

# Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
SOUTHAVEN, MISSISSIPPI  
CITY HALL  
March 2, 2021  
6:00 PM  
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: February 16, 2021
5. Southaven Court Contract with Tyler Technologies, Inc.
6. Resolutions for SPD Surplus
7. Planning Agenda: Item #1 Application by JCB, Inc. for subdivision approval of Central Gardens Subdivision  
Item #2 Application by Lifestyle Communities for subdivision approval of Silo Square Commercial Phase 1, Lot 4  
Item #3 Application by Lifestyle Communities for subdivision approval of Silo Square Commercial Phase 1, Lot 26a  
Item #4 Application by IDI for subdivision approval of Stateline Planned Business Park Phase 7
8. Mayor's Report
9. Personnel Docket
10. City Attorney's Legal Update
11. Utility Bill Adjustment Docket
12. Claims Docket
13. Executive Session: PD & Parks Dept. Personnel; Economic Development

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## MINUTES OF THE REGULAR MEETING OF March 2, 2021 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 2<sup>nd</sup> day of March, 2021 at six o'clock (6:00) p.m. at City Hall.

Present were:

William Brooks	Alderman At Large
Kristian Kelly	Alderman, Ward 1
George Payne	Alderman, Ward 3
Joel Gallagher	Alderman, Ward 4
John David Wheeler	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Absent were:

Charlie Hoots	Alderman, Ward 2
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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 16, 2021 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

### **SOUTHAVEN COURT CONTRACT WITH TYLER TECHNOLOGIES, INC.**

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

Mr. Manley stated that this contract will move the court software from being hosted on premises to being hosted in the cloud by Tyler. This will provide more redundancy for data as well as allow the court software to work with Tyler Content Manager, which city hall is already using for scanning in Munis. This contract also provides for online payments for court fines and tickets as well as other online services such as phone and text message notifications which will help streamline court operations and provide better service to customers. Alderman Payne made the motion to authorize Mayor Musselwhite or Chris Shelton to sign the contract with Tyler Technologies, Inc. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

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ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hoots	ABSENT
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 2<sup>nd</sup> day of March, 2021.

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

## **RESOLUTION FOR SPD SURPLUS**

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

Mr. Manley stated that there are two (2) resolutions for surplus. The first resolution surpluses a K-9, Marco, to Joel Rich, Marco's handler, upon Mr. Rich signing the release and providing proof of insurance. The second resolution surpluses SPD Motorcycles in accordance with Miss. Code 17-25-25. After hearing from Mr. Manley, the Board of Alderman considered the following resolutions:

## **RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI DECLARING SURPLUS PROPERTY**

**WHEREAS**, the City of Southaven ("City") Police Department pursuant to Mississippi Code 21-21-5 previously purchased a police K-9, specifically, a German Sheppard/Malinois, Marco, and

**WHEREAS**, due to Marco's health, it is recommended that Marco be retired from service; and

**WHEREAS**, pursuant to Mississippi Code Section 45-3-52, the City Mayor and Board of Aldermen authorize Officer Joel Rich to retain as his personal property, Marco; and

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

1. Officer Joel Rich is authorized to retain Marco as his personal property.
2. Officer Joel Rich shall sign a release, which releases the City from any and all liability associated with his ownership of Wessel.
3. The City Police Chief, or his designee, is hereby authorized to take any and all action to effectuate the intent of this Resolution.

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

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

RESOLVED AND DONE, this 2<sup>nd</sup> day of March, 2021.

## **RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI DECLARING SURPLUS PROPERTY**

**WHEREAS**, the City of Southaven (“City”) Police Department is presently in possession of certain motorcycles as set forth in Exhibit A (“the Property”); and

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

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

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

1. The Property be hereby declared as surplus property.
2. The City Police Chief, or his designee, is hereby authorized and directed to follow Mississippi Code 17-25-25 for the disposition of the Property.

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

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

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Alderman Raymond Flores voted: YES

RESOLVED AND DONE, this 2<sup>nd</sup> day of March, 2021.

A list of the surplus items are attached to these minutes.

## PLANNING AGENDA

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

**Item #1 Application by JCB, Inc. for subdivision approval of Central Gardens Subdivision**

This item was removed from the Planning agenda.

**Item #2 Application by Lifestyle Communities for subdivision approval of Silo Square Commercial Phase 1, Lot 4**

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Silo Square Commercial Phase 1 lot 4 on the southwest corner of Getwell Road and May Blvd. The lot encompasses 1.503 acres with no direct access to Getwell Road. There is a proposed access off of May Blvd. shown on the proposed plat and another access point off of the private drive to the rear of the lot. The applicant is showing a twenty five (25) foot setback on both the May Blvd. and private drive frontages, while showing a fifty (50) foot setback along Getwell Road. The required right of way for Getwell Road has already been dedicated and improved prior to this application. May Blvd. has also been dedicated and improved prior to this applications submittal. There is a ten (10) foot water line easement shown along Getwell Road and a ten (10) foot general utility easement shown on the south boundary line of the proposed lot. The application has met the standard requirements set forth in the ordinance for a commercial lot. The applicant has also met the lot layout concept of the master plan for the Silo Square PUD. Staff has no comments and recommends approval as submitted. Alderman Flores made the motion to approve the application by Lifestyle Communities. Motion was seconded by Alderman Gallagher.

Roll call was as follows:

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

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Alderman Gallagher	YES
Alderman Wheeler	RECUSED
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2<sup>nd</sup> day of March, 2021.

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

**Item #3      Application by Lifestyle Communities for subdivision approval of Silo Square Commercial Phase 1, Lot 26a**

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Silo Square Commercial Phase 1, lot 26a on the west side of Getwell Road, north of Wildflower Lane. The property encompasses 1.65 acres with no direct access to Getwell Road. The applicant is showing a fifty (50) foot setback along Getwell Road and twenty five (25) foot setbacks for both Wildflower Lane and the private drive at the rear of the lot. There is a point of access shown on Wildflower Lane before the round about which lies around one hundred (100) feet off of Getwell Road. There is no other access points shown on the plat. A ten (10) foot water easement is shown along Getwell Road which was previously recorded. The applicant has met the requirements set forth in the ordinance for commercial lots. The applicant has also met the layout concept of the Silo Square master plan per the PUD. Staff has no comments and recommends approval as submitted. Alderman Flores made the motion to approve the application by Lifestyle Communities. Motion was seconded by Alderman Gallagher.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2<sup>nd</sup> day of March, 2021.

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

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**Item #4      Application by IDI for subdivision approval of Stateline  
Planned Business Park Phase 7**

Mrs. Choat-Cook stated that the applicant is requesting subdivision approval for Stateline Business Park Phase 7 on the south side of Stateline Road, west of Haley Road. This phase consists of one lot encompassing 9.51 acres of property with 470+’ of linear frontage along Stateline Road. The property was rezoned in 2020 to match up with the surrounding business complex. Prior to this application, Stateline Road ROW was dedicated and all improvements were completed. This proposed lot is a merger of two separate parcels which have no identified recorded easements between the two. All utility easements shown on the plat were previously recorded in book 485 page 94. As stated in the rezoning application for this site, it is part of a master plan for the Stateline Planned Business Park which was approved in 2003. The proposed lot meets the requirements set forth in the ordinance for commercial/industrial lots and also meets the layout concept of the master plan originally submitted. The only comment staff has is regarding the striping of the roadway in front of this lot. At present time the striping for the additional lanes stops short of this lot and uses this frontage to merge the lines back into a single lane. The striping should be revised to match the lot to the west to allow for a second lane at least until the access point for this lot. Staff has no further comments and recommends approval as submitted. Alderman Flores made the motion to approve the application by Lifestyle Communities. Motion was seconded by Alderman Gallagher.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hoots	ABSENT
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 2<sup>nd</sup> day of March, 2021.

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

## **MAYOR’S REPORT**

### Main Street Pedestrian Project Update

Mayor Musselwhite stated that they are beginning the Main Street Pedestrian Project that will add sidewalks on both sides of Main Street between Highway 51 and Northwest Drive and then up Northwest Drive to Saucier Park. During this process, they will be restructuring the bottom portion of the resident’s driveways.



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Thirty-five (35) homes will be affected and the plan is to do five (5) driveways at a time so that it does not create any traffic issues. The bottom panel of the driveway will be cut out and no one will be able to drive on the new concrete until it cures completely. As a result, a portion of the lane will be closed for resident parking. Mr. Manley stated that in accordance with Miss. Code 21-37-3, the City Governing Authorities has the jurisdiction over streets and can close lanes to allow for on street parking.

## Springfest Update

There was some discussion among the Mayor and Board of Alderman as it relates to the challenges of COVID 19 and Springfest. With all of the changes since March of last year, Springfest had to be cancelled. Mayor Musselwhite stated that they made attempts to reschedule, but the carnival promoter, KCBS, and NBN were not available. Mayor Musselwhite stated that they are all available in October and the City could consider a festival in the fall. Mayor Musselwhite made the recommendation to take the \$240,000 budgeted in this year's budget and use it in October. There was some discussion about the possibility of having two events per year. Mayor Musselwhite stated that they could keep the discussion open for any additional ideas.

## PERSONNEL DOCKET

### Personnel Docket

March 2, 2021

<b>New Hires</b>	<b>Department</b>	<b>Position Title</b>	<b>Start Date</b>	<b>Rate of Pay</b>
		Police Officer		
Aaron Curtis *	Police	4	3/3/2021	\$23.96
Thomas Swazer *	Parks	Seasonal	3/3/2021	\$10.00
Seth Tennis **	Parks	Laborer I	3/3/2021	\$13.50

\*pending 1 pre-emp screening

\*\* pending 2 pre-emp screenings

<b>Payroll Transfer</b>	<b>From Dept</b>	<b>To Dept</b>	<b>Start Date</b>	<b>Position</b>	<b>Rate of Pay</b>
Judy Guerrero	Utility	Mayor Admin	3/1/2021 2/24/202	Receptionist	\$18.00
Cynthia Miller	Planning	Utility	1	Billing Clerk	\$16.00

<b>Pay Adjustments</b>	<b>Previous Classification</b>	<b>New Classification</b>	<b>Effective Date</b>	<b>Proposed Rate of Pay</b>
<b>Police</b>				
Steven Godwin	Police Officer 4	Sergeant	3/3/2021	\$25.36
		Police Officer	3/15/202	
Garry Frank	Police Officer 3	4	1	\$23.96

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Stipends	Type of Stipend	Effective Date	Yearly Amount
<i>Police</i>			
Willie Davis III	Honor Guard	3/1/2021	\$600.00
Willie Davis III	Negotiator	3/1/2021	\$600.00

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Jacob Abel	Police	Police Officer 4	3/5/2021	\$23.96

## *Parks*

### *Tournaments*

New Hires	Position Title	Start Date	Rate of Pay
Blake R. Burnett	Concession	3/3/2021	\$7.25
David M. Cansler	Concession	3/3/2021	\$7.25
Kate E. Coleman	Concession	3/3/2021	\$7.25
Michael Cousins	Concession	3/3/2021	\$7.25
Riley E. Dittman	Concession	3/3/2021	\$7.25
Hayden R. Grubbs	Concession	3/3/2021	\$7.25
Samantha Harwood	Concession	3/3/2021	\$7.25
Kennedy G. Holliday	Concession	3/3/2021	\$7.25
Alexxus Hoskins	Concession	3/3/2021	\$7.25
Keilee S. Lavoie	Concession	3/3/2021	\$7.25
Towery N. McNeil	Concession	3/3/2021	\$7.25
Ramiro Navaro Jr.	Concession	3/3/2021	\$7.25
Christian I. Onidas	Concession	3/3/2021	\$7.25
Trace M. Rodgers	Concession	3/3/2021	\$7.25
Natalie G. Satchfield	Concession	3/3/2021	\$7.25
Ethan T. Shackelford	Concession	3/3/2021	\$7.25
Dirk W. Shelly	Concession	3/3/2021	\$7.25
Paris A. Taylor	Concession	3/3/2021	\$7.25
Brayden A. Wims	Concession	3/3/2021	\$7.25
Jacob McAfee	Grounds	3/3/2021	\$7.25
Henry Clark	Grounds	3/3/2021	\$7.25
David Earnest	Grounds	3/3/2021	\$7.25
Canon Fort	Grounds	3/3/2021	\$7.25
Heath Heinz	Grounds	3/3/2021	\$7.25
Bradley Loftin	Grounds	3/3/2021	\$7.25
Blade Privett	Grounds	3/3/2021	\$7.25
Blake Simon	Grounds	3/3/2021	\$7.25
Brayden Simon	Grounds	3/3/2021	\$7.25
Andrew Stewart	Grounds	3/3/2021	\$7.25
Parker A. Verucchi	Grounds	3/3/2021	\$7.25

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Nathan Watt	Grounds	3/3/2021	\$7.25
Shakevia M. Loveberry	Gates	3/3/2021	\$7.50
Katrina M. Moore	Gates	3/3/2021	\$7.50
Derrick D. Onidas	Gates	3/3/2021	\$7.50
Leanna G. Silas	Gates	3/3/2021	\$7.50
Diandrea Summers	Gates	3/3/2021	\$7.50
Breanna Y. Sykes	Gates	3/3/2021	\$7.50

Alderman Brooks made the motion to approve the Personnel Docket of March 2, 2021 as presented to this Board. Motion was seconded by Alderman Payne.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hoots	ABSENT
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 2<sup>nd</sup> day of March, 2021.

**CITY ATTORNEY'S LEGAL UPDATE**

No legal update

**UTILITY BILL ADJUSTMENT DOCKET**

**UTILITY BILL LEAK ADJUSTMENT DOCKET  
03/02/2021**

The addresses below experienced unforeseen circumstances in their utilities for which no benefit was received.

NAME	HOUSE #	STREET	ADJUSTED AMOUNT	REASON FOR LEAK ADJUSTMENT
APRIL JACKSON	4746	ROSEWOOD CV	(131.76)	TOILET LEAK
LYDIA CALORE	1599	GILFORD CV E	(278.16)	TOILET LEAK
WC MCKINNEY	1081	WARWICK PL	(170.80)	TOILET LEAK
DOMINIQUE MOORE	2525	BAIRD DRIVE	(136.64)	TOILET LEAK

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WILLIAM LOZIER	1790	NOTTINGHAM	(1178.49)	SERVICE LINE UNDER DRIVEWAY
		M		
		TOTAL	(1895.85)	

A motion was made by Alderman Payne to approve the Utility Bill Adjustment Docket of March 2, 2021 in the amount of \$7,297.50. Motion was seconded by Alderman Brooks.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hoots	ABSENT
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 2<sup>nd</sup> day of March, 2021.

## **CLAIMS DOCKET**

A motion was made by Alderman Payne to approve the Claims Docket of March 2, 2021 in the amount of \$4,257,093.72. Motion was seconded by Alderman Flores.

### **Excluding voucher numbers:**

354522, 354543, 354788, 354819, 354820, 354867, 354896, 354897, 354923, 354936, 354951, 354977

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hoots	ABSENT
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 2<sup>nd</sup> day of March, 2021.

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## 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 March 2, 2021 at 7:15 p.m.

\_\_\_\_\_  
Darren Musselwhite,  
Mayor

\_\_\_\_\_  
Andrea Mullen,  
City Clerk  
(Seal)

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