

Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
August 21, 2018
6:00 p.m.
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: August 7, 2018
5. Recognition of Sgt. Tyler Price
6. Introduction of New SPD Officers – Anthony Irizarry, Nia Chaffen and Marion Bell
7. Budget Hearing
8. Resolution for Unmarked Vehicles
9. Extension of Civil-Link Agreement
10. Agreement with Tyler Technologies for Southaven Municipal Court
11. Agreement with Tyler Technologies for Munis
12. Resolution for JAG Grant
13. Special Event Permit for Memphis Food Truck & Craft Beer Festival / Tanger Outlets
14. Fire Service Extension Phase II Certified Bid and Award Recommendation
15. Resolution to Clean Private Property
16. Planning Agenda: Item #1 Application by Christopher Newson for a Conditional Use Permit to allow a full service spa at 453 Stateline Road
Item #2 Application by Joseph Grovogui for a Conditional Use Permit to allow a hair braiding facility at 186 Stateline Road
17. Mayor's Report
18. Citizen's Agenda
19. Personnel Docket
20. City Attorney's Legal Update
21. Claims Docket
22. Executive Session: Claims regarding Public Works Dept. and Police Dept.;
Economic Development (Potential Business Locate to City)

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

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MINUTES OF THE REGULAR MEETING OF August 21, 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 21st day of August, 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
Joel Gallagher	Alderman, Ward 4
John David Wheeler	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Also present were Mayor Musselwhite, Andrea Mullen, City Clerk, Pam Pyle, Deputy City Clerk, and Nick Manley, City Attorney. Approximately twenty (20) other people were present.

Mayor Musselwhite called the meeting to order. Alderman Gallagher led in prayer, followed by the Pledge of Allegiance led by Alderman Payne. Next, a motion was made by Alderman Payne to approve the minutes of the regular meeting of August 7, 2018 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

RECOGNITION OF SERGEANT TYLER PRICE

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

Chief Pirtle introduced Sergeant Tyler Price to the Mayor and Board of Alderman. Chief Pirtle reported that he and Sergeant Price traveled to Clarksburg, VA with all expenses paid by the FBI to honor Sergeant Price with an award for utilizing the index system. Chief Pirtle stated that due to the utilization of the index system and further investigation, Sergeant Price was able to identify two individuals that were unidentifiable that were responsible for armed robberies in Alabama and Georgia and were part of a crime ring that spanned from New York, North Carolina, and Georgia. Chief Pirtle stated that across the country each year, Index picks some of the top cases that utilize their system and out of 38 selected this year, Sergeant Price received the top award. Chief Pirtle stated that Sergeant Price was presented with a plaque and one was given to display at the Southaven Police Department. Mayor Musselwhite thanked Sergeant Price for his hard work and extra effort.

INTRODUCTION OF NEW SPD OFFICERS – ANTHONY IRIZARRY, NIA CHAFFEN AND MARION BELL

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

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Chief Pirtle introduced Marion Bell and stated that he planned to introduce Nia Chaffen at this meeting, but she is on military drill and could not make it. Chief Pirtle added that Officer Bell and Officer Chaffen graduated from the training academy two weeks ago. Upon completion of the academy, Officer Bell received the 5 under 50 award and the Road Warrior 10 Week Fitness Challenge Award and Officer Chaffen received the Top Cop Award, Top Award in PT, and 5 under 50 award.

BUDGET HEARING

Budget Hearing – The City has advertised for its budget hearing for the August 21st meeting, with the intent of adopting the budget at the September 4, 2018 meeting. The budget must be adopted by September 15, 2018.

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

Alderman Brooks made the motion to close the public meeting. Motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously.

Alderman Flores made the motion to open the budget hearing. Motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously.

Mr. Wilson gave an overview of the budget:

- No tax increases
- No increases in utilities
- No increases in sanitation
- New Positions – 5 Park Laborers, Food and Beverage Manager in Parks to accommodate expansions, 1 Animal Control Officer, 1 Inspector in the Planning / Building Department, 1 Facility Maintenance Technician in Public Works and an HR Director
- \$2 million budget for overlay which is up from \$1.5 million

Mr. Wilson explained that the one difference with the draft they currently have compared to the one received originally is that the Springfest budget was increased to \$240,000.

Mayor Musselwhite stated that the Springfest line item in the budget was not reflective of current numbers as there have been some changes in recent years. One of those changes is that the City is receiving more from the Carnival and they wanted to have a more realistic budget. Mayor Musselwhite explained that the goal is to break even and weather can play a big part in that. Mayor Musselwhite added that they plan to make a few adjustments with the entertainment to attempt to make it more productive.

Alderman Flores asked about changes in health insurance. Mr. Wilson explained that there will be a modest increase in health insurance premiums and that they

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will need to have discussions about plans with health insurance for January. Mayor Musselwhite added that the most challenging thing to do is to maintain the benefits with the vitality of health insurance in our country right now and that this has been the most challenging year yet. Mayor Musselwhite stated that they will have more information in the coming days and will be updating them on the situation at that time.

Next, Mayor Musselwhite asked if there was anyone in the audience that had any questions or comments about the proposed budget and there were none. Mr. Wilson stated that the presentation and line items are on the website at www.southaven.org.

Alderman Flores made the motion to close the budget hearing. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

Alderman Payne made the motion to re-open the public meeting. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

RESOLUTION FOR UNMARKED VEHICLES

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

Mr. Manley stated that this resolution will provide those vehicles that are unmarked for SPD investigation purposes. Upon passage, it will be provide to the State Auditor's office in accordance with the applicable statute. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

RESOLUTION OF CITY OF SOUTHAVEN SETTING FORTH CITY OF SOUTHAVEN POLICE UNMARKED VEHICLES PURSUANT TO MISSISSIPPI CODE SECTION 25-1-87

WHEREAS, pursuant to Mississippi Code Section 21-21-3, the City of Southaven ("City") employs employ, regulates, and supports a sufficient police force; and

WHEREAS, the City's support of the police force includes providing vehicles for use by the police to assist with maintaining order and peace, which, includes, but is not limited to conducting official criminal investigations; and

WHEREAS, it has been recommend to the City Board by the City Police, pursuant to Mississippi Code Section 25-1-87 that certain City Police vehicles, attached hereto as Exhibit A, should be unmarked as identifying marks would hinder official criminal investigations regarding the illegal use of narcotics; and

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WHEREAS, the City Governing Authorities defer to the City Chief of Police as the chief law enforcement officer of the City and his control over police officers and how investigations will proceed; and

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

1. The City Governing Authorities hereby authorize the use of the unmarked City Police vehicles, attached hereto as Exhibit A, as the identifying marks would hinder official criminal investigations regarding the illegal use of narcotics.

2. The Mayor, Police Chief, City Administrator, City Clerk, and/or their designee(s) are authorized to take any and all action to effectuate the intent of this Resolution and the City Clerk shall furnish the State Department of Audit with a certified copy of this Resolution.

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

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

RESOLVED AND DONE, this 21st day of August, 2018.

A vehicle list is attached to these minutes.

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EXTENSION OF CIVIL-LINK AGREEMENT

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

Mr. Manley stated that the contract with Civil Link was amended last year. As part of the amendment, the contract was extended for an additional year. This amendment will extend the Civil Link contract for an additional year to September 30, 2019 on the same terms that are currently in effect. Alderman Gallagher made the motion to approve the contract amendment with Civil Link. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 21st day of August, 2018.

A copy of the agreement is attached to these minutes.

AGREEMENT WITH TYLER TECHNOLOGIES FOR SOUTHAVEN MUNICIPAL COURT

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

Mr. Manley stated that that this agreement will allow access to court records online. It will allow all of the SPD access to real-time information from the court software, which is something they do not currently have. It also will allow the Court to give access to probation officers, attorneys, and the general public. The Court will have control over how much access anyone has to the system. The agreement also contemplates the potential for online credit card payments at a future date and the cost is \$3,500.00. Alderman Flores made the motion to approve the agreement with Tyler Technologies and authorized Chris Shelton to sign the contract. Motion was seconded by Alderman Kelly.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Hoots	YES
Alderman Wheeler	YES
Alderman Flores	YES
Alderman Payne	YES

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Alderman Kelly	YES
Alderman Gallagher	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 21st day of August, 2018.

A copy of the agreement is attached to these minutes.

AGREEMENT WITH TYLER TECHNOLOGIES FOR MUNIS

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

Mr. Manley stated that this agreement with Tyler Technologies will allow for the renewal of Munis, which is the city's financial software suite used by all departments for various functions. The software is ancillary to the services, so it can be approved despite the costs of the software. In addition, based on the contract, along with Tyler's ability to perform the services for the City; thus, giving the City the future right to the services, the City can pay in advance as set forth in the agreement. Noting that the software is ancillary to the services and Tyler's ability to perform the services. Alderman Payne made the motion to approve the agreement and authorized Chris Shelton to sign the contract. Motion was seconded by Alderman Brooks.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 21st day of August, 2018.

A copy of the agreement is attached to these minutes.

RESOLUTION FOR JAG GRANT

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

Mr. Manley stated that this resolution will allow for the City to enter into the interlocal agreement with Desoto County and Olive Branch for the use of federal funds for certain police equipment. This year Southaven is the lead agency and responsible for the duties for the grant. Southaven will receive \$17,012.00 and Olive Branch will receive \$11,892.00. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE

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CITY OF SOUTHAVEN, MISSISSIPPI APPROVING INTERLOCAL AGREEMENT BETWEEN THE CITY OF SOUTHAVEN AND THE CITY OF OLIVE BRANCH FOR 2018 EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG)

WHEREAS, the Mississippi Interlocal Cooperative Act of 1974, Section 17-13-1 et seq. of the Mississippi Code (1972), provides that local government units may cooperate and contract with one another on the basis of mutual advantage and thereby provide services for the most efficient use of their powers, and

WHEREAS, the City of Southaven was chartered under the laws of the State of Mississippi, and

WHEREAS, the Mayor and Board of Aldermen are charged with the responsibility of maintaining the health, safety and welfare of the citizens of the City, and

WHEREAS, the City of Southaven and the City of Olive Branch desire to enter into an Interlocal Agreement for participation in the 2018 Byrne Justice Assistance Grant in the amount of \$28,904.00, with the signature of the DeSoto County Board of Supervisors, and

WHEREAS, the entities have proposed a formal agreement between them, a copy of which is referred to and incorporated herein by reference, and

WHEREAS, the City of Southaven and the City of Olive Branch will share the JAG Program funding award amount as follows:

- a. \$11,892 to assist Olive Branch for their project as detailed in the JAG application
- b. \$17,012 to assist Southaven for their project as detailed in the JAG application.

WHEREAS, the Mayor and Board of Aldermen have determined that it is in the best interest of the citizens of Southaven that the City participate in the Interlocal Agreement.

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

1. The Interlocal Agreement between the City of Southaven and the City of Olive Branch, to participate in the 2018 Byrne Justice Assistance Grant in the joint amount of

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\$28,904.00 be, and the same is hereby approved.

2. Terms of the 2018 Byrne Justice Assistance Grant be, and the same are hereby approved as set forth in said Interlocal Agreement.
3. All City Officials are authorized to take any and all action required to obtain the Justice Assistance Grant funds.

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

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

RESOLVED AND DONE, this 21st day of August, 2018.

A copy of the MOU is attached to these minutes.

SPECIAL EVENT PERMIT FOR MEMPHIS FOOD TRUCK & CRAFT BEER FESTIVAL / TANGER OUTLETS

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

Mr. Manley stated that this event will be on Saturday, September 1st from 10 a.m. to 6 p.m. to be held at the Tanger Outlets. Alderman Gallagher made the motion to approve the special event permit. Motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously.

A copy of the special event permit is attached to these minutes.

FIRE SERVICE EXTENSION PHASE II CERTIFIED BID AND AWARD RECOMMENDATION

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

Mr. Cordell stated that this is Phase 2 of the Fire Extension project. This covers the Malone Road area for some of the roads that come off west of Malone Road to provide adequate fire service. Mr. Cordell stated that it is his recommendation to award the bid to Buz Plaxico Dozer, Inc., the lowest and best bid, in the amount of \$667,864.77. Mayor Musselwhite added that this part of a larger plan for the

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City's annexed areas to replace water lines with sufficient lines to put in standard fire hydrants so that annexed areas have the same fire protection as everyone else in the City. Alderman Payne made the motion to award the bid to Buz Plaxico Dozer Services, Inc. and authorize Mayor Musselwhite to sign all contract documents. Motion was seconded by Alderman Brooks.

ALDERMAN

VOTED

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 21st day of August, 2018.

RESOLUTION TO CLEAN PRIVATE PROPERTY

Mayor Musselwhite introduced the cleaning of property and asked if there were any comments from the Board and there were none. Mayor Musselwhite then asked for any comments from the public and there were none. The Board then considered the following resolution to clean private property:

RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY

WHEREAS, the governing authorities of the City of Southaven, Mississippi, have received numerous complaints regarding the parcel of land located at the following address, to-wit:

Parcel 1079292200000200
Parcel 1079300000001500
Parcel 1079300000001700
Parcel 1079300000001400
Parcel 1079300000001600
Parcel 2074181600005900
Parcel 1086230000003800
Parcel 2075160000000103
Parcel 2072030000000305
1725 Dorchester Dr
Parcel 1079293000008301
8431 Booneville Dr

to the effect that the said parcel of land has been neglected whereby the grass height is in violation and there exist other unsafe conditions and that the parcel of land in the present condition is deemed to be a menace to the public health and safety of the community.

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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, August 7, 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, August 21, 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:

Parcel 1079292200000200
Parcel 1079300000001500
Parcel 1079300000001700
Parcel 1079300000001400
Parcel 1079300000001600
Parcel 2074181600005900
Parcel 1086230000003800
Parcel 207516000000103
Parcel 207203000000305
1725 Dorchester Dr
Parcel 1079293000008301
8431 Booneville Dr

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

BE IT FURTHER RESOLVED that 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 Kelly. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

ALDERMAN	VOTED
Alderman William Brooks	YES
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES

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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 21st day of August, 2018.

CITY OF SOUTHAVEN, MISSISSIPPI BY

PLANNING AGENDA

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

Item #1 Application by Christopher Newson for a Conditional Use Permit to allow a full service spa at 453 Stateline Road

Mrs. Choat-Cook stated that the applicant is requesting a conditional use permit to allow a full service spa at 453 Stateline Road to be located in the Kroger Complex on Hamilton. Mrs. Choat-Cook stated that a CUP for a full service spa requires that they have three (3) amenities, in which, they have met all three. They also have to be licensed technicians through the State of Mississippi and all documentation has been submitted to the City. It also states that there is a ½ mile radius rule from an existing full service spa and they are in compliance with that rule. Mrs. Choat-Cook stated that staff is recommending approval of a one (1) year CUP with a four (4) year extension to be renewed annually. After hearing from Mrs. Choat-Cook, the Board of Alderman considered the following resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF
ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING
CONDITIONAL USE PERMIT GRANTED TO CHRISTOPHER
NEWSON FOR A FULL SERVICE SPA LOCATED AT 453
STATELINE ROAD, UNIT F SOUTHAVEN, MISSISSIPPI**

WHEREAS, the City of Southaven's ("City") Planning Commission previously held a hearing on July 30, 2018, for the conditional use permit ("permit") application of Christopher Newson (the "Applicant") for a full service spa located at 453 Stateline Road, Unit F, 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

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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, 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 Board's revocation for violation of the permit or ordinances, the City Board grants a permit to the Applicant for a full service spa at 453 Stateline Road, 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.
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 Brooks. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

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

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Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 21st day of August, 2018.

CITY OF SOUTHAVEN, MISSISSIPPI

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

Item #2 Application by Joseph Grovogui for a Conditional Use Permit to allow a hair braiding facility at 186 Stateline Road

Mrs. Choat-Cook stated that the applicant is requesting a conditional use permit to allow a hair braiding facility at 186 Stateline Road. Mrs. Choat-Cook stated that they have to be licensed technicians through the State and must meet the ½ mile radius rule from an existing hair braiding facility and they are in compliance with both. Mrs. Choat-Cook stated that staff is recommending approval of a one (1) year CUP with a four (4) year extension to be renewed annually. After hearing from Mrs. Choat-Cook, the Board of Alderman considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING CONDITIONAL USE PERMIT GRANTED TO JOSEPH GROVOGUI AND MADJAME KANTE FOR A HAIR BRAIDING ESTABLISHMENT LOCATED AT 186 STATELINE ROAD, SOUTHAVEN, MISSISSIPPI

WHEREAS, the City of Southaven's ("City") Planning Commission previously held a hearing on July 30, 2018, for the conditional use permit ("permit") application of Joseph Grovogui and Madjame Kante (the "Applicant") for a hair braiding establishment located at 186 Stateline Road, 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

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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, 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:

3. Subject to the Board's revocation for violation of the permit or ordinances, the City Board grants a permit to the Applicant for a hair braiding establishment located at 186 Stateline Road 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.
4. 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 Alderman Brooks. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

Alderman William Brooks	YES
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman John Wheeler	YES
Alderman Raymond Flores	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 21st day of August, 2018.

CITY OF SOUTHAVEN, MISSISSIPPI

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

MAYOR'S REPORT

Retiree Health Insurance Update

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Mayor Musselwhite stated that the Government Accounting Standards Board (GASB) is a national organization that reviews the accounting procedures and auditing practices of governmental agencies and they have reviewed an issue that will affect the retiree health insurance benefit. Mayor Musselwhite explained that last year the City decided to reward employees with the option at retirement to stay on the City's group health insurance plan until they qualify for Medicare or have other options. The issue is that GASB has ruled that we now have to consider this benefit as a liability for the City. Mayor Musselwhite stated that in reality this is not a liability because the retiree pays the premium and the City has no responsibility whatsoever. Mayor Musselwhite stated that the City has requested for this to be reviewed again, but the response is that it will be treated as a liability which will affect the City's assets and liabilities and overall financial situation. Mayor Musselwhite added that another negative is that GASB is requiring that the City hire actuaries every year to measure a liability that does not exist. Mayor Musselwhite stated that it is his and Chris Wilson's recommendation to suspend the retiree health insurance benefit until they have more details. Mayor Musselwhite explained that they are recommending suspending this because they do not want an employee basing their retirement plans around having to rely on that benefit and the City not being able to provide.

Chris Wilson, City Administrator, added that suspending it means that there will be no new retirees on the plan. Currently, there are five on the plan and one will roll off next month due to a birthday. The four (4) remaining employees will remain on the insurance until the Board makes a decision whether to continue or end the program. Alderman Hoots questioned if there was an appeal process, in which, Mr. Wilson stated that there was not. Mr. Wilson added that if the City decides to do away with offering this post employment benefit, the retiree would become COBRA eligible to remain on the City's plan at their existing rates for a minimum of 18 months.

After hearing from Mayor Musselwhite and Mr. Wilson, Alderman Flores made the motion to suspend the retiree health insurance benefit. Motion was seconded by Alderman Kelly.

ALDERMAN

VOTED

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 21st day of August, 2018.

I-269 Update

Mayor Musselwhite reported that I-269 will be complete and open in October.

Minutes, City of Southaven, Southaven, Mississippi

CITIZEN’S AGENDA

Meredith E. Wickham / Caroline Barnett with First Regional Library

Ms. Wickham thanked the Mayor and Board of Alderman for their continued support of the library. Ms. Wickham explained that she missed the budget deadline due to being new to the process and respectfully asked to submit her request at this meeting. Ms. Wickham requested \$341,000 for FY2019, a 3.3% increase from the FY2018 allocation. After some discussion in regards to other possible funding resources. Next, Ms. Caroline Barnett explained that the library building was in need of new carpet and paint for both inside and outside of the building and asked that the Board give consideration to doing those improvements for FY2019.

A copy of the budget request is attached to these minutes.

PERSONNEL DOCKET

Personnel Docket

August 21, 2018

Payroll Additions	Department	Position Title	Start Date	Rate of Pay
Anthony B. Burse	Parks	PT Front Desk	8/21/2018	\$7.25
Collier D. Emerson	Parks	PT Front Desk/Turf Tech	8/21/2018	\$7.25
Leslie Gregory *	Fire	Paramedic	TBD	\$18.26
Carly McBride	Parks	PT Front Desk	8/21/2018	\$7.25
Jonathan M. McClure	Police	Patrol Officer 1	8/22/2018	\$17.88
Jeremy Renfroe	Police	Crossing Guard	TBD	\$9.00

*pending 1 pre-emp screening

** pending 2 pre-emp screenings

Pay Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Jacob Cooke	Patrol Office II	Sergeant	09/03/2018	\$22.86
James B. Clack	Fire Fighter II	Fire Fighter III	08/13/2018	\$15.87
Anthony Irizarry	Sergeant	PT Officer	08/21/2018	\$13.89
Richard Leathers	Laborer	Tractor Operator	TBD	\$15.00
Lisa Randl	Dispatch II	Dispatch III	08/22/2018	\$21.20
Whitney Walley	Patrol Office II	Sergeant	09/03/2018	\$22.86

Stipend	Type of Stipend	Effective Date	Yearly Amount
Police			
Jacob Cooke	SWAT	09/03/2018	\$600.00

Minutes, City of Southaven, Southaven, Mississippi

<u>Resignations/Terminations</u>	<u>Department</u>	<u>Current Position Title</u>	<u>Effective Date</u>	<u>Rate of Pay</u>
Timothy Luke Barnett	Parks	PT Front Desk	8/12/2018	\$7.25
Ashley Bartley	Parks	PT Front Desk	8/12/2018	\$7.25
Amy Bolanos	Parks	PT Front Desk	8/12/2018	\$7.25
James Mason O'Daniel	Parks	Turf Tech	8/21/2018	\$7.25
Joshua N. Riley	Police	Sergeant	8/16/2018	\$22.86

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

August 21, 2018

New Hires

<u>Payroll Additions</u>	<u>Position</u>	<u>Start Date</u>	<u>Rate of Pay</u>
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ReHires

<u>Payroll Additions</u>	<u>Position</u>	<u>Start Date</u>	<u>Rate of Pay</u>
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Adjustments

<u>Pay Adjustments</u>	<u>Previous Classification</u>	<u>New Classification</u>	<u>Effective Date</u>	<u>Proposed Rate of Pay</u>
Emily M. Schreck	Concessions Current: Concessions	Tennis Cook	08/21/2018	\$8.00
Christopher Wise	Supervisor	adjusting salary from \$7.25 to \$8.00 to set in line with other Supervisors	08/21/2018	\$8.00

Terminations

<u>Name</u>	<u>Position</u>	<u>Effective Date</u>	<u>Rate of Pay</u>
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Alderman Brooks made the motion to approve the Personnel Docket of August 21, 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. Nick Manley stated that this is a professional services agreement with Debora Burch to teach yoga through the City's Park Programs. Alderman Brooks made the motion to authorize Wes Brown to sign the agreement with Debora Burch. Motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously,

A copy of the agreement is attached to these minutes.

CLAIMS DOCKET

Minutes, City of Southaven, Southaven, Mississippi

A motion was made by Alderman Payne to approve the Claims Docket of August 7, 2018 in the amount of \$714,831.66. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

306444, 306466, 306488, 306755, 306763, 306766, 306931,
306954, 307002, 307004, 307014, 307104, 307134, 307153

Roll call was as follows:

ALDERMAN	VOTED
Alderman William Brooks	YES
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
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 21st day of August, 2018.

EXECUTIVE SESSION

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

Alderman Hoots asked for clarification on the request to increase library funding and already having a balanced budget. It was discussed that it was only a request and no action had to be taken on the matter.

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Kelly to adjourn. Motion was seconded by Alderman Wheeler. Motion was put to a vote and passed unanimously August 21, 2018 at 8:00 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)