

**MINUTES OF THE REGULAR MEETING
OF OCTOBER 20, 2009
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 October, 2009, at six o'clock (6:00) p.m. at City Hall.

Present were:

Charles G. Davis	Mayor
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	Alderman, Ward 6

Also present were Chris Wilson, City Administrator, Sheila Heath, City Clerk, Whitney Choat, City Planner and Bradley Wallace, Director of Operations. Approximately twenty (20) other people were present.

Mayor Davis called the meeting to order. Alderman Guy led in prayer. Following the Pledge of Allegiance led by Alderman Cady, a motion was made by Alderman Cady to approve the minutes of October 06, 2009 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Cady. Motion passed unanimously.

CITIZEN'S AGENDA

There was no one for the Citizen's agenda

BUDGET AMENDMENT

Mayor reported that the budget amendment is on the Utility accounts. This is the balance left from 09 FY, bond money that will be spent this year and needs to be added to this year's budget. Alderman Cady made the motion to amend the Budget \$6,215,064.81 as presented. Motion was seconded by Alderman Hale. Motion was put to a vote and passed unanimously.

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: 294 Avery Jordan Cove, 8424

Farmington Drive, 110 Stateline Road, 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, October 20, 2009, by publishing two (2) weeks notice of such hearing in *The DeSoto Times Tribune*, a newspaper having a general circulation in the municipality, 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, October 20, 2009 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: 294 Avery Jordan Cove, 8424 Farmington Drive, 110 Stateline Road, 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 Payne. 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 Jobes	YEA
Alderman Randall T. Huling, Jr.	YEA

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the 20th day of October, 2009.

PLANNING AGENDA

Nothing on the Planning agenda.

REJECTION OF BID

Mayor reported that bids were received for Fire & Police training center drafting pit project. It is the recommendation of Bradley Wallace, Director of Operations, to reject all bids and plan to rebid the project. Alderman Hale made the motion to take the recommendation of Mr. Wallace and reject

all bids for this project. Motion was seconded by Alderman Cady. Motion was put to a vote and passed unanimously.

MAYOR'S REPORT

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF SOUTHAVEN, MISSISSIPPI DESIGNATING TALBERT REA AS THE CITY OF SOUTHAVEN'S AGENT TO OBTAIN FEDERAL FINANCIAL ASSISTANCE UNDER THE DISASTER RELIEF ACT

WHEREAS, the Mayor and Board of Aldermen of the City of Southaven desire to obtain certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President Disaster Relief Fund.

WHEREAS, to receive the Federal financial assistance from the Disaster Relief Act, it is necessary that the City of Southaven, Mississippi file an Application for such Federal financial assistance with the appropriate State office.

WHEREAS, it is necessary for the City of Southaven, Mississippi to designate an agent to execute for and on behalf of the City of Southaven, Mississippi the Application to receive the Federal financial assistance under the Disaster Relief Act.

WHEREAS, NEEL-SCHAFFER, INC. is the consultant on this Federal disaster assistance project for the City of Southaven, Mississippi.

WHEREAS, TALBERT REA, an Engineer with NEEL-SCHAFFER, INC., has prepared the plans and design work for this project and needs to be designated as the agent for the City of Southaven, Mississippi, to obtain access to necessary documents.

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 Alderman of the City of Southaven, Mississippi, that TALBERT REA be designated as the agent for the City of Southaven, Mississippi to execute for and on behalf of the City of Southaven, Mississippi the Application to receive Federal financial assistance under the Disaster Relief Act and to file the Application in the appropriate State.

IT IS FURTHER RESOLVED that TALBERT REA, as agent for the City of Southaven, Mississippi, be authorized to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurance and agreements attached to the Application.

Following the reading of this Resolution, it was introduced by Alderman Guy and seconded by Alderman Cady. 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 20th day of October, 2009.

Mayor reported that DeSoto County is asking for the City to enter into an interlocal agreement with them for the Public Safety Inter-operability Communications Grant. He stated that he met with Chief Long and Chris Shelton, and they all agree that we do not need to enter into this agreement until they are able to supply the City with more information. Alderman Cady made the motion that we reject the inter-local agreement with DeSoto County. Motion was seconded by Alderman Guy. Motion was put to a roll call vote and passed unanimously.

COMMITTEE REPORTS:

PARKS COMMITTEE

Alderman Guy made the motion that we move forward with the purchasing, funding and acquisition of the Win Job Center at Dorchester and Highway 51 for \$2.7 million. Motion was seconded by Alderman Cady. Motion was put to a roll call vote and passed unanimously.

CITY ATTORNEY'S LEGAL UPDATE

There is no report from City Attorney.

OLD BUSINESS:

REDISTRICTING PLAN

Alderman Cady made the motion to accept the recommendation of the committee to accept the proposed redistricting plan and authorize an ordinance to formally adopt and implement the proposed plan. Motion seconded by Alderman Brooks. Mr. Michael Smith of 4872 Rosebrook asked if this is based on the 2000 census and would the City go back and redistrict after the 2010 census comes out. Mayor stated that the City would go back and redistrict as the law requires. He stated that this redistricting was based on the alternative that the Federal Government allows. It will be on a housing count with an average of 2.3 persons per house. Motion was put to a roll call vote and passed unanimously.

Roll call was as follows:

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

PROGRESS REPORTS:

No Progress Reports

CLAIMS DOCKET

A motion was made by Alderman Jobs to approve the Claims Docket of October 20, 2009 including demand checks and payroll in the amount of \$1,353,829.40. **Excluding voucher numbers:**

Motion seconded by Alderman Guy. Motion was put to a roll call vote and passed unanimously.

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

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 for the purpose of discussing Personnel and possible litigation. Motion seconded by Alderman Hale. Motion was put to a vote and passed unanimously.

Next, Mayor Davis 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 Guy to adjourn. Motion seconded by Alderman Brooks. Motion was put to a vote and passed unanimously, October 20, 2009 at 6:40 p.m.

Charles G. Davis, Mayor

Sheila Heath, City Clerk