

**MINUTES OF THE REGULAR MEETING
OF SEPTEMBER 6, 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 Regular Session on the 6th day of September, 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 Jobs	Alderman, Ward 5
Randall Huling, Jr.	Alderman, Ward 6

Alderman Guy was present via-telecommunication. **Alderman Cady** and **Alderman Huling** came in late. Also present were **Sheila Heath**, City Clerk, **Chris Wilson**, City Administrator, **Mark Sorrell**, City Attorney and **Whitney Choat-Cook**, City Planning Director. Approximately twenty (20) other people were present.

Mayor Davis called the meeting to order. **Alderman Jobs** led in prayer, followed by the Pledge of Allegiance led by **Alderman Hale**. Next, a motion was made by **Alderman Jobs** to approve the minutes of the regular meeting of August 16, 2011 with any corrections, deletions, or additions necessary. Motion seconded by **Alderman Hale**. Motion was put to a vote and passed unanimously. Next, a motion was made by **Alderman Jobs** to approve the minutes of the special meeting of August 30, 2011 with any corrections, deletions, or additions necessary. Motion seconded by **Alderman Payne**. Motion was put to vote and passed unanimously.

CITIZEN'S AGENDA

No one on the Citizen's Agenda

FY 2012 BUDGET ADOPTON

**RESOLUTION FIXING THE AD VALOREM TAX LEVY ON
REAL AND PERSONAL PROPERTY FOR TAXES
AND ESTABLISHING THE BUDGET
Appropriations and Expenditures for the Fiscal Year 2011-2012
FOR THE CITY OF SOUTHAVEN, MISSISSIPPI**

**BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF
THE
CITY OF SOUTHAVEN, MISSISSIPPI**

SECTION 1. That for the Fiscal Year beginning October 1, 2011, there shall be and there is hereby levied on all taxable property, Real and Personal, within the corporate limits of the City of Southaven, Mississippi for Ad Valorem taxes for municipal purposes as indicated, the following levies to be collected upon each dollar of assessed value as shown upon the Real and Personal Ad Valorem assessment rolls of the City of Southaven as to such property within the city limits, to-wit:

**FOR GENERAL REVENUE PURPOSES:
TWENTY POINT THREE EIGHT ZERO (20.380) MILLS
SECTION 27-39-307 AND 83-3-37 PARAGRAPH 5 OF THE
MISSISSIPPI CODE OF 1972**

**FOR DEBT RETIREMENT OF GENERAL OBLIGATION BONDS:
SIXTEEN POINT SIX ZERO (16.60) MILLS
SECTION 21-33-45 OF THE MISSISSIPPI CODE OF 1972**

**FOR LIBRARY:
ZERO POINT SEVENTY FIVE (0.75) MILLS
SECTION 39-3-7 OF THE MISSISSIPPI CODE OF 1972**

**FOR SANITATION:
SIX POINT ZERO (6.0) MILLS
SECTION 27-39-321 OF THE MISSISSIPPI CODE OF 1972**

**TOTAL FOR SAID MUNICIPAL PURPOSES:
FORTY-THREE POINT SEVENTY THREE (43.73) MILLS**

**FOR PARKS AND LIBRARY DEBT MILLAGE APPLIED TO
EXEMPT BUSINESS AS PER AD VALOREM TAX ABATEMENT
PURPOSES:
THIRTY POINT SEVEN ZERO (30.70) MILLS
SECTION 27-39-329 OF THE MISSISSIPPI CODE OF 1972**

WHEREAS, the Mayor and the Board of Aldermen of the City of Southaven, Mississippi, wish to prepare and publish a summarized budget of the municipal revenues and expense estimated for the fiscal year 2011-2012; and

WHEREAS, the budget herein shall be for the period beginning from October 1, 2011 and ending September 30, 2012; and

WHEREAS, the "Municipal Budget Law" of the State of Mississippi provides that said budget shall be adopted and approved as finally determined by governing authorities being the Mayor and Board of Aldermen of the City of Southaven, Mississippi; now therefore,

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, DESOTO COUNTY, MISSISSIPPI, AS FOLLOWS

SECTION 2. It is hereby authorized by the Mayor and Board of Aldermen the funds as herein provided shall be appropriated for the provision of municipal services in the City of Southaven, DeSoto County, Mississippi, for the fiscal period 2011-2012:

the **GENERAL FUND BUDGET:** **\$33,076,500.00**

the **TOURIST & CONVENTION FUND BUDGET:** **\$415,000 .00**

the <u>DEBT SERVICE FUND BUDGET:</u>	\$ 7,945,000.00
the <u>UTILITY FUND BUDGET:</u>	\$ 8,971,000.00
the <u>SANITATION FUND BUDGET:</u>	\$3,135,000.00
the <u>LIBRARY FUND BUDGET:</u>	\$ 314,000.00

SECTION 3. It is hereby authorized by the Mayor and Board of Aldermen that the expenditures as herein provided shall be authorized for the provision of municipal services in the City of Southaven, DeSoto County, Mississippi, for the fiscal period 2011-2012: said expenditures being \$33,076,500.00 in sum total for the **General Fund Budget**, said appropriation being \$415,000.00 in sum total for the **Tourist and Convention Fund Budget**, said appropriation being \$7,945,000.00 in sum total for the **Debt Service Fund Budget**, said appropriation being \$8,971,000.00 in sum total for the **Utility Fund Budget**, said appropriation being \$3,135,000.00 in sum total for the **Sanitation Fund Budget**, said appropriation being \$314,000.00 in sum total for the **Library Fund Budget**.

SECTION 4. The above funds are set forth herein in the budget summary concerning both appropriations and expenditures.

SECTION 5. The Utility Rates for the City of Southaven shall be:

Residential

Water: \$1.80/100 cubic feet
Sewer: \$1.10/100 cubic feet
Interceptor Sewer: \$1.21/100 cubic feet
System Improvement: \$0.45/100 cubic feet
¾" Tap Fee: \$525
1" Tap Fee: \$630
2" Tap Fee: \$1,315
Irrigation Tee: \$200
Cut-Off Fee: \$75.00
During Hours Turn-on Fee: \$25.00
After Hours Turn-On Fee: \$35.00

Commercial

Water: \$2.20/100 cubic feet
Sewer: \$1.65/100 cubic feet
Interceptor Sewer: \$1.65/100 cubic feet
System Improvement: \$0.70/100 cubic feet
DCRUA Sewer Fee: \$2.50/100 cubic feet
¾" Tap Fee: \$850.00
1" Tap Fee: \$850.00
2" Tap Fee: \$1,700.00
3" Tap Fee: \$1,900.00
4" Tap Fee: \$3,400.00
6" Tap Fee: \$5,000.00
Irrigation Tee: \$200.00
Cut-Off Fee: \$75.00
During Hours Turn-on Fee: \$25.00
After Hours Turn-On Fee: \$35.00

Sewer Tap Fees

Inside Basin: \$1,350.00
Outside Basin: \$1,950.00

These rates are to be effective October 1, 2011 and shall only be amended by the Southaven Board of Alderman or by an agreement entered into by the Mayor, the Southaven Utility Committee Chairman and the Southaven Utility Division Director.

SECTION 6. The municipal salary and pay rate shall be effective for the 2011-2012 budget year (FY 2012) beginning in October 2011.

SECTION 7. The Municipal Budget for the City of Southaven, DeSoto County, Mississippi, presented and reviewed at this public meeting for the fiscal year 2011-2012 shall be published according to law and be in full force and effect after passage.

SECTION 8. The Motion to adopt the budget and establish the millage rate as presented being made by Alderman Hale with a second by Alderman Payne with the following aldermen being present and voting thereon as follows:

“for the approval and adoption of proposed budget and voting YEA”

ALDERMAN GUY YEA
ALDERMAN HALE YEA
ALDERMAN PAYNE YEA
ALDERMAN BROOKS YEA
ALDERMAN JOBES YEA

“opposed and voting NAY”

RESOLVED THIS 6th DAY OF SEPTEMBER 2011

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

SURPLUS PROPERTY

Alderman Jobses made the motion to take the recommendation of the Parks Department and surplus the listed equipment as presented to this Board. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

UNIT	ASSET #	YEAR	MFG.	Description	MODEL #	SERIAL #
209	Not on Asset List	2004	Exmark	Zero Turn Rotary Mower, 72" Deck, 27 HP Kohler Engine	LZ27KC724	481816
32	2648	2005	Exmark	Zero Turn Rotary Mower, 72" Deck, 27 HP Kohler	Lazer LZ27KC724	563383

				Engine		
31	Not on Asset List	2004	Exmark	Zero Turn Rotary Mower, 72" Deck, 27 HP Kohler Engine	Lazer LZ27KC724	492052
62	3088	2006	Exmark	Zero Turn Rotary Mower, 72" Deck, 30 HP Kohler Engine	Lazer LZ30KC725	664575
63	3089	2006	Exmark	Zero Turn Rotary Mower, 72" Deck, 30 HP Kohler Engine	Lazer LZ30KC725	644600
34	Not on Asset List	2004	Exmark	Zero Turn Rotary Mower, 72" Deck, 27 HP Kohler Engine	Lazer LZ27KC724	488963
101	Not on Asset List	2001	Smithco	CO 2 Line Painting Machine for Atheletic Fields	Line Star Jr. 44-301	
100	Not on Asset List	2001	Smithco	CO 2 Line Painting Machine for Atheletic Fields	Line Star Jr. 44-301	
102	Not on Asset List	2001	Smithco	CO 2 Line Painting Machine for Atheletic Fields	Line Star Jr. 44-301	
49	Not on Asset List	2000	Jacobsen	Leaf Blower	85041	1885
	Not on Asset List	2002	Welder	Hobart	Handler 175	LB07421
88	498	2001		Equip. Trailer	2 Axle-20 Foot	46CFB20261M000
12	Not on Asset List	1999	Cushman	Turf Truckster	898662	98007807
141	Not on Asset List	2003	Jacobsen	Aeriator	Vaerator VA-24	82560 2139

RESOLUTION TO CLEAN PRIVATE PROPERTY

RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY

WHEREAS, the governing authorities of the City of Southaven, Mississippi, have received numerous complaints regarding the parcel of land located at the following address, to-wit: **1207 Rasco Road, 1228 Thames Drive, 3333 Chateau Circle North, 7616 Millbridge Drive, 8653 Kinard Cove, 1877 MS Valley Boulevard, 7632 Amhurst Cove, 1250 Thames Drive, 1668 David Street, 2973 Glennbury Lane, 2273 Ashland Drive, 8323 Dottley Drive, 5787 Alexandria Lane, 2630 Greycliff Drive, 9181 Triple Crown Loop East, 1020 Worthington Drive, 8106 Pinebrook Drive, 5765 Kayla Drive, 1410 Ashley Cove, 4044 Courtyard Drive, 1374 Gaston Drive, 1351 Houston Loop South, 1354 Tyler Way, 3841 Houston Loop North, 4084 Hearthstone Cove, 4068 Hearthstone Cove, 3345 Mary Claire Lane, 3086 John Michael Drive, 612 Chateau Pointe Boulevard, 624 Chatfield Cove, 590 Bouldercrest Drive, 570 Bouldercrest Drive, 550 Bouldercrest Drive, 3419 Chateau Pointe Boulevard, 3381 Chateau Pointe Boulevard, 661 Chateau Pointe Boulevard, 677 Chateau Pointe Boulevard, 3291 John Michael Drive, 3273 John Michael Drive, 3189 John Michael Drive, 3125 John Michael Drive, 3093 John Michael Drive, 3061 John Michael Drive, Parcel ID# 1085150000000100, Parcel ID# 1086140000001900, 5115 Pepperchase Drive, Parcel ID# 2081011100002100, Parcel ID# 2081010000000213, Parcel ID# 2081011100001500, Parcel ID# 2081011100002700, Parcel ID# 2081011100002600, 1806 Whitehead Drive, to the effect that the said parcel of land has been neglected whereby **the grass height is in violation and there exist other unsafe conditions** and that the parcel**

of land in the present condition is deemed to be a menace to the public health and safety of the community.

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code Annotated (1972), the governing authorities of the City of Southaven, Mississippi, provided the owners of the above described parcel of land with notice of the condition of their respective parcel of land and further provided them with notice of a hearing before the Mayor and Board of Aldermen on **Tuesday, September 6, 2011**, by United States mail and by posting said notice, to determine whether or not the said parcel of land were in such a state of uncleanliness as to be a menace to the public health and safety of the community.

WHEREAS, none of the owners of the above described parcel of land appeared at the meeting of the Mayor and Board of Aldermen on **Tuesday, September 6, 2011**, to voice objection or to offer a defense.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Board of Alderman of the City of Southaven, Mississippi, that the above described parcel of land located at: **1207 Rasco Road, 1228 Thames Drive, 3333 Chateau Circle North, 7616 Millbridge Drive, 8653 Kinard Cove, 1877 MS Valley Boulevard, 7632 Amhurst Cove, 1250 Thames Drive, 1668 David Street, 2973 Glennbury Lane, 2273 Ashland Drive, 8323 Dottley Drive, 5787 Alexandria Lane, 2630 Greencliff Drive, 9181 Triple Crown Loop East, 1020 Worthington Drive, 8106 Pinebrook Drive, 5765 Kayla Drive, 1410 Ashley Cove, 4044 Courtyard Drive, 1374 Gaston Drive, 1351 Houston Loop South, 1354 Tyler Way, 3841 Houston Loop North, 4084 Hearthstone Cove, 4068 Hearthstone Cove, 3345 Mary Claire Lane, 3086 John Michael Drive, 612 Chateau Pointe Boulevard, 624 Chatfield Cove, 590 Bouldercrest Drive, 570 Bouldercrest Drive, 550 Bouldercrest Drive, 3419 Chateau Pointe Boulevard,**

3381 Chateau Pointe Boulevard, 661 Chateau Pointe Boulevard, 677 Chateau Pointe Boulevard, 3291 John Michael Drive, 3273 John Michael Drive, 3189 John Michael Drive, 3125 John Michael Drive, 3093 John Michael Drive, 3061 John Michael Drive, Parcel ID# 108515000000100, Parcel ID# 1086140000001900, 5115 Pepperchase Drive, Parcel ID# 2081011100002100, Parcel ID# 208101000000213, Parcel ID# 2081011100001500, Parcel ID# 2081011100002700, Parcel ID# 2081011100002600, 1806 Whitehead Drive is deemed in the existing condition to be a menace to the public health and safety of the community.

BE IT FURTHER RESOLVED that the City of Southaven shall, if the owners of the above described parcel of land do not do so themselves, immediately proceed to clean the respective parcel of land, by the use of municipal employees or by contract, by cutting weeds and grass and removing rubbish and other debris.

Following the reading of this Resolution, it was introduced by Alderman Jobs and seconded by Alderman Brooks. 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	ABSENT
Alderman Ronnie Hale	YEA
Alderman George Payne	YEA
Alderman William Brooks	YEA
Alderman Ricky Jobs	YEA
Alderman Randall T. Huling, Jr.	ABSENT

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the **6th day of September, 2011.**

PLANNING AGENDA

No Planning Agenda

MAYOR'S REPORT

Mayor Davis reported that he needed permission to sign an agreement with Carl Payne as an election consultant for the special election 1% tax referendum. Alderman Payne made the motion to allow Mayor Davis to sign the proposal. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

Next, Mayor Davis reported that Chief Tom Long would like to donate one of the city's older police cars (Unit 3012) to the City of Brooksville in accordance to state law. Alderman Brooks made the motion to surplus this vehicle out and donate it to Brooksville as presented. Motion was seconded by Alderman Guy. Motion was put to vote and passed unanimously.

Next, Mayor Davis stated that he is vetoing the personnel issue that was voted on at the last Board meeting. Alderman Jobs made the motion to allow the Veto to be entered into the minutes. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

Next, Mayor Davis reported that we are getting ready to start our 2011 Audit. He asked that we hire F. O. Givens for the City audit. Alderman Payne made the motion to accept F. O. Givens for the 2011 audit. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

Next, Mayor Davis reported on a budget amendment. He stated that it is money in, money out. Alderman Huling voted to approve the budget amendment as presented. Alderman Payne seconded the motion. Motion was put to vote and passed unanimously. A copy of the amendment will be attached to these minutes.

Next, Mayor Davis stated that he is presenting them with a Personnel Docket.

SOUTHAVEN POLICE DEPARTMENT:

Jeffery Widmer, P2, DOH: 09-06-11

Alderman Brooks made the motion to add the Personnel Docket into the minutes. Motion was seconded by Alderman Guy. Motion was put to vote and passed unanimously.

COMMITTEE REPORTS:

Alderman Payne reported that the Utility Committee met last week. They are asking to rename the Getwell Treatment Plant to the "Chris Hadaway

Treatment Plant". This will be in memory of Chris Hadaway, our previous Utility Director. Alderman Hale made the motion to rename the treatment plant to the "Chris Hadaway Treatment Plant". Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

Next, Alderman Jobs is requesting Board approval for him to travel to the National League of Cities Conference in November 2011. Alderman Guy made the motion to allow Alderman Jobs to travel to the conference. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

CITY ATTORNEY'S LEGAL UPDATE

Mark Sorrell, City Attorney stated that he has one claim to report from a Lisa Betts. In her claim, she stated that she hit a pothole on Getwell Road on the 18th day of June. After an investigation of this claim, he recommended that Ms. Betts claim be denied. Alderman Huling made the motion to uphold the recommendation of the City Attorney and deny the claim. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

OLD BUSINESS:

No Old Business

PROGRESS REPORTS:

No Progress Reports

CLAIMS DOCKET:

A motion was made by Alderman Jobs to approve the Claims Docket of September 6, 2011, including demand checks and payroll in the amount of \$462,552.22. Motion was seconded by Alderman Brooks. There was no discussion, the motion was put to vote and passed unanimously.

Excluding voucher numbers:

168569, 168636, 168653, 169195,169219.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Guy	ABSENT
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 6th day of September, 2011.

PERSONNEL AND LITIGATION

Next, motion was made by Alderman Jobs, to move for a closed determination of the issue on whether or not to declare an Executive Session. Motion was put to vote and passed unanimously. Alderman Jobs made the motion to go into Executive Session for the purpose of discussing personnel. Motion was put to a vote and passed unanimously.

Mayor called the meeting back to order.

There being no further business to come before the Mayor and Board of Aldermen, a motion was made by Alderman Jobs to adjourn. Motion seconded by Alderman Hale. Motion was put to a vote and passed unanimously, September 6, 2011 at 7:00 p.m.

**Greg Davis,
Mayor**

Sheila Heath, City Clerk