

Minutes, City of Southaven, Southaven, Mississippi



**MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
October 21, 2025
6:00 PM
AGENDA**

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: October 7, 2025 & Special Meeting October 9, 2025
5. Term Contract for Public Works and Utilities
6. Authorization to Seek Bids for Public Works
7. SPD Equitable Share Agreement and Certification
8. Change Orders: Carriage Hills Estates Drainage & Field of Dreams
9. Acquisition and FILOT Closure for Spectra Laboratories, Inc
10. Resolution for Surplus of Vehicle to Travelers
11. Resolution to Purchase SPD Vehicles
12. Contract Amendment with Interactive Data, LLC
13. Resolution for Unpaid Sanitation Fees
14. Contract with Advantage Roofing & Construction
15. Resolution for FY25 Budget Amendment
16. Contract with Neel Schaffer for Stormwater Management
17. Resolution to Clean Private Property
18. Planning Agenda:
 - Item #1 Application for West End tax incentive for McDonalds proposing to be located on the south side of Stateline Road, between Hamilton Road and I-55;
 - Item #2 Application by Crossroads Church for subdivision approval of the Crossroads Church Subdivision on the west side of Getwell Road, south of Star Landing Road;
 - Item #3 Application by Arbor Pointe, LLC for subdivision approval of Snowden Grove Area 12 on the north side of Church Road, east of Savannah Pkwy.;
 - Item #4 Application by Augustus Cattle Company for subdivision approval of Higher Ground Phase 1 on the north side of Star Landing Road, west of Getwell Road;
 - Item #5 Application by Meredith Hill for a conditional use permit to allow a beauty salon to be located at 201 Stateline Road;
 - Item #6 Application by Murphy Oil USA for a conditional use permit to allow a convenience store with gas pumps as accessory use on the southwest corner of Hwy. 51 and Stateline Road.
19. Mayor's Report
20. Personnel Docket
21. City Attorney's Legal Update
22. Utilities Billing Leak Adjustment Docket
23. Claims Docket
24. Executive Session: Land Acquisition for Utility Relocation; Claims Against Public Works and Utilities; Economic Development (Industry/Business Locating to City); Interdepartmental Personnel with No Action

Items may be added to or omitted from this agenda as needed.

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**MINUTES OF THE REGULAR MEETING OF October 21, 2025
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 a Regular Meeting on the 21st day of October , 2025 at six o'clock (6:00) p.m. at City Hall.

Present were:

Judy Jenkins-Lewis	Alderman, Ward 1
Charlie Hoots	Alderman, Ward 2
William Jerome	Alderman, Ward 3
John David Wheeler	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Absent were:

George Payne	Alderman At Large
Joel Gallagher	Alderman, Ward 4

Also present were Mayor Musselwhite, Andrea Mullen, City Clerk, and Nick Manley, City Attorney. Approximately forty (40) 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 Hoots to approve the Minutes of the Regular Meeting of October 7, 2025 and the Special Meeting Minutes of October 9, 2025 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Jerome. Motion was put to a vote and passed unanimously.

TERM CONTRACT FOR PUBLIC WORKS AND UTILITIES

The Mayor presented this item to the Board.

It was noted that the recommendation presented at the last meeting from Civil Link as the low and best bid recommendation was Myfis Jr. Services, LLC in the amount of \$2,058,422.00 as the primary contractor. Based on discussion of the Board, further information was requested regarding the bid and the item was tabled until the October 21 Board Meeting.

Alderman Wheeler made the motion to untable this item. Motion was seconded by Alderman Flores. Motion was put to vote and passed unanimously with those in attendance.

Dan Cordell stated that Civil-Link has reviewed and tabulated, on a line item basis, the bids received on September 24, 2025 for the term contract for Public Works and Utilities. Based on the tabulation of the bids, Mr. Cordell made the recommendation to award the bid to Myfis Jr. Services LLC with the lowest and best bid of \$2,058,422.00 with no alternate. Mr. Cordell explained that a comparison was done with Myfis

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Jr. Services current invoicing pricing with the current contractor and Myfis Jr. Services had a 10-15% decrease in prices paid to the current contractor last year. Mr. Cordell further explained that this is a convenience contract and if services are not met, they can get quotes or re-bid. Alderman Wheeler made the motion to approve the contract with Myfis Jr. Services LLC. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 21st day of October, 2025.

A copy of the award recommendation letter and certified tabulation of bids are attached and fully incorporated into these minutes.

AUTHORIZATION TO SEEK BIDS FOR PUBLIC WORKS

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

Mr. Manley stated that Public Works is requesting permission to advertise and seek bids, via reverse auction, for a Sweeper Truck. Once bids are received, they will be presented to the Board for recommendation for lowest and best bid. Alderman Hoots made the motion to authorize advertising for bids. Motion was seconded by Alderman Jerome.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 21st day of October, 2025.

SPD EQUITABLE SHARE AGREEMENT AND CERTIFICATION

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

Mr. Manley stated that this agreement and certification is with the Department of Justice and provides the City PD's balance of federally forfeited funds and how the funds were used. Also, it sets forth the requirements and certification of the Mayor and Police Chief regarding the use of the funds. Alderman Flores made the motion to authorize Mayor Musselwhite and Seth Kern to sign the agreement and certification. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 21st day of October, 2025.

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

CHANGE ORDERS: CARRIAGE HILLS ESTATES DRAINAGE AND FIELD OF DREAMS

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

- a. Carriage Hills Estates Drainage – This change order is a summary change order for a deduct in the amount of \$6,968.30.
- b. Field of Dreams – This change order is a summary change order for a deduct in the amount of \$19,971.19.

Alderman Flores made the motion to approve the Carriage Hills Estates Drainage and Field of Dreams change orders. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	YES
Alderman Gallagher	ABSENT
Alderman Wheeler	YES

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Alderman Flores YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 21st day of October, 2025.

A copy of the change orders are attached and fully incorporated into these minutes.

ACQUISITION AND FILOT CLOSURE FOR SPECTRA LABORATORIES, INC.
Nick Manley, City Attorney, presented this item to the Board.

Mr. Manley stated that In 2025, Fresenius Medical Care, parent company to Spectra Labs, announced that Quest Diagnostics will be acquiring select assets of Spectra Labs pending acquisition due diligence and required regulatory reviews. As a result, Spectra Labs is initiating preparations for the gradual cessation of operations at the facility located at the Project Site scheduled for late 2025 and full transition of services to Quest anticipated in early 2026. As a result of this acquisition, Spectra Labs will be unable to maintain eligibility to continue the FILOT program in subsequent years and is requesting the FILOT Agreement be terminated, effective on January 1, 2026. Alderman Flores made the motion to terminate the FILOT agreement, effective January 1, 2026. Motion was seconded by Alderman Lewis.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 21st day of October, 2025.

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

RESOLUTION FOR SURPLUS OF VEHICLE TO TRAVELERS
Nick Manley, City Attorney, presented this item to the Board.

Mr. Manley stated that This resolution surpluses a police vehicle to Travelers, the City's Insurance Carrier, as it is a total loss. 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 DECLARING SURPLUS PROPERTY

WHEREAS, the City of Southaven Police Department is presently in possession of Southaven Police Unit 3193, VIN 2C3CDXKT6LH158283 ("Vehicle"); and

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

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

WHEREAS, the Mayor and Board of Aldermen hereby find that there is no value to the Vehicle as the Vehicle was deemed a total loss by the City's insurance carrier; thus, the Vehicle may be disposed of pursuant to Mississippi Code 17-25-25(5); and

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

1. The Vehicle be hereby declared to be surplus property and disposed of pursuant to Mississippi Code 17-25-25(5).
2. The Southaven Police Chief, City Clerk, or their designees are hereby authorized to take all actions to effectuate the intent of this Resolution.

Motion was made by Alderman Hoots and seconded by Alderman Jerome, for the adoption of the above and foregoing Resolution, and the question being put to a roll call vote, the result was as follows:

Alderman William Jerome	voted: YES
Alderman Judy Jenkins-Lewis	voted: YES
Alderman George Payne	voted: ABSENT
Alderman Joel Gallagher	voted: ABSENT
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES
Alderman Charlie Hoots	voted: YES

RESOLVED AND DONE, this 21st day of October 2025.

A copy of the Traveler's request for title is attached and fully incorporated into these minutes.

RESOLUTION TO PURCHASE SPD VEHICLES

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

Mr. Manley stated that this resolution authorizes the SPD to purchase vehicles at an auction from the University of Alabama. The vehicles will be used by SPD Detectives, and the resolution sets forth the maximum amount that can be bid for the vehicles, which are a 2022 Ford F-150 Supercrew 2WD, white in color, 13473 miles, VIN: 1FTEW1C57NKD29761 - \$23,000.00; and 2022 Toyota Camry LE, white in color, 48747 miles, VIN: 4T1C11AK5NU065776- \$30,000.00. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI
AUTHORIZING PURCHASE OF VEHICLES**

WHEREAS, the City of Southaven ("City") Police Department is in need of vehicles for its officers; and

WHEREAS, the Kansas State Highway Patrol, a governmental entity as set forth by Miss. Code 31-71-13(m)(v) and (vi), offers used police vehicles for sale at auction; and

WHEREAS, the City Police desire to purchase the vehicles from the Kansas State Highway Patrol in accordance with Miss. Code 31-7-13(m)(v) and (vi); and

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

1. Pursuant to Mississippi Code 31-7-13(m)(v) and (vi), the City Police may purchase each of the vehicles at the prices as specifically set forth in Exhibit A and pay the purchase price for each vehicle as further set forth in Exhibit A to the University of Alabama.
2. The Mayor, City Police Chief or their designee(s) are authorized to spend funds and take all actions to effectuate the intent of this Resolution.

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

Alderman William Jerome	voted: YES
Alderman Judy Jenkins-Lewis	voted: YES
Alderman George Payne	voted: ABSENT
Alderman Joel Gallagher	voted: ABSENT
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES

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Alderman Charlie Hoots

voted: YES

RESOLVED AND DONE, this 21st day of October, 2025.

EXHIBIT A

Lot# 29761, 2022 Ford F-150 Supercrew 2WD, white in color, 13473 miles, VIN: 1FTEW1C57NKD29761 - \$23,000.00

Lot# 65776, 2022 Toyota Camry LE, white in color, 48747 miles, VIN: 4T1C11AK5NU065776- \$30,000.00

CONTRACT AMENDMENT WITH INTERACTIVE DATA, LLC

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

Mr. Manley stated that the SPD currently contracts with Interactive Data, LLC for electronic searches for law enforcement purposes, and this amendment amends the price of the contract to a minimum of \$300 a month, which includes 1,250 searches per month. Alderman made the motion to authorize Seth Kern to sign the contract amendment with Interactive Data. Motion was seconded by Alderman Lewis.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 21st day of October, 2025.

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

RESOLUTION FOR UNPAID SANITATION FEES

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

Mr. Manley stated that this resolution will authorize for liens or assessment to be added to car tag for those who have not paid the sanitation fee. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

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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 \$20.00 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 previous 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 Flores moved that the foregoing Resolution be adopted. The motion was seconded by ALDERMAN

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

Alderman William Jerome	voted: YES
Alderman Judy Jenkins-Lewis	voted: YES
Alderman George Payne	voted: ABSENT
Alderman Joel Gallagher	voted: ABSENT
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES
Alderman Charlie Hoots	voted: YES

RESOLVED AND DONE, this 21st day of October, 2025.

A list of addresses with unpaid sanitation fees is attached and fully incorporated into these minutes.

CONTRACT WITH ADVANTAGE ROOFING AND CONSTRUCTION

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

Mr. Manley stated that at the prior meeting, the Board awarded the re-roof contract to Advantage Roofing and Construction in the amount of \$219,200.00. Advantage has provided the bond and insurance for the job. Alderman Flores made the motion to authorize Dylan Brink to sign the contract. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 21st day of October, 2025.

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

RESOLUTION FOR FY25 BUDGET AMENDMENT

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

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Mr. Manley stated that this resolution for final budget amendment will get the FY25 budget in balance with actual expenses. 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 AMEND FISCAL YEAR 2025
BUDGET**

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the "City"), considered the matter of the final amendment for the FY 2025 City Budget.

WHEREAS, pursuant to Miss. Code 21-35-25, the City desires to amend its FY2025 budget to finalize and balance; and

WHEREAS, this amendment records revenues received for grants and money spent from prior year funds on items previously approved in a prior year but received in fiscal year 2025; and

WHEREAS, in addition, this amendment utilizes unspent funds to cover additional funds spent within City Departments.

WHEREAS, as set forth in Exhibit A, the FY2025 budget is balanced as required by Mississippi law; and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

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

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

Alderman William Jerome	voted: YES
Alderman Judy Jenkins-Lewis	voted: YES
Alderman George Payne	voted: ABSENT
Alderman Joel Gallagher	voted: ABSENT

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Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES
Alderman Charlie Hoots	voted: YES

RESOLVED AND DONE, this the 21st day of October, 2025.

Fund Description	Budget for FYE 9/30/2025
GENERAL FUND	
REVENUE	
GENERAL PROPERTY TAXES	\$ (30,876,000)
LICENSES & PERMITS	(702,000)
INTERGOVERNMENTAL	(30,374,042)
CHARGES FOR SERVICES	(5,480,900)
FINES	(6,715,000)
FRANCHISE TAXES	(2,470,000)
OTHER	(930,161)
TOTAL REVENUE	\$ (77,548,103)
EXPENDITURES	
GENERAL GOVERNMENT	
PERSONNEL SERVICES	5,487,300
SUPPLIES	519,905
OTHER SERVICES & CHARGES	19,190,600
TOTAL GENERAL GOVERNMENT	25,197,805
PUBLIC SAFETY	
POLICE	
PERSONNEL SERVICES	18,534,700
SUPPLIES	408,000
OTHER SERVICES & CHARGES	2,538,979
TOTAL POLICE	21,481,679
FIRE	
PERSONNEL SERVICES	12,571,200
SUPPLIES	465,000
OTHER SERVICES & CHARGES	975,500
TOTAL FIRE	14,011,700
TOTAL PUBLIC SAFETY	35,493,379
PUBLIC WORKS	
PERSONNEL SERVICES	1,430,800
SUPPLIES	321,500
OTHER SERVICES & CHARGES	749,000
TOTAL PUBLIC WORKS	2,501,300

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CULTURE & RECREATION	
PERSONNEL SERVICES	3,938,300
SUPPLIES	349,000
OTHER SERVICES & CHARGES	4,392,200
TOTAL CULTURE & RECREATION	8,679,500
HEALTH & WELFARE	
PERSONNEL SERVICES	456,800
SUPPLIES	28,500
OTHER SERVICES & CHARGES	63,000
TOTAL HEALTH & WELFARE	548,300
CAPITAL OUTLAY	7,252,738
TOTAL EXPENDITURES	79,673,022
TRANSFERS OUT	938,000
PRIOR YEAR OBLIGATED CASH	(3,062,919)
TOTAL EXP& YEAR END BALANCE	-
CAPITAL PROJECTS FUND	
REVENUE	
CAPITAL GRANT PROCEEDS	(4,806,404)
OTHER	(2,276,914)
TOTAL REVENUES	(7,083,318)
EXPENDITURES	
CAPITAL PROJECTS	13,891,018
TOTAL EXPENDITURES	13,891,018
TRANSFERS IN	(188,000)
PRIOR YEAR OBLIGATED CASH	(6,619,700)
TOTAL EXP& YEAR END BALANCE	-
TOURISM FUND	
REVENUE	
INTERGOVERNMENTAL	(3,425,000)
OTHER	(245,000)
TOTAL REVENUES	(3,670,000)

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EXPENDITURES	
PARK IMPROVEMENTS	3,396,000
OTHER	<u>274,000</u>
TOTAL EXPENDITURES	3,670,000
TOTAL EXP & YEAR END BAL	-
DEBT SERVICE FUND	
REVENUE	
GENERAL PROPERTY TAX	(6,125,000)
EXPENDITURES	
DEBT SERVICE	6,125,000
TOTAL EXP & YEAR END BAL	-
AMPHITHEATER FUND	
REVENUES	
TICKET SALES	(4,643,000)
RETAIL SALES	(700,000)
OTHER	<u>(346,000)</u>
TOTAL REVENUES	(5,689,000)
EXPENDITURES	
PROFESSIONAL SERVICES	2,731,000
CAPITAL OUTLAY	24,000
OTHER SERVICES & CHARGES	<u>2,604,000</u>
TOTAL EXPENDITURES	5,359,000
TOTAL EXP & YEAR END BAL	(330,000)
UTILITY FUND	
REVENUES	
CHARGES FOR SERVICES	(17,647,604)
INTERGOVERNMENTAL	(220,000)
OTHER	<u>(1,462,200)</u>
TOTAL REVENUES	(19,329,804)
EXPENDITURES	
PERSONNEL SERVICES	3,066,950
SUPPLIES	1,081,500
CAPITAL OUTLAY	6,290,800

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DEBT SERVICE	3,181,353
OTHER SERVICES & CHARGES	<u>8,435,000</u>
TOTAL EXPENDITURES	22,055,603
TRANSFERS IN	(2,725,799)
TOTAL EXP & YEAR END BAL	-

SANITATION FUND

REVENUES

CHARGES FOR SERVICES	<u>(5,494,718)</u>
TOTAL REVENUES	(5,494,718)

EXPENDITURES

PERSONNEL SERVICES	199,718
PROFESSIONAL SERVICES	5,940,000
OTHER	<u>55,000</u>
TOTAL EXPENDITURES	6,194,718
TRANSFERS IN	(700,000)
TOTAL EXP & YEAR END BAL	-

CONTRACT WITH NEEL SCHAFER FOR STORMWATER MANAGEMENT

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

Mr. Manley stated that this is a Letter Agreement for Neel-Schaffer, Inc. (NSI) to provide consulting services for the development of a revised Stormwater Management Plan and the submittal of a Notice of Intent (NOI) to the Mississippi Department of Environmental Quality (MDEQ) for the City’s general permit renewal. In addition, NSI will respond to MDEQ’s comments and assist in the five-year implementation of The City of Southaven’s Stormwater Phase II Program for years 2026 – 2031. The annual amount is \$19,060.00. Alderman Hoots made the motion to authorize Mayor Musselwhite to sign the contract. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES

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Alderman Jerome	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 21st day of October, 2025.

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

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 of Alderman 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:

CONDEMNATION ADDRESS
1855 GOODMAN RD. E
8831 SMITH RANCH RD.
9030 HORN LAKE RD. N
PARCEL # 108516020 0000200

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, **October 21, 2025** 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, **October 21, 2025**, 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:

CONDEMNATION ADDRESS

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1855 GOODMAN RD. E
8831 SMITH RANCH RD.
9030 HORN LAKE RD. N
PARCEL # 108516020 0000200

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

ALDERMAN	VOTED
Alderman William Jerome	voted: YES
Alderman Judy Jenkins-Lewis	voted: YES
Alderman George Payne	voted: ABSENT
Alderman Joel Gallagher	voted: ABSENT
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES
Alderman Charlie Hoots	voted: YES

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the **21st day October, 2025**

CITY OF SOUTHAVEN

PLANNING AGENDA

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

Item #1 Application for West End tax incentive for McDonalds proposing to be located on the south side of Stateline Road, between Hamilton Road and I-55

Mrs. Choat-Cook stated that this application is for West End Tax Incentive for McDonald's located on the south side of Stateline Road, between Hamilton and I-55. This will allow the applicant to move forward and get the permits and tap fees waived and expedite them through the process. Alderman Hoots made the motion to approve the West End tax incentive application for McDonalds. Motion was seconded by Alderman Lewis.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT

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Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 7th day of October, 2025.

A copy of the West End tax incentive application, and GIS web map are attached and fully incorporated into these minutes.

Item #2 Application by Crossroads Church for subdivision approval of the Crossroads Church Subdivision on the west side of Getwell Road, south of Star Landing Road

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Crossroads Church Southaven Subdivision on the west side of Getwell Road, south of Star Landing Road. The proposed lot encompasses 9.99 acres and is approved for a church site with future expansion. Per the application, the original property had a total of five (5) acres; however, the church has decided to purchase an additional 4.99 acres from the same property owner and create a larger lot that will allow all future expansion of the church site. Alderman Flores made the motion to approve the application by Crossroads Church. Motion was seconded by Alderman Jerome.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 7th day of October, 2025.

A copy of the final plat and GIS map are attached and fully incorporated into these minutes.

Item #3 Application by Arbor Pointe, LLC for subdivision approval of Snowden Grove Area 12 on the north side of Church Road, east of Savannah Pkwy.

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Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Snowden Grove Area 12 on the north side of Church Road, east of Savannah Pkwy. This phase encompasses 64.3 acres with 49 lots and 2 common open spaces. The lots range in size from 15,239 sq. ft. to 30,000+. Per the PUD text, this area is designed as an extension of the existing phase that has a gated direct access to Nail Road via Shiloh Lane. The applicant has proposed a secondary point of gated access on Peachtree Drive. The interior roads in this section are proposed to be public which is allowed pending the gated access is passive. This is the final phase of the overall Snowden Grove Subdivision and consists of two coves and a swath of greenspace that is already under use by the whole subdivision. The homes in this area have a minimum square footage 2,200 sq. ft. which matches the minimum home sizes to the north on Shiloh Lane. The applicant is requesting subdivision approval for Snowden Grove Area 12 on the north side of Church Road, east of Savannah Pkwy. This phase encompasses 64.3 acres with 49 lots and 2 common open spaces. The lots range in size from 15,239 sq. ft. to 30,000+. Per the PUD text, this area is designed as an extension of the existing phase that has a gated direct access to Nail Road via Shiloh Lane. The applicant has proposed a secondary point of gated access on Peachtree Drive. The interior roads in this section are proposed to be public which is allowed pending the gated access is passive. This is the final phase of the overall Snowden Grove Subdivision and consists of two coves and a swath of greenspace that is already under use by the whole subdivision. The homes in this area have a minimum square footage 2,200 sq. ft. which matches the minimum home sizes to the north on Shiloh Lane. the process of getting the ownership transferred over to his company who will then transfer the ownership over to the HOA as it was intended. Since the ownership issue is not fully cleared up, staff would recommend approving this layout in two separate phases: Phase 1- 32.17 acres which includes all of the residential lots and the roads; Phase 2- Lot 235 and 236 which will encompass 32.13 acres. The phasing still allows the layout to be compliant but it clears up the legal ownership without stalling the platting. Alderman Wheeler made the motion to approve the application by Arbor Pointe, LLC. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 7th day of October, 2025.

A copy of the GIS map, PUD, and final plat are attached and fully incorporated into these minutes.

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Item #4 Application by Augustus Cattle Company for subdivision approval of Higher Ground Phase 1 on the north side of Star Landing Road, west of Getwell Road

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Higher Ground, Phase 1, located on the north side of Star Landing Road, west of Getwell Road. The overall Planned Unit Development (PUD) was approved in 2020 with a mix of residential densities and home sizes. This phase, identified as Area 4 in the PUD, consists of 28.28 acres and proposes 35 lots with a minimum lot size of 20,000 square feet, as specified in the text. The approved minimum heated square footage for homes in this phase is 2,400 square feet. Common open space is provided on the east side of the phase and incorporates the interceptor sewer easement. Access to Phase 1 is shown directly from the main subdivision entrance on Star Landing Road. The layout includes three stub-outs to accommodate future phases. A portion of the main subdivision road currently extends into the existing Star Landing Road right-of-way, providing temporary direct access. Once the new Star Landing Road is completed, this temporary section will be removed and the property restored to the adjoining parcel. The approved typical road sections for this phase reflect a urban curb and gutter crosssection which is different from the approval PUD documents showing a rural section with open drainage swales on the roadside. The applicant requested to revise this to the curb and gutter design to create a uniform design throughout the development. Mrs. Choat-Cook stated that the proposed subdivision plat is generally consistent with the approved PUD master plan and text. It also complies with the R-20 district regulations, including lot dimensions and setbacks. Staff has no issue with this revision to the typical street section and recommends approval as submitted. After hearing from Mrs. Choat-Cook, the Board of Alderman considered the following resolution:

THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING CONDITIONAL USE PERMIT TO MEREDITH HILL AT 201 STATELINE ROAD, STE. 5B SOUTHAVEN, MISSISSIPPI

WHEREAS, the City of Southaven's ("City") Planning Commission previously held a hearing on September 29, 2025 for the conditional use permit ("permit") application of Andy Meredith Hill (the "Applicant") for a nail salon located at 201 Stateline Road, Ste. 5B, 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

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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 nail salon at 2232 Goodman 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 Hoots and seconded by Alderman Lewis The Resolution was then put to a roll call vote and the results were as follows, to-wit:

Alderman William Jerome	voted: YES
Alderman Judy Jenkins-Lewis	voted: YES
Alderman George Payne	voted: ABSENT
Alderman Joel Gallagher	voted: ABSENT
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES
Alderman Charlie Hoots	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 21st day of October, 2025.

CITY OF SOUTHAVEN, MISSISSIPPI

A copy of the GIS map, conceptual development plan, final plat, and conditional use application are attached and fully incorporated into these minutes.

Item #5 Application by Meredith Hill for a conditional use permit to allow a beauty salon to be located at 201 Stateline Road;

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT

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Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 7th day of October, 2025.

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

Item #6 Application by Murphy Oil USA for a conditional use permit to allow a convenience store with gas pumps as accessory use on the southwest corner of Hwy. 51 and Stateline Road.

Mrs. Choat-Cook stated that the applicant is requesting a conditional use permit to allow a convenience store with accessory gas pumps at the southwest corner of Hwy. 51 and Stateline Road. The site currently contains a 10-bay multi-tenant retail building. According to the application:

a. Traffic Hazards/Congestion –

The applicant asserts that the proposed use will not substantially increase traffic hazards or congestion. They note that previous traffic studies indicate no negative impact on access roads and believe that replacing the existing multitenant building with a single convenience store may even improve traffic flow.

b. Fire Hazards –

The applicant states that all required fire prevention measures will be implemented and code-compliant suppression systems will be installed upon completion of construction.

c. Neighborhood Character –

Given the variety of commercial uses along this corridor and the presence of other gas stations in the area, the applicant contends that the project would not negatively affect neighborhood character.

d. General Welfare –

The applicant believes the project will benefit the city by:

1. Providing essential goods nearby for residents;
2. Reducing travel time for daily necessities;
3. Offering convenient access to immediate needs;

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4. Serving as a critical resource point during power outages or storms; and

5. Supporting continuity of commercial use, which helps stabilize surrounding neighborhoods.

e. Public/Community Facilities –

The applicant suggests that replacing a 10-bay multi-tenant building with a single convenience store will reduce both site traffic and strain on utilities.

f. Comprehensive Plan –

The City's Comprehensive Plan identifies this area as an auto-oriented retail and service corridor. The applicant believes the proposed use aligns with that designation. The applicant is required to provide supporting details addressing the following conditional use criteria:

a. Traffic Hazards/Congestion

Staff notes that the two highest traffic-generating land uses are quick-service restaurants with drive-thru and convenience stores with gas pumps. While the applicant asserts that the existing multi-bay retail center generates more congestion, the building has been largely vacant for over a decade and currently houses only two office tenants that operate typical business hours and generate minimal traffic. Staff did a window survey of this parking lot over the past 4 weeks and the average number of vehicles at peak hours was four (4), which is significantly less than the traffic generation of a convenience store with gas pumps. Prior to this application, staff had already voiced concerns with the traffic congestion on Stateline Road directly west of this site and requested that the Board scrutinize any future residential permits and has further requested a traffic study to be completed before any future permits be considered. Staff believes that converting the site to a convenience store with fuel sales would further aggravate and significantly increase traffic congestion at an intersection already operating at a low level of service.

b. Fire Hazards

Staff agrees that fire hazards will not be substantially increased provided all code requirements and fire suppression measures are met.

c. Neighborhood Character

Although the site is within a heavily commercial corridor, it is also located in a designated revitalization district. This overlay district is intended to encourage small businesses and promote a diverse mix of uses. A convenience store already exists directly across the street, with another two lots to the west. Adding a third would not support diversification and, given that Murphy's Oil is a large national chain, it does not advance the

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district's goal of supporting small, locally owned businesses (2020 Comp Plan- Chapter 4 Land Use Plan, West End District).

d. General Welfare

The applicant contends that a gas station would provide essential services, reduce travel time, and serve as a valuable resource during emergencies. However, there are already two stations in the immediate area that appear to adequately meet community needs without being overburdened. Additionally, five more stations operate within the 2-mile Hwy. 51 corridor inside Southaven city limits. With a total of seven stations in this short distance, staff finds no sufficient justification that another facility is needed to protect or promote the City's general welfare.

e. Public/Community Facilities

As part of the review process, staff consults with all relevant departments. The Police Department expressed significant concerns, noting that the existing stores located within a 0.25 mile radius generate a high volume of service calls, which were documented under an event query period of 01/01/2023-01/01-2024, 01/01/2024-01/01/2025, 01/01/2025-08/01/2025 for incidents, field arrests, active warrants, citations, recovered vehicles, field contacts and recovered properties. Establishing a similar use on this corner is expected to increase law enforcement demands, leading staff and the Police Chief to conclude that this would place an undue burden on emergency services (Southaven Police Dept dispatch).

f. Comprehensive Plan

The Comprehensive Plan identifies this site within the West End District, a revitalization area where the city seeks to diversify commercial activity and reduce the prevalence of auto-oriented uses such as repair shops, car lots, and similar services. While gas stations are recognized as essential, they do not align with the plan's stated goal of encouraging small businesses and introducing new amenities that enhance the shopping environment for residents (2020 Comp Plan- Chapter 4 Land Use Plan, West End District).

Bulk Regulations

Per the Code of Ordinances, gas stations must also satisfy conditional use requirements, including: • Location at a lighted major intersection; • A maximum of two stations per intersection. The proposal meets both of these conditions; however, staff finds that the existing station located two lots west should reasonably be considered in evaluating overall impacts. Additionally, the C-4 district requires a minimum lot size of one (1) acre. The applicant's parcel contains only 0.9 acres. While the existing building, constructed in 1978, was compliant at the time under county jurisdiction, the lot now represents a legal nonconforming use. While staff appreciates the applicant's efforts to replace an aging building with new construction, it is important to

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carefully consider whether the proposed use will have a positive or negative overall impact on the area. Staff recommends denial based on the comments above.

Lauren Ward, Attorney and Representative of Murphy Oil, highlighted that one of the issues at the Planning Commission level, was that the City did not need another gas station at this location. Ms. Ward noted that need is not one of the six factors listed in the City's ordinance and should not be used as part of the Board's consideration. Ms. Ward stated that need in the effect that it restricts competition is not a factor that you can consider on the zoning level and that zoning ordinances in Mississippi cannot be applied to restrict or limit competition.

Nader Mezher, Project Developer, spoke on the review of standards and provided information to the Board regarding the convenience store which is attached to these minutes. Mr. Mezher stated that no substantial traffic or hazard increase, no adverse effect on neighborhood character or general welfare, no over taxing of facilities, is consistent with the comprehensive plan, and will achieve and improve the West End District goals.

Mayor Musselwhite noted that Mr. Mezher stated that there would not be any impact on traffic based on a traffic study completed by a Mississippi engineering firm and that 141,000 people from Southaven visit the Horn Lake and Olive Branch Murphy Gas locations annually. Mayor Musselwhite stated that he disagreed that based on those numbers provided by Mr. Mezher, that traffic will not be affected. Mayor Musselwhite expressed that traffic and crime are major impacts and the objective is to redevelop the West End District and do not see this as a positive addition to that location as public safety must be considered. Mayor Musselwhite stated that he does not support this project in that location and thinks it would be better suited for another location in the City.

Barrett Wilkinson, Ward 2 Planning Commissioner, expressed that he found no support from citizens for this project and that he is concerned it will be detrimental to like businesses in the area.

After hearing from Mrs. Choat-Cook, representatives from Murphy Oil, Mayor Musselwhite, and Planning Commissioner, Barrett Wilkinson, 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 MURPHY OIL USA
C/O DEREK BROWN AT SOUTHWEST CORNER OF HWY. 51 AND
STATELINE ROAD SOUTHAVEN, MISSISSIPPI**

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

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respect to municipal affairs, property, and finances, and to alter, modify, and repeal such orders, resolutions, or ordinances; 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, the City of Southaven ("City") Planning Commission previously held a hearing on September 29, 2025, for the conditional use permit ("Permit") application of Murphy Oil USA c/o Derek Brown (the "Applicant") for a convenience store with accessory gas pumps at the southwest corner of Hwy. 51 and Stateline Road located in Southaven, Mississippi; and

WHEREAS, "Conditional Use" is defined in the City Code of Ordinances ("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 City Ordinance requires the following factors to be considered in context of the Permit:

- (1) Substantially increase traffic hazards or congestions;
- (2) Substantially increase fire hazards;
- (3) Adversely affect the character of the neighborhood;
- (4) Adversely affect the general welfare of the city;
- (5) Overtax public utilities or community facilities;
- (6) Be in conflict with the comprehensive plan.

WHEREAS, the City Governing Authorities considered each requirement for the Permit in the context of the information submitted by the Applicant and the presentation made at the City Board Meeting, along with the information provided by the City Planning Staff and City Police; 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 and this Resolution, the City's Planning Commission recommends that the permit request be denied as the Applicant is not able to satisfy all requirements for the permit; and

WHEREAS, based on the record and the substantial facts presented and reasoned judgment of the City Governing Authorities and considering the facts and circumstances, the City Governing Authorities find that:

NOW, THEREFORE, BE IT ORDERED that the Mayor and Board of Aldermen of the City of Southaven, Mississippi find as follows:

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1. The proposed convenience store would increase traffic hazards and congestion as set forth in the staff report in Exhibit A. Based on the conceptual site plan submitted by the applicant and per the ITE Trip Generation Manual 11th edition Land Use 945 Convenience Store/Gas Station, attached as Exhibit B, weekday trips would increase by 2,900 total and 700 with the exclusion of pass-by vehicles. Additionally, peak AM and PM hours both identify an increase in traffic generation with the exclusion of pass-by vehicles with AM showing an additional 115 trips and PM showing 300 trips. Finally, the Applicant noted in its presentation that the City's residents made approximately 67,000 trips to the Applicant's location in Olive Branch and approximately 43,000 trips to the Applicant's location in Horn Lake; thereby, implying that this location may experience the same demand, which would create substantial traffic hazards and congestion as the proposed location is not equipped to handle this increase in traffic.
2. The proposed convenience store will not increase fire hazards.
3. The proposed convenience store does not support the City's goal in the context of revitalizing the character of the neighborhood, which has been designated the West End District, as set forth in Exhibit A and the City 2020 Comprehensive Plan, Chapter 4 "Land Use Plan, West End District", attached hereto as Exhibit C. The City Comprehensive Plan notes that:

Southaven should impose limits on certain types of development within this area that fail to cast a sense of prosperity. Such uses include, but are not limited to, used car lots, pawn shops, discount retail goods, auto repair and supply shops, payday loan services, title loan services, tobacco or vape shops, massage parlors, and similar. Businesses selling products or offering services that are not presently available within this area and designed to attract customers from other portions of the city, may expand market opportunities within this area. Develop an incubator plan to grow new, unique small businesses in the area (pop-up businesses). Consider allowing businesses to open temporarily in existing spaces in an effort to test the market and level of success. If such businesses prove successful, then the city may require its full complement of approvals and site improvements to bring about conformance with city ordinances. This concept avoids the high front-end costs for business startups and will perhaps encourage new business ventures.

Based on the unambiguous language of the City's Comprehensive Plan, the City Governing Authorities agree with the staff report and find that the convenience store is similar to auto repair and supply shops, which does not meet the City's goal as set forth in the comprehensive plan of attracting unique small businesses, pop-up business, and incubator programs for unique business development; thus, the proposed convenience store does not comply with the City's Comprehensive Plan.

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4. The City Governing Authorities disagree with the Applicant's assertion that the proposed convenience store promotes the general welfare by providing essential services, reduction of travel time and serving as a valuable resource during emergencies, as the City Governing Authorities note that there are currently seven (7) convenience stores within two (2) miles, which provide the same services as the proposed store; thus, negating any benefit for the general welfare as claimed by the Applicant. Also, it was noted by Alderman Hoots that the Applicant's store in Horn Lake was not well maintained, which provides support that the Applicant's store would not be maintained in the City; thus, negatively affecting the City's general welfare.
5. The City Governing Authorities find that the proposed convenience store overtaxes the public utilities/services as noted in Exhibit A and further set forth in Exhibit D, which provides the prior and current numerous and high volume of service calls by the City Police in the 0.25-mile radius since January 1, 2023, which include 1573 service calls in 2023; 1012 in 2024; and 668 as of August 1, 2025. These calls include arrests, citations, and incidents. Further, during the hearing, the Mayor noted that service stations create crime issues for law enforcement especially this specific store due to the proximity to Memphis, where President Trump has ordered the National Guard to deploy, so that it can assist with the deterrence of the crime occurring in Memphis. In addition, the Mayor noted that the proposed convenience store would hinder the City's "Close the Door" initiative, which the City Police commenced in 2023 to stop crime from Memphis, as this convenience store would encourage crime and allow for fleeing out of state, as the City Police are not able to pursue suspects across the state line to Memphis. Based on the current City Police calls, the convenience store's proximity to Memphis, the City's concentrated effort to deter crime at the Memphis border, and not being able to pursue suspects across the state line, the City Governing Authorities reiterate it's finding that the proposed convenience store overtaxes the public utilities/services.
6. The proposed convenience store is inconsistent with the City's Comprehensive Plan as set forth in Exhibit A and C.
7. The City Governing Authorities find that all the Permit requirements are not satisfied, and the Applicant's Permit request should be denied.
8. The Mayor and City Planning Director or their designee are authorized to take any and all action to effectuate the intent of this Resolution.

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Based on the City Governing Authorities review and consideration of the information provided and presentation by the Applicant and City Planner, Alderman Hoots made a motion to deny the Applicant’s request for a conditional use permit. The motion was seconded by Alderman Jerome. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

Alderman William Jerome	YES
Alderman Judy Jenkins-Lewis	YES
Alderman Charlie Hoots	YES
Alderman George Payne	ABSENT
Alderman Joel Gallagher	ABSENT
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 October, 2025.

CITY OF SOUTHAVEN, MISSISSIPPI

Exhibits A, B, C, and D

A copy of the staff report, GIS map, conceptual site plan, and conditional use letter, are attached and fully incorporated into these minutes.

MAYOR’S REPORT

FACILITIES RENOVATION PROJECT

Mayor Musselwhite reported that the Animal Shelter renovation project is now complete and will serve the needs of the community.

SOUTHAVEN ANIMAL SHELTER NAMED BEST OF 2025

Recently, our animal shelter was named the best of 2025 by BusinessRate! This Better Business Bureau-accredited national information technology company rates businesses and organizations based on actual, objective consumer online reviews, not voting or other subjective rating factors. This data led to us being evaluated by BusinessRate as one of their best in 2025.

Congrats and thank you to our amazing team in our Animal Control Division!

There are many unsung heroes in a large city operation like the City of Southaven, but let me tell you something, none more so than our Animal Control Director, Perry Mason. When God created the perfect skill set and servant’s heart for making sure His animals receive outstanding care, He put it all perfectly in a human body and then named him, Perry Mason. Perry has served the City of Southaven for 19 years in this role and requires his entire team to mirror his standards of excellence. Most think of dogs and cats when

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they think of animal control in a city and he has saved more of these animals than anyone, but I've also called on Perry and have witnessed him solve problems with horses, pigs, snakes and even residential rodent infestations that professional companies couldn't solve. Not only is he brilliant in dealing with animals, but he will make you feel like your pet or saving any one animal is the only thing that matters to him. His compassion for animals and serving our citizens with humility is an inspiration for all of us. The City of Southaven is blessed to have him on our team!



Decorative Street Signs

Mayor Musselwhite reported that consistent black and white street signs that match the arterial road signs at intersections, way finding signs, and City signs will be installed throughout the City. Mayor Musselwhite reported that these signs have just started being installed in Colonial Hills and MS Valley Boulevard. The plan is to continue working through that neighborhood and eventually plan to have them installed throughout the entire City.

Street Resurfacing Update

Mayor Musselwhite reported that several streets in Deerpark have been resurfaced. Highland Grove had some roads that were in horrific condition and Lehman Roberts was paving those today. All of the roads in Southern Pines have been milled and will be fully repaved soon. Hamilton Road is also on the list to be resurfaced soon. Mayor Musselwhite stated that road resurfacing has gotten off to a great start and will continue to move forward in the Spring.

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PERSONNEL DOCKET

Personnel Docket **October 21, 2025**

New Hire	Department	Position Title	Start Date	Rate of Pay
Avery Davis	Utilities	AMT Tech	TBD	\$18.50

Promotions	Current Position Title	New Position Title	Effective Date	Rate of Pay
Linley Robinson	EC - Dispatch 1	EC - Dispatch 2	10/23/2025	\$27.30
Mariah Medile	EC - Dispatch 1	EC - Dispatch 2	10/23/2025	\$27.30
Jose Moreno	Police Officer 3	Police Officer 4	10/20/2025	\$32.89

Reclassification	Department	Position Title	Effective Date	Rate of Pay
Dakota Rowland	Parks	Laborer	10/7/2025	\$16.75

Stipend	Department	Stipend	Effective Date	Stipend Rate Annually
David Robertson	Fire	Haz-Mat	10/28/2025	\$600.00

Correction from 10/7/2025	Department	Position Title	Correct Hire Date
Kimberly Penix	Animal Control	AC Shelter Office Staff	10/22/2025

Oath of Office 2025

<u>Animal Control</u>	<u>Court</u>
Kathlene Powell, AC Officer	Ginger Miller, City Prosecutor
Marsha Taylor, AC Officer	

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
William J. Martin	Fire	Fire Fighter 2	10/29/2025	\$19.99

Parks Tournaments

New Hire	Position Title	Start Date	Rate of Pay
Trinity Cox	Gates	10/22/2025	\$9.75
Lucas Burrell	Concessions	10/11/2025	\$9.50

Promotions	Current Position Title	New Position Title	Effective Date	Rate of Pay
Clarisa Hucks	Gates	Cash Control	10/22/2025	\$12.25

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Arleda Sawe Cash Control Cash Control Supervisor 10/22/2025 \$13.00

Alderman Jerome made the motion to approve the Personnel Docket of October 21, 2025 as presented to this Board. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 7th day of October, 2025.

CITY ATTORNEY’S LEGAL UPDATE

DONATION DOCKET

DONATION DOCKET 10/21/2025					
Date of Donation	Donatio n Item	Money Donation	Person / Entity Making Donation	Depart ment	Budget Code
10/10/2025	Cash	320.00	Lucky Dog	Animal Shelter	511-611000
Total		\$320.00			

Alderman Flores made the motion to approve the Donation Docket of October 21, 2025 as presented to this Board. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	YES
Alderman Gallagher	ABSENT

Minutes, City of Southaven, Southaven, Mississippi

Alderman Wheeler
Alderman Flores

YES
YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 21st day of October, 2025.

UTILITY BILL ADJUSTMENT DOCKET

UTILITIES BILL LEAK ADJUSTMENT DOCKET						Date: 10/21/25
The addresses below experienced unforeseen circumstances in their utilities for which no benefit was received						
Number	Property Type	Owner Name	Address #	Address	Amount	Description
1	RESIDENTIAL	MARCINEZ MOORE	1885	PECAN MEADOWS DR	(149.39)	LEAK UNDER SLAB
2	RESIDENTIAL	VERONICA STEWART	8848	SWEET FLAG E	(386.34)	TOILET LEAK
3	RESIDENTIAL	PATRICIA REED	8536	CHESTERFIELD DR	(462.15)	TOILET LEAK
4	RESIDENTIAL	KEVIN WEBB	800	ROCKBRIDGE	(368.55)	TOILET LEAK
5	RESIDENTIAL	DWIGHT DOUGLAS	2091	KEAGAN DR	(87.75)	LEAK UNDER SLAB
6	RESIDENTIAL	KEIMYA MITCHELL	938	PINE BIRCH PL	(265.32)	TOILET LEAK
7	RESIDENTIAL	BRIAN MCKINNEY	3875	PARK CREEK CIR	(157.95)	TOILET LEAK
8	RESIDENTIAL	STEVEN MCCAIN	7581	DAVIS PKWY	(193.05)	TOILET LEAK
9	RESIDENTIAL	ROBERT COSTELLO	3730	BUCK RUN DR	(140.40)	TOILET LEAK
10	COMMERCIAL	GARRISON CABINETS	2045	FIRST COMMERCIAL	(291.02)	TOILET LEAK
11	RESIDENTIAL	DAVID RUSSELL	415	CHERRY TREE LN	(93.60)	HOT WATER HEATER LEAK
12	RESIDENTIAL	BRYAN LIGHTBODY	1770	COLONIAL HILLS DR	(310.05)	TOILET LEAK
13	RESIDENTIAL	KIMBERLY JONES	285	SOUTHWICK DR	(76.96)	POOL ADJUSTMENT
14	RESIDENTIAL	CHRISTINA TAPLEY	2038	KING RD	(33.29)	POOL ADJUSTMENT
15	RESIDENTIAL	BOBBY GREEN	1252	TOWN & COUNTRY	(70.20)	TOILET LEAK
16	RESIDENTIAL	CLEMENTINE JONES	8229	DOTTLEY DR	(193.05)	SERVICE LINE LEAK
17	RESIDENTIAL	JAMES SMITH	5685	TCHULAHOMA	(971.10)	TOILET LEAK
18	RESIDENTIAL	CADY MYERS	420	RIVER BIRCH TRAIL	(117.00)	TOILET LEAK
19	RESIDENTIAL	TERRY MURRAY	7311	SUNFLOWER CV	(50.32)	POOL ADJUSTMENT
20	RESIDENTIAL	ESTHER SCOTT	3734	CASTLE POINTE DR	(26.64)	POOL ADJUSTMENT
21	RESIDENTIAL	JEFF CAIN	2151	PRYNE DR	(47.36)	POOL ADJUSTMENT
22	RESIDENTIAL	S. CRITTENDON	2087	CRESTHILL	(40.95)	TOILET LEAK
23	RESIDENTIAL	DANA MOORE	3056	CENTRAL PKWY	(77.27)	POOL ADJUSTMENT
24	RESIDENTIAL	AMANDA MORGAN	2286	CARROLTON DR	(210.60)	TOILET LEAK
25	RESIDENTIAL	RISHA ALLEN	2535	APPLETON DR	(200.87)	TOILET LEAK
Total					(5021.18)	

UTILITIES DIRECTOR APPROVAL Ray Henry DATE: 10/16/2025

Alderman Jerome made the motion to approve the Utility Bill Adjustment Docket of October 21, 2025 in the amount of \$5,021.18. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN

VOTED

Minutes, City of Southaven, Southaven, Mississippi

Alderman Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Hoots	YES
Alderman Jerome	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 21st day of October, 2025.

CLAIMS DOCKET

A motion was made by Alderman Flores to approve the Claims Docket of October 21, 2025 in the amount of \$4,822,945.84. Motion was seconded by Alderman Wheeler.

Excluding voucher numbers:

450280, 450290, 450359, 450362, 450376, 450385, 450418, 450444, 450523, 450524, 450575, 450576, 450736, 450737

Roll call was as follows:

ALDERMAN	VOTED
Alderman George Payne	ABSENT
Alderman Jenkins-Lewis	YES
Alderman Charlie Hoots	YES
Alderman William Jerome	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 21st day of October, 2025.

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 Jerome to adjourn. Motion was seconded by Alderman Wheeler. Motion was put to a vote and passed unanimously October 21, 2025 at 7:50 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

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