

Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
February 19, 2019
6:00 p.m.
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: February 5, 2019
5. Resolution Amending Ordinance Title 1, Chapter 2, Section 1-26
6. SFD Contract with Stryker Medical
7. Resolution for Free Port Warehouse Tax Exemption for Avanos Medical Sales, LLC
8. Resolution for Donation
9. Resolution for Liens
10. Resolution for Unmarked Vehicles
11. FY20 DUI Grant for SPD
12. FY20 Occupant Protection Grant for SPD
13. Authorization for Contract with F&F Construction, Inc.
14. Planning Agenda
15. Mayor's Report
16. Citizen's Agenda
17. Personnel Docket
18. City Attorney's Legal Update
19. Utility Bill Adjustment Docket
20. Claims Docket
21. Executive Session: Litigation against the City; Economic Development (Industry/Business Locating 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 February 19, 2019 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 February, 2019 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, 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 February 5, 2019 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Hoots. Motion was put to a vote and passed unanimously.

RESOLUTION AMENDING ORDINANCE TITLE 1, CHAPTER 2,

SECTION 1-26

Mayor Musselwhite presented this item to the Board.

This amendment to the ordinance will give flexibility to the board to change the meeting location for the 1st meeting for each month from city hall to another location as designated by the Board of Alderman. The reason for this change is that the board room will be under renovation in upcoming months, which will prevent the meeting from being in the boardroom. The Board of Alderman considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI AMENDING THE SOUTHAVEN CODE OF ORDINANCES TITLE 1, CHAPTER 2, SECTION 1-26

WHEREAS, Mississippi Code Section 21-3-19 allows for the City of Southaven ("City") Mayor and Board of Aldermen to hold regular meetings at such place and hour as may be fixed by ordinance; and

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WHEREAS, Mississippi Code Section 21-17-5 provides that the City shall have the care, management and control of the municipal affairs and the power to alter, modify and repeal orders, resolutions or ordinances; and

WHEREAS, due to renovations that will be conducted at City Hall, the Mayor and Board will temporarily need to meet at another location within the City, so that there is ample space and capacity for the public to attend and participate in the monthly Mayor and Board of Alderman meetings; and

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, THAT BY RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI HEREBY AMEND THE CITY OF SOUTHAVEN CODE OF ORDINANCES, TITLE I CHAPTER 2, SECTION 1-26 AS FOLLOWS:

1. City Code of Ordinance Title I, Chapter 2, Section 1-26 shall be revised to state:

Sec. 1-26. - Regular meetings.

(a) The mayor and board of aldermen shall hold a regular meeting on the first Tuesday of each month at the City Hall in Southaven, Desoto County, Mississippi, or at another location, other than City Hall, as designated by the board of alderman in Southaven, Desoto County, Mississippi at 6:00 p.m. The board may transact any business coming before it for consideration.

(b) The mayor and board of aldermen shall meet on the third Tuesday of each month. This meeting shall be a regular meeting and shall be held in addition to the regular meeting which convenes the first Tuesday of each month. The second regular monthly meeting shall be held at a place as designated by the board of alderman in Southaven, Desoto County, Mississippi, beginning at 6:00 p.m.

NOW, THEREFORE BE IT ORDERED pursuant to Miss. Code 21-13-11, the City Clerk shall provide notice of the adoption of the Ordinance in the *Desoto Times* for one (1) time.

NOW, THEREFORE BE IT ORDERED that this Ordinance take effect and be in force one (1) month from and after passage as provided by law.

The foregoing Ordinance having been reduced to writing, the same was introduced by Alderman Brooks, seconded by Alderman Payne, and was adopted by the following vote, to-wit:

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

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Alderman William Brooks

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 February, 2019.

CITY OF SOUTHAVEN, MISSISSIPPI

SFD CONTRACT WITH STRYKER MEDICAL

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

Mr. Manley stated that this is a service agreement between the SFD and Stryker, which is a sole source provider, for preventive maintenance and service repairs for the SFD's Stryker power load stretchers and load systems. This agreement extends the service agreement for a period of one year on all systems, except for power load 2018012400337. This system is still under warranty and the service agreement is prorated to extend it to one year. Alderman Payne made the motion to authorize Chief Scallions to sign the contract with Stryker Medical. Motion was seconded by Alderman Hoots. Motion was put to vote and passed unanimously.

A copy of the agreement is attached and fully incorporated into these minutes.

RESOLUTION FOR FREEPORT WAREHOUSE TAX EXEMPTION FOR AVANOS MEDICAL SALES, LLC

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

Mr. Manley stated that the free port tax exemption granted by this resolution has been recommended by the Desoto Economic Council and will provide a tax exemption for personal property held in Avanos' finished good warehouse and in transit through the state and which either is moving in interstate commerce through or over the territory of the state or is consigned or transferred to Avanos's finished goods warehouse for storage in transit to a final destination outside the state. Mr. Manley added that this was also approved by the Desoto County Board of Supervisors. After hearing from Mr. Manley, the Board considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, GRANTING FREE PORT WAREHOUSE AD VALOREM TAX EXEMPTION TO AVANOS MEDICAL SALES, LLC AS AUTHORIZED BY SECTION 27-31-51 ET. SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED

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WHEREAS, Avanos Medical Sales, LLC (“Avanos”) seeks an exemption from ad valorem taxes at its warehouse operation located at 228 Access Drive, Southaven, Mississippi to the fullest extent permitted by statute on all personal property held in the applicant’s finished good warehouse and in transit through the State of Mississippi and which either is moving in interstate commerce through or over the territory of the State of Mississippi or is consigned or transferred to Avanos’s finished goods warehouse for storage in transit to a final destination outside the State of Mississippi; and

WHEREAS, Avanos has filed an Application with the City of Southaven (“City”) for exemption from free port tax warehouse ad valorem tax exemption; and

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

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

1. That Avanos ships personal property to a final destination outside the State of Mississippi during the calendar year.
2. That Avanos is qualified to make application for exemption from Freeport Warehouse Ad Valorem Tax.
3. This Mayor and Board of Alderman of the City of Southaven, Mississippi, acknowledge Avanos contribution to the economic development of Southaven and believe that it should exercise its discretionary authority to exempt from all free port taxes to the full extent permitted by statute all personal property held in Avanos free port warehouse and in transit through this State and which either is moving in interstate commerce through or over the territory of the State of

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Mississippi or is consigned or transferred to Avanos finished goods warehouse for storage in transit to a final destination outside the State of Mississippi as authorized by Section 27-31-51 et seq. of the Mississippi Code (1972) as amended.

4. That the Clerk of this Board is hereby directed to spread a copy of this Resolution on the minutes of this Board; and that said Clerk shall forward the original Application and a certified copy of the transcript of this Resolution approving said Application to the Tax Assessor of DeSoto County, Mississippi.

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

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman 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 19th day of February, 2019.

A copy of the free port application is attached and fully incorporated into these minutes.

RESOLUTION FOR DONATION

Mayor Musselwhite presented this item to the Board.

Recently, Heartland Church moved out of the city building on Stateline. There are still three (3) entities (Desoto Grace, National Guard, and Heartland Food Bank) utilizing the space. These resolutions will allow for these entities to continue to use the space based on the applicable Mississippi Code section. The Board of Alderman then considered the following resolutions:

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RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI FOR LEASE DONATION TO HEARTLAND HANDS, INC.

WHEREAS, the City of Southaven ("City") pursuant to Mississippi Code Section 21-17-1(3)(b)(ii) desires to provide a rental donation for space inside the City Building located at 385 Stateline Road (collectively the "Building") to Heartland Hands, Inc. ("Heartland") to provide a food pantry;

WHEREAS, the City has control of the Building and has the capacity and desire to provide a lease donation to Heartland a 501(c)(3) to use the Building to advance the moral interest of the City by providing food assistance to City residents; and

WHEREAS, the City finds that Heartland is a bona fide not-for-profit civic and eleemosynary corporation organized and existing under the laws of the State of Mississippi and granted tax-exempt status by the Internal Revenue Service consistent with the mandates of Mississippi Code Section 21-17-1(3)(b)(ii) and allows Heartland to utilize property via an in-kind donation of the lease from the City; 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 21-17-1(3)(b)(ii), the Governing Body of the City hereby allows Heartland to utilize space in the Building to assist Heartland with providing food to City citizens.

SECTION 2. On behalf of the City, the Mayor or his designee is directed to take all actions to effectuate this Resolution and is authorized to take all required actions for the same.

SECTION 3. Heartland shall vacate the Building if requested by the City. Following the reading of the foregoing resolution, Alderman Brooks 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 19th day of February, 2019.

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RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI FOR LEASE DONATION TO THE MISSISSIPPI NATIONAL GUARD

WHEREAS, the City of Southaven ("City") pursuant to Mississippi Code Section 33-1-3 desires to provide a rental donation for space inside the City Building located at 385 Stateline Road (collectively the "Building") to a division of the Mississippi National Guard ("Guard"); and

WHEREAS, the City has control of the Building and has the capacity and desire to provide a lease donation to the Guard to use the Building to assist the Guard for its purposes; 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 33-1-3, the Governing Body of the City hereby allows the Guard to utilize space in the Building.

SECTION 2. On behalf of the City, the Mayor or his designee is directed to take all actions to effectuate this Resolution and is authorized to take all required actions for the same.

SECTION 3. The Guard shall vacate the Building if requested by the City.

Following the reading of the foregoing resolution, Alderman Brooks 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 19th day of February, 2019.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI FOR LEASE DONATION TO DESOTO GRACE

WHEREAS, the City of Southaven ("City") pursuant to Mississippi Code Section 21-17-1(3)(b)(ii) desires to provide a rental donation for approximately

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10,000 square feet of space inside the City Building located at 385 Stateline Road (collectively the "Building") to Desoto Grace;

WHEREAS, the City has control of the Building and has the capacity and desire to provide a lease donation to Desoto Grace a 501(c)(3) to use the Building to advance the moral interest of the City and to mentor youth in the City with assistance with school, athletics and development; and

WHEREAS, Desoto Grace's mission is to mentor families and youth by providing social and mentoring services for youth with an emphasis on education, health and children in order to impact communities, including individuals and causes in the City; and

WHEREAS, the City finds that Desoto Grace is a bona fide not-for-profit civic and eleemosynary corporation organized and existing under the laws of the State of Mississippi and granted tax-exempt status by the Internal Revenue Service consistent with the mandates of Mississippi Code Section 21-17-1(3)(b)(ii) and allows Desoto Grace to utilize property via an in-kind donation of the lease from the City; 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 21-17-1(3)(b)(ii), the Governing Body of the City hereby allows Desoto Grace to utilize approximately 10,000 square feet of space in the Building to assist Desoto Grace with its mission.

SECTION 2. On behalf of the City, the Mayor or his designee is directed to take all actions to effectuate this Resolution and is authorized to take all required actions for the same.

SECTION 3. Desoto Grace shall vacate the Building if requested by the City.

Following the reading of the foregoing resolution, Alderman Brooks 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 19th day of February, 2019.

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RESOLUTION FOR LIENS

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

Mr. Manley stated that this resolution will authorize liens to be placed on those properties which have been cut via Miss. Code 21-19-11 and the liens will later be converted to assessments. After hearing from Mr. Manley, the board considered the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI ADJUDICATING THE COST OF CLEANING PROPERTY, IMPOSING A PENALTY AND IMPOSING LIEN OF THE SAME AGAINST PROPERTY

WHEREAS, the City of Southaven ("City") has the authority, pursuant to Section 21-19-11 of the Mississippi Code (1972) to clean up property within the City, under circumstances which create a menace to the public health and safety of the community, and

WHEREAS, the Mayor and Board of Aldermen conducted hearings regarding various properties, as set forth in Exhibit A, and determined that the conditions and circumstances of such properties created a menace to the public health and safety of the community, and ordered the clean-up of the properties, and

WHEREAS, pursuant to the authority granted to the City, the Mayor and Board of Aldermen contracted with an outside contractor who has undertaken and completed the clean-up of the properties, and

WHEREAS, the Mayor and Board of Aldermen have heard proof and find as a fact that the actual cost of the clean-up is as attached hereto as Exhibit A, and

WHEREAS, the Mayor and Board of Aldermen are desirous of imposing a penalty of Two Hundred Fifty Dollars and 00/100 (\$250.00) per property per cutting, and

WHEREAS, the Mayor and Board of Aldermen deem and resolve that the clean-up cost and penalty shall be collected as a lien against property and if not paid, the lien shall be converted as an assessment against each property, to be collected by the Tax Collector in the manner employed for the collection of all other taxes and assessments of the municipality, unless sooner collected through other means.

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

1. The actual cost of the clean-up of properties listed in Exhibit A be assessed to the property and the same is

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hereby determined to be as set forth in Exhibit A attached hereto.

2. A penalty in the amount of \$250 per lot per cutting as listed above be, and the same is hereby imposed against each parcel in addition to the actual cost of the property clean-up. In addition, any and all enrollment fees be collected by the City.
3. The total amount, as set forth above, be, and the same is hereby assessed against each property, to be filed as a lien and if not collected, to be converted as an assessment to be collected by the Tax Collector in the manner used for collection of other municipal taxes and assessments, unless sooner collected through other means.

Following the reading of this Resolution, it was introduced by Alderman Kelly and seconded by Alderman 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: YES
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE this 19th day of February, 2019.

House Number	Street Name	Parcel ID #	Number of Mowings	Invoice Totals	Demolition	Fine Totals	Enrollment & Release	Assessment Totals
8206	CEDARBROOK	10862409000121	1	\$84.00		\$250.00		
	K	00				0	\$6.00	\$340.00
893	CHARTER	10741903000234	1	\$84.00		\$250.00		
	OAK	00				0	\$6.00	\$340.00
526	CHRISTYBROOK	10862407000417	1	\$84.00		\$250.00		
	OK	00				0	\$6.00	\$340.00
1676	CUSTER	10872601003102	1	\$84.00		\$250.00		
		00				0	\$6.00	\$340.00
8179	ELM COVE	10741912000023	2	\$948.00		\$500.00		
		00		0		0	\$12.00	\$1,460.00
1395	JEWEL	107932010	1	\$84.00		\$250.00		
	THORNWOOD	0003600				0	\$6.00	\$340.00
680	D	10741904000599	1	\$84.00		\$250.00		
	WALNUT	00				0	\$6.00	\$340.00
7772	HILL POINT	10793002001628	2	\$168.00		\$500.00		
		00		0		0	\$12.00	\$680.00

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		10793210000075			\$250.0		
1122	WARWICK	00	1	\$84.00	0	\$6.00	\$340.00
	WOODSMOK	10793021000067			\$250.0		
292	E	00	1	\$84.00	0	\$6.00	\$340.00
		10741907001110			\$250.0		
	PARCEL	00	1	\$84.00	0	\$6.00	\$340.00
		10741903000234			\$250.0		
	PARCEL	00	1	\$84.00	0	\$6.00	\$340.00
		10741924000003			\$250.0		
	PARCEL	00	1	\$84.00	0	\$6.00	\$340.00
		10741924000004			\$250.0		
	PARCEL	00	1	\$84.00	0	\$6.00	\$340.00
		10741924000005			\$250.0		
	PARCEL	00	1	\$84.00	0	\$6.00	\$340.00
		10741924000006			\$250.0		
	PARCEL	00	1	\$84.00	0	\$6.00	\$340.00
		10752110000115			\$250.0		
	PARCEL	00	1	\$84.00	0	\$6.00	\$340.00
		10782820000004			\$250.0		
	PARCEL	00	1	\$84.00	0	\$6.00	\$340.00
		10782820000005			\$250.0		
	PARCEL	00	1	\$84.00	0	\$6.00	\$340.00
		10782813000191			\$250.0		
	PARCEL	00	1	\$84.00	0	\$6.00	\$340.00
		20720400000009			\$250.0		
	PARCEL	09	1	\$84.00	0	\$6.00	\$340.00
		20720324000557			\$250.0		
	PARCEL	01	1	\$84.00	0	\$6.00	\$340.00
		20720426000002			\$250.0		
	PARCEL	00	1	\$84.00	0	\$6.00	\$340.00
		20811204000002		\$444.0	\$250.0		
	PARCEL	01	1	0	0	\$6.00	\$700.00
							<u>\$9,980.00</u>

RESOLUTION FOR UNMARKED VEHICLES

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

Mr. Manley stated that this resolution will authorize certain SPD vehicles to be unmarked for investigative purposes and such vehicles will be provided to the state auditor. After hearing from Mr. Manley, the Board 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

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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 for fugitives and narcotics; and

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 fugitive and 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 Payne seconded the motion for its adoption. The Mayor put the question to a roll call vote and the result was as follows:

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman 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 19th day of February, 2019.

Exhibit A

Unit 3168	2018	EXPLORER	1FM5K8AR5JGC42699
Unit 3169	2019	EXPEDITION	1FMJU1FT3KEA03105

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FY20 DUI GRANT FOR SPD

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

Chief Pirtle requested authorization to apply for the FY20 DUI Grant in the amount of \$127,298.20. These funds will pay for two full time DUI officer positions along with overtime for saturations for DUI enforcements. Alderman Brooks made the motion to authorize Mayor Musselwhite to sign the grant application. 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	YES
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 February, 2019.

A copy of the grant application is attached and fully incorporated into these minutes.

FY20 OCCUPANT PROTECTION GRANT FOR SPD

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

Chief Pirtle requested authorization to apply for the FY20 Occupant Protection Grant in the amount of \$24,246.72. These funds will be used for overtime for officers to perform saturation detail to locate and identify drivers and occupants not utilizing restraints. Alderman Payne made the motion to authorize Mayor Musselwhite to sign the grant application. 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	YES
Alderman Wheeler	YES
Alderman Flores	YES

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Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 19th day of February, 2019.

A copy of the grant application is attached and fully incorporated into these minutes.

AUTHORIZATION FOR CONTRACT WITH F&F CONSTRUCTION, INC.

Mayor Musselwhite presented this item to the Board.

At the last board meeting, the Board awarded the city signs contract to F&F Construction, Inc.; thus, this action will authorize the Mayor to sign the contract with F&F Construction. Alderman Brooks made the motion to authorize Mayor Musselwhite to sign the contract with F&F Construction. 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	RECUSED
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 February, 2019.

A copy of the contract is attached to these minutes.

PLANNING AGENDA

No Planning Agenda

MAYOR'S REPORT

Parks Enhancement Plan Updates

Mayor Musselwhite updated the Board of Alderman on the following projects:

Arena Floor Leveling

Bid Date: April 1, 2019

Projected Construction Date: June 1, 2019

Projected Completion Date: September 2019

Springfest Pavement & Dual Amphitheater Lot

Bid Date: April 1, 2019

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Projected Construction Date: May 2019
Projected Completion Date: November 1, 2019

Soccer @ Snowden Grove – 7 Fields

Bid Date: May 1, 2019
Projected Construction Date: July 1, 2019
Projected Completion Date: April 2020

Field of Dreams Playground

Under construction now
Expected completion date: by end of March 2019

Greenbrook Indoor Training Facility

Bid Date: Feb 27, 2019
Projected Construction Date: April 2019
Award bid at next Board Meeting

Alderman Gallagher made the motion to authorize going to bid on all projects with the exception of the Greenbrook Indoor Training Facility. 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	YES
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 February, 2019.

Fire Service Extension Project for Annexed Areas Update

Mayor Musselwhite stated that in years past, prior to the current City administration, several areas were annexed by the City of Southaven and it was brought to his attention by the Fire Chief and Utilities Director that these one-time rural areas did not have water lines as large as the rest of the city. To maximize the potential of our modern fire pumpers, these areas needed fire hydrants and water lines large enough to provide adequate water capacity. Mayor Musselwhite stated that this became a priority to fulfill their obligation to these new areas of the city and replace all 4" lines with 12" lines. Mayor Musselwhite explained that after mapping, designing, and allocating adequate funding for the project, the first phase went under construction in 2017. Phase 1 was completed in 2018 which included areas on Church, Starlanding, and Swinnea roads as well as installing new lines to

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cross Horn Lake Creek on the northwestern end of the city. Phase 2 began in late 2018 and is currently under construction for areas along Malone Road. The third and final phase will change lines servicing the northwestern end of the city near and including the Grandview Lakes Subdivision with expected completion in 2020. This entire project was budgeted to cost approximately \$7 million and is being funded without debt by surpluses in the Utilities Fund planned exactly for projects like this and other emergency water and sewer infrastructure needs.

CITIZEN'S AGENDA

No Citizen's Agenda

PERSONNEL DOCKET

Personnel Docket

February 19, 2019

Payroll Additions	Department	Position Title	Start Date	Rate of Pay
Linda Henderson **	Police	Crossing Guard	TBD	\$9.00

*pending 1 pre-emp screening

** pending 2 pre-emp screenings

Stipend	Type of Stipend	Effective Date	Yearly Amount
<i>Fire</i>			
Matthew Brooks	Haz-Mat	01/28/2019	\$600.00
Jonathan Carrington	Haz-Mat	02/18/2019	\$600.00
Dalton Delk	Haz-Mat	02/07/2019	\$600.00
<i>Police</i>			
Sandra Snow	Hostage Negotiations	02/08/2019	\$600.00

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
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Alderman Brooks made the motion to approve the Personnel Docket of February 19, 2019 as presented to this Board. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN VOTED

Alderman Brooks YES

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Alderman Kelly	YES
Alderman Hoots	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Wheeler	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 19th day of February, 2019.

CITY ATTORNEY'S LEGAL UPDATE

Mr. Manley stated that Kevin Blackwell is renting the Snowden House in May for a wedding and has requested permission to serve alcohol during this time.

Alderman Payne made the motion to authorize Mr. Blackwell to serve alcohol at the Snowden House in May. 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	YES
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 February, 2019.

Tax Assessment Refund Claims

Mr. & Mrs. McDermott

1582 Staunton Drive

Mr. Manley stated that the property was purchased by the McDermott's after the liens were filed. Mr. Manley made the recommendation to refund \$2,208.00 due to an unsuspecting third party purchaser. Alderman Brooks made the motion to approve the refund. Motion was seconded by Alderman Payne.

Roll call was as follows:

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

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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 February, 2019.

Iron Fish, LLC 8175 Whitehead Drive

Mr. Manley stated that notices were sent to the wrong entity in the context of where the ad valorem taxes are sent as required under 21-19-11. The entity did not receive notice of the claims or assessments. Alderman Payne authorized the refund to Iron Fish, LLC in the amount of \$2,457.00. 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	YES
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 February, 2019.

UTILITY BILL ADJUSTMENT DOCKET

		UTILITY BILL ADJUSTMENT DOCKET 02/19/19	
<u>The addresses below experienced unforeseen circumstances in their utilities for which no benefit was received</u>			
HOUSE #	STREET	ADJUSTED AMOUNT	REASON FOR LEAK ADJUSTMENT
9165	MOSS POINT	(\$87.84)	LEAK AT TOILET
7714	TRUSS COVE	(\$141.52)	SERVICE LINE LEAK
8505	DEER CREEK CIR	(\$78.08)	LEAK AT TOILET
8120	OAKBROOK	(\$161.04)	LEAK AT TOILET
1864	CORAL HILLS	(\$68.32)	LEAK IN YARD
8082	ELMBROOK	(\$297.68)	LEAK AT TOILET

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1095	CARRIAGE DRIVE SOUTH	(\$107.36)	LEAK AT TOILET
7882	TRAFTON COVE	(\$116.37)	LEAK AT TOILET
7816	STACEY DRIVE	(\$157.74)	LEAK AT TOILET
426	CAROL ANN COVE	(\$395.28)	LEAK AT TOILET
1725	STATELINE ROAD EAST	(\$2,467.84)	SERVICE LINE LEAK
918	LONGBRANCH DRIVE	(\$92.72)	LEAK AT TOILET
985	FARMINGTON NORTH	(\$73.20)	LEAK AT TOILET
8221	SUMMERWOOD CIRCLE	(\$253.76)	LEAK AT TOILET
1203	BRANDYWINE DRIVE	(\$151.28)	LEAK AT TOILET
1160	WORTHINGTON DRIVE	(\$102.48)	LEAK AT TOILET
3974	SHAE PIERCE DRIVE	(\$68.32)	LEAK AT TOILET
7903	CHARLESTON DRIVE	(\$53.68)	LEAK BETWEEN METER AND HOUSE
5250	PLUM TREE DRIVE	(\$126.88)	MULTI LEAKS. SERVICE LINE REROUTED
		(\$5,001.39)	

A motion was made by Alderman Payne to approve the Utility Bill Adjustment Docket of February 19, 2019 in the amount of \$5001.39. Motion was seconded by Alderman Kelly.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 19th day of February, 2019.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of February 19, 2019 in the amount of \$1,153,354.58. Motion was seconded by Alderman Hoots.

Excluding voucher numbers:

315828, 315963, 316017, 316126, 316157, 316260, 316261, 316282, 316442

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 19th day of February, 2019.

SPECIAL CLAIMS DOCKET

Alderman Flores recused himself and left the room.

Alderman Payne made the motion to approve the Special Claims Docket of February 19, 2019 in the amount of \$569.40. Motion was seconded by Alderman Wheeler.

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	RECUSED

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 19th day of February, 2019.

Alderman Flores returned to the room.

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 Payne to adjourn. Motion was seconded by Alderman Kelly. Motion was put to a vote and passed unanimously February 19, 2019 at 9:30 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)