

**MINUTES OF THE REGULAR MEETING
OF JULY 5, 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 5th day of July, 2011 at six o'clock (6:00) p.m. at City Hall.

Present were:

Greg Guy	Mayor Pro Tem
Lorine Cady	Alderman, Ward 1
Ronnie Hale	Alderman, Ward 2
William Brooks	Alderman, Ward 4
Ricky Jobes	Alderman, Ward 5
Randall Huling, Jr.	Alderman, Ward 6

Mayor Davis and Alderman Payne were absent. Alderman Greg Guy Chaired the meeting. 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.

Alderman Guy called the meeting to order. Alderman Cady led in prayer, followed by the Pledge of Allegiance led by Alderman Hale. Next, a motion was made by Alderman Cady to approve the minutes of the regular meeting of June 21, 2011 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

CITIZEN'S AGENDA

No Citizen's Agenda

RESOLUTION TO CLEAN PRIVATE PROPERTY

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: **8280 Barberry Place, 8341 Old Forge Road, 1291 Carriage Drive South, 2479 Heather Ridge, 2404 Colonial Hills Drive, 817 Maple 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, July 5, 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 uncleanness 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, July 5, 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: **8280 Barberry Place, 8341 Old Forge Road, 1291 Carriage Drive South, 2479 Heather Ridge, 2404 Colonial Hills Drive, 817 Maple 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 Hale and seconded by Alderman Jobes. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

ALDERMAN	VOTED
Alderman Lorine Cady	YEA
Alderman Ronnie Hale	YEA
Alderman George Payne	ABSENT
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 **5th day of July, 2011**.

PLANNING AGENDA:

Item #1. Application by Debra George for minor subdivision approval on east side of Tchulahoma south of Goodman Road. Mrs. Whitney Choat-Cook stated that they are requesting approval for a one lot subdivision on the east side of Tchulahoma, south of Goodman. She stated that this was approved unanimously, in favor of, by the Planning Commission. Alderman Huling made the motion to approve Item #1 as presented. Motion was seconded by Alderman Jobes. Motion was put to vote and passed unanimously.

MAYOR'S REPORT

Alderman Guy told the Board that they have a copy of the new "Ride Along" policy. He stated that this policy is to protect the City from any liability and it has been approved by our insurance company. Alderman Huling made the motion to approve the Ride Along policy as presented. Motion was seconded by Alderman Cady. Motion was put to vote and passed unanimously.

**City of Southaven, Mississippi
Law Enforcement
Policies and Procedures**

Subject: Ride Along Policy	Policy Number:
Issue Date:	Revision Date:
Approval Authority Title and Signature:	

POLICY:

Civilian passengers are permitted in police vehicles only when specifically authorized for ride-along or when transported under official police business. Civilian observers may occasionally accompany law enforcement officers while on patrol in order to observe and learn about law enforcement procedures and practices. Civilian observers must be authorized by the Chief of Police or designee. Employees who violate this policy are subject to disciplinary action, assume responsibility, and may be found to have personal liability for their actions.

DEFINITION:

- **Public Information** - Information that may be of interest to the general public regarding policy, procedures or events involving the agency or other newsworthy information that is not legally protected, does not unduly interfere with the mission of the agency, infringe upon the rights of a defendant or compromise the legitimate safety and privacy interests of officers, victims, witnesses or others.

PROCEDURES:

Authorization Process- Ride Along:

Any person or group wishing to participate in this program is referred to the Chief of Police or designee for processing of a “Ride Along Program Application” and a “Ride Along Program Release of Liability Form.” Both the application and form are processed, and based on information developed. The applicants are notified as to whether or not they are qualified to participate. In most situations, law-abiding citizens wishing to participate and who have completed all necessary requirements are granted that opportunity. Convicted felons or suspects in criminal activity are not allowed to participate. A criminal background check is performed on all applicants to verify criminal record.

Civilian Rules- Ride Along:

If the civilian is approved to ride along with a sworn law enforcement officer, they are responsible for following the rules and regulations of the program to ensure a safe and enjoyable experience. The civilian rider will:

1. Not participate in the ride along program more than two (2) times in a calendar year;

2. Not ride with the same officer more than one (1) time in a calendar year;
3. Only ride with officers approved by the Chief of Police or designee;
4. Not be allowed to exit the police vehicle, at any time, to assist the officer on a call, except in officer down situations; &
5. Never carry a firearm or any other weapon while on a ride along.

Officer Rules – Ride Along:

The officer is to:

1. Explain the hazards associated with riding in a police vehicle;
2. Explain radio safety equipment including emergency radio procedures;
3. Ensure that the passenger wears a seat belt;
4. Ensure that the passenger exits the vehicle in a relatively safe location prior to participating in high-risk activities such as high-speed pursuit or response to “shots fired” calls; and notify communications of the location the ride along was left so that some arrangements can be made to assist with alternative transportation
5. Explain that the passenger may be required to testify as a witness to criminal activity observed during the ride-along.

Media Ride Along:

Media representatives must complete a “Ride Along Program Application”, and a “Ride Along Program Release of Liability Form”. The Chief of Police or designee reviews both documents and will approve or disapprove the applicant. If approved, individuals are allowed to ride along with a police officer approved by the shift supervisor.

Representatives of the media are prohibited from:

1. Entering private residences or any other location where there is a reasonable expectation of privacy. (Supreme Court case of *Wilson v. Layne*);
2. Assisting the officer on call except in officer down situations;
3. Carrying a firearm or any other weapon while on the ride along; &
4. Releasing any information, photographs, or videotape to the general public unless regarded as *public information*, (as defined in this policy), by the agency.
5. *Showing the faces of juveniles unless they have been involved in a serious felony crime or otherwise authorized by a higher command.*

COMMITTEE REPORTS:

Mark Sorrell, City Attorney reported on a claim against the City by a Mrs. Elizabeth A Jackson. She reported that on June 23, 2011, she was traveling east on Stateline Road preparing to turn south on Greenbrook Parkway when her vehicle window was struck by a golf ball, shattering her side passenger back glass. Mr. Sorrell’s recommends that the City deny the claim. Alderman Huling made the motion to deny the claim as recommended by the City Attorney. Motion was seconded by Alderman

Brooks. After a short discussion, motion was put to vote and passed unanimously.

CITY ATTORNEY'S LEGAL UPDATE

Mark Sorrell, City Attorney reported on a claim against the City by a Mrs. Elizabeth A Jackson. She reported that on June 23, 2011, she was traveling east on Stateline Road preparing to turn south on Greenbrook Parkway when her vehicle window was struck by a golf ball, shattering her side passenger back glass. Mr. Sorrell's recommends that the City deny the claim. Alderman Huling made the motion to deny the claim as recommended by the City Attorney. Motion was seconded by Alderman Brooks. After a short discussion, motion was put to vote and passed unanimously.

OLD BUSINESS:

No Old Business

PROGRESS REPORTS:

No Progress Reports

CLAIMS DOCKET:

A motion was made by Alderman Jobs to approve the Claims Docket of July 5, 2011, including demand checks and payroll in the amount of \$965,645.75. Motion was seconded by Alderman Hale. There was no discussion, the motion was put to vote and passed unanimously.

Excluding voucher numbers:

165537, 166088, 166268.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Cady	YEA
Alderman Hale	YEA
Alderman Payne	ABSENT
Alderman Brooks	YEA
Alderman Jobs	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 5th day of July, 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 Huling to adjourn. Motion seconded by Alderman Hale. Motion was put to a vote and passed unanimously, July 5, 2011 at 6:13 p.m.

Greg Guy
Mayor Pro Tem

Sheila Heath, City Clerk