

**MINUTES OF THE REGULAR MEETING
OF APRIL 17, 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 17th day of April, 2012 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 Cady led in prayer, followed by the Pledge of Allegiance led by Alderman Hale. Next, a motion was made by Alderman Cady to approve the minutes of the regular meeting of April 3, 2012 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Payne. Motion was put to a vote and passed unanimously.

SURPLUS PROPERTY-SPD

Mayor Davis reported that DC Steve Pirtle is requesting to surplus the following:

2004 Ford Crown Victoria VIN #2FAFP71W94X134147, Unit #2257.

Alderman Brooks made the motion to surplus the 2004 Ford Crown Victoria in accordance to state law. Motion was seconded by Alderman Cady. Motion was put to vote and passed unanimously.

Next, the Captain Steve Stewart with the Police Department is requesting to surplus the following seized vehicles in accordance to state law:

**1-2000 Pontiac Grand Prix, VIN# 1G2WR5215YF164599
2-2002 Ford Explorer, VIN# 1FMZU63E12ZA51409
3-1999 Honda Accord, VIN# 1HGGCG3240XA004131
4-1997 Honda Civic, VIN# 2HGEJ6678VH571346
5-2002 Dodge Ram, VIN# 3D7HA18N12G198503**

Alderman Payne made the motion to surplus these vehicles in accordance to state law. Motion was seconded by Alderman Huling. Motion was put to

vote and passed unanimously.

RESOLUTION 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: **2220 Ashland Drive, 1622 Monty's Circle, 7751 Parkview Circle East, 5446 Kristy Lane, 5583 April Drive, 1188 McGowan 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, April 17, 2012**, 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, April 17, 2012**, 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: **2220 Ashland Drive, 1622 Monty's Circle, 7751 Parkview Circle East, 5446 Kristy Lane, 5583 April Drive, 1188 McGowan 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 Guy and seconded by Alderman Huling. 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 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 **17th day of April, 2012**.

ON-LINE BILL PAY APPROVAL

Mayor Davis reported that the City has finally got the online bill pay set up and ready to go. There is a service fee that is associated with the online payment. This fee will be paid by the user, not the City. The name of the company is "Official Payment Corporation". It is PCI compliant and is recommended by our municipal software company, Munis. Alderman Payne stated that he felt like it is a good service for the citizens of Southaven. Alderman Payne made the motion to move forward with Official Payment Corporation to do the City's online bill payment. Motion was seconded by Alderman Hale. Alderman Brooks asked if there would be a link on the City's web page to this. Mayor Davis and Chris Shelton, IT Director stated that it would be. Motion was put to vote and passed unanimously.

BIDS-JANITORIAL SERVICES

Mayor Davis reported that we advertised for our cleaning and janitorial services. It is the recommendation of the City's Operations Director, Bradley Wallace that we accept the following:

Patsy Cleen Commercial Cleaning: Package #1 at \$2,399.00 per two week period for cleanings of the City Hall and bi-weekly cleanings of the Court Building.

D & J's Cleaning Services: Package #2 Bid was \$300.00 charged per two week period to clean SPAC weekly and \$100.00 charged per event for special cleanings after events as requested.

D & J's Cleaning Servies: Package #3 Bids for special floor work to be performed as requested were as follows: \$1,300.00 per event at City Hall. \$385.00 per event at Court. \$1,585.00 per event at SPAC. \$2,800.00 per event at Bancorp South Sports Center and \$555.00 per event at Tennis Center.

Alderman Huling made the motion to accept the recommendation of Bradley Wallace as presented to this Board. Motion was seconded by Alderman Cady. Alderman Hale made the motion to table this item until the next meeting. He stated that he has been involved in this process, and he has some questions for Mr. Wallace, and he is not at the meeting tonight to answer them, so he is requesting to table. Motion to table was seconded by Alderman Guy. Motion was put to vote and passed unanimously.

PLANNING AGENDA

Snowden Grove Landscape Easement: Mrs. Whitney Choat-Cook reported that she has received a request from the Snowden Grove Homeowner's Association requesting that they be allowed to start maintaining the easements inside our ROW on Central Parkway off of Getwell, and also at Church and Savannah Parkway. Instead of granting them ownership of the ROW, we opted to grant them a landscape easement. They will do the maintenance on the easement. Alderman Huling made the motion to grant a landscaping easement to the Snowden Grove Homeowner's Association for the islands located within their subdivision. Motion was seconded by Alderman Guy. Motion was put to vote and passed unanimously.

ITEM #1 Application by Walgreen's for a Conditional use permit to allow a reader board at 35 Stateline Road, on the southwest corner of Airways Blvd. and Stateline Road.

ITEM #2 Application by Walgreens for a conditional use permit to allow a reader board at 1011 Goodman Road, on the southeast corder of Goodman Road and Swinnea Road.

Mrs. Choat-Cook reported that Item 1 & 2 were the same. They were for reader board signs at two different Walgreen's locations. One will be at Airways and Stateline Road, and the other is at Goodman and Swinnea. They are proposing to take down the pole signs they have now and bring it down to the 9' with a reader board. The only comment the Planning Commission has is keep it in compliance and to take the red lettering to white. She reported that it was voted unanimously by the Planning

Commission. Alderman Huling made the motion to accept Item #1 and 2 as presented to this Board. Motion was seconded by Alderman Cady. Motion was put to vote and passed unanimously.

“Item 3 has been withdrawn by the applicant”.

ITEM #3 Application by Bancorp South to amend the St. Claire Park PUD text decreasing the heated square footage from 4,000 sq. ft. to 3,200 sq. ft.

MAYOR’S REPORT

Mayor Davis reported that he will be claiming April 21, 2012 as Earth Day.

Next, he reported that this is the City’s annual Springfest week. He reported that it started this past Saturday with the Prayer Breakfast put on by the Heritage Home & Garden Club. He reported that the entertainment would be as follows: Friday night, R. T. Scott & the Outlaw Show, Jon Pardi and Kix Brooks. Saturday night, Inner 61, Chancie Neal and Easton Corbin. All tickets are general admission and are \$10.00 for 11 and over, and 10 and under is free. Wristband nights are Wednesday and Thursday with unlimited rides for \$15.00 wristband fee.

Next, Mayor Davis reported on the City’s sales tax collections over the last six months. He reported that our last six months sales tax report show that the City has set records each month for highest collection ever for that month.

Next, Mayor Davis reported that they had been given a Resolution from Regions for the lease purchase of the Police vehicles. Alderman Cady made the motion to approve the Resolution releasing the use of the equipment described and lease purchase agreement with Regions bank. Motion was seconded by Alderman Brooks. Alderman Hale asked if these were the vehicles that we had already approved. Mayor stated that they were and they were approved for purchase already. Mayor Davis called for a roll call;

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 on this the 17th day of April, 2012.

Next, Mayor Davis reported that we have the GMS Application Number. This is the Department of Justice Grant (JAG) in the amount of \$15,366.00. You approved the application, now you have to approve the MOU to actually get the money. Alderman Cady made the motion to allow Mayor Davis to enter into the MOU for the JAG application. Motion was seconded by Alderman Payne. Mayor Davis called for a roll call;

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 on this the 17th day of April, 2012.

Next, Mayor Davis reported on a budget revision.

		Original Approp	YTD Actual	Revised Budget	Amendment Amount
0010 400100	Ad Valorem Tax	\$ (8,750,000.00)	\$ (8,977,240.00)	\$ (9,250,000.00)	\$ (500,000.00)
0010 400101	Homestead Reimbursement	\$ (48,500.00)	\$ (57,949.00)	\$ (57,900.00)	\$ (9,400.00)
0010 490 701	EMSOF Operating	\$ (16,000.00)	\$ (25,751.00)	\$ (25,750.00)	\$ (9,750.00)
0010 490 702	EMS Trauma Designated	\$ (15,000.00)	\$ (17,597.00)	\$ (17,500.00)	\$ (2,500.00)
0010 491900	County Motor Vehicle Tax	\$ (40,000.00)	\$ (50,035.00)	\$ (53,000.00)	\$ (13,000.00)
0010 491901	Road Bridge Maint Tax	\$ (680,000.00)	\$ (694,184.00)	\$ (700,000.00)	\$ (20,000.00)
0010 502700	Fire Training Revenue	\$ (1,500.00)	\$ (3,222.00)	\$ (3,200.00)	\$ (1,700.00)
0010 560101	Grand Gulf	\$ (555,000.00)	\$ (545,159.00)	\$ (545,000.00)	\$ 10,000.00
0010 582 100	Street Bond	\$ (265,000.00)	\$ (266,662.00)	\$ (266,500.00)	\$ (1,500.00)
					\$ (547,850.00)
211 630 600	Police Vehicles	\$ -	\$ -	\$ 30,000.00	\$ 30,000.00
290 630 400	Fire Equipment	\$ 150,000.00	\$ 231,585.00	\$ 350,000.00	\$ 200,000.00
211 615 500	Jail Fees	\$ 150,000.00	\$ 149,479.00	\$ 250,000.00	\$ 100,000.00
111 630 600	Mayor Vehicle	\$ -	\$ 9,000.00	\$ 33,000.00	\$ 24,000.00
290 626 700	Fire Rentals	\$ 312,000.00	\$ 220,528.00	\$ 400,000.00	\$ 88,000.00
902 625 100	Street Ditch Improvements	\$ 770,993.00	\$ 536,976.00	\$ 850,000.00	\$ 79,007.00

902 622 100	Professional Services	\$	10,000.00	\$	6,720.00	\$	36,843.00	\$	26,843.00
								\$	547,850.00
								\$	-

Alderman Guy made the motion to accept the budget revision as presented by DFA. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

Next Alderman Hale reported that the SBEC Band recently led the parade at the Cherry Blossom Festival in Washington. He stated that he had received an email that said that the band was not only in the parade but led the parade. He stated how proud he was and what an honor that is.

CITIZEN’S AGENDA:

Barbara Cleveland. She stated that she is very happy about the mail out in the water bill. She thinks that will help people know about code enforcement. She asked if they could do something about letting the people know they should have their garbage in bags. She said that they are getting paper and trash everywhere on trash day. Mayor said he will do another mail out and add that to the list. She thanked the board for doing this.

Mrs. Temple stated that the neighborhood watch is having a block party at the Vicksburg Park and wanted to invite this Board to join them. It will be on May 19, 2012. She asked if this Board could give a promotional benefit to the cook out. Mayor Davis stated that she would need to give a letter to the Board requesting the fund and how it will promote the City.

Next, she asked if we have gotten an appraisal yet for the Fire Station on Swinnea. Mark Sorrell, City Attorney, stated that he has not heard from them yet.

Next, she said the medians on Northwest Drive look great. She said the only problem is right in front of Fred’s. Mayor Davis said he has seen people coming the wrong way to Fred’s, too. She was also concerned that when the young shrubs grow, they will block the view. Mayor told her that they will not. They are low growing shrubs.

PERSONNEL DOCKET

Personnel Docket 04/17/2012

Payroll Additions				
Name	Position	Department	Date of Hire	Rate of Pay
Lee Walker	Paramedic	Fire	4/19/2012	\$14.77
David Carl Dayton	Seasonal Laborer	Parks	4/16/2012	\$7.50
Grant Woods	Seasonal Laborer	Parks	4/16/2012	\$7.50

Payroll Deletions

Name	Position	Department	Date of Termination	Rate of Pay
Kenneth Collins	Lieutenant	Fire	05/01/2012 - Retired	\$17.41
Christopher Wright	Sergeant	Police	04/06/2012 - resigned	\$19.98

Alderman Payne 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 from the Parks Committee. He stated that they had met with the Parks Director and the Assistant Parks Director about Park rental facility fees. He stated that they have come up with a fee schedule and have forwarded them to this Board. Alderman Payne made the motion to accept the new Park facility rates as presented. Motion was seconded by Alderman Huling. Mayor Davis said fees are as follows:

Greenbrook Lake Pavilion	\$ 100.00
Southaven Tennis Center	\$ 750.00
Snowden House	\$ 1,400.00
Southaven Arena	\$ 3,000.00
Performing Arts Center	
Non-Profit	\$ 300.00
All others	\$ 500.00

Alderman Brooks asked if this would bring us up to what is being paid around us, and Mayor stated it would, maybe still a little cheaper. Alderman Cady asked if the gym would be the same price, and he stated that it would. Motion was put to vote and passed unanimously.

Next, Mayor Davis reported that we have a new facility rental application. Alderman Brooks made the motion to accept the Parks Facility Rental Application. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

Next, Mayor Davis reported on the lease of Breakthrough Church (Warrior Ministry). They are in the Performing Arts Center. They were sharing the facility with First United Methodist Church at a rate of \$3,000.00 a month with both Churches combined. It is the recommendation that the City charge them \$2,000.00 a month because they do get a little more use of the auditorium. Alderman Cady made the motion to accept the lease for Breakthrough Church. Motion was seconded by Alderman Guy. Alderman Hale asked if this has been approved with Warrior Ministry. Mayor stated that he thought they were in the negotiations with them for about a month. Motion was put to vote and passed unanimously.

Next, Mayor Davis reported on the contract with Green Machine Enterprise for the Amphitheater contract. Alderman Guy made the motion to approve the entertainment agreement between The Green Machine Enterprise and the City of Southaven. Motion was seconded by Alderman Huling. Alderman Huling reported that the Parks Committee had met with the Parks Director and the Assistant Parks Director as well as Mr. Green, in reference to the issues that the City has had in the past with utilization with the amphitheater also realizing the huge benefit that the Snowden Grove has as far as with the tournaments and the wear and tear on the Snowden House. It is the recommendation of the Parks Committee to raise the rent from \$7,500.00 to \$12,500.00 per event. Mr. Green has to do eight (8) events per year, and he will rent the ticket office for \$800.00 per month. Mayor stated that this contract would produce approximately \$159,600.00 per year to the City of Southaven. Alderman Payne stated that would not even count the economic impact it would make. Alderman Payne asked if this contract would give Green Machine exclusive rights to the amphitheater. Alderman Huling stated that the City can still use it with the exception of specified dates that he has. Alderman Payne asked if other promoters could use it, and Mayor Davis stated that is exclusive from that stand point. Alderman Brooks asked if it is a one year agreement. Alderman Huling stated that it is a four year agreement with the understanding if the Board changes during election, the new Board may override it. Alderman Payne asked if it was not a four year agreement with a one year review. Alderman Huling stated that it is a one year review. Motion was put to vote and passed unanimously.

Alderman Jobs reported that the Insurance Committee will meet with Wes Brown right after this meeting.

Next, Mayor Davis asked for permission to sign the lease agreement between the City of Southaven and Green Machine for the rental of the ticket office at Snowden Grove. Alderman Guy made the motion to accept the lease agreement with the ticket office. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

CITY ATTORNEY'S LEGAL UPDATE

No City Attorney's Legal Update

OLD BUSINESS:

No Old Business

PROGRESS REPORTS:

Alderman Brooks stated that retail is vital in our City and that we continue to attract retail of all sizes. Alderman Brooks made the motion that he, Mayor Davis and Alderman Hale be able to travel to the National Retail Conference that is associated with the International Council of Shopping Centers. And, that the necessary tourism funds are spent to attract business to the City. This will be in accordance to the City travel policy. Motion was seconded by Alderman Huling. Alderman Payne asked what kind of tourism funds were we talking about? Mayor reported that it is a group of people that he could not mention. Alderman Payne stated as long as it is in accordance with the State Auditor and City of Southaven policy. Motion was

put to vote and passed unanimously.

Mayor Davis reported that he has been working with the state auditor's office on a travel policy for the City of Southaven. Chris Wilson has been making changes to our policy and will get it to the personnel committee around the first of May for them to look over and make recommendations.

Alderman Jobs asked for an update from the road department. Mayor Davis told them that the running total, without their request, for street overlay and repair is \$1.8 million as of right now. He asked the Board to let him know if they have a street that is in bad need of repair, to shoot him or Mr. Ray Tarrance an email and by the second meeting in May, we will have a street listing. It will be our recommendation as far as condition as to what needs to be done to the street. By then we will know what we are looking at with our budget. Alderman Guy asked if the DeSoto County would help with the cost and Mayor stated that they have asked.

CLAIMS DOCKET:

A motion was made by Alderman Jobs to approve the Claims Docket of April 17, 2012, including demand checks and payroll in the amount of \$707,924.64. Motion was seconded by Alderman Payne. Alderman Jobs made the motion to remove Voucher #179827 from the claims docket, in the amount of \$456.04 to Bradley Wallace. Motion was seconded by Alderman Brooks. Alderman Cady asked why this was being removed. Alderman Jobs stated that the room cost was way too high for the City to pay for that outing. Alderman Hale stated that there were a couple issues with this travel. He stated that Chris Wilson, CEO has not approved this out of state travel yet, and he felt like the room was more than we should pay. The motion to exclude the voucher was put to vote and passed with a 6-1 vote with Alderman Huling voting NAY. Motion to approve the docket with the amendment was put to vote:

Excluding voucher numbers:

179344, 179391, 179545, 179826, 179890, 180197, 180228 and excluded voucher number 179827.

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 17th day of April, 2012.

PERSONNEL AND LITIGATION

Next, motion was made by Alderman Guy, 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 Guy made the motion to go into Executive Session for the purpose of discussing City Wide Personnel and Potential Litigation. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

Executive Session:

Alderman Hale asked everyone but the Mayor and Board Members to leave the meeting room.

Mayor Davis called the meeting back to order out of executive session into regular session.

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Guy to adjourn. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously, April 17, 2012 at 8:00 p.m.

Charles G. Davis
Mayor

Sheila Heath, City Clerk