

Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
January 3, 2023
6:00 PM
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval of Minutes: December 20, 2022
5. Approval of Travel for MML and DC Congressional Briefing Trip
6. Approval of Contract for Printer with RJ Young Company
7. Resolution for City Utilities Rates
8. Planning Agenda
9. Mayor's Report
10. Personnel Docket
11. City Attorney's Legal Update
12. Utilities Billing Leak Adjustment Docket
13. Claims Docket
14. Executive Session: Claims/Litigation involving the City; Economic Development; 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 January 03, 2023
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 3rd day of January, 2023 at six o'clock (6:00) p.m. at City Hall.

Present were:

George Payne	Alderman At Large
Kristian Kelly	Alderman, Ward 1
Charlie Hoots	Alderman, Ward 2
William Jerome	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 ten (10) 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 December 20, 2022 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Payne. Motion was put to a vote and passed unanimously.

APPROVAL OF TRAVEL FOR MML AND DC CONGRESSIONAL BRIEFING TRIP

This approval will authorize travel for mid-winter MML and Desoto Economic Council Blue Ribbon Trip. As was discussed at the last meeting, two (2) alderman and the Mayor will attend the Blue Ribbon Trip. Alderman Payne made the motion to approve travel for MML and DC Congressional Briefing Trip for Mayor Musselwhite and Board Members that choose attend. Motion was seconded by Alderman Kelly.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 3rd day of January, 2023.

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APPROVAL OF CONTRACT FOR PRINTER WITH RJ YOUNG COMPANY

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

The City is currently upgrading Munis and the current check printer is not compatible; thus, a new maintenance agreement in the amount of \$2593.35 is needed for the check printer to be used in the City Clerk's Office. Alderman Gallagher made the motion to authorize Andrea Mullen to sign the contract with RJ Young. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 3rd day of January, 2023.

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

RESOLUTION FOR CITY UTILITY RATES

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

As has been discussed, the Horn Lake Creek Interceptor Sewer District, which is the entity that provides the infrastructure that transports the vast majority of the City's sewer treatment to Memphis, has increased the rate it charges to the City. The District rate increase to the City is due to Memphis increasing its rate to the District in accordance with the contract between the District and Memphis, as Memphis is currently performing required infrastructure improvements to the treatment facility, which treats the City's wastewater. Thus, due to the increase in rates charged to the City, the City must increase rates as the rates charged by the City must be sufficient to fund the utility system. The rates, as set forth in the resolution, will increase residential rates for water to \$2.89 per unit and sewer to \$2.96 per unit and commercial rates for water to \$3.85 per unit and sewer to \$4.44 per unit. Also, there will be a minimum monthly charge of \$17.57 for each residential customer who has access to the City Sewer System. There was some discussion among the Board as it relates to the necessity to increase rates to continue to fund the utility system. After hearing from Mr. Manley, the Board of Alderman considered the following resolution:

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RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI AMENDING THE CITY OF SOUTHAVEN UTILITIES RATE

WHEREAS, pursuant to Section 21-17-5(1) of the Mississippi Code (1972) the Mayor and Board of Aldermen have the power to adopt any orders, resolutions or ordinances with respect to municipal affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972 or any other statute or law of the State of Mississippi; and

WHEREAS, the City of Southaven ("City") is vested with the authority to operate a waterworks system and establish rates, including rate increases, at which the water will be supplied to municipal utility customers in accordance with Mississippi Code Annotated Section 21-27-7; and

WHEREAS, the Mayor and Board of Aldermen of the City has been granted the authority to create, maintain and operate public utility systems within the City, and in certain areas outside the City, pursuant to Section 21-27-23 of the Mississippi Code (1972); and

WHEREAS, in accordance with Mississippi law, the City has established water and sewer systems, and

WHEREAS, due to the increase costs for treatment imposed to the City by the Horn Lake Creek Basin Interceptor Sewer District, the City Governing Authorities need to increase the utility rate charged by the City; and

WHEREAS, the City is not increasing rates on customers residing in an area that is greater than one mile outside of the City boundaries; and

WHEREAS, the City rate increase is not being done to create surplus revenues and the increased rate is reasonably calculated to provide for the system's functioning and growth; and

WHEREAS, the City has considered the potential function and increased costs of the system so that the increase of the utility rate will result in a generation of revenues that are just and reasonable, and not excessive, which will support operation of the system; and

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

1. The City of Southaven sewer rate shall increase as follows:
Residential

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Water - \$2.89 per unit
Sewer - \$2.96 per unit

Commercial

Water - \$3.85 per unit
Sewer - \$4.44 per unit

2. There shall be minimum monthly charge of \$17.57 for each residential customer who has access to the City of Southaven sewer system.
3. The Mayor, City Utility Director or their designee(s) are authorized to take all actions to effectuate the intent of this Resolution.

Following a reading of the foregoing resolution, Aldermen Flores made the motion and Alderman Wheeler 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 Kristian Kelly	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman John Wheeler	voted: YES
Alderman Raymond Flores	voted: YES
Alderman Charlie Hoots	voted: YES

RESOLVED AND DONE, this 3rd day of January, 2023.

PLANNING AGENDA

No Planning Agenda

MAYOR'S REPORT

Weather Challenges

Mayor Musselwhite reported that the City faced serious challenges with the extreme low temperatures. As a result, many residential and commercial businesses had pipes burst. There was also damage to City facilities at the Snowden House, Forever Young Café Room, Training Range, and to the chiller at City Hall. Mayor Musselwhite stated that some of these damages will be under the deductible amount of \$10,000, but there was significant loss at the Snowden House of approximately \$40,000 in damages. Mayor Musselwhite stated that he will report back to the Board with additional details once reviewed. Mayor Musselwhite added that Police, Fire, and Utilities worked

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over time to respond to calls during the weather event and thanked them for their extra efforts.

PERSONNEL DOCKET

Personnel January 3,
Docket 2023

New Hires	Department	Position Title	Start Date	Rate of Pay
Lee Starks	Police	Crossing Guard	1/5/2023	\$12.88
Keilah Weathersby	Fire	Paramedic	TBD	\$21.22

Promotions	Current Position Title	New Position Title	Effective Date	Rate of Pay
Utilities				
Donnie Young	Field Service Tech	Foreman	1/2/2023	\$21.51

Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Austin Gayhart	Fire	EMS Driver	12/22/2022	\$17.15
Markquiuna Henry	Police	Crossing Guard	12/13/2022	\$12.88
Haaken Thompson	Utilities	Foreman	12/30/2022	\$22.00

Alderman Payne made the motion to approve the Personnel Docket of January 3, 2023 as presented to this Board. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 3rd day of January, 2023.

CITY ATTORNEY'S LEGAL UPDATE

Mr. Manley stated that recently, an administrative/day-to-day decision was made by the Mayor and Building Department to revise the demolition permit

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application that City requires. The revision makes it clear that the demolition of any structure includes removing the foundation or slab and proper disconnection of any utilities on the site, along with requiring that the entire site be returned to a non-developed status that includes vegetation to reduce erosion and adverse effects to storm water systems. This revision cures any ambiguity regarding what is required for demolition in context of safety and review for future structures which may be placed in the demolition area. Mr. Manley stated that there will be no action required but just to enter the revised application in the minutes.

**DEMOLITION PERMIT APPLICATION
CITY OF SOUTHAVEN
8710 NORTHWEST DRIVE
SOUTHAVEN MS 38671
PH. (662)-393-4639 FAX (662)-280-6534**

SITE ADDRESS _____
OWNER OF BUILDING _____
OWNER ADDRESS _____ PHONE # _____
OWNER EMAIL _____
CONTRACTOR _____ PHONE # _____
CONTRACTOR ADDRESS _____
CONTRACTOR EMAIL _____
DATE _____ APPLICANT SIGNATURE _____

APPLICATION FEE

RESIDENTIAL	\$375.00	_____
COMMERICAL	\$750.00	_____
	TOTAL	_____

The demolition of any structure must be completed within thirty days from the date of issue of permit. Inspections as required by the Building Inspector and Fire Marshall shall be coordinated by the permit holder. Final inspection shall be made upon completion of all required demolition work. Debris and materials resulting from demolition shall be removed from the premises and said demolition shall be done in such a manner as not to create a nuisance or unsafe conditions to the surrounding area.

Demolition of any structure includes removing the foundation or slab and proper disconnection of any utilities on the site. The entire site must be returned to a non-developed status. It must include vegetation to reduce erosion and adverse effects to storm water systems.

Revised 12/21/22

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DATE _____ APPLICANT SIGNATURE _____

UTILITY BILL ADJUSTMENT DOCKET

UTILITIES BILL LEAK ADJUSTMENT DOCKET 01/03/2023

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

NAME	HOUS E #	STREET	ADJUSTED AMOUNT	REASON FOR LEAK ADJUSTMENT
MARCINEZ MOORE	1885	PECAN MEADOWS	(400.87)	TOILET LEAK AND SINK
JESSICA MAYS	163	TACKETT RUN	(105.63)	TOILET LEAK
CHARLES EAVES	8861	CYPRESS CV.	(73.20)	TOILET LEAK
GARNETT WEST	1926	FIRST COMMERCIAL DR B	(142.70)	TOILET LEAK
WAYNE WHATLEY	3584	NEW POINTE DR S	(188.59)	REPLACED POOL LINER/TEAR
CELESTE BALLARD	642	VALLEY SPRINGS DR	(48.80)	TOILET LEAK
LAVORN SMITH	122	KAYLA DR	(131.76)	TOILET LEAK
AUDREY HOYT	5775	PLUM TREE	(29.64)	POOL ADJUSTMENT
DEBBIE BRUMLEY	8165	WHITEHEAD	(43.92)	TOILET LEAK
DONNA WILSON	8327	CHAPPARAL LN	(517.28)	SERVICE LINE LEAK
JACQUELINE TAYLOR	7642	ROCKINGHAM	(68.32)	LEAK IN LINE UNDER FLOWER BED
BROCK SHAW	257	SANDALWOOD DR	(156.16)	TOILET LEAK
		TOTAL	(1906.87)	

A motion was made by Alderman Payne to approve the Utility Bill Adjustment Docket of January 3, 2022 in the amount of \$1,906.87. Motion was seconded by Alderman Jerome.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 3rd day of January, 2023.

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of January 3, 2023 in the amount of \$1,733,993.53. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

Roll call was as follows:

ALDERMAN	VOTED
Alderman Jerome	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 3rd day of January, 2023.

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 Hoots to adjourn. Motion was seconded by Alderman Payne. Motion was put to a vote and passed unanimously January 3, 2023 at 6:50 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

All exhibits and attachments are electronically filed in the City Clerk's Office.