

**MINUTES OF THE REGULAR MEETING
OF AUGUST 02, 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 2nd day of August, 2011 at six o'clock (6:00) p.m. at City Hall.

Present were:

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 Jobs	Alderman, Ward 5
Randall Huling, Jr.	Alderman, Ward 6

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 Cady led in prayer, followed by the Pledge of Allegiance led by Alderman Payne. Next, a motion was made by Alderman Cady to approve the minutes of the regular meeting of July 19, 2011 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Hale. Motion was put to a vote and passed unanimously.

CITIZEN'S AGENDA

Fire Chief Ron White introduced his new hire for the fire department. Mathew Johnson is a new fire fighter. He comes from Horn Lake and is a resident of Southaven and has two years experience of being a certified fire fighter.

Mrs. Denise Tucker came before the Board, on behalf of her Mother-In-Law, to complain about some issues with her property located at 8382 Laurent Cove. She stated that her property backed up to the car lots on Highway 51, between Brookhaven and the DeSoto County Offices. She stated that they are throwing all kinds of trash over her fence, the grass is grown up, and they are pouring oil at the fence line, and it runs over to her property. She is asking the Board to do anything to help her. After a lengthy discussion, Mayor Davis told her that Code Enforcement will go by and see what needs to be done to clean this up and condemn the property if necessary.

BUDGET REVISION

Mayor Davis reported that the budget revision. He stated that all the money on the revenue side is here now, except for the Ad Valorem Tax, which will be here over the next two months. The \$350,000.00 will be for street overlay

program. He stated that he sent the list of streets to this Board today. Alderman Payne asked Mayor Davis to explain the \$25,000.00 revision for Professional Service. Mayor Davis reported that it is for the Mayor's Youth Council to take etiquette classes. This is a new mandatory program through MML and if the Mayor's Youth program wants to be certified by MML, they have to do this part of the program.

Next, Alderman Jobs asked Mayor Davis about the overlay program and the street and ditch program. After a short discussion, a motion was made by Alderman Huling to approve the budget revision as presented to this Board. Motion was seconded by Alderman Brooks. Motion passed with a 6 - 1 vote. Alderman Guy recued himself.

CAPITAL IMPROVEMENT LOAN PAYMENT

Mayor Davis reported that this is payment #5 of the Cap Loan. This is for the overlay of the road in front of the Civic Center, Marathon Way. This is a cap loan and is the final payment. Alderman Cady made the motion to approve payment #5 as presented to this Board. Motion was seconded by Alderman Huling. 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: **7506 Greenbrook Parkway, 8078 Mary Payton Drive, Parcel ID# 108726000000603**, 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, August 2, 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, August 2, 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: **7506 Greenbrook Parkway, 8078 Mary Payton Drive, Parcel ID# 108726000000603** 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 Brooks. 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 **2nd day of August, 2011.**

PLANNING AGENDA

Item #1 Application to rezone 9.27 acres of property on the south side of Goodman between Elmore and Swinnea, from Agricultural to Planned Commercial. Planning agenda was presented by Whitney Choat-Cook. She stated that this is in compliance with the comprehensive plan and was voted unanimously in favor of by the Planning Commission. Alderman Huling made the motion to approve the application to rezone as presented to this Board. Motion was seconded by Alderman Jobes. Motion was put to vote and passed unanimously.

MAYOR'S REPORT

Mayor Davis reported that the Winn Job Center has a lease with the City, and in it there is a clause stating that if they receive a reduction of federal funding or a reduction of employees, we would cut the monthly rent. We have negotiated with them and will take them down to a 35% cut. This will take them down from \$13,000.00 a month to \$7,500.00 and will not go into effect until October 2011. A motion was made by Jobes to allow Mayor Davis to sign the amendment to the lease. Motion was seconded by Alderman Guy. After a short discussion a motion was put to vote and passed unanimously.

Next, Mayor Davis reported that we have an update required for the Employee Handbook. It states that if an employee is arrested or convicted of a crime then it must be reported within 72 hours. It has been an unwritten rule for this City, but it needs to go into the City handbook as the rule. A motion was made by Alderman Cady to approve the change in Section Q of the City of Southaven Handbook, as presented to this Board. Motion was seconded by Alderman Guy. Motion was put to vote and passed unanimously.

Next, Mayor Davis reported that he had emailed them the overlay program for 2011. Streets to be overlaid are:

Central Parkway (Tchulahoma to the Bus Barn)

W.E. Ross Parkway (W.E. Ross West to April)

Louisa Cove

Bethany (Southern Trace)

New Point (Bell Point)

Booneville (MS Valley to Brookhaven)

Southcrest (300 ft North)

The approximate cost will be \$345,000.00 which will include milling. Alderman Brooks made the motion to approve the list of streets as presented to this Board. Motion was seconded by Alderman Huling. Motion was put to a vote and passed unanimously.

COMMITTEE REPORTS:

No Committee Reports

CITY ATTORNEY'S LEGAL UPDATE

No City Attorney's Legal Update

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 August 2, 2011, including demand checks and payroll in the amount of \$1,287,886.41. Motion was seconded by Alderman Payne. There was no discussion, the motion was put to vote and passed with 6 YEAS and 1 NAY. Alderman Hale voting NAY.

Excluding voucher numbers:

167099, 167114, 167182, 167186, 167197, 167521.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Guy	YEA
Alderman Cady	YEA
Alderman Hale	NAY
Alderman Payne	YEA
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 2nd day of August, 2011.

PERSONNEL AND LITIGATION

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. Motion was put to vote and passed unanimously. Alderman Guy made the motion to go into executive session for the purpose of discussing personnel the City wide, potential litigation and economic development . Motion was put to a vote and passed unanimously.

Mayor called the meeting back to order.

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 Cady. Motion was put to a vote and passed unanimously, August 2, 2011 at 7:20 p.m.

**Greg Davis,
Mayor**

Sheila Heath, City Clerk