

BE IT REMEMBERED that the Mayor and Board of Aldermen met on December 19, 2023, at 5:00 P.M., this being the regular meeting time. Mayor Greg Graves called the meeting to order, and the following Aldermen were present: Simpson, Dear, Hale, Moore, and Tanksley. Also present were: City Attorney Ginger Miller, City Clerk Katie Harbin, Deputy City Clerk Francis Johnson, Assistant Police Chief Defore, Police Lt. Trentham, Police Officer Hooper, Fire Chief Ethan Foresman, FLSE/PIO Chantay Rhone, Public Works Director David Cooke, Fire Inspector Brevin Holden, Fire Inspector Larry Sowell, Brett Brown, Thomas Givens, Park Pepper, Debbie Perkins, Barbara Ferguson, Kurt Walker, Chuck Adams, Johnny McLain, Taylor Heck, Vicki Collins, Sharon Perry, and Thurman Caldwell. Alderman Moore met via phone until arriving during item number four.

Alderman Tanksley gave the invocation.

Approve Agenda

**City of Senatobia
Mayor and Board of Aldermen Agenda**

December 19, 2023
City Hall 5pm

1. Call to Order, Prayer, Roll Call
2. Welcome
3. Approve Agenda
4. Discussion of Zoning Ordinance – Historical Residential (tabled)
5. Proposal of raise for the Police Chief
6. Proposal of raise for the Building & Planning Director

Consent Agenda

7. Approve Minutes from the Regular Mayor and Board of Aldermen meeting on December 5, 2023
8. Approve Docket of Claims numbers: 31895 – 32068 for a total of \$677,809.65
9. Authorize Deputy City Clerk Francis Johnson to attend the Spring Certified Municipal Clerks Training in Oxford, MS on February 21-23, 2024, also authorize to pay registration and travel expenses
10. Authorize City Clerk Katie Harbin and Deputy City Clerk Francis Johnson to attend the Spring Municipal Clerk Conference in Meridian, MS on April 3 – 5, 2024, also authorize to pay registration and travel expenses
11. Authorize Mayor Graves to sign the 2024 Annual Software Maintenance Agreement with BBI
12. Authorize Mayor Graves to sign the 2024 Annual Hardware Maintenance Agreement with BBI
13. Authorize to declare the following surplus and dispose of:
 - 1998 BMW 1100 RT Model R Motorcycle VIN#WB10418A3WZC637723
 - 1998 BMW 1100 RT Model R Motorcycle VIN#WB10418A7WZC63775
 - 2013 Chevrolet Tahoe Police Series VIN#1GNLC2E0XDR228959
14. Authorize Mayor Graves to sign the Agreement with Bank First for Sports Park Naming/Sponsorship
15. Authorize Mayor Graves to sign the Advertising contract with Prime Ads (contingent upon the approval of the Agreement with Bank First for Sponsorship)
16. Authorize to repair Public Works Street Department truck 1295 for a total of \$6,759.00

17. Authorize Mayor Graves to sign the Final Completion and Acceptance, Exhibit D, with PATH for the Lighting project
18. Approve the Final Plat for the Northwest Business Park, Phase 2 (Contingent upon receiving a letter of credit or bond)
19. Executive Session - Litigation

Mayor's Corner

Internal Controls Audit results

Motion was made by Alderman Simpson, seconded by Alderman Dear, to approve the agenda as presented. All present voting yea, motion carried.

Discussion of Zoning Ordinance – Historical Residential (tabled)

Mayor Graves stated that this item was tabled at the last meeting and has been brought back for further discussion. Mayor Graves stated he and some Aldermen have had some questions and concerns brought to their attention, so we've asked Parke Pepper to be here tonight to help with some of those.

Parke Pepper, Baddour, introduced himself to the Mayor and Board of Aldermen. Mr. Pepper stated that he believes the questions and concerns are coming from some homes they own through their Community Living in MS Baddour, CLIMB, program. Mr. Pepper advised the Mayor and Board that their program now owns three homes in the community. Our program primarily serves people with disabilities at a high mile range. This would be people that like to be out in the community. This program is community based, funded with Medicaid. Mr. Pepper stated that they manage the person's care. Success for us is having 3 individuals living in the home. Mr. Pepper stated that they are people, they just want to watch TV, play on their iPads, go to McDonalds, etc.

Thomas Givens stated to Mr. Pepper that you said this is Medicaid funded. I think you've done a good job, but you won't always be there, neither will I. I'm concerned with the value of our homes. Mr. Givens asked Mr. Pepper how many homes do you plan to have. Mr. Givens asked would you do this in the country club.

Parke Pepper stated, as I told you on the phone earlier, we if we have the right people. Mr. Pepper stated we love the neighborhood. Someone asked us about getting another home down the street from this last one we purchased. We won't be getting that home.

Debbie Perkins asked why not.

Parke Pepper answered we are not going to spend more money in a neighborhood that doesn't want us there.

Kurt Walker stated I've grown up here, moved off and come back. I love the Baddour Center, support is. I think this is more of a zoning question.

Chuck Adams stated I have the same concern; we've been here 24 years. I accidentally found out about this program and the homes. They haven't been a problem, but its not in my backyard. Is it a business, is the question.

Thomas Givens stated I think it is a business.

Parke Pepper stated would you kick out someone with the Home Health program.

Thomas Givens stated that is not the same.

Chuck Adams stated I'm concerned that the value of my home will go down.

Mayor Graves asked if it will be men or women living in the newest home purchased and will there be supervision.

Parke Pepper answered one current home has women, and the other has men.

Thomas Givens stated I'd like to get back to the valuation problem.

Johnny McLain asked how many places do you have.

Parke Pepper answered several. They are across different areas in Mississippi. There are other companies that do the same thing.

Debbie Perkins stated I don't care about the numbers.

Thomas Givens stated I think the numbers matter greatly.

Parke Pepper stated we will have residents that will take care of the property and themselves. We can't afford to throw it away.

Kurt Walker stated to me, it's not about the person, it's about if this is a business and zoning. Do you meet those requirements.

Alderman Hale stated talking about stability, the people don't matter. Alderman Hale asked Mr. Pepper if they have turnover in the homes.

Parke Pepper answered no we haven't. It should be their forever home.

Alderman Simpson stated it's well known I've been out of pocket lately. What bothers me is that I had the same information that the people here had. It seems that even if you didn't have to get a permit, it should have been more like a good neighbor thing, to let us know. I've been on the Board for 6 ½ years and I've received more calls on this than anything else my entire time. Alderman Simpson stated if its such a great program, will you be putting one in the country club.

Parke Pepper asked what is the core question for why we are here, what is the core reason why this isn't wanted.

Alderman Simpson stated my two concerns are if it is or isn't a business, and if it fits our zoning, If it's single family residential. There are other places where the zoning isn't as tough.

Taylor Heck stated I'm on the CLIMB board, I think the common theme is if this violates the zoning. Could we hear from the attorney.

Barbara Ferguson stated yeah, they paid more for their house, it fits their needs. They are making improvements. If I was looking for a home, I would buy a house in the neighborhood even if I didn't like someone in the neighborhood.

Mayor Graves asked if this program is for profit or non-profit.

Alderman Dear stated Medicaid pays, who owns the house, is it a government owned home.

Parke Pepper answered CLIMB owns it.

Ginger Miller stated regarding zoning, it is classified as single family residential. By definition this includes up to four nonrelated people may live in the home. I have been told that three people will live in the home, so it does fall within the zoning regulations. Ginger stated the next question she heard is if it is a business. Ginger asked Parke if it is for profit.

Parke Pepper answered it is non-profit. CLIMB and Baddour are each their own non-profit.

Ginger Miller stated there are actually cases out there, examples, of this type of situation and also different ones. Ginger stated that if it is operated by a non-profit, it is not considered a business. Ms. Miller read aloud some examples of cited cases that address the questions mentioned here tonight. Ms. Miller stated that it is a non-profit, falls within the normal residential zoning, the consensus is that it is not a business.

Ginger Miller asked Mr. Pepper how they determine who gets to live in these homes.

Parke Pepper answered there are different factors. We received different referrals from the State. There are some we do not accept, ones that are a danger to themselves or others, etc.

Ginger Miller stated so there is some criteria to be met. Ms. Miller stated a recommendation she received was that if you could notify the city public safety departments of certain information that would be helpful to the public safety departments and the person themselves, they could flag the information for emergency responders. Ms. Miller stated my job is to keep the Board on the right side of things. We have to consider fair labor standards, protected information, etc.

Alderman Hale asked when was the second home you purchased occupied?

Parke Pepper answered the spring of 2022.

Alderman Hale asked what things would you consider that would make the program not successful.

Parke Pepper stated we are talking about individuals, who have rights, they can do what they want to do. Nothing is stopping any of the residents. They can leave and do what they want, but they won't. Their roommates won't let them, and they know we are going to call their parents. Mr. Pepper stated that if someone leaves the house on their own, my concern is for their safety walking to McDonalds. I read about the unsafe things that happen at about every gas station between the homes and McDonalds.

Vicki Collins asked would we know if someone came in and bought a home, if they are a sex offender, would we know if they moved in.

Mayor Graves stated they have to register.

Parke Pepper stated what Thomas asked earlier, about a halfway house, this is not that.

Alderman Dear stated is Medicaid just allowing your program to do this, would other companies be able to do the same.

Parke Pepper answered yes.

Thomas Givens asked Ginger Miller if she saw anything that could limit these types of homes, could the Board limit them.

Ginger Miller answered she didn't see anything that allowed them to be limited.

Parke Pepper stated bac to Mrs. Collins, our primary job is to protect the people we serve. I wouldn't want to bring that to our people.

Chuck Adams stated Thomas has land, family, surrounding the area, that is why he has such a big concern.

Debbie Perkins stated I've taught special needs Sunday school, I'm not afraid of the people. I do think it will affect my property value. Your mission statement online states an institutional placement has to be met.

Parke Pepper stated that is like an evaluation, medical. One might be semi-independent, one might be less independent, the level of financial support each receives is different. Some qualify

for 24/7 care and some qualify for 4 hours daily of care. Since we have one person there that has 24/7 care already, it saves money and time to place others there with them.

Alderman Simpson stated I didn't come in here wanting one way or another. The point is in my 6 ½ years of serving, I haven't received so many calls and concerns with anything else.

Parke Pepper stated we've been here for 5 years, have had different homes in the community. Has the Board received any calls of problems or concerns yet.

Alderman Hale answered no.

Thomas Givens stated if there is going to be a group home, I think Parke should run it. I think that the Board can pass an ordinance to limit the density of group homes.

Alderman Dear advised Parke that he is concerned because this is in his ward, the people. Did you have to sign anything.

Parke Pepper answered no, just purchased it.

Alderman Dear stated they could have voiced these concerns before you purchased it.

Parke Pepper stated I've spent 31 years serving people with disabilities. I know I should not have said the comment of Baddour sitting on its 100 acres by itself. I'm sure we won't buy another house without thinking about all of this.

Sharron Perry stated I support the people that live in those homes. I heard a lot of concerns about property values. One of the homes purchase price was \$170,000, the values have only increased. The other was over \$300,000, I don't see any detriment to property values. You can call this home what you want to, but it is a home for people.

Proposal of raise for the Police Chief

Mayor Graves advised the Board that he was proposing a raise to \$85,000 for the Police Chief. Mayor Graves stated that during budget time the Police Chief didn't take a raise, but instead used that amount to spread throughout his department. Also, at budget time we discussed possibly doing raises later if the securix revenue started coming in, and it has. Mayor Graves stated that the Police Chief has done great for the city and continues to lead the department in the right direction.

Alderman Tanksley stated you said they do a good job, but we do for that department all of the time. Alderman Tanksley stated that he doesn't think we should be doing a raise in the middle, after we already did the budget. I think there are other things in the city that we could use money for other than that.

Alderman Moore asked what we have brought in with securix revenues.

Mayor Graves answered about \$61,000 as of December 1st.

Motion was made by Alderman Simpson, seconded by Alderman Dear, to authorize to give Police Chief Richard Chandler a salary increase to \$85,000 annually. A vote was taken with the following results:

Those voting "AYE": Alderman Simpson, Alderman Dear, Alderman Hale, and Alderman Moore.

All voting "NAY": Alderman Tanksley

Motion passed.

Proposal of raise for the Building & Planning Director

Mayor Graves advised the Board that he was proposing a raise to \$58,000 for the Building and Planning Director. Mayor Graves stated that during budget time the Building and Planning Director didn't take a raise, but instead used that amount to spread in his department. Also, at budget time we discussed possibly doing raises later if the securix revenue started coming in, and it has. Mayor Graves stated that Mr. Hodges has done a great job coming in and turning the department around. It has been a great difference, and he continues to lead the city in the right direction.

Motion was made by Alderman Simpson, seconded by Alderman Dear, to authorize to give the Building and Planning Director Stephen Hodges a salary increase to \$58,000 annually. All present voting yea, motion carried.

Consent Agenda

Mayor Graves went over the consent agenda items, numbers 7 - 18, asked if anyone had any questions.

No questions were asked.

Motion was made by Alderman Hale, seconded by Alderman Moore, to approve the consent agenda as presented. All voting yea, motion carried.

Approve Minutes from the Regular Mayor and Board of Aldermen meeting on December 5, 2023

Motion was made by Alderman Hale, seconded by Alderman Moore, to approve the Minutes from the Regular Mayor and Board of Aldermen meeting on December 5, 2023. All present voting yea, motion carried.

Approve Docket of Claims numbers: 31895 – 32068 for a total of \$677,809.65 (as funds are available)

Motion was made by Alderman Hale, seconded by Alderman Moore, to approve the Docket of Claims numbers: 31895 – 32068 for a total of \$677,809.65, as funds are available. All present voting yea, motion carried.

Authorize Deputy City Clerk Francis Johnson to attend the Spring Certified Municipal Clerks Training in Oxford, MS on February 21-23, 2024, also authorize to pay registration and travel expenses

Motion was made by Alderman Hale, seconded by Alderman Moore, to authorize Deputy City Clerk Francis Johnson to attend the Spring Certified Municipal Clerks Training in Oxford, MS on February 21-23, 2024, also authorize to pay registration and travel expenses. All voting yea, motion carried.

Authorize City Clerk Katie Harbin and Deputy City Clerk Francis Johnson to attend the Spring Municipal Clerk Conference in Meridian, MS on April 3 – 5, 2024, also authorize to pay registration and travel expenses

Motion was made by Alderman Hale, seconded by Alderman Moore, to authorize City Clerk Katie Harbin and Deputy City Clerk Francis Johnson to attend the Spring Municipal Clerk Conference in Meridian, MS on April 3 – 5, 2024, also authorize to pay registration and travel expenses. All voting yea, motion carried.

Authorize Mayor Graves to sign the 2024 Annual Software Maintenance Agreement with BBI

Motion was made by Alderman Hale, seconded by Alderman Moore, to authorize Mayor Graves to sign the 2024 Annual Software Maintenance Agreement with BBI. All voting yea, motion carried.

Authorize Mayor Gravest to sign the 2024 Annual Hardware Maintenance Agreement with BBI

Motion was made by Alderman Hale, seconded by Alderman Moore, to authorize Mayor Graves to sign the 2024 Annual Hardware Maintenance Agreement with BBI. All voting yea, motion carried.

Authorize to declare the following surplus and dispose of: 1998 BWM 1100 RT Model R Motorcycle VIN#WB10418A3WZC637723, 1998 BMW 1100 RT Model R Motorcycle VIN#WB10418A7WZC63775, 2013 Chevrolet Tahoe Police Series VIN#1GNLC2E0XDR228959

Motion was made by Alderman Hale, seconded by Alderman Moore, to authorize to declare the following surplus and dispose of: 1998 BWM 1100 RT Model R Motorcycle VIN#WB10418A3WZC637723, 1998 BMW 1100 RT Model R Motorcycle VIN#WB10418A7WZC63775, 2013 Chevrolet Tahoe Police Series VIN#1GNLC2E0XDR228959 All voting yea, motion carried.

Authorize Mayor Graves to sign the Agreement with Bank First for Sports Park Naming/Sponsorship

Motion was made by Alderman Hale, seconded by Alderman Moore, to authorize Mayor Graves to sign the Agreement with Bank First for Sports Park Naming/Sponsorship. All voting yea, motion carried.

Authorize Mayor Graves to sign the Advertising contract with Prime Ads (contingent upon the approval of the Agreement with Bank First for Sponsorship)

Motion was made by Alderman Hale, seconded by Alderman Moore, to authorize Mayor Graves to sign the Advertising contract with Prime Ads (contingent upon the approval of the Agreement with Bank First for Sponsorship). All voting yea, motion carried.

Authorize to repair Public Works Street Department truck 1295 for a total of \$6,759.00

Motion was made by Alderman Hale, seconded by Alderman Moore, to authorize to repair Public Works Street Department truck 1295 for a total of \$6,759.00. All voting yea, motion carried.

Authorize Mayor Graves to sign the Final Completion and Acceptance, Exhibit D, with PATH for the Lighting project

Motion was made by Alderman Hale, seconded by Alderman Moore, to authorize Mayor Graves to sign the Final Completion and Acceptance, Exhibit D, with PATH for the Lighting project. All voting yea, motion carried.

Approve the Final Plat for the Northwest Business Park, Phase 2 (Contingent upon receiving a letter of credit or bond)

Motion was made by Alderman Hale, seconded by Alderman Moore, to approve the Final Plat for the Northwest Business Park, Phase 2, contingent upon receiving a letter of credit or bond. All voting yea, motion carried.

Go into closed session

Motion was made by Alderman Tanksley, seconded by Alderman Moore, to authorize to go into closed session to discuss going into executive session for Litigation. All voting yea, motion carried.

Go into executive Session for Litigation

Motion was made by Alderman Moore, seconded by Alderman Hale, to authorize to go into closed session to discuss going into executive session for Litigation. All voting yea, motion carried.

Litigation

Motion was made by Alderman Simpson, seconded by Alderman Moore, to authorize the City Attorney to file an injunction regarding the property located at 513 E Main St Senatobia, MS. All voting yea, motion carried.

Come out of executive Session

Motion was made by Alderman Tanksley, seconded by Alderman Simpson, to authorize to come out of closed session to discuss going into executive session for Litigation. All voting yea, motion carried.

Mayors Corner

Mayor Graves advised the Board that we received the report back from our Internal Audit

Adjourn

Motion was made by Alderman Simpson, and seconded by Alderman Tanksley, to adjourn. All voting yea, motion carried.

Greg Graves, Mayor

ATTEST:

Katie Harbin, City Clerk