

Minutes, City of Southaven, Southaven, Mississippi



**MEETING OF THE MAYOR AND BOARD OF ALDERMEN
SOUTHAVEN, MISSISSIPPI
CITY HALL
July 17, 2018
6:00 p.m.
AGENDA**

1. **Call To Order**
2. **Invocation**
3. **Pledge Of Allegiance**
4. **Approval of Minutes: July 3, 2018**
5. **Resolution for Final Tax Exemption for Fiskars, Inc.**
6. **Authorization to Advertise for Budget Hearing and Adoption**
7. **UrbanArch Contract**
8. **Task Order 13 for Parks Maintenance Shop**
9. **Task Order 14 for Greenbrook Softball Complex Indoor Training Facility**
10. **Resolution to Clean Private Property**
11. **Planning Agenda: Item #1 Application by Hutton Group, LLC for site design approval of a Chipotle/Aspen Dental building on the northwest corner of Airways Blvd. and Goodman Road**
12. **Mayor's Report**
13. **Citizen's Agenda**
14. **Personnel Docket**
15. **City Attorney's Legal Update**
16. **Claims Docket**
17. **Executive Session: Public Works Personnel**

**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 July 17, 2018 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 17th day of July, 2018 at six o'clock (6:00) p.m. at City Hall.

Present were:

William Brooks	Alderman At Large / Mayor Pro Temp
Kristian Kelly	Alderman, Ward 1
Charlie Hoots	Alderman, Ward 2
George Payne (By Teleconference)	Alderman, Ward 3
Joel Gallagher	Alderman, Ward 4
John David Wheeler	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Mayor Musselwhite was absent therefore Alderman Brooks served as Mayor Pro-Tempore and Nick Manley, City Attorney was absent.

Also present were Andrea Mullen, City Clerk, Pam Pyle, Deputy City Clerk, and Tommie Cardin, Attorney with Butler Snow. Approximately ten (10) other people were present.

Mayor Pro Temp, William Brooks called the meeting to order. Alderman Gallagher led in prayer, followed by the Pledge of Allegiance led by Alderman Wheeler. Next, a motion was made by Alderman Kelly to approve the minutes of the regular meeting of July 3, 2018 with any corrections, deletions, or additions necessary. Motion was seconded by Alderman Wheeler. Motion was put to a vote and passed unanimously.

RESOLUTION FOR FINAL TAX EXEMPTION FOR FISKARS, INC.

Mayor Pro Temp, William Brooks presented this item to the Board.

Mayor Pro Temp Brooks stated that at the last board meeting, the Board approved a personal property tax exemption in the amount of \$688,351.00 for five (5) years. The Mississippi Department of Revenue has now approved it and this resolution will allow for final approval. After hearing from Mayor Pro Temp Brooks, the Board considered the following resolution:

FINAL RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING APPLICATION OF FISKARS BRANDS, INC. FOR EXEMPTION FROM AD VALOREM TAXATION

The Board took up for consideration the matter of granting tax exemption from ad valorem taxes for Fiskars

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Brands, Inc. ("Fiskars") the following Resolution, being first reduced to writing, was introduced.

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI,
GRANTING FINAL APPROVAL OF AD VALOREM TAX
EXEMPTION TO FISKARS BRANDS, INC.**

WHEREAS, heretofore, Fiskars is authorized to do business and doing business in Southaven, DeSoto County, Mississippi, filed with the Mayor and Board of Aldermen of the City of Southaven, Mississippi, an application for exemption from ad valorem taxes, except school district, parks and library taxes and the State mandated County levies, for a period of five (5) years on personal property in the amount of \$688,351.00 which said application was approved by the Mayor and Board of Aldermen of the City of Southaven, Mississippi, subject to the approval of the Department of Revenue of the State of Mississippi; and

WHEREAS, on the 9th day of July, 2018, the Department of Revenue of the State of Mississippi approved said application as attached hereto as Exhibit A; and

WHEREAS, a copy of the aforesaid Department of Revenue's approval has been received by the Mayor and Board of Aldermen of the City of Southaven, Mississippi and recorded in its minutes.

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NOW, THEREFORE, in consideration of the premises, the Mayor and Board of Aldermen of the City of Southaven, Mississippi, do hereby finally approve said application for ad valorem tax exemption, except school district, parks and library taxes and the State mandated County levies, for a period of five (5) years on personal property in the total amount of \$688,351.00 from and after January 1, 2018.

The foregoing Resolution granting to Henry tax exemption made on motion by Alderman Flores and seconded by Aldermen Kelly, and that the following vote was taken on this action:

Alderman Kristian Kelly	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman John Wheeler	YES
Alderman Raymond Flores	YES
Alderman Charlie Hoots	YES

RESOLVED AND DONE this the 17th day of July, 2018.

A copy of the application is attached to these minutes.

AUTHORIZATION TO ADVERTISE FOR BUDGET HEARING AND ADOPTION

Mayor Pro Temp, William Brooks presented this item to the Board.

Mayor Pro Temp Brooks stated that this will give authorization to publish the budget notice for the hearing and adoption. The notice for the hearing and adoption will run on August 7, 14, 21, 28 and the hearing will be on August 21 and adoption is anticipated to be on September 4. They will be advertised in *The Commercial Appeal* and *Desoto Times*. Alderman Gallagher made the motion to authorize the budget hearing and adoption advertisement. Motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously.

A copy of the advertisement is attached to these minutes.

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URBANARCH CONTRACT

Mayor Pro Temp, William Brooks presented this item to the Board.

Mayor Pro Temp Brooks stated that in 2014, the Board approved a contract with Urban Arch as a master contract. As part of the contract, task orders would be entered into for different city projects. The current master contract has expired and the attached contract is the same contract that was previously approved except with a slight increase in the rates for "additional services." The additional services are not part of the task orders and are only allowed if authorized by the city. Alderman Gallagher made the motion to approve the UrbanArch contract. Motion was seconded by Alderman Wheeler.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman John David Wheeler	YES
Alderman Raymond Flores	YES

Having received a majority of affirmative votes, the Mayor Pro Temp declared that the motion was carried and approved on this the 17th day of July, 2018.

A copy of the contract is attached to these minutes.

TASK ORDER # 13 FOR PARKS MAINTENANCE SHOP

Mayor Pro Temp, William Brooks presented this item to the Board.

Mayor Pro Temp Brooks stated that this task order ties back to the master contract. This task order will authorize Urban Arch to design, assist with bidding, and oversee construction for a parks maintenance shop on Freeman Lane. This construction will only be done in the event that Getwell Land and Parks Building is sold. In the event that the property and building are sold, the design will be complete for a new maintenance building. Alderman Wheeler made the motion to approve task order #13. Motion was seconded by Alderman Kelly.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman John David Wheeler	YES
Alderman Raymond Flores	YES

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Having received a majority of affirmative votes, the Mayor Pro Temp declared that the motion was carried and approved on this the 17th day of July, 2018.

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

TASK ORDER # 14 FOR GREENBROOK SOFTBALL COMPLEX INDOOR TRAINING FACILITY

Mayor Pro Temp, William Brooks presented this item to the Board.

Mayor Pro Temp Brooks stated that this task order also ties back to the master contract. This task order will authorize Urban Arch to design, assist with bidding, and oversee construction for the Indoor Hitting and Pitching Training Center at Greenbrook Softball Complex. Alderman Flores made the motion to approve task order #14. Motion was seconded by Alderman Hoots.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman John David Wheeler	YES
Alderman Raymond Flores	YES

Having received a majority of affirmative votes, the Mayor Pro Temp declared that the motion was carried and approved on this the 17th day of July, 2018.

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

RESOLUTION TO CLEAN PRIVATE PROPERTY

Mayor Pro Temp, William Brooks introduced the cleaning of property and asked if there were any comments from the Board and there were none. Mayor Pro Temp Brooks then asked for any comments from the public and there were 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:

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- 791 Valley Springs Dr
- 375 Bainbridge Pl
- 918 Charter Oak Dr
- 533 Lake Shore Dr S
- 8849 Cat Tail Cv
- 5780 Carrel Cv
- 8161 Booneville Dr
- 8243 Caprock Cv
- 7660 Gallant Fox CV
- 1676 Custer Dr
- 1865 Pecan Grove Dr

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, July 17, 2018**, 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, July 17, 2018**, 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:

- 791 Valley Springs Dr
- 375 Bainbridge Pl
- 918 Charter Oak Dr
- 533 Lake Shore Dr S
- 8849 Cat Tail Cv
- 5780 Carrel Cv
- 8161 Booneville Dr
- 8243 Caprock Cv
- 7660 Gallant Fox CV
- 1676 Custer Dr
- 1865 Pecan Grove Dr

is deemed in the existing condition to be a menace to the public health and safety of the community.

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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 Kelly 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 Kristian Kelly	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman John Wheeler	YES
Alderman Raymond Flores	YES
Alderman Charlie Hoots	YES

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the 17th day of July, 2018.

PLANNING AGENDA:

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

Item #1 Application by Hutton Group, LLC for site design approval of a Chipotle/Aspen Dental building on the northwest corner of Airways Blvd. and Goodman Road

Mrs. Choat-Cook stated that this is a two-fold project that will start with the site design and then elevation design at the hard northwest corner of Airways and Goodman Road. This proposal is to demo that site as they have found another location further east. In turn, the applicant will build a two bay building on the site for Aspen Dental and Chipotle. Mrs. Choat-Cook explained that MDOT came through some time ago with a road project and had a lot of right of way acquisition on this hard corner. There were a few variances allowed due to MDOT pertaining to landscape, streetscape and parking stall dimensions due to the Goodman Road Project. The site plan that is being approved at this meeting is compliant with the exception of the runoff, parking stall dimensions, and buffer, which has been addressed. Mrs. Choat-Cook stated that approval is recommended with two exceptions:

1. Use decorative lighting
 2. Carry the wainscot around the entire building
- Mrs. Choat-Cook stated that the applicant agreed to all of the changes. Alderman Gallagher made the motion to approve the application by Hutton Group, LLC subject to the changes/exceptions regarding the use of decorative lighting and carrying the wainscot around the building. Motion was seconded by Alderman Wheeler.

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Roll call was as follows:

ALDERMAN	VOTED
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman John David Wheeler	YES
Alderman Raymond Flores	YES

Having received a majority of affirmative votes, the Mayor Pro Temp declared that the motion was carried and approved on the 17th day of July, 2018.

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

MAYOR'S REPORT

Dizzy Dean World Series

Mayor Pro Temp Brooks stated that the Dizzy Dean World Series is in town for the next three (3) weeks. There will be over 192 teams in town and they have estimated that over 80% of those teams will be staying in our hotels and will provide a significant economic impact for the City.

FEMA Fire Safety Grant

Mayor Pro Temp stated that authorization is needed to accept the FEMA Fire Safety Grant for the exhaust capture systems for Fire Station #3 and #4. Mayor Pro Temp Brooks stated that this is a 90/10 grant with a total cost of \$87,830 with the City match of 10% in the amount of \$8,783.00. Alderman Flores made the motion to authorize the FEMA Fire Grant Application. Motion was seconded by Alderman Wheeler. Motion was put to vote and passed unanimously.

CITIZEN'S AGENDA

No Citizen's Agenda

PERSONNEL DOCKET

Personnel Docket

July 17, 2018

<u>Payroll Additions</u>	<u>Department</u>	<u>Position Title</u>	<u>Start Date</u>	<u>Rate of Pay</u>
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John Canady	Public Works	Laborer	TBD	\$12.00
William Carhuff **	Planning/Engineering	Code Enforcement Officer	TBD	\$14.00

*pending 1 pre-emp screening
 ** pending 2 pre-emp screenings

Pay Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
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Stipend	Type of Stipend	Effective Date	Yearly Amount
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Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Tomas Aguilar	Police	Sgt. Police Dept	7/31/2018	\$22.86
Melvin Cole	Parks	Supervisor	7/31/2018	\$18.06
Rachel Wallace	Fire	EMT/Paramedic	7/30/2018	\$18.26

Parks Dept Tournament (412) & Seasonal (411) Personnel Docket
 July 17, 2018

New Hires

<u>Payroll Additions</u>	<u>Position</u>	<u>Start Date</u>	<u>Rate of Pay</u>
Grace Pendergrass	Tournament Concessions	07/18/2018	\$7.25
Courtney Young	Tournament Concessions	07/18/2018	\$7.25

Retirees

<u>Payroll Additions</u>	<u>Position</u>	<u>Start Date</u>	<u>Rate of Pay</u>
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Adjustments

Pay Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Taylor Williams	Tournament Concessions	Tennis Cook	07/18/2018	\$8.00

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Terminations

<u>Name</u>	<u>Position</u>	<u>Effective Date</u>	<u>Rate of Pay</u>
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Alderman Kelly made the motion to approve the Personnel Docket of July 17, 2018 as presented to this Board. Motion was seconded by Alderman Wheeler. The motion was put to vote and passed unanimously.

CITY ATTORNEY'S LEGAL UPDATE

No Legal Update

CLAIMS DOCKET

A motion was made by Alderman Flores to approve the Claims Docket of July 3, 2018 in the amount of \$2,549,009.22. Motion was seconded by Alderman Kelly.

Excluding voucher numbers:

304397, 304497, 304566, 304670, 304752, 304759, 304789, 304953, 304961, 304978, 305037, 305039, 305073, 305085, 305134, 305135, 305136, 305140, 305141

Roll call was as follows:

ALDERMAN	VOTED
Alderman Kristian Kelly	YES
Alderman Charlie Hoots	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman John David Wheeler	YES
Alderman Raymond Flores	YES

Having received a majority of affirmative votes, the Mayor Pro Temp declared that the motion was carried and approved for payment on the 17th day of July, 2018.

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 Kelly to adjourn. Motion was seconded by Alderman Wheeler. Motion was put to a vote and passed unanimously July 17, 2018 at 6:22 p.m.

Darren Musselwhite,
Mayor

Andrea Mullen,
City Clerk
(Seal)