

**MINUTES OF THE REGULAR MEETING  
OF May 16, 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 16th 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 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 Ferguson. Next, a motion was made by Alderman Payne to approve the minutes of the regular meeting of May 2, 2017 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

**SERVE SOUTHAVEN UPDATE**

Mayor Musselwhite presented this item to the Board.

Mayor Musselwhite stated that the Serve Southaven program was created in 2015 and they have been in search for the right person to lead these efforts. Mayor Musselwhite explained that this program needed a leader willing to give their time as a volunteer to truly serve the City of Southaven with the skill set to organize, market, communicate, and bring people together. Mayor Musselwhite expressed that they are fortunate that **Tracy Gallagher** has volunteered to be the first director. Tracy is an incredibly-talented person with a special heart to serve. Her bio is as follows:

Tracy Gallagher owns Gallagher Insurance Group in Southaven along with her husband, Joel. Believing in the importance of giving back to the community, Tracy knows that to whom much is given, much is required. Tracy serves as Vice Chairman for Apelah in Hernando. Apelah provides foster care for special needs children in Desoto County. She serves on the Corporate Volunteer Council with Volunteer North or Mississippi. She is also involved in several local networking organizations and volunteers at her children's schools. Tracy holds a marketing degree from the University of Memphis. She is a lifelong resident of Desoto County and graduated from Southaven High School. She and Joel have been

married for 22 years and have 3 children who attend Desoto County Schools. They are members of Cornerstone Church in Southaven.

Mayor Musselwhite explained that since Joel Gallagher is the City's current alderman for Ward 4, the City requested an opinion from the State Attorney General confirming that there is no conflict with her serving in this capacity. The fact that this position is purely voluntary makes this acceptable.

**AWARD RECOMMENDATION – MS VALLEY & SR 51 TRAFFIC SIGNAL IMPROVEMENTS**

Dan Cordell, City Consulting Engineer, presented this item to the Board.

Mr. Cordell explained that the City took bids for signal improvements on MS Valley and Hwy 51 to bring that signal into a modern state. Mr. Cordell stated that this is a MDOT signal and it has been permitted. Mr. Cordell requested to award the project to Desoto County Electric, the lowest and best bid, in the amount of \$189,855.55 and authorize Mayor Musselwhite to sign all related contract documents. Alderman Hale made the motion to accept the recommendation and authorized Mayor Musselwhite to sign all contract documents. Motion was seconded by Alderman Payne.

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 16<sup>th</sup> day of May, 2017.

A copy of the award recommendation letter and bid tabulation is attached to these minutes.

**WORK ORDER APPROVAL #9**

In relation to the MS Valley & Hwy 51 project, Mr. Cordell requested approval of work authorization No.009 to conduct the CE&I work at their contract hourly rate not to exceed \$25,000.00. Alderman Hale made the motion to approve the requested work authorization and authorized Mayor Musselwhite to sign the work authorization. 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 16<sup>th</sup> day of May, 2017.

A copy of the work authorization is attached to these minutes.

**AWARD RECOMMENDATION – CARRIAGE HILLS BICYCLE AND PEDESTRIAN IMPROVEMENTS**

Dan Cordell, City Consulting Engineer, presented this item to the Board.

Mr. Cordell stated that the City received bids on the Carriage Hills Bicycle and Pedestrian Improvements Project. The lowest and best bid with an alternate was received by Ferrell Paving, Inc. in the amount of \$351,731.45. This project will connect Rasco Road all the way up to Northwest Drive where the next Main Street pedestrian path will start and will connect the schools, neighborhood, and add connectivity down Main Street. Mr. Cordell requested approval to award the bid to Ferrell Paving, Inc. and authorization for Mayor Musselwhite to sign all related documents. Alderman Kelly made the motion to approve the bid and authorized Mayor Musselwhite to sign all documents for the project. 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 16<sup>th</sup> day of May, 2017.

A copy of the award recommendation letter and bid tabulation is attached to these minutes.

**WORK AUTHORIZATION FOR CE&I**

In relation to the Carriage Hills Bike & Pedestrian Project, Mr. Cordell requested approval of work authorization No. 008 to conduct the CE&I work at their contract hourly rate not to exceed \$42,000.00. Alderman Payne made the motion to approve the requested work authorization and authorized Mayor Musselwhite to sign the work authorization. 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 16<sup>th</sup> day of May, 2017.

A copy of the work authorization is attached to these minutes.

**RENEWAL OF TERM BID CONTRACTS FOR EXISTING ROAD REPAIR – CONTRACT CHANGE ORDER**

Dan Cordell, City Consulting Engineer, presented this item to the Board.

Mr. Cordell explained that the following contracts are term contracts, with options to extend for an additional year, for pavement related work that includes the seal coat, 1<sup>st</sup> & 2<sup>nd</sup> alternate for paving, and striping.

**RIVERSIDE TRAFFIC SYSTEMS, INC – TERM CONTRACT FOR ANNUAL PAVEMENT STRIPING & MARKINGS**

Mr. Cordell stated that this change order will extend the contract with Riverside Traffic Systems, Inc. for an additional one (1) year to include a 2.3% CPI index increase. Alderman Flores made the motion to approve the contract change and authorized Mayor Musselwhite to sign. 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 16<sup>th</sup> day of May, 2017.

A copy of the change order is attached to these minutes.

**VANCE BROTHERS, INC. TERM CONTRACT FOR ANNUAL PAVEMENT SURFACE TREATMENTS**

Mr. Cordell stated that this change order will extend the contract with Vance Brother's, Inc. for an additional one (1) year. There is not a cost increase other than fuel adjustments which are stated in the contract. Alderman Flores made the motion to approve the contract change order for one year and authorized Mayor

Musselwhite to sign all related contract documents. Motion was seconded by Alderman Payne.

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 16<sup>th</sup> day of May, 2017.

A copy of the change order is attached to these minutes.

LEHMAN-ROBERTS COMPANY – TERM CONTRACT FOR ANNUAL ASPHALT OVERLAYS

Mr. Cordell stated that this change order will extend the contract with Lehman-Roberts Company as the primary asphalt contractor for an additional (1) year term. Alderman Brooks made the motion to approve the contract change order and authorized Mayor Musselwhite to sign all related documents. Motion was seconded by Alderman Payne.

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 16<sup>th</sup> day of May, 2017.

A copy of the change order is attached to these minutes.

NORTH MISSISSIPPI DRIVEWAYS- TERM CONTRACT FOR ANNUAL OVERLAY INSTALLATION

Mr. Cordell stated that this change order will extend the contract with North MS Driveways for an additional (1) year term. Alderman Flores made the motion to approve the contract change order and authorized Mayor Musselwhite to sign all related documents. Motion was seconded by Alderman Gallagher.

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 16<sup>th</sup> day of May, 2017.

A copy of the change order is attached to these minutes.

**RENEWAL CONTRACT AMENDMENT WITH WASTE PRO**

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

Mr. Manley stated that this is the renewal amendment with Waste Pro that will extend the contract until April 30, 2018, at which point, ADSI and Waste Pro contracts will expire at the same time. The City can then accept proposals for both at that time. Mr. Manley requested authorization to extend the contract with Waste Pro pursuant to the original contract, which includes a price adjustment pursuant to the June CPI and the price adjustment will be reflected in the contract in July. Alderman Flores made the motion to approve the contract renewal with Waste Pro and authorized Mayor Musselwhite to sign the agreement. 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 16<sup>th</sup> day of May, 2017.

A copy of the contract amendment is attached to these minutes.

**RESOLUTIONS FOR SURPLUS FOR SOUTHAVEN POLICE DEPARTMENT & PUBLIC WORKS DEPARTMENT**

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

**SPD – SURPLUS**

Mr. Manley stated that this Resolution allows for the Southaven Police Department to surplus seized vehicles in accordance with MS Code 17-25-25.





Motion was made by Alderman Payne and seconded by Alderman Brooks, 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 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 16th day of May, 2017.

**RESOLUTION FOR INTUITIVE SURGICAL TAX EXEMPTION**

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

Mr. Manley explained that this is the standard exemption for real and personal property tax for Intuitive Surgical. It was approved by the County and approval was recommended by the Desoto Economic Council. Freeport Warehouse tax exemption was granted in December 2016, but this request is for real and personal property for a period of ten years. 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, GRANTING EXEMPTION FROM AD VALOREM TAXES FOR A TEN YEAR PERIOD TO INTUITIVE SURGICAL, INC. PURSUANT TO 27-31-101 ET SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED**

WHEREAS, Intuitive Surgical, Inc. (“Intuitive”) filed with the City of Southaven (“City”) for exemption from ad valorem taxation; and

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

in regard to the true value of the prayed for exemption and the completion date of said expanded enterprise; and

WHEREAS, the City Board finds as a fact that the property described in the aforesaid Application constitutes an expanded enterprise which was completed on the 6<sup>th</sup> day of June, 2016 and that Intuitive is entitled to the exemption sought for a period of ten (10) years for real property in the amount of \$35,700,000.00 and personal property in the amount of \$3,200,690.25 beginning on the 1<sup>st</sup> day of January, 2017, subject to approval and certification by the Mississippi Department of Revenue.

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

1. Based on Intuitive's application where it states that it will provide approximately sixty-five (65) new jobs by 2019 with an estimated annual payroll of \$4,100,000.00, the application for ad valorem tax exemption for Intuitive for ten (10) years for its new enterprise for real property in the amount of \$35,700,000.00 and personal property in the amount of \$3,200,690.25 beginning the 1<sup>st</sup> day of January, 2017 on the property described in the Application filed by Intuitive for tax exemption, be and the same is hereby approved for a period of ten (10) years.
2. That Intuitive is hereby granted a tax exemption on ad valorem taxes, except school district, parks and library taxes and the State mandated County levies, for real property in the amount of \$35,700,000.00 and personal property in the amount of \$3,200,690.25 for ten (10) years beginning January 1, 2017.

3. That the Clerk of this Board is hereby directed to spread a copy of this Resolution on the minutes of this Board; and that said Clerk shall forward the original Application and a certified copy of the transcript of this Resolution approving said Application to the Mississippi Department of Revenue for its approval and certification; and, that upon approval of this Application by the Mississippi Department of Revenue and the issuance of its certificate of approval, the Board of Alderman shall enter a Final Order on its minutes granting the exemption; and said Clerk shall also forward one (1) certified copy to the Tax Assessor of DeSoto County, Mississippi, and obtain the Certificate of said Tax Assessor stating that the personal property as itemized in the Application has been placed on the appropriate tax roll as “Non-Taxable”, except for school district, parks and library taxes and the “mandated levies” for the duration of the exemption period only.

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

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman 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 16<sup>th</sup> day of May, 2017.

**RESOLUTION FOR SANITATION ASSESSMENT**

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

Mr. Manley stated that this resolution allows for a sanitation assessment for unpaid sanitation fees. The Board of Alderman considered the following resolution:

**RESOLUTION FOR ASSESSING UNPAID SANITATION FEES**

**WHEREAS**, pursuant to Mississippi Code 21-19-1, the City of Southaven (“City”) operates and maintains a garbage and rubbish collection system; and

**WHEREAS**, pursuant to Mississippi Code 21-19-2 and the City ordinances, the City previously implemented a \$12.00 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 certain City residents pay the sanitation fee, 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 April 4, 2017 and April 18, 2017 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 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 Brooks moved that the foregoing Resolution be adopted. The motion was seconded by ALDERMAN Kelly. Upon the question being put to a vote, Members of the Board of Aldermen voted as follows:

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

RESOLVED AND DONE, this 16<sup>th</sup> day of May, 2017.

A list of addresses with unpaid sanitation fees is attached.

**RESOLUTIONS FOR MAYOR MUSSELWHITE TO SIGN AND EXECUTE DOCUMENTS FOR SNOWDEN GROVE BICYCLE AND PEDESTRIAN PATH PROJECT, GETWELL ROAD WIDENING PROJECT, AND NAIL ROAD EXTENSION PROJECT**

Whitney Choat-Cook, Planning Director, presented these items to the Board.

Mrs. Choat-Cook explained that the following three resolutions are a requirement from MDOT to get into the design stage for all three projects. After hearing from Mrs. Choat-Cook the Board of Alderman considered the following resolutions:

**GETWELL ROAD WIDENING**

RESOLUTION AUTHORIZING MAYOR DARREN MUSSELWHITE TO EXECUTE CONTRACTS AND SIGN DOCUMENTS ON BEHALF OF THE CITY OF SOUTHAVEN, MISSISSIPPI FOR THE GETWELL ROAD WIDENING PROJECT NUMBER STP-7861-00(006) LPA 107273-711000 CITY OF SOUTHAVEN, DESOTO COUNTY, MISSISSIPPI

Be it resolved on March 22, 2016, that the City of Southaven Board of Alderman activated the Getwell Road Widening Project, Project Number (“Project”) STP-7861-00(006) LPA 107273-711000 and authorized the Mayor to sign; and

Be it further resolved that the City desires to clarify and ratify its motion on March 22, 2016 and hereby re-affirms and authorizes the Mayor of Southaven, Darren Musselwhite, to execute and sign any and all documents and contracts on behalf of the City of Southaven for the Project.

On a motion by Alderman Flores and seconded by Alderman Gallagher, the motion to adopt the forgoing resolution passed this the 16th day of May, 2017.

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

**NAIL ROAD EXTENSION**

RESOLUTION AUTHORIZING MAYOR DARREN MUSSELWHITE  
 TO EXECUTE CONTRACTS AND SIGN DOCUMENTS  
 ON BEHALF OF THE CITY OF SOUTHAVEN, MISSISSIPPI  
 FOR THE NAIL ROAD EXTENSION PROJECT  
 NUMBER STP-9224-00(001) LPA 107536-701000  
 CITY OF SOUTHAVEN, DESOTO COUNTY, MISSISSIPPI

Be it resolved on September 20, 2016, that the City of Southaven Board of Alderman activated the Nail Road Extension, Project Number (“Project”) STP-9224-00(001) LPA 107536-701000 and authorized the Mayor to sign; and

Be it further resolved that the City desires to clarify and ratify its motion on September 20, 2016 and hereby re-affirms and authorizes the Mayor of Southaven, Darren Musselwhite, to execute and sign any and all documents and contracts on behalf of the City of Southaven for the Project.

On a motion by Alderman Gallagher and seconded by Alderman Ferguson, the motion to adopt the forgoing resolution passed this the 16th day of May, 2017.

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

**SNOWDEN GROVE BICYCLE & PEDESTRIAN PATH**

RESOLUTION AUTHORIZING MAYOR DARREN MUSSELWHITE  
 TO EXECUTE CONTRACTS AND SIGN DOCUMENTS  
 ON BEHALF OF THE CITY OF SOUTHAVEN, MISSISSIPPI  
 FOR THE SNOWDEN GROVE BICYCLE AND PEDESTRIAN PATH PROJECT  
 NUMBER 110921-110  
 CITY OF SOUTHAVEN, DESOTO COUNTY, MISSISSIPPI

Be it resolved on September 20, 2016, that the City of Southaven Board of Alderman activated the Snowden Grove Bicycle and Pedestrian Path Project, Project

Number STP-0499-00(004) LPA 107510-701000 (“Project”) and authorized the Mayor to sign; and

Be it further resolved that the City desires to clarify and ratify its motion on September 20, 2016 and hereby re-affirms and authorizes the Mayor of Southaven, Darren Musselwhite, to execute and sign any and all documents and contracts on behalf of the City of Southaven for the Project.

On a motion by Alderman Ferguson and seconded by Alderman Brooks, the motion to adopt the forgoing resolution passed this the 16th day of May, 2017.

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

#### **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: **3648 Swinnea Road, 8878 Little House 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 16, 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 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, May 16, 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: **3648 Swinnea Road, 8878 Little House 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 Kelly. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

<b>ALDERMAN</b>	<b>VOTED</b>
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 **16<sup>th</sup> day of May, 2017.**

**PLANNING AGENDA:**

No Planning Agenda

**MAYOR'S REPORT**

Police Department – Secretary of Defense Award

Mayor Musselwhite stated that the Southaven Police Department recently received an award from the Secretary of Defense for employer support of the Army Reserve. The award was received for being a patriotic employer for cooperation with the police force that serves our country in capacities in the military. Mayor Musselwhite expressed that he would like to commend Chief Steve Pirtle and the Police Department for their support.

Swearing In of New Board

Mayor Musselwhite explained to the Board of Alderman that the swearing in of the new board will fall on the July 4<sup>th</sup> holiday and they need to make a decision to have an event or be sworn in at the board meeting.

Tennis Center - Metal Building

Mayor Musselwhite stated that there is a metal building at the Tennis Center that has been there for many years and has its limitations on being used as a Pro Shop. Wes Brown, Parks Director, requested a task order up to \$5,000 for Urban Arch to make some proposals for what can be done with the building. Urban Arch will look at either amending the building or tear it down and rebuild something that is set up more for that purpose. Mayor Musselwhite requested approval for a task order from Urban Arch to submit that information to the City. Alderman Brooks made the motion to approve the task order with Urban Arch not to exceed \$5,000. Motion was seconded by Alderman Flores. Motion was put to vote and passed unanimously.

Mayor Musselwhite added that they will need to revisit park plans before moving forward with this project since they lost the revenue from Penny from Your Parks.

Tennis Director Position

Mayor Musselwhite stated that during his re-election campaign, the City received some criticism for hiring a tennis director and for the salary for the position. Mayor Musselwhite explained that if you are asking for someone to leave a current job to come and work for you, you have to pay them a salary that is competitive. Mayor Musselwhite stated that the market sets the salary not the City of Southaven. Mayor Musselwhite added that the new tennis operation will not only be a quality of life addition for our own citizens, but it will also be a revenue generator. Mayor Musselwhite expressed that although the expansion is a little over a month away from being completed; the new Tennis Director has already done \$2600 in tennis lessons in one month, which equates to \$31,200 per year. Mayor Musselwhite stated that we cannot be small minded if we want to do things that have never been done in the city before. Mayor Musselwhite stated that it was his promise in 2013 that he would run the city like a business. Any revenue that is generated by the city lessens the tax burden for citizens. Mayor Musselwhite stated that he was happy to report that before we even get started, we already have \$2600 in lesson revenue and in addition to the lesson revenue; there will be entry fees generate by tennis tournaments. Mayor Musselwhite stated that in year one the City will be in the black and making money that was never made before.

**CITIZEN’S AGENDA – ANDREW KIEPE, MEMPHIS GRIZZLIES**

Mr. Kiepe had a conflict and was not able to make it to this meeting.

**PERSONNEL DOCKET**

**Personnel Docket**  
May 16, 2017

Payroll Additions	Position	Department	Start Date	Rate of Pay
Moore, Elton	Mechanic	Public Works	5/17/2017	\$14.00

\*pending successful completion of pre-emp screenings

Payroll Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Crum, Tarah	P-2	P-3	05/29/2017	\$21.10
Parrott, Kristen	P-2	P-3	05/29/2017	\$21.10
Porter, Jonathan	FF II	FF III	05/11/2017	\$15.12
Rich, Joel	P-2	P-3	05/29/2017	\$21.10

Terminations / Resignations	Department	Position	Termination Date	Rate of Pay
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Name				
Janna Rogers	DFA	HR Director	05/26/2017	\$40.87
Joseph McPherson	Police	SGT	06/02/2017	\$21.90
Michael Reed	Police	SGT	06/15/2017	\$21.90
Edwin McCormick	Police	SGT	06/23/2017	\$21.90
Tim Wood	Police	LT	06/23/2017	\$25.80
Gary Pruet	Police	SGT	06/29/2017	\$21.90

Personnel Docket May 16, 2017

Part Time

City of Southaven Parks Department

2017

Payroll Additions	Position	Department	Start Date	Rate of Pay
<b>New Hires</b>				
Brandon Lawrence	412 Grounds	Parks	05/17/2017	\$7.25
Caroline N. McCafferty	412 Concessions	Parks	05/17/2017	\$7.25
Rayan McCafferty	412 Concessions	Parks	05/17/2017	\$7.25
Preston McClain	412 Grounds	Parks	05/17/2017	\$7.25
Alec Rayburn	412 Grounds	Parks	05/17/2017	\$8.00
Jeremyh Tamillo	412 Grounds	Parks	05/17/2017	\$7.25
<b>Rehires</b>				
Samuel Farris	411 Seasonal	Parks	05/17/2017	\$8.00
Nicole Rosenberg	411 Seasonal	Parks	05/17/2017	\$7.25

Adjustment	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
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**Discharged**

Joshua Brock	411 Seasonal	05/10/2017
Alyssa Bishop	412 Concessions	05/16/2017
Callie Hawkins	412 Concessions	05/16/2017
Savannah Hayden	412 Concessions	05/16/2017
Johnathon Crunk	412 Concessions	05/16/2017
Gary Harwood	412 Concessions	05/16/2017
Yerelsi Tello	412 Concessions	05/16/2017
Kaci White	412 Concessions	05/16/2017
Kaylyn Leake	412 Concessions	05/16/2017

**Terminations**

		Termination Date
Lee Apodaco	411 Seasonal	05/20/2017
Justin Heard	411 Seasonal	05/08/2017

Alderman Brooks made the motion to approve the Personnel Docket of May 16, 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**

Civil Link Contract Extension

Mr. Manley stated that this request will extend the contract with Civil Link until September 30, 2018. This is an amendment to their contract will add services to the scope of their general services which will have a fee increase. Alderman Flores made the motion to authorize Mayor Musselwhite to sign amendment No.2 to Civil Link’s contract from their master agreement in 2014. 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 16<sup>th</sup> day of May, 2017.

A copy of the amendment is attached to these minutes.

Butler Snow Authorization

Mr. Manley stated that this request will authorize Butler Snow to work with Chris Wilson, City Administrator, on the lease purchase of police vehicles with Trustmark Bank for an amount not to exceed \$5,000. Alderman Flores made the motion to approve legal counsel from Butler Snow to assist with the lease purchase of police vehicles. Motion was seconded by Alderman Gallagher.

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 16<sup>th</sup> day of May, 2017.

A copy of the agreement is attached to these minutes.

**CLAIMS DOCKET**

A motion was made by Alderman Payne to approve the Claims Docket of May 16, 2017 in the amount of \$ 1,503,617.23. Motion was seconded by Alderman Flores.

**Excluding voucher numbers:**

280168, 280172, 280192, 280226, 280239, 280246, 280288, 280329, 280371, 280525, 280662, 280744, 280856, 281044

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 16th day of May, 2017.

Alderman Ferguson recused himself and left the room.

A motion was made by Alderman Payne to approve the Special Claims Docket of May 16, 2017 in the amount of \$129,288.20. Motion was seconded by Alderman Flores.

Roll call was as follows:

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

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 16<sup>th</sup> day of May, 2017.

Alderman Ferguson then returned to the room.

**EXECUTIVE SESSION:**

A copy of the executive session minutes are maintained in the City Clerk's Office.

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Ferguson to adjourn. Motion was seconded by Alderman Gallagher. Motion was put to a vote and passed unanimously, May 16, 2017 at 7:55 p.m.

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Darren Musselwhite,  
Mayor

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Andrea Mullen,  
City Clerk

(Seal)