

**MINUTES OF THE REGULAR MEETING
OF MAY 17, 2011
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 17th day of May, 2011 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, Jr.	Alderman, Ward 6

Alderman Randall Huling, Jr. was via-telecommunication. Also present were Sheila Heath, City Clerk, Chris Wilson, City Administrator, Mark Sorrell, City Attorney and Whitney Choat-Cook, City Planning Director. Approximately twenty (20) other people were present.

Mayor Davis called the meeting to order. Alderman Jobes led in prayer, followed by the Pledge of Allegiance led by Alderman Cady. Next, a motion was made by Alderman Cady to approve the minutes of the regular meeting of May 3, 2011 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Guy. Motion was put to a vote and passed unanimously.

CITIZEN'S AGENDA

Mr. Bill Murray was on citizens agenda. He was not present when called.

ACCEPTANCE OF BIDS-SFD

Mayor Davis reported that Chief White rebid the ambulance, as requested by this Board. We received two bids, and it is the recommendation of Chief White to accept Emergency Equipment Professionals in the amount of \$151,064.00 as the lowest and best bid. Alderman Guy made the motion to take the recommendation of Chief White as presented. Motion was seconded by Alderman Payne. 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: **8910 Grandview Cove, 8105 Martha Ann Lane, 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 17, 2011**, by United States mail and by posting said notice, 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 17, 2011**, 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: **8910 Grandview Cove, 8105 Martha Ann Lane** 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 **17th day of May, 2011.**

PLANNING AGENDA: Dunkin Donuts Appeal.

Mrs. Whitney Choat-Cook reported that this is an appeal under design and review. She stated that Duncan Donuts has agreed to change the split face block on the bottom to a field stone, and they have also agreed to decorative lighting. The one problem that the design review board had was the bright orange parapet roof. Next, Douglas Leininger came before this board on behalf of his client, Dunkin Donuts. He stated that Dunkin Donuts does feel very strongly about the branding of Dunkin Donuts. They feel like it is a brand identity, and the colors go back to the 1960's. He stated that the orange is only on about 30 percent of the building, and it wraps the front. Alderman Guy made the motion to uphold the Planning Commission recommendation. Motion was seconded by Alderman Hale. Mayor opened the floor for discussion. After a short discussion, Alderman Brooks made the motion to table this item and have them to come back before this Board at the next meeting and bring some color samples for them to see. Motion was seconded by Alderman Payne. Motion was put to a vote and passed unanimously.

Alderman Huling entered the meeting at this time.

MAYOR'S REPORT

Mayor Davis requested for this Board to approve demand checks be cut for MML registration fees. Alderman Cady made the motion to cut the checks for MML registration fees. Motion was seconded by Alderman Guy. Motion was put to vote and passed unanimously.

Next, Mayor reported that he had emailed the Board an I-69 bus route alternative. The bus will go from Downtown Memphis, stopping at the Southaven Towne Center and to Hernando then to the Tunica Casino's. Mayor Davis stated that they are requesting that the City respond to this request in writing by Friday, May 27, 2011. Alderman Guy made the motion

that this Board **NOT** be in support of this. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

COMMITTEE REPORTS:

Alderman Guy stated that the Personnel Committee will be meeting at City Hall, Thursday May 19th at 6 p.m.

Next, Alderman Cady stated that the Utility Committee met and they will have a recommendation soon on several issues.

CITY ATTORNEY'S LEGAL UPDATE

No City Attorney's Legal Update

OLD BUSINESS:

Mayor Davis reported that we have a tabled application from May 3, 2011 meeting on the DeSoto Civic Center sign. The motion was to uphold the Planning Commission's recommendation to deny the conditional use permit. Mayor Davis stated that he feels like the application was improperly brought before the Board. The City Attorney received an opinion from the Attorney General's Office that it does not have to come before this Board. Mayor Davis called for a vote "that all in favor of upholding the Planning Departments decision". All Nays. Mayor declared the motion failed.

Next, Alderman Guy made the motion stating that we shall enter into an agreement with DeSoto Civic Center concerning their off premise sign, with certain restrictions, and, as long as they abide by the agreement then this Board feels like they are in compliance with the Attorney General's opinion and our City Attorney's opinion. And, if they start going after advertisement for profit, then they will break the agreement, and they will not fall under the opinions. Motion was seconded by Alderman Payne. After a short discussion, motion was put to a vote and passed unanimously.

Alderman Jobs asked if Mayor Davis would report on the recycling program. Mayor Davis stated the complaints have pretty much stopped and the latest number is 154 tons of recyclable trash a month that we are keeping out of the landfill. He stated that we were keeping 200 tons out of the landfill for a whole year with the recycle trailers.

PROGRESS REPORTS:

Mayor Davis reported on the widening of Elmore Road. He stated that we are in the process of getting easements on this project. He also stated that if we cannot get the easements wrapped up pretty soon that we need to take further steps to get the easement we need.

CLAIMS DOCKET:

A motion was made by Alderman Jobs to approve the Claims Docket of May 17, 2011, including demand checks and payroll in the amount of

\$1,166,347.89. Motion was seconded by Alderman Guy. Alderman Hale asked for someone to explain the invoice for Tri-Firma for \$9,400.00 on concession stands. Mayor Davis reported that it is for a new concession building at Greenbrook softball fields. Alderman Payne asked about the invoices for Dizzy Dean baseball for \$25.00. Mike Mullins, Parks Director, told the Board that this is sanction fees. There was no further discussion, the motion was put to vote and passed unanimously.

Excluding voucher numbers:

161938, 161939, 161946, 161959, 162330, 162356, 162364, 162429, 162819, 162822.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Guy	YEA
Alderman Cady	YEA
Alderman Hale	YEA
Alderman Payne	YEA
Alderman Brooks	YEA
Alderman Jobes	YEA
Alderman Huling	YEA

Having received a majority of affirmative votes, the Mayor declared that the motion was carried and approved for payment on this the 17th day of May, 2011.

PERSONNEL AND LITIGATION

No Personnel and Litigation

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 17, 2011 at 6:30 p.m.

Charles G. Davis
Mayor

Sheila Heath, City Clerk