

MINUTE SUMMARY
JANUARY 17, 2023

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BE IT REMEMBERED that the Mayor and Board of Aldermen of the City of Olive Branch met in regular session, January 17, 2023 at 6:30 o'clock p.m., in the Municipal Court Room at 6900 Highland Street.

AGENDA

Mayor Adams called the regular meeting to order at 6:30 o'clock p.m.

Alderman Earhart had the opening prayer. Mayor Adams led the Pledge of Allegiance.

ROLL CALL (Establish Quorum):

The City Clerk called roll to establish quorum with the following members present to wit: Mayor Kenneth R. Adams, Alderwoman Jan Aldridge, Alderman George Collins, Alderman Dale Dickerson, Alderman Gil Earhart, Alderwoman Pat Hamilton, Alderwoman Joy Henderson and Alderman David Wallace. These members constitute a quorum. Also present were Tena Stewart, City Clerk and Bryan Dye, City Attorney.

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held January 3, 2023, approved as presented, motion carried unanimously.

ANNOUNCEMENTS:

1. The Mayor and Board of Aldermen presented Mr. Jason Bowlan, retiring Chairman of the Board of Zoning Adjustment, with a Certificate of Recognition honoring his years of loyal and faithful service to the City of Olive Branch.
2. Mayor Adams gave an update on the ongoing Streetlight Retrofit project indicating Northcentral has replaced 4,650 fixtures and this phase of the project is now complete. Northcentral is currently working on the next phase of the project adding 445 street lights to the newly annexed area.
3. Next Mayor Adams presented the Board with an eight (8) page list of 2022 Calendar Year Accomplishments provided by departmental directors.

CONSENT AGENDA:

Items on Consent Agenda approved as presented, motion carried unanimously. Consent Agenda items as follows:

1. Travel/Training *Approved*

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2. Authorize the Mayor and City Clerk to make transfers from the Water Sewer Fund to the Water Sewer Bond Debt Service Fund for annual Pay Agent Fees.

Water Sewer Fund to Water Sewer Bond Debt Service Fund - \$1,940.00
Authorized

3. Authorize annual payment to Broadcast Music Incorporated (BMI) as relates to the public performance of music in various municipal settings such as parades, holiday events, community festivals, inaugurations, and dignitary visits.
Authorized

4. Approve contribution of \$1,000.00 in support of scholarship program being established by the Olive Branch Alumni Association with the specific finding that said expenditures will advertise and promote the City of Olive Branch.
Approved

5. Authorize the City of Olive Branch to renew annual software agreement with All Traffic Solutions for traffic board software and pay all associated costs. *Authorized*

6. Authorize the City of Olive Branch to renew annual support and maintenance agreement with Dex Imaging for Formax FD2054 folder sealer and pay all associated costs. *Authorized*

7. Approve Final Change Order No. 4 on contract with Lehman-Roberts Company in the deductive amount of (\$0.54) decreasing the contract amount from \$2,199,345.56 to \$2,199,345.02; accept project as complete; and authorize Final Payment No. 4 in the amount of \$265,435.73 including retainage for the project referred to as Runway 18-36 Rehabilitation.
Approved, accepted and authorized

8. Authorize annual payment to American Society of Composers, Authors, and Publishers (ASCAP) as relates to the public performance of music in various municipal settings such as parades, holiday events, community festivals, inaugurations, and dignitary visits. *Authorized*

9. Authorize expenditures up to \$750.00 for the 2023 Spring Citizens Police Academy, with the specific finding the expenditure will advertise and promote the City of Olive Branch. *Authorized*

10. Authorize the City of Olive Branch to accept a donation of \$14.25 designated for the Wesson House from multiple people in attendance at the Christmas tree lighting. *Authorized*

11. Accept Advance Electric Company as the lowest and best quote for Fire Station 1 generator installation and pay all associated costs. *Accepted*

12. Authorize expenditures in the amount of \$14.90 for appreciation plaques to be presented to two (2) Olive Branch community families, with the specific findings that the expenditure will advertise and promote the City of Olive Branch. *Authorized*

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13. Approve payment to the Desoto County Economic Development Council for annual membership dues and Career Expo Sponsorship with the specific finding that such expenditures will advertise and promote the opportunities and possibilities within the City of Olive Branch. *Approved*
14. Accept Chief Financial Officer's report on emergency declared December 23, 2022 relative to the delay caused by the bidding process and authorize the documentation of said report in minutes for this meeting. *Accepted and authorized*
15. Authorize execution of Work Order No. 8 with Garver, LLC for engineering and grant management services related to the FY 2023 AIP Grant. *Authorized*
16. Authorize execution of Work Order No. 9 with Garver, LLC for engineering and grant management services related to the FY 2023 Airport Infrastructure Grant. *Authorized*
17. Declare as surplus the following items with a Fair Market Value over \$1000.00 and grant authorization to advertise for sale at public auction on GovDeals.com in accordance with M.C.A. 17-25-25 and authorize necessary amendment to the fixed asset inventory.

POLICE DEPT.

002691 2005 Ford Crown Vic #241 s/n ZFAFP71W95X134697
005266Z 2013 Chevy Tahoe K-9 #13200 s/n 1GNLC2E06DR270898
003369 2008 Ford F-350 Truck #214 s/n 1FTWW30Y38EC95755

FIRE DEPT

004183 2002 Ford F350 #135 s/n 1FTSW31F52EB59596
Truck Bed

PARK AND REC

003554 331G Mini Excavator #600 s/n AACs11206
002693 2000 Chevrolet C3500 #417 s/n 1GCGC34R9YR226853

MAINTENANCE SHOP

002817 Col-Met Spray Booth s/n TSC1616-44-PSB
001357 1985 Panel C-30 #422 s/n 2GBHG31MXF4134032

GAS MAINT.

002440 2004 Ford E250 Cargo Van #544 s/n 1FTNE24W74HA73567
Declared and authorized

18. Declare as surplus the following items with a Fair Market Value of \$0 and grant authorization to dispose of or recycle in accordance with M.C.A 17-25-25 and authorize necessary amendment to the fixed asset Inventory if needed.

IT DEPT.

VT520-C6 DEC Terminal s/n NY91004309
Nortel Media Gateway 1000 Cabinet s/n NNTMENM0GpVW
Nortel Media Gateway 1000 Cabinet s/n NNTMENM0Gw97
Nortel Media Gateway 1000 Cabinet s/n NNTMENM0GLMD
Secure Router 1001 s/n 100103C9D9300331
Linksys Workgroup Switch EZXS88W s/n RA360H707698

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Linksys Workgroup Switch EZXS88W s/n RA360H707692
Cryptical Services Management Device s/n 22204U-BNSASXX
Minuteman Power UPS Device s/n E150PRM2U
Minuteman Power Battery Device s/n EBP36XL

POLICE DEPT.

Safran Fingerprint Machine s/n MAD097001484
003757 Zebra Barcode Printer s/n 41J091005942

GENERAL SERVICES

003258 Black & Decker 18v Reconditioned Drill s/n 200515BM
Black & Decker 18v Reconditioned Drill
Black & Decker Firestorm Set
Makita ½ Cordless Hammer Drill s/n 146094
Makita 18v Cordless Hammer Drill s/n 35631A
Makita 18v Saw Zall s/n 565256
Declared and authorized

19. Declare as surplus the following items with a Fair Market Value under \$1000.00 and grant authorization to advertise for sale at public auction on GovDeals.com in accordance with M.C.A. 17-25-25.

SANITATION DEPT.

Truck Bed
Declared and authorized

20. Approve donation of park facility use for The Arc Northwest Mississippi and The DeSoto County Dream Center. *Approved*
21. Authorize the City of Olive Branch to advertise and seek bids for the City of Olive Branch Walking Trail Improvements project. *Authorized*
22. Authorize the City to seek quotes from local depositories to serve as the City's Depository for Special and Surplus Funds. *Authorized*

PLANNING COMMISSION / OLD BUSINESS:

1. Public Hearing for consideration of application to Amend the Project Text and Development Plan for The Preserve at Cedar Bluff, submitted by Henry Porter, W.H. Porter Consultants, PLLC on behalf of Property Owner Michaelle Terhune, Cedar Bluffs Properties, LLC. The request is to adjust the front & rear yard setbacks for the townhouse portion of the project and to reduce the minimum living square footage of the homes from 2,200 to 2,000 on 16 of the 50 single family lots. The 40.23 +/--acre subject property is zoned PUD, Planned Unit Development District and is located just south of HWY 78, north of Lafayette and French Fort Drives and just east of April Springs Drive. (File# ZP22-0025) *Public Hearing set for this date in meeting of December 20, 2022. Approved, motion carried unanimously.*

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PLANNING COMMISSION / NEW BUSINESS:

1. Planning Commission Consent Items:

Items on Planning Commission Consent Agenda approved as presented, motion carried unanimously. Planning Commission Consent Agenda items as follows:

- a. Approve application for a Revision to Holiday Industrial Park, Section D, submitted by Bob Farley, Farley Surveying, on behalf of David Couch, Memphis Executive Jet Center, LLC, Property Owner. The request is to combine Lots 65-68 into a single 5.63 +/-acre Lot 65. The subject property is zoned M-2, Heavy Industrial and is located at the eastern end of High Point Cove and west of the airport, known as 11200 High Point Cove. (File# SD22-0067) *Approved*
 - b. Approve application for a Plat Revision for the 2nd Revision of American Veterans Restoration, submitted by Bob Farley, Farley Surveying, on behalf of Jonathan Strausser, American Veteran's Restoration, Property Owner. The request is to revise the lot lines between Lot 1 & Lot 2, to increase Lot 1 from 1.63 +/-acres to 1.86 +/-acres and to decrease Lot 2 from 1.86 +/-acres to 1.63 +/-acres. The subject property is zoned C-3, General Commercial District, and is located on the north side of Railroad Ave, just west of Goodman Road E, known as 9320 Railroad Ave. (File# SD22-0068) *Approved*
 - c. Approve application for a Final Plat for Santos 1 Lot Subdivision, submitted by Ben Smith, IPD LLC on behalf of Marvin Santos and Adelia Hernandez, Property Owners. The request is to create a single residential lot of 9.34 +/-acres. The subject property is zoned A-R, Agricultural-Residential, and is located on the south side of Stateline Road between Joy Lynn Cove & Germantown Road. (File# SD22-0070) *Approved*
2. Consideration of application for a Final Plat for Preserve at Cedar Bluff, Phase 2, submitted by W.H.Porter on behalf of Property Owner Michaelle Terhune, Cedar Bluffs Properties, LLC. The request is to subdivide 8.784 +/-acres into 21 lots and one common open space. The subject property is zoned R-3, Planned Residential District, and is located south of HWY 78 and April Springs Drive. (File# SD22-0060) *Approved, motion carried unanimously.*
3. Consideration of application for a Final Plat for The Townhouses of The Preserve at Cedar Bluff Subdivision, Phase 1, submitted by Greg Campbell, W. H. Porter Consultants, PLLC, on behalf of the Property Owner, Astoria Development, LLC. The request is to subdivide 6.649 +/-acres into 32 lots for the construction of townhouses, two common open spaces, and private streets. The property is located on the north end of Chatelet Drive and south of HWY 78 within the R-3, Planned Residential District (File# SD22-0052) *Approved, motion carried unanimously.*
4. Consideration of application for the Preliminary Plat for Funderburk Planned Unit Development, Area 5, submitted by

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Byron Houston, Houston Engineering on behalf of Church-Craft Road Express LLC, and Funderburk Family, LP, Property Owners. The request is to create four preliminary Commercial subdivision lots on 9.19 +/-acres. The subject property is zoned PUD, Planned Unit Development, and is located at the NE corner of Craft Road and Church Road, and south of Lick Creek. (File# SD22-0046) *Approved, motion carried unanimously.*

5. Consideration of application for a Preliminary Plat for Fox Creek Commercial Subdivision submitted by Ben Smith, IPD LLC on behalf of Ibrahim Babukr, Property Owner. The request is to create 4 Commercial lots from 7.91 +/-acres. The subject property is zoned PUD, Planned Unit Development, and is located on the north side of HWY 302, from just west of Creek Side Drive to just east of Fox Creek Drive. (File# SD22-0069) *Approved, motion carried unanimously.*

6. Consideration of application for a Final Plat for the Russell Fox 2 Lot Subdivision, submitted by Uriel Salas, United Real Estate Mid-South, on behalf of Russell & Marg Fox, Property Owners. The request is to divide 6.86 +/-acres into 2 residential lots. The subject property is zoned A-R, Agricultural-Residential, and is located on the north side of Dunn Lane, between 7560 and 7600 Dunn Lane. (File# SD22-0071) *Approved, motion carried unanimously.*

OLD BUSINESS:

1. Consideration of bids opened January 9, 2023 for 2023 Police Department Uniforms and Equipment. *Accepted bid of Midsouth Solutions, motion carried unanimously.*

NEW BUSINESS:

1. Consideration of recommendation to approve an LPA Professional Services contract with HDR Engineering, Inc. at an hourly rate billed at actual cost estimated at \$34,000.00, for CE&I services relative to replacement of 17 FEMA emergency notification devices. *Approved, motion carried unanimously.*

2. Consideration of recommendation to approve a Professional Service Contract with Neel-Schaffer at an hourly rate and not-to-exceed \$135,725.00 for engineering services associated with the extension of an upgrade gravity sewer line north of Lick Creek. *Approved, motion carried unanimously.*

EXECUTIVE SESSION:

1. Personnel matter in the Concession Department *Consideration of recommendation for potential new hire. Hired one (1) new employee, motion carried unanimously.*

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2. Personnel matters in the Police Department
 - a. *Consideration of recommendation for potential new hire.
Hired one (1) new employee, motion carried unanimously.*
 - b. *Consideration of request for voluntary demotion.
Authorized voluntary demotion for one (1) employee, motion carried unanimously.*
3. Personnel matter in the Street Department
*Consideration of recommendation for potential new hire.
Hired one (1) new employee, motion carried unanimously.*
4. Personnel matters in the Gas Maintenance Department
 - a. *Consideration of recommendation for potential new hire.
Hired one (1) new employee, motion carried unanimously.*
 - b. *Consideration of recommendation for employee disciplinary action.
Authorized suspension of one (1) employee for one (1) day without pay, motion carried unanimously.*
5. Acquisition/Disposition of Property - discussion with City Attorney - M.C.A. 25-41-7(4) (g).

TVA - Tabled til meeting of February 21, 2023, motion carried unanimously.

Mt. Pisgah - Approved to make just compensation offer, motion carried unanimously.

Hartledge Property - Approved to make just compensation offer, motion carried unanimously.

CLAIMS DOCKETS:

1. Warrant report #01172023, dated 01/13/2023, 266 invoices totaling \$1,454,158.98.
Approved for payment, motion carried unanimously.
2. Warrant report #011723NC, dated 01/12/2023, 2 invoices totaling \$166,488.44.
Approved for payment, motion carried unanimously.
3. Warrant report #011723UT, dated 01/12/2023, 30 invoices totaling \$3,296.76.
Approved for payment, motion carried unanimously.
4. Warrant report #011723AT, dated 01/17/2023, 4 invoices totaling \$9,442.81.
Approved for payment, motion carried unanimously.
5. Warrant report #011823FX, dated 01/17/2023, 1 invoice totaling \$23.16.
Approved for payment, motion carried unanimously.
6. Warrant report #01182023, dated 01/17/2023, 95 invoices totaling \$2,660,164.57.
Approved for payment, motion carried unanimously.