cut-Off Fee: \$25.00

Pull Meter Fee: \$75

Commercial

Water: \$3.21/100 cubic feet

Sewer: \$3.70/100 cubic feet

¾" Tap Fee: \$850.00

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1" Tap Fee: \$850.00
2" Tap Fee: \$1,700.00
3" Tap Fee: \$1,900.00
4" Tap Fee: \$3,400.00
6" Tap Fee: \$5,000.00
Irrigation Tee: \$350.00 (Only available in ¾"
and 1" meters)
Cut-Off Fee: \$25.00
Pull Meter Fee: \$75.00

Sewer Tap Fees

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

These rates are to be effective October 1, 2015 and shall only be amended by the Southaven Board of Alderman.

SECTION 5. The Amended Municipal Budget for the City of Southaven, DeSoto County, Mississippi, presented and reviewed at this public meeting for the fiscal year 2015-2016 shall be published according to law and be in full force and effect after passage.

SECTION 6. The Motion to adopt the amended budget and establish the millage rate as presented being made by Alderman Flores with a second by Alderman Ferguson with the following aldermen being present and voting thereon as follows:

“for the approval and adoption of proposed budget and voting YEA”

“against the approval and adoption of proposed budget and voting NEA”

RESOLVED THIS 18th DAY OF OCTOBER 2016

Renaming Section of I55

Mayor Musselwhite explained to the Board of Alderman that he received a request by Desoto County to rename the I55 Bridge at the Goodman Road exit after our late Senator, George Guerieri. Mayor Musselwhite stated that the County has spoken with MDOT to get a formal approval. The approval requirements require a resolution by the City of Southaven to agree. Mayor Musselwhite stated that no action is needed at this time and it will be put on the agenda for formal action at the next board meeting.

Ground Breaking Ceremony for Tennis Expansion

Mayor Musselwhite announced that professional tennis player, John Isner, will be attending the groundbreaking ceremony for the tennis court expansion project at Southaven's Snowden Grove Park set for Wednesday, November 16 at 4 PM.

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Mayor Musselwhite stated that Isner's presence highlights the impact the facility will have, not only on our community, but also for the tennis community at large. The tennis expansion is the next major step in our park and recreational expansion and enhancement program. Mayor Musselwhite added that they believe this facility will enhance the quality of life of citizens, as well as improve tourism revenues for the city with Southaven becoming a destination for tennis tournaments attracting players from throughout the Southeast. Mayor Musselwhite stated that John Isner is currently ranked 27th in the world according to the ATP and holds the record for most aces in a Grand Slam event with 113 during the 2010 Wimbledon Tournament. Isner originally from Greensboro, North Carolina, played collegiately at the University of Georgia and recently partnered with Jack Sock to win the doubles title at the Shanghai Rolex Masters Tournament. In addition to Isner, representatives from USTA-Mississippi and Desoto County Tennis Association will attend.

CITIZEN'S AGENDA

Stuart Davidson, Chick-Fil-A

Mr. Davidson stated that he was in attendance at this meeting to speak as a concerned citizen and not as a transient vendor for Chick-Fil-A. Mr. Davidson expressed concerns with the rewriting of the transient vendor ordinance and expressed that he thought that it made it more difficult to obtain a license. Mr. Davidson stated that he and his staff are repeatedly asked where other food establishments are located and to them those establishments are not cookies, pretzels, and popcorn. Mr. Davidson stated that if we want to attract people and want tour buses to continue to bring in groups, then we need to be able to afford them places to eat. Mr. Davidson also expressed concerns with potential lost revenue for the shops if shoppers leave to eat and not come back. Mr. Davidson stated that he understands if Chick-Fil-A has used their six (6) months for the calendar year, but would like the process to be made easier to sell at the Tanger Outlet Mall. Mayor Musselwhite stated that when the Tanger Development was approved, it was presented to the Board that not only would the stores be in the development of Phase I, but there would also be outparcels that included casual dining and sit down restaurants. Mayor Musselwhite stated that when the City agreed to participate in the Tourism Rebate Program, they committed 30% of the \$115 million dollar project of our future sales tax for 5-6 years to do that. Mayor Musselwhite stated that the City has given all of their sales tax to the development so that the development could occur. This amounts to \$34 million dollars that the City has pledged to that project with the assumption that there would be out parcels with restaurants. This was done in 2014 and developers came back in 2015 and explained that the City needed to change their requirements for the strip center of the out parcels. The selling feature of that was that the City needed to be more flexible so that the developers could bring in more food. Mayor Musselwhite stated that again, the Board of Alderman voted yes to allow for the variance. Mayor Musselwhite stated that he shared all of this to make everyone aware that it is no secret with the dissatisfaction with the development. Mayor Musselwhite explained that he has very little sympathy because they have done

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what they said they were going to do and that nothing that size has ever been done by the City to commit that much money into the tourism rebate program. Mayor Musselwhite stated that his suggestion would be to get busy building some restaurants. As it relates to the transient vendor ordinance, it is for the entire City not just the Tanger Outlet Mall. Mayor Musselwhite added that it becomes a public safety issue when you put a multitude of transient vendors in an area at Tanger, the access is blocked and emergency responders would not be able to get to someone quickly if they needed immediate care. Mayor Musselwhite stated that he has spoken with staff to make sure we have the ordinance the most conducive way for business in the City and that he did not know of a way to change it without creating larger problems. Mr. Davidson asked if other food establishments could be approached that might not realize what a transient vendor license is and make provisions where there is food. Mr. Davidson stated that it is that time of the year for potentially lost sales. Mayor Musselwhite asked Mr. Davidson about the possibility of leasing a storefront at the Tanger Outlet Mall. Mr. Davidson stated that was a good question and he would look into that option further. Mayor Musselwhite stated that he really appreciated Mr. Davidson coming forward and that they completely understand his concerns, but would like to encourage everyone to ask Tanger where the restaurants are.

Freddy Turner, Rental Property at 624 Tuscany Way

Mr. Turner requested to be added to the Citizen's Agenda, but did not attend the meeting.

PERSONNEL DOCKET

Personnel Docket

October 18, 2016

<u>Payroll Additions</u>	<u>Position</u>	<u>Department</u>	<u>Start Date</u>	<u>Rate of Pay</u>
Darick Smith	Spray tech	Parks	10/31/2016	\$45,000.00
Nicole Hilario	Deputy Clerk	City Clerk	10/24/2016	\$14.00
James Parks*	Sewer Tech	Utilities	TBD	\$12.00
Thomas Green*	Crossing Guard	Police	TBD	\$9.00

*pending successful
completion of pre-
emp screenings

<u>Payroll Adjustments</u>	<u>Previous Classification</u>	<u>New Classification</u>	<u>Effective Date</u>	<u>Proposed Rate of Pay</u>
		Admin Staff		
Stephen Benson	Training Officer	Officer	10/10/2016	no change
Robert Riggs	Lieutenant	Captain	10/31/2016	\$28.15
Brannon Rushing	Sergeant	Lieutenant	10/31/2016	\$25.80
		Master		
Alex Fennell	Sergeant	Sergeant	10/31/2016	\$23.30
Kevin Ware	Sergeant	Master	10/31/2016	\$23.30

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		Sergeant		
		Master		
Jason Scallorn	Sergeant	Sergeant	10/31/2016	\$23.30
		Master		
Brett Yoakum	Sergeant	Sergeant	10/31/2016	\$23.30

Payroll Deletions	Position	Department	Termination Date	Rate of Pay
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Terminations / Resignations				
Name	Department	Position	Termination Date	Rate of Pay
Susan LeSure	Police	Crossing Guard	10/3/2016	\$9.00
Sean Adkins	Parks	Grounds	10/3/2016	\$7.25

Terminations / Resignations				
Name	Department	Position	Termination Date	Rate of Pay
Nicholas Allen	Parks	Grounds	10/3/2016	\$7.25
Lee Apodaca	Parks	Grounds	10/3/2016	\$7.25
James Balser	Parks	Grounds	10/3/2016	\$7.25
Ashlee Benson	Parks	Concessions	10/3/2016	\$7.25
Michael G. Berry	Parks	Grounds	10/3/2016	\$7.25
Jacob Brown	Parks	Grounds	10/3/2016	\$7.25
Mahrion Butler	Parks	Grounds	10/3/2016	\$7.25
Rebecca Byrd	Parks	Concessions	10/3/2016	\$7.25
Allen Caver	Parks	Grounds	10/3/2016	\$7.25
Ethan Chalk	Parks	Grounds	10/3/2016	\$7.25
David Cobb	Parks	Grounds	10/3/2016	\$7.25
Larry Cress	Parks	Grounds	10/3/2016	\$7.25
Justin Curl	Parks	Grounds	10/3/2016	\$7.25
Kaitylyn Edwards	Parks	Concessions	10/3/2016	\$7.25
Rebecca Edwards	Parks	Concessions	10/3/2016	\$7.25
Taylor Embrey	Parks	Grounds	10/3/2016	\$7.25
Johnny Faulkner	Parks	Grounds	10/3/2016	\$7.25
Deterris Fox	Parks	Grounds	10/3/2016	\$7.25
Arlie Gagne	Parks	Grounds	10/3/2016	\$7.25
Austin George	Parks	Concessions	10/3/2016	\$7.25
Nicholas Goodwin	Parks	Grounds	10/3/2016	\$7.25
Brandon Hagaman	Parks	Grounds	10/3/2016	\$7.25
Gary Harwood	Parks	Grounds	10/3/2016	\$7.25
Parker Hawkes	Parks	Grounds	10/3/2016	\$7.25
Joshua Hayes	Parks	Grounds	10/3/2016	\$7.25
		Supv.		
Kayla Hester	Parks	Concessions	10/3/2016	\$8.00
Eric Hight	Parks	Grounds	10/3/2016	\$7.25
Blake Hittlet	Parks	Concessions	10/3/2016	\$7.25

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Evan Jones	Parks	Grounds	10/3/2016	\$7.25
Jackson Jones	Parks	Grounds	10/3/2016	\$7.25
Zach Lambert	Parks	Concessions	10/3/2016	\$7.25
Bethany Lovett	Parks	Concessions	10/3/2016	\$7.25

Terminations / Resignations

Name	Department	Position	Termination Date	Rate of Pay
Christopher				
Mahfouz	Parks	Concessions	10/3/2016	\$7.25
Michael L. Moore	Parks	Concessions	10/3/2016	\$8.00
Mike Moore	Parks	Concessions	10/3/2016	\$8.00
Wesley Moorhead	Parks	Grounds	10/3/2016	\$7.25
Graham Naramore	Parks	Grounds	10/3/2016	\$7.25
Hunter Norton	Parks	Grounds	10/3/2016	\$7.25
Carmen Oglesbgy	Parks	Grounds	10/3/2016	\$7.25
Travis Pate	Parks	Concessions	10/3/2016	\$8.00
Peter Rhea	Parks		10/3/2016	\$8.00
Jackson Riden	Parks	Grounds	10/3/2016	\$7.25
Tanner Robbins	Parks	Grounds	10/3/2016	\$7.25
Nicole Rosenberg	Parks	Concessions	10/3/2016	\$7.25
Benjamin Schreck	Parks	Grounds	10/3/2016	\$7.25
Brandon Shaw	Parks	Grounds	10/3/2016	\$7.25
Grant Simonton	Parks	Grounds	10/3/2016	\$7.25
Nicholas Sinuefield	Parks	Grounds	10/3/2016	\$7.25
James T. Smith	Parks	Concessions	10/3/2016	\$8.00
Virginia Suell	Parks	Grounds	10/3/2016	\$8.50
Kenneth Winn	Parks	Front Desk	10/3/2016	\$7.25
Zach Woodiel	Parks	Grounds	10/3/2016	\$7.25
Garrett Woods	Parks	Grounds	10/3/2016	\$7.25
Travis Johnson	Public Works	Laborer	9/27/2016	\$11.25

Alderman Brooks made the motion to approve the Personnel Docket of October 18, 2016 as presented to this Board. Motion was seconded by Alderman Hale. The motion was put to vote and passed unanimously.

CITY ATTORNEY'S LEGAL UPDATE

No Legal Update

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of October 18, 2016, including demand checks and payroll in the amount of \$2,994,472.16. Motion was seconded by Alderman Brooks.

Excluding voucher numbers:

268597, 268598, 268599, 268603, 268632, 268865, 268866, 268875, 268878, 268879, 268881, 268882, 268884, 268885, 268890, 268891, 268893, 268894, 268896, 268897, 268898, 268900, 268901, 268903, 268904, 268906, 268907, 268909, 268912, 268913, 268915, 268916, 268918, 268919, 268921, 268922, 268927, 268928, 268930, 268931, 268933, 268934, 268936, 268937, 268939, 268940, 268947, 268948, 268950, 268951, 268953, 268954, 268956, 268957,

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268962, 268963, 268965, 268966, 268968, 268969, 268971, 268972, 268977, 268978, 268980, 268981, 269083, 269120, 269359, 269365, 269411, 269495

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	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 18th day of October, 2016.

Alderman Ferguson recused himself and left the room.

A motion was made by Alderman Payne to approve the Special Claims Docket of October 18, 2016 in the amount of \$93.54. Motion was seconded by Alderman Brooks.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	RECUSED
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 18th day of October, 2016.

Alderman Ferguson then returned to the room.

EXECUTIVE SESSION

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

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There being no further business to come before the Board of Aldermen, a motion was made by Alderman Payne to adjourn. Motion was seconded by Alderman Gallagher. Motion was put to a vote and passed unanimously, October 18, 2016 at 8:18 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk

(Seal)

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