

**MINUTES OF THE REGULAR MEETING OF THE MAYOR
AND BOARD OF ALDERMEN OF THE CITY OF OLIVE BRANCH
SEPTEMBER 5, 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, September 5, 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 August 15 2023, approved as presented, motion carried unanimously.

PUBLIC COMMENTS:

1. Ms. Iris Ferguson and Ms. Teresa Williams representing the Lyon's Gate Homeowner's Association, and resident Mr. Ransom Williams addressed the Board. Concerns addressed included speeding on Stateline Road, street repairs on Stateline Road and within the gated community of Lyon's Gate and drainage issues from Tennessee. A discussion ensued regarding the various concerns. Mayor Adams indicated COO Todd Ondra will prepare a recap letter for Lyon's Gate Subdivision, and City Engineer Andy Swims will contact the City of Memphis regarding issues of concern on Tennessee side.

ANNOUNCEMENTS:

1. Mayor Adams and the Board of Aldermen presented AutoCAD Technician Malinda Caygle with a privately funded monetary recognition her willingness to go the extra mile for her colleagues by showing thoughtfulness, consideration, support and consistently demonstrating her commitment to the team's success.
2. Mayor's Adams highlighted the upcoming "Bucking in the Branch" Rodeo on September 16, and Touch a Truck on September 23.

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3. Mayor Adams noted completion of Walking Trail Improvements in City Park.
4. Mayor Adams presented to the Board, COO's Updates for the month of August.
5. Mayor Adams and Board of Aldermen presented Jason May, CFO a gift card as a token of appreciation of the long hours spent on the 2023-2024 budget preparation.

CONSENT AGENDA:

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

1. Travel/Training *Approved*
2. Authorize the Mayor and City Clerk to make necessary fund transfers to reconcile due to-due from through August 30, 2023. *Authorized*
3. Authorize the City Clerk to make the following transfers from Water & Gas Fund to the General Fund for certain services through August 30, 2023.

General Fund	\$369,613.00
Gas Fund (45652)	\$189,902.00
Water Fund (40650)	\$179,711.00

Authorized

4. Appoint various employees as deputy clerks for the purpose of receiving and distributing funds and attending training. *Appointed*
5. Declare one (1) 2007 Ford Crown Vic (#289) VIN# 2FAFP71W07X130704 as surplus, authorize the sale of same to the Town of Lambert for the amount of \$1.00 in accordance with M.C.A. 31-7-13 and authorize necessary amendment to the fixed asset inventory. *Declared and authorized*
6. Retire K-9 Zak2 from the Police Department in accordance with M.C.A. 17-25-25 and authorize necessary amendment to the fixed asset inventory.

POLICE DEPT

010625

Retired and authorized

7. 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 DEPARTMENT

010298 Wyse Thin Client s/n JKMH72

010418 Wyse Thin Client s/n 9FQ9V72

010314 Wyse Thin Client s/n 71L0W72

003610 HP M2727NF Printer s/n CNC87BK0DK

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-----Lexmark MC2535 s/n CCAI18F10040T4
-----Brother HL-L6200dw s/n U64180D6N256376
-----Brother MFC-9330cdw s/n U63480L6J776320
-----Brother HL-6180dw s/n U63083H4N796401
-----In Motion Cell Modem s/n J140112K2457
----- In Motion Cell Modem s/n 0024E600503D
-----In Motion Cell Modem s/n 0024E60047CE
-----In Motion Cell Modem s/n J140112K3129
Declared and authorized

8. Authorize the City of Olive Branch to accept a donation of two (2) first aid kits and one (1) 9-foot umbrella from Olive Branch Home Depot designated for the Olive Branch Police Department. *Authorized*
9. Authorize the City of Olive Branch to accept a donation of a Maven RF.1 Rangefinder from Laser Technologies designated for the Olive Branch Police Department. *Authorized*
10. Authorize the City of Olive Branch to accept a donation of a print of Old Towne from the Honorable George Ready. *Authorized*
11. Adopt Final Resolution Granting Ad Valorem Tax Exemptions for DMC Power, Inc. *Adopted*
12. Approve Easement Agreement with BellSouth Telecommunications, LLC - 10113 Oak Leaf. *Approved*
13. Approve Agreement for Cooperative Public Ambulance Service. *Approved*
14. Approve Second Amendment to Declaration of Covenants - Legacy Park - Animal Shelter location. *Approved*
15. Approve annual membership to the Mississippi Municipal League and pay all associated costs. *Approved*
16. Authorize expenditures up to \$100.00 for a flag to be presented to retired Deputy Chief Vasser's family, with the specific findings that the expenditure will advertise and promote the City of Olive Branch. *Authorized*
17. Authorize purchase of promotional items to be presented to Veterans at the 2023 Honor Our Troops Classic Golf Tournament and other events held within the City of Olive Branch. *Authorized*
18. Authorize the City of Olive Branch to purchase one (1) 2019 Ford F150 4x4 Crew Cab from the Missouri State Highway Patrol. *Authorized*
19. Approve request to pre-approve tuition reimbursement for Venard Asongayi. *Approved*
20. Approve request to pre-approve tuition reimbursement for Scott Young. *Approved*
21. Approve settlement of claim pursuant to Miss. Code Ann. Section 25-1-47 - Broken Door Glass. *Approved*

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22. Approve settlement of claim pursuant to Miss. Code Ann. Section 25-1-47 - 9084 Mason Street. *Approved*
23. Approve settlement of claim pursuant to Miss. Code Ann. Section 25-1-47 - Broken Windshield. *Approved*
24. Authorize the City of Olive Branch to execute Desoto County Schools Use of Facilities Application Forms related to the City of Olive Branch 2024 basketball season and pay all associated costs. *Authorized*
25. Authorize the City Clerk or Assistant City Clerk to write checks in an amount not to exceed \$15,000 per month to US Postal Service to cover the cost of postage for mailing utility bills. *Authorized*
26. Approve annual Service Inspection Agreement with A1 Fire Protection Services, Inc. and pay all associated costs. *Approved*
27. Authorize the City of Olive Branch to enter into service agreement with Jan-Pro Cleaning Systems for cleaning services at Public Works Facility and pay all associated costs. *Authorized*
28. Authorize the City of Olive Branch to renew the annual maintenance agreement with Idemia Identity & Security for the Police Department and pay all associated costs. *Authorized*
29. Authorize the City of Olive Branch to enter into a service agreement with Everbridge, Inc. and pay all associated costs. *Authorized*
30. Authorize submission of notice of cancellation to Brightspeed for accounts #300095805 and #412619486. *Authorized*
31. Approve Mississippi Transportation Commission Multi-Modal Funding Agreement, Project #MM-0056-0422 Olive Branch Airport Supplemental Agreement No. 1. *Approved*
32. Accept CDW Government, LLC as the lowest and best quote of in-car computer docking cradles to be used by the Police Department. *Accepted*
33. Authorize South Hamilton Circle widening paving work to be performed as part of the Lehman-Roberts term bid for full depth reclamation and asphalt overlay. *Authorized*
34. Accept Progressive Technologies as the lowest and best quote for installation of fiber and data for Wesson House and new Fire Administration Building and pay all associated costs. *Accepted*
35. Approve Agreement with Desoto County, Mississippi for Road Maintenance and the Lending and Use of Equipment and Operators for Public Road Improvements - Shoulder Gravel *Approved*
36. Authorize the City of Olive Branch to proclaim November 1, 2023 as "Extra Mile Day". *Authorized*

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- 37. Adopt Resolution designating September 25-29, 2023 as "Stormwater Awareness Week". *Adopted*
- 38. Approve appointment to the Advisory Board for B.J. Chain Public Library. *Approved*
- 39. Approve additions to the 2022/2023 and 2023/2024 pools of Seasonal Employees for hire as determined by Parks and Recreation Director. *Approved*

PLANNING COMMISSION / NEW BUSINESS:

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

- 1. Planning Commission Consent Items:
 - a. Set Public Hearing for consideration of application to amend the Project Text and Development Plan for Robinson Crossing Planned Unit Development (PUD), submitted by Joe Frank Lauderdale, on behalf of Project Developer Barry Bridgforth, Pleasant Hill Land & Development Co. The purpose is to make minor amendments to the Project Text to reflect conditions in the subdivision as already built and proposed through its completion, including corrections to setbacks and updates to the designs of streets and sidewalks/walkways. The 231.6 +/-acre property is zoned Planned Unit Development (PUD) and is located at the southeast corner of Malone Road and Church Road. (File# ZP23-0003) Public Hearing date set for September 19, 2023.
- 2. Public Hearing date for consideration and action on motion declaring the condition of the following property, to be a menace to the public health and safety, and directing either the City staff or contract labor to clean the property forthwith.

LIST "A" (No action required.)

Name	Address	Parcel #
SK1 LLC	10641 Oak Leaf Dr.	1067.3528.0-00039.00
Wendy Howell	7235 Holly Grove Cv.	1069.2905.0-00088.00
Donald Hall	Oscar Harper Lot #6	1069.3201.0-00006.00
Gloria Stewart	9090 Sandy Rd.	1055.1602.0-00013.00
Stephen Jeremy & Jamie S. Shepherd	10932 Oak Leaf Dr.	1067.3535.0-00235.00

Board voted that these properties in List "A" are not currently a menace to public health and safety, and that no cleaning of the property should be authorized, motion carried unanimously.

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LIST "B" (This lot yet to be cleaned.)

Name	Address	Parcel #
Fox Creek Homeowners Association Inc.	Lot #159, Fox Bend	1059.3006.0-00159.00
Fox Creek Homeowners Association Inc.	Lot # 116, Creek Side Dr.	1059-3005.0-00116.00

Determined and declared, motion carried unanimously.

OLD BUSINESS:

1. Consideration of bids opened August 28, 2023 for Street Supplies. *Tabled til meeting of September 19, 2023, motion carried unanimously.*
2. Consideration of bids opened August 28, 2023 for Natural Gas Supplies. *Tabled til meeting of September 19, 2023, motion carried unanimously.*
3. Consideration of bids opened August 28, 2023 for Water and Wastewater Supplies. *Tabled til meeting of September 19, 2023, motion carried unanimously.*

NEW BUSINESS:

1. Consideration of recommendation to approve Final Change Order #1 on contract with Parks & Parks Water Well Services, Inc. in the amount of \$851.30, increasing the contract amount from \$1,198,000.00 to \$1,198,851.30; accept project as complete; and authorize Final Payment in the amount of \$132,441.30 including retainage for the project referred to as Pleasant Hill North Water Plant. *Approved, accepted and authorized, motion carried unanimously.*
2. Consideration of Amendment to the City of Olive Branch Comprehensive Utility Ordinance, Section IV(J) - leaf collection. *Adopted, motion carried unanimously.*
3. Consideration of Rodeo Production Agreement. *Approved, motion carried unanimously.*
4. Consideration of "outdoor festival" approval pursuant to the City Open Container Prohibition Ordinance. *Approved, motion carried unanimously.*
5. Consideration of "authorized activity" noise exemption pursuant to the City Noise Ordinance. *Authorized, motion carried unanimously.*
6. Consideration of proposed amendments to the Ordinance establishing Rules and Regulations for the Safe Operation of the Olive Branch Airport. *Adopted, motion carried unanimously.*
7. Consideration of Resolution setting tax millage rate for fiscal year 2023/2024. *Adopted, motion carried unanimously.*

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8. Consideration of proposed budget for the fiscal year beginning October 1, 2023 and ending September 30, 2024.
Adopted, motion carried unanimously.

EXECUTIVE SESSION:

1. Personnel matter in the Water Maintenance Department
*Consideration of request for grievance hearing.
Affirmed previous action, motion carried unanimously.*
2. Personnel matter in the Ambulance Department
*Consideration of recommendation for employee promotion and salary increase.
Authorized promotion and salary increase for one (1) employee, motion carried unanimously.*
3. Personnel matter in the Park Department
*Consideration of recommendation for potential new hire.
Hired one (1) new employee, motion carried unanimously.*
4. Pending/Potential Litigation
 - a. *Discussion with City Attorney.
No action taken.*
 - b. *Settlement of Claim.
Authorized, motion carried unanimously.*

CLAIMS DOCKETS:

1. Warrant report #090523UT, dated 08/31/2023, 50 invoices totaling \$5,242.35.
Approved for payment, motion carried unanimously.
2. Warrant report #09052023, dated 09/01/2023, 411 invoices totaling \$1,473,091.55.
Approved for payment, motion carried unanimously.
3. Warrant report #090523AT, dated 09/05/2023, 5 invoices totaling \$7,038.95.
Approved for payment, motion carried unanimously.
4. Warrant report #09062023, dated 09/05/2023, 82 invoices totaling \$746,725.70.
Approved for payment, motion carried unanimously.