

Minutes, City of Southaven, Southaven, Mississippi

MINUTES OF THE REGULAR MEETING OF DECEMBER 4, 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 4th day of December, 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 and Nick Manley, City Attorney. Approximately fifty (50) 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 Huling. Next, a motion was made by Alderman Cady to approve the minutes of the regular meeting of November 20, 2012 with any corrections, deletions, or additions necessary. There being none the motion was seconded by Alderman Huling. Motion was put to a vote and passed unanimously.

AUDIT SERVICES FY 2012

Mayor Davis reported that Edi McIlwain along with Chris Wilson went out for proposals for the City FY 2012 auditors. Quotes were as follows:

H. O. Givens & Co. \$55,000.00 plus any out of pocket expense
Williams, Pitts and Beard: not to exceed \$41,500.00 which did include expenses

It is recommended by Mrs. McIlwain and Chris Wilson that we go with Williams, Pitts and Beard for the FY 2012 Audit. Alderman Brooks made the motion to go with the recommendation of Edi McIlwain and Chris Wilson and use Williams, Pitts and Beard. Motion was seconded by Alderman Huling. Alderman Huling asked that if the contract had any timelines in it for them to complete the audit. Mrs. McIlwain stated that it did not. He remembers Williams, Pitts and Beard not getting our audit done on time. Mayor Davis asked Mrs. McIlwain to come before this Board to answer any questions. After a discussion, Alderman Huling asked to withdraw his motion. Mayor Davis asked for any objections to Alderman Huling withdrawing his motion. Alderman Jobes voted YES to the withdraw. Alderman Hale made the motion to amend the original motion to make sure the contract had a penalty date to include all damages. Motion was seconded by Alderman Brooks. Motion was put to vote

Minutes, City of Southaven, Southaven, Mississippi

and passed unanimously. Next, Mayor Davis went back to the original motion to allow Williams, Pitts and Beard to do the FY 2012 audit. There was no discussion. The motion to accept Williams, Pitts and Beard, as amended, was put to vote and passed with a 4-2 vote with Alderman Cady and Alderman Huling voting "NO". Mayor Davis then called for a roll call.

Roll call was as follows:

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

Having received a majority of affirmative votes, the Mayor declared that the motion was carried and approved on this the 4th day of December, 2012.

PLANNING AGENDA

No Planning Agenda.

MAYOR'S REPORT

Mayor Davis stated that he has a new member to the Mayor's Youth Council. He asked Nathan Gentry to come to the front to take the oath of office. Mr. Gentry then was sworn in, by Mayor Davis, as a member of the Mayor's Youth Council.

Next, Mayor Davis reported that he had met with Major General Augustus Collins with the Mississippi National Guard. Major General, Augustus Collins, has asked this Board to help them find a larger building, so they can expand the National Guard unit as well as a regional repair shop. In order to help them out, Mayor Davis has appointed a new Site Committee to assist them in a new location. The Committee will be Alderman Cady as Chairman, Alderman Huling and Alderman Payne to serve on that Site Selection Committee.

Next, Mayor Davis stated that the County is asking for something official from the City on the Swinnea Road project. That is the section of Swinnea between Church and Goodman Road. The County is estimating the expansion to be around \$1.8 million and that is about a 2,000 ft. gape of road. Mayor Davis stated that he is asking this Board to split the engineering fees at a 50/50 split for engineering and design cost and not commit to the project until the final project cost is presented to this Board. Alderman Payne made the motion to enter into the 50/50 split with the county for engineering / design fees only. Motion was seconded by Alderman Cady. Alderman Jobes stated that he feels like we should vote on this with a dollar amount in mind. He stated that he knows that the County has some kind of dollar amount in mind for the engineering fees of this project. Alderman Hale and Alderman Jobes stated that they feel like we should have an estimated cost up front. Alderman Hale made the motion to amend the original motion to include "contingent that we receive an estimate from the County of the cost of the engineering / design fees first, before we enter into the 50/50 split". The motion for the amendment was seconded by Alderman Brooks.

Minutes, City of Southaven, Southaven, Mississippi

Motion was put to vote and passed with a 6-1 vote, Alderman Huling voting "NO". Next, Mayor Davis asked if there was any discussion on the motion as amended. No discussion, therefore Mayor Davis asked for a roll call on the original motion as amended. Motion was put to vote and passed with a 6-1 vote with Alderman Huling voting "NO".

Next, Mayor Davis reported that on November 20, 2012, the Department of Justice approved the new ward lines. We will be sending the new ward lines down to the Circuit Clerk to have new wards recorded. They will also send out new voter cards to the citizens. There is a cost for the City for them to mail out new voter cards.

Next, Mayor Davis reported that there are new hours for Southern Lights, until we get to the twelve days of Christmas. During the weeknights, they will be closing at 9 p.m. and on weekends will be closing at 10 p.m. When we get to the twelve days of Christmas, we will close on the weekdays at 10 p.m. and the weekends will close at 11 p.m. Mayor Davis reported that Southern Lights traffic has doubled from what it was last year.

Next, Mayor Davis reported that at the next meeting, Chief Ron White will be requesting to purchase a new pumper. The new fire truck will be approximately \$500,000.00, and the old pumper will be put in reserve and at a later date, Chief White will request to donate it to a local volunteer fire department. Mayor Davis stated that in order to buy the new pumper, we will be able to spend \$250,000.00 in cash and finance the balance with a CAP Loan. Mayor stated that they would not be voting on this tonight, but Chief White would bring it before them at the next meeting. He asked if they had any questions concerning the financing of the truck to contact Mr. Chris Wilson, and if they had any questions concerning the vehicle to contact Chief White before the next meeting.

Next, Mayor Davis stated that he had been invited by a Developer to Main Street to go out of town with him if this Board so chooses to allow him to travel, he will need to get that in a form of a motion. No motion was made.

CITIZEN'S AGENDA:

Mrs. West came before the Board again asking if they have made a decision about her drainage issue at her house in Carriage Hills Subdivision. She came before the Board in November on this matter. Mayor Davis stated that the City ran a camera through the pipe and found a 9' section of pipe that was completely crushed. He reported that the section of pipe has been replaced. He stated that when Mr. Ron Smith, City Engineer gets back to work, he will have him to review the rest of the pipe. He stated that he hopes the repair will fix her problem. She asked if the curb cut on Millbranch could be closed off. She stated that when the water hits that point, then it is a direct line to her house. Mayor Davis told her we will look at it. Mrs. West also asked if the street sweeper could come by more often and clean the leaves off of the storm drains. Mrs. West asked if she could expect to hear from the City on this issue. Mayor Davis stated that she would.

Mrs. Linda Temple- She comes before this Board to compliment them on the best Christmas Parade ever. She asked if the Board could get the people to stop throwing candy from the floats. She saw where some of them had people walking beside the floats and handing out the candy. She said someone hit her with a

Minutes, City of Southaven, Southaven, Mississippi

piece of candy and it hurt. She fears that a child may be injured. She also commended this Board on the Northwest Drive beautification. She is asking that they also put Christmas decorations up along Main Street. Next, she asked if the City could do an ordinance about residents raking up leaves. She stated that she had raked up her leaves and before she could get to the store to buy leaf bags, someone must have thrown a cigarette into the pile and burned about half of her yard. She is asking for an ordinance to have people to rake their leaves. Mayor Davis stated that we can't make them rake their yards but if they do, they do have to bag them. She thanked the Board for allowing her to come before them and wished them a happy holiday.

PERSONNEL DOCKET

Personnel Docket 12/4/2012

Payroll Additions

Name	Position	Department	Date of Hire	Rate of Pay
Robert Kerr Jr	Code Enforcement Officer	MCE - 511	11/26/2012	\$10.00
Dylan Lyon	Field Service Tech	Utility - 825	11/26/2012	\$10.20
Robert Booth	CDL Operator	Public Works - 311	12/10/2012	\$16.38
Stephen Copeland	Field Maintenance Tech	Utility - 825	12/10/2012	\$10.20

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

COMMITTEE REPORTS

No Committee Reports

CITY ATTORNEY'S LEGAL UPDATE

City Attorney, Nick Manley reported the Legal Update.

OLD BUSINESS

Alderman Hale stated there are some payments on the docket for the bridge on Stateline Road repairs. He asked the Mayor if there is an updated estimate of repairs. Mayor Davis stated he did not have one, but they are about done. Alderman Hale stated that there was some equipment on the site and wanted to know how much more would be paid out. Mayor Davis stated that he felt sure they are just cleaning up the area.

PROGRESS REPORTS

No Progress Reports

Minutes, City of Southaven, Southaven, Mississippi

CLAIMS DOCKET

A motion was made by Alderman Jobs to approve the Claims Docket of December 4, 2012, including demand checks and payroll in the amount of \$2,776,206.58. Motion was seconded by Alderman Huling.

Excluding voucher numbers:

192238, 192239, 192240, 192244, 192245, 192246, 192249, 192253, 192561, 192577, 192581, 192673, 192742, 192835, 192838,

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 4th day of December, 2012.

PERSONNEL AND LITIGATION

Next, motion was made by Alderman Hale 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 Ssession for the purpose of discussing litigation, personnel attorney's office and economic development. Motion was seconded by Alderman Brooks. Motion was put to a vote by the raise of hands and passed unanimously.

A motion was made by Alderman Payne to authorize Traveler's to make an offer of settlement for the claim submitted by Ms. Chatham. Motion was seconded by Alderman Jobs. Motion was put to vote and passed unanimously.

A motion was made by Alderman Hale to limit the compensation of Mr. Mark Sorrell for each Property a lien was filed upon and not for each time a lien was filed. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

Mayor Davis called the meeting back to order.

There being no further business to come before the Board of Aldermen, a

Minutes, City of Southaven, Southaven, Mississippi

motion was made by Alderman Brooks to adjourn. Motion was seconded by Alderman Huling. Motion was put to a vote and passed unanimously, December 4, 2012 at 8:20 p.m.

Charles G. Davis
Mayor

Sheila Heath, City Clerk
(seal)

Memorandum

To: The Board of Aldermen

CC: Mayor Greg Davis

From: Edi McIlwain

Date: 12/11/2012

Re: Audit Services

Recently we published a notice of intent to seek professional services for audit services for the City's FY 2012 audit. This week we received proposals from F. O. Givens & Co. and Williams Pitts Beard, PLLC.

We have experience with both firms and both firms have served the city with audit services over the years. Chris and I have reviewed the proposals and both firms clearly meet our needs.

Givens presented a fee rate of \$55,000 "plus out-of-pocket costs".

Williams Pitts Beard presented a fee rate "including expenses not to exceed \$41,500."

Based on the costs savings and the firms experience and background, Chris and I feel very confident in recommending Williams Pitts Beard PLLC to perform the City's FY 2012 audit.

Minutes, City of Southaven, Southaven, Mississippi

Personnel Docket 12/4/2012

Payroll Additions

Name	Position	Department	Date of Hire	Rate of Pay
Robert Kerr Jr	Code Enforcement Officer	MCE - 511	11/26/2012	\$10.00
Dylan Lyon	Field Service Tech	Utility - 825	11/26/2012	\$10.20
Robert Booth	CDL Operator	Public Works - 311	12/10/2012	\$16.38
Stephen Copeland	Field Maintenance Tech	Utility - 825	12/10/2012	\$10.20