

**MINUTES OF THE SPECIAL MEETING
OF FEBRUARY 20, 2014
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 20th day of February, 2014 at six o'clock (6:00) p.m. at City Hall.

Present were:

William Brooks (By Teleconference)	Alderman At Large
Kristian Kelly (By Teleconference)	Alderman, Ward 1
Shirley Beshears	Alderman, Ward 2
George Payne (By Teleconference)	Alderman, Ward 3
Joel Gallagher	Alderman, Ward 4
Scott Ferguson	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Also present were Mayor Musselwhite, Andrea Mullen, Assistant City Clerk, and Nick Manley, City Attorney. Approximately ten (10) other people were present.

Mayor Musselwhite called the meeting to order. Alderman Gallagher led in prayer, followed by the Pledge of Allegiance led by Alderman Gallagher.

**PENNY FOR YOUR PARKS RESOLUTION AMENDMENT
HB1462**

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the "City"), took up the matter of amending House Bill 1462 by eliminating and/or extending for three (3) years or extending for a greater increment of time the additional one percent (1%) sales tax from the gross proceeds of restaurants within the City limits, to specify that such indebtedness shall not apply toward the City's debt capacity, to allow for the borrowing of money and issuance of bonds as the City may determine necessary to provide sufficient funds for achieving the purposes of HB 1462, and to allow for the proceeds of the tax authorized by HB 1462 to be utilized for the satisfaction of any debt incurred for the purposes of HB 1462 all for the promotion of the City through its parks and recreation. After full discussion of the subject, Aldermen Gallagher offered and moved the adoption of the following resolution.

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI REQUESTING
THE LEGISLATURE OF THE STATE OF MISSISSIPPI TO
ELIMINATE AND OR EXTEND FOR THREE (3) YEARS OR
EXTEND FOR A GREATER INCREMENT OF TIME THE
ADDITIONAL ONE PERCENT (1%) SALES TAX FROM THE
GROSS PROCEEDS OF SALES OF RESTAURANTS WITHIN
THE CITY LIMITS, TO ALLOW FOR THE BORROWING OF
MONEY AND ISSUANCE OF BONDS AS THE CITY MAY
DETERMINE NECESSARY TO PROVIDE SUFFICIENT FUNDS**

FOR ACHIEVING THE PURPOSES OF HB 1462, TO SPECIFY THAT SUCH INDEBTEDNESS SHALL NOT APPLY TOWARD THE CITY'S DEBT CAPACITY AND TO ALLOW FOR THE PROCEEDS OF THE TAX AUTHORIZED BY HB 1462 TO BE UTILIZED FOR THE SATISFICATION OF ANY DEBT INCURRED FOR THE PURPOSES OF HB 1462 ALL FOR THE PROMOTION OF SOUTHAVEN PARKS AND RECREATION.

WHEREAS, the Mayor and Board of Aldermen ("Governing Body") of the City hereby find, determine and declare as follows:

1. For the benefit of the people of the City, the City hereby requests that the Mississippi Legislature ("Legislature") eliminate and/or extend for three (3) years or for a greater increment of time the additional one percent (1%) sales tax from the gross proceeds of sales from restaurants within the City limits for the purpose of promoting the City parks and recreation; and

2. Also, the amending of the legislation to allow for the borrowing of money and issuance of bonds as the City may determine necessary to provide sufficient funds for achieving the purposes of HB 1462, to specify that such indebtedness shall not apply toward the City's debt capacity and to allow for the proceeds of the tax authorized by HB 1462 to be utilized for the satisfaction of any debt incurred for the purposes of HB 1462; and

3. Previously, referendums were held on October 5, 2010 and October 4, 2011 by the City whereby the Citizens of the City did overwhelming approve the measure authorizing the City to levy the additional 1% sales tax on the gross revenues of the restaurants within the City; and

4. Based on the desire of the citizens of the City, the Governing Body of the City desires to request the Legislature to eliminate and/or extend for three (3) years or extend for a greater increment of time the additional one percent (1%) sales tax from the gross proceeds of restaurants within the City limits, to allow for the borrowing of money and issuance of bonds as the City may determine necessary to provide sufficient funds for achieving the purposes of HB 1462, to specify that such indebtedness shall not apply toward the City's debt capacity, and to allow for the proceeds of the tax authorized by HB 1462 to be utilized for the satisfaction of any debt incurred for the purposes of HB 1462 all for the promotion of the City through its parks and recreation.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body of the City hereby requests that the Legislature to eliminate and/or extend for three (3) years or extend for a greater increment of time the additional one percent (1%) sales tax from the gross proceeds of restaurants within the City limits, to allow for the borrowing of money and issuance of bonds as the City may determine necessary to provide sufficient funds for achieving the purposes of HB 1462, to specify that such indebtedness shall not apply toward the City's debt capacity, and to allow for the proceeds of the tax authorized by HB 1462 to be utilized for the satisfaction of any debt incurred for the purposes of HB 1462 all for the promotion of the City through its parks and recreation.

SECTION 2. That the Mayor or City Clerk is hereby directed to provide a certified copy of this Resolution to the Legislature.

Following the reading of the foregoing resolution, Aldermen Flores seconded the motion for its adoption. The Mayor put the question to a roll call vote and the result was as follows:

Alderman William Brooks	voted: yes
Alderman Kristian Kelly	voted: yes
Alderman Shirley Beshears	voted: yes
Alderman George Payne	voted: yes
Alderman Joel Gallagher	voted: yes
Alderman Scott Ferguson	voted: yes
Alderman Raymond Flores	voted: yes

RESOLVED AND DONE, this 20th day of February, 2014.

DARREN MUSSELWHITE, MAYOR

ATTEST:

CITY CLERK

There being no further business to come before the Board of Aldermen, a Motion was made by Alderman Flores to adjourn. Motion was seconded by Alderman Ferguson. Motion was put to a vote and passed unanimously, February 20, 2014 at 6:05 p.m.

Darren Musselwhite,
Mayor

City Clerk's Office

(Seal)

A copy of the Special Called Meeting Notice is attached to these minutes.