

**MINUTES OF THE REGULAR MEETING  
OF APRIL 3, 2007  
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 third day of April, 2007, at six o'clock (6:00) p.m. at City Hall.

**Present were:**

<b>Charles G. Davis</b>	<b>Mayor</b>
<b>Greg Guy</b>	<b>Alderman, at Large</b>
<b>Lorine Cady</b>	<b>Alderman, Ward I</b>
<b>James Stark</b>	<b>Alderman, Ward 2</b>
<b>Jim Loftis</b>	<b>Alderman, Ward 3</b>
<b>Paul Ollar</b>	<b>Alderman, Ward 4</b>
<b>Ricky Jobes</b>	<b>Alderman, Ward 5</b>
<b>Randall Huling</b>	<b>Alderman, Ward 6</b>

**Being all of the Officials of the City of Southaven. Also present were Mark Sorrell, City Attorney, Glenda Smallwood, City Clerk, Chris Wilson/CAO, Whitney Choat, City Planner, Bradley Wallace, Director Of Operations. Approximately twenty (20) other people were present.**

**Mayor Davis called the meeting to order. Alderman Loftis opened the meeting with prayer. Following the Pledge of Allegiance led by Alderman Guy, a motion was made by Alderman Cady to approve the minutes of the regular meeting of March 20, 2007 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Stark. Motion passed unanimously.**

**SURPLUS PROPERTY**

**Request from Fire Chief Mike Brackin:  
MAYTAG ATLANTIS WASHER (SN#-20193801A  
YAZOO MOWER 26 (SN#-019387)  
YAZOO MOWER (SN-019384)  
COUGAR STEAM CLEANER (SN#7726)  
ASSOCIATED 6009 BATTERY CHARGER (SN#024503)  
ICE MACHINE LOCATED AT STATION 2 (920162871)**

**A motion was made by Alderman Cady to declare the aforesaid items surplus and to dispose of same in accordance with State Law. Motion seconded by Alderman Loftis. Motion passed unanimously.**

## **RESOLUTIONS**

Mayor Davis reported this is another resolution for our DWSIRLF “Drinking Water” Loan. This one is for the Elevated Storage Tank on Starlanding. A motion was made by Alderman Guy to adopt **RESOLUTION OF THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF SOUTHAVEN, MISSISSIPPI HAVING AUTHORIZED REPRESENTATIVE AND AUTHORIZING THE LOAN APPLICATION.** Motion seconded by Alderman Stark. 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 Jobes	Yea
Alderman Huling	Yea

A copy of said Resolution is hereby attached to and made a part of these minutes.

Mayor Davis reported we have a resolution granting exemption from ad valorem taxes for ten years to Warehouse 86. A motion was made by Alderman Guy to adopt **RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, GRANTING EXEMPTION FROM AD VALOREM TAXES FOR A TEN YEAR PERIOD TO WAREHOUSE 86, LLC, AS AUTHORIZED BY SECTION 27-31-101 ET SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED.** Motion seconded by Alderman Cady. Motion was put to a 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 Jobes	Yea
Alderman Huling	Yea

A copy of aforesaid Resolution is hereby attached to and made a part of these minutes.

Mayor Davis reported this is the Freeport Warehouse resolution for Warehouse 86. A motion was made by Alderman Guy to adopt **RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF CITY OF SOUTHAVEN, MISSISSIPPI GRANTING EXEMPTION**

**FROM AD VALOREM TAXES. Motion seconded by Alderman Cady. Motion was put to a roll call vote and passed unanimously.**

**Roll call was as follows:**

<b>Alderman Guy</b>	<b>Yea</b>
<b>Alderman Cady</b>	<b>Yea</b>
<b>Alderman Stark</b>	<b>Yea</b>
<b>Alderman Loftis</b>	<b>Yea</b>
<b>Alderman Ollar</b>	<b>Yea</b>
<b>Alderman Jobes</b>	<b>Yea</b>
<b>Alderman Huling</b>	<b>Yea</b>

**A copy of aforesaid resolution is hereby attached to and made a part of these minutes.**

**Mayor Davis reported we have a resolution granting exemption from ad valorem taxes for a ten year period to Kuehne + Nagel, Inc. A motion was made by Alderman Guy to adopt RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, GRANTING EXEMPTION FROM AD VALOREM TAXES FOR A TEN YEAR PERIOD TO KUEHNE+ NAGEL, INC. AS AUTHORIZED BY SECTION 27-31-101 ET SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED. Motion seconded by Alderman Huling. Motion was put to a roll call vote and passed unanimously.**

**Roll call was as follows:**

<b>Alderman Guy</b>	<b>Yea</b>
<b>Alderman Cady</b>	<b>Yea</b>
<b>Alderman Stark</b>	<b>Yea</b>
<b>Alderman Loftis</b>	<b>Yea</b>
<b>Alderman Ollar</b>	<b>Yea</b>
<b>Alderman Jobes</b>	<b>Yea</b>
<b>Alderman Huling</b>	<b>Yea</b>

**A copy of aforesaid resolution is hereby attached to and made a part of these minutes.**

**Mayor Davis reported we have a resolution granting authority to clean 8550 Darlington Cove. This property is vacant. A motion was made by Alderman Guy to adopt RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY. Motion seconded by Alderman Loftis. Motion was put to a roll call vote and passed unanimously.**

**Roll call was as follows:**

<b>Alderman Guy</b>	<b>Yea</b>
<b>Alderman Cady</b>	<b>Yea</b>
<b>Alderman Stark</b>	<b>Yea</b>
<b>Alderman Loftis</b>	<b>Yea</b>
<b>Alderman Ollar</b>	<b>Yea</b>
<b>Alderman Jobes</b>	<b>Yea</b>
<b>Alderman Huling</b>	<b>Yea</b>

A copy of aforesaid Resolution is hereby attached to and made a part of these minutes.

**MAYOR’S REPORT**

Mayor Davis reported we now have the authority to observe a holiday in lieu of one of the existing holidays. He recommended updating the employee handbook by changing Section II and spread upon the minutes that the City of Southaven would like to observe Good Friday instead of April 30<sup>th</sup> which is the Confederate Memorial Day. He reported the schools are out for “Good Friday”, and some other businesses as well. A motion was made by Alderman Cady to accept the Mayor’s recommendation and update the City of Southaven Employee Handbook by changing Section II to include Good Friday as a holiday and delete April 30<sup>th</sup>, Confederate Memorial Day. Motion seconded by Alderman Guy. Motion passed unanimously.

Mayor Davis reported the Legislature has passed and sent to the Governor a bill that selects out and creates a particular class of employee within a municipality and offers them legislative immunity for disciplinary actions unless you follow the State Law; that is unless you have an Ordinance in place that states that you offer due process. Mayor Davis reported we have always offered due process. We need to adopt an ordinance to take us out from under that bill. He reported this is a simple change that states all city of Southaven employees shall be afforded due process in accordance with the Southaven policies and procedures. This Ordinance will exempt us from that law. Mayor Davis stated that all of our local Senators and Representatives voted against this bill. A motion was made by Alderman Cady “BE IT ORDAINED BY THE CITY OF SOUTHAVEN BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN MUNICIPAL CODE OF ORDINANCES HEREBY AMENDED AS FOLLOWS: CHAPTER I IN GENERAL TO AMEND TO ADD THE FOLLOWING SECTION 1-2 EMPLOYEE PROCESS. Motion seconded by Alderman Stark. 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 Jobes	Yea
Alderman Huling	Yea

A copy of aforesaid resolution is hereby attached to and made a part of these minutes.

### **BUDGET REVISION**

Mayor Davis reported some revenues are increasing some \$246,000 and we are spending that money for the most part in machinery and equipment for the Police Department. He reported we have already purchased 12 police vehicles this year that will go into the fleet and 8 vehicles from the Missouri Highway Patrol. A motion was made by Alderman Guy to accept the budget amendment as presented. Motion seconded by Alderman Huling. Motion passed unanimously.

A copy of the budget amendment is hereby attached to and made a part of these minutes.

Mayor Davis reported we have received numerous calls from people in the proposed annexation area asking about city services. He reported that he apologizes because the final decree has not been signed and what that means is that the time to file for an appeal has not started yet. He reported it is taking an extra three weeks. He reported that both attorneys have to sign it and their attorney has had it for some time now. He reported that he spoke to the Chancery Clerk today and hopefully this will be resolved by the end of this week or first part of next week and then the clock can start.

Mayor Davis reported we need to enter into the minutes a Sole Source Letter from Federal Signal, Inc. This is our entire system of early warning signals. Mayor Davis reported that with the annexation we don't want to have to have a delay in receiving parts. If Federal Signal is accepted as a sole source, we will order the three new early warning sirens and be ready to have those installed once the decree is completed. The total cost with installation is between \$60,000 and \$70,000. A motion was made by Alderman Stark to accept Federal Signal, Inc. as a proprietary sole source provider for the City of Southaven early warning siren system. Motion seconded by Alderman Loftis. Motion passed unanimously.

### **COMMITTEE REPORTS**

Alderman Cady reported that National Day of Prayer will be observed here at City Hall on the 1<sup>st</sup> Thursday in May.

Mayor Davis reported his quarterly Prayer Luncheon is April 13<sup>th</sup> at the Snowden House.

### **CITY ATTORNEY LEGAL UPDATE**

Mark Sorrell, City Attorney reported on a claim from Vickie Bowman, 549 Whiteash. She stated that on the 14<sup>th</sup> day of December she stepped on the water meter cover in her yard and fell through the hole sustaining personal injuries. She contends the cover was not put back at the last reading. Upon inspection by Chris Hadaway, Utility Director he reported that no report had been filed by Ms. Bowman until after the

accident. Mr. Sorrell recommended denying the claim because the City had no prior knowledge. A motion was made by Alderman Stark made a motion to deny the claim of Vickie Bowman as presented. Motion seconded by Alderman Jobs. Motion passed unanimously.

**OLD BUSINESS**

Alderman Ollar made a motion to appoint Dianne Teskee to the Design Review Board. Motion seconded by Alderman Jobs. Motion passed unanimously.

Next, Patrick Tubberville with Boy Scout Troop 097, Broadway Baptist (SBEC) came before the Mayor and Board of Aldermen. He stated he lives in Brentwood Farms and is working on his Citizenship and Community Merit Badge.

**CLAIMS DOCKET**

Next, a motion was made by Alderman Stark to approve the docket of claims as presented on April 3, 2007 to include demand checks, and payroll checks and to exclude #78893 thru 78895, 78982, 79004, 79125, 79126, 79149 thru 79161, 79173, 79184, 79224, 79248, 79250, 79405,79431,79514 thru 79526. 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 Jobs	Yea
Alderman Huling	Yea

Mayor Davis reported he will be out of town on business during the next meeting. Alderman Greg Guy who serves as Mayor Pro-Tempore will preside over that meeting.

Next, 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 Loftis. Motion passed unanimously. Time 6:25 p.m. on April 3, 2007.

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Glenda Smallwood  
City Clerk

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Charles G. Davis, Mayor

