

# Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
SOUTHAVEN, MISSISSIPPI  
CITY HALL  
September 19, 2017  
6:00 p.m.  
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval Of Minutes: September 5, 2017 & September 12, 2017
5. Contracts with Dex Imaging
6. Contract renewal with Baker Services
7. Resolution Donating Use of Arena to Desoto County School District
8. Authorization to Accept Grant for SFD
9. Resolution for Retiree Insurance Coverage Policy
10. Resolution for Firearm for Captain Foshee
11. Resolution for SPD Surplus
12. Resolution for Sanitation Assessment
13. Resolution for Liens for Condemned Lots
14. Acceptance of Bid for Skid Steer – Parks Dept.
15. Acceptance of Bid for Indoor Volleyball courts – Parks Dept.
16. Resolution To Clean Private Property
17. Planning Agenda
  - Item #1: Application by Central Network Retail Group for a conditional use permit for a LED reader board on the north side of Stateline Road, east of I-55
  - Item #2: Application by Lee Troung for a conditional use permit to allow a full service spa at 1138 Church Road
  - Item #3: Application by College Road Land Company to rezone 152.96 acres of property on the north side of Star Landing Road between Hwy. 51 and I-55
  - Item #4: Application by College Road Land Company to rezone 129.5 acres of property on the west side of Star Landing Road north of Star Landing Road from agricultural to planned business park
18. Mayor's Report
19. Citizen's Agenda
20. Personnel Docket
21. City Attorney's Legal Update
22. Claims Docket
23. Executive Session: Economic Development Relating to Re-locating of Business to city and Leasing of City Property

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 19, 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 19th day of September, 2017 at six o'clock (6:00) p.m. at City Hall.

**Present were:**

|                                        |                  |
|----------------------------------------|------------------|
| Kristian Kelly                         | Alderman, Ward 1 |
| Ronnie Hale                            | Alderman, Ward 2 |
| George Payne                           | Alderman, Ward 3 |
| Joel Gallagher                         | Alderman, Ward 4 |
| John David Wheeler (By Teleconference) | Alderman, Ward 5 |
| Raymond Flores                         | Alderman, Ward 6 |

**Absent were:**

|                |                   |
|----------------|-------------------|
| William Brooks | Alderman At Large |
|----------------|-------------------|

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 September 5, 2017 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Kelly. Motion was put to a vote and passed unanimously. Alderman Payne made the motion to approve the minutes of the Special Called Meeting of September 12, 2017 with any corrections, deletions, or additions necessary. There being none the motion was seconded by Alderman Hale. Motion was put to a vote and passed unanimously.

### **CONTRACT WITH DEX IMAGING**

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

Mr. Manley stated that these contracts are for the printers/copiers and scanners in the Planning, Water, and Clerk's office. The Planning contract is a lease for a copier and the remaining contracts are for maintenance that will cover parts, service and toner supplies. Mr. Manley explained that he requested an addendum which provides additional terms and notes that certain parameters of Mississippi law in context of governmental entity be added to the contracts, which was agreed to by Dex Imaging and is included in the attached documents. Alderman Payne made the motion to approve the Dex Imaging contracts and authorize Mayor Musselwhite to sign all agreements. Motion was seconded by Alderman Hale.

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Roll call was as follows:

| ALDERMAN                             | VOTED  |
|--------------------------------------|--------|
| Alderman Brooks                      | ABSENT |
| Alderman Kelly                       | YES    |
| Alderman Hale                        | YES    |
| Alderman Payne                       | YES    |
| Alderman Gallagher                   | YES    |
| Alderman Wheeler (By Teleconference) | YES    |
| Alderman Flores                      | YES    |

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 19<sup>th</sup> day of September, 2017.

A copy of the scanner/copier maintenance agreements and copier lease agreement is attached to these minutes.

## **CONTRACT RENEWAL WITH BAKER SERVICES**

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

Mr. Manley stated that this contract extension allows for Baker Services to continue doing the meter reading for the city for FY 17-18. The "per-read" rate increases to .971 from .965. In addition, the CPI was amended, so that the rate could be changed consistent with the contract. Alderman Gallagher made the motion to approve the 2<sup>nd</sup> amendment to the contract and authorize Mayor Musselwhite to sign the agreement. Motion was seconded by Alderman Kelly.

Roll call was as follows:

| ALDERMAN                             | VOTED  |
|--------------------------------------|--------|
| Alderman Brooks                      | ABSENT |
| Alderman Kelly                       | YES    |
| Alderman Hale                        | YES    |
| Alderman Payne                       | YES    |
| Alderman Gallagher                   | YES    |
| Alderman Wheeler (By Teleconference) | YES    |
| Alderman Flores                      | YES    |

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 19<sup>th</sup> day of September, 2017.

A copy of the contract is attached to these minutes.

## **RESOLUTION DONATING USE OF ARENA TO DESOTO COUNTY SCHOOL DISTRICT**

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

Mr. Manley explained that this resolution will allow the Desoto County School District use of the Arena on November 13-15 for a chess tournament. The Board of Alderman then considered the following resolution:

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## **RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI FOR DONATION TO DESOTO COUNTY SCHOOL DISTRICT FOR THE ARENA ON NOVEMBER 13-15, 2017**

**WHEREAS**, the City of Southaven ("City") pursuant to Mississippi Code Section 21-19-49 and its Facilities Policy desire to waive the rental fee and provide the Southaven Arena ("Arena") to the Desoto County School District ("District"); and

**WHEREAS**, the City desires to waive its fees for use of the Arena to another governmental entity as the Mississippi Attorney General has previously opined that a "municipality may waive its facility rental fee for other governmental entities, including, but not limited to, school districts." MS AG Op., Thomas (October 8, 2013).

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

**SECTION 1.** Pursuant to Mississippi Code 21-19-49 and the reasoning noted above, the City desires to donate use of the Arena to the Desoto County School District on November 13-15, 2018.

**SECTION 2.** On behalf of the City, the Mayor, City Park Director or their designee is authorized to take all required actions for this Resolution.

Following the reading of the foregoing resolution, Alderman Payne made the motion to adopt the Resolution 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: ABSENT |
| Alderman Kristian Kelly                         | voted: YES    |
| Alderman Ronnie Hale                            | voted: YES    |
| Alderman George Payne                           | voted: YES    |
| Alderman Joel Gallagher                         | voted: YES    |
| Alderman John David Wheeler (By Teleconference) | voted: YES    |
| Alderman Raymond Flores                         | voted: YES    |

RESOLVED AND DONE, this 19<sup>th</sup> day of September, 2017.

### **AUTHORIZATION TO ACCEPT GRANT FOR SFD**

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

Mr. Manley stated that this is a \$12,143.00 grant from the Federal Government for purchase of smoke alarms with the city's share being \$607.00 for a total cost of \$12,750.00. Alderman Flores made the motion to accept the grant. Motion was seconded by Alderman Hale. Motion was put to vote and passed unanimously.

A copy of the grant details is attached to these minutes.

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## **RESOLUTION FOR RETIREE INSURANCE COVERAGE POLICY**

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

This resolution will implement a policy for continuing health insurance for city retirees, who meet all qualifications under PERS for retirement, retirees with PERS, and at time of retirement is receiving full benefits. In order to maintain the insurance, the retiree will be responsible for all costs and payment will be transferred via ACH draft on the first day of month. The coverage will end when the retiree is eligible for Medicare, Social Security, or obtains coverage through another source

Mayor Musselwhite stated that he would like to commend Alderman Wheeler for bringing the suggestion to him to present to Mr. Chris Wilson. Mayor Musselwhite stated that they recognize the benefits as a great way to reduce turn over in the organization and give incentive to finish careers with the City of Southaven.

Alderman Payne confirmed that even though the city will not be paying the premium on the retirees insurance, they are still getting the discounted city rate.

Mr. Wilson explained that it is important to note that employees must be on the current plan through December 31, 2017 in order to be eligible. Mr. Wilson added that if a retiree chooses to be removed from the plan, they will not have the opportunity to rejoin.

The Board of Alderman then considered the following resolution:

## **RESOLUTION OF CITY OF SOUTHAVEN BOARD OF ALDERMAN FOR RETIREE CONTINUED INSURANCE COVERAGE**

**WHEREAS**, pursuant to Mississippi Code 21-17-5, the City of Southaven Governing Authorities ("City") has the power to adopt any orders, resolutions or ordinances with respect to such City affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi; and

**WHEREAS**, the City desires to afford City retirees the option of remaining on the City's plan of insurance provided that the retiree pays the entire cost thereof in accordance with the policy attached hereto as Exhibit A and pursuant to Mississippi Code 25-15-103; and

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

1. The City Governing Authorities hereby adopts the Retiree Continued Insurance Coverage Policy attached hereto as Exhibit A.
2. The City Governing Authorities shall have the authority to amend, modify, and/or revoke the Retiree Continued Insurance Coverage Policy attached hereto as Exhibit A.

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3. This policy shall be effective immediately upon passage by the City Governing Authorities and the Mayor and/or City Administrator may take any and all actions to effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Flores made the motion and Alderman Payne 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: ABSENT |
| Alderman Kristian Kelly                         | voted: YES    |
| Alderman Ronnie Hale                            | voted: YES    |
| Alderman George Payne                           | voted: YES    |
| Alderman Joel Gallagher                         | voted: YES    |
| Alderman John David Wheeler (By Teleconference) | voted: YES    |
| Alderman Raymond Flores                         | voted: YES    |

RESOLVED AND DONE, this 19th day of September, 2017.

## EXHIBIT A

### **Retiree Continued Insurance Coverage (Miss. Code Ann. Section 25-15-103)**

To be classified as a retiree with the City of Southaven for purposes of continued insurance coverage an employee or elected official must meet the criteria for service retirement benefits under the Public Employees' Retirement System of Mississippi (PERS) AND be employed with the City when the employee is eligible and makes application for retirement benefits.

Eligibility for service retirement benefits under PERS will be determined by applicable state law and PERS regulations, as amended from time to time, including but not limited to Miss. Code Ann. Section 25-11-111 (Superannuation retirement) and 25-11-113 (Disability retirement).

Upon retirement of an employee or elected official who is receiving full-time benefits and who meets all eligibility requirements under the Public Employees' Retirement System of Mississippi (PERS), the retiree may elect to remain a member of the City's group health plan as agreed to by the City and the City's insurance carrier, provided that the retiree pays 100% of the cost of such coverage.

The retiree shall keep their existing coverage plan (employee only, family coverage, etc...) upon a qualifying retirement. The premium payments shall be the sole responsibility of the retiree. Only during the City's annual open enrollment may the retiree amend and/or otherwise change their coverage plan. It shall be the retiree's responsibility to notify the City of changes in contact information and/or other information pertinent to the retiree's continued enrollment in the City's health insurance plan.

The City of Southaven is responsible for submitting the payment to Cigna and therefore all payments must be received/withdrawn from the retiree in a timely manner.

Continued retiree health coverage will automatically discontinue for the retiree when the retiree:

- 1) becomes eligible for Medicare
- 2) becomes eligible for Social Security disability benefits
- 3) obtains replacement health coverage from another source

If the retiring employee does not elect to continue health coverage at the time of retirement, they will not be allowed to elect coverage at a later date. If a retiree elects continued health

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coverage at the time of retirement, but discontinues such coverage at a later date, they will not be allowed to later resume coverage under the City's group health plan.

Premiums shall be the responsibility of the retiree and shall be deducted via ACH draft on or before the first day of the month in order for coverage to be effective for the upcoming month. The retiree shall complete an ACH deduction form and provide to the City prior to becoming enrolled as an eligible retiree. Should the first of the month fall on a holiday, Saturday or Sunday, premiums shall be deducted on or about the following Monday or the day after the holiday. No monthly notice of payments will be provided to the retiree or the spouse of a retiree. Failure to make payments or valid ACH deduction shall result in termination of coverage.

## **First payment for continuation retiree medical insurance coverage**

If you elect continuation retiree medical coverage, the City shall debit/draft the retiree's account you must make your first premium payment not later than 30 days after the date of your retirement. If you do not make your first payment for coverage in full not later than 30 days after the date of your retirement, you will lose all continuation coverage rights under the Plan. You are responsible for making sure that the amount of your first payment is correct. You may contact the Human Resources staff at 662.393.5931 to confirm the correct amount of your first payment. The City will not send notices of payments due for these coverage periods.

Correspondence, ACH forms and all other information/request regarding continuation of coverage should be sent to:

City of Southaven, Mississippi  
Attn: Human Resources 8710 Northwest Drive  
Southaven, MS 38671  
Or email to: HR@southaven.org

## **RESOLUTION FOR FIREARM FOR CAPTAIN FOSHEE**

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

Mr. Manley stated that this resolution will provide Captain Foshee's firearm to him as he is retiring from the SPD in PERS system. The Board of Alderman then considered the following resolution:

### **RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI PRESENTING CAPTAIN MIKE FOSHEE HIS SERVICE WEAPON IN RECOGNITION OF HIS RETIREMENT**

**WHEREAS**, the City of Southaven Police Department hereby desires to honor Captain Mike Foshee by presenting to him his service firearm, a Glock model 17, 9mm , serial #BAYZ303 (Weapon"), and

**WHEREAS**, Mike Foshee is retiring under a state retirement system, and

**WHEREAS**, in accordance with Mississippi Code Section 45-9-131, it has been recommended to the Mayor and Board of Aldermen that this Weapon be sold to Captain

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Mike Foshee for one dollar in recognition of his retirement and service to the City of Southaven, and

**WHEREAS**, the Mayor and Board of Aldermen hereby authorize that the Weapon as described above be provided to Captain Mike Foshee.

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

1. The Weapon be provided to Captain Mike Foshee.
2. The Mayor and Chief are hereby authorized to take all actions to effectuate the intent of this Resolution.

Motion was made by Alderman Flores and seconded by Alderman Wheeler, for the Resolution, and the question being put to a vote:

|                                                 |               |
|-------------------------------------------------|---------------|
| Alderman William Brooks                         | voted: ABSENT |
| Alderman Kristian Kelly                         | voted: YES    |
| Alderman Ronnie Hale                            | voted: YES    |
| Alderman George Payne                           | voted: YES    |
| Alderman Joel Gallagher                         | voted: YES    |
| Alderman John David Wheeler (By Teleconference) | voted: YES    |
| Alderman Raymond Flores                         | voted: YES    |

**RESOLVED AND DONE**, this 19th day of September, 2017.

## **RESOLUTION FOR SPD SURPLUS**

The Board of Alderman considered the following resolution that will surplus vehicles seized by SPD, which have cleared the court process. In addition, tactical vests are being surplusd as the warranty expired in 2013 and are no longer used.

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

**WHEREAS**, the City of Southaven Police Department ("City") is presently in possession and ownership of certain vehicles and property as set forth in Exhibits A and B; and

**WHEREAS**, the vehicles have cleared all Court Proceedings and has been forfeited to the City; and

**WHEREAS**, the tactical vests are no longer useful and/or needed by the City as the warranty expired in 2013 and have no value to the City; and

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**WHEREAS**, the vehicles and tactical vests are no longer needed by City, so that it is now considered "surplus"; and

**WHEREAS**, pursuant to Mississippi Code 17-25-25, the City desires to surplus the Seized Property; and

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

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

Motion was made by Alderman Payne and seconded by Alderman Hale, 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: ABSENT |
| Alderman Kristian Kelly                         | voted: YES    |
| Alderman Ronnie Hale                            | voted: YES    |
| Alderman George Payne                           | voted: YES    |
| Alderman Joel Gallagher                         | voted: YES    |
| Alderman John David Wheeler (By Teleconference) | voted: YES    |
| Alderman Raymond Flores                         | voted: YES    |

RESOLVED AND DONE, this 19th day of September, 2017.

## **RESOLUTION FOR SANITATION ASSESSMENTS**

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**

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**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 and the opportunity to address the City Board at the August 1 City meeting and August 15 City meeting, 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:

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

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|                                                 |               |
|-------------------------------------------------|---------------|
| Alderman William Brooks                         | voted: ABSENT |
| Alderman Kristian Kelly                         | voted: YES    |
| Alderman Ronnie Hale                            | voted: YES    |
| Alderman George Payne                           | voted: YES    |
| Alderman Joel Gallagher                         | voted: YES    |
| Alderman John David Wheeler (By Teleconference) | voted: YES    |
| Alderman Raymond Flores                         | voted: YES    |

RESOLVED AND DONE, this 19<sup>th</sup> day of September, 2017.

**RESOLUTION OF THE MAYOR AND BOARD OF  
ALDERMEN  
OF THE CITY OF SOUTHAVEN, MISSISSIPPI  
ADJUDICATING THE COST OF CLEANING PROPERTY,  
IMPOSING A  
PENALTY AND IMPOSING LIEN OF  
THE SAME AGAINST PROPERTY**

**WHEREAS**, the City of Southaven ("City") has the authority, pursuant to Section 21-19-11 of the Mississippi Code (1972) to clean up property within the City, under circumstances which create a menace to the public health and safety of the community, and

**WHEREAS**, the Mayor and Board of Aldermen conducted hearings regarding various properties, as set forth in Exhibit A, and determined that the conditions and circumstances of such properties created a menace to the public health and safety of the community, and ordered the clean-up of the properties, and

**WHEREAS**, pursuant to the authority granted to the City, the Mayor and Board of Aldermen contracted with an outside contractor who has undertaken and completed the clean-up of the properties, and

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

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

**WHEREAS**, the Mayor and Board of Aldermen deem and resolve that the clean-up cost and penalty shall be collected as a lien against property and if not paid, the lien shall be converted as an assessment against each property, to be collected by the Tax Collector in the manner employed for the collection of all other taxes and assessments of the municipality, unless sooner collected through other means.

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

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1. The actual cost of the clean-up of properties listed in Exhibit A be assessed to the property and the same is hereby determined to be as set forth in Exhibit A attached hereto.
2. A penalty in the amount of \$250 per lot per cutting as listed above be, and the same is hereby imposed against each parcel in addition to the actual cost of the property clean-up.
3. The total amount, as set forth above, be, and the same is hereby assessed against each property, to be filed as a lien and if not collected, to be converted as an assessment to be collected by the Tax Collector in the manner used for collection of other municipal taxes and assessments, unless sooner collected through other means.

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

|                                                 |               |
|-------------------------------------------------|---------------|
| Alderman William Brooks                         | voted: ABSENT |
| Alderman Kristian Kelly                         | voted: YES    |
| Alderman Ronnie Hale                            | voted: YES    |
| Alderman George Payne                           | voted: YES    |
| Alderman Joel Gallagher                         | voted: YES    |
| Alderman John David Wheeler (By Teleconference) | voted: YES    |
| Alderman Raymond Flores                         | voted: YES    |

**RESOLVED AND DONE** this 19th day of September, 2017.

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

## **RESOLUTION FOR LIENS FOR CONDEMNED LOTS**

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

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the City, under circumstances which create a menace to the public health and safety of the community, and

**WHEREAS**, the Mayor and Board of Aldermen conducted hearings regarding various properties, as set forth in Exhibit A, and determined that the conditions and circumstances of such properties created a menace to the public health and safety of the community, and ordered the clean-up of the properties, and

**WHEREAS**, pursuant to the authority granted to the City, the Mayor and Board of Aldermen contracted with an outside contractor who has undertaken and completed the clean-up of the properties, and

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

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

**WHEREAS**, the Mayor and Board of Aldermen deem and resolve that the clean-up cost and penalty shall be collected as a lien against property and if not paid, the lien shall be converted as an assessment against each property, to be collected by the Tax Collector in the manner employed for the collection of all other taxes and assessments of the municipality, unless sooner collected through other means.

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

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

Alderman William Brooks  
Alderman Kristian Kelly  
Alderman Ronnie Hale

voted: ABSENT  
voted: YES  
voted: YES

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|                                                 |            |
|-------------------------------------------------|------------|
| Alderman George Payne                           | voted: YES |
| Alderman Joel Gallagher                         | voted: YES |
| Alderman John David Wheeler (By Teleconference) | voted: YES |
| Alderman Raymond Flores                         | voted: YES |

**RESOLVED AND DONE** this 19th day of September, 2017.

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

## **ACCEPTANCE OF BID FOR SKID STEER – PARKS DEPARTMENT**

Alderman Flores made the motion to accept the bid from Williams Equipment and Supply in the amount of \$78,709.42. Motion was seconded by Alderman Kelly. Motion was put to vote and passed unanimously. Williams Equipment and Supply was the only company to submit a bid.

A copy of the bid table is attached to these minutes.

## **ACCEPTANCE OF BID FOR INDOOR VOLLEYBALL COURTS – PARKS DEPARTMENT**

Alderman Flores made the motion to accept the bid from Mateflex in the amount of \$110,500.00. Motion was seconded by Alderman Gallagher. Motion was put to vote and passed unanimously. Mateflex was the only company to submit a bid.

A copy of the bid table is attached to these minutes.

## **RESOLUTION TO CLEAN PRIVATE PROPERTY**

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

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: **9146 WHITWORTH ST, 8431 BOONEVILLE DR, 8467 BOONEVILLE DR, 1597 STAUNTON, 8485**

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CHESTERFIELD DR, 70 RASCO RD W, PARCEL 108623230 0000600,  
2503 HUNTERS POINTE DR, PARCEL 107834170 0001400, PARCEL  
107834000 0000204, PARCEL 107834140 0000800, PARCEL  
10793113000001000

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

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code Annotated (1972), the governing authorities of the City of Southaven, Mississippi, provided the owners of the above described parcel of land with notice of the condition of their respective parcel of land and further provided them with notice of a hearing before the Mayor and Board of Aldermen on September 19, 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 19, 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: 9146 WHITWORTH ST, 8431 BOONEVILLE DR, 8467 BOONEVILLE DR, 1597 STAUNTON, 8485 CHESTERFIELD DR, 70 RASCO RD W, PARCEL 108623230 0000600, 2503 HUNTERS POINTE

# Minutes, City of Southaven, Southaven, Mississippi

DR, PARCEL 107834170 0001400, PARCEL 107834000 0000204, PARCEL 107834140 0000800, PARCEL 107931130000001000 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, 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 Payne and seconded by Alderman Kelly. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

| <b>ALDERMAN</b>                      | <b>VOTED</b> |
|--------------------------------------|--------------|
| Alderman Brooks                      | ABSENT       |
| Alderman Kelly                       | YES          |
| Alderman Hale                        | YES          |
| Alderman Payne                       | YES          |
| Alderman Gallagher                   | YES          |
| Alderman Wheeler (By Teleconference) | YES          |
| Alderman Flores                      | YES          |

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the 19 day of September, 2017.

**CITY OF SOUTHAVEN, MISSISSIPPI**

**PLANNING AGENDA:**

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

# Minutes, City of Southaven, Southaven, Mississippi

**Item #1** –Application by Central Network Retail Group for a conditional use permit for a LED reader board on the north side of Stateline Road, east of I-55

Mrs. Choat-Cook stated that this is a conditional use permit request from Central Network Retail Group to add a reader board to an existing sign located on the north side of Stateline Road, east of I55 at the intersection of Hamilton Road. Mrs. Choat-Cook explained that the applicant submitted documentation that needed to be addressed. Per the code of ordinances, the reader board sign must be secondary to the primary sign and encompass less square footage than the primary sign. The applicant submitted renderings showing the signs equal in square footage and they were told that the reader board would need to be decreased in square footage in order to be compliant. The applicant was also told that the lettering needed to be reduced to 6 inch letters. The applicant agreed to the requested changes and the Planning Commission voted unanimously in favor for the revisions. Alderman Kelly made the motion to approve the application. Motion was seconded by Alderman Hale. Motion was put to vote and passed unanimously.

A copy of the staff report, conditional use application and site plan is attached to these minutes.

**Item #2** Application by Lee Troung for a conditional use permit to allow a full service spa at 1138 Church Road

Mrs. Choat-Cook stated that this request is for a full service spa to be located at 1138 Church Road, north of Church Road and east of Highway 51. This request is in an existing retail center and per ordinance amenities must be available on site to be considered a spa. The applicant has proposed to do facials, waxing, pedicures, and manicures. Additionally, the applicant submitted all aesthetician licenses in Mississippi. They meet the ½ mile radius rule as there is not an existing facility within the one (1) mile radius of this site. Mrs. Choat-Cook requested a one year conditional use permit with a four (4) year extension to be renewed annually. After hearing from Mrs. Choat-Cook, the Board of Alderman considered the following resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF  
ALDERMEN  
OF THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING  
CONDITIONAL USE PERMIT GRANTED TO LEE TRUONG  
FOR FULL SERVICE SALON AND SPA AT 1138 CHURCH  
ROAD, SOUTHAVEN, MISSISSIPPI**

**WHEREAS**, the City of Southaven's ("City") Planning Commission previously held a hearing on August 28, 2017, for the conditional use permit ("permit") application of Lee Truong for a conditional use permit for a full service salon and spa; and

**WHEREAS**, "Conditional Use" is defined in the City Code of Ordinances at Title XIII, Chapter 1, Section 13-1(b) as "a use that would not be appropriate generally or without restrictions throughout the zoning district but which, if

# Minutes, City of Southaven, Southaven, Mississippi

controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare;" and

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

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

**WHEREAS**, based on findings of the City Planning Commission at the hearing and City Code of Ordinances and City staff report as further set forth in Exhibit A to this Resolution, the City's Planning Commission recommends, subject to the City Board's revocation, a one (1) year permit with up to four (4), one year extensions to be renewed annually at the discretion of the City Board of Aldermen, pursuant to its discretion as set forth in the City Code of Ordinances at Title XIII, Chapter 9, Section 13-9(a); and

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

1. Subject to the Board's revocation for violation of the permit or ordinances, the City Board grants a permit to Lee Truong for a full service salon and spa for one (1) year with up to four (4), one year extensions to be renewed annually at the discretion of the City Board of Aldermen.
2. The Mayor and City Planning Director or their designee are authorized to take any and all action to effectuate the intent of this Resolution.

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

## ALDERMAN

## VOTED

|                                      |        |
|--------------------------------------|--------|
| Alderman Brooks                      | ABSENT |
| Alderman Kelly                       | YES    |
| Alderman Hale                        | YES    |
| Alderman Payne                       | YES    |
| Alderman Gallagher                   | YES    |
| Alderman Wheeler (By Teleconference) | YES    |
| Alderman Flores                      | YES    |

# Minutes, City of Southaven, Southaven, Mississippi

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 19th day of September, 2017.

## CITY OF SOUTHAVEN, MISSISSIPPI

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

**Item #3** Application by College Road Land Company to rezone 152.96 acres of property on the north side of Star Landing Road between Hwy. 51 and I-55

Mrs. Choat-Cook stated that this request is to rezone 152.96 acres of property on the north side of Starlanding Road between Highway 51 and I-55. Mrs. Choat-Cook explained that she asked to vacate that property a few meetings back. It has a planned unit development on it for residential and they did not think that it was conducive with its close proximity to the business park and did not meet the comprehensive plan request for planned business park in light of industrial there. Mrs. Choat-Cook explained that there are two (2) uses on the property:

1. Commercial along Highway 51
2. Hard corner of Starlanding Road – the remained is proposed in the comprehensive plan to go into the planned business park. There is a matching request to rezone that property as the comprehensive plan has asked.

The Planning Commission voted unanimously in favor based on the fact that it was the surrounding properties use was in demand. Mrs. Choat-Cook stated that she spoke with the property owner of the mobile home park across the road and the vacant property north of the mobile home park. They liked the commercial along the sides and thought it would help his properties on the other side and was okay with the industrial development north of it. After discussing the details as provided Mrs. Choat-Cook and noting the change in character of the area as further noted in the staff report and incorporated in these minutes, Alderman Payne made the motion to approve the application for the re-zoning of the subject property. Motion was seconded by Alderman Kelly. Motion was put to vote and passed unanimously.

A copy of the staff report, vicinity map, boundary survey, and future land use area 5 are attached to these minutes.

**Item #4** Application by College Road Land Company to rezone 129.5 acres of property on the west side of Starlanding Road north of Starlanding Road from agricultural to planned business park

Mrs. Choat-Cook stated that this application request is based on the build out of the surrounding areas. Directly north of this property is the recently purchased industrial area owned by Core 5. Although it is in the corporate city limits of Horn Lake, it is still directly adjacent to this site. To the west of this property is Memphis Stone and Gravel which is a rock quarry. Across Highway 51 is the Hillwood Planned Business Park which has several large warehouse buildings. To the south of this site is an old landfill, county owned property with the county 911 building and vacant land zoned agricultural. The applicant has also received the comprehensive plan and believes this request to be in the line with future land use map. The property has direct access to Highway 51 which allows for truck

# Minutes, City of Southaven, Southaven, Mississippi

traffic and is maintained by MDOT as opposed to the city. Per the comprehensive plan, this area is designated as planned business park. Mrs. Choat-Cook stated that staff determines the recommendation for zoning based on the comprehensive plan; the surrounding property uses and also the percentage build out of the existing planned business park zoned property. At present, the demand for business park land is high while the available land is at a low. The Hillwood Development has just completed their final building and has signed with an occupant. Staff believes that this application for rezoning is warranted and recommends approval. After discussing the details as provided Mrs. Choat-Cook and noting the change in character of the area as further noted in the staff report and incorporated in these minutes, Alderman Hale made the motion to approve the application for re-zoning the property. Motion was seconded by Alderman Gallagher. Motion was put to vote and passed unanimously.

A copy of the staff report, application for rezoning, vicinity map, aerial view and boundary survey are attached to these minutes.

## **MAYOR'S REPORT**

### **Desoto County – Starlanding Road Project MOU**

Mayor Musselwhite explained that the City of Southaven and Desoto County have cooperatively funded the Starlanding Road project which will provide a new asphalt overlay, new striping, and new shoulders east-west from Getwell road to the Southaven city limits west of Highway 51. Work on this road has been delayed in recent years waiting on a pending federal-funded project initiated by the County many years ago which proposed widening Starlanding to four lanes with a boulevard design, straightening the “S” curve, and adding an interchange on I-55. This long-term plan is still in place, but contingent upon federal funding administered through MDOT. The City could not wait any longer due to the deteriorating condition of the road and welcomed the funding partnership of this \$1.2 million project from the Desoto County Board of Supervisors. Construction is projected to begin in October of this year with completion by the end of November, contingent upon weather conditions suitable for asphalt application. This is another project that is part of a continued aggressive plan to improve infrastructure within our city. Alderman Flores made the motion to approve the project with Desoto County with their cost share of \$500,000 and authorize Mayor Musselwhite to sign all related documents. Motion was seconded by Alderman Gallagher. Motion was put to vote and passed unanimously.

### **Tourism Tax Resolution Discussion**

Mayor Musselwhite expressed to the Board the need to plan on passing a resolution to send to State Legislators telling them what they would like done with the restaurant tourism tax. Mayor Musselwhite explained that the House Representatives and Senators will introduce a bill at the next session to ask to get it back. Mayor Musselwhite stated that the decision needs to be made from the Board to either ask for an extension or request a new referendum. Mayor Musselwhite stated that they did not have to make a decision that night, but time is somewhat of an issue. Mayor Musselwhite asked that the Board follow up with him so that they could plan on passing a resolution at the next board meeting.

# Minutes, City of Southaven, Southaven, Mississippi

## Street Improvement Schedule

Mayor Musselwhite stated that with the recent budget, the City appropriated \$1.5 million dollars to use for the City wide pavement management program. Mayor Musselwhite explained that they are trying to be proactive since the City is behind on the streets. There are a number of the streets in horrific condition and that is why 1.5 million has been allocated instead of the \$1 million the City had last year. Mayor Musselwhite stated to the Board that he emailed them a list for FY18, 19, 20, and 21 to give them an idea of the streets that they know about to get them on the list. Mayor Musselwhite expressed that they would like to get started while the weather is still good and welcomes any input from the Board of Alderman.

## Capital Improvement Plan

Mayor Musselwhite expressed that they need to start moving forward with the list of items on the Capital Improvement Plan and that he needs some direction from the Board and if they have any concerns with the items on the list.

## CITIZEN'S AGENDA

No Citizen's Agenda

## PERSONNEL DOCKET

### Personnel Docket

September 19, 2017

#### Payroll Additions

| Name               | Position         | Department | Start Date | Rate of Pay |
|--------------------|------------------|------------|------------|-------------|
| Eric Ainsworth     | Police Office II | Police     | 10/6/2017  | \$19.83     |
| Dominic Bianchi IV | Police Office II | Police     | 10/18/2017 | \$19.83     |
| Morgan Edmonds **  | Dispatch I       | ITEC       | TBD        | \$18.08     |
| Pamela Pope *      | Dispatch I       | ITEC       | TBD        | \$18.08     |
| Terry Rumsey       | Police Office II | Police     | 9/21/2017  | \$19.83     |
| James White **     | Dispatch I       | ITEC       | TBD        | \$18.08     |

\*pending successful completion of pre-emp screenings

#### Rehire

| Name         | Position       | Department             | Start Date | Rate of Pay |
|--------------|----------------|------------------------|------------|-------------|
| Marsha Yates | Animal Control | Animal Control Officer | 9/20/2017  | \$13.00     |

| Payroll Adjustments | Previous Classification      | New Classification   | Effective Date | Proposed Rate of Pay |
|---------------------|------------------------------|----------------------|----------------|----------------------|
| Parks Dept          | Parks Maintenance Supervisor | Parks Superintendent | 10/4/2017      | \$65,000.00 annually |
| Joshua Henry        |                              |                      |                |                      |

# Minutes, City of Southaven, Southaven, Mississippi

| John Lyons          | Parks Ctrl/Facility<br>Manager     | Deputy Parks<br>Director            | 10/4/2017         | \$58,500.00<br>annually |
|---------------------|------------------------------------|-------------------------------------|-------------------|-------------------------|
| Wes Brown           | Director, Parks and<br>Recreation  | merit                               | 10/2/2017         | \$40.87                 |
| Police Dept         |                                    |                                     |                   |                         |
| Kenneth Bryant      | Master Sergeant                    | Lieutenant                          | 10/2/2017         | \$25.80                 |
| William D. Crites   | Lieutenant                         | Captain                             | 10/2/2017         | \$28.15                 |
| Alex Fennell        | Master Sergeant                    | Lieutenant                          | 10/2/2017         | \$25.80                 |
| Bradley Hodge       | Sergeant                           | Master Sergeant                     | 10/2/2017         | \$23.30                 |
| Mark Little         | Lieutenant                         | Captain                             | 10/2/2017         | \$28.15                 |
| Brad Sutherlen      | Sergeant                           | Master Sergeant                     | 10/2/2017         | \$23.30                 |
| Stephanie Paisley   | Office Administrator               | merit                               | 10/2/2017         | \$21.70                 |
| ITEC Dept           |                                    |                                     |                   |                         |
| Kristen Parrott     | Police Officer II                  | ITEC Dispatch 1                     | 10/2/2017         | \$18.08                 |
| Utility Dept        |                                    |                                     |                   |                         |
| Robert Allen        | Utility Operator                   | Utility Field<br>Supervisor         | 10/1/2017         | \$20.79                 |
| Bryce Archer        | Utility Lead Sewer<br>Technician   | Utility Lead Sewer<br>Tech          | 10/1/2017         | \$15.00                 |
| Marianne Carlisle   | Utility Billing Clerk 1            | Utility Billing Clerk 2             | 10/1/2017         | \$13.00                 |
| Steven Cossey       | Utility Operator                   | Utility Crew Foreman                | 10/1/2017         | \$18.45                 |
| Alicia Ferguson     | Utility Billing Clerk 1            | Utility Billing Clerk 2             | 10/1/2017         | \$13.00                 |
| Jackie Geer         | Utility WM Operator                | Utility Water Plant<br>Operator     | 10/1/2017         | \$21.40                 |
| Judy Guerrero       | Utility Billing Clerk 1            | Utility Billing Clerk 2             | 10/1/2017         | \$14.00                 |
| Payroll Adjustments | Previous Classification            | New Classification                  | Effective<br>Date | Proposed Rate<br>of Pay |
| Utility Dept        |                                    |                                     |                   |                         |
| Tina Hardy          | Utility Billing Clerk 1            | Utility Asst. Billing<br>Supervisor | 10/1/2017         | \$18.00                 |
| Charles Harrell     | Utility Laborer                    | Utility Operator in<br>Training     | 10/1/2017         | \$13.00                 |
| Andrew Lambert      | Utility Sewer Technician           | merit                               | 10/1/2017         | \$13.00                 |
| Dylan Lyon          | Utility Operator in<br>Training    | Utility Operator                    | 10/1/2017         | \$16.00                 |
| Cody McCuiston      | Utility Laborer                    | Utility Operator                    | 10/1/2017         | \$14.50                 |
| Charles Morgan      | Utility Field Service Tech         | merit                               | 10/1/2017         | \$13.00                 |
| Mary A. Palmer      | Utility Office Manger              | Utility Billing<br>Supervisor       | 10/1/2017         | \$21.00                 |
| James Parks         | Utility Sewer Technician           | merit                               | 10/1/2017         | \$13.00                 |
| Steve E. Pirtle     | Utility Laborer                    | Utility Operator                    | 10/1/2017         | \$14.50                 |
| Marco Resendiz      | Utility Field Service Tech         | Utility Field<br>Supervisor         | 10/1/2017         | \$20.79                 |
| Eugene Smith        | Utility Operator                   | Utility Crew Foreman                | 10/1/2017         | \$18.50                 |
| Haaken Thompson     | Utility Field Service Tech         | Utility Field Service<br>Tech 2     | 10/1/2017         | \$16.00                 |
| Kim Turner          | Utility Billing Clerk 1            | Utility Billing Clerk 2             | 10/1/2017         | \$15.00                 |
| Clifford Wilkins    | Utility Field Serviceman           | Utility Field Service<br>Tech 3     | 10/1/2017         | \$15.00                 |
| Kristie Wright      | Utility Billing Clerk 1            | Utility Billing Clerk 2             | 10/1/2017         | \$15.00                 |
| Ray Humphrey        | Director, Utilities                | merit                               | 10/02/2017        | \$40.87                 |
| Daniel Brink        | Deputy Director, Utilities         | merit                               | 10/02/2017        | \$27.89                 |
| Jeremy Whittle      | Deputy Director, Utilities         | merit                               | 10/02/2017        | \$27.89                 |
| Rhonda Smith        | Office Administrator,<br>Utilities | merit                               | 10/02/2017        | \$24.04                 |
| Public Works        |                                    |                                     |                   |                         |
| Robert Booth        | Foreman, Public Works              | merit                               | 10/02/2017        | \$26.44                 |

# Minutes, City of Southaven, Southaven, Mississippi

|               |                                    |       |            |         |
|---------------|------------------------------------|-------|------------|---------|
| Gary McLearen | Assistant Foreman, Public Works    | merit | 10/02/2017 | \$24.04 |
| Ashley Staten | Office Administrator, Public Works | merit | 10/02/2017 | \$16.83 |
| Perry Mason   | Director, Animal Control           | merit | 10/02/2017 | \$26.44 |
|               | Planning/Code                      |       |            |         |
| Harold Mears  | Supervisor, Code Enforcement       | merit | 10/02/2017 | \$24.04 |
| Jamie Johnson | Permit Clerk, Building             | merit | 10/02/2017 | \$15.00 |

## Terminations/Resignations

| Name           | Department | Position           | Termination Date | Rate of Pay          |
|----------------|------------|--------------------|------------------|----------------------|
| Fletcher Couch | Parks      | Assistant Director | 11/01/2017       | \$65,000.00 annually |
| Michael Foshee | Police     | Captain            | 09/30/2017       | \$28.15              |
| Sarah Lentz    | ITEC       | Dispatch II        | 09/19/2017       | \$13.30              |

Personnel Docket  
September 19, 2017

Part Time/Seasonal

City of Southaven Parks Department

2017

## New Hire

| Payroll Additions  | Position                  | Department | Start Date | Rate of Pay |
|--------------------|---------------------------|------------|------------|-------------|
| Mackenzie Harris   | Concessions - Tournaments | Parks      | 09/20/2017 | \$7.25      |
| Melanie Parish     | Gates - Tournaments       | Parks      | 09/20/2017 | \$7.50      |
| Hayley White       | Concessions - Tournaments | Parks      | 09/20/2017 | \$7.25      |
| Lorne Williams Jr. | Gate Keeper - Tournaments | Parks      | 09/20/2017 | \$7.50      |

## Rehire

| Name            | Position                 | Department | Start Date | Rate of Pay |
|-----------------|--------------------------|------------|------------|-------------|
| Anessia Shearon | Data Entry - Tournaments | Parks      | 9/20/2017  | \$10.00     |

| Adjustment | Previous Classification | New Classification | Effective Date | Proposed Rate of Pay |
|------------|-------------------------|--------------------|----------------|----------------------|
|------------|-------------------------|--------------------|----------------|----------------------|

| Terminations | Termination Date |
|--------------|------------------|
|--------------|------------------|

Alderman Payne made the motion to approve the Personnel Docket of September 19, 2017 as presented to this Board. Motion was seconded by Alderman Hale. The motion was put to vote and passed unanimously.

# Minutes, City of Southaven, Southaven, Mississippi

## **CITY ATTORNEY'S LEGAL UPDATE**

### **Sanitation Fees**

Mr. Manley stated that under MS Code, the landlord and tenant are jointly liable for sanitation fees. However, there was a situation 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 1084 Wheeler Drive in the amount of \$127.67. Due to lack of notice, Alderman Flores made the motion to approve forgiving the late fees at both address, but not the actual bill amount owed. Motion was seconded by Alderman Kelly. A motion was put to vote and passed unanimously.

### **Physician Medical Control Agreement**

Mr. Manley stated that this is a Professional Services Agreement between the City of Southaven Fire/EMS Department and Dr. Joe Holley. This agreement will allow Dr. Holley to assist EMS personnel and Southaven Fire Department. This is the same contract as in the past and is in the amount of \$1500.00 per month. Alderman Hale made the motion to approve the contract and allow Mayor Musselwhite to sign the agreement. Motion was seconded by Alderman Gallagher. Motion was put to vote and passed unanimously.

A copy of the agreement is attached to these minutes.

### **DUI Grant Contract Authorization**

Mr. Manley stated that this is for contract authorization associated with the DUI grant for the Southaven Police Department. Mr. Manley explained that the City applied for \$225,488.90 and were approved for \$112,159.00. A motion was made by Alderman Flores to authorize Mayor Musselwhite to sign the MOU and all documentation associated with the grant. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

A copy of the grant is attached to these minutes.

## **CLAIMS DOCKET**

A motion was made by Alderman Payne to approve the Claims Docket of September 19, 2017 in the amount of \$1,196,500.03. Motion was seconded by Alderman Flores.

### **Excluding voucher numbers:**

287588, 287755, 287758, 287816, 288050, 288051, 288068, 288069, 288070, 288072, 288073, 288074, 288075, 288079, 288080, 288081, 288095, 288097, 288102, 288105, 288111, 288113, 288114, 288122, 288123, 288124, 288125, 288126, 288133, 288138, 288141, 288147, 288155, 288156, 288158, 288173, 288174, 288175, 288177, 288184, 288206, 288208, 288212, 288216, 288223, 288226, 288227, 288228, 288229, 288237, 288238, 288239, 288240, 288241, 288242, 288243, 288244, 288245, 288246, 288247, 288248, 288249, 288254, 288262, 288266, 288267, 288276, 288277, 288280, 288289, 288299, 288300, 288301, 288304, 288521, 288581, 288614

# Minutes, City of Southaven, Southaven, Mississippi

Roll call was as follows:

| ALDERMAN                             | VOTED  |
|--------------------------------------|--------|
| Alderman Brooks                      | ABSENT |
| Alderman Kelly                       | YES    |
| Alderman Hale                        | YES    |
| Alderman Payne                       | YES    |
| Alderman Gallagher                   | YES    |
| Alderman Wheeler (By Teleconference) | 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 19th day of September, 2017.

## **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 Gallagher to adjourn. Motion was seconded by Alderman Flores. Motion was put to a vote and passed unanimously, September 5, 2017 at 7:45 p.m.

\_\_\_\_\_  
Darren Musselwhite,  
Mayor

\_\_\_\_\_  
Andrea Mullen,  
City Clerk  
(Seal)