

Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
June 19, 2018
6:00 p.m.
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: June 5, 2018
5. Resolution for Award of \$5.2 Million Bank Bid
6. Resolution for Sanitation Fees
7. Emergency Well Repairs for Greenbrook and College Road Water Plants
8. FY 18-19 General Liability Insurance Renewal
9. Resolution to Clean Private Property
10. Planning Agenda: Item #1 Application by Karim Shamoan for a Conditional Use Permit to allow a tire service facility at 8008 Hwy. 51 North on the north side of Hwy. 51, east of Rasco Road
Item #2 Application by Stonecrest Investments, LLC to amend the existing Snowden Farms PUD Districts 18 and 21 on the south side of Goodman Road, west of Getwell Road
Item #3 Application by M & R Investments, LLC to amend the existing Cherry Hill PUD to incorporate additional acreage into the subdivision located on the south side of Rasco Road, east of Swinnea Road
Item #4 Application by Tedarrell Muhammad for a variance to allow a car wash as an accessory to the convenience store located at 7800 Hwy. 51
Item #5 Application by Desoto Eye Care for a variance for dumpster location and materials at 726 Goodman Road
Item #6 Request for subdivision name change for the Bowen Subdivision on the north side of Stateline Road, east of Horn Lake Road
11. Mayor's Report
12. Citizen's Agenda: Mrs. Jimmie Cook
13. Personnel Docket
14. City Attorney's Legal Update
15. Claims Docket
16. Executive Session: Claims/Litigation against Police and Public Works;
Economic Development (location of business in 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.

Minutes, City of Southaven, Southaven, Mississippi

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Minutes, City of Southaven, Southaven, Mississippi

**MINUTES OF THE REGULAR MEETING
OF June 19, 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 19th day of June, 2018 at six o'clock (6:00) p.m. at City Hall.

Present were:

William Brooks	Alderman At Large
Kristian Kelly	Alderman, Ward 1
Charlie Hoots	Alderman, Ward 2
George Payne	Alderman, Ward 3
John David Wheeler	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Absent were:

Joel Gallagher	Alderman, Ward 4
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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 Flores 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 June 5, 2018 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

RESOLUTION FOR AWARD OF \$5.2 MILLION BANK BID

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

Mr. Wilson stated that eight (8) bids were received and opened on this date for the bank loan that will be used for the Parks expansion projects. At the last meeting, the Board authorized going to bid for the borrowing of \$5.2 million over four years. Mr. Wilson made the recommendation to award the bid to Trustmark Bank, the lowest and best bid, at a rate of 2.81%. After hearing from Mr. Wilson, the Board of Alderman considered the following resolution:

There came on for consideration the matter of the sale and issuance of a negotiable note of the City of Southaven, Mississippi and, after a discussion of the subject matter, Board Member Brooks offered and moved the adoption of the following resolution:

Minutes, City of Southaven, Southaven, Mississippi

RESOLUTION OF THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI DIRECTING THE ISSUANCE OF A FIVE MILLION TWO HUNDRED THOUSAND DOLLARS (\$5,200,000) NEGOTIABLE NOTE, SERIES 2018 OF THE CITY OF SOUTHAVEN, MISSISSIPPI FOR THE PURPOSE OF RAISING MONEY FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS OF THE CITY AS DESCRIBED HEREIN; PRESCRIBING THE FORM AND DETAILS OF SAID NOTE; PROVIDING CERTAIN COVENANTS OF SAID CITY IN CONNECTION WITH SAID NOTE AND DIRECTING THE PREPARATION, EXECUTION AND DELIVERY THEREOF; AND FOR RELATED PURPOSES.

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

WHEREAS, pursuant to Sections 17-21-51 through 17-21-55, Mississippi Code of 1972, as amended and supplemented from time to time (the "**Note Act**" and collectively with the City Act, the "**Act**"), the Governing Body, acting for and on behalf of the City, is authorized to issue negotiable notes of the City for any purpose for which the Governing Body is otherwise authorized to issue bonds, notes or certificates of indebtedness including those set forth in the City Act; and

WHEREAS, on June 5, 2018, the Governing Body adopted a resolution (the "**Intent Resolution**") declaring the necessity for the sale and issuance of a negotiable note of the City to raise money for the purpose of financing the Project, authorizing the publication of a Notice of Note Sale in connection with such note (the "**Notice**") and authorizing the distribution of an Official Bid Form (the "**Official Bid Form**") and other materials and information convenient to the sale of such note; and

WHEREAS, the Project is in accordance with the provisions of the Act; and

Minutes, City of Southaven, Southaven, Mississippi

WHEREAS, the Governing Body is authorized pursuant to the Act to provide funding for the Project through the issuance of a negotiable note or notes of the City secured by a pledge of the full faith, credit and resources of the City; and

WHEREAS, the Governing Body has determined that it is necessary and advisable to issue a negotiable note of the City in the aggregate principal amount of Five Million Two Hundred Thousand Dollars (\$5,200,000) in order to finance the Project and to pay the costs of the sale and issuance of such note; and

WHEREAS, such negotiable note shall be designated as the \$5,200,000 City of Southaven, Mississippi Negotiable Note, Series 2018 (the "**Note**"); and

WHEREAS, pursuant to the direction of the Intent Resolution and as required by the Note Act, the City Clerk of the City (the "**City Clerk**") and Butler Snow LLP ("**Note Counsel**") prepared and published the Notice in the *Desoto Times-Tribune*, a newspaper having general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended and supplemented from time to time, on June 7, 2018, which publication is attached hereto as **Exhibit A**; and

WHEREAS, pursuant to the Intent Resolution, the City Administrator/CAO of the City (the "**CAO**") and/or the City Clerk prepared and distributed the Notice and the Official Bid Form to prospective purchasers of the Note; and

WHEREAS, at or prior to the hour of 4:00 o'clock p.m. on June 19, 2018, there was filed with the City Clerk of the City located at City Hall, 8710 Northwest Drive, Southaven, Mississippi eight (8) sealed proposals on the form of the Official Bid Form which are attached hereto as **Exhibit B** and made a part hereof for the purchase of the Note pursuant to the terms and provisions of the Notice, as follows:

Name of Bidder	Interest Rate
Trustmark National Bank	2.81
Renasant Bank	3.34
First Commercial Bank	3.77
Regions Equipment Finance	2.94
BankPlus	2.995
First Tennessee Bank NA	3.096835
Planters Bank & Trust Company	2.95
BancorpSouth	3.45

WHEREAS, at the regular meeting set for the hour of 6:00 o'clock p.m. on June 19, 2018, said proposals were presented to the Governing Body of the City and have been read at length and have been considered by the Governing Body; and

WHEREAS, the Official Bid Form of Trustmark National Bank (the "**Purchaser**") produces the lowest interest rate for the Note; and

WHEREAS, the Note Act limits the aggregate amount of debt outstanding under the Note Act at any one time to the greater of Two Hundred Fifty Thousand and No/100ths Dollars (\$250,000) or one percent (1%) of the assessed value of all taxable property within the City according to the last completed assessment for taxation; and

WHEREAS, the assessed value of all taxable property within the City, according to the last completed assessment for taxation, is \$528,814,588; and

WHEREAS, one percent (1%) of the assessed value of all taxable property located within the City is \$5,288,146; and

WHEREAS, the City presently has Zero Dollars (\$0) in outstanding indebtedness under the Note Act; and

WHEREAS, the issuance of the Note under the Act for the purpose of funding the Project will not exceed any constitutional or statutory limitation upon indebtedness which

Minutes, City of Southaven, Southaven, Mississippi

may be incurred by the City including those set forth in Section 21-33-303 of the City Act; and

WHEREAS, it is the opinion of the Governing Body that the best interest of the City will be served by the acceptance of the aforesaid Official Bid Form of the Purchaser; and

WHEREAS, the issuance of the Note for the purpose of providing funds to finance the Project will result in a substantial public benefit to the citizens of the City; and

WHEREAS, it has now become necessary that the Governing Body proceed to make provision for the preparation, execution, issuance and delivery of the Note.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. This resolution is adopted pursuant to the Act and the Constitution and laws of the State and all recitations hereinabove made are found and adjudicated to be true and correct.

SECTION 2. The Official Bid Form of the Purchaser is hereby declared to be the best responsible Official Bid Form and the one offering to purchase the Note at such rate of interest as will produce the lowest interest rate for the City, and said bid was accompanied by a cashier's check, certified check, or exchange, issued or certified by a bank located in the State of Mississippi, payable to the City of Southaven, Mississippi, in the amount of One Hundred Four Thousand Dollars (\$104,000) as a guaranty that the bidder will carry out its contract and purchase the Note if its bid be accepted.

SECTION 3. The Official Bid Form of the Purchaser be, and the same is hereby, accepted, subject to the conditions of the Notice and this resolution, and in accordance with said Official Bid Form.

SECTION 4. The Mayor and the City Clerk are hereby, authorized and directed to accept the Official Bid Form of the Purchaser and to endorse upon the Official Bid Form of the Purchaser, for and on behalf of the City, a suitable notation as evidence of the acceptance of the Official Bid Form of the Purchaser and to do all other acts and things required to evidence the City's acceptance thereof.

SECTION 5. The good faith checks filed by all unsuccessful bidders shall be returned to them upon their respective receipts therefor, and the good faith check filed by the Purchaser shall be retained by the Governing Body as a guarantee that the Purchaser shall carry out its contract and purchase the Note. If the Purchaser fails to purchase the Note pursuant to its bid and contract, the amount of such good faith check shall be retained by the City as liquidated damages for such failure.

SECTION 6. Proceeding under the authority of the Act, there shall be and there is hereby authorized and directed to be issued a Negotiable Note, Series 2018 of the City in the aggregate principal amount of \$5,200,000 for the purpose of providing financing for the Project and paying the costs of the sale and issuance of the Note. In consideration of the purchase and acceptance of the Note, this resolution shall constitute a contract between the City and the registered holder from time to time of the Note. Pursuant to the Act, the Note shall be a general obligation of the City, and the full faith, credit and resources of the City are hereby irrevocably pledged for the payment of the principal of and interest on the Note. For the purposes of effectuating and providing for the payment of the principal of and interest on the Note, as the same shall respectively mature and accrue, there shall be levied a direct, continuing special tax upon all of the taxable property within the geographical limits of the City, adequate and sufficient, after allowance shall have been

Minutes, City of Southaven, Southaven, Mississippi

made for the expenses of collection and delinquencies in the payment of taxes, to produce sums required for the payment of the principal of and the interest on the Note; provided, however, that such tax levy for any year shall be abated *pro tanto* to the extent the City on or prior to September 1 of that year has transferred money to the Note Fund established for the Note, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Note due during the ensuing fiscal year of the City, including funds received from the tourism tax of the City. If necessary, said tax shall be extended upon the tax rolls and collected in the same manner and at the same time as other taxes of the City are collected, and the rate of tax which shall be so extended shall be sufficient in each year fully to produce the sums required as aforesaid, without limitation as to rate or amount. The avails of said tax shall be irrevocably pledged for the payment of the principal of and interest on the Note as the same shall mature and accrue. Should there be a failure in any year to comply with the requirements of this Section 6, such failure shall not impair the right of the registered holder of the Note in any subsequent year to have adequate taxes levied and collected to meet the obligations of the Note, both as to principal and interest.

SECTION 7. The Note will be dated and bear interest from the date of its delivery; will be delivered in the denomination of \$5,200,000; shall be numbered one (1); shall be payable, both as to principal and interest, in lawful money of the United States of America at the office of Trustmark National Bank, Jackson, Mississippi (the "**Paying and Transfer Agent**") made payable to the registered holder of the Note as of the close of business on the date which shall be the fifteenth (15th) day (whether or not a business day) preceding such interest payment date and named in and mailed to the address appearing on the registration books of the City kept and maintained by the Paying and Transfer Agent (the "**Registration Books**"); shall bear interest from the date thereof at the rate of 2.81%, payable annually on maturity date of the date of issuance thereof until maturity (each an "**Interest Payment Date**"), and shall mature and become due and payable annually on the anniversary date of issuance thereof in the years and principal amounts as follows:

<u>YEAR OF MATURITY</u>	<u>PRINCIPAL AMOUNT</u>
2019	\$1,246,470.20
2020	1,281,496.01
2021	1,317,506.05
2022	1,354,527.74

Interest on the Note will be computed on the basis of a 360-day year consisting of twelve (12) thirty (30) day months.

SECTION 8. The Note is subject to redemption prior to its stated date of maturity, at any time, at par, plus accrued interest to the date of redemption. Notice of each such redemption shall be mailed, postage prepaid, not less than two (2) business days prior to the redemption date, to the registered owner of the Note to be redeemed at the address appearing on the registration books of the City maintained by the Paying and Transfer Agent.

If the Note is redeemed in part, amounts paid in connection with such partial redemption shall be applied first to interest to the extent then accrued and the remainder shall be applied to principal installments due thereunder as determined by the Governing

Minutes, City of Southaven, Southaven, Mississippi

Body. In case the Note is to be redeemed in part only, the notice of redemption for the Note shall state the part or portion thereof to be redeemed.

Notice having been given in the manner and under the conditions hereinabove provided, the Note or portions thereof so called for redemption shall, on the date designated for redemption in such notice, become and be due and payable at the redemption price provided for redemption of the Note or portions thereof on such date. On the date so fixed for redemption, provided moneys for payment of the redemption price shall be held in separate accounts by the Paying and Transfer Agent in trust for the holder of the Note or portions thereof to be redeemed, interest on the Note or portions thereof so called for redemption shall cease to accrue, such Note or portions thereof shall cease to be entitled to any lien, benefit or security under this resolution, and the holder of the Note or portions thereof shall have no right in respect thereof except to receive payment of the redemption price thereof.

SECTION 9. Pursuant to the authority granted by the Act and the Registered Bond Act, being Sections 31-21-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**Registered Bond Act**"), the Note shall be executed by the manual signature of the Mayor and the official seal of the City shall be affixed or otherwise reproduced thereon, attested by the City Clerk, and the Note shall be authenticated by the Paying and Transfer Agent. The Paying and Transfer Agent shall authenticate the Note by executing the Certificate of Registration and Authentication thereon and the Note shall not be valid or become obligatory for any purpose until such certificate shall have been duly executed by the Paying and Transfer Agent. Such certificate, when duly executed on behalf of the City, shall be conclusive evidence that the Note so authenticated has been duly authenticated and delivered. The validation and registration certificate, for which provision is hereinafter made, to appear on the Note, shall be executed by the City Clerk, and the said certificate may be executed by the manual or facsimile signature of the City Clerk. The Note shall be delivered to the Purchaser upon payment of the purchase price therefor in accordance with the terms and conditions of their sale and award and this resolution. Prior to or simultaneously with the delivery by the Paying and Transfer Agent of the Note, the City shall file with the Paying and Transfer Agent: (a) a copy, certified by the City Clerk, of the transcript of proceedings of the Governing Body in connection with the authorization, sale, issuance and validation of the Note; and (b) an authorization to the Paying and Transfer Agent, signed by the Mayor, to authenticate and deliver the Note to the Purchaser. At delivery, the Paying and Transfer Agent shall authenticate the Note and deliver it to the Purchaser upon payment of the purchase price of the Note to the City in accordance with this resolution. When the Note shall have been executed as herein provided, it shall be registered as an obligation of the City in a book maintained for that purpose, and the City Clerk shall cause to be imprinted upon the Note, over her signature and seal, her certificate in substantially the form set out in Section 10 hereof.

SECTION 10. The form of the Note, the certificates to appear on the Note and the Certificate of Registration and Authentication shall be in substantially the following forms and the Mayor and the City Clerk be, and are hereby, authorized and directed to make such changes, insertions and omissions therein as may in their opinions be required:

[FORM OF NOTE]

**THE SALE, ASSIGNMENT, REPLACEMENT OR TRANSFER
OF THIS NOTE IS SUBJECT TO THE RESTRICTIONS IMPOSED
THEREON BY THE WITHIN MENTIONED RESOLUTION**

Minutes, City of Southaven, Southaven, Mississippi

Registered

No. 1

\$5,200,000

UNITED STATES OF AMERICA CITY OF SOUTHAVEN, MISSISSIPPI NEGOTIABLE NOTE, SERIES 2018

The City of Southaven, Mississippi (the "**City**") for value received, hereby promises to pay to Trustmark National Bank as registered holder hereof, or its legal representatives or registered assigns as hereinafter provided (the "**Registered Holder**") at the times and in the amount set forth below, the principal sum of

FIVE MILLION TWO HUNDRED THOUSAND DOLLARS

in any coin or currency of the United States of America which, on the date of payment thereof is legal tender for the payment of public and private debts, and to pay in like coin or currency, interest thereon from and including the date hereof at the rate of 2.81% per annum payable annually on maturity date of the date of issuance thereof until maturity. Interest will be payable by check or draft of Trustmark National Bank, Jackson, Mississippi (the "**Paying and Transfer Agent**") made payable to the Registered Holder of this Note as of the close of business on the date which shall be the fifteenth (15th) day (whether or not a business day) preceding such interest payment date and named in and mailed to the address appearing on the registration books of the City held and maintained by the Paying and Transfer Agent. Interest on this Note will be computed on the basis of a 360-day year consisting of twelve (12) thirty (30) day months. Principal of the Note will be payable at the principal corporate trust office of the Paying and Transfer Agent on the following years and amounts:

<u>YEAR OF MATURITY</u>	<u>PRINCIPAL AMOUNT</u>
2019	\$1,246,470.20
2020	1,281,496.01
2021	1,317,506.05
2022	1,354,527.74

This Note is issued pursuant to the authority of and in full compliance with Sections 17-21-51 through 17-21-55, Mississippi Code of 1972, as amended and supplemented from time to time (the "**Note Act**"), and Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**City Act**" and together with the Note Act, the "**Act**"), and resolutions duly adopted by the Mayor and Board of Aldermen of the City on June 5, 2018 and June 19, 2018 (collectively, the "**Resolution**"). This Note is subject to all terms and conditions of the Resolution. Terms not otherwise defined herein shall have the same meanings ascribed to them in the Resolution.

This Note is issued to raise money for the purpose of providing funds for (i) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (ii) erecting, repairing, improving, adorning, equipping and furnishing municipal buildings, auditoriums, community centers, gymnasiums and athletic stadiums, preparing and equipping athletic fields, and purchasing buildings and land therefor; and for erecting, equipping and furnishing of buildings to be used as a municipal or civics arts center; (iii) purchasing land for parks, cemeteries and public playgrounds, and improving, equipping and adorning the same, including the constructing, repairing and equipping of swimming pools and other

Minutes, City of Southaven, Southaven, Mississippi

recreational facilities; (iv) purchasing fire-fighting equipment and apparatus, and providing housing for same, and purchasing land therefor; (v) erecting or purchasing waterworks, gas, electric and other public utility plants or distribution systems or franchises, and repairing, improving and extending the same; (vi) establishing sanitary, storm, drainage or sewerage systems, and repairing, improving and extending the same; (vii) protecting a municipality, its streets and sidewalks from overflow, caving banks and other like dangers; (viii) constructing bridges and culverts; (ix) purchasing machinery and equipment, including motor vehicles weighing not less than twelve thousand (12,000) pounds, which have an expected useful life in excess of ten (10) years which expected useful life shall exceed the life of the bonds financing such purchase; and (x) for other authorized purposes under the City Act, including paying for the cost of such borrowing.

This Note shall be a general obligation of the City, and the full faith, credit and resources of the City are hereby irrevocably pledged for the payment of the principal of and interest on the Note. For the purposes of effectuating and providing for the payment of the principal of and interest on the Note, as the same shall respectively mature and accrue, there shall be levied a direct, continuing special tax upon all of the taxable property within the geographical limits of the City, adequate and sufficient, after allowance shall have been made for the expenses of collection and delinquencies in the payment of taxes, to produce sums required for the payment of the principal of and the interest on the Note; provided, however, that such tax levy for any year shall be abated *pro tanto* to the extent the City on or prior to September 1 of that year has transferred money to the Note Fund established for the Note, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Note due during the ensuing fiscal year of the City, including funds received from the tourism tax of the City. If necessary, said tax shall be extended upon the tax rolls and collected in the same manner and at the same time as other taxes of the City are collected, and the rate of tax which shall be so extended shall be sufficient in each year fully to produce the sums required as aforesaid, without limitation as to rate or amount. The avails of said tax shall be irrevocably pledged for the payment of the principal of and interest on the Note as the same shall mature and accrue. Should there be a failure in any year to comply with these requirements, such failure shall not impair the right of the registered holder of the Note in any subsequent year to have adequate taxes levied and collected to meet the obligations of the Note, both as to principal and interest.

The Note is subject to redemption prior to its stated date of maturity, at any time, at par, plus accrued interest to the date of redemption. Notice of each such redemption shall be mailed, postage prepaid, not less than two (2) business days prior to the redemption date, to the registered owner of the Note to be redeemed at the address appearing on the registration books of the City maintained by the Paying and Transfer Agent.

If this Note is redeemed in part, amounts paid in connection with such partial redemption shall be applied first to interest to the extent then accrued and the remainder shall be applied to principal installments due hereunder as determined by the Mayor and Board of Aldermen of the City. In case this Note is to be redeemed in part only, the notice of redemption for this Note shall state the part or portion thereof to be redeemed.

Notice having been given in the manner and under the conditions hereinabove provided, this Note or portions thereof so called for redemption shall, on the date designated for redemption in such notice, become and be due and payable at the redemption price provided for redemption of this Note or portions thereof on such date. On the date so fixed for redemption, provided moneys for payment of the redemption price shall be held in separate accounts by the Paying and Transfer Agent in trust for the Registered Holder of this Note or portions thereof to be redeemed, interest on this Note or portions thereof so called for redemption shall cease to accrue, such Note or portions thereof shall cease to be entitled to any lien, benefit or security under the Resolution, and

Minutes, City of Southaven, Southaven, Mississippi

the Registered Holder of this Note or portions thereof shall have no right in respect thereof except to receive payment of the redemption price thereof.

If the date for payment of the principal of or interest on this Note shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the normal day of payment.

This Note may be transferred or exchanged by the Registered Holder hereof in person or by his attorney duly authorized in writing at the principal office of the Paying and Transfer Agent, but only in the manner, subject to the limitations in the Resolution, and upon surrender and cancellation of this Note. Upon such transfer or exchange, a new note of like amount, tenor and maturity will be issued.

The City and the Paying and Transfer Agent may deem and treat the Registered Holder hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the City nor the Paying and Transfer Agent shall be affected by any notice to the contrary.

It is hereby certified and recited that all acts, conditions and things required to exist, to happen, and to be performed precedent to and in the issuance of this Note exist, have happened and have been performed in regular and due form and time as required by the laws and the provisions of the Constitution of the State of Mississippi applicable thereto, and that the issuance of this Note does not violate any constitutional or statutory limitation or provision.

This Note shall bind the City and its successors and assigns, and the benefits hereof shall inure to the Registered Holder hereof and its successors and assigns.

IN WITNESS WHEREOF, the City of Southaven, Mississippi has issued this Note and has caused the same to be executed by the Mayor of the City and attested by the City Clerk of the City and its seal to be impressed hereon, all as of the ____ day of ____, 2018.

(SEAL)

**CITY OF SOUTHAVEN,
MISSISSIPPI**

By
Mayor

ATTEST:

City Clerk

CERTIFICATE OF REGISTRATION AND AUTHENTICATION

This is the Note described in the within mentioned Resolution of the Mayor and Board of Aldermen of the City of Southaven, Mississippi.

**TRUSTMARK NATIONAL
BANK, as Paying and Transfer
Agent**

By
Authorized Signatory

Minutes, City of Southaven, Southaven, Mississippi

Date of Registration and Authentication: _____

VALIDATION AND REGISTRATION CERTIFICATE

STATE OF MISSISSIPPI

COUNTY OF DESOTO

I, Andrea Mullen, the City Clerk of the City of Southaven, Mississippi, do hereby certify that the issuance of the within Note has been validated and confirmed by decree of the Chancery Court of DeSoto County, Mississippi, rendered on the 19th day of June, 2018 pursuant to the Act and that the within Note has been registered as an obligation of said City pursuant to law in a record kept in my office for that purpose.

(SEAL)

City Clerk of the City of
Southaven,
Mississippi

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

the within Note and does hereby irrevocably constitute and appoint
_____ as registrar and transfer agent to transfer the within Note
on the records kept for registration thereof with full power of substitution in the premises.

Signature guaranteed:

(Bank, Trust Company or Paying Agent)

(Authorized Officer

Date of Assignment:

Insert Social Security Number or other
Tax Identification Number of Assignee

NOTICE: The signature to this Assignment must correspond with the name of the registered holder as it appears upon the face of the within Note in every particular, without any alteration whatever, and must be guaranteed by a commercial bank or trust company or a member of a national securities exchange who is a member of a Medallion Signature Guarantee Program.

Minutes, City of Southaven, Southaven, Mississippi

[END OF FORM OF NOTE]

SECTION 11. Subject to the restrictions contained herein, the registration of the Note may be transferred upon the Registration Books upon delivery to the Paying and Transfer Agent, accompanied by a written instrument or instruments of transfer in form and with guaranty of signatures satisfactory to the Paying and Transfer Agent, duly executed by the registered holder of the Note or by his attorney-in-fact or legal representative, containing written instructions as to the detail of transfer of the Note, along with the social security number or federal employer identification number of such transferee. In all cases of a transfer of the Note, the Paying and Transfer Agent shall at the earliest practical time according to the provisions of this resolution enter the transfer of ownership in the Registration Books and shall deliver in the name of the transferee a new fully registered note identical to the Note. The City may charge the registered holder of the Note for the registration of every such transfer of the Note sufficient to reimburse it for any tax, fee or any other governmental charge required (other than by the City) to be paid with respect to the registration of such transfer, and may require that such amounts be paid before any new such Note shall be delivered.

The Note may only be transferred upon compliance by the registered holder of the Note with the terms and provisions of this resolution, specifically; the registered holder of the Note must obtain from the purchaser or transferee thereof, and deliver to the City on or before the closing date thereof, a document satisfactory to the City to the effect that:

(a) such purchaser is purchasing the Note for its own account for the purpose of investment and not with a view towards distribution or resale;

(b) such purchaser has knowledge and experience in financial matters and is capable of evaluating the merits and risks of purchasing the Note;

(c) such purchaser has read and fully understands this resolution;

(d) such purchaser has had an opportunity to obtain and has received from the City all of the information, documents and materials which it regards as necessary to evaluate the merits and risks of its purchase of the Note;

(e) such purchaser recognizes that Note Counsel is not responsible for any information contained in or omitted from materials regarding the City and the Note and acknowledges that it does not look to Note Counsel to obtain such information on its behalf; and

(f) while it has no present intention to resell or otherwise dispose of all or any part of the Note purchased by it, such purchaser assumes responsibility for disclosing all material information in compliance with all applicable federal and state securities laws in the event of its resale or transfer of the Note.

The above limitation shall not prohibit the Purchaser from selling or transferring participation interests in the Note to other national or state banks or similar institutions provided that the holders of such participation interests shall provide a document similar to the one set forth above satisfactory to the City and Note Counsel, and such holders shall have no right to sell or transfer their participation interests without prior approval of the City except to the Purchaser.

If the date for payment of the principal of and interest on the Note shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City are authorized by law or executive order to close, then the date for such payment shall be the next

Minutes, City of Southaven, Southaven, Mississippi

succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the normal day of payment.

SECTION 12. (a) So long as the Note shall remain outstanding, the City shall maintain with the Paying and Transfer Agent records for the registration and transfer of the Note. The Paying and Transfer Agent is hereby appointed registrar for the Note, in which capacity the Paying and Transfer Agent shall register in such records and permit to be transferred thereon, under such reasonable regulations as may be prescribed, any Note entitled to registration or transfer.

(b) The City shall pay or reimburse the Paying and Transfer Agent for reasonable fees for the performance of the services normally rendered and the incurring of normal expenses reasonably and necessarily paid as are customarily paid to paying agents, transfer agents and note registrars, subject to agreement between the City and the Paying and Transfer Agent. Fees and reimbursements for extraordinary services and expenses, so long as not occasioned by the negligence, misconduct or willful default of the Paying and Transfer Agent, shall be made by the City on a case-by-case basis, subject, where not prevented by emergency or other exigent circumstances, to the prior written approval of the Governing Body.

(c) (1) A Paying and Transfer Agent may at any time resign and be discharged of its duties and obligations as Paying and Transfer Agent, by giving at least sixty (60) days written notice to the City, and may be removed as Paying and Transfer Agent at any time by resolution of the Governing Body delivered to the Paying and Transfer Agent. The resolution shall specify the date on which such removal shall take effect and the name and address of the successor Paying and Transfer Agent, and shall be transmitted to the Paying and Transfer Agent being removed within a reasonable time prior to the effective date thereof; provided, however, that no resignation or removal of a Paying and Transfer Agent shall become effective until a successor Paying and Transfer Agent has been appointed pursuant to this resolution.

(2) Upon receiving notice of the resignation of the Paying and Transfer Agent, the City shall promptly appoint a successor Paying and Transfer Agent by resolution of the Governing Body. Any appointment of a successor Paying and Transfer Agent shall become effective upon acceptance of appointment by the successor Paying and Transfer Agent. If no successor Paying and Transfer Agent shall have been so appointed and have accepted appointment within thirty (30) days after the notice of resignation, the resigning Paying and Transfer Agent may petition any court of competent jurisdiction for the appointment of a successor Paying and Transfer Agent, which court may thereupon, after such notice as it may deem appropriate, appoint a successor Paying and Transfer Agent.

(3) In the event of a change of Paying and Transfer Agents, the predecessor Paying and Transfer Agent shall cease to be custodian of any funds held pursuant to this resolution in connection with its role as such Paying and Transfer Agent, and the successor Paying and Transfer Agent shall become such custodian; provided, however, that before any such delivery is required to be made, all reasonable fees, advances and expenses of the retiring or removed Paying and Transfer Agent shall be fully paid. Every predecessor Paying and Transfer Agent shall deliver to its successor Paying and Transfer Agent all books of account, registration records and all other records, documents and instruments relating to its duties as such Paying and Transfer Agent.

(4) Any successor Paying and Transfer Agent appointed under the provisions hereof shall be a bank, trust company or national banking association having

Minutes, City of Southaven, Southaven, Mississippi

Federal Deposit Insurance Corporation insurance of its accounts, duly authorized to exercise corporate trust powers and subject to examination by and in good standing with the federal and/or state regulatory authorities under the jurisdiction of which it falls.

(5) Every successor Paying and Transfer Agent appointed hereunder shall execute, acknowledge and deliver to its predecessor Paying and Transfer Agent and to the City an instrument in writing accepting such appointment hereunder, and thereupon such successor Paying and Transfer Agent, without any further act, shall become fully vested with all the rights, immunities and powers, and be subject to all the duties and obligations, of its predecessor.

(6) Should any transfer, assignment or instrument in writing be required by any successor Paying and Transfer Agent from the City to more fully and certainly vest in such successor Paying and Transfer Agent the estates, rights, powers and duties hereby vested or intended to be vested in the predecessor Paying and Transfer Agent, any such transfer, assignment and written instruments shall, on request, be executed, acknowledged and delivered by the City.

(7) The City will provide any successor Paying and Transfer Agent with certified copies of all resolutions, orders and other proceedings adopted by the Governing Body relating to the Note.

(8) All duties and obligations imposed hereby on a Paying and Transfer Agent or successor Paying and Transfer Agent shall terminate upon the accomplishment of all duties, obligations and responsibilities imposed by law or required to be performed by this resolution.

(d) Any corporation or association into which a Paying and Transfer Agent may be converted or merged, or with which it may be consolidated or to which it may sell or transfer its assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, shall be and become successor Paying and Transfer Agent hereunder and vested with all the powers, discretions, immunities, privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed or conveyance on the part of either the City or the successor Paying and Transfer Agent, anything herein to the contrary notwithstanding, provided only that such successor Paying and Transfer Agent shall be satisfactory to the City and eligible under the provisions of Section 12(c)(4) hereof.

SECTION 13. In case the Note shall become mutilated or be stolen, destroyed or lost, the City shall, if not then prohibited by law, cause to be delivered a new Note of like date, number, maturity and tenor in exchange and substitution for and upon cancellation of such mutilated Note, or in lieu of and in substitution for such Note stolen, destroyed or lost, upon the registered holder's paying the reasonable expenses and charges of the City in connection therewith, and in case of a Note stolen, destroyed or lost, his filing with the City or Paying and Transfer Agent evidence satisfactory to it or them that such Note was stolen, destroyed or lost, and of his ownership thereof, and furnishing the City or Paying and Transfer Agent with such security or indemnity as may be required by law and by them to save each of them harmless from all risks, however remote.

SECTION 14. The Note shall be prepared and executed as soon as may be practicable after the adoption of this resolution and shall be delivered thereafter to the Purchaser.

SECTION 15. If (a) the City shall pay or cause to be paid to the holder of the Note the principal of, and interest to become due thereon at the times and in the manner stipulated therein and herein, (b) all reasonable fees and expenses of the Paying and Transfer Agent shall have been paid, and (c) the City shall have kept, performed and

Minutes, City of Southaven, Southaven, Mississippi

observed all and singular the covenants and promises in the Note and in this resolution expressed as to be kept, performed and observed by it or on its part, then the Note shall cease to be entitled to any lien, benefit or security under this resolution and shall no longer be deemed to be outstanding hereunder.

SECTION 16. The person in whose name the Note shall be registered in the records of the City kept and maintained by the Paying and Transfer Agent may be deemed the absolute holder thereof for all purposes, and payment of or on account of the principal of or interest on the Note shall be made only to or upon the order of the registered holder thereof, or his legal representative, but such registration may be changed as herein provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon the Note to the extent of the sum or sums so paid.

SECTION 17. (a) The City shall maintain with a qualified depository thereof a special fund hereby created in the name of the City designated as the Series 2018 Note Fund (the "**Note Fund**") for the payment of the principal of and interest on the Note and the payment of the Paying and Transfer Agent's fees in connection therewith. There shall be deposited into the Note Fund as and when received:

- (1) the avails of any of the ad valorem taxes levied and collected pursuant to Section 6 hereof;
- (2) any income received from investment of monies in the Note Fund;
and
- (3) any other funds available to the City which may be lawfully used for payment of the principal of and interest on the Note, and which the Governing Body, in its discretion, may direct to be deposited into the Note Fund.

(b) As long as any principal of and interest on the Note remains outstanding, the City Clerk is hereby irrevocably authorized and directed to withdraw from the Note Fund sufficient monies to make the payments herein provided for and to transfer same to the account of the Paying and Transfer Agent in time to reach said Paying and Transfer Agent at least one (1) business day prior to the date on which said principal and interest shall become due.

SECTION 18. (a) The principal proceeds received upon the sale of the Note shall be deposited with a qualified depository of the City in a special fund hereby created in the name of the City designated as the Series 2018 Note Project Fund from which there shall be first paid by the City Clerk all expenses, premiums, fees and commissions incurred and deemed necessary or advantageous in connection with the authorization, sale, issuance, validation and delivery of the Note, including but not limited to, Note Counsel fees and legal expenses, City counsel fees and expenses and all claims that may have been incurred to date in connection with the Project, which payments shall subsequently be approved and ratified by the Governing Body.

(b) The balance of such proceeds shall be used, to the extent permitted by law, (1) for the Project or to reimburse the City for any expenses in connection with the Project to the extent permitted by the Internal Revenue Code of 1986, as amended (the "**Code**"); (2) to pay engineering, fiscal, trustee, printing, accounting, construction manager, feasibility consultant, legal expenses and development expenses incurred in connection with the Project or to reimburse the City for any expenses in connection with the Project to the extent permitted by the Code, and the issuance of the Note; (3) to pay the premium or premiums on any insurance or any form of guarantee obtained from any source to assure

Minutes, City of Southaven, Southaven, Mississippi

the prompt payment of principal and interest on the Note when due; and (4) to pay costs related to any suits and proceedings in connection with the Project, including any costs of settlement thereof.

SECTION 19. The City covenants to comply with each requirement of the Code, necessary to maintain the excludability of interest on the Note from gross income for federal income tax purposes, and in furtherance thereof, to comply with a certificate of the City to be executed and delivered concurrently with the issuance and delivery of the Note, or such other covenants as may, from time to time, be required to be complied with in order to maintain the excludability of interest on the Note from gross income for federal income tax purposes. Notwithstanding any other provisions to the contrary, so long as necessary in order to maintain the excludability of interest on the Note from gross income for federal income tax purposes under the Code, the covenants contained in this Section shall survive the payment of the Note and the interest thereon.

SECTION 20. The City hereby designates the Note as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the City hereby represents that:

(a) the City reasonably anticipates that the amount of tax-exempt obligations to be issued by it during the period from January 1, 2018, to December 31, 2018, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Note; and

(b) for purposes of this Section 20, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the City: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(C) of the Code.

SECTION 21. Each member of the Governing Body, the Mayor and the City Clerk are hereby authorized to execute such documents, instruments and papers, and do such acts and things as may be necessary or advisable in connection with the authorization, sale, preparation, validation, execution, issuance and delivery of the Note.

SECTION 22. Except as otherwise expressly provided herein, nothing in this resolution, express or implied, is intended or shall be construed to confer upon any person or firm or corporation other than the City, the holder of the Note issued under the provisions of this resolution, the Governing Body and the Paying and Transfer Agent, any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any of the provisions hereof. This resolution and all of its provisions are intended to be and shall be for the sole and exclusive benefit of the City, the Governing Body and the holder from time to time of the Note issued under the provisions of this resolution.

SECTION 23. All covenants, stipulations, obligations and agreements of the City contained in this resolution, shall be binding upon the City, and, except as otherwise provided in this resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the City by the provisions of this resolution, shall be exercised or performed by the City. No stipulation, obligation or agreement herein contained or any other document necessary to conclude the sale and issuance of the Note shall be deemed to be a stipulation, obligation or agreement of any officer, agent or employee of the City,

Minutes, City of Southaven, Southaven, Mississippi

including the Governing Body, in his or her individual capacity, and no such officer, agent or employee shall be personally liable on the Note or be subject to personal liability or accountability by reason of the sale and issuance thereof.

SECTION 24. Trustmark National Bank, Jackson, Mississippi, is hereby appointed Paying and Transfer Agent in connection with the Note.

SECTION 25. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

Alderman Wheeler seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Alderman William Brooks	Voted: YES
Alderman Kristian Kelly	Voted: YES
Alderman Charlie Hoots	Voted: YES
Alderman George Payne	Voted: YES
Alderman Joel Gallagher	Voted: ABSENT
Alderman John David Wheeler	Voted: YES
Alderman Raymond Flores	Voted: YES

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this the 19th day of June, 2018.

EXHIBIT A

PROOF OF PUBLICATION OF NOTICE OF NOTE SALE

EXHIBIT B

PROPOSALS FOR PURCHASE

Exhibits A&B are attached to these minutes.

RESOLUTION FOR SANITATION FEES

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

Mr. Manley stated that this resolution will allow for the City to collect unpaid sanitation fees either through a lien or through an assessment on the individual's car tag. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

Minutes, City of Southaven, Southaven, Mississippi

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 the City residents pay the sanitation fee and providing the residents the opportunity to address the City Board at the May 1, 2018 and May 15, 2018 City meetings, the residents listed at the properties on Exhibit A have failed to pay the sanitation fee; and

WHEREAS, the individuals were provided an opportunity for a hearing at the City Board Meetings regarding the delinquent assessments and chose not to attend the hearing; and

WHEREAS, the City desires to collect the sanitation fees from the individuals and in the amount as set forth in Exhibit A; and

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

1. Pursuant to Mississippi Code Section 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

Minutes, City of Southaven, Southaven, Mississippi

Kelly. Upon the question being put to a vote, Members of the Board of Aldermen voted as follows:

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

RESOLVED AND DONE, this 19th day of June, 2018.

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

EMERGENCY WELL REPAIRS FOR GREENBROOK AND COLLEGE ROAD WATER PLANTS

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

Mr. Manley stated that approval of this resolution will authorize ratification of the repair expenses to the water wells in order to maintain clean water for those areas. The repairs totaled \$102,653.80, College Road repairs were \$66,112 and the Greenbrook West repairs were \$36,541. 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 DECLARATION OF EMERGENCY EXPENDITURE

WHEREAS, the City of Southaven ("City") pursuant to Mississippi Code Section 31-7-13(k) hereby ratifies the expenditures associated with the emergency repairs for the College Road South and Greenbrook West Water Wells for the immediate preservation of order and public health to ensure water to the City's citizens; and

WHEREAS, the repairs were necessary to ensure the health and safety of the City's citizens; and

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 31-7-13(k) and recommendation of the City's Utilities Director, the City Board ratifies the expenditures in the amount of \$102,653.80 (\$66,112.80 for College Road South and \$36,541.00 for Greenbrook West Well), as set forth in Exhibit A, for the repair of the water wells.

Minutes, City of Southaven, Southaven, Mississippi

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 Payne made the motion to adopt the Resolution and Alderman Flores 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 Charlie Hoots	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: ABSENT
Alderman Scott Ferguson	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 19th day of June, 2018.

A copy of the invoices are attached to these minutes.

FY 18-19 GENERAL LIABILITY INSURANCE RENEWAL

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

Mr. Wilson stated that the insurance policy renewal with Travelers is 4.9% and includes worker's compensation, general liability, law enforcement liability, property, and auto. Mr. Wilson explained that the City has a great working relationship with Travelers and it is his recommendation to stay with them. Alderman Payne made the motion to accept Travelers as the liability insurance agent. Motion was seconded by Alderman Brooks.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 19th day of June, 2018.

RESOLUTION TO CLEAN PRIVATE PROPERTY

Minutes, City of Southaven, Southaven, Mississippi

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:

- 2889 Hunter Rd S
- 2065 Heather Ridge
- Parcel 1078281000008700
- 2271 Plum Point Cv
- Parcel 1078281000008600
- 2271 Plum Point Cv Lot 92
- 2271 Plum Point Cv Lot 93
- 2271 Plum Point Cv Lot 94
- 2271 Plum Point Cv Lot 95
- 2271 Plum Point Cv Lot 96
- 2271 Plum Point Cv Lot 97
- 2271 Plum Point Cv Lot 98
- 2271 Plum Point Cv Lot 99
- 2271 Plum Point Cv Lot 100
- 3230 Stargate Dr
- 6093 Banks Rd
- Parcel 2074200500006100
- 5701 W Bedford Lp
- 2188 Ansley Park Ln N
- Parcel 1079290400000400
- Parcel 1079290400000300
- Parcel 1078340000001400
- 4042 Courtyard Dr
- Parcel 1086130000002700
- Parcel 1086140500000100
- 1305 Wilbourne Rd
- Parcel 1078281300019100
- 1836 Roy Dr
- 7730 Woodridge Dr W
- Parcel 1079292900000200
- 5952 Badgett
- 916 Keebler Cv
- 5820 Westminster Ln
- 739 Burton Ln
- Parcel 2081011000035300
- 5665 Kayla Dr

Minutes, City of Southaven, Southaven, Mississippi

- Parcel 2081010000000100
- Parcel 1079311800000200
- 7659 Greenbrook Pkwy
- 525 Christybrook Cv
- 5344 Woodchase Dr
- 965 Great Oaks Dr
- 861 Great Oaks Dr
- 5289 Kalian Cv
- 8929 Bent Grass Loop
- 1725 Dorchester Dr
- Parcel 1078282000000500
- Parcel 1078282000000400
- Parcel 1075211000011500

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 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 **Tuesday, May 15, 2018**, 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 uncleanness 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, May 15, 2018**, 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:

- 2889 Hunter Rd S
- 2065 Heather Ridge
- Parcel 1078281000008700
- 2271 Plum Point Cv
- Parcel 1078281000008600
- 2271 Plum Point Cv Lot 92
- 2271 Plum Point Cv Lot 93
- 2271 Plum Point Cv Lot 94
- 2271 Plum Point Cv Lot 95
- 2271 Plum Point Cv Lot 96
- 2271 Plum Point Cv Lot 97
- 2271 Plum Point Cv Lot 98
- 2271 Plum Point Cv Lot 99

Minutes, City of Southaven, Southaven, Mississippi

- 2271 Plum Point Cv Lot 100
- 3230 Stargate Dr
- 6093 Banks Rd
- Parcel 2074200500006100
- 5701 W Bedford Lp
- 2188 Ansley Park Ln N
- Parcel 1079290400000400
- Parcel 1079290400000300
- Parcel 1078340000001400
- 4042 Courtyard Dr
- Parcel 1086130000002700
- Parcel 1086140500000100
- 1305 Wilbourne Rd
- Parcel 1078281300019100
- 1836 Roy Dr
- 7730 Woodridge Dr W
- Parcel 1079292900000200
- 5952 Badgett
- 916 Keebler Cv
- 5820 Westminster Ln
- 739 Burton Ln
- Parcel 2081011000035300
- 5665 Kayla Dr
- Parcel 2081010000000100
- Parcel 1079311800000200
- 7659 Greenbrook Pkwy
- 525 Christybrook Cv
- 5344 Woodchase Dr
- 965 Great Oaks Dr
- 861 Great Oaks Dr
- 5289 Kalian Cv
- 8929 Bent Grass Loop
- 1725 Dorchester Dr
- Parcel 1078282000000500
- Parcel 1078282000000400
- Parcel 1075211000011500

is deemed in the existing condition to be a menace to the public health and safety of the community.

BE IT FURTHER RESOLVED that 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 weeds and grass and removing rubbish and other debris.

Following the reading of this Resolution, it was introduced by Alderman

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

Minutes, City of Southaven, Southaven, Mississippi

ALDERMAN	VOTED
Alderman William Brooks	YES
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman George Payne	YES
Alderman Joel Gallagher	ABSENT
Alderman John David Wheeler	YES
Alderman Raymond Flores	YES

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the 19th day of June, 2018.

PLANNING AGENDA:

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

- Item #1 Application by Karim Shamoan for a Conditional Use Permit to allow a tire service facility at 8008 Hwy. 51 North on the north side of Hwy. 51, east of Rasco Road

Mrs. Choat-Cook stated that the applicant is requesting to remodel an existing open bay car wash facility on the north side of Rasco Road, east of Highway 51 to incorporate a sales office and installation bays for a tire service shop. The existing site also houses a retail multi bay building on the same lot as the carwash. Per the submitted plan, the applicant plans on closing in the middle bay and creating an office/sitting area for customers, which would include some storage, a waiting room and a ADA compliant restroom. The remaining six bays would add overhead doors for security and the interior bay separation walls would be removed to create a larger work space. Per the applicant there would be no outdoor storage or tires of any materials associated with the site. Signage for the business would be placed on the Rasco Road side of the site. Before any allowance could be granted, the applicant would have to subdivide the property and remove this area from the overall site since they would be considered separate entities and a separate business. Mrs. Choat-Cook stated that normally the City does not allow for this type of retrofitting, the applicant has worked on the site for months trying to determine the best concept for the empty building. While an extension of retail bays was an option and more compliant, the demand would not be there since they would be situated in the back of the lot with little to no parking. The applicant felt that a motor vehicle type use would be more conducive since the site is prepped already for overhead doors and drains were already on site. Mrs. Choat-Cook stated that staff is not opposed to this option since it re-occupies a vacant structure and also reduces the stated illegal activities on the site. Staff recommends approval of a one (1) year CUP with a four (4) year

Minutes, City of Southaven, Southaven, Mississippi

extension to be renewed annually pending the subdividing of the lot and an agreement by the applicant that there will be no overnight outside parking since no parking stalls are provided with this establishment. After hearing from Mrs. Choat-Cook the Board of Alderman considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING CONDITIONAL USE PERMIT GRANTED TO ABDUL KARIM SHAMOON FOR TIRE SALES AND INSTALLATION AREA TO BE LOCATED AT 8008 HWY 51 NORTH, SOUTHAVEN, MISSISSIPPI

WHEREAS, the City of Southaven's ("City") Planning Commission previously held a hearing on June 4, 2018 for the conditional use permit ("permit") application of Abdul Karim Shamoos (the "Applicant") for tire sales and installation area at 8008 Highway 51 North, Southaven, Mississippi; and

WHEREAS, "Conditional Use" is defined in the City Code of Ordinances at Title XIII, Chapter 1, Section 13-1(b) as "a use that would not be appropriate generally or without restrictions throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare;" and

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

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

WHEREAS, based on findings of the City Planning Commission at the hearing and City Code of Ordinances and City staff report as further set forth in Exhibit A to this Resolution, the City's Planning Commission recommends, subject to the City Board's revocation, a one (1) year permit, which shall be contingent upon the Applicant subdividing the lot and Applicant not allowing overnight parking since no parking stalls are provided, and the permit may be renewed for four (4), one year extensions at the discretion of the City Board of Aldermen, pursuant to its discretion as set forth in the City Code of Ordinances at Title XIII, Chapter 9, Section 13-9(a); and

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

1. Subject to the contingency of the Applicant subdividing the lot and not allowing overnight parking since no parking stalls are provided and the Board's revocation for violation of the permit or ordinances, the City Board grants a permit to the Applicant for tire sales and installation area at 8008 Highway 51 North, Southaven, Mississippi for one (1) year with up to four (4), one year extensions to be renewed annually at the discretion of the City Board of Aldermen.

Minutes, City of Southaven, Southaven, Mississippi

2. The Mayor and City Planning Director or their designee are authorized to take any and all action to effectuate the intent of this Resolution.

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

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman Charlie Hoots	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: ABSENT
Alderman Scott Ferguson	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 19th day of June, 2018.

CITY OF SOUTHAVEN, MISSISSIPPI

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

- Item #2 Application by Stonecrest Investments, LLC to amend the existing Snowden Farms PUD Districts 18 and 21 on the south side of Goodman Road, west of Getwell Road

Mrs. Choat-Cook stated that the applicant is requesting to revise the PUD design text for Districts 18 & 21 and remove the site overlay from these sections. This PUD was approved in 2005 with both districts 18 & 21 shown as Planned Commercial areas. This text amendment request would replace the underlying zoning of straight commercial with a mixed use design. A mixed use design not only incorporates commercial but also office, residential, etc. so that the design can be more development friendly. Additionally, the applicant removed the site plan layout that was approved in 2005 because it provides no flexibility to the design. Any lot of building proposed in this area would still be required to come before the planning commission for approval. Mrs. Choat-Cook stated that staff discussed this application at length with both the property owner and the applicant. It was at the suggestion of staff that the site plan be removed from the plan to allow the needed flexibility in tenant spaces and site layout. The request to place the districts under mixed use simply provides more flexibility in their marketing of the property to different entities and it also aids the area in complying with the comprehensive plan future land use plan. The allowance of mixed use does not eliminate the requirements for buildings, sites and uses to come before the planning commission and board for formal approvals. Alderman Flores made the motion to approve

Minutes, City of Southaven, Southaven, Mississippi

the application by Stonecrest Investments, LLC to include staff recommendations. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 19th day of June, 2018.

A copy of the proposed design is attached to these minutes.

- Item #3 Application by M & R Investments, LLC to amend the existing Cherry Hill PUD to incorporate additional acreage into the subdivision located on the south side of Rasco Road, east of Swinnea Road

Mrs. Choat-Cook stated that the applicant is requesting to amend the existing Cherry Hill PUD to incorporate an additional 25.77 acres of property on the north side of Rasco Road directly across from the existing Cherry Hill Subdivision. The existing site incorporates a decorative split rail fence, landscape buffer and future sidewalk down the linear footage of Rasco Road. This proposed amendment is showing the same design to further tie the two sites together. The overall plan shows three points of access onto the site. Phase 2 which is at the east end of the site adjacent to Central Park Subdivision shows two of the accesses. The one furthest to the east will line up with the existing Hemlock Drive on the south side of Rasco Road. The second access is just east of the existing drainage ditch which separates the phases. Phase 2 consists of 13.82 acres with 50 single family lots and three common open spaces. The common opens spaces are shown as the thirty (30) foot landscape buffer along Rasco Road which will include a decorative split rail fence, sidewalk and planting area all to be maintained by the HOA which is required in the original PUD documents. There is a twenty-foot buffer area along the north side of the property which is in place due to the creek system. This area is not set to be maintained by the homeowners of the subdivision. Phase 3 consists of 11.85 acres and is situated to the west of the existing creeks area with two identified common open spaces. This phase is designed as a single cove that is just shy of 1000' long which exceeds the maximum distance preferred by the fire department. The thirty-foot landscape buffer is also shown in this phase with additional depth shown along Rasco Road to encompass the ditch line that runs parallel with Rasco Road. The lot sizes and heated square foot minimums are proposed to be the exact same as the original area of the PUD. Mrs. Choat-Cook stated that staff takes into account several things when amending PUD's to take in additional land.

Minutes, City of Southaven, Southaven, Mississippi

1. Does the rezoning follow suit with the comprehensive plan? Yes. Per the adopted plan this area is designated for high to medium density residential
2. Is it conducive to the surrounding area? Yes. This site is situated adjacent to Central Park Subdivision which is a high density single family residential area; Cherry Hill Subdivision which is the original PUD and matches these exact request for size lots and houses; Greenbrook Subdivision which is a high to medium density single family residential area and Autumn Woods Subdivision which is high density single family residential.
3. Is the heated square footage conducive to the surrounding area? Yes, the heated square footage for this subdivision has a minimum set at 1,400; however, the smallest house plan is over 1,500 sq. ft. and ranges from 1,500 to 1,925 sq. ft. which exceeds all of the surrounding subdivisions (Plans attached)

Mrs. Choat-Cook stated that phase 3 has a long cove that is accessed directly from Rasco Road and then carries to the east almost 1000'. The fire department requires coves to be a maximum of 500' for emergency access distance to hydrants. If a cove carries longer than this limit, then there will need to be additional hydrants placed in specific areas to appease the fire department. Staff would ask that the applicant meet with the fire marshal and determine these locations. Mrs. Choat-Cook expressed that since the overall density meets the comprehensive plan and the heated square footages exceed the minimums placed on this subdivision and also the surrounding area, staff sees no issue with approving this application. Alderman Kelly made the motion to approve the application by M&R Investments, LLC. Motion was seconded by Alderman Brooks.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 19th day of June, 2018.

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

Item #4 Application by TeDarrell Muhammad for a variance to allow a car wash as an accessory to the convenience store located at 7800 Hwy. 51

Alderman Brooks made the motion to untable this item from the previous meeting. Motion was seconded by Alderman Flores. Motion was put to vote and passed unanimously.

Minutes, City of Southaven, Southaven, Mississippi

Mrs. Choat-Cook stated that the applicant is requesting a variance to allow a hand carwash and detail service establishment at 7800 Hwy. 51 North. The applicant has submitted the following reasons for hardship:

To determine the justification for a variance, the applicant has submitted the following criteria:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.

1. The previous car wash automatic structure serves as a bay where hand car wash attendants can back vehicles into and detail;
2. The previous car wash automatic structure serves as a bay where hand car wash attendants can store equipment and items;
3. The previous car wash automatic structure maintains water run-off and drainage to capture and divert water in hand car wash.

2. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.

The structure sits within a C-4 zone. The literal interpretation of the provisions, as set forth by the Planning office, would deprive the applicant of rights commonly enjoyed by other property owners with C-4 zoned property. There is no distinction between an automatic car wash versus a hand car wash, nor the accessory versus primary use within said zone.

3. That special conditions and circumstances do not result from the actions of the Applicant.

Hand car wash operation has existed and continued on the property uninterrupted since 2013 and prior to the time the current operator began operations. These are special conditions and circumstances that do not result from the actions of the applicant. It began, and was allowed by the City, with the previous hand car wash operator. A business license was granted and never attempted to void.

4. That granting the variance requested would not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same district.

The continuation and/or granting of the variance requested would not confer upon Everlasting Carwash any special privilege that is denied others in a C-4 zone. First the privilege was granted to the previous hand car wash operator. Second, there is a car wash immediately to the north of the subject property.

Staff Recommendations:

The automatic carwash was originally approved as an accessory use to the convenience store located at 7800 Hwy. 51 North. In 2011 the automatic carwash shut down due to technical repair issues. A gentleman that worked for the property owner at the store requested to open a small hand carwash service in this bay, which the city agreed to as an accessory use. Since that time, the accessory business has transferred ownership more than once, which the city allowed because the use was not changing and the service remained open. The allowance to remain on site fell under the non-conforming use ordinance. There was a lapse in the business earlier this year which

Minutes, City of Southaven, Southaven, Mississippi

now requires that the owner come into compliance with requirements for an accessory carwash. These requirements could be done via a conditional use permit OR a variance which is what is being presented with this report. While certain aspects of the applicant's variance application are in error, staff does believe that this site has legitimate hardships to review:

1. The city did review the initial proposed use and did grant the original owner the allowance to use the bay for a hand carwash. All inspections and permits were granted. The occupancy of the building kept vandalism and other code issues at a minimum.
2. While there is no distinction between a hand car wash and an automatic car wash, there is a distinction between an accessory car wash and a full service car wash. Both individual uses require a conditional use permit or a variance to allow them to operate in a C-4 zone to be compliant with our ordinances. Since this application is being presented to the Board, it could be argued that the applicant is attempting to comply with city rules and therefore could be deprived of rights commonly enjoyed by other applicants requesting the same.
3. Staff does agree that the hand car wash facility being opened originally under previous ownership and allowed by way of the non-conforming chapter of the city ordinances was not a result of any actions of the applicant.
4. While staff would disagree that the allowance to remain open "as is" would confer a special privilege to the applicant; allowance of a variance would NOT confer this special privilege.

Mrs. Choat-Cook stated that staff recommends approval of a variance to allow the hand car wash to open with the acknowledgement that it needs to be re-inspected by the building and fire departments to determine code compliance as all new and re-establishing businesses are required to do. This variance should allow for continuance of the use pending there are no further code violations associated with this site and that the use is not expanded beyond its existing realm of services.

Alderman Payne made the motion to approve the application by Tedarrell Muhammad to include staff recommendations. Motion was seconded by Alderman Hoots.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 19th day of June, 2018.

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

Minutes, City of Southaven, Southaven, Mississippi

- Item #5 Application by Desoto Eye Care for a variance for dumpster location and materials at 726 Goodman Road

This item was removed from the Planning Agenda until a later date.

- Item #6 Request for subdivision name change for the Bowen Subdivision on the north side of Stateline Road, east of Horn Lake Road

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval of the Bowen Subdivision on the northeast corner of Stateline Road and Horn Lake Road. The parcel encompasses 7.69 acres and the applicant is requesting to subdivide the property into two lots and leave the existing house at the north end and its immediate surrounding property as a parcel. Lot 1 is shown with 2.68 acres and lot 2 with 2.60 acres. Per the comprehensive plan this area has future land use designations for commercial on the immediate corner and office going to the east. Additionally, the comprehensive plan calls for both Stateline Road and Horn Lake Road to have a minimum of 68' of right of way with a typical road section showing four lanes of traffic. Per the GIS database, Stateline Road has an existing 90' of right of way and Horn Lake Road has 60' of right of way. Mrs. Choat-Cook stated that the applicant has complied with bulk requirements for subdividing the property. Per the city's comprehensive plan, Horn Lake Road is designed to have sixty-eight (68) feet of right of way. The applicant should identify the remaining eight (8) feet of right of way dedication along Horn Lake Road and adjust the boundary measurements on the plat prior to recording. Alderman Hoots made the motion to approve the subdivision name change to include staff recommendations. Motion was seconded by Alderman Brooks.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 19th day of June, 2018.

A copy of the preliminary plat is attached to these minutes.

MAYOR'S REPORT

Utilities Department Update

Minutes, City of Southaven, Southaven, Mississippi

Mayor Musselwhite stated that the City recently got a water inspection rating back and City scored 5 out of 5. Mayor Musselwhite expressed his appreciation to Ray Humphrey, Utilities Director, and his staff for making sure there is safe and quality water in the City.

Brick Based Monument Signs

Mayor Musselwhite explained that the cost of the brick based monument signs based on initial estimates from the architectural firm is considerably higher from what they originally thought they would be. Mayor Musselwhite stated that adjustments will have to be made to the beautification budget and they will have to slow the process down to doing one sign each year. Mayor Musselwhite stated that it has not been bid yet, but the initial estimate is about \$60,000 and \$80,000 for those that are little wider with a curve design. Mayor Musselwhite stated that the signs will be placed in the following sequence:

1. I-55 South just north of Starlanding Road
2. Intersection design sign on the southwest corner of I55 and Stateline Road. I-55 exit onto Main Street - will serve as an entrance sign to the City on I-55. Mayor Musselwhite explained that they could not find a proper grade on the properties adjacent to the interstate and that is the reason for the southwest corner location.
3. District signs at Northwest Drive and Main Street. There will be directional signs on both sides of Northwest Drive indicating City Hall, Municipal Courts, and Police Department.
4. Key Intersections:
 - Goodman and Getwell – Snowden sign in front of the detention area at CVS
 - I-55 and Church – Metropolitan District sign placed in front of the Tanger Outlet Mall and diagonal across on the southwest corner and I-55 and Church in front of BankPlus to allow for visibility on both sides of the interstate and intersection
5. Starlanding and Highway 51 – curve design sign placed northbound on Highway 51

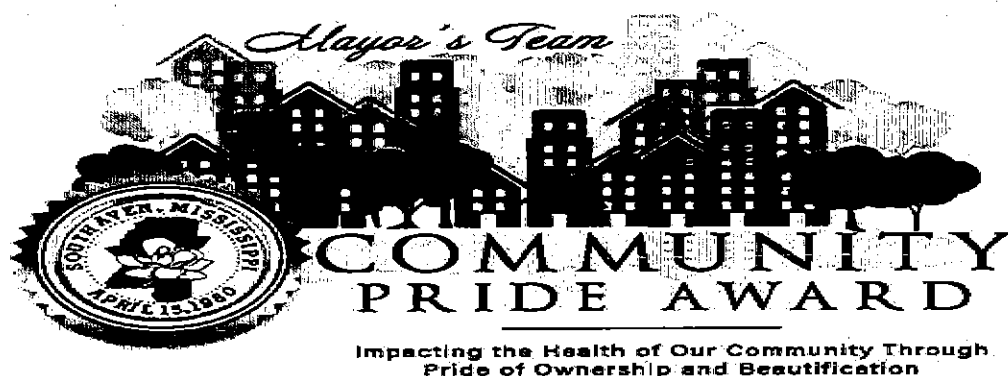
Mayor Musselwhite stated that these signs are considered a long term investment and hoped to have people looking at them for many years to come.

Community Pride Award

Mayor Musselwhite stated that two of his biggest priorities in leading the City of Southaven have been to make the city more economically attractive and aesthetically attractive. Most of the time, these two go together as one. Having pride in anything you do will improve your organization and person. Specifically, beautification and pride of ownership have a direct economic impact on the general health of our city by improving property values, deterring crime, and improving the economic demand for our city. Little things truly make a big difference and there is always a fine line between mediocrity and excellence. Mayor Musselwhite stated that we are fortunate in Southaven that we have many people and organizations that understand the importance of these priorities and he wants to acknowledge

Minutes, City of Southaven, Southaven, Mississippi

and show appreciation for these people and organizations by a new program of giving "Community Pride Awards". Everyone that receives this award will be a member of the "Mayor's Community Pride Team". Mayor Musselwhite expressed that this is not a competition and there is not a limit to the amount of team members. The more that we have working together in this effort, the better our city will be. The award will come in the form of a certificate followed by a public announcement from me after obtaining the property owner's permission. Mayor Musselwhite expressed that he loves seeing progress in our city and is excited about seeing this effort grow in both residential neighborhoods and commercial zones.



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CITIZEN'S AGENDA

Mrs. Jimmie Cook

Mrs. Cook expressed that she was disappointed with the letter that she received declining her claim for damage to her car caused by a pot hole on Southcrest Circle. Mayor Musselwhite explained that state law does not require a municipality to accept liability for such damages as there are no witnesses that saw the damage occur. Mayor Musselwhite expressed his sincere apologies to Mrs. Cook. Mrs. Cook stated that she did not expect anything to change by coming forward but wanted to express her disappointment to the Board.

PERSONNEL DOCKET

Personnel Docket

June 19, 2018

Payroll Additions	Department	Position Title	Start Date	Rate of Pay
Levell Ferguson	Public Works	Laborer	TBD	\$12.00
Drexel Johnson	Public Works	Operator	TBD	\$15.00

*pending 1 pre-emp
screening

** pending 2 pre-emp
screenings

Minutes, City of Southaven, Southaven, Mississippi

Pay Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Garrett Raskett	Fire Fighter 2	Fire Fighter 3	6/7/2018	\$15.87
Jonathan Vines *	Parks Seasonal	FT Parks Laborer	06/20/2018	\$11.50

Stipend	Type of Stipend	Effective Date	Yearly Amount
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Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Joshua Braswell	Planning/Building	Code Enforcement Officer	6/15/2018	\$16.06
Stephen L. Jourdan	Parks	Sports Center Supervisor	6/29/2018	\$16.37
John Pike	Parks	Parks Lead Man (Golf)	06/29/2018	14.73
Paul Stewart (Bd approved 6/6/17 declined offer)	Police	P-2	6/19/2018	\$19.83

Parks Dept Tournament (412) & Seasonal (411) Personnel Docket

June 19, 2018

New Hires

Payroll Additions	Position	Start Date	Rate of Pay
Emily Crunk	Tournament Concessions	06/20/2018	\$7.25
Daneal Denton	Tournament Gates	06/20/2018	\$7.50
Dionna Denton	Tournament Gates	06/20/2018	\$7.50
Jessica Jaimes-Ramon	Tournament Gates	06/20/2018	\$7.50
Chandler Sterling	Tournament Concessions	06/20/2018	\$7.25
Hoyt Thompson	Tournament Grounds Crew	06/20/2018	\$7.25

ReHires

Payroll Additions	Position	Start Date	Rate of Pay
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Adjustments

Pay Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Matthew Dickey	Tournament Concessions	Tournament Concessions Supervisor	06/20/2018	\$7.25
Trae Justice	Tournament Concessions	Cook	06/20/2018	\$8.00
Kyle Grant	Seasonal Grounds Crew	Tournament Gates	06/20/2018	\$7.50
Preston McClain	Tournament Grounds Crew	Seasonal Grounds Crew	06/20/2018	\$8.50

Terminations

Name	Position	Effective Date	Rate of Pay
Madison Davis	Tournament Concessions	06/20/2018	\$7.25

Minutes, City of Southaven, Southaven, Mississippi

Mason McFadden	Tournament Concessions	06/20/2018	\$7.25
	Tournament Concessions		
Kelsey Roberts	Supervisor	06/20/2018	\$8.00
Dalton Wade	PT Front Desk	06/20/2018	\$7.25

Alderman Brooks made the motion to approve the Personnel Docket of June 19, 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

Mr. Manley explained that since Butler Snow is an outside firm, they must be reappointed each year. Alderman Brooks made the motion to reappoint Butler Snow effective July 1, 2018 through June 30, 2019 and authorize Mayor Musselwhite to sign the agreement. Motion was seconded by Alderman Flores.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 19th day of June, 2018.

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 June 19, 2018 in the amount of \$1,043,474.60. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

302613, 302642, 302704, 302756, 302799, 302800, 302807, 302809, 302815, 302951, 303111, 303412, 303424, 303532, 303555, 303558

Roll call was as follows:

ALDERMAN	VOTED
Alderman William Brooks	YES

Minutes, City of Southaven, Southaven, Mississippi

Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman George Payne	YES
Alderman Joel Gallagher	ABSENT
Alderman John David Wheeler	YES
Alderman Raymond Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 19th day of June, 2018.

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 Flores to adjourn. Motion was seconded by Alderman Wheeler. Motion was put to a vote and passed unanimously June 19, 2018 at 7:43 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

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