

Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
September 5, 2017
6:00 p.m.
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval Of Minutes: August 15, 2017
5. Resolution for Appointment and Swearing in of Assistant Prosecutor
6. Resolution for FY 17 Budget Amendment
7. Resolution for FY 18 Budget and Millage
8. Resolution for JAG Grant and Interlocal
9. Resolution for Sanitation Assessments
10. Contract with Sweeping Corporation
11. Contract with North Mississippi Pest Control
12. Resolution for City Committees
13. Contract Amendment Green King
14. Resolution for Police Surplus
15. Resolutions for Engagement of Professionals and Intent to Issue Bonds
16. Resolution for Donations
17. Resolution for Liens
18. Resolution for Stormwater Awareness Week
19. Resolution To Clean Private Property
20. Planning Agenda
 - Item #1: Application by Jon Reeves for subdivision approval of Central Park Section M-1A on the west side of Tchulahoma Road, south of Stateline Road
 - Item #2: Application by Jon Reeves for subdivision approval of Central Park Section M2 on the west side of Tchulahoma Road, south of Stateline Road
 - Item #3: Application by Jon Reeves for subdivision approval of Rasco Hills Sec. H on the south side of Stateline Road, east of Horn Lake Road
 - Item #4: Application by CTP Investments for subdivision approval of Cherry Tree Park Sec. G2 on the west side of Getwell Road, north of Star Landing Road
21. Mayor's Report
22. Citizen's Agenda
23. Personnel Docket
24. City Attorney's Legal Update
25. Claims Docket
26. Executive Session:
 - Litigation and Personnel in SPD, Economic Development Relating to Re-locating of Business to city, Claim Regarding City Public Works

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 September 5, 2017 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 September, 2017 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
John David Wheeler	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Also present were Mayor Musselwhite, Andrea Mullen, City Clerk, Pam Pyle, Deputy 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 Payne. Next, a motion was made by Alderman Payne to approve the minutes of the regular meeting of August 15, 2017 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

RESOLUTION FOR APPOINTMENT AND SWEARING IN OF ASSISTANT PROSECUTOR

Mr. Matthew Barton was recommended by the Court Department as an Assistant Prosecutor, as one was not re-appointed in July. This resolution will allow for appointment of Matthew Barton as an Assistant City Prosecutor. The Board of Alderman considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI APPOINTING MATTHEW BARTON AS ASSISTANT MUNICIPAL PROSECUTOR

WHEREAS, the City of Southaven ("City"), pursuant to Mississippi Code Sections 21-3-5 and 21-23-3 desires to appoint an Assistant Municipal Prosecuting Attorney; and

WHEREAS, the City Board desires to appoint Matthew Barton as Assistant Municipal Prosecutor; and

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WHEREAS, Mr. Barton shall be charged with all duties and powers as set forth under Mississippi Code 21-23-3 and all other duties as set forth under Mississippi law; and

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

1. Pursuant to Mississippi Code 21-3-5 and 21-23-3, the City hereby appoints Matthew Barton as Assistant Municipal Prosecutor and compensation shall be at budgeted amount.
2. Mr. Barton is charged with all duties and obligations under Mississippi Code 21-23-3 and all other duties as set forth under Mississippi law.

Motion was made by Alderman Gallagher and seconded by Alderman Kelly, 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 George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman Raymond Flores	voted: YES
Alderman John Wheeler	voted: YES

RESOLVED AND DONE, this 5th day of September, 2017.

Next, Mayor Musselwhite swore in Mr. Matthew Barton.

A copy of the Oath of Office is attached to these minutes.

RESOLUTION FOR FY 17 BUDGET AMENDMENT

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

Mr. Wilson explained that this budget amendment is the final amendment for FY17 budget which brings the tourism, utility, and general fund accounts where they are to date. Mr. Wilson stated that the only revenue stream that has not been received yet is two months of collections from the ambulance billing and sales tax, but the projections are well in line to meet these revenue estimates. This is the final budget amendment for FY17 and includes all required details for such amendment for finalization. After hearing from Mr. Wilson, the Board of Alderman considered the following resolution:

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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 2016-2017 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, 2016, 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:
THIRTY POINT THIRTY-THREE (30.33) MILLS
SECTION 27-39-307 AND 83-3-37 PARAGRAPH 5 OF THE
MISSISSIPPI CODE
OF 1972**

**BONDS:
FOR DEBT RETIREMENT OF GENERAL OBLIGATION
THIRTEEN POINT FOUR ZERO (13.40) 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 2016-2017; and

WHEREAS, the budget herein shall be for the period beginning from October 1, 2016 and ending September 30, 2017; and

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

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

GENERAL FUND

Revenue

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General Property Taxes	\$18,425,000
Licenses & Permits	\$671,000
Intergovernmental	\$14,999,000
Charges for Services	\$3,555,000
Fines	\$2,635,000
Franchise Taxes	\$1,913,000
Grants	\$280,000
Other	\$740,000
TOTAL REVENUE	\$43,218,000

Expenditures

General Government	
Personnel Services	\$4,991,340
Supplies	\$172,250
Other Services & Charges	\$6,100,354
Total General Government	\$11,263,944
Public Safety-Police	
Personnel Services	\$9,509,110
Supplies	\$374,000
Other Services & Charges	\$989,600
Total Public Safety-Police	\$10,872,710
Public Safety-Fire	
Personnel Services	\$8,835,272
Supplies	\$252,700
Other Services & Charges	\$753,000
Total Public Safety-Fire	\$9,840,972
Public Works	
Personnel Services	\$764,665
Supplies	\$231,500
Other Services & Charges	\$896,000
Total Public Works	\$1,892,165
Cultural & Recreation	
Personnel Services	\$2,521,283
Supplies	\$516,500
Other Services & Charges	\$1,981,600
Total Cultural & Recreation	\$5,019,383
Health & Welfare	
Personnel Services	\$214,973
Supplies	\$25,500
Other Services & Charges	\$26,650
Total Health & Welfare	\$267,123
Capital Outlay	\$4,322,203

TOTAL EXPENDITURES \$43,478,500

NON REVENUE RECEIPTS (\$260,500)

TOURISM FUND

Revenue

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Intergovernmental	\$1,700,000
Other	\$165,000
TOTAL REVENUE	\$1,865,000

Expenditures

Park Improvements	\$1,689,940
Other	\$330,000
TOTAL EXPENDITURES	\$2,019,940

NON REVENUE RECEIPTS (\$154,940)

DEBT SERVICE FUND

Revenue

General Property Tax	\$6,774,000
TOTAL REVENUE	\$6,774,000

Expenditures

Debt Service	\$6,774,000
TOTAL EXPENDITURES	\$6,774,000

UTILITY FUND

Revenue

Charges for Services	\$10,490,000
Other	\$51,500
Non-Revenue Receipts	\$384,215
TOTAL REVENUE	\$11,151,000

Expenditures

Personnel Services	\$1,542,224
Supplies	\$434,500
Capital Outlay	\$1,994,500
Debt Service	\$3,535,991
Other Services and Charges	\$3,418,500
TOTAL EXPENDITURES	\$10,925,715

SANITATION FUND

Revenue

Charges for Services	\$2,400,000
Other	\$5,000
TOTAL REVENUE	\$2,405,000

Expenditures

Personnel Services	\$165,805
Professional Services	\$2,200,000
Other	\$39,195
TOTAL EXPENDITURES	\$2,405,000

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SECTION 2. It is hereby authorized by the Mayor and Board of Aldermen the funds as herein provided shall be appropriated for the provision of municipal services in the City of Southaven, DeSoto County, Mississippi, for the fiscal period 2016-2017:

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
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, 2016 and shall only be amended by the Southaven Board of Alderman.

SECTION 5. The sanitation rates for the City of Southaven shall be: \$12.00 per month

SECTION 6. The Municipal Budget for the City of Southaven, DeSoto County, Mississippi, presented and reviewed at this public meeting for the fiscal year 2016-2017 shall be published according to law and be in full force and effect after passage.

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

"for the approval and adoption of proposed budget and voting YEA"

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

Alderman William Brooks	voted: YEA
Alderman Kristian Kelly	voted: YEA
Alderman George Payne	voted: YEA
Alderman Joel Gallagher	voted: YEA
Alderman Ronnie Hale	voted: YEA
Alderman Raymond Flores	voted: YEA
Alderman John Wheeler	voted: YEA

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted, on this the 5th day of September, 2017.

RESOLVED THIS 5th DAY OF SEPTEMBER 2017

Darren Musselwhite, Mayor

Andrea Mullen, City Clerk

CERTIFICATE

I, Andrea Mullen, clerk of the City of Southaven, Mississippi do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted at a Regular Meeting of the Mayor and Board of Aldermen on Tuesday, September 5, 2017 and duly appears of record in Minute book 49 of the proceedings of the said Mayor and Board of Aldermen. This the 5th day of September, 2017

City Clerk

A copy of the budget amendment is attached to these minutes.

RESOLUTION FOR FY 18 BUDGET AND MILLAGE

The Board of Alderman considered the following resolution for the FY18 Budget and Millage that will set the tax levy, utility fee, sanitation fee, and budget expenditures for the City of Southaven:

RESOLUTION FIXING THE AD VALOREM TAX LEVY ON REAL AND PERSONAL PROPERTY FOR TAXES AND ESTABLISHING THE BUDGET

**Appropriations and Expenditures for the Fiscal Year 2017-2018
FOR THE CITY OF SOUTHAVEN, MISSISSIPPI**

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

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SECTION 1. That for the Fiscal Year beginning October 1, 2017, 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:
THIRTY POINT EIGHT-ZEROE (30.80) MILLS
SECTION 27-39-307 AND 83-3-37 PARAGRAPH 5 OF THE
MISSISSIPPI CODE
OF 1972**

**FOR DEBT RETIREMENT OF GENERAL OBLIGATION
BONDS:
TWELVE POINT NINE THREE (12.93) 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 2017-2018; and

WHEREAS, the budget herein shall be for the period beginning from October 1, 2017 and ending September 30, 2018; and

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

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

<u>Fund Description</u>	<u>FYE 9/30/2018</u>
<u>GENERAL FUND</u>	
<u>REVENUE</u>	
	\$
GENERAL PROPERTY TAXES	(19,032,000)
LICENSES & PERMITS	(600,000)
INTERGOVERNMENTAL	(14,774,000)

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CHARGES FOR SERVICES	(3,683,000)
FINES	(2,680,000)
FRANCHISE TAXES	(1,813,000)
GRANTS	(22,000)
OTHER	<u>(692,000)</u>
	\$
TOTAL REVENUE	(43,296,000)
 EXPENDITURES	
 GENERAL GOVERNMENT	
PERSONNEL SERVICES	5,025,535
SUPPLIES	130,650
OTHER SERVICES & CHARGES	<u>7,347,655</u>
TOTAL GENERAL GOVERNMENT	12,503,840
 PUBLIC SAFETY	
POLICE	
PERSONNEL SERVICES	10,018,860
SUPPLIES	369,000
OTHER SERVICES & CHARGES	<u>946,000</u>
TOTAL POLICE	11,333,860
 FIRE	
PERSONNEL SERVICES	9,384,550
SUPPLIES	259,400
OTHER SERVICES & CHARGES	<u>737,850</u>
TOTAL FIRE	<u>10,381,800</u>
 TOTAL PUBLIC SAFETY	21,715,660
 PUBLIC WORKS	
PERSONNEL SERVICES	1,167,500

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SUPPLIES	131,000
OTHER SERVICES & CHARGES	<u>888,500</u>
TOTAL PUBLIC WORKS	2,187,000
CULTURE & RECREATION	
PERSONNEL SERVICES	2,851,000
SUPPLIES	552,000
OTHER SERVICES & CHARGES	<u>2,006,500</u>
TOTAL CULTURE & RECREATION	5,409,500
HEALTH & WELFARE	
PERSSONEL SERVICES	230,650
SUPPLIES	34,500
OTHER SERVICES & CHARGES	<u>23,900</u>
TOTAL HEALTH & WELFARE	289,050
CAPITAL OUTLAY	1,190,950
TOTAL EXPENDITURES	43,296,000
TOTAL EXP& YEAR END BALANCE	-
BOND FUNDED CAPITAL PROJECTS FUND	
EXPENDITURES	
BOND FUNDED CAPITAL PROJECT	<u>6,600,000</u>
TOTAL EXPENDITURES	6,600,000
NON REVENUE RECEIPTS	
CAPITAL GRANT PROCEEDS	(600,000)
PRIOR YEAR OBLIGATED CASH	<u>(6,000,000)</u>

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TOTAL AVAILABLE RECEIPTS	(6,600,000)
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TOTAL EXP& YEAR END BALANCE	-
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TOURISM FUND

REVENUE

INTERGOVERNMENTAL	(300,000)
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OTHER	<u>(165,000)</u>
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TOTAL REVENUES	(465,000)
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EXPENDITURES

PARK IMPROVEMENTS	140,000
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OTHER	<u>325,000</u>
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TOTAL EXPENDITURES	465,000
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TOTAL EXP & YEAR END BAL	-
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DEBT SERVICE FUND

REVENUE

GENERAL PROPERTY TAX	<u>(6,835,425)</u>
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TOTAL REVENUE	(6,835,425)
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EXPENDITURES

DEBT SERVICE	<u>6,835,425</u>
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TOTAL EXPENDITURES	6,835,425
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TOTOAL EXP & YEAR END BAL	-
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UTILITY FUND

REVENUES

CHARGES FOR SERVICES	(10,920,000)
OTHER	(13,000)
NON REVENUE RECEIPTS	<u>(154,200)</u>

TOTAL REVENUES (11,087,200)

EXPENDITURES

PERSONNEL SERVICES	1,801,200
SUPPLIES	509,500
CAPITAL OUTLAY	1,745,000
DEBT SERVICE	3,661,500
OTHER SERVICES & CHARGES	<u>3,370,000</u>

TOTAL EXPENDITURES 11,087,200

TOTAL EXP & YEAR END BAL -

SANITATION FUND

REVENUES

CHARGES FOR SERVICES	(2,425,000)
MISCELLANEOUS REVENUES	<u>(5,000)</u>

TOTAL REVENUES (2,430,000)

EXPENDITURES

PERSONNEL SERVICES	172,600
PROFESSIONAL SERVICES	2,200,000
OTHER	<u>57,400</u>

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TOTAL EXPENDITURES 2,430,000

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 2017-2018.

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
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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
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, 2017 and shall only be amended by the Southaven Board of Alderman.

SECTION 5. The sanitation rate for the City of Southaven shall be: \$12.00 per month

SECTION 6. The Municipal Budget for the City of Southaven, DeSoto County, Mississippi, presented and reviewed at this public meeting for the fiscal year 2017-2018 shall be published according to law and be in full force and effect after passage.

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

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

Alderman William Brooks	voted: YEA
Alderman Kristian Kelly	voted: YEA
Alderman George Payne	voted: YEA
Alderman Joel Gallagher	voted: YEA
Alderman Ronnie Hale	voted: YEA
Alderman Raymond Flores	voted: YEA
Alderman John Wheeler	voted: YEA

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

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted, on this the 5th day of September, 2017.

RESOLVED THIS 5th DAY OF SEPTEMBER 2017

Darren Musselwhite, Mayor

Andrea Mullen, City Clerk

CERTIFICATE

I, Andrea Mullen, clerk of the City of Southaven, Mississippi do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted at a Regular Meeting of the Mayor and Board of Aldermen on Tuesday, September 5, 2017 and duly appears of record in Minute book 49 of the proceedings of the said Mayor and Board of Aldermen.
This the 5th day of September, 2017

City Clerk

RESOLUTION FOR JAG GRANT AND INTERLOCAL

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

Mr. Manley stated that this resolution will allow for the city to enter into an interlocal agreement with the City of Olive Branch and Desoto County for the application and use of funds from the Department of Justice in the amount of \$22,533.00 to help with the purchase of four Skycop Pole Mounted Camera Systems for use in the Southaven Parks to deter vandalism and assaults. After

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hearing from Mr. Manley, the Board of Alderman considered the following resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF SOUTHAVEN, MISSISSIPPI APPROVING
INTERLOCAL AGREEMENT BETWEEN THE CITY OF SOUTHAVEN
AND THE CITY OF OLIVE BRANCH FOR 2017 EDWARD
BYRNE JUSTICE ASSISTANCE GRANT (JAG)**

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

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

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

WHEREAS, the City of Southaven and the City of Olive Branch desire to enter into an Interlocal Agreement for participation in the 2017 Byrne Justice Assistance Grant in the amount of \$34,220.00, with the signature of the DeSoto County Board of Supervisors, and

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

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

- a. \$11,687.00 to assist Olive Branch Police Department purchase of a Solar Powered Portable Changeable Message Sign Trailer to assist in the department's patrol / traffic division's efforts to inform motorists of road closures, traffic hazards, crime alerts and general necessary or urgent communication to its motoring community.
- b. \$22,533.00 to assist with the costs of the Southaven Police Department to purchase four (4) Skycop Pole Mounted Camera Systems for use in Southaven parks to deter vandalism and assaults.

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

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

1. The Interlocal Agreement between the City of Southaven and the City of Olive Branch, to participate in the 2017 Byrne Justice Assistance Grant in the joint amount of \$34,220.00 be, and the same is hereby approved.
2. Terms of the 2017 Byrne Justice Assistance Grant be, and the same are hereby approved as set forth in said Interlocal Agreement.
3. All City Officials are authorized to take any and all action required to obtain the Justice Assistance Grant funds.

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 George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman Raymond Flores	voted: YES
Alderman John Wheeler	voted: YES

RESOLVED AND DONE, this 5th day of September, 2017.

**MEMORANDUM OF UNDERSTANDING (MOU)
IN THE NATURE OF AN INTERLOCAL
AGREEMENT BETWEEN DESOTO COUNTY, MISSISSIPPI,
THE CITY OF OLIVE BRANCH, MISSISSIPPI
AND THE CITY OF SOUTHAVEN, MISSISSIPPI
FOR 2017 EDWARD BYRNE
JUSTICE ASSISTANCE GRANT (JAG)**

This agreement made this 5th day of September, 2017, between Desoto County, Mississippi, acting by and through its governing body, the Board of Supervisors; and the cities of Olive Branch, Mississippi, acting through its Board of Aldermen (hereinafter called Olive Branch), and Southaven, Mississippi, acting through its Board of Aldermen (hereinafter called Southaven). Hereinafter Olive Branch and Southaven are collectively called Cities.

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WITNESSETH

WHEREAS, the Cities desire to promote and improve their capacities to prevent and control crime with the use of funds provided through the Edward Byrne Justice Assistance Grant (JAG Program); and

WHEREAS, the JAG Program award amount granted to the Cities, as detailed by the Joint Application Award, is \$34,220.00; and

WHEREAS, each of the parties, in performing their governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to them; and

WHEREAS, the Cities find that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions required of it under this agreement; and

WHEREAS, Desoto County, Mississippi, acting through its Board of Supervisors, acknowledges this Interlocal Agreement solely for the purpose of satisfying grant directives or requirements. However, Desoto County is not a party to this Agreement or a subgrantee/recipient of the grant; and

WHEREAS, the parties hereto believe that promoting greater crime control and prevention will be benefited from use of the JAG Program funds and their efforts and use of said funds may best be accomplished by a formal agreement pursuant to the authority of the "Interlocal Cooperation Act of 1974".

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual covenants and agreements contained herein and pursuant to the authority of Section 17-13-1, et seq., of the Mississippi Code of 1972, the Board of Aldermen of the City of Olive Branch and the Board of Aldermen of the City of Southaven for and on behalf of the Cities do hereby covenant, contract and agree as follows:

1. This Agreement shall take effect upon the date of approval by the Attorney General of the State of Mississippi, after first being approved and executed by the Cities, which approval is to be entered onto the minutes of the Board meetings of the Cities.
2. The Cities agree to sharing the JAG Program funding award amount as follows:
 - a. Eleven Thousand Six Hundred Eighty Seven Dollars and no cents (\$11,687.00) for Olive Branch Police Department to purchase one (1) Solar Powered Portable Changeable Message Sign Trailer.
 - b. Twenty Two Thousand Five Hundred Thirty Three Dollars and no cents (\$22,533.00) for Southaven Police Department to purchase four (4) Skycop pole mounted camera systems.

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3. Nothing in the performance of this Agreement shall impose any liability for claims against the Cities other than claims for which liability may be imposed by the laws of the State of Mississippi.
4. Each party to this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other parties.
5. The parties to this Agreement do not intend for any third party to obtain a right by virtue of this agreement.
6. By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.
7. The parties agree that the City of Olive Branch shall be the "lead agency" and shall be the reporting entity for the purposes of the JAG Program in accordance with the JAG FY 2017 Local Solicitation as detailed by the U.S. Department of Justice. The City of Olive Branch shall be responsible for monitoring the award, submitting the reports, and other duties as may be required in order to carry out this grant.
8. The parties agree to comply with all provisions, covenants and obligations of the JAG Program. In this respect, no party shall amend, alter or change the manner it uses the funds it receives from the manner the party represented the funds would be used in making its application for funding, without first obtaining proper authorization from JAG Program grant administration.
9. This Agreement shall be in effect to and from the date agreed and signed to the conclusion of the JAG projects as described in the JAG Program grant as awarded to the parties.
10. Nothing in this Agreement shall bind any agency or party to any stipulation that is not expressly detailed within this Agreement.
11. Pursuant to M.C.A. Section 17-13-9, the parties would set forth the following:
 - a. Duration: This Agreement shall have a term beginning from the date of execution and extend to and terminate on the conclusion of the JAG projects as described in the JAG Program grant as awarded to the parties. In the event this agreement extends beyond the term of the existing term of the majority of the membership of the governing Board of any party hereto, it will be deemed to automatically renew and be binding upon the successor Board unless, by majority vote, the incoming Board terminates the same.

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- b. Purpose: The purposes of this Interlocal Agreement are set forth in paragraphs 1-10 above;
 - c. Separate Legal Entity: There is no separate legal or administrative entity created pursuant to this Interlocal Agreement.
 - d. Statutory authority for the Cities to take the actions required of them, as set forth above is contained in Mississippi Code Annotated Section 21-21-3.
 - e. Financing: Financing of this venture is through the JAG Program and, as required, the matching funds of the parties, in such percentages as required by the JAG Program.
 - f. Person to Account for Funds: The City of Olive Branch is designated by this Agreement to receive, disburse and account for all funds of the joint undertaking set for herein;
 - g. Methods of Termination: Either party to this Agreement may terminate its participation in the Agreement by giving notice in writing to the other party, forwarded by certified mail, return receipt requested, or hand delivered at least thirty (30) days prior to the date of termination, but only if such termination is permitted by the JAG Program.
 - h. Amendments: Neither this Agreement nor any of its terms may be changed or modified, waived, or terminated except by an instrument in writing, approved by the governing body of each party, with such approval spread upon its official minutes, and signed by each parties' authorized representative.
 - i. Administration: This project will be administered through the City of Olive Branch for the benefit of both Cities.
 - j. Disposal of Property: This Agreement does not provide for the acquiring, holding, or disposing of real or personal property;
 - k. Any other necessary and proper matters are set forth in paragraphs 1-10 above;
12. Should it become necessary, pursuant to Federal or State law, it is hereby deemed by the parties that the City of Olive Branch shall be the sponsoring subdivision for such purposes as necessary including, but not limited to, the procurement of grants and/or federal or state funds.
13. This Agreement may be executed in two or more

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counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument. In addition, this Agreement may contain more than one counterpart of the signature page and this Agreement may be executed by the affixing of the signatures to such counterpart signature pages; in which case each counterpart signature page shall constitute an original, but all of which, taken together, shall constitute a single signature page.

WITNESS the signature of the parties hereto after first being approved by the respective governing authorities.

DESOTO COUNTY

RESOLUTION FOR SANITATION ASSESSMNETS

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

Mr. Manley stated that this resolution allows for a sanitation assessment for unpaid sanitation fees. The Board of Alderman considered the following resolution:

RESOLUTION FOR ASSESSING UNPAID SANITATION FEES

WHEREAS, the City of Southaven ("City") operates and maintains a garbage and rubbish collection system; and

WHEREAS, 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 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:

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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 Gallagher moved that the foregoing Resolution be adopted. The motion was seconded by ALDERMAN Hale. 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 George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman Raymond Flores	voted: YES
Alderman John Wheeler	voted: YES

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted, on this the 5th day of September, 2017.

RESOLVED AND DONE, this 5th day of September, 2017.

A list of addresses with unpaid sanitation fees is attached to these minutes.

CONTRACT WITH SWEEPING CORPORATION

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

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Mr. Manley stated that this contract is for a term of three years and authorizes Sweeping Corporation to clean certain streets as set forth in contract on a regular basis which will be overseen by the Public Works Department. Alderman Brooks made the motion to approve the contract and allow Mayor Musselwhite to sign all related documents. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of September, 2017.

A copy of the contract is attached to these minutes.

CONTRACT WITH NORTH MISSISSIPPI PEST CONTROL

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

Mr. Manley stated that this is a one (1) year contract with North Mississippi Pest Control for condemned properties. Mr. Manley explained that there have been certain condemned properties that have pest issues and this will assist with controlling that issue on condemned properties. The cost will be assessed as part of the taxes. Alderman Payne made the motion to approve the contract and allow Mayor Musselwhite to sign all related documents. 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 Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of September, 2017.

A copy of the contract is attached to these minutes.

RESOLUTION FOR CITY COMMITTEES

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Mayor Musselwhite presented this item to the board.

Mayor Musselwhite explained that committee meetings are a public meeting and will need public notice posted appropriately. Mayor Musselwhite asked that each committee chairman keep the minutes of the meeting to keep good communication from the committee back to the full board. Mayor Musselwhite stated that the committees do not make binding decisions for the city, they only make recommendations to the full board. After hearing from Mayor Musselwhite, the board considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI FOR THE ESTABLISHING OF COMMITTEES

WHEREAS, the City of Southaven Governing Authorities desire to establish committees, and

WHEREAS, the committees established by the Governing Authorities will be solely advisory committees and shall from time to time make recommendations to the full Board and Mayor; and

WHEREAS, the committees shall meet as needed and shall not be able to bind the City of Southaven by any actions or recommendations of the committee; and

WHEREAS, the City of Southaven Governing Authorities shall not be bound by any recommendation of the committees;

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

1. Based on the recommendation of the Mayor and approval by the Southaven Board of Aldermen, the committees shall be established and comprised as set forth in Exhibit A.
2. As the committees do not have statutory provisions prescribing the time, place and procedures for meeting, each committee, at its first meeting, shall set forth the procedures for conducting meetings pursuant to Mississippi Code Ann. Section 25-41-13(2); however, in the event that the committee does not prescribe the times and place and the procedures by which its committee meetings are to be held shall, such committee shall follow Mississippi Code Ann. Section 25-41-13(1)(b) for providing notice of meetings.

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

Alderman William Brooks

voted: YES

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Alderman Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman Raymond Flores	voted: YES
Alderman John Wheeler	voted: YES

RESOLVED AND DONE, this 5th day of September, 2017.

EXHIBIT A

COMMITTEES 2017

General Operations	Planning & Development	Ordinance	Finance	Parks & Recreation	Revitalization	Community Relations
*George Payne	*John David Wheeler	*Joel Gallagher	*Raymond Flores	*William Brooks	*Kristian Kelly	*Ronnie Hale
William Brooks	Raymond Flores	Ronnie Hale	John David Wheeler	John David Wheeler	Ronnie Hale	Joel Gallagher
Raymond Flores	George Payne	William Brooks	Joel Gallagher	Joel Gallagher	George Payne	Kristian Kelly
Chris Wilson	Whitney Cook	Whitney Cook	Chris Wilson	Wes Brown	Whitney Cook	Darren Musselwhite
Darren Musselwhite	Darren Musselwhite	Darren Musselwhite	Darren Musselwhite	Darren Musselwhite	Darren Musselwhite	+Steve Pirtle
+Department Head	+Nick Manley	Nick Manley	+Nick Manley	+Nick Manley	+Nick Manley	+Roger Thornton
+Nick Manley		+Steve Pirtle				+Nick Manley
		+Harold Mears				

*Chairman will accept responsibilities of posting public notice and meeting all other requirements of public meetings laws, as well as taking written minutes and sharing with the entire Board of Aldermen to prepare for official Board action

+Topic- Optional Attendees

CONTRACT AMENDMENT GREEN KING

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

Mr. Manley stated that this is the 1st amendment to the professional services agreement with Green King. This contract amendment will authorize for Green

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King to provide additional services with the Southaven Police Department training facility for spraying and landscaping at the following areas: I-55 and Main Street, May Boulevard, Northwest Boulevard, City Hall, Police Station, Library, Main Street and Highway 51, and Highway 51 and Whitworth. The additional cost will be \$1,646.99 per month. Alderman Flores made the motion to approve the contract and allow Mayor Musselwhite to sign all related documents. 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 Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of September, 2017.

A copy of the contract and the scope and chemical details are attached to these minutes.

RESOLUTION FOR POLICE SURPLUS

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

Mr. Manley stated that this resolution will allow for police surplus of firearms as directed by the municipal court. Mr. Manley explained that he received an Attorney General opinion this year that allows for the city to surplus the firearms in this manner. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

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

WHEREAS, the City of Southaven ("City") Police Department, via City Court Order, is presently in possession of certain firearms (collectively "the Property") and said Court Order allows for City to surplus property in accordance with Mississippi Code 17-25-25 as allowed by the Mississippi Attorney General Opinion issued to Nick Manley on behalf of the City dated February 3, 2017; and

WHEREAS, pursuant to Mississippi Code 17-25-25, it has been recommended by the City Police to the Mayor and Board of Aldermen that the Property be declared as surplus and sold and/or disposed of as appropriate and in accordance with Mississippi Code 17-25-25; and

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WHEREAS, the Mayor and Board of Aldermen are desirous of disposing of the Property and it being surplused in accordance with Mississippi Code 17-25-25; 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 be hereby declared as surplus property.
2. The City Police Chief, or his designee, is hereby authorized and directed to follow Mississippi Code 17-25-25 for the disposition of the Property.

Motion was made by Alderman Payne and seconded by Alderman Brooks, 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 George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman Raymond Flores	voted: YES
Alderman John Wheeler	voted: YES

RESOLVED AND DONE, this 5th day of September, 2017.

A detailed list of the surplus property is attached to these minutes.

RESOLUTION FOR ENGAGEMENT OF PROFESSIONALS AND INTENT TO ISSUE BONDS

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

Mr. Manley stated that this resolution will allow for the hiring of Butler Snow as bond counsel and Government Consultants as the financial advisor for the issuance of bonds. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

There came on for consideration the matter of providing financing for certain capital improvements for the City of Southaven, Mississippi, and after a discussion of the subject matter, Alderperson Brooks offered and moved the adoption of the following resolution:

**RESOLUTION HIRING REQUIRED LEGAL COUNSEL
AND AN INDEPENDENT REGISTERED MUNICIPAL
ADVISOR IN CONNECTION WITH THE SALE AND**

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ISSUANCE BY THE CITY OF SOUTHAVEN, MISSISSIPPI OF EITHER GENERAL OBLIGATION BONDS OF SAID CITY OR A GENERAL OBLIGATION BOND OF SAID CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK OR THE EXECUTION AND DELIVERY OF THE DOCUMENTS NECESSARY TO SECURE A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000); AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and the Board of Aldermen of the City of Southaven, Mississippi (the "**Governing Body**"), acting for and on behalf of the City of Southaven, Mississippi (the "**City**"), is authorized by Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**City Bond Act**"), to issue general obligation bonds for the purposes set forth therein, including, but not limited to, (i) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (ii) erecting, repairing, improving, adorning, equipping and furnishing municipal buildings, auditoriums, community centers, gymnasiums and athletic stadiums, preparing and equipping athletic fields, and purchasing buildings and land therefor; and for erecting, equipping and furnishing of buildings to be used as a municipal or civics arts center; (iii) purchasing land for parks, cemeteries and public playgrounds, and improving, equipping and adorning the same, including the constructing, repairing and equipping of swimming pools and other recreational facilities; (iv) purchasing fire-fighting equipment and apparatus, and providing housing for same, and purchasing land therefor; (v) erecting or purchasing waterworks, gas, electric and other public utility plants or distribution systems or franchises, and repairing, improving and extending the same; (vi) establishing sanitary, storm, drainage or sewerage systems, and repairing, improving and extending the same; (vii) protecting a municipality, its streets and sidewalks from overflow, caving banks and other like dangers; (viii) constructing bridges and culverts; (ix) purchasing machinery and equipment, including motor vehicles weighing not less than twelve thousand (12,000) pounds, which have an expected useful life in excess of ten (10) years which expected useful life shall exceed the life of the bonds financing such purchase; and (x) for other authorized purposes under Mississippi Code Ann. Sections 21-33-301 *et seq.*, as amended and/or supplemented from time to time, including paying for the cost of such borrowing (the "**Project**"); and

WHEREAS, the Governing Body, acting for and on behalf of the City, is also authorized under the City Bond Act and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**Bank Act**" and together with the City Bond Act, the "**Act**"), and other applicable laws of the State of Mississippi (the "**State**"), to (a) issue general obligation bonds of the City to finance the costs of the Project, (b) issue a general obligation bond of the City to be sold to the Mississippi Development Bank (the "**Bank**") to finance the costs of the Project, and/or (c) enter into a loan with the Bank to borrow money to finance the costs of the Project; and

WHEREAS, the Project is in accordance with and in furtherance of the provisions of the City Bond Act and the Bank Act; and

WHEREAS, the Governing Body is authorized to provide financing for the costs of the Project either (a) through the issuance of general obligation bonds of

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the City in a total aggregate principal amount not to exceed Six Million Dollars (\$6,000,000) (the "**Bonds**") pursuant to the City Bond Act, (b) through the issuance of a general obligation bond of the City to be sold to the Bank in a total aggregate principal amount not to exceed Six Million Dollars (\$6,000,000) (the "**City Bond**") pursuant to the Act, and/or (c) by entering into a loan with the Bank to borrow money from the Bank in a total principal amount not to exceed Six Million Dollars (\$6,000,000) (the "**Loan**") pursuant to the Act; and

WHEREAS, in connection with the execution and delivery of the documentation necessary to secure the Loan and/or the sale and issuance of the Bonds and the City Bond, the Governing Body now desires to hire the required legal counsel and an independent registered municipal advisor.

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

SECTION 1. The Governing Body, acting for and on behalf of the City, does hereby find and determine that it is necessary and advisable for the City to hire the required legal counsel and an independent registered municipal advisor in connection with (a) the issuance and sale of the Bonds pursuant to the City Bond Act, (b) the issuance and sale of the City Bond to the Bank pursuant to the City Bond Act and the Bank Act, and/or (c) entering into the Loan with the Bank pursuant to the City Bond Act and the Bank Act to borrow money from the Bank.

SECTION 2. Butler Snow LLP, Ridgeland, Mississippi, is hereby selected to serve as bond counsel (the "**Bond Counsel**") to the City in connection with the sale and issuance of the Bonds, the City Bond and/or the Loan. The Mayor of the City, the President of the Governing Body and/or the City Clerk of the City, acting for and on behalf of the City, is hereby authorized and directed to execute and deliver the engagement letter of Bond Counsel attached hereto as **Exhibit A**.

SECTION 3. Government Consultants, Inc., Madison, Mississippi, is hereby selected to serve as Independent Registered Municipal Advisor (the "**Municipal Advisor**") to the City in connection with the sale and issuance of the Bonds, the City Bond and/or the Loan. The Mayor of the City, the President of the Governing Body and/or the City Clerk of the City, acting for and on behalf of the City, is hereby authorized and directed to execute and deliver the Independent Registered Municipal Advisor disclosure letter of the Municipal Advisor attached hereto as **Exhibit B**.

SECTION 4. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

Alderperson Hale seconded the motion and the resolution was adopted by the following roll call vote, to wit:

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman Raymond Flores	voted: YES
Alderman John Wheeler	voted: YES

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The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted, on this the 5th day of September, 2017.

EXHIBIT A

BOND COUNSEL ENGAGEMENT LETTER

EXHIBIT B

M/A IRMA LETTER

A copy of the Butler Snow engagement letter and Government Consultants disclosure and engagement letter is attached to these minutes.

Mr. Manley stated that this resolution gives notice of the City's intent to issue \$6 million in bonds.

NOTICE OF RESOLUTION OF INTENT

The Mayor and the Board of Aldermen of the City of Southaven, Mississippi (the "**Governing Body**"), acting for and on behalf of the City of Southaven, Mississippi (the "**City**") took up for consideration the matter of providing financing for certain capital improvements for the City, and after a discussion of the subject matter, the following resolution was presented for consideration:

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY, ISSUE A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK OR ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000) TO RAISE MONEY FOR THE PURPOSE (I) CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC

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PARKING FACILITIES, AND PURCHASING LAND THEREFOR; (II) ERECTING, REPAIRING, IMPROVING, ADORNING, EQUIPPING AND FURNISHING MUNICIPAL BUILDINGS, AUDITORIUMS, COMMUNITY CENTERS, GYMNASIUMS AND ATHLETIC STADIUMS, PREPARING AND EQUIPPING ATHLETIC FIELDS, AND PURCHASING BUILDINGS AND LAND THEREFOR; AND FOR ERECTING, EQUIPPING AND FURNISHING OF BUILDINGS TO BE USED AS A MUNICIPAL OR CIVICS ARTS CENTER; (III) PURCHASING LAND FOR PARKS, CEMETERIES AND PUBLIC PLAYGROUNDS, AND IMPROVING, EQUIPPING AND ADORNING THE SAME, INCLUDING THE CONSTRUCTING, REPAIRING AND EQUIPPING OF SWIMMING POOLS AND OTHER RECREATIONAL FACILITIES; (IV) PURCHASING FIRE-FIGHTING EQUIPMENT AND APPARATUS, AND PROVIDING HOUSING FOR SAME, AND PURCHASING LAND THEREFOR; (V) ERECTING OR PURCHASING WATERWORKS, GAS, ELECTRIC AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS OR FRANCHISES, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; (VI) ESTABLISHING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; (VII) PROTECTING A MUNICIPALITY, ITS STREETS AND SIDEWALKS FROM OVERFLOW, CAVING BANKS AND OTHER LIKE DANGERS; (VIII) CONSTRUCTING BRIDGES AND CULVERTS; (IX) PURCHASING MACHINERY AND EQUIPMENT, INCLUDING MOTOR VEHICLES WEIGHING NOT LESS THAN TWELVE THOUSAND (12,000) POUNDS, WHICH HAVE AN EXPECTED USEFUL LIFE IN EXCESS OF TEN (10) YEARS WHICH EXPECTED USEFUL LIFE SHALL EXCEED THE LIFE OF THE BONDS FINANCING SUCH PURCHASE; AND (X) FOR OTHER AUTHORIZED PURPOSES UNDER MISSISSIPPI CODE ANN. SECTIONS 21-33-301 ET SEQ., AS AMENDED AND/OR SUPPLEMENTED FROM TIME TO TIME, INCLUDING PAYING FOR THE COST OF SUCH BORROWING; DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES.

WHEREAS, the Governing Body, acting for and on behalf of the City, hereby finds, determines, adjudicates and declares as follows:

1. The City is authorized by Sections 21-33-301 et seq., Mississippi Code of 1972, as amended and/or supplemented from time to time (the "City Bond Act") to issue general obligation bonds for the purposes set forth therein, including, but not limited to, (i) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (ii) erecting, repairing, improving, adorning, equipping and furnishing municipal buildings, auditoriums, community centers, gymnasiums and athletic

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stadiums, preparing and equipping athletic fields, and purchasing buildings and land therefor; and for erecting, equipping and furnishing of buildings to be used as a municipal or civics arts center; (iii) purchasing land for parks, cemeteries and public playgrounds, and improving, equipping and adorning the same, including the constructing, repairing and equipping of swimming pools and other recreational facilities; (iv) purchasing fire-fighting equipment and apparatus, and providing housing for same, and purchasing land therefor; (v) erecting or purchasing waterworks, gas, electric and other public utility plants or distribution systems or franchises, and repairing, improving and extending the same; (vi) establishing sanitary, storm, drainage or sewerage systems, and repairing, improving and extending the same; (vii) protecting a municipality, its streets and sidewalks from overflow, caving banks and other like dangers; (viii) constructing bridges and culverts; (ix) purchasing machinery and equipment, including motor vehicles weighing not less than twelve thousand (12,000) pounds, which have an expected useful life in excess of ten (10) years which expected useful life shall exceed the life of the bonds financing such purchase; and (x) for other authorized purposes under Mississippi Code Ann. Sections 21-33-301 et seq., as amended and/or supplemented from time to time, including paying for the cost of such borrowing (the "**Project**").

2. The Governing Body, acting for and on behalf of the City, is also authorized under the City Bond Act and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**Bank Act**" and together with the City Bond Act, the "**Act**"), and other applicable laws of the State of Mississippi (the "**State**"), to (a) issue a general obligation bond of the City to be sold to the Mississippi Development Bank (the "**Bank**") to finance the costs of the Project, and/or (b) enter into a loan with the Bank to borrow money to finance the costs of the Project.

3. The Project is in accordance with and in furtherance of the provisions of the City Bond Act and the Bank Act.

4. The Governing Body is authorized to provide financing for the costs of the Project (a) through the issuance of general obligation bonds of the City, in one or more series, in a total aggregate principal amount not to exceed Six Million Dollars (\$6,000,000) (the "**Bonds**") pursuant to the City Bond Act, (b) through the issuance of a general obligation bond of the City, in one or more series, to be sold to the Bank in a total aggregate principal amount not to exceed Six Million Dollars (\$6,000,000) (the "**City Bond**") pursuant to the Act, and/or (c) by entering into a loan with the Bank to borrow money from the Bank in a total principal amount not to exceed Six Million Dollars (\$6,000,000) (the "**Loan**") pursuant to the Act.

5. As of September 1, 2017, the assessed value of all taxable property within the City, according to the last completed assessment for taxation, is \$528,986,576, and the City has outstanding bonded indebtedness as subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303 of the City Bond Act, in the amount of \$45,670,000, and outstanding bonded and floating indebtedness as subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303 of the City Bond Act (which amount includes the sum set forth above subject to the fifteen percent (15%) debt limit), in the amount of \$45,670,000.

6. The Bonds, the City Bond, and/or the Loan, when added to the outstanding bonded indebtedness of the City, including any indebtedness of the

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City issued subsequent to the adoption of this resolution but prior to the issuance of the Bonds and/or the City Bond and/or entering into the Loan, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of all taxable property within the City, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of all taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City.

7. There has been no increase in said bonded and floating general obligation indebtedness of the City since September 1, 2017.

8. It is necessary for the health and well-being of the citizens of the City and it would be in the best interest of the City for the Governing Body to provide financing for the costs of the Project by borrowing money through the issuance of the Bonds and/or the City Bond and/or by entering into the Loan, all in accordance with the City Bond Act and/or the Bank Act.

9. The Governing Body is authorized and empowered by the City Bond Act and/or the Bank Act to issue the Bonds and/or the City Bond and/or enter into the Loan for the purposes as hereinafter set forth and there are no other available funds on hand or available from regular sources of income for such purposes.

10. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds or the City Bond or entering into the Loan which it intends to reimburse with the proceeds of the Bonds or the City Bond or Loan upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds and/or the City Bond and/or enter into the Loan in anticipation of the issuance of the Bonds or the City Bond or Loan is made pursuant to Department of Treasury Regulations Section 1.150-2 (the reimbursement regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

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

SECTION 1. The Governing Body, acting for and on behalf of the City, hereby declares its intention to (a) issue and sell the Bonds and/or the City Bond to the Bank, in one or more series, in the total principal amount not to exceed Six Million Dollars (\$6,000,000), and/or (b) enter into the Loan with the Bank to borrow money from the Bank, all in the total principal amount not to exceed Six Million Dollars (\$6,000,000).

SECTION 2. The Bonds and/or the City Bond are to be issued and the Loan entered into to raise money for the purpose of financing the Project in accordance with the Act.

SECTION 3. The Bonds and/or the City Bond may be issued in one or more series and, if issued, will be general obligations of the City payable as to

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principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate, or amount upon all the taxable property within the geographical limits of the City; provided, however, that such tax levy for any year shall be abated pro tanto to the extent the City on or prior to September 1 of that year has transferred money to the bond fund of the Bonds and/or the City Bond, as applicable, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds and/or the City Bond, as applicable, due during the ensuing fiscal year of the City, in accordance with the provisions of the bond resolution adopted by the Governing Body in connection with the issuance of the Bonds and/or the City Bond. The Loan will be payable from available revenues of the City and will not constitute an indebtedness of the City within the meaning of any constitutional or statutory restrictions, limitations, or provisions, and the taxing power of the City will not be pledged to the payment of the Loan.

SECTION 4. The Governing Body proposes to direct the issuance of all or any portion of the Bonds and/or the City Bond and/or to authorize the Loan in the amount and for the purposes and secured as aforesaid at a meeting of the Governing Body to be held at its usual meeting in City Hall, located at 8710 Northwest Drive, Southaven, Mississippi, at the hour of 6:00 o'clock p.m. on October 3, 2017, or at some meeting or meetings subsequent thereto; provided, however, that if ten percent (10%) of the qualified electors of the City or fifteen hundred (1,500), whichever is less, shall file a written protest with the City Clerk of the City (the "City Clerk") against the issuance of the Bonds and/or the City Bond and/or the authorization of the Loan on or before the aforesaid date and hour, then the Bonds and/or the City Bond shall not be issued and/or the Loan shall not be entered into unless approved at an election on the question thereof called and held as is provided by law; provided, further that if no protest is filed, then the Bonds and/or the City Bond may be issued and sold in one or more series and/or the City may enter into the Loan without an election on the question of the issuance thereof at any time within a period of two (2) years after October 3, 2017.

SECTION 5. This resolution shall be published once a week for at least three (3) consecutive weeks in *DeSoto Times-Tribune*, a newspaper published in and having general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended and supplemented from time to time. The first publication of this resolution shall be made not less than twenty-one (21) days prior to the date fixed herein, and the last publication shall be made not more than seven (7) days prior to such date.

SECTION 6. The City Clerk of the Governing Body shall be and is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and have the same before the Governing Body on the date and hour specified in Section 4 hereof.

SECTION 7. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds, the City Bond and/or the Loan which it intends to reimburse with the proceeds of the Bonds, the City Bond and/or the Loan upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds, the City Bond and/or the Loan in anticipation of the issuance of the Bonds, the City Bond and/or the Loan is made pursuant to Department of Treasury Regulations Section 1.150-2 (the reimbursement regulations). The Project for which such expenditures are made is

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the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

SECTION 8. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Alderperson Gallagher seconded by Alderperson Brooks and was adopted by the following roll call vote, to wit:

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman Raymond Flores	voted: YES
Alderman John Wheeler	voted: YES

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted, on this the 5th day of September, 2017.

Published as a legal notice for four (4) consecutive weeks on September 7, 14, 21 and 28, 2017.

RESOLUTION FOR DONATIONS

This resolution provides the authority for certain donations to various entities as part of the FY18 budget. After discussion regarding specific donations and the amount for the donation, the Board of Alderman considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI APPROVING DONATIONS

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

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

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

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

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

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

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

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

1. Pursuant to Mississippi Code 21-19-44 and 21-19-44.1, the City hereby approves donations to the Southaven Chamber in the amount of \$81,000.00 and the Desoto Economic Council in the amount of \$34,491.00 for the purpose of bringing favorable notice and economic opportunities to the City.
2. Pursuant to Mississippi Code 39-3-1, the City hereby approves appropriation to the M.R. Davis Library in the amount of \$330,000.00.
3. Pursuant to Mississippi Code 17-3-1 and 17-3-3 and Mississippi Code 39-15-1, the City hereby approves a donation in the amount of \$40,000.00 to Desoto Family Theatre for the promotion of the arts and favorable notice and opportunities for the arts to the City that the Desoto Family Theatre brings to the City and to serve as matching funds for the Theatre. Also, pursuant to Mississippi Code 17-3-1 and 17-3-3 and Mississippi Code 39-15-1, the City hereby approves a donation in the amount of \$9,000.00 to the Historic DeSoto Foundation for its museum which contribution will support the development, promotion and coordination of the arts and bring favorable notice to the City.
4. Pursuant to Mississippi Code 17-3-1 and 17-3-3 and Mississippi Code 21-19-65, the City hereby approves donations to Desoto Youth Solutions in the amount of \$5,400.00, The Arc of Northwest Mississippi in the amount of \$15,000.00, and Healing Hearts Child Advocacy Center in the amount of \$50,000.00 for the promotion of the City's moral interest associated with events for helping at-risk children by Desoto Youth Solutions, helping abused children by Healing Hearts Child Advocacy, and helping individuals with development and intellectual disabilities by the Arc of Northwest Mississippi. The amounts provided to each entity by the City are matching funds for the support of social and community service programs within the City.

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5. Pursuant to Mississippi Code 21-19-65 and 21-17-1(3)(b)(ii), the City hereby approves a rental donation for the Arena to the Community Foundation of Northwest Mississippi for its Crystal Ball to help with its mission is to connect and assist donors as well as nonprofit organizations and charitable causes to make a difference with an emphasis on education, health and children in order to impact communities, including individuals and causes in the City.
6. Pursuant to Mississippi Code 21-19-65, the City hereby approves a rental donation of the City Snowden House to Cops For Kids to host a fundraiser which will benefit the Make-A-Wish Foundation of the Mid-South, and fundraiser will raise funds that exceed the in-kind donation of the City and will advance the moral interest of the City.
7. Pursuant to Mississippi Code 21-19-65, the City hereby approves a rental donation of the City Snowden House to Steps for Stovall to host a fundraiser which will benefit families of military men and women, who are deployed and fundraiser will raise funds that exceed the in-kind donation of the City and will advance the moral interest of the City.
8. Pursuant to Mississippi Code 21-19-65, the City hereby approves a rental donation of the City Snowden House to Best Buddies, International to host a function which will provide information of Best Buddies mission for the development in the City of Best Buddies programs which are designed to create opportunities for one-to-one friendships, integrated employment and leadership development for people with intellectual and developmental disabilities and the in-kind donation of the City will serve as match to the funds raised by Best Buddies, International throughout the year and will advance the moral interest of the City.
9. The City Clerk's Office is hereby authorized and directed to make such donation from City funds.
10. The City Park's Office is hereby authorized to coordinate the dates and logistics for the rental donations.
11. Upon application and approval by the City Parks Department and City Police Department as it relates to adequate security, the City Board grants an alcohol variance to the Community Foundation of Northwest Mississippi, Cops for Kids, Steps for Stovall, and Best Buddies, International for use of the facilities.

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

Alderman William Brooks
Alderman Kristian Kelly

voted: YES
voted: YES

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Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman Raymond Flores	voted: YES
Alderman John Wheeler	voted: YES

RESOLVED AND DONE, this 5th day of September, 2017.

RESOLUTION FOR LIENS

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

Mr. Manley stated that this resolution provides for liens on condemned properties that will be converted to assessments later this year. Mayor Musselwhite 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 of Alderman considered the following resolution:

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

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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:

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 Brooks and seconded by Alderman Payne. 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 George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman Raymond Flores	voted: YES
Alderman John Wheeler	voted: YES

RESOLVED AND DONE this 5th day of September, 2017.

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

RESOLUTION FOR STORMWATER AWARENESS WEEK

The Board of Alderman considered the following resolution that will declare the week of September 25-29th as Storm Water Awareness Week:

RESOLUTION OF THE SOUTHAVEN BOARD OF ALDERMEN,

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DECLARING SEPTEMBER 25TH - 29TH, 2017 AS STORMWATER AWARENESS WEEK

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

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

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

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

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

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

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

That the Week of September 25th - 29th, 2017 be, and it is hereby declared to be "**Stormwater Awareness Week**".

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

Alderman William Brooks
Alderman Kristian Kelly

voted: YES
voted: YES

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Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman Raymond Flores	voted: YES
Alderman John Wheeler	voted: YES

RESOLVED AND DONE this 5th day of September, 2017.

RESOLUTION 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: **622 AMBER LN, 710 CLARINGTON DR, 7659 GREENBROOK PKWY, 8573 LAKESHORE DR N, PARCEL 208112040 0000201, PARCEL 208112040 0000202, PARCEL 107931000 0000200, PARCEL 107931120 0000201, PARCEL 107931120 0000202, PARCEL 108521050 0017100, PARCEL 108521050 0017200, PARCEL 108521050 0017400, PARCEL 108521050 0017500 , PARCEL 108521050 0017600, PARCEL 108521050 0017700 , PARCEL 108521050 0008800, PARCEL 108521050 0008700**

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 is in a state of uncleanness** and that the parcel of land in the present condition is deemed to be a menace to the public health and safety of the community.

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WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code Annotated (1972), the governing authorities of the City of Southaven, Mississippi, provided the owners of the above described parcel of land with notice of the condition of their respective parcel of land and further provided them with notice of a hearing before the Mayor and Board of Aldermen on September 5, 2017, 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, September 5, 2017**, 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 : 622 AMBER LN, 710 CLARINGTON DR, 7659 GREENBROOK PKWY, 8573 LAKESHORE DR N, PARCEL 208112040 0000201, PARCEL 208112040 0000202, PARCEL 107931000 0000200, PARCEL 107931120 0000201, PARCEL 107931120 0000202, PARCEL 108521050 0017100, PARCEL 108521050 0017200, PARCEL 108521050 0017400, PARCEL 108521050 0017500, PARCEL 108521050 0017600, PARCEL 108521050 0017700, PARCEL 108521050 0008800, PARCEL 108521050 0008700 is deemed in the existing condition to be a menace to the public health and safety of the community.

BE IT FURTHER RESOLVED that pursuant to Mississippi Code 21-19-11, 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 grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets,

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abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Mississippi Code Section 21-39-21, and other debris; and draining cesspools and standing water therefrom.

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

VOTED

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman Raymond Flores	voted: YES
Alderman John Wheeler	voted: YES

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the 5 day of September, 2017.

CITY OF SOUTHAVEN, MISSISSIPPI

PLANNING AGENDA:

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

Item #1 –Application by Jon Reeves for subdivision approval of Central Park Section M-1A on the west side of Tchulahoma, south of Stateline Road

Mrs. Choat-Cook stated that this is a subdivision application for Central Park Section M-1A, located west of Tchulahoma, south of Stateline Road. This will be a continuation of the existing M-1 section directly off of Tchulahoma and consists of two lots and is 0.76 acres. The applicant is requesting this minor addition to finish off the residential lots before the property continues into a future development area and the city identified preservation area. Mrs. Choat-Cook stated that it has met all bulk regulations under the approved 1999 PUD and it was voted unanimously in favor of by the Planning Commission. Alderman Kelly made the motion to approve the application for subdivision approval. Motion was seconded by Alderman Hale. Alderman Kelly expressed concerns with the city having to pave more roads due to developers not completing them. Mrs. Choat-Cook stated that in 2008, the city had to collect bonds because the developers

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could not honor them. Mrs. Choat-Cook stated that with any new sections such as this one, Civil Link will be contacted to measure the roads, inspect sidewalks and curb and gutter. Civil Link and the developer will agree to an amount and the contractor will then issue a bond. The city will hold that bond until the project is 80% complete. Mrs. Choat-Cook explained that if for whatever reason something happens with the developer following through, then the city will have the bond money to complete it. Mayor Musselwhite expressed that he appreciated Alderman Kelly's concern because he has had to watch the city suffer through the last four years. Mayor Musselwhite explained that bond amounts that were set when the initial developments were done were inadequate and grossly underestimated and has caused the city major problems. Mayor Musselwhite stated that he met with Civil Link to make sure that the bond amounts are set accurately to avoid getting into the same situation.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of September, 2017.

A copy of the staff report and vicinity map are attached to these minutes.

Item #2 Application by Jon Reeves for subdivision approval of Central Park Section M2 on the west side of Tchulahoma Road, south of Stateline Road

Mrs. Choat-Cook stated that this applicant is requesting subdivision approval for Central Park Section "M2" on the west side of Tchulahoma Road, south of Stateline Road and consists of 7.77 acres with 24 lots and 1 lot -862 identified as city preservation area. Mrs. Choat-Cook stated that this was something that was approved back in 1998 in the overall PUD and it is where you see the creek line. Before accepting this application, the applicant has been asked to do the following:

1. M1 and M2 do not connect anywhere via street system or anywhere else and they have been asked to rename it Section N and they have agreed to do that.
2. City Preservation Area – There is a lot of trash and debris, complaints of tires being stored in the creek for many years of neglect. Mrs. Choat-Cook stated that before the city will want to take on the City Preservation area, the applicant will need to have the creek cleaned out and they have agreed to do that as well.

Once these agreements were in place, it was voted unanimously in favor of by the Planning Commission. Alderman Kelly made the motion to approve the application. Motion was seconded by Alderman Hale. Alderman Payne asked if the 1,300 sq. ft.

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is part of the original PUD. Mrs. Choat-Cook explained that it was a part of the original PUD and that the developers were the only ones that could amend it.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of September, 2017.

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

Item #3 Application by Jon Reeves for subdivision approval of Rasco Hills Section H on the south side of Stateline Road, east of Horn Lake Road

Mrs. Choat-Cook stated that this application is for subdivision approval in Rasco Hills, Section H, on the south side of Stateline Road, east of Horn Lake Road and consists of 7.34 acres and will include 34 residential lots with no common open spaces. It is a continuation of the existing Smith Ranch Drive and connects to existing sections of the same subdivision together. The PUD text was approved in 2003 and it meets bulk regulations of the text. Mrs. Choat-Cook stated that they have an HOA in place and they will be asked to note that on the plat. There are no entrances or common open spaces associated with this particular phase so there is nothing associated with actual maintenance. It was voted unanimously in favor of by the Planning Commission. Alderman Hale made the motion to approve the subdivision application. Motion was seconded by Alderman Kelly.

Alderman Hale expressed concerns about the dissolution of HOA's and Mrs. Choat-Cook stated that it was not common, but it is mandated in the City's files now. Alderman Hale then asked about additional lighting from the developer. Mrs. Choat-Cook stated that the standard is every eight lots, but Entergy is willing to work with the city. Mayor Musselwhite explained that with a new development like that, Entergy makes the call as to how many lights are needed. When it becomes a city street, the city can use its discretion as to how many lights are needed. The city does not have any guidelines to take care of it on the front end. If we have requirements, then Entergy will meet them and follow city ordinances. Mayor then asked Bradley Wallace to put together a policy to bring back before the Board of Alderman, in which he agreed to do. Mayor Musselwhite stated that the city has to pay for each light and we will want to be efficient.

Roll call was as follows:

ALDERMAN	VOTED
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Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of September, 2017.

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

Item #4 Application by CTP Investments for subdivision approval of Cherry Tree Park Section G2 on the west side of Getwell Road, north of Starlanding Road

Mrs. Choat-Cook stated that this request is for a subdivision approval request of Cherry Tree Park, Section G2, west side of Getwell, north of Starlanding. Mrs. Choat-Cook explained that it consists of one lot and for whatever reason they are having to correct an error between Section H and Section G. There was one vacant parcel that did not get placed in either section. The lot is approximately 18,000 sq. ft. and the applicant is proposing to add it into Section G and it will be considered section G2. It was voted unanimously in favor of by the Planning Commission. Alderman Flores 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 Hale	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 5th day of September, 2017.

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

MAYOR'S REPORT

Special Thanks to Department Heads

Mayor Musselwhite thanked department heads and everyone in the city that put together some relief efforts from Hurricane Harvey. Mayor Musselwhite expressed his appreciation to Wesley Brown and John Lyons in the Parks Department for organizing a campaign to fill a large 22x65 trailer full of goods and then drove it down to north Houston allowing the city to help.

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Special Meeting – Church Road Resurfacing Bids

Mayor Musselwhite stated that there will need to be a special meeting on Tuesday, September 12th at 11:30 a.m. Mayor Musselwhite explained that the Church Road Resurfacing Bids will be opened later in the week and they are in a time crunch to get it onto MDOT's agenda. Mayor Musselwhite stated that the goal is to get the overlay done in October before it gets cold.

Tanger Outlets - Special Event Permit

Mayor Musselwhite stated that there is work to be done as a city with the ordinance committee. Several things need to be reviewed and adjustments made to the transient vendor ordinance that is in place now. Tanger Outlets requested food trucks on site and they are a little different than most of our operations. It is a popular thing now throughout the country to use food trucks. Tanger has requested to bring in food trucks throughout the year for different events. Mayor Musselwhite stressed that he continues to remind them that the city is still waiting on restaurants and they understand that he is not happy that there are not any restaurants there after they promised them. Mayor Musselwhite stated that they have assured him that they are working on that, but for short term, some of the events will require some food trucks. Mayor Musselwhite explained to the Board of Alderman that it has been recommended to complete an application for a Special Events Permit to bring before the board for approval each time. The application will be reviewed by Whitney Choat-Cook, Andrea Mullen, the Police Department and the Fire Department to be sure that it does not cause any problems. After those departments put their approval on it, it will then come before the Board of Alderman for approval. Mayor Musselwhite stated that we hope to have it on the agenda for the September 12th special meeting.

CITIZEN'S AGENDA

No Citizen's Agenda

PERSONNEL DOCKET

Personnel Docket

September 5, 2017

Payroll Additions

Name	Position	Department	Start Date	Rate of Pay
Matthew Barton	Asst. Prosecuting Attorney	Court	9/6/2017	\$20,000 annually
Carlos Brown	Streets Laborer	Public Works	TBD	\$11.25
Sumer P. Lane	Administrative Assistant	Public Works	9/11/2017	\$13.00
Adreanne L. Moore	Crossing Guard	Police	8/24/2017	\$9.00

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*pending successful completion of pre-emp screenings

Payroll Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Joshua D. Braswell	Code Enforcement Officer	merit increase	9/5/2017	\$15.00
Kristen Coopwood	Deputy Court Clerk	Deputy Court Clerk II	9/9/2017	\$15.00
Arthur Johnson Jr.	Parks Seasonal – PT	Parks Laborer - FT	9/8/2017	\$11.00
Derrick L. Jones	Parks - Laborer 1	Parks - Leadman	9/6/2017	\$13.00
Robert A. Kerr	Code Enforcement Officer	merit increase	9/5/2017	\$15.00
Mike Mueller	Fire Dept. Lieutenant	increase not issued 2016 due to probation period	9/23/2017	\$18.98
Germaine Barton	P3	P4	9/18/2017	\$21.90

Terminations/Resignations

Name	Department	Position	Termination Date	Rate of Pay
Kristin Ellis	Animal Control	Admin Asst - Animal Control	08/17/2017	\$13.00
Stephanie Norvell	Police	Crossing Guard	08/17/2017	

Personnel Docket September 5, 2017

Part Time

City of Southaven Parks Department

2017

Re-Hires

Payroll Additions	Position	Department	Start Date	Rate of Pay
Allison Williams	PT Front Desk/Turf	Parks	09/06/2017	\$7.25

Adjustment	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Marilyn E. Gonzalez	412 Tournament Concessions	412 Tournament Supervisor	09/06/2017	\$8.00
Lauren Bailey McPhail	412 Tournament Concessions	412 Tournament Supervisor	09/06/2017	\$8.00
Hannah M. Sherrod	412 Tournament Concessions	412 Tournament Supervisor	09/06/2017	\$8.00
Ashley N. Foster	412 Tournament Concessions	412 Tournament Supervisor	09/06/2017	\$8.00

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Terminations	Termination Date
Abigail Arwood	09/05/2017
Andrew Fletcher II	09/05/2017
Cameron Malone	09/05/2017
Kavi Overton	09/05/2017
Anessia Shearon	09/07/2017

Alderman Brooks made the motion to approve the Personnel Docket of September 5, 2017 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

Sanitation Fees

Mr. Manley stated that under MS Code, the landlord and tenant are jointly liable. However, there are two situations where the landlord was not aware that the sanitation bill wasn’t getting paid, because they were not the ones receiving notice. Mr. Manley requested approval to forgive the late fees at 5830 London Dairy Cove in the amount of \$103.93 and 709 Burton Cove in the amount of \$102.00. Due to lack of notice, Alderman Payne made the motion to approve forgiving the late fees at both addresses, but not the actual bill amount owed. Motion was seconded by Alderman Kelly. A motion was put to vote and passed unanimously.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of September 5, 2017 in the amount of \$2,570,375.59. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

286633, 286634, 286697, 286701, 287005, 287229, 287429, 287544

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 5th day of September, 2017.

Minutes, City of Southaven, Southaven, Mississippi

EXECUTIVE SESSION

A copy of 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 Payne to adjourn. Motion was seconded by Alderman Kelly. Motion was put to a vote and passed unanimously, September 5, 2017 at 8:50 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

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