

**MINUTES OF THE REGULAR MEETING
OF MAY 4, 2010
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 May, 2010 at six o'clock (6:00) p.m. at City Hall.

Present were:

Charles G. Davis	Mayor
Greg Guy	Alderman, at Large
Loraine Cady	Alderman, Ward 1
Ronnie Hale	Alderman, Ward 2
George Payne	Alderman, Ward 3
William Brooks	Alderman, Ward 4
Ricky Jobs	Alderman, Ward 5
Randall Huling	Alderman, Ward 6

Alderman Payne was present via-telecommunication. Also present were **Chris Wilson**, City Administrator, **Sheila Heath**, City Clerk, and **Bradley Wallace**, Director of Operations. Approximately forty (40) other people were present.

Mayor Davis called the meeting to order. **Alderman Guy** led in prayer, followed by the Pledge of Allegiance led by scouts, **Tyler Cottom** and **Seth McCord**. Next a motion was made by **Alderman Cady** to approve the minutes of the regular meeting of April 20, 2010 with any corrections, deletions, or additions necessary. Motion seconded by **Alderman Hale**. Motion was put to a vote and passed unanimously.

CITIZEN'S AGENDA

Mike Smith who resides at 4872 Rosebrook Circle, asked to speak to the Board about the music at Springfest. He is asking to have a more diverse music line-up at Southaven Springfest and other city functions. Mayor responded by giving a report on all the diverse bands we have had in the past and that we just did not have the turn out at Springfest to support the bands. He reported that tax dollars do not support Springfest; it is the ticket sales.

BUDGET AMENDMENT

This budget revision is for the Federal Stimulus Package. This is showing where the money came in and went out. **Alderman Cady** made the motion to approve the budget revision as presented on this date. Motion was seconded by **Alderman Guy**. Motion was put to a vote and passed unanimously. A copy of this amendment will become part of these minutes.

ACCEPTANCE OF BIDS

Next **Bradley Wallace**, Operations Director asked for the Board to accept **Hale Electric** as the lowest and best bidder for the Emergency Generator Preventive Maintenance & Services for Facilities Owned by the City of

Southaven. Also, that we accept Whitfield Electric as an alternate bidder. Alderman Guy made the motion to accept Hale Electric as presented, and also, that we accept Whitfield Electric as an alternate. Motion was seconded by Alderman Cady. Motion was put to vote and passed unanimously.

Next, Bradley Wallace asked the Board of Alderman to accept National HVAC Service as the lowest and best bid for Southaven Police Department Headquarters HVAC Unit Replacement Project, in the amount of \$82,930.00. “CONTINGENT ON ALL FINAL APPROVAL OF MONIES FROM ARRA” . Motion was made by Alderman Guy to accept National HVAC Service as presented. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

Next, Ray Humphrey-Utility Director, asked to accept the bids as presented for Water and Sewer Materials Source Supply (April, 2010 – June 2010). Motion was made by Alderman Cady to accept the lowest and best bidder as presented. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

SURPLUS PROPERTY

Chief Mike Brackin with Southaven Fire Department is requesting to surplus the following:

3 Stihl chain saws, model 1127-011-3044-serial numbers 60-356-530, 260-356-24, 260-356-229.

3 Husqvarna model 350 chain saws, serial numbers 9670118-00032105974, 9670118-00322406012, 9670118-0031900234.

Motion was made by Alderman Guy to surplus these items as requested by Chief Brackin. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

Next, Mayor requested to donate these items, as well as water, garbage bags, laundry detergent and misc items, to the Village of French Camp. The Mayor of French Camp has asked for donations due to severe storms and tornadoes that went through their area. Alderman Cady makes the motion that we make the donation to the Village of French Camp, MS. Motion was seconded by Alderman Hale. Motion was put to vote and passed unanimously.

RESOLUTION 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: 5135 Marthavale Cove, 6053 Weatherby Cove, 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, May 4, 2010**, 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, May 4, 2010**, 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: **5135 Marthavale Cove, 6053 Weatherby Cove** 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 Huling. 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 **4th day of May, 2010.**

PLANNING AGENDA

Mayor Davis reported that he would be presenting the Planning agenda in the absence of the City Planner.

Item #1. Application by Lisa Wade for subdivision approval to revise the Church Venture Subdivision on the south side of Church Road, West of I-55. Mayor Davis reported that this is to revise some lot lines and was approved by the Planning Commission. Alderman Guy made the motion to approve Item #1 as presented. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

Item #2. Application by BPC, LLC for conditional use permit for a motor vehicle repair shop to be located at 188 Goodman Road. Mayor Davis reported that this item was approved by the Planning Commission. Alderman Guy made the motion to approve Item #2 as presented. Motion was seconded by Alderman Cady. Motion was put to vote and passed unanimously.

Item #3. Application by Gail Carter for a conditional use permit to allow Trichology Spa Center to be located at 7090 Malco Blvd. Suite 103. Mayor Davis stated that this is a hair treatment salon. Alderman Cady made the motion to approve Item #3 as presented. Motion was seconded by Alderman Guy. After a short discussion, Alderman Huling made the motion to table this motion until the next meeting. This motion was seconded by Alderman

Cady. Motion was put to vote and passed unanimously, to table until the next meeting of the Mayor and Board of Alderman.

Item #4. Application by Car Wash USA for a conditional use permit to allow a full service car wash on lot 107 of the Moore Subdivision on the west side of Airways Blvd., north of Goodman Road. This will be a full service car wash. Alderman Cady made the motion to approve Item #4 as presented. Motion seconded by Alderman Hale. Alderman Huling asked about the landscaping and Mayor Davis reported that they would be required to do all landscaping and that they have some detention issues that they will have to work out. Motion was put to vote and passed unanimously.

MAYOR'S REPORT

Mayor Davis reported that this past Friday and Saturday we helped clean up some limbs and debris out of yards from recent storms, as well as helped clean water out of houses, due to flash floods. He also reported that the Board needs to approve the Proclamation of Emergency and enter it into the minutes. Alderman Guy made the motion to approve the Proclamation of Emergency and have it entered into the minutes. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

Next, Mayor Davis reported that we have our annual Statewide Mutual Aid Compact called "SMACK". It was reviewed by Bradley Wallace, Chief Long, Chief Brackin and Chris Wilson, and they recommended that we enter into the agreement. Alderman Cady made the motion to enter into an agreement with "SMACK". Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

Mayor reported that the Mayor's Prayer Luncheon will be Tuesday, May 11th at 11:45 at Snowden Grove. Cost will be \$10.00 per person. Our annual Fishing Rodeo is Saturday, May 15th.

Southaven Police Department has asked that we amend our Public Records Information policy to include CD's (Digital Copies). Mayor Davis asked for a motion to amend our Public Information Policy to allow us to charge \$10.00 for a CD. Alderman Hale made the motion. Motion was seconded by Alderman Cady. Motion was put to vote and passed unanimously.

COMMITTEE REPORTS:

Alderman Cady reported that if there is any new business, the Water and Sewer Committee will meet Monday morning at 9 a.m on the 4th floor.

CITY ATTORNEY'S LEGAL UPDATE

No Attorney's Report

OLD BUSINESS:

No Old Business

PROGRESS REPORTS:

Mayor Davis reported that traffic lines will be painted on Church Road this week, and we are waiting on MDOT to do their part at the overpass. Airways is being paved. The traffic lights for Nail and Getwell and Getwell and Central Parkway have been lined out. We have completed the window project at City Hall, and we are getting ready to get started with the HVAC project at the Police Station. Mayor Davis invited everyone after the meeting, to go look at the new Fire Truck that has just been delivered. He stated that it is one of two ordered.

CLAIMS DOCKET

A motion was made by Alderman Jobs to approve the Claims Docket of May 4, 2010, including demand checks and payroll in the amount of \$1,255,793.71. Motion was seconded by Alderman Guy. Excluding voucher numbers: 141799, 141806, 141813, 141830, 141855, 141859, 141861, 142120, 142189, 142190, 142191, 142192, 142196, 142197, 142198, 142213, 142234, 142364, 142366, 142384, 142385, 142386, 142483, 142801.

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 in the fire department. Motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

Alderman Guy made the motion to promote Deputy Chief Ron White to position of Fire Chief. This will be effective on Chief Brackin's last day with the City of Southaven. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

Alderman Guy made the motion to have Deputy Chief White submit a candidate for the Deputy Chief position at the next Board of Aldermen meeting. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.

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, May 4, 2010 at 6:40 p.m.**

Charles G. Davis, Mayor

Sheila Heath, City Clerk