

Minutes, City of Southaven, Southaven, Mississippi



**MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
February 6, 2018
6:00 p.m.
AGENDA**

1. Call To Order
2. Invocation: Pastor Bartholomew Orr of Brown Missionary Baptist Church
3. Pledge Of Allegiance
4. Approval Of Minutes: January 16, 2018
5. 2018 Continuing Disclosure Engagement
6. FY 2018 Budget Amendment
7. FY 2018 Revenue Update
8. BankPlus Amphitheater Agreement
9. Proposals for Sanitation
10. Resolution for Sole Source for SFD
11. Authorization for SPD to Apply for Equipment from Naval Surface Warfare Center
12. Fire Service Extension Phase I Pay Application #5
13. Change Order #2 Fire Service Extension Phase I
14. Planning Agenda: Item #1 Application by Trip Trezvant for subdivision approval to revise lot 4 of the Shops of Southaven on the northwest corner of Goodman Road and Malone Road
Item #2 Application by M & R Associates for subdivision approval of Cherry Hill Phase IV on the south side of Rasco Road, east of Swinnea Road
Item #3 Application by South Cherry Tree Dev., LLC for subdivision approval of Cherry Tree South Phase II-B on the west side of Getwell Road, north of Star Landing Road
Item #4 Application by South Cherry Tree Dev., LLC for subdivision approval of Cherry Tree South Phase III on the west side of Getwell Road, north of Starlanding Road
Item #5 Application by Carlisle Corporation for subdivision approval of Wendys Subdivision on the south side of Church Road, west side of Venture Drive
Item #6 Application by AERC, PLLC for subdivision approval of the Devji Commercial Subdivision in the Pinewood PUD on the southwest corner of Stateline Road and Getwell Road
Item #7 Application by 814 Development for subdivision approval of Rosebury Commercial Phase III on the south side of Church Road, east of Getwell Road
Item #8 Application by Chick-Fil-A for design review approval of a quick service restaurant to be located on the west side of Getwell Road, south of Goodman Road
15. Mayor's Report
16. Citizen's Agenda: Linda Temple
17. Personnel Docket
18. City Attorney's Legal Update
19. Claims Docket
20. Executive Session: Property Acquisition by City; Personnel in SFD and Court Dept.; Claims regarding City Infrastructure and Assessments; Economic Development

Any citizen wishing to comment on the above items may do so.
Items may be added to or omitted from this agenda as needed.

Minutes, City of Southaven, Southaven, Mississippi

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Minutes, City of Southaven, Southaven, Mississippi

**MINUTES OF THE REGULAR MEETING
OF February 6, 2018
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 6th day of February, 2018 at six o'clock (6:00) p.m. at City Hall.

Present were:

William Brooks	Alderman At Large
Kristian Kelly	Alderman, Ward 1
George Payne	Alderman, Ward 3
Joel Gallagher	Alderman, Ward 4
John David Wheeler (By Teleconference)	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Also present were Mayor Musselwhite, Andrea Mullen, City Clerk, Pam Pyle, Deputy City Clerk, and Nick Manley, City Attorney. Approximately fifty (50) other people were present.

Mayor Musselwhite called the meeting to order. Pastor Bartholomew Orr of Brown Missionary Church 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 January 16, 2018 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

2018 CONTINUING DISCLOSURE AGREEMENT

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

Mr. Manley stated that this approval will allow for the Mayor to sign the engagement letter with Butler Snow to assist the City for filing of FY 17 continuing disclosure reporting as required by the SEC. Alderman Flores made the motion to approve the Continuing Disclosure and authorized Mayor Musselwhite to sign. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)
Alderman Flores	YES

Minutes, City of Southaven, Southaven, Mississippi

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

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

FY 2018 BUDGET AMENDMENT

Chris Wilson, City Administrator, presented these items to the Board.

Mr. Wilson explained that this is a minor budget amendment that reflects the receipt of two grants, one for the Fire Department and the other for the Police Department that will be expended out of those department's equipment line item. The total amount receipted in and expensed out is \$36,000. After hearing from Mr. Wilson, the Board of Aldermen considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI TO AMEND 2018 BUDGET

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the "City"), considered the matter of amending the 2018 City Budget.

WHEREAS, pursuant to Miss. Code 21-35-25, the City desires to amend its 2018 budget; and

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

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

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

Minutes, City of Southaven, Southaven, Mississippi

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

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

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler (By Teleconference)	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 6th day of February,
2018.

A copy of the amendment is attached to these minutes.

FY 2018 REVENUE UPDATE

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

Mr. Wilson gave a brief update on property tax revenues, sales tax revenues and tourism tax revenues for October through January.

A copy of the update is attached to these minutes.

2017 MUNICIPAL COMPLIANCE QUESTIONNAIRE

Alderman Flores made the motion to adopt the 2017 Municipal Compliance Questionnaire and authorized Mayor Musselwhite to sign. Motion was seconded by Alderman Gallagher. Motion was put to vote and passed unanimously.

A copy of the compliance questionnaire is attached to these minutes.

BANKPLUS AMPHITHEATER AGREEMENT

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

Mr. Manley stated that this agreement is with Live Nation and gives the city the right to approve the act and dates, sets forth the duties of Live Nation for each concert, sets forth the city's duties, provides that Live Nation will indemnify the city, gives Live Nation the control for cancellation based on weather, provides the procedure for booking a show, provides for default if funds are not paid as

Minutes, City of Southaven, Southaven, Mississippi

provided in the contract and not cured within ten (10) days, and provides the quarterly rental payments in the amount of \$50,000, along with the \$1.50 per ticket fee and twenty percent (20%) of the Premium Seat Fee. Alderman Payne made the motion to approve the contract with Live Nation and authorize Mayor Musselwhite to sign the agreement. Motion was seconded by Alderman Brooks.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

A copy of the agreement is attached to these minutes.

PROPOSALS FOR SANITATION

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

Mr. Wilson explained that the City received proposals from six (6) vendors, Red River, Waste Pro, Team Waste, ADSI, Waste Connections, and Inland Waste Solutions. Mr. Wilson stated that all six (6) are qualified companies interested in doing business with the City. Alderman Brooks made the recommendation to have a committee, three Alderman, Mayor Musselwhite and Bradley Wallace negotiate with the top 3-4 companies. Mayor Musselwhite made the recommendation to take proposals before a committee, other Alderman if they choose to be a part of the process or allow Chris Wilson, Bradley Wallace, and himself authorization to negotiate with all. Mayor Musselwhite added that price is important, but it was not the only factor to consider. Mayor Musselwhite stated that the City needs companies that are committed to provide excellent services to the Citizens. Based on the authority in Mississippi Code 31-7-13(r), Alderman Brooks made the motion to authorize Mayor Musselwhite, Chris Wilson, Bradley Wallace and the Operations Committee to negotiate with all six (6) companies. Motion was seconded by Alderman Kelly.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)

Minutes, City of Southaven, Southaven, Mississippi

Alderman Flores

YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

RESOLUTION FOR SOLE SOURCE FOR SFD

Danny Scallions, Fire Chief, presented this items to the Board.

Chief Scallions stated that this resolution will allow for sole source purchase from Stryker service plans for the maintenance of stretchers and load systems in the amount of \$7,468.00. After hearing from Chief Scallions, the Board of Alderman considered the following resolution:

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

WHEREAS, the City of Southaven Fire Department ("City") has a need for Stryker Medical to service and maintain the City's power stretchers and load systems for the City's EMS Department; and

WHEREAS, based on the need by the City Fire Department of the updated and working power stretchers and load systems and the fact Stryker is the sole source provider for the service and maintenance plans for the stretchers and load systems compatible with the City's existing equipment, along with the sole source letter and justification as set forth in Exhibit A the City hereby approves the single source purchase of the power stretchers and load systems from Stryker pursuant to Mississippi Code 31-7-13(m)(viii); and

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

1. Pursuant to Mississippi Code 31-7-13(m)(viii), the City Fire Department is authorized to purchase from Stryker the service and maintenance plan for the stretchers and load systems in the amount of \$7,468.00 as set forth in Exhibit B on a single-source basis.
2. The Mayor, City Fire Chief or their designee(s) are authorized to take all actions, including the signing of Exhibit B, to effectuate the intent of this Resolution.

Following a reading of the foregoing resolution, Aldermen Payne made the motion and Alderman Brooks seconded the motion for its adoption. The Mayor put

Minutes, City of Southaven, Southaven, Mississippi

the question to a roll call vote and the result was as follows:

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler (By Teleconference)	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 6th day of February, 2018.

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

AUTHORIZATION FOR SPD TO APPLY FOR EQUIPMENT FROM NAVAL SURFACE WARFARE CENTER

Steve Pirtle, Police Chief, presented this to the Board.

Chief Pirtle stated that this authorization will allow for the SPD to apply for night vision equipment from the Naval Surface Warfare Center. The equipment that they are currently using is 10-12 years old and needs to be upgraded. The total cost to upgrade would be approximately \$238,000, but the Naval Service Warfare will supply the Police Department with the night vision for \$300.00 per unit, which would equate to \$5700.00 per year. The \$300.00 covers total maintenance or replacement if there is breakage. Since this is a purchase / lease from another governmental entity, it is exempt from the bid laws under Miss. Code 31-7-13(m)(iv). Alderman Brooks made the motion to authorize the application for the loan agreement and allow Mayor Musselwhite or Chief Pirtle to sign. Motion was seconded by Alderman Gallagher.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

Minutes, City of Southaven, Southaven, Mississippi

A copy of the proposal and letter of request from the Police Department is attached to these minutes.

FIRE SERVICE EXTENSION PHASE I APPLICATION #5

Dan Cordell, City Consulting Engineer, presented this item to the Board.

Mr. Cordell stated that this request finalizes with the contractor and releases his retainage. The current amount due is \$26,852.24. Alderman Flores made the motion to approve the pay request and authorize Mayor Musselwhite to sign application #5. Motion was seconded by Alderman Gallagher. Motion was put to vote and passed unanimously.

A copy of the application and certification for payment is attached to these minutes.

CHANGE ORDER #2 FIRE SERVICE EXTENSION PHASE 1

Dan Cordell, City Consulting Engineer, presented this item to the Board.

Mr. Cordell stated that this is a deductive change order in the amount of \$59,618.50 to reflect all actual installed final quantities. Mr. Cordell stated that there is no time change and everything is final. Alderman Gallagher made the motion to approve the deductive change order #2 and authorize Mayor Musselwhite to sign. Motion was seconded by Alderman Flores. Motion was put to vote and passed unanimously.

A copy of the change order is attached to these minutes.

PLANNING AGENDA:

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

- Item #1 Application by Trip Trezvant for subdivision approval to revise lot 4 of the Shops of Southaven on the northwest corner of Goodman Road and Malone Road

Mrs. Choat-Cook stated that the applicant is requesting to further subdivide lot 4 of the Shops of Southaven on the northwest corner of Goodman Road and Malone Road. Mrs. Choat-Cook stated that concern was expressed to the applicant as well as MDOT on the proximity to the actual intersection and the applicant has been asked to remove the ingress/egress plat until MDOT either approves or denies it. Alderman Brooks made the motion to approve the application with the exception of the ingress/egress. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES

Minutes, City of Southaven, Southaven, Mississippi

Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

A copy of the staff report is attached to these minutes and fully incorporated into these minutes.

Item #2 Application by M & R Associates for subdivision approval of Cherry Hill Phase IV on the south side of Rasco Road, east of Swinnea Road

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Cherry Hill Phase IV on the south side of Rasco Road, east of Swinnea Road. This is the final phase for the Cherry Hill PUD which directly abuts existing Central Park Section "F". This phase consists of 5.23 acres and 23 lots with 2 common open spaces. There is one point of access from Rasco Road into this section. Existing stub outs from phase III are continued into this area via Chestnut Drive and Hemlock Drive. All the improvements to Rasco Road have been bonded and completed prior to this application. The common open spaces which are located along the Rasco Road frontage is proposed to be maintained in the HOA agreement. This is the final phase of the subdivision and the applicant will need to finalize out the Rasco Road street plan with the sidewalk and tree plan originally approved. Per the 2014 documents all other remaining requirements have been met by the applicant. The submitted documents follow the master plan in terms of the streets and lot sizes. The minimum heated square footage will match the existing homes which complies with the PUD text in place. Alderman Payne made the motion to approve the application with the stipulation of the inclusion of the sidewalk and tree plan originally approved. Motion was seconded by Alderman Kelly.

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

A copy of the staff report is attached to these minutes and fully incorporated into these minutes.

Item #3 Application by South Cherry Tree Dev., LLC for subdivision approval of Cherry Tree South Phase II-B on the west side of Getwell Road, north of Star Landing Road

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Cherry Tree South Phase II-B on the north side of Star Landing Road, west of

Minutes, City of Southaven, Southaven, Mississippi

Getwell Road. This phase is shown with 16.34 acres and 31 lots with a minimum square footage of 10,000 square feet. This phase utilizes the existing road- Molly Loop where it stubs out from Phase I. The road carries over to the main parkway which is Cherry Blossom Parkway and there is a small cul de sac proposed. The minimum heated square footage, which is 1,800 sq. ft. is regulated by the Cherry Tree PUD, therefore, it will not be addressed in the application. All preliminary infrastructures should be in place (water, sewer, electrical, etc.) Staff has reviewed the approved master design for this area and the applicant has complied with the layout and lot sizes. The applicant will need to put forth a street bond and a subdivision agreement prior to recording of the plat. Staff raised a concern with the street names during the approval process for Phase II-A and the applicant has adjusted the street names by removing Molly Lane from the south side of the circle and calling it Madeline Lane. Alderman Flores made the motion to approve the application. Motion was seconded by Alderman Brooks.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

A copy of the staff report is attached to these minutes and fully incorporated into these minutes.

Item #4 Application by South Cherry Tree Dev., LLC for subdivision approval of Cherry Tree South Phase III on the west side of Getwell Road, north of Starlanding Road

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Cherry Tree South Phase III on the west side of Getwell Road, north of Star Landing Road in the existing Cherry Tree South PUD. This phase consists of 20+ acres and 64 lots and connects to the existing Cherry Tree North Section "B" via Aspen Way. Per the originally approved master plan, this area was approved for the exterior lots to have a minimum lot size of 60x120 (7,200 sq.ft.) and the interior lots to have a minimum of 50'x120' (6,000 sq. ft.) with heated square footages of 1,600 and 1,700. The plans calls for alley way access on the interior lots. Cherry Tree South was submitted and approved in master design in 2004. This submittal complies with the layout in the particular section it is shown in. There are some minor changes that need to be addressed with the lot sizes on the exterior. Two of these lots show a square footage in the 6,000+ range. The master plan approved this area as the "Traditional Move Up" lots which had a minimum of 7,200 sq. ft. The applicant needs to adjust these two lots to meet the minimum requirements. Mrs. Choat-Cook stated that the submitted plat shows that the main thoroughfare road, Aspen Way, is

Minutes, City of Southaven, Southaven, Mississippi

changed to Thornridge Drive. There is no change in the road which would determine the need for a name change therefore staff would recommend keeping the name as Aspen Way since it is existing. It is unclear to staff as to who will maintain the alley ways. Normally, it has been the homeowner's association since alleyways do not meet standard design specifications so that applicant will need to address this stipulation on the plat prior to recording so that the homeowners and HOA are clear that the city does not maintain or own these roads. Alderman Flores made the motion to approve the application with the name change back to Aspen Way and alley way removal. Motion was seconded by Alderman Kelly.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

A copy of the staff report is attached to these minutes and fully incorporated into these minutes.

Item #5 Application by Carlisle Corporation for subdivision approval of Wendy's Subdivision on the south side of Church Road, west side of Venture Drive

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Wendy's Subdivision south of Church Road, on the west side of Venture Drive in the Ross Family PUD. The subdivision consists of two lots ranging in size from 1.143 acres to 3.031 acres. Lot 1 is a corner lot with access to both Church Road and Venture Drive. There is city and MDOT right of way associated with this lot and per MDOT design for the new interchange improvements with Church Road at I-55 the no-access stops short of this site. The right of way dedication and improvements for Venture Drive have been completed prior to this submittal along with the Church Road and Pepperchase Drive. The MDOT right of way is in the acquisition stages for all properties along Church Road which will not include a portion of this property. Standard setbacks per the PUD document have been shown on both lots. This subdivision submittal is a standard commercial plat design. Staff did reach out to MDOT and submitted the proposed plat to their design team to ensure there weren't any encroachment issues. Staff did receive confirmation back from MDOT in early January that there were no concerns from the state. All bulk regulations have been met by the applicant. Alderman Gallagher made the motion to approve the application as submitted. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
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Minutes, City of Southaven, Southaven, Mississippi

Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

A copy of the staff report is attached to these minutes and fully incorporated into these minutes.

- Item #6 Application by AERC, PLLC for subdivision approval of the Devji Commercial Subdivision in the Pinewood PUD on the southwest corner of Stateline Road and Getwell Road

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for the Devji Commercial Subdivision on the southwest corner of Stateline Road and Getwell Road in the Pinewood PUD. This is a one lot subdivision encompassing 1.18 acres. All of the required roadway dedication and road improvements were completed prior to this application. The applicant has identified the building lines and standard easements on the plat. This subdivision submittal is a standard commercial plat design. All bulk regulations have been met by the applicant. Alderman Brooks made the motion to approve the application as submitted. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

A copy of the staff report is attached to these minutes and fully incorporated into these minutes.

- Item #7 Application by 814 Development for subdivision approval of Rosebury Commercial Phase III on the south side of Church Road, east of Getwell Road

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Rosebury Phase II on the south side of Church Road, east of

Minutes, City of Southaven, Southaven, Mississippi

Getwell Road. This phase consists of 4.483 acres with 3 lots ranging in size from 0.75 acres to 2.45 acres. There is an existing thirty-foot ingress/egress off of Getwell Road that carries back to the north to Church Road. The existing drive is a shared access for these lots as well as the existing bank and C-store sites. The applicant has identified the lots as parcels "A", "B" and "C". This phase is situated just south of the existing Rosebury Commercial development that is already identified as Phase II of Rosebury lots 1 and 2. The setbacks have not been identified on the plat. Per the submitted documents, Getwell Road right of way for this area is already dedicated for the required 106' and per the 2017 aerials there is a portion of the linear footage along Getwell Road that has been improved with two full lanes of traffic but it tapers down midway in this property back down into a single lane of north bound traffic. As shown on the submitted documents and also the recorded plat, there is already a Phase II of the Rosebury Commercial Subdivision therefore the applicant will need to retitle the plat as Phase III. Also, the chancery clerk's office does not identify recorded lots as parcels so the applicant should also retitle each lot as a "lot" 1-3. The setbacks for Planned Commercial, which is the underlying zoning for this particular area of the PUD should be identified on each lot and also on the general notes of the plat prior to recording which should show as:

Front setback- 50', Side setback- 0 next to commercial/30' next to residential, Rear- 20'. Improvements to Getwell Road should be completed per city engineer review and requirements to be determined. Alderman Flores made the motion to approve the application contingent upon staff report comments as set forth in the attachment to these minutes. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

A copy of the staff report is attached to these minutes and fully incorporated into these minutes.

Item #8 Application by Chick-Fil-A for design review approval of a quick service restaurant to be located on the west side of Getwell Road, south of Goodman Road

Mrs. Choat-Cook stated that the applicant is requesting design review approval for a 4,988 sq. ft. Chick Fil A on the west side of Getwell Road, south of

Minutes, City of Southaven, Southaven, Mississippi

Goodman Road. The submitted documents propose the following: The applicant is proposing the building to be constructed primarily of a neutral color brick called "Citadel" with a tan mortar. This brick is shown to encompass the majority of the exterior walls. Along the roof line, the applicant has proposed a band of stucco in "White" and also accent areas where the signs are proposed at the storefronts and drive thru. The window and door canopies and actual storefront areas are shown in a "Dark Bronze". The mechanical equipment is roof mounted and per the plans the applicant has provided a raised parapet on all sides to provide the necessary screening from the road. The trash enclosure is constructed of the same brick materials with steel frame gates. The roof line has a minor elevation change wrapping east side where the building will face Getwell Road. Per the Snowden Farms PUD, the streetscape along Getwell Road should incorporate 25' of landscaping and also a five (5) foot sidewalk. The applicant has provided a 30" high knee wall along the linear footage on Getwell to aid in screening the drive thru lanes. The applicant has submitted a landscape plan which incorporates the existing tree and shrub line that was put in place with the pond development along with the new species identified along the north and south corners of the site. Between the knee wall breaks, the applicant has proposed a cluster of the Japanese Anise. On the interior of the site the applicant has created building perimeter beds and landscape beds in the parking medians which include several landscape materials. The existing tree and shrub line along the private interior road is proposed to remain and the applicant has added additional materials at the entry points and also around the dumpster enclosure. The photometric plan identifies LED luminaire lighting for the parking lot and wall mounted down lighting cylinders for the building. There is not submittal for decorative lighting on site. This site is situated on Getwell Road in the Snowden Grove District. This district by design requests that new buildings increase the architectural design and materials to a level above the standard ones. That being said, staff believes that the building elevations and materials need some adjustments. There should be more height variation in the roof line so that the building does not look so "boxy". A more significant increase in the height on the east and possibly the west end elevation would create a more commanding entrance to the building and also a more commanding appearance along Getwell Road. Additionally, the applicant needs to break up the monotony of materials for the building. Staff has researched other Chick Fil A buildings and there has been stacked stone used on many of them. This is a material that staff and the commission frequently request to be added into the design features of all new buildings therefore this one should be no different. Staff would request that the stucco on the east elevation where the building faces Getwell Road should be replaced with a stacked stone in a neutral color for the storefront portion. Staff would also ask that the secondary point of entry to the building also utilize the stacked stone. Additional areas on all remaining sides should bring in the stone as an accent material possibly using it incrementally along the wall line like pilaster columns or breaking up the brick line by using the stone in the wainscot area of the building. The stone should complement the brick color but not blend into it so that the materials do not provide a good contrast. Alderman Gallagher asked if Chick Fil A would consider adding bike racks to the site. Mrs. Choat-Cook stated that the request could be made to Chick Fil A. Alderman Flores made the motion to approve the design review application and to include bike racks. Motion was seconded by Alderman Brooks.

Minutes, City of Southaven, Southaven, Mississippi

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES (By Teleconference)
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 6th day of February, 2018.

A copy of the staff report is attached to these minutes and fully incorporated into these minutes.

MAYOR'S REPORT

Absentee Voting

Mayor Musselwhite announced that the Ward 2 Special Election would take place in one week and the City Clerk's Office would be open on Saturday, February 10, from 8 a.m. to 12 p.m. for absentee voting.

Parks Updates

Tennis Tournament

Mayor Musselwhite announced that the first tennis tournament of 2018 is this upcoming weekend. It is an 18 tournament for the Gulf South Conference and all schools will be represented for a tennis tournament. Mayor Musselwhite stated that it was important to note that only one of those schools are local and the rest will be traveling with families eating in our restaurants and staying in our hotels.

Pro Shop

Mayor Musselwhite stated that part of the Parks Enhancement Program is to add a Pro Shop at the tennis center that will have indoor/outdoor seating, concessions, locker rooms for players, bathrooms, and an outdoor fireplace to improve the experience for those that come to the Tennis Center. Mayor Musselwhite stated that the project is currently under construction and still on schedule to be completed some time in April.

CITIZEN'S AGENDA

Linda Temple

Ms. Temple extended an invitation to Mayor Musselwhite and the Board of Alderman to attend the Ward 2 Candidates Night at the Southaven Library on Thursday, February 8. Ms. Temple stated that she looked forward to seeing them if their time permits.

PERSONNEL DOCKET

Minutes, City of Southaven, Southaven, Mississippi

Personnel Docket

February 6, 2018

Payroll Additions	Position	Department	Start Date	Rate of Pay
Shayne Carnes *	Laborer Asst Waterplant Operator/Sewer Pump Station	Public Works/Streets	TBD	
Kelly Springfield	Technician	Utility Dept Public	2/7/2018	\$17.00
Jacob Wilkerson	Laborer	Works/Streets	2/7/2018	\$12.00

*pending 1 pre-emp
screening

** pending 2 pre-emp
screenings

Payroll Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
<i>Parks Seasonal</i>				
Delores Clayton	Tournament Gates	Cash Control	2/13/2018	\$10.00
Kay Diehl	Tournament Gates	Cash Control	2/13/2018	\$14.00
Stephanie Hill	Tournament Gates	Cash Control	2/3/2018	\$10.00

Police Dept Training

Stipend	Type of Stipend	Effective Date	Yearly Amount
Dwight Brittain	Training Stipend	01/23/2018	600.00

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Brad Hylander	Police	Master Seageart	01/28/2018	24.26
Allison B. Williams	Parks	PT Front Desk	02/06/2018	\$7.25

Alderman Brooks made the motion to approve the Personnel Docket of February 6, 2018 as presented to this Board. Motion was seconded by Alderman Payne. The motion was put to vote and passed unanimously.

CITY ATTORNEY'S LEGAL UPDATE

Sole Source Resolution SPD

Mr. Manley stated that this is a sole source resolution for the SPD to allow for the purchase of ballistic shields for \$5,484.00 that will be paid for by the JAG grant. Patriot3 is the sole source provider and manufacturer of this specific minuteman shield. 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
AUTHORIZING SINGLE SOURCE ITEM PURCHASE**

Minutes, City of Southaven, Southaven, Mississippi

WHEREAS, the City of Southaven Police Department ("City") is in need of specific Minutemen Folding Ballistic Shields for its officers, as more fully set forth in Exhibit A, which specific shields are needed for vital and protective functions for the City Police; and

WHEREAS, based on the need by the City Police of the Minutemen Folding Ballistic Shields as set forth in Exhibit A and the sole source letter and justification as set forth in Exhibit B, the City hereby approves the single source purchase of said equipment from Patriot3 pursuant to Mississippi Code 31-7-13(m) (viii); and

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

3. Pursuant to Mississippi Code 31-7-13(m) (viii), the City Police Department is authorized to purchase the Minutemen Folding Ballistic Shields in the amount of \$5,450.00 and shipping cost of \$34.00 for a total of \$5,484.00 as set forth in Exhibit A on a single-source basis.
4. The Mayor, City Police Chief or their designee(s) are authorized to spend funds, including grant funds and take all actions to effectuate the intent of this Resolution.

Following a reading of the foregoing resolution, Aldermen 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: YES
Alderman Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler (By Teleconference)	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 6th day of February, 2018.

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

Tank Pro Agreement

Mr. Manley stated that this agreement is for the pressure washing and painting of logo for water tower located on Malone Road in Southaven that is owned by the

Minutes, City of Southaven, Southaven, Mississippi

City of Olive Branch in the amount of \$24,465.00. Alderman Gallagher made the motion to approve the agreement and authorized Mayor Musselwhite to sign. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

A copy of the agreement is attached to these minutes.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of February 6, 2018 in the amount of \$3,139,892.14. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

294651, 294676, 294682, 294708, 294709, 294718, 294719, 294721, 294726, 294729, 294778, 294853, 294854, 294991, 295031, 295064, 295092, 295095, 295103, 295109, 295111, 295112, 295130, 295150, 295192, 295213, 295214, 295217, 295220, 295237, 295242, 295255, 295268, 295351, 295352, 295401, 295434, 295436, 295452, 295482, 295545

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 6th day of February, 2018.

EXECUTIVE SESSION

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

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Payne to adjourn. Motion was seconded by Alderman Kelly. Motion was put to a vote and passed unanimously February 6, 2018 at 8:37 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

Minutes, City of Southaven, Southaven, Mississippi

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