

Minutes, City of Southaven, Southaven, Mississippi



**MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
April 17, 2018
6:00 p.m.
AGENDA**

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: April 3, 2018
5. Resolution to Surplus Property – ITEC Dept.
6. Deputy Court Clerk Appointment
7. Resolution for Surplus and Intergovernmental Transfer
8. Resolution for Freeport Warehouse Tax Exemption for Acist Medical Systems, Inc.
9. Approval Travel for MML
10. Resolution For Donation to the DeSoto County Economic Development Council Salute To Industry
11. Planning Agenda
12. Mayor's Report
13. Citizen's Agenda
14. Personnel Docket
15. City Attorney's Legal Update
16. Claims Docket
17. Executive Session: Personnel in Parks Dept.; Claims/Litigation with SPD; Economic Development (business development within the City)

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 April 17, 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 17th day of April, 2018 at six o'clock (6:00) p.m. at City Hall.

Present were:

Kristian Kelly	Alderman, Ward 1
Charlie Hoots	Alderman, Ward 2
George Payne	Alderman, Ward 3
Joel Gallagher	Alderman, Ward 4
John David Wheeler	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Absent were:

William Brooks	Alderman At Large
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Also present were Mayor Musselwhite, Andrea Mullen, City Clerk, Pam Pyle, Deputy City Clerk, and Nick Manley, City Attorney. Approximately twenty (20) 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 April 3, 2018 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Kelly. Motion was put to a vote and passed unanimously.

RESOLUTION TO SURPLUS PROPERTY – ITEC DEPARTMENT

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

Mr. Manley stated that this resolution will surplus IT inventory which is no longer needed pursuant to Miss. Code 17-25-25. The Board of Alderman then considered the following resolution:

CITY OF SOUTHAVEN, MISSISSIPPI DECLARING SURPLUS PROPERTY

WHEREAS, the City of Southaven Information Technology Department is presently in possession of a variety of property attached hereto as Exhibit A, which is outdated, not useful or cost effective due to the storage and maintenance costs; and

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

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

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

1. The property listed in Exhibit A be hereby declared as surplus property due to the fact that the property is outdated, not useful or cost effective due to the storage and maintenance costs and has no value to the City.
2. The City Clerk, IT Director, or their designee, is hereby authorized and directed to follow Mississippi Code 17-25-25 for the disposition of the property in Exhibit A.

Following the reading of this Resolution, it was introduced by Alderman Payne and seconded by Alderman Wheeler. 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 Charlie Hoots	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 17th day of April, 2018.

CITY OF SOUTHAVEN, MISSISSIPPI

A list of surplus items is attached to these minutes.

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DEPUTY COURT CLERK APPOINTMENT

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

Mr. Manley explained that when appointments were made last summer, the municipal judge was allowed to appoint Deputy Court Clerks pursuant to Miss. Code 21-23-11. Recently, Judge Delgado appointed Wanda Reynolds as a Deputy Court Clerk and this appointment will need to be entered into the minutes.

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

RESOLUTION FOR SURPLUS AND INTERGOVERNMENTAL TRANSFER

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

Mr. Manley state that this resolution will surplus a copier, vehicle and lawnmower, which are no longer needed by the City as there is no value to the City for the equipment. As part of the surplus, pursuant to Miss. Code 31-7-13(m)(vi), the property will be transferred to Fayette, Mississippi for \$1.00 as an intergovernmental transfer and will assist the City by not requiring it to store or repair the equipment. This resolution will also allow for the Mayor to sign the agreement with Fayette for the transfer. 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") is presently in possession of Surplus Equipment ("Equipment") as set forth in Exhibit A; and

WHEREAS, it has been recommended to the Mayor and Board of Aldermen by the City that the Equipment be declared as surplus and sold and/or disposed of pursuant to Mississippi Code 17-25-25(6); and

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

WHEREAS, the Mayor and Board of Aldermen hereby authorize that the Equipment be declared as surplus and transferred pursuant to Miss. Code 31-7-13(m)(vi) as such transfer is in the best interest of the taxpayers as it will allow for vital equipment needed by Fayette, Mississippi to be used and allow for the City to not incur any future costs

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for storage, upkeep, removal, or maintenance associated with the Equipment; 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 to be surplus property and may be disposed of pursuant to Mississippi Code 17-25-25(6).
2. The Mayor is authorized to sign an agreement with Fayette, Mississippi for the transfer of the Equipment and the Mayor, City Clerk and/or their designees are authorized to take any and all action to effectuate the intent of this Resolution.

Motion was made by Alderman Gallagher and seconded by Alderman Wheeler, 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 Charlie Hoots	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 17th day of April, 2018.

EXHIBIT A

Surplus Copier from the Court Department - Savin 4022; serial number is J8332401635

City of Southaven Public Works Vehicle - 2005 Ford 250 (VIN# 1FTSX205X5EB90105) with 139,137 miles; Asset #2634

City of Southaven Fire Department - 46" lawnmower Husqvarna, model number YTH2146XP, serial number 030607B002339

A signed copy of the agreement with Fayette, Mississippi is attached to these minutes.

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RESOLUTION FOR FREEPORT WAREHOUSE TAX EXEMPTION FOR ACIST MEDICAL SYSTEMS, INC.

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

Mr. Manley stated that this resolution will allow for free port warehouse tax exemption for Acist Medical Systems. The exemption has been recommended by the Desoto Economic 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 ACIST MEDICAL SYSTEMS, INC. AS AUTHORIZED BY SECTION 27-31-51 ET. SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED

WHEREAS, Acist Medical Systems, Inc. ("Acist") seeks an exemption from ad valorem taxes at its warehouse operation located at 4320 Executive Drive, 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 Acist's finished goods warehouse for storage in transit to a final destination outside the State of Mississippi; and

WHEREAS, Ascit has filed an Application with the City for exemption from free port tax warehouse ad valorem tax exemption; and

WHEREAS, Ascit has produced written verification and documentation to this Board as to the authenticity and correctness of its Application; and

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

1. That Ascit ships personal property to a final destination outside the State of Mississippi during the calendar year.
2. That Ascit is qualified to make application for exemption from Freeport Warehouse Ad Valorem Tax.

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3. Based on the recommendation of the Desoto Economic Council, this Mayor and Board of Alderman of the City of Southaven, Mississippi, 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 Acist'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 Acist'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.

After a full discussion of this matter, ALDERMAN Flores 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: ABSENT
Alderman Kristian Kelly	voted: YES
Alderman Charlie Hoots	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 17th day of April, 2018.

EXHIBIT A

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A copy of the application is attached to these minutes.

APPROVAL TRAVEL FOR MML

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

Mr. Manley stated that this will approve travel from MML in June. Alderman Payne made the motion to approve travel for Mayor Musselwhite, the Board of Alderman, Department Heads, and certain administrative staff to attend the Mississippi Municipal League Annual Conference in Biloxi, MS. Motion was seconded by Alderman Flores. Motion was put to vote and passed unanimously.

RESOLUTION FOR DONATION TO THE DESOTO COUNTY ECONOMIC DEVELOPMENT COUNCIL SALUTE TO INDUSTRY

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

Mr. Manley stated that this is the same resolution that has been approved the last several years for the Desoto Economic Council Salute to Industry in the amount of \$700.00 under Miss. Code 21-19-44. 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 FOR DONATION TO THE DESOTO COUNTY ECONOMIC DEVELOPMENT COUNCIL SALUTE TO INDUSTRY

WHEREAS, the City of Southaven ("City"), pursuant to Mississippi Code Section 21-19-44 and Local and Private Legislation Chapter 938 HB 1618, desires to make a donation to the Desoto County Economic Development Council Salute to Industry ("Council") for the purpose of promoting the Council and promoting the City; and

WHEREAS, the City desires to donate the Seven Hundred Dollars and 00/100 (\$700.00) to further those purposes previously set forth.

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 21-19-44 and Local and Private Legislation Chapter 938 HB 1618, the Governing Body of the City hereby donates \$700.00 to the Council for the purpose of promoting the Council and promoting the City.

SECTION 2. On behalf of the City, the Mayor or his designee is authorized to take all actions to effectuate the intent of this Resolution.

Following the reading of the foregoing resolution, Alderman Flores made the motion to adopt the Resolution and Alderman Payne seconded the motion for its

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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 Charlie Hoots	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 17th day of April, 2018.

PLANNING AGENDA:

No Planning Agenda

MAYOR'S REPORT

Spring Clean Up

Mayor Musselwhite announced that the dates for Desoto County Spring Clean Up are April 14 through April 22.

Earth Day

Mayor Musselwhite announced that the 8th annual Desoto County Earth Day will be on April 21st.

Arbor Day Celebration

Mayor Musselwhite announced that there will be an Arbor Day Celebration on Friday, April 27 at 10:00 a.m. to honor Former Fire Chief, Ron White, Senior. A tree will be planted in his honor at the Fire Training Center.

Emergency Purchase – Snowden Amphitheater

Mayor Musselwhite stated that there were some pipes that froze at the Snowden Grove Amphitheater that had to be repaired along the removal of water by Serve Pro. The cost was approximately \$10,000 for the emergency repairs. Alderman Payne made the motion to approve the emergency repairs. Motion was seconded by Alderman Flores. Motion was put to vote and passed unanimously.

Emergency Purchase – Water Wells

Mayor Musselwhite explained that there were two (2) emergency situations with water wells. One at the College Road location and the other at the Greenbrook location. Mayor Musselwhite stated that the total cost of repair is believed to be around \$80,000 which will be funded by the Utility Surplus Fund. Alderman Kelly made the motion

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to authorize the emergency repairs. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

Tennis Pro Shop Update

Mayor Musselwhite stated that the Tennis Pro Shop is expected to be completed the first week of May. Mayor Musselwhite stated that when the Tennis Expansion occurred last year, a place was needed to house the Pro Shop, so they used the old metal building already on site. The Pro Shop will have bathrooms, men and women locker rooms, concessions, covered porch area, outdoor fireplace and television. Mayor Musselwhite stated that he has already received positive feedback.

Arena Floor - Drainage Issue

Mayor Musselwhite reported that there is a drainage issue at the Arena and explained that an engineering analysis was done before moving forward with the leveling of the floor due to the known water issues at the building. Mayor Musselwhite explained that when the building was built, the drainage was never connected and it needs to be corrected. The cost to extend the drainage, connect it, run it to Horn Lake Creek and repair the down spouts to the building for proper drainage, will cost approximately \$115,000. Mayor Musselwhite made the recommendation to the Board to address the situation quickly and reevaluate the leveling of the floor. Mayor Musselwhite explained that this project will qualify to be paid out of tourism revenue since the Arena is a Parks facility. After some discussion among the Board regarding the issues, it was decided to discuss again at the next board meeting.

Beautification Plan- Interstate Update

Mayor Musselwhite stated that they have had some issues with the Interstate system as MDOT's budget only allows them to cut the interstate twice a year. Mayor Musselwhite reported that Mrs. Whitney Choat-Cook, Planning and Development Director, did some research and discovered the Mississippi Wildflower Program where along the Interstate system they can plant wildflowers. Mayor Musselwhite explained that last fall they came out and sprayed herbicides and it is now prepared for planting. Mayor Musselwhite reported that they were told that the flowers will be planted next week.

CITIZEN'S AGENDA

Addison Brown

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Ms. Brown thanked Mayor Musselwhite for addressing her concerns from the last meeting regarding trash on her street. Ms. Brown then expressed concerns with the potholes on her street. Mayor Musselwhite explained that due to a limited budget her street is not on the 2018 street improvement list, but thinks that it may be listed for 2019. Ms. Brown also expressed concerns with a number of mailboxes on the ground. Mayor Musselwhite explained that the City does not have an ordinance in place to address that issue, but can have code enforcement do a courtesy call.

PERSONNEL DOCKET

Personnel Docket

April 17, 2018

Payroll Additions	Department	Position Title	Start Date	Rate of Pay
Marion M. Bell *	Police	Police Officer I	TBD	\$17.88
Nia Chaffen *	Police	Police Officer I	TBD	\$17.88
Chris Parbs *	Fire	Fire Fighter II	TBD	\$15.57
Joseph M. Spradlin **	Police	Police Officer I	TBD	\$17.88
Nicholas M. Walsh *	Police	Police Officer II	TBD	\$20.79

*pending 1 pre-emp screening

** pending 2 pre-emp screenings

Pay Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Police Dept				
Jacob Abel	P-2	P-4	04/30/2018	\$22.86
Eric Ainsworth	P-2	P-4	04/30/2018	\$22.86
Todd Baggett	P-3	P-4	04/30/2018	\$22.86
Waylon Banks	P-3	P-4	04/30/2018	\$22.86
Marrell Brand	P-2	P-4	04/30/2018	\$22.86
Kaley Brown	P-2	P-4	04/30/2018	\$22.86
Ronnie Bunch	P-2	P-4	04/30/2018	\$22.86
Phillip Croy	P-3	P-4	04/30/2018	\$22.86
Tarah Crum	P-2	P-4	04/30/2018	\$22.86
Brian Ely	P-2	P-4	04/30/2018	\$22.86
Chadrick Glasson	P-2	P-4	04/30/2018	\$22.86
Derrick Harris	P-2	P-4	04/30/2018	\$22.86
Clinton Horton	P-2	P-3	04/30/2018	\$22.06
Roy Hurst	P-3	P-4	04/30/2018	\$22.86
Fredrick Payne	P-2	P-4	04/30/2018	\$22.86
Terry Rumsey	P-2	P-4	04/30/2018	\$22.86
Nathan Ryan	P-3	P-4	04/30/2018	\$22.86
Dave Shingles	P-3	P-4	04/30/2018	\$22.86
Sandra Snow	P-3	P-4	04/30/2018	\$22.86

Pay Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Police Dept				

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Hal Vanderford	P-3	P-4	04/30/2018	\$22.86
Donald P. Voyles	P-2	P-4	04/30/2018	\$22.86
Lance Weems	P-2	P-4	04/30/2018	\$22.86
Tyler White	P-2	P-4	04/30/2018	\$22.86

Stipend	Type of Stipend	Effective Date	Yearly Amount
ITEC			
Morgan Edmonds	EMT	04/17/2018	\$600.00

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Matthew B. Wheat	Fire	Fire Fighter II	04/12/2018	\$15.57
Michael T. Pierce	Police	Sergeant	04/27/2018	\$22.86

Parks Dept Tournament & Seasonal Personnel Docket

April 17, 2018

New Hires

Payroll Additions	Position	Start Date	Rate of Pay
Morgan Anderson	Concessions-Tournaments	04/18/2018	\$7.25
Bailey Culver	Concessions-Tournaments	04/18/2018	\$7.25
Madison C. Davis	Concessions-Tournaments	04/18/2018	\$7.25
Matthew Dickey	Concessions-Tournaments	04/18/2018	\$7.25
Madalyn McAlexander	Gift Shop - Tournaments	04/18/2018	\$7.25
Richard T. Newson	Grounds Crew - Seasonal	04/18/2018	\$9.00
Breane Podhaisky	Concessions-Tournaments	04/18/2018	\$7.25
Arleda J. Sawe	Gates - Tournaments	04/18/2018	\$7.50
Kayle Turner	Gift Shop - Tournaments	04/18/2018	\$7.25
Yvonne Williams	Grounds Crew - Tournaments	04/18/2018	\$9.00
Andrea Young	Concessions-Tournaments	04/18/2018	\$7.25
Raven Young	Concessions-Tournaments	04/18/2018	\$7.25

Adjustments

Pay Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Cody Payne	Grounds Crew - Tournaments	Grounds Crew - Seasonal	04/18/2018	\$8.50

Terminations

Name	Position	Effective Date	Rate of Pay
Regina Collins	Grounds Crew - Seasonal	04/11/2018	\$9.00
Eddy Davis	Grounds Crew - Seasonal	04/11/2018	\$8.50

Alderman Payne made the motion to approve the Personnel Docket of April 17, 2018 as presented to this Board. Motion was seconded by Alderman Flores. The motion was put to vote and passed unanimously.

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CITY ATTORNEY'S LEGAL UPDATE

Murphy & Sons Contract

Mr. Manley explained that the City is in the process of renovating the Win Job Center for the West Precinct Police Station. Mr. Manley further explained that two quotes were received and requested approval for Mayor Musselwhite to sign the contract in the amount of \$49,370 with Murphy and Sons to start renovations. Alderman Payne made the motion to authorize Mayor Musselwhite to sign the agreement with Murphy and Sons. Motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously with Alderman Brooks being absent.

A copy of the contract is attached to these minutes.

Live Nation Contract

Mr. Manley explained that the Live Nation contract for Spring Fest that was approved at the last meeting will need to be inserted into the minutes and no action is needed.

A copy of the contract is attached to these minutes.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of April 17, 2018 in the amount of \$1,342,619.48. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

298764, 298797, 299081, 299100, 299113, 299149, 299160, 299291, 299422, 299444, 299529, 299551

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
Alderman Kelly	YES
Alderman Hoots	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 17th day of April, 2018.

EXECUTIVE SESSION

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

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Alderman Payne made the motion to move forward with review and drafting of a Resolution to set the hearing for the Silo Square TIF in an amount not to exceed \$5,000,000.00 for the next Board Meeting with the final TIF for the Silo Square Project being subject to approval by the Board of Alderman at the required hearing. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	ABSENT
Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	RECUSED
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 17th day of April, 2018.

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Kelly to adjourn. Motion was seconded by Alderman Gallagher. Motion was put to a vote and passed unanimously on April 17, 2018 at 7:20 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk

(Seal)

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