

**MINUTES OF THE REGULAR MEETING
OF AUGUST 19, 2008
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 19th day of August, 2008, 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
James Stark	Alderman, Ward 2
James Loftis	Alderman, Ward 3
Paul Ollar	Alderman, Ward 4
Ricky Jobes	Alderman, Ward 5
Randall Huling	Alderman, Ward 6

Mayor Davis and Aldermen Stark and Huling were absent at the beginning of the meeting. Also present were Chris Wilson, City Administrator, Mark Sorrell, City Attorney, Glenda Smallwood, City Clerk, Whitney Choat, City Planner and Bradley Wallace, Director of Operations. Approximately fifteen (15) other people were present.

Mayor Pro-Tempore Greg Guy called the meeting to order. Alderman Jim Loftis opened the meeting with prayer. Following the Pledge of Allegiance led by Alderman Ollar, a motion was made by Alderman Cady to approve the minutes of the meeting of August 5, 2008 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Loftis. Motion was put to a vote and passed unanimously with Aldermen Stark and Huling being absent and Alderman Jobes abstaining.

CITIZEN'S AGENDA

Ms. Linda Jowers, Head Librarian with M. R. Davis Library and Ms. Barbara Evans Assistant Director for Public Services came before the Mayor and Board of Aldermen to express her appreciation for the support the City gives to the Library. She reported they are enjoying being in the new building and it is an asset to the City. Ms. Jowers recongized Ms. Betty Moore member of the Board of Trustees and a very active member of Friends of the Library.

Alderman Stark joined the meeting.

Mayor Davis joined the meeting.

Mr. Douglas Mahan came before the Mayor and Board of Aldermen. He stated that in 1967 his family bought 30 acres on Getwell which was in the County at that time. He reported that his family has built 12 houses through the years. In 1987 the City of Southaven annexed that area. He reported the City refused to issue a business license to his brother in law for a shoe repair shop because it was not in commercial zoning and that his brother could not get a license for his roofing business and would not consider rezoning. In 2003 a business license was issued for Ornamental Iron Works at the 2910 address. In March of 2008 there was a fire at this address. He stated there are inaccuracies, misleading statements, and errors in the fire report. He requested a third part investigation. Mr. Mahan thanked Aldermen Jobses and Huling for their support and guidance in this matter.

Whitney Choat, City Planner reported that upon a request from Mayor Davis she checked with the County on the history of permits pulled on 2910 Mahan Drive. She reported the first permit was pulled by Phil and Joe Mahan in 1976 another in 1981, 1982 and the final one was a 10 year stretch from 1991 until 2001 where the conditional use allowed the manufacturing and storage of roofing material, etc. The transfer of the conditional use permit went with the land and not the ownership which was Grand Design Metal and Iron Works. She reported we do have a Agricultural Zone and one of the uses allowed is small assembly or manufacturing uses with no noise, dust, or obnoxious influences detected from the property line. She reported that at that time we checked for complaints from neighbors and there were not any. Ms. Choat reported all of the business license have been up to date each year and it is under the name of Grand Design Ornamental Iron Works.

Mayor Davis asked for questions from the Board of Aldermen.

Alderman Jobses reported that he has spoken to Mr. Mahan on several occasions and researched as much as he could. He reported he understands Mr. Mahan's concerns. Mayor Davis asked Fire Chief Brackin to check the fire report and find out if it has been filled out properly. Mayor Davis reported that we have several businesses in the City of Southaven with no conforming use. These businesses were existing when the City incorporated or annexation occurred. He reported the understanding has always been that these business are permitted to operate until the business ceases. He reported the fire did not cease the business from operating. He reported he doesn't know what else the City can do unless the policy is changed. Mayor Davis reported that County records can be checked for reasons that the Mahan business were asked to close. Mr. Mahan asked if the City could enforce the cleaning up of this property. Mayor Davis replied that the City can do that. Mr. Mahan thanked the Mayor and Board of Aldermen for their time.

SURPLUS

Next, Mayor Davis reported on a request from Ray Tarrance, Public Works Director to surplus 384 (60gallon) garbage containers. A motion was made by Alderman Cady to surplus the 384(60 gallon) garbage containers in accordance with State Law. Motion seconded by Alderman Stark. Motion was put to a vote and passed unanimously.

PLANNING AGENDA

No Planning business at this time.

MAYOR'S REPORT

Mayor Davis reported we have some duplicate street names that we need to address. He reported we have Merrimac Cove which is off of Rockingham and Merrimac off of Nail Road. We have Juniper in Southcrest Apartments and Juniper east which is Getwell south of Central Parkway. We have Carriage Drive in Carriage Hills Estates and Carriage off of Tchulahoma. The second streets are new subdivisions and no one is living on them at this time. A motion was made by Alderman Cady to authorize the changing names of the duplicate streets Merrimac, Juniper, and Carriage Drive. Motion seconded by Alderman Huling. Motion was put to a vote and passed unanimously.

Mayor Davis reported the new budget will be voted on at the next meeting.

CITY ATTORNEY'S LEGAL UPDATES

Mark Sorrell, City Attorney had not new updates.

CLAIMS DOCKET

A motion was made by Alderman Stark to approve the Claims Docket for August 5, 2008 excluding voucher #106200 through 106204, 106243, 106246, 106278, 106297, 106319, 106320, 106323, 106330, 106332, 106342, 106368, 106441 through 106443, 106462, 106463, 106473, 106484, 106502, 106508, 106513, 106514, 106516, 106554, 106560, 106590, 106617, 106623, 106643, 106644, 106646, 106654, 106657, 106659, 106660, 106662, 106723, 106724, 106738, 106740, and 106749. Motion seconded by Alderman Loftis. Motion was put to a roll call vote and passed unanimously.

Roll call was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobses	Yea
Alderman Huling	Yea

Next, there being no more business to come before the Mayor and Board of Aldermen, a motion was made by Alderman Guy to adjourn. Motion seconded by Alderman Loftis. Motion passed unanimously. Time 6:45 p. m. on August 19, 2008.

Charles G. Davis, Mayor

Glenda Smallwood, City Clerk