

BE IT REMEMBERED that the Mayor and Board of Aldermen met on December 5, 2023, at 5:00 P.M., this being the regular meeting time. Mayor Pro Temp Adam Moore called the meeting to order, and the following Aldermen were present: Dear, Hale, and Tanksley. Also present were: City Attorney Ginger Miller, City Clerk Katie Harbin, Police Chief Chandler, Assistant Police Chief Defore, Fire Chief Ethan Foresman, FLSE/PIO Chantay Rhone, Public Works Director David Cooke, Community Development/Tourism Director Jamie Sowell, Parks Director Rob Boyd, Brett Brown, Kevin McLeod, Joe Cooper, Thurman Caldwell, and Michael Cathey. Mayor Greg Graves and Alderman Simpson were absent.

Mayor Pro Temp Moore gave the invocation.

Approve Agenda

**City of Senatobia**  
**Mayor and Board of Aldermen Agenda**  
December 5, 2023  
City Hall 5pm

1. Call to Order, Prayer, Roll Call
2. Welcome
3. Approve Agenda
4. Adopt an Ordinance Prohibiting Loitering in the City of Senatobia
5. Update on the Downtown Revitalization Project, Kevin McLeod
6. Approve Supplemental Agreement # 2 with J.M. Duncan, Inc. for the Center Street Project of the Downtown Revitalization Project
7. Approve Change Order # 2 for the Center Street Project of the Downtown Revitalization Project
8. Authorize Pay Application # 9 to J.M. Duncan, Inc. in the amount of \$114,935.48
9. Authorize Pay Application # 10 Final to J.M. Duncan, Inc. in the amount of \$42,642.60
10. Update on Dreamland
11. Update on Sports Park Sponsorship
12. Discussion of Zoning Ordinance
13. Department Reports

**Consent Agenda**

14. Approve Minutes from the Regular Mayor and Board of Aldermen meeting on November 21, 2023
15. Approve Docket of Claims numbers: 31748 – 31894 for a total of \$505,373.30
16. Accept resignation from Planning & Building Administrative Assistant Jennifer Turner
17. Appoint Mayor Graves to the EDF Board with the term starting January 1, 2024
18. Approve Change Order 1 for the Fire Station 1 Renovation project
19. Approve Change Order 3 for the Wastewater Treatment Plant Project

20. Adopt the Senatobia Sports Park Independent Travel Baseball & Softball Team Field Use Policy
21. Approve the lowest and best quote for portable pitching mounds for the baseball and softball fields
22. Authorize to do the small business Solutions Program with updating the lighting at Animal Shelter for a total of \$1,379.00, with the City and Tate County each paying \$689.50
23. Authorize to accept the quote from Tencarva to repair the Lift Station at Carolina Grove in the amount of \$8,781.58
24. Authorize to accept the lowest and best quote from Strayhorn Trucking & Construction, LLC in the amount of \$3,500.00 for repairs to the concrete ramp at the Post Officer

### **Mayor's Corner**

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

### **Adopt an Ordinance Prohibiting Loitering in the City of Senatobia**

Alderman Dear asked the Police Chief if he was good with it.

Police Chief Chandler answered yes sir.

### **ORDINANCE PROHIBITING LOITERING IN THE CITY OF SENATOBIA, MISSISSIPPI**

#### **Section 1: Loitering**

- A) No person shall remain on a public street, sidewalk or pathway or parking lot, including one privately owned, but generally used by the public, as not to obstruct the free passage of pedestrians and/or motor vehicles after a sworn law enforcement officer has verbally informed the person that such action is unlawful and has requested the person to move from that place. In the event a sign prohibiting loitering, which references this section of the City Code, is clearly and conspicuously posted and is reasonably visible so that reasonable notice has been provided, then such sign shall be sufficient so that no further verbal warning is required, and a sworn law enforcement officer may take action as set forth in section (4) below, against an individual who is in violation of this subsection (A)
- B) No person shall remain in or on a motor vehicle on a public street, sidewalk or pathway or parking lot, including one privately owned, but generally used by the public, as not to obstruct the free passage of pedestrians and/or motor vehicles after a sworn law enforcement officer has verbally informed the person that such action is unlawful and has requested the person to move from that place. In the event a sign prohibiting loitering, which references this section of the City Code, is clearly and conspicuously posted and is reasonably visible so that reasonable notice has been provided, then such sign shall be sufficient so that no further verbal warning is required and a sworn law enforcement officer may take action as set forth in subsection (4) below, against an individual who is in violation of this subsection (B).
- C) It shall be unlawful for any person to refuse or fail to leave a private business or commercial establishment that is open for business, or a parking lot of the private

business or commercial establishment, after having been verbally requested to do so by the owner, the owner's agent or a sworn law enforcement officer.

- D) It shall be unlawful for any person to refuse or fail to leave a public building, public grounds, or a public recreational area, or a parking lot of a public building, public grounds, or a public recreational area, after being verbally requested to do so by a sworn law enforcement officer or a guard, watchman, or other authorized employee of the agency or institution responsible for the security of the public building, public grounds, recreational area, or parking lot, under circumstances that indicate that the person has no apparent lawful business or purpose to pursue in that place.

### **Section 2: Walking along roadways**

- A) Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
- B) Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

### **Section 3: Ordinance Cumulative**

This Ordinance shall be cumulative and in addition to any other laws in force.

### **Section 4: Enforcement**

Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars (\$25.00), nor more than five hundred dollars (\$500.00), or imprisonment in the county jail not to exceed ninety (90) days, or both. Each day's violation shall be deemed a separate offense.

### **Section 5: Severability**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

### **Section 6: Repeal**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

### **Section 7: Notice**

The City Clerk shall provide notice of the adoption of this Ordinance as required under the provisions of MS Code Annotated 21-12-11(Rev. 1988). Additionally, the City Clerk shall give notice of the Loitering regulations established hereunder by having copies of the Loitering Ordinance or a summary thereof posted in, on or about such public places or quasi-public places as may be determined by the Mayor and Board of Aldermen and the Police Chief in order that the public may be constantly informed of the existence of the Ordinance and its regulations. Additionally, the city may give further notice of this Ordinance by such other means as it deems necessary, including posters, handouts and similar dissemination of such information to the public.

**Section 8: Effective Date**

This Ordinance shall become effective and be in full force from and after being certified by the City Clerk, signed by the Mayor or Board Majority, recorded in the ordinance book, published and after waiting one month after the date of passage.

Motion was made by Alderman Dear and seconded by Alderman Hale, to waive the reading and adopt this the Ordinance Prohibiting Loitering in the City of Senatobia, Mississippi, and providing penalties for the violation of this ordinance by the Mayor and Board of Aldermen of the City of Senatobia, after reducing it to writing, on this the 5<sup>th</sup> day of December 2023, by the following vote:

Alderman Dear	“Aye”
Alderman Hale	“Aye”
Alderman Simpson	Absent
Alderman Tanksley	“Aye”

Approved:

\_\_\_\_\_  
Adam Moore, Mayor Pro Temp

Attest:

\_\_\_\_\_  
Katie Harbin, City Clerk

Motion was made by Alderman Dear, seconded by Alderman Hale, to waive the reading and adopt an Ordinance Prohibiting Loitering in the City of Senatobia, after reducing it to writing. All present voting yea, motion carried.

Update on the Downtown Revitalization Project, Kevin McLeod

Kevin McLeod, Elliott & Britt Engineering, gave an update to the Board. Mr. McLeod stated that since the last update, Entergy and the Electrical engineer went back to the drawing Board to figure out locations, Jamie and the electrical engineer canvassed downtown to get a better look and idea of what was being used to see what would be needed. They were able to get rid of some locations they had planned to put switch cabinets and moved some others out and away from Main St a bit. Mr. McLeod stated that they’ve met with PATH, they are still looking to see if the project is considered an energy efficient one.

Alderman Moore asked if they are looking at putting the proposed switching cabinet by the Court House further south or across the street, where the one-way drive is?

Kevin McLeod answered it wasn’t that far south, but I can check. It may have something to do with it needing more conduit.

Alderman Moore stated they may have forgotten, just wanted to make sure he didn’t forget about trying to relocate those 2, from our last meeting.

Kevin McLeod stated we are still working on the updated budget.

Approve Supplemental Agreement # 2 with J.M. Duncan, Inc. for the Center Street Project of the Downtown Revitalization Project

Alderman Moore asked Kevin what the purpose of the agreement is.

Kevin McLeod, Elliott & Britt Engineering, advised the Board that the Supplemental Agreement # 2 is for the street signs. The ones they installed, per our instructions, did not meet height requirements so they had to get and install different ones.

Motion was made by Alderman Hale, seconded by Alderman Dear, to approve the Supplemental Agreement # 2 with J.M. Duncan, Inc. for the Center Street Project of the Downtown Revitalization Project. All present voting yea, motion carried.

Approve Change Order # 2 for the Center Street Project of the Downtown Revitalization Project

Kevin McLeod, Elliott & Britt Engineering, advised the Board that Change Order # 2 is for removing items and work not needed and adding work and items not originally in the contract. Since the items were so small, I advised J.M. Duncan to just run them by us for approval, and we would do one change order instead of doing one for every little item.

Alderman Moore asked if this would come out of the contingency.

Kevin McLeod answered yes.

Motion was made by Alderman Hale, seconded by Alderman Dear, to approve Change Order # 2 with J.M. Duncan, Inc., for the Center Street Project of the Downtown Revitalization Project in the amount of \$34,230.90. All present voting yea, motion carried.

Authorize Pay Application # 9 to J.M. Duncan, Inc. in the amount of \$114,935.48

Kevin McLeod, Elliott & Britt Engineering, advised the Board that this pay application is for work that has been completed, including the punch list items.

Motion was made by Alderman Hale, seconded by Alderman Dear, to approve Pay Application # 9 to J.M. Duncan, Inc. in the amount of \$114,935.48. All present voting yea, motion carried.

Authorize Pay Application # 10 Final to J.M. Duncan, Inc. in the amount of \$42,642.60

Kevin McLeod, Elliott & Britt Engineering, advised the Board that he needs to get the total amount for damages before they decide on this item.

Motion was made by Alderman Hale, seconded by Alderman Dear, to table this item until receiving the total amount of damages. All present voting yea, motion carried.

Update on Dreamland

Police Chief Chandler spoke on behalf of Fire Inspector Holden. Chief Chandler advised the Board that an inspection was just done at Dreamland, and they have multiple violations, same ones as the previous year's inspection showed, and more. Chief Chandler advised that due to the health and safety, Dreamland is temporarily closed. In addition to several life and safety code violations, they have several building code violations. They had families living there for various amounts of time. The owner has been given the report with the violations listed. The Health Department did their inspection last Wednesday. We should receive their report soon. The city has been out there several times for code violations, advising them of the violations each time, with no corrective action taken on their part. We have spoken to the owners and workers.

Update on Sports Park Sponsorship

Community Development/Tourism Director Jamie Sowell advised the Board that she and the Mayor had a really good conversation with Bank First regarding a sponsorship. Bank First Yards is coming to Senatobia! This is for our large sponsorship. Bank First has sent a contract for us to review. The Mayor and I will be working on getting the smaller sponsorship packages ready. Mrs. Sowell stated that we need to move forward to get the process going so it will be in place by the opening time in spring. Mrs. Sowell asked if we could get approval to advertise for bids or qualifications.

Alderman Moore asked if there was anything for the rest of the sponsorships.

Jamie Sowell answered this is just for the large one, the billboard.

Motion was made by Alderman Dear, seconded by Alderman Hale, to authorize to advertise for RFP's to do advertising services at the Sports Park. All present voting yea, motion carried.

Discussion of Zoning Ordinance

Alderman Dear stated a situation was brought to my attention that brought up a question. Multiple families moving into a home in an area zoned R1. I would like us to look into that, the situation, to see if it fits or not.

City Attorney Ginger Miller stated she will get more information on it.

Motion was made by Alderman Dear, seconded by Alderman Hale, to table this item until the next meeting, to get more information together. All present voting yea, motion carried.

Department Reports

Alderman Moore asked if anyone has any questions for the Department Heads.

Alderman Dear asked Rob Boyd about the pitching mounds. I see you have quotes on the agenda to purchase, I guess the contractor couldn't get them.

Parks Director Rob Boyd answered no sir, it would cost more to go through them. We are good to go on the project, finishing up the punch list items.

Consent Agenda

Mayor Pro Temp Moore went over the consent agenda items, numbers 14 - 25, asked if anyone had any questions.

No questions were asked.

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

Approve Minutes from the Regular Mayor and Board of Aldermen meeting on November 21, 2023

Motion was made by Alderman Dear, seconded by Alderman Hale, to approve the Minutes from the Regular Mayor and Board of Aldermen meeting on November 21, 2023. All present voting yea, motion carried.

Approve Docket of Claims numbers: 31748 – 31894 for a total of \$505,373.30 (as funds are available)

Motion was made by Alderman Dear, seconded by Alderman Hale, to approve the Docket of Claims numbers: 31748 – 31894 for a total of \$505,373.30, as funds are available. All present voting yea, motion carried.

Accept resignation from Planning & Building Administrative Assistant Jennifer Turner

Motion was made by Alderman Dear, seconded by Alderman Hale, to accept the resignation from Planning & Building Administrative Assistant Jennifer Turner. All voting yea, motion carried.

Appoint Mayor Graves to the EDF Board with the term starting January 1, 2024

Motion was made by Alderman Dear, seconded by Alderman Hale, to appoint Mayor Graves to the EDF Board with the term starting January 1, 2024. All voting yea, motion carried.

Approve Change Order 1 for the Fire Station 1 Renovation project

Motion was made by Alderman Dear, seconded by Alderman Hale, to approve Change Order 1 for the Fire Station 1 Renovation project. All voting yea, motion carried.

Approve Change Order 3 for the Wastewater Treatment Plant Project

Motion was made by Alderman Dear, seconded by Alderman Hale, approve Change Order 3 for the Wastewater Treatment Plant Project. All voting yea, motion carried.

Adopt the Senatobia Sports Park Independent Travel Baseball & Softball Team Field Use Policy

Motion was made by Alderman Dear, seconded by Alderman Hale, to adopt the Senatobia Sports Park Independent Travel Baseball & Softball Team Field Use Policy. All voting yea, motion carried.

Approve the lowest and best quote for portable pitching mounds for the baseball and softball fields from TPM Performance & Surface Solutions in the amount of \$41,454

Motion was made by Alderman Dear, seconded by Alderman Hale, to approve the lowest and best quote for portable pitching mounds for the baseball and softball fields from TPM Performance & Surface Solutions in the amount of \$41,454. All voting yea, motion carried.

Authorize to do the small business Solutions Program with updating the lighting at Animal Shelter for a total of \$1,379.00, with the City and Tate County each paying \$689.50

Motion was made by Alderman Dear, seconded by Alderman Hale, to authorize to do the small business Solutions Program with updating the lighting at Animal Shelter for a total of \$1,379.00, with the City and Tate County each paying \$689.50. All voting yea, motion carried.

Authorize to accept the quote from Tencarva to repair the Lift Station at Carolina Grove in the amount of \$8,781.58

Motion was made by Alderman Dear, seconded by Alderman Hale to authorize to accept the quote from Tencarva to repair the Lift Station at Carolina Grove in the amount of \$8,781.58, finding that Tencarva is the only vendor that has the parts to repair this lift station. All voting yea, motion carried.

Authorize to accept the lowest and best quote from Strayhorn Trucking and Construction in the amount of \$3,500 for repairs to the concrete ramp at the Post Officer

Motion was made by Alderman Dear, seconded by Alderman Hale, to authorize to accept the lowest and best quote from Strayhorn Trucking and Construction in the amount of \$3,500.00 for repairs to the concrete ramp at the Post Office. All voting yea, motion carried.

Mayors Corner

Adjourn

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

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Adam Moore, Mayor Pro Temp

ATTEST:

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Katie Harbin –City Clerk