

Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
October 17, 2017
6:00 p.m.
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval Of Minutes: October 3, 2017
5. Swearing-In of New Mayor's Youth Council Members
6. Resolution to Surplus Property - SFD
7. Resolution for Free Port Tax Exemption
8. Resolution for Sanitation Assessment
9. Resolution To Clean Private Property
10. Planning Agenda: Item #1 Application to rezone 58 acres of property on the north side of Church Road between Getwell Road and Meadow Pointe Drive from R-20 to a Planned Unit Development
11. Mayor's Report
12. Citizen's Agenda
13. Personnel Docket
14. City Attorney's Legal Update
15. Claims Docket
16. Executive Session: Economic Development, Personnel in Parks and Public Works, Claims against SPD and 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.

Minutes, City of Southaven, Southaven, Mississippi

THIS PAGE WAS LEFT BLANK INTENTIONALLY

Minutes, City of Southaven, Southaven, Mississippi

MINUTES OF THE REGULAR MEETING OF October 17, 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 17th day of October, 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

Absent were:

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 eighty-five (85) 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 October 3, 2017 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Hale. Motion was put to a vote and passed unanimously.

SWEARING-IN OF NEW MAYOR'S YOUTH COUNCIL MEMBERS

Mayor Musselwhite expressed his appreciation to all of the members of the Mayor's Youth Council for their participation in the MYC program. Next, Mayor Musselwhite swore-in the following students for 2017 -2018:

Desoto Central High School

Presley Becker
Emma Cole
Sophia Davis
Jaden Howard
Jeryiah Watson
Mary Wood

Southaven High School

Jacob Stroud
Hannah Holmes
Faith Calvert
Samuel Tillery
Tristan Parsons

Minutes, City of Southaven, Southaven, Mississippi

RESOLUTION TO SURPLUS PROPERTY – SFD

Nick Manley, City Attorney, presented these items to the Board.

Mr. Manley stated that this resolution will allow for the Fire Department to surplus equipment that is no longer useable, has no monetary value and should be destroyed. 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") Fire Department is presently in possession of antiquated analogue radio equipment ("Equipment"), as set forth in Exhibit A, which is no longer useable and needed by the City Fire Department; and

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

WHEREAS, the Equipment, which has no value, as set forth in Exhibit A, shall be surplusd according to Mississippi Code 17-25-25(5); and

WHEREAS, the Mayor and Board of Aldermen are desirous of disposing of the Equipment, and amending, its fixed assets inventory pursuant to State guidelines; and

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

1. The Equipment be hereby declared as surplus property pursuant to Mississippi Code 17-25-25(5).
2. The City Fire Chief, or his designee, is hereby authorized and directed to any and all actions to effectuate the intent of this Resolution.

Motion was made by Alderman Brooks and seconded by Alderman Kelly, for the adoption of the above and foregoing Resolution, and the question being put to a roll call vote, the result was as follows:

Minutes, City of Southaven, Southaven, Mississippi

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

RESOLVED AND DONE, this 17th day of October, 2017.

A list of the equipment to be surplused (EXHIBIT A) is attached to these minutes.

RESOLUTION FOR FREE PORT TAX EXEMPTION

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

Mr. Manley stated that this resolution provides a free port tax exemption for Southwark Metal MFG Co. Mississippi. It was reviewed and recommended by the Desoto Council. 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, GRANTING FREE PORT WAREHOUSE AD VALOREM TAX EXEMPTION TO SOUTHWARK METAL MFG. CO. MISSISSIPPI AS AUTHORIZED BY SECTION 27-31-51 ET. SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED

WHEREAS, Southwark Metal MFG Co. Mississippi ("Southwark") seeks an exemption from ad valorem taxes at its warehouse operation located at 8680 Stanton Road, Southaven, Mississippi to the fullest extent permitted by statute on all personal property held in the applicant's finished good warehouse and in transit through the State of Mississippi and which either is moving in interstate commerce through or over the territory of the State of Mississippi or is consigned or transferred to Southwark's finished goods warehouse for storage in transit to a final destination outside the State of Mississippi; and

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

Minutes, City of Southaven, Southaven, Mississippi

WHEREAS, Southwark has produced written verification and documentation to the City of Southaven Board as to the authenticity and correctness of its Application; and

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

1. That Southwark ships personal property to a final destination outside the State of Mississippi during the calendar year.
2. That Southwark is qualified to make application for exemption from Freeport Warehouse Ad Valorem Tax.
3. This Mayor and Board of Alderman of the City of Southaven, Mississippi, acknowledge Southwark current and potential contribution for jobs within Southaven and to the economic development of Southaven and believe that it should exercise its discretionary authority to exempt from all free port taxes to the full extent permitted by statute all personal property held in Southwark's free port warehouse and in transit through this State and which either is moving in interstate commerce through or over the territory of the State of Mississippi or is consigned or transferred to Southwark's finished goods warehouse for storage in transit to a final destination outside the State of Mississippi as authorized by Section 27-31-51 et seq. of the Mississippi Code (1972) as amended.
4. That the Clerk of this Board is hereby directed to spread a copy of this Resolution on the minutes of this Board; and that said Clerk shall forward the original Application and a certified copy of the transcript of this Resolution approving said Application to the Tax Assessor of DeSoto County, Mississippi.

Minutes, City of Southaven, Southaven, Mississippi

After a full discussion of this matter, ALDERMAN Payne 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 Ronnie Hale	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John David Wheeler	voted: YES
Alderman Raymond Flores	voted: ABSENT

RESOLVED AND DONE, this 17th day of October, 2017.

A copy of the guidelines for business investment incentive is attached to these minutes.

RESOLUTION FOR SANITATION ASSESSMENTS

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

Mr. Manley stated that this resolution allows for assessment on car tags and/or liens for those who have not paid the sanitation fee. 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 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

Minutes, City of Southaven, Southaven, Mississippi

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

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

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

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

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

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

RESOLVED AND DONE, this 17th day of October, 2017.

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

Minutes, City of Southaven, Southaven, Mississippi

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: **PARCEL 1074190700111000, PARCEL 1074190700110900, PARCEL 1074190700110700, PARCEL 1074190700110600, 5607 ANTELOPE CV, 8888 BENT GRASS LP W, 725 BURTON LN , 3879 DOWN RIVER DR, 535 HILLBROOK DR, 8131 OAKBROOK DR., 8912 RUNNING HORSE CV, 7816 STACEY DR** 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 **October 17, 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, October 17, 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: **PARCEL 1074190700111000, PARCEL 1074190700110900, PARCEL 1074190700110700, PARCEL 1074190700110600, 5607 ANTELOPE CV, 8888 BENT GRASS LP W, 725 BURTON LN , 3879 DOWN RIVER DR, 535 HILLBROOK DR, 8131 OAKBROOK DR., 8912 RUNNING HORSE CV, 7816 STACEY DR** 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.

Minutes, City of Southaven, Southaven, Mississippi

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

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the 17 day of October, 2017.

PLANNING AGENDA:

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

Item #1 Application to rezone 58 acres of property on the north side of Church Road between Getwell Road and Meadow Pointe Drive from R-20 to a Planned Unit Development

Mrs. Choat-Cook stated that this applicant is requesting to rezone 58 acres on the north side of Church Road between Getwell Road and Meadow Pointe Drive from R-20 to a planned unit development. This is proposed as mixed density single family residential neighborhood with lots ranging in size from 6,600 sq. ft. to 24,400 sq. ft. and heated square footages of 1,800 to 2,450 minimums. There is a boulevard style entrance which carries into the subdivision and transitions into a large open space with a roundabout in the center. This open space is approximately 5.25 acres and includes a pond area with houses situated on all three sides. The pond is designed as a wet detention area. The entrance incorporates additional open space which lines the Church Road frontage and includes two additional ponds for aesthetics and wet detention. Mrs. Choat-Cook stated that they had some requests by the neighboring properties to be conscious of the drainage worsening in Belle Pointe Subdivision and the request was brought to the developer and Planning Commission level. Mrs. Choat-Cook explained that they have come up with a strategic plan to make sure it better the drainage versus making it worse. It may reduce down a 20 foot tree preservation area that is placed along all sides. The applicant has agreed to all request. The applicant had to provide staff with some elevations and design criteria. Everyone on the Planning Commission was acceptable to the design criteria submitted. The drainage was addressed by the applicant and the Planning Commission voted unanimously in favor of the applicant's exact submittal. Mrs. Choat-Cook added that there is an active HOA that will maintain the wet ponds.

Minutes, City of Southaven, Southaven, Mississippi

Alderman Payne made a motion to approve the application for the Planned Unit Development. Motion was seconded by Alderman Wheeler.

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	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 17th day of October, 2017.

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

MAYOR'S REPORT

Declared Holidays

A motion was made by Alderman Kelly to approve November 23-24 and December 25-26 as City holidays. Motion was seconded by Alderman Hale. Motion was put to vote and passed unanimously by all members present.

Mayor Musselwhite added that City Hall would be closed on November 10 in observance of Veteran's Day and January 1 in observance of New Year's Day.

Veteran's Day Luncheon

Mayor Musselwhite announced that the Veteran's Day luncheon will be held on November 10 at 11:00 a.m. at the arena. Mayor Musselwhite encouraged everyone to attend.

Senator George E. Guerieri, Sr. Bridge

Mayor Musselwhite stated that on Wednesday, October 25 at 1:30 p.m., the I-55 and Goodman Road Bridge will be renamed in honor of Senator Guerieri, Sr. The event will take place at Baptist Desoto Hospital in the Desoto Conference Room. Senator Guerieri was instrumental in bringing the interchange there at that bridge.

Contract with Desoto Legacy

A motion was made by Alderman Payne to discuss the volleyball contract. Motion was seconded by Alderman Brooks.

Mayor Musselwhite stated that this contract will allow for the city to enter into an agreement with Desoto Legacy, LLC to run the new volleyball program at the Arena. Mayor Musselwhite explained that the city does not have staff to run the program and Desoto Legacy has a lot of experience with

Minutes, City of Southaven, Southaven, Mississippi

volleyball. Desoto Legacy will pay the city \$5500 per month for use of four courts while allowing for the other three courts to be available for public use. In exchange for those courts, Desoto Legacy will operate the city recreational league and bring tournaments to the Arena as part of the agreement. Mayor Musselwhite explained that Desoto Legacy will keep the entry fees as they have to pay the officials and all other revenue will be similar to the Snowden operation with all concessions and gate money going to the City of Southaven. Mayor Musselwhite added that eventually they think that it would be ideal to level the floor in the Arena and make the facility more versatile and flexible and hopes that this is something that can be done in the near future. Mayor Musselwhite stated that volleyball is something that the city has never had before and that many will know that it offers tremendous opportunity for young ladies with college scholarships as it is a popular sport. Mayor Musselwhite stated that he and Wes Brown have talked about this for two years and they agree that the Arena is a great but underused facility and can be used for so much more. Mayor Musselwhite added that bringing volleyball to the Arena not only brings opportunity for the young ladies, but it also brings life back to the original business district.

Alderman Payne asked if all recreational league fees go to the City of Southaven or Desoto Legacy and also expressed concerns about Desoto Legacy being primarily competitive and questioned if the recreational league would be a priority.

Mayor Musselwhite explained that the fees from the recreation league will go to the City, but there will be official's costs that will come out of those fees. Mayor Musselwhite then explained that Desoto Legacy is not just competitive, they deal with all levels of competition and volleyball and feel they are the most qualified. It has been expressed to Desoto Legacy that the Arena is a public facility and that the City will continue to keep courts open for the public. Additionally, there is a clause in the agreement that City can get out of the contract after May 31, 2018.

Alderman Brooks asked about the economic impact for the city. Mayor Musselwhite stated that based on his opinion, volleyball offers tremendous opportunities for young ladies. As far as the traffic that it brings, he thinks that it will be similar to some of the other sports and will bring customers back to the original business district which brings a positive economic impact.

Alderman Payne explained that he is very excited about bringing volleyball to the Arena but just had a few concerns, but likes the idea of the city having the option to opt out of the contract if they see that things are not working out.

Alderman Hale stated that he had been approached by several people about the gun show and flea market primarily. Alderman Hale stated that he was under the impression that they were going to work with the vendors and try to accommodate all. Alderman Hale stated that his concern with the floor, is that it is not designed to be taken up and down, which will limit the use of the facility. Alderman Hale added that even though they have discussed leveling

Minutes, City of Southaven, Southaven, Mississippi

the floor and it would improve the chances of being able to do both, that doesn't give the vendors much notice and if they are not going to be able to allow other events to take place, they need to be able to notify them now.

Mayor Musselwhite expressed that they intend to give the vendors a clear-cut answer as soon as possible. Mayor Musselwhite stated that it is his recommendation to change the use of the arena and make volleyball a priority to make it more effective for the city. Not to exclude any of the other organizations if they can, but if there is a conflict between volleyball and another event, then volleyball would take priority. Mayor Musselwhite added that he hoped to be able to accommodate all, but thinks they could better use the facility for volleyball.

Citizen - Charlie Hoots requested to approach the Board. He stated that he lives at 2234 Carrollton Cove and is in attendance on behalf of his neighborhood. Mr. Hoots stated that he had received 50 calls with complaints in regards to having one less thing to do if they are not able to have the flea market and gun show. Mr. Hoots added that they feel misled because they were told something different by several of the Alderman.

Mayor Musselwhite responded that they are going to try to accommodate all of the other events, but volleyball is going to be a priority. Mayor Musselwhite expressed to Mr. Hoots that if he feels that he has been misled by the Alderman, then he needed to talk to them as they speak for themselves.

Mr. Hoots expressed that if the people in Colonial Hills and Carriage Hills knew what was happening that night, City Hall would be running over with people, because they would want express their preference of having a flea market over a volleyball court. Mr. Hoots stated that they knew Mayor Musselwhite was trying to do good things, they just don't want to get lost in the wake.

Mayor Musselwhite stated that he was glad that Mr. Hoots came forward and added that anyone that has heard him speak since 2013, has heard him say how important it is that they revitalize the original business district. Mayor Musselwhite stated that the problem with the original business district is that people started leaving in the mid-90s when Goodman Road was developed and the problem right now is that they have to get more traffic back to the Northwest part of the city. Mayor Musselwhite expressed that it is amazing to him that every time he tries to change something that would do just that, there's a group that comes forward and oppose the change.

Mr. Hoots stated that they just don't want to get lost in the process.

Mayor Musselwhite responded that they are trying to help by bringing nicer things back to that part of the city. Mayor Musselwhite stated that the first dollar he spent on streets was for Stateline Road. \$300,000 was spent out of a \$1 million budget on Stateline Road to support his goal of revitalizing the original business district. Mayor Musselwhite stated that if the citizens are

Minutes, City of Southaven, Southaven, Mississippi

happy with the way it is now, then they need to do away with volleyball and go back to having flea markets a couple times a year.

Mr. Hoots expressed that they would like to have both and asked if he could get a commitment that they will be able to keep having the flea market.

Mayor Musselwhite explained that there are things that they just don't know yet, but did express that it will be difficult to hold the flea market between the months of October through May.

Mr. Hoots stated that he has to remind the Mayor that they have the biggest population of people who actually go to the polls and vote.

Mayor Musselwhite responded that he was not doing this for votes, but for the big picture benefit of the City.

Mr. Hoots reiterated that the only reason he is there is because they were misled.

Mayor Musselwhite asked who misled them. Mr. Hoots stated that they were misled by the information put out there that stated that they would have both, but there may be a few times there would be a scheduling conflict and after today, that it is not in the picture anymore.

Mayor Musselwhite informed Mr. Hoots that he should go back and watch the videos to hear what he said and also explained that more information has become available to them since the prior meeting. Mayor Musselwhite reiterated that he had not misled anyone and has said from day one that he wants volleyball to be a priority and they were hopeful to be able to do all of the other events, but if there is a conflict, volleyball would take precedence. Mayor Musselwhite expressed to Mr. Hoots that his Facebook page circulates a lot of bad misinformation and is very misleading to the citizens.

Alderman Payne explained to Mr. Hoots that when they last spoke he was clear that they hoped to be able to do everything, but did not give him a definite. Alderman Payne stated that he also mentioned that if they could not accommodate the flea market, there were other facilities within the city or county where the flea market and gun show could possibly go. Alderman Payne explained that the arena was never built to be a tradeshow facility and they had to accommodate it in order to make some sort of revenue alternative of the building because it was just sitting there vacant not ever being used.

Alderman Kelly expressed concerns with rule 16 – H and row 18 in the agreement and stated that he would like to have more time to review. Alderman Kelly added that this item was surprisingly one issue that he had heard more from his constituents on than any other issue in the city. Alderman Kelly then made the motion to table this item.

Alderman Hale stated that he wanted to make it clear that volleyball is going to be good for the city and that they will vote on what we think is best.

Minutes, City of Southaven, Southaven, Mississippi

Mayor Musselwhite welcomed Representative Henley to come forward and speak.

Representative Henley stated that she lives at 2128 Brookhaven Drive, about three quarters of a mile from the arena. Representative Henley stated that she wants the Alderman to know how much she appreciates what they do and hopes that they know just how much authority they have and the will to exercise it. Representative Henley expressed that she needs clarification regarding if the Arena property title is listed as the Southaven public use facility.

Mayor Musselwhite stated that parks department oversees all uses in places of all part facilities representative Henley asked if the parks and recreation facilities were for the city of Southaven citizens use and if there is a differential fee if they're not a citizen of the city members was that that is outside the city pay more for those three court that a reserve of the public representative Henley asked if this meant that the citizens of Southaven pay taxes will be able to use this for free Mayor also explained representative Henley that she is misunderstanding comments of public use during the week if there is not a term all seven cores are used for public use even though propose contracts that a legacy would be to operate a recreational city league representative Henley clarify that she was talking about signing a contract that was not on the agenda which she understood by city procedures was identically or illegally but just moving on the best interest to serve the citizens represent him and that it would increase city budget online however she was talking about the activity opportunities available for the citizens that are within the general vicinity of the city will make money that will help fund for your sons missing that is not what this is about and that he would encourage her to listen stated that it takes money to operate only in what she is trying to suggest is that every Park is the same as far as fate to the people that use it and that's not true, that's not true it takes money to operate the late volleyball league will have expenses that come out that come with that come with all facilities are public use facilities. The parks department oversees all uses and leases of all park facilities.

Representative Henley asked if the parks and recreation facilities were for the City of Southaven's citizen's use and if there is a differential fee if they are not citizen of the city.

Mayor Musselwhite stated that those outside of the city pay more for those three courts that are reserved for the public.

Representative Henley asked if this meant that the citizens of Southaven that pay taxes will be able to use those courts for free.

Mayor Musselwhite explained to Representative Henley that she is misunderstanding the comments of public use. During the week, if there is not a tournament, all seven courts are used for public use even though the proposed contract with the Desoto Legacy would be to operate the recreational City league.

Minutes, City of Southaven, Southaven, Mississippi

Representative Henley clarified that she was talking about signing a contract that was not on the agenda, which she understood by city procedures, was not done unethically or illegally, but just maybe not in the best interest of the serving the citizens. Representative Henley added that it will increase the city budget bottom line; however she was talking about activity opportunities available for the citizens that are within the general vicinity and that the city will make money that will help buy prettier signs.

Mayor Musselwhite expressed to Representative Henley that is not what this is about and that he would encourage her to listen. Mayor Musselwhite stated that it takes money to operate the league and what she is trying to suggest is that every park is the same as far as fee to the people that use it and that's not true. The volleyball league will have expenses that have to be funded. Mayor Musselwhite explained that even before it was a city, there have been entry fees.

Representative Henley stated that she absolutely understood, but that she wasn't even talking about sports.

Mayor Musselwhite asked Representative Henley to explain what she was talking about and expressed that there was a time issue and they needed to move on quickly.

Mayor Musselwhite explained that it is not their goal to kill every fee and every tax and expressed to Representative Henley that the people of Southaven need her to go to Jackson and do her job, as roads are falling apart throughout the state, teachers aren't making enough money, and there are people that are mentally sick in the jails because the state of Mississippi cannot properly fund them. Mayor Musselwhite stated that he had answered her questions and that he is never going to answer them the way she wants him to because she wants for him to say it is a public facility that no one pays for and it does not work like that. Most people in the city want things to do that benefit their kids give them opportunities for education and our parks do that. Mayor Musselwhite expressed to Representative Henley that she is anti-park and most people here are not.

Representative Henley replied that she has never stepped out against the park tax and that she is not anti-tax or anti-park, as she had mentioned bringing indoor soccer to the Arena in the past. Representative Henley then asked who will oversee the building.

Mayor Musselwhite stated that a city employee will oversee the building and that with all of the discussion they had with the parks program last year, he was surprised that she didn't know that there were plans to put soccer in at Snowden as there is land that's already available.

Representative Henley expressed that they did not know about this proposal until today and Mayor Musselwhite explained that they have been talking about volleyball since June 12, 2017.

Minutes, City of Southaven, Southaven, Mississippi

Mayor Musselwhite stated that city officials were not going to bring every detail or every contract to her for approval as it was not practical or how government works. Mayor Musselwhite stated that the Alderman were elected by the people of Southaven to make decisions and everyone is not going to agree on every issue and then encouraged Representative Henley to call him on his cell if she needed answers to her questions.

Representative Henley expressed that she was not anti-park or anti-fees and asked Alderman Kelly to ask for more time to review the contract.

Mayor Musselwhite asked Representative Henley to do the job that the City of Southaven and the people in her jurisdiction elected her to do and let the Alderman do theirs. Mayor Musselwhite further expressed that he understood if there were some things about the contract that they do not feel comfortable with and that they would never put something on the agenda at the last minute and try to slide anything in. Mayor Musselwhite asked that the Alderman remember one thing, the people elected them to make a decision and they have to do what is needed in their wards and he has to be an advocate for what he thinks is best for the entire city and would encourage them all to consider that before tabling the contract.

A motion was made by Alderman Kelly to table the discussion on the volleyball Desoto Legacy contract. Motion was seconded by Alderman Hale. Motion was put to vote and passed unanimously.

CITIZEN'S AGENDA

Johnny Adams

Mr. Adams expressed concerns with some Facebook posts that he saw in regards to the Desoto Legacy Volleyball contract, but said that he spoke with Alderman Wheeler and Alderman Hale and was able to get his questions answered. Mr. Adams expressed that he thinks that the mayor and Board of Alderman will do whatever creates revenue and is best for the city. Mr. Adams asked if Desoto Legacy will pay for extra security needed for events. Mr. Manley stated that legally, the city cannot make a private entity pay for police and fire protection. Mr. Adams then thanked Mayor Musselwhite for always returning his calls.

Julie Cardosi

Ms. Cardosi stated that she was in attendance on behalf of the flea market. Ms. Cardosi expressed that they have a great relationship with the City of Southaven and hoped to be able to stay in the city and continue with the flea market. Ms. Cardosi stated that they have over three hundred vendors that come in the fourth weekend of each month and have been operating in the city for seventeen (17) years. Ms. Cardosi stated that due to the flea market circuit, they are locked into the fourth weekend and they have assured their customers and vendors they would find another location in Southaven if they are not able to use the Arena. Ms. Cardosi asked the Board to let her know in advance if they would be able to hold the flea market on the fourth weekend so they could make their vendors and customers aware.

PERSONNEL DOCKET

Minutes, City of Southaven, Southaven, Mississippi

Personnel Docket

October 17, 2017

Payroll Additions

Name	Position	Department	Start Date	Rate of Pay
Seth Bonetti **	Field Service Tech	Utility	TBD	\$12.00
Armanda D. Michael**	Crossing Guard	Police	TBD	\$9.00

*pending successful completion of pre-emp screenings

Payroll Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Ryan Payne	ITEC - Dispatch 1	ITEC - Dispatch 2	10/18/2017	\$19.30

Police Dept Training Stipends	Type of Stipend	Effective Date	Yearly Amount
Javier Iniguez	C.I.T.	10/16/2017	\$600.00
Brad Knox	C.I.T.	10/16/2017	\$600.00
Josh McKinney	C.I.T.	10/16/2017	\$600.00
Fredrick Payne	C.I.T.	10/16/2017	\$600.00
Porcha Taylor	C.I.T.	10/16/2017	\$600.00

Terminations/Resignations

Name	Department	Position	Termination Date	Rate of Pay
Arthur Johnson Jr.	Parks	Laborer	10/13/2017	\$11.00
James Gills (Deceased)	Public Works	Laborer	10/17/2017	\$15.50

Alderman Brooks made the motion to approve the Personnel Docket of October 17, 2017 as presented to this Board. Motion was seconded by Alderman Gallagher. The motion was put to vote and passed unanimously.

CITY ATTORNEY'S LEGAL UPDATE

Raymond James Engagement Letter

Mr. Manley stated that this item is an authorization request for Mayor Musselwhite to engage Raymond James as the bond underwriter. Mr. Manley noted that the Board had already approved the bond and the no protest resolution was approved at the last meeting. Mr. Manley explained that this engagement letter will authorize Raymond James to serve as the underwriter as part of the bond obligation to assist the city for this bond issuance and to review other bonds for refinance. Alderman Gallagher made the motion to authorize Mayor

Minutes, City of Southaven, Southaven, Mississippi

Musselwhite to sign the engagement letter with Raymond James. 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	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 17th day of October, 2017.

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

Proposal to Negotiate Lease

Mr. Manley stated that this is a proposal to allow the city to negotiate a lease with CB Richard Ellis and Regions Bank for the use of the parking lot at Regions Bank for parking on court days. The proposal would not be the actual contract, but just terms for a potential renewal lease for the space. Mr. Manley explained that the City has to have use of the Regions parking lot to provide adequate parking for court days. This will be presented once it is finalized. This proposal does not bind the city but allows CB Richard Ellis, according to their protocols, draft a lease that will bind the city once it is approved by the Board. Alderman Kelly made the motion to authorize Mayor Musselwhite to sign the proposal for the Region Bank parking lot with C.B. Richard Ellis. 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	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 17th day of October, 2017.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of October 17, 2017 in the amount of \$3,218,141.37. Motion was seconded by Alderman Gallagher.

Minutes, City of Southaven, Southaven, Mississippi

Excluding voucher numbers:
289459, 289817, 289836, 290126

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	ABSENT

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 17th day of October, 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 Brooks to adjourn. Motion was seconded by Alderman Wheeler. Motion was put to a vote and passed unanimously, October 17, 2017 at 9:32 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)