

Minutes, City of Southaven, Southaven, Mississippi



MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
May 2, 2017
6:00 p.m.
AGENDA

1. Call To Order
2. Invocation
3. Pledge Of Allegiance
4. Approval Of Minutes: April 18, 2017
5. Presentation of Honor Cords for Graduating Class of Mayor's Youth Council
6. Resolution to Surplus for SFD
7. Resolution To Clean Private Property
8. Planning Agenda
 - Item #1 Application by B & Y Management for subdivision approval of Shelburne Estates Section "F" between Tchulahoma Road and Getwell Road, north of Rasco Road Ext.
 - Item #2 Application by KAJ, Inc. for subdivision approval to revise the Bob Pelts Industrial Park Subdivision on the east side of Stanton Road, south of Stateline Road.
 - Item #3 Scriveners error for Heritage Hills PUD, plat book 115 page 16.
9. Mayor's Report
10. Citizen's Agenda
11. Personnel Docket
12. City Attorney's Legal Update
13. Claims Docket
14. Executive Session

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

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MINUTES OF THE REGULAR MEETING OF May 2, 2017 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 2nd day of May, 2017 at six o'clock (6:00) p.m. at City Hall.

Present were:

William Brooks	Alderman At Large
Kristian Kelly	Alderman, Ward 1
Ronnie Hale	Alderman, Ward 2
George Payne	Alderman, Ward 3
Joel Gallagher	Alderman, Ward 4
Scott Ferguson	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Also present were Mayor Musselwhite, Andrea Mullen, City Clerk, Pam Pyle, Deputy City Clerk and Nick Manley, City Attorney. Approximately seventy-five (75) 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 Ferguson. Next, a motion was made by Alderman Payne to approve the minutes of the regular meeting of April 18, 2017 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

PRESENTATION OF HONOR CORDS FOR GRADUATING CLASS OF MAYOR'S YOUTH COUNCIL

Mayor Musselwhite offered advice to the youth council to not let anyone tell them what career they should choose or what college to attend, but to be sure that they do what they want to do or one day they may have regrets. Next, Mayor Musselwhite presented honor cords to the 2017 graduating class of the Mayor's Youth Council.

Desoto Central High School (Graduation on May 27 at the Lander's Center)

Emma Faulkner
McCoy Hetterick
Kennedi Pigues
Karina Rodriguez

Southaven High School (Graduation on May 27 at the Lander's Center)

Jamie Brown
Emily Carnes
Ari Howell
Gabby Hunter

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RESOLUTION FOR SURPLUS FOR SFD

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

Mr. Manley stated that this resolution will allow for the Fire Department to surplus a twenty-three year old turn out gear extractor that is no longer of use. The Board of Alderman considered the following resolution:

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

WHEREAS, the City of Southaven ("City") Fire Department is presently in possession of a twenty-three (23) year old turnout gear extractor, speed queen, serial number G0552763CG, City ID 1675 ("Extractor"); and

WHEREAS, pursuant to Mississippi Code 17-25-25, it has been recommended to the Mayor and Board of Aldermen that the Extractor 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 Extractor shall be surplus according to Mississippi Code 17-25-25; and

WHEREAS, the Mayor and Board of Aldermen are desirous of disposing of the Extractor, 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 Extractor be hereby declared as surplus property pursuant to Mississippi Code 17-25-25.
2. The City Fire Chief, or his designee, is hereby authorized and directed to any and all actions to effectuate the intent of this Resolution.

Motion was made by Alderman Brooks 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

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Alderman Kristian Kelly	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Scott Ferguson	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 2nd day of May, 2017.

RESOLUTION TO CLEAN PRIVATE PROPERTY

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

RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY

WHEREAS, the governing authorities of the City of Southaven, Mississippi, have received numerous complaints regarding the parcel of land located at the following address, to-wit: **3806 Meadow Lane, 2720 Goodman Road, 8161 Booneville Drive, 292 Woodsmoke Drive, 5289 Kalian Cove**, 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, May 2, 2017**, 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 uncleanliness 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, May 2, 2017**, 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: **3806 Meadow Lane, 2720 Goodman Road**,

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8161 Booneville Drive, 292 Woodsmoke Drive, 5289 Kalian Cove, is deemed in the existing condition to be a menace to the public health and safety of the community.

BE IT FURTHER RESOLVED that the City of Southaven shall, if the owners of the above described parcel of land do not do so themselves, immediately proceed to clean the respective parcel of land, by the use of municipal employees or by contract, by cutting weeds and grass and removing rubbish and other debris.

Following the reading of this Resolution, it was introduced by Alderman Brooks and seconded by Alderman Flores. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

ALDERMAN	VOTED
Alderman William Brooks	YES
Alderman Kristian Kelly	YES
Alderman Ronnie Hale	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman Scott Ferguson	YES
Alderman Raymond Flores	YES

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the 2nd day of May, 2017.

CITY OF SOUTHAVEN, MISSISSIPPI

PLANNING AGENDA:

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

Item #1 Application by B&Y Management for subdivision approval of Shelburne Estates Section "F" between Tchulahoma Road and Getwell Road, north of Rasco Road Ext.

Mrs. Choat-Cook stated that this application is for subdivision approval for Shelburne Estates Section "F" between Tchulahoma and Getwell Road, north of Rasco Road Extended. This phase encompasses 35.50 acres with 53 lots and a 2.4 acre buffer line where the existing creek runs through the property. The lots have a minimum size of 20,000 sq. ft. and several lots are shown in the floodplain due to the proximity of the lots to the creek. This phase is situated on the interior of the existing subdivision therefore it is using existing stub out streets for access, including Rasco Road. All access points were approved with the original PUD text in 1999. Per the approved PUD text, all of the lots shown to be in the floodplain will need to be built up and a LOMAR will need to be requested so that FEMA removes those lots from the floodplain designation. The cove on the west side of the ditch is 605' which longer than the allowed 500' and the site cannot

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gain alternative access due to the property being divided by the creek. Staff will need the applicant to add an additional hydrant at the end of the cove to comply with distance requirements. The lot sizes comply with the low density requirements of the comprehensive plan as well as the approved text. The heated square footage identified in the text was 1600-1800; however, at today's cost and the size of the lots shown, the actual build out should be much larger. The text also allows for a 35' front setback which is not standard, but it is compliant for this development. Staff will need the applicant to provide the cove names so that they can be checked and approved prior to recording of the plat. Since there are no common open spaces to be maintained, there will not need to be a note on the plat identifying responsibility. The applicant was conscious of the amount of trees in certain areas so they were placed on the preliminary plat. Alderman Payne made the motion to approve the application by B & Y Management. Motion was seconded by Alderman Brooks.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of May, 2017.

A copy of the staff report and final plat is attached to these minutes.

Item #2 Application by KAJ, Inc. for subdivision approval to revise the Bob Pelts Industrial Park Subdivision on the east side of Stanton Road, south of Stateline

Mrs. Choat-Cook stated that this applicant is requesting subdivision approval to revise Bob Pelts Industrial Park Subdivision Section "B" lot 2. The existing recorded plat shows lot 2 encompassing 65.5 acres that wrap around lot 1 and extends from Stanton Road to the railroad tracks on the eastern boundary line. The applicant is requesting to carve out 7.15 acres from the acreage and form lot 2a which would be directly south of the existing Mississippi Metalcraft building. The proposed plat identifies a MS Power and Light easement along Stanton Road and a fifteen (15) foot sewer easement on the east side which carries into an existing designated stormwater area to the north of the site. The setbacks and standard general easements have been identified on the plat. There is no proposed dedication of ROW which is not necessary since the 80' is already in place for the road. Staff has no issues with this request; however, the applicant will need to place the accurate acreage remaining for lot 2 on the plat prior to recording. Alderman Hale made the motion to approve the application. Motion was seconded by Alderman Kelly.

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Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of May, 2017.

A copy of the staff report and final plat is attached to these minutes.

Item #3 Scriveners error for Heritage Hills PUD, plat book 115 page 16

Mrs. Choat-Cook stated that there is an error in the title block portion of the recorded plat for Heritage Hills PUD Lot 2. In order to record this document in the Chancery Clerk's Office there must be a change to the title block that requires Board action. The title block refers to Phase 2 and it should be Phase 4. Alderman Payne made the motion to correct the scriveners error. Motion was seconded by Alderman Ferguson.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 2nd day of May, 2017.

A copy of the final plat is attached to these minutes.

MAYOR'S REPORT

Rasco Road Extended Update

Mayor Musselwhite stated that the Rasco Road Extension between Swinnea and Tchulahoma was paved last week. They are waiting for it to cure, which takes 5 to 6 days, and it will then be striped and ready to open.

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Getwell Road Widening

Mayor Musselwhite reported that the Getwell Road Widening Project is within 30 days of completion.

CITIZEN'S AGENDA

None

PERSONNEL DOCKET

Personnel Docket

May 2, 2017

<u>Payroll Additions</u>	<u>Position</u>	<u>Department</u>	<u>Start Date</u>	<u>Rate of Pay</u>
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James Clack*	FFII	Fire	TBD	\$14.82
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*pending successful completion of pre-emp screenings

<u>Payroll Adjustments</u>	<u>Previous Classification</u>	<u>New Classification</u>	<u>Effective Date</u>	<u>Proposed Rate of Pay</u>
Chase Joiner	P-2	P-3	5/15/2017	\$21.10
Phillip Croy	P-2	P-3	5/15/2017	\$21.10
Todd Baggett	P-2	P-3	5/15/2017	\$21.10
Bobbie Baker	D2	D-3	5/15/2017	\$20.15

Note:

Clinton Horton	New hire approved at 3/21/17 meeting at \$19.25.		04/17/2017	\$19.83
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<u>Terminations / Resignations</u>	<u>Department</u>	<u>Position</u>	<u>Termination Date</u>	<u>Rate of Pay</u>
<u>Name</u>				
Paris, Julie	Parks	PT Front Desk	05/08/2017	\$7.25
Moore, Daniel	Police	Sgt	05/28/2017	\$21.90

Alderman Brooks the motion to approve the Personnel Docket of May 2, 2017 as presented to this Board. Motion was seconded by Alderman Hale. The motion was put to vote and passed unanimously.

CITY ATTORNEY'S LEGAL UPDATE

None

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CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of April 4, 2017 in the amount of \$ 2,442,963.61. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

279177, 279200, 279223, 279236, 279396, 279435, 279524, 279556, 279799, 279803, 279845, 279846, 279964, 279992

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Hale	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	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 2nd day of May, 2017.

EXECUTIVE SESSION

No Executive Session

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Flores to adjourn. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously, May 2, 2017 at 6:14 p.m.

The owner of the property located at 2211 Cedarwood Cove requested to speak to the Board.

A motion was made by Alderman Flores to re-open the meeting. Motion was seconded by Alderman Gallagher. Motion was put to vote and passed unanimously.

Mayor Musselwhite announced that the meeting was open.

The owner of 2211 Cedarwood Cove explained that he thought he was supposed to be in attendance to discuss his property. Mrs. Choat-Cook explained that his property has already been condemned due to not being in compliance. Nick Manley, City Attorney, explained to the owner that he will need to reach out to the Planning Department with his property already having been condemned on March 21, 2017. The property owner agreed.

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Alderman Gallagher made the motion to adjourn. Motion was seconded by Alderman Ferguson. Motion was put to a vote and passed unanimously, May 2, 2017 at 6:21 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)

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