

**MINUTES OF THE REGULAR MEETING
OF MARCH 20, 2012
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 20th day of March, 2012 at six o'clock (6:00) p.m. at City Hall.

Present were:

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

Alderman Guy was absent. 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 Cady led in prayer, followed by the Pledge of Allegiance led by Alderman Payne. Next, a motion was made by Alderman Cady to approve the minutes of the regular meeting of March 6, 2012 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Payne. Motion was put to a vote and passed unanimously. Next, a motion was made by Alderman Cady to approve the minutes of the special meeting of March 9, 2012 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

EMERGENCY REPAIR TO NORTHWEST DRIVE

Mayor Davis reported that he has an emergency repair for the Northwest Drive project. He stated to protect the integrity of the remaining road structure with the recommendation of the Public Works Director and in accordance with MS Code 31-7-13 (K), the heavy rain and the chance of losing more of the road bed, Lehman Roberts was called to overlay the street. The current bid had expired, therefore causing Mayor Davis to request the emergency repair. Alderman Brooks made the motion to enter the emergency repair into the minutes. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

CITY OF SOUTHAVEN

Top of Mississippi
Office of the Mayor

GREG DAVIS
MAYOR



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TO: BOARD OF ALDERMEN
FROM: MAYOR GREG DAVIS
DATE: MARCH 13, 2012
RE: EMERGENCY REPAIR

I am authorizing the emergency repair of Northwest Drive to protect the integrity of the remaining road structure with recommendation of Public Works Director and in accordance with MS Code 31-7-13(K).

A handwritten signature in black ink, appearing to read "Greg Davis", is written over a horizontal line. The signature is stylized and somewhat cursive.

Greg Davis, Mayor

HURRICANE CREEK SEWER PROJECT LOAN APPLICATION

Mayor Davis reported that the Hurricane Creek Sewer Project is an ongoing project. This project is in conjunction with the City of Hernando and they will be reimbursing the city for some of these funds because it is also going through Hernando. This is a SRF Loan at 2.75% in the amount of \$7,098,700.00.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI NAMING AUTHORIZED REPRESENTATIVE AND AUTHORIZING APPLICATION FOR WATER

**POLLUTION CONTROL REVOLVING LOAN FUND (WPCRLF) FOR
WASTEWATER TREATMENT UPGRADE PROJECT**

**RESOLUTION AUTHORIZING THE “OFFICE OF THE MAYOR” TO
EXECUTE THOSE DOCUMENTS AND AGREEMENTS REQUIRED IN
CONNECTION WITH THE APPLICATION FOR THE WATER
POLLUTION CONTROL REVOLVING LOAN FUND PROGRAM
THROUGH THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL
QUALITY, OFFICE OF POLLUTION CONTROL AND NAMING THE
“OFFICE OF THE MAYOR” AS THE AUTHORIZED
REPRESENTATIVE OF THE CITY OF SOUTHAVEN, MISSISSIPPI**

WHEREAS, the City of Southaven, Mississippi, makes application for a Water Pollution Control Revolving Loan Fund (WPCRLF) loan in the amount of \$7,098,700.00 from the Mississippi Department of Environmental Quality (MDEQ) for installation of the Hurricane Creek Sewer Project which includes a gravity sewer main that conveys sewer from Pleasant Hill Road south to a proposed pump station located at Hurricane Creek and McIngvale Road. The pump station then pumps sewer through a force main to the Short Fork Interceptor and WWTF operated by DCRUA. Also included are a series of pump stations and force mains along Hwy 51 and Star Landing road to convey sewer to Hurricane Creek.;

WHEREAS, in order to apply for such a loan the City of Southaven must submit a WPCRLF Loan Application package in compliance with WPCRLF Program Regulations;

WHEREAS, such regulations required that the City of Southaven, Mississippi provide as part of the package a certified copy of a Resolution which authorizes submission of the application and which designates an authorized representative to execute the application and to be the authorized representative for the project; and

WHEREAS, Section 21-17-5 of the Mississippi Code Annotated (1972), empowers the governing authorities of a municipality to adopt resolutions with

respect to such municipal affairs.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Board of Aldermen of the City of Southaven, Mississippi, and the submission of a WPCRLF Loan application is hereby authorized, with the proceeds from such loan to be used to finance and implement WPCRLF Loan Program project SRF-C280910-01.

IT IS FURTHER RESOLVED that the “Office of the Mayor” is authorized to execute and file an application for a WPCRLF loan on behalf of the City of Southaven, Mississippi with full authority to execute all documents pertaining to the project.

IT IS FURTHER RESOLVED that the “Office of the Mayor” is hereby authorized to be the authorized representative of the project.

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

ALDERMEN	VOTED
Alderman Lorine Cady	YEA
Alderman Ronnie Hale	YEA
Alderman George Payne	YEA
Alderman 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 3rd day of March, 2012.

PLANNING AGENDA

ITEM #1- Application by Lifestyle Homes for the subdivision approval to revise the Brambles Subdivision Sec. “A” on the east side of Getwell Road, south of Church Road. Mrs. Whitney Choat-Cook reported that this application only affects 6 lots on Vineyard Drive. They are requesting to increase the lot sizes from 12,000+ to 16,000+. It is still in compliance. She reported that the planning commission voted unanimously in favor of this application. Alderman Huling made the motion to approve Item #1 as presented to this Board. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

ITEM #2-Request to vacate lot 16a from Ole Meadows Subdivision Sec. “A” on the west side of Swinnea Road, south of Church Road as recorded in Book 86, Page 36 of the DeSoto County Chancery Clerk’s Office. Mrs. Whitney Choat-Cook reported that the intention is to take this lot 16A and merge it with another parcel of land to the west and merge it again with lot 18 and taking it out of Section D. It is all in compliance. Alderman Brooks made the motion to approve Item #2 as presented to this Board. Motion was seconded by Alderman Payne. Mayor Davis asked if there was anything to stop both of the applications to come through at the same time. Mrs. Choat-Cook stated that the other one is an existing subdivision application, and it has to go through the Planning Commission first. It will be back in front of this Board the first week in April. Alderman Payne made the motion to table Item #2 until the revision of Section D is also presented to the Board. Motion to table this item was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

MAYOR’S REPORT

Mayor Davis reported that this Board authorized to go out for lease purchases on Police vehicles. After requesting quotes from several banks, it appears that Regions Bank is the lowest at 1.72%.

Institution	Amount to be Financed	Rate	Monthly Payment
BancorpSouth Equipment Finance	\$ 271,228.60	2%	\$ 7,768.56
Covenant Bank	\$ 271,228.60	1.85%	\$ 7,750.94
Regions Equipment Finance	\$ 271,228.60	1.72%	\$ 7,735.58
SunTrust Leasing	\$ 271,228.60	1.73%	\$ 7,736.76

Alderman Payne made the motion to accept Regions Equipment Finance as the lowest and best bid for financing of the Police vehicles. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

CITIZEN’S AGENDA:

Mayor Davis opened the floor for Citizen's Agenda.

Mrs. Linda Temple, 9076 Moss Point Drive. Mrs. Temple stated that she lives in the oldest section of Southaven, at Moss Point and Vicksburg. She stated that she wanted to thank one of our city employees. She said there was some water standing in a pot hole, and Mr. Humphrey came and looked at it. She stated that she believes in team leadership. She said she thinks all this stuff going on in the city is taking a toll on everyone. She wants to get all this behind us and move on. She thanked them for all the Board does. Mayor Davis told her that they are looking into milling and overlaying the streets in that area.

Mr. Red Nelson, 8586 Kinard Cove. Mr. Nelson just complained about not being able to hear the Board when they are talking. He stated that Alderman Hale is the only one he can hear. Please speak up.

Mrs. Orianna Hill, 7779 Davis Parkway. Mrs. Hill stated that she met with Mayor Davis and left with the understanding that the law says the Alderman were responsible for any expenditures approved. She did not understand that the Aldermen are presented with a budget that has line items for each department, but they are not given the details that the line items are spent on. How can they be responsible for the money if they don't know what it is being spent on? Mayor Davis went through the process from the purchase of things to the payment of things including the process of a purchase order, quotes, and invoicing to the docket for payment. She thanked Mayor Davis for explaining that process. Next, she asked about Green Machine contract. She asked why we need a contract now. Mayor Davis stated that when they bring it up next meeting, she can ask them at that point, why we need the contract. Mrs. Hill thanked Mrs. Heath for all her help.

Mr. Marion Vinton, 3366 Woodland Trace. Mr. Vinton asked where the Board stood on lowering the Mayor's salary. Alderman Huling stated that his salary has already been reduced by \$35,000.00. As for the stipend and the \$2,700.00 in longevity, the City Attorney has asked for an opinion from the Attorney General. Alderman Huling stated that his salary at this time is \$145,000.00. Next, he asked why the City needs a full time Mayor and a full time City Administrator. Alderman Huling stated that both Mayor and City Administrator are different jobs. All cities in this area have both.

At this time Mayor Davis asked if anyone else wanted to speak to the Board. No one did, therefore the Citizen's Agenda was closed.

PERSONNEL DOCKET

Personnel Docket 3/20/2012

Payroll Additions

Name	Position	Department	Date of Hire	Rate of Pay
Lisa Booth	Gates	Parks Tournaments - 412	3/7/2012	\$7.50

Destiny Maxwell	Concessions	Parks Tournaments - 412	3/7/2012	\$7.25
Kendrick Addison	Concessions	Parks Tournaments - 412	3/7/2012	\$7.25
Payroll Deletions	Position	Department	Date of Termination	Rate of Pay
Daryl Williams	Laborer	Parks	3/11/2012 - resigned	\$11.00
Trey Wiseman	P/T Laborer	Parks	3/4/2012 - resigned	\$7.25

Alderman Cady made the motion to accept the Personnel Docket as presented on this date. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

COMMITTEE REPORTS:

Alderman Huling reported that the Parks Committee met, and they will be reporting to the Board on the fee structure for rental of the facilities. Also, they had an initial discussion with Green Machine. He reported that the City Attorney is evaluating the contract.

Next, Alderman Jobs reported that the city's CPA, Edi McIlwain is ready to make a brief update to the Board. She reported that she is preparing a 64 page financial statement, so she can be ready for the FY 2011 audit. Alderman Jobs stated that after talking to Edi and Chris, to create that 64 page report, the city is saving a tremendous amount of money.

CITY ATTORNEY'S LEGAL UPDATE

No City Attorney's Legal Update

OLD BUSINESS:

Alderman Hale made the motion to allow Alderman Brooks to attend the MML Conference in June 2012. Motion was seconded by Alderman Payne. Alderman Hale made the motion to amend the original motion to also include Alderman Jobs. Motion to the amendment was seconded by Alderman Cady. Motion for the amendment was put to vote and passed unanimously. Motion for the amended motion to allow Alderman Brooks and Alderman Jobs to attend the MML Conference was put to vote and passed unanimously.

PROGRESS REPORTS:

Mayor Davis reported that the contractors will start the sewer pump installs in Summerwood and Whitten Place Subd. within the next 10 days for their sewer system.

CLAIMS DOCKET:

A motion was made by Alderman Jobs to approve the Claims Docket of

March 20, 2012, including demand checks and payroll in the amount of \$835,427.89. Motion was seconded by Alderman Hale. Motion was put to vote:

Excluding voucher numbers:

177753, 177772, 177970, 177991, 177992, 178299, 178312. 178317.

Roll call was as follows:

ALDERMAN	VOTED
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 20th day of March, 2012.

PERSONNEL AND LITIGATION

Next, motion was made by Alderman Cady, 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 Hale made the motion to go into Executive Session for the purpose of discussing Economic Development and Potential Litigation. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

Alderman Cady, Mayor Pro Tempore called the meeting back to order out of executive session into regular session.

Alderman Cady stated that the Board made a motion addressing the concerns of the State Auditor's Office.

Alderman Payne made the motion that after reviewing the card statements and receipts, individually and collectively; after discussing specific credit card statements with various department heads; and after reviewing supplemental documentation submitted by Mayor Davis, the Board of Alderman for the City of Southaven has determined that the expenditures made by Mayor Davis were not unreasonable in nature and were related to city business. Motion was seconded by Alderman Brooks .

Roll call was as follows:

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

Having received a majority of affirmative votes, the Mayor Pro Tempore

declared that the motion was carried and approved on this the 20th day of March, 2012.

There being no further business to come before the Mayor and Board of Alderman, a motion was made by Alderman Brooks to adjourn. Motion was second by Alderman Hale. Motion was put to a vote and passed unanimously, March 20, 2012 at 11:10 p.m.

Charles G. Davis
Mayor

Sheila Heath, City Clerk