

**MINUTES OF THE SPECIAL MEETING
OF AUGUST 30, 2011
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 Special Session on the 30th day of August, 2011 at six o'clock (6:00) p.m. at City Hall.

Present were:

Greg Guy	Alderman At Large
Lorine Cady	Alderman, Ward 1
Ronnie Hale	Alderman, Ward 2
George Payne	Alderman, Ward 3
William Brooks	Alderman, Ward 4
Ricky Jobes	Alderman, Ward 5
Randall Huling, Jr.	Alderman, Ward 6

Also present were Sheila Heath, City Clerk, Chris Wilson, City Administrator, Mark Sorrell, City Attorney and Whitney Choat-Cook, City Planning Director. Approximately thirty (30) other people were present.

Mayor Davis called the meeting to order. Alderman Payne led in prayer, followed by the Pledge of Allegiance led by Alderman Hale.

BUDGET HEARING

Mayor Davis presented the FY 2012 Budget. Mayor Davis reported that Southaven is the third largest municipality in the State of Mississippi and our assessed value exceeds \$500 million. Southaven's property tax base remains solid. We offer premier public services and still hold a strong commitment to Public Safety. He reported that the FY 2012 Budget is balanced with no property tax increase, no reduction or reduced services, no employee layoffs. Employee's will not receive salary raises; however, there will be an employee buyback program for vacation time, and we plan to hire 2 new Emergency Dispatchers, a part time Code Enforcement Officer and a CPA. 75% of total General Fund budget is dedicated to Public Safety and Parks. Southaven is 34% of the assessed values in DeSoto County. Mayor Davis reported that we have remained steady the last four years on our property tax rate. Our general fund revenues are 35% - property taxes and 34% - sales tax revenue. General Fund Expenditures are as follows:

**61% Public Safety
04% Public Works
04% Insurance and Workman's Comp.
13% Parks**

The rest is spread throughout the rest of the City. Our Sales Tax Revenue is going back up to about what it was in 2008. In FY 2002, we were spending \$8.5 million in Public Safety and ten years later we will be spending \$20.6 million dollars.

Mayor Davis then reported on our GO Debt services. He stated that in 2027 our debt will go away completely if there are no more bonds issued at all. A copy of this report is attached to this set of minutes.

After a short discussion, Mayor Davis concluded the presentation of the FY 2012 Budget.

Handbook Changes

Mayor Davis reported that if you are currently earning 5 or 6 weeks of Vacation Leave, which will now be called Personal Leave, you will continue to earn 5 or 6 weeks. Every other employee will max out at 4 week PTO. Sick Leave will now be called Major Medical. The accrual rate will be the same as PTO just a 4 week cap. Employees will have the twelve months to use the leave, or it will be moved into a state retirement account. PERS allows X amount of days to be credited to the employee's state retirement.

Next, Mayor Davis reported that we are changing Sick Leave to Major Medical. Currently employees are earning 4 hours Sick Leave. Two hours Sick and two hour Major Medical. In this handbook update, we have combined the two and called it Major Medical. Currently, the Sick Leave is capped at 480 hours, and with this change, the cap has been removed. Employees are not paid for medical leave when they leave, so this is not a liability. PERS also gives you some credits for unused Major Medical leave.

Next, Mayor Davis reported that if an employee has a pot of vacation time, the City will not touch that. The handbook change will allow the City to buy back hours stored. It states that the Board can budget for it, and it has to be on the books before we can buy back time (as per the AG's opinion).

The other change is that if an employee requests an appeal to the Board, he or she cannot change their mind about this appeal. The Board's decision is final.

After a short discussion, Alderman Huling made the motion to adopt the handbook changes as presented to this Board. Motion was seconded by Alderman Guy. Due to the number of changes, Mayor Davis called for a roll call on the handbook changes.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Guy	YEA
Alderman Cady	YEA
Alderman Hale	NAY
Alderman Payne	YEA
Alderman Brooks	YEA
Alderman Jobes	YEA
Alderman Huling	YEA

Having received a majority of affirmative votes, the Mayor declared that the motion was carried.

CLAIMS DOCKET:

A motion was made by Alderman Jobs to approve the Claims Docket of August 30, 2011, including demand checks and payroll in the amount of \$617,687.87. Motion was seconded by Alderman Huling. There was no discussion, the motion was put to vote and passed unanimously.

Excluding voucher numbers:

168724, 168741, 168804, 168915, 168916, 168917, 168918, 168919, 168922, 168923, 168924, 168942, 168957, 169063.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Guy	YEA
Alderman Cady	YEA
Alderman Hale	YEA
Alderman Payne	YEA
Alderman Brooks	YEA
Alderman Jobs	YEA
Alderman Huling	YEA

Having received a majority of affirmative votes, the Mayor declared that the motion was carried and approved for payment on this the 30th day of August, 2011.

RESOLUTION-PENNY FOR YOUR PARKS

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, DESIGNATING THE DATE FOR THE REFERENDUM ON THE “PENNY FOR YOUR PARKS” BILL

WHEREAS, the City of Southaven’s “*Penny For Your Parks*” bill has received clearance from the U. S. Justice Department; and

WHEREAS, the Mayor and Board of Aldermen have designated Tuesday, October 4, 2011, as the date upon which to set the referendum; and

WHEREAS, the designated referendum date and polling locations have received clearance from the U. S. Justice Department;

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Board of Alderman of the City of Southaven, Mississippi, that the date for the referendum on the “*Penny For Your Parks*” bill shall be and it is hereby set on Tuesday, the 4th day of October, 2011, in accordance with established municipal voting regulations. This tax, upon passage shall become effective and be in force on and after November 1, 2011, all appropriate funds for said referendum shall be appropriated and paid from the City of Southaven’s general fund. All registered voters within the municipal limits of the City of Southaven are encouraged to participate and vote in this referendum.

IT IS FURTHER RESOLVED that the designated polling locations for this referendum shall be SOUTHAVEN CITY HALL located at 8710 Northwest Drive and BANCORPSOUTH SPORTS CENTER located at 3335 Pine Tar Alley.

Following the reading of this Resolution, it was introduced by Alderman Guy and seconded by Alderman Cady. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

ALDERMAN	VOTED
Alderman Greg Guy	YEA
Alderman Lorine Cady	YEA
Alderman Ronnie Hale	YEA
Alderman George Payne	YEA
Alderman Paul William Brooks	YEA
Alderman Ricky Jobs	YEA
Alderman Randall T. Huling, Jr.	YEA

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the 30th day of August, 2011.

OUTDOOR MUSIC PERMIT APPEAL

Mayor Davis reported that we have an appeal on an outdoor music permit. He stated that Chief Tom Long denied the request from The Filling Station to have an outdoor band till midnight on Thursday nights, and 1 am on Friday and Saturday nights. Mr. Steve Beene spoke on behalf of the Filling Station. For discussion purposes, Alderman Guy made the motion to allow them to extend the hours to 1 am on Friday and Saturday nights. Motion was seconded by Alderman Payne. Mayor Davis opened the floor for discussion. After a discussion, the Mayor put the motion to vote. Alderman Cady stated that she will vote No because she has confidence in Chief Longs ability and expertise in making these decisions.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Guy	YEA
Alderman Cady	NAY
Alderman Hale	YEA
Alderman Payne	YEA
Alderman Brooks	NAY
Alderman Jobs	NAY
Alderman Huling	NAY

Motion fails with a 4-3 vote. Mayor stated that Chief Tom Long’s decision is to be upheld.

NORTHWEST DRIVE IMPROVEMENTS

Mayor Davis reported that the Northwest Drive Improvements are underway. He is asking for Board approval to go ahead with the project. The project will cost between \$350,000.00 - \$400,000.00 with all the drainage improvements and the islands. Alderman Cady made the motion to move forward with the Northwest Drive Improvements, getting necessary quotes and figures to do the project as presented. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

SAVANNAH PARKWAY / SNOWDEN RUN- NO PARKING VIOLATOR WILL BE TOWED

Mayor Davis reported that the Homeowners came to him requesting that these streets be “no parking, violators will be towed” zone. During concerts people are parking on their grass and in front of their homes.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI DESIGNATING SNOWDEN RUN AND SAVANNAH PARWAY AS TOW AWAY ZONES IN

ACCORDANCE WITH SECTION 21-37-3 OF THE MISSISSIPPI CODE
ANNOTATED (1972)

WHEREAS, the governing authorities of the City of Southaven have been notified of parking problems during events conducted at the Snowden Grove Amphitheater in the neighborhoods of Snowden Run and Savannah Parkway;

WHEREAS, Section 21-37-3 of the Mississippi Code Annotated (1972) provides that the governing authorities of municipalities shall have the power to exercise full jurisdiction in the matter of streets, sidewalks, sewers and parks;

WHEREAS, the governing authorities of the City of Southaven in an attempt to alleviate such parking problems designate the City streets of Snowden Run and Savannah Parkway as No Parking Tow Away Zones;

WHEREAS, the Public Works Department shall install the appropriate signage designating Snowden Run and Savannah Parkway as No Parking Tow Away Zones.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Board of Alderman of the City of Southaven, Mississippi, that effective immediately the City streets of Snowden Run and Savannah Parkway shall be designated as No Parking Tow Away Zones.

After a full discussion of this matter, ALDERMAN JOBES moved that the foregoing Resolution be adopted. The motion was seconded by ALDERMAN GUY. Upon the question being put to a vote, Members of the Board of Aldermen voted as follows:

ALDERMEN	VOTED
ALDERMAN GUY	YEA
ALDERMAN HALE	YEA
ALDERMAN PAYNE	YEA

ALDERMAN HULING	YEA
ALDERMAN CADY	YEA
ALDERMAN BROOKS	YEA
ALDERMAN JOBES	YEA

WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Mayor and Board of Alderman of the City of Southaven, Mississippi, on this, the 30th day of August, 2011.

RESOLUTION ADOPTING NEW COURT ASSESSMENTS

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI ADOPTING NEW COURT ASSESSMENTS ESTABLISHED BY THE MISSISSIPPI STATE LEGISLATURE EFFECTIVE JULY 2, 2011

WHEREAS, Section 99-19-73 of the Mississippi Code Annotated (1972) establishes the standard state monetary assessments that a Court may assess in addition to any monetary and other penalties imposed by law;

WHEREAS, the Mississippi State Legislature in House Bill 708, effective July 2, 2011, revised Section 99-19-73 of the Mississippi Code Annotated (1972) to increase state assessments on certain criminal convictions. That the increase in funding is for the State's Vulnerable Persons Funds (\$1.00, \$1.50 for GF) and Cyber Crime Unit Fund (\$1.50); and

WHEREAS, the Mississippi State Legislature in House Bill 708 increased State Uniform Assessments as applied to municipal courts as follows:

Traffic Violations: Increased from \$ 77.50 to \$ 80.00
Implied Consent Violations: Increased from \$235.50 to \$235.00
Other Misdemeanors Violations: Increased from \$ 95.00 to \$ 97.50

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Board of Alderman of the City of Southaven, Mississippi, that effective July 2, 2011, the Municipal Court for the City of Southaven, Mississippi shall be and it is hereby authorized to impose and collect the aforementioned assessments on the stated criminal convictions.

After a full discussion of this matter, **ALDERMAN GUY** moved that the foregoing Resolution be adopted. The motion was seconded by **ALDERMAN CADY**. Upon the question being put to a vote, Members of the Board of Aldermen voted as follows:

ALDERMEN	VOTED
ALDERMAN GUY	YEA
ALDERMAN HALE	YEA
ALDERMAN PAYNE	YEA
ALDERMAN HULING	YEA
ALDERMAN CADY	YEA
ALDERMAN BROOKS	YEA
ALDERMAN JOBES	YEA

WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Mayor and Board of Alderman of the City of Southaven, Mississippi, on this, the 30th day of August, 2011.

PERSONNEL AND LITIGATION

ECONOMIC DEVELOPMENT

Mayor Davis reported that we need to move forward with the City promotion project. Alderman Cady made the motion to move forward with the City Promotion Project. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

There being no further business to come before the Mayor and Board of Aldermen, a motion was made by Alderman Guy to adjourn. Motion seconded by Alderman Brooks. Motion was put to a vote and passed unanimously, August 30, 2011 at 7:10 p.m.

**Greg Davis,
Mayor**

Sheila Heath, City Clerk