

**MINUTES OF THE REGULAR MEETING  
OF JANUARY 17, 2012  
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 17<sup>th</sup> day of January, 2012 at six o'clock (6:00) p.m. at City Hall.

**Present were:**

<b>Greg Guy</b>	<b>Mayor Pro Tempore</b>
<b>Lorine Cady</b>	<b>Alderman, Ward 1</b>
<b>Ronnie Hale</b>	<b>Alderman, Ward 2</b>
<b>George Payne</b>	<b>Alderman, Ward 3</b>
<b>William Brooks</b>	<b>Alderman, Ward 4</b>
<b>Ricky Jobes</b>	<b>Alderman, Ward 5</b>
<b>Randall Huling, Jr.</b>	<b>Alderman, Ward 6</b>

**Mayor Davis and Sheila Heath were absent. Present were Candice Duncan, Deputy City Clerk, Chris Wilson, City Administrator, Mark Sorrell, City Attorney and Whitney Choat-Cook, City Planning Director. Approximately fifty (50) other people were present.**

**Mayor Pro Tempore Guy called the meeting to order. Alderman Cady led in prayer, followed by the Pledge of Allegiance led by Alderman Jobes. Next, Alderman Guy, Mayor Pro-Tempore, asked for a moment of silence in honor of Coach McCord who passed away this week. Next, a motion was made by Alderman Cady to approve the minutes of the regular meeting of January 3, 2012 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Brooks. Motion was put to a vote and passed unanimously. Next, a motion was made by Alderman Cady to approve the minutes of the Special meeting of January 6, 2012 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Brooks. Motion was put to vote and passed unanimously.**

**CITIZEN'S AGENDA**

**Next, Alderman Guy stated that there were two people who asked to speak to this Board.**

**Mr. Don Daniels stated that there is an area of responsibility that needs to be considered. He stated that no man is without sin, but we have allowed the fox to guard the chicken coop. He stated that this Board has asked for the Mayor's resignation without any regard of their own involvement.**

**Next, Linda Temple of 9076 Moss Point Drive. She stated that she has organized a group called "Concerned Citizens of Southaven". She feels like some questions need to be answered. She invited each Board member to this organized meeting at the Southaven Library Thursday, January 26, 2012. She stated that our website needs to be more informative for the Citizens. Alderman Hale stated that he is very happy to have more citizens involved in**

the City's business.

Next, J. M. Sparkman of 8445 Maplewood Lane asked if anyone has looked into what can be done to force the Mayor to resign. He asked if this Board can freeze or reduce the Mayor's salary. And, will they do it? Alderman Guy, Mayor Pro-Tempore stated that the option of the State Attorney General is that this Board can reduce or increase his salary, but it has to be reasonable to the job duties. This must be done in the confounds of the law. We have our Attorney as well as an outside Attorney looking into this. Alderman Huling stated that if he is on medical leave that we are unable to do anything. Next, Mr. Sparkman made a statement about the Fire Station. He stated that it is a bad contract. He stated that the people want them to do what they are elected to do.

Next, Mrs. Barbara Cleveland of 770 Charter Oak Drive stated that she is a former Alderman of Southaven. She states that she is tired of hearing everyone run Mayor Davis down. She stated that Mayor Davis has done a lot of good for Southaven. Alderman Guy stated that he understands how she feels, but he has been in Southaven his whole life and Mayor Davis has been a friend for years. He stated that Mayor Davis has done a great job, but this Board was also involved in the growth of this City as well. He is hoping Mayor Davis is getting the help he needs.

Next, Catherine Thomas of 8114 Coventry Drive stated that if this Board's names are on the contract for the Fire Station, then this Board is just as responsible as the Mayor is. Alderman Guy reported that the Board's names are not on the contract, but they did give Mayor Davis the authority to negotiate it. She asked that they not comment to the media. They need to come to the meetings to get what they need to know. Alderman Huling stated that we do have to work as a group and work with the Mayor. He stated that we as a Board that we don't have to run in different directions.

Next, Mr. Moses Truelo of 5616 Kayla Drive. He stated that this Board needs to come together and do what we need to do but work together, and he will be behind them all.

Next, Billy Sasser of 2009 East Starlanding Road. He asked will you cut the Mayor's pay? He understands that there are State laws that they must follow but will they as a Board do it? He asked if any of them were present during this credit card use. Most said no. He asked what is the propose of the Board? Alderman Guy stated that they were not responsible for the day to day operations of the City but is responsible for setting ordinance, approval of the budget, approve the claims docket and policy and procedures. After a short discussion, Mr. Sasser thanked this Board.

Next, Mr. Tim Gardner, 7790 Jane Ayre Drive. He stated that this is a tough night, but he appreciates all they do, and he is behind them.

This will conclude the Citizen's agenda.

#### **SURPLUS PROPERTY-PUBLIC WORKS**

Ray Tarrance, Public Works Director is requesting permission to dispose of 250 damaged garbage cans in accordance to State law. Mr. Tarrance stated

**that they are beyond repair. Alderman Brooks made the motion to allow Mr. Tarrance to dispose of the containers in accordance to state law. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.**

#### **PLANNING AGENDA**

**No Planning Agenda**

#### **MAYOR'S REPORT**

**Alderman Guy, Mayor Pro-Tempore reported that he would like to ask the Board to consider renaming a street after Coach Odis McCord. He states that he would like to have Chief Long look into this and report back to the Board at a later date.**

**Next, Alderman Guy reported on the Blue Ribbon lobbying trip coming up February 29 – March 2, 2012, and he needed to know who would be going. This is a DeSoto County trip, and it has been very productive in the past. This City needs two representatives to go on this trip. Alderman Cady made the motion to allow two representatives from the City of Southaven to travel with the Blue Ribbon Committee to Washington DC February 29-March 2, 2012. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.**

**Next, a resolution was brought before the Board of Alderman.**

**RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI (THE "CITY"), TO ISSUE GENERAL OBLIGATION BONDS, SERIES 2012, OF SAID CITY IN THE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED THREE MILLION ONE HUNDRED THOUSAND DOLLARS (\$3,100,000) TO RAISE MONEY FOR THE PURPOSE OF PROVIDING FUNDS FOR ERECTING MUNICIPAL BUILDINGS, AND PURCHASING BUILDINGS OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME; PURCHASING FIRE-FIGHTING EQUIPMENT AND APPARATUS, AND PROVIDING HOUSING FOR SAME, AND PURCHASING LAND THEREFOR; AND PAYING FOR THE COSTS OF ISSUANCE OF THE BONDS AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.**

**WHEREAS, the Mayor and the Board of Aldermen of the City of Southaven, Mississippi (the "Governing Body" of the "City"), acting for and on behalf of the City, hereby finds, determines, adjudicates and declares as follows:**

**1. The City is authorized by Section 21-33-301 through 21-33-329, Mississippi Code of 1972, as amended (the "Act"), to issue bonds hereinafter proposed to be issued for the purposes and the amounts set forth in paragraph 2 of this preamble.**

**2. It is necessary and in the public interest to issue General Obligation Bonds, Series 2012, of the City in the principal amount not to exceed Three Million One Hundred Thousand Dollars (\$3,100,000) (the "Bonds"), to raise money for the purpose of providing funds for erecting municipal buildings, and purchasing buildings or land**

therefor, and for repairing, improving, adorning and equipping the same; purchasing fire-fighting equipment and apparatus, and providing housing for same, and purchasing land therefor; and paying for the costs of issuance of the Bonds (the "Project").

3. The assessed value of all taxable property within the City, according to the last completed assessment for taxation, is Five Hundred Twenty Million Three Hundred Ninety Seven Thousand One Hundred Fifty Three Dollars (\$520,397,153.00); the City has outstanding bonded indebtedness subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended, in the amount of Forty Million Eight Hundred Fifteen Thousand Dollars (\$40,815,000), and outstanding bonded and floating indebtedness subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended, (which amount includes the sum set forth above subject to the 15% debt limit), in the amount of Forty Million Eight Hundred Fifteen Thousand Dollars (\$40,815,000); the issuance of the Bonds hereinafter proposed to be issued pursuant to the Act, when added to the outstanding bonded indebtedness of the City, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of taxable property within the City, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City.

4. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds in anticipation of the issuance of the Bonds is made pursuant to Department of Treasury Regulations Section 1.150-2 (the reimbursement regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY,  
ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:**

**SECTION 1.** The Governing Body hereby declares its intention to issue General Obligation Bonds, Series 2012, of the City in the principal amount not to exceed Three Million One Hundred Thousand Dollars (\$3,100,000) (the "Bonds") pursuant to the Act to raise money for the purpose of providing funds for the Project.

**SECTION 2.** The Governing Body proposes to direct the issuance of the Bonds in the amounts, for the purposes and secured as aforesaid at a meeting place of the Governing Body at its meeting place in the City Hall of the City of Southaven, Mississippi, at the hour of 6:00 o'clock p.m. on February 21, 2012.

**SECTION 3.** If on or before 6:00 o'clock p.m. on February 21, 2012, ten percent (10%) of the qualified electors of the City or fifteen hundred (1,500), whichever is less, shall file a written protest with the Clerk of the City of Southaven, Mississippi against the issuance of the Bonds pursuant to the Act, then Bonds for such purpose or purposes shall not be issued unless authorized at an election on the question of the issuance of such Bonds to be called and held as provided by law. If no protest be filed on or before 6:00 o'clock p.m. on February 21, 2012, against the issuance of Bonds, then the Bonds may be issued without an election on the question of the issuance thereof, at any time within a period of two (2) years after the date specified in Section 2 hereof.

**SECTION 4.** This resolution shall be published once a week for at least three (3) consecutive weeks in the *DeSoto County Tribune*, a newspaper published in and having a general circulation in the City of Southaven, Mississippi, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended. The first publication of this resolution shall be made not less than twenty-one (21) days prior to the date fixed herein for the issuance of the Bonds, and the last publication shall be made not more than seven (7) days prior to such date.

**SECTION 5.** The Clerk of the City shall be and is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and have the same before the Governing Body on the date and hour specified in Section 2 hereof.

**SECTION 6.** The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds in anticipation of the issuance of the Bonds is made pursuant to Department of Treasury Regulations Section 1.150-2 (the reimbursement regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

**SECTION 7.** If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

Following the reading of the foregoing Resolution, Alderman Payne made the motion and Alderman Hale seconded the motion for its adoption. The Mayor put the question to a roll call vote, and the result was as follows:

Alderman Lorine Cady	voted: YES
Alderman Ronnie Hale	voted: YES
Alderman George Payne	voted: YES
Alderman William Brooks	voted: YES
Alderman Ricky Jobs	voted: YES
Alderman Dr. Randy Huling	voted: YES

The motion having received the affirmative vote of a majority of the members present, the Mayor Pro-Tempore declared the motion carried and the resolution adopted this the 17th day of January, 2012.

Next, Alderman Guy, Mayor Pro – Tempore, asked that the City be allowed to enter into an agreement with P.I.T., LLC for the \$3.25 million dollar purchase of the Fire Station #2. Pending that the Alderman have the opportunity to review the contract prior to it being signed, and this is only if we have the title work done properly and a state authorized appraisal. Alderman Huling made the motion to allow Mayor Pro-Tempore Guy to negotiate a contract with P.I.T., Inc. and bring

the final contract back before the Board for approval. Motion was seconded by Alderman Jobs. Motion was put to vote and passed unanimously.

Next, Alderman Guy, Mayor Pro-Tempore reported that he works in a bank, he has a family and he has been an Alderman for 15 years. He stated that he loves this City. He said many times he has been called upon to serve as Mayor Pro-Tempore and he thinks he has done a good job. He stated that his Company has been extremely patient with him, but it is starting to take more time than he is able to spend with his day job. At this time he would like to inform the Board of his intention. He stated that he was elected by the Citizens as Alderman at Large and appointed by this Board as Mayor Pro – Tempore. At this time he asked to inform the Board of his intention to resign his position as Mayor Pro-Tempore. This will be at the February 7, 2011 meeting and that would give the Board time to decide who they wanted to take his place.

**PERSONNEL DOCKET**

Personnel Docket  
01/17/2012

Promotion

	Position	Department	Effective Date	Rate of Pay
Deborah Golden	Supervisor	Dispatch	1/16/2012	\$21.18
James A. Powell	Shift Supervisor	Dispatch	1/16/2012	\$19.84
Joy Hitt	Shift Supervisor	Dispatch	1/16/2012	\$19.84
Vince Ray	Shift Supervisor	Dispatch	1/16/2012	\$19.84
Amanda Rushing	Shift Supervisor	Dispatch	1/16/2012	\$19.84
Joyce Poole	Shift Supervisor	Dispatch	1/16/2012	\$19.84

Payroll Additions

James Guidi	Crossing Guard	Police	1/11/2012	\$9.00
Jason Pounders	FF II	Fire	1/18/2012	\$13.88

Payroll Deletions

Name	Position	Department	Date of Termination	Rate of Pay
Hope Jones	SGT	Police	Resignation	
Missy Powell	Director	Arts and Culture	01/27/2012 - resigned	

**Chief Ron White asked to introduce his new fire fighters. Jason Pounders and Sean Asbell. Sean was on the last personnel docket but was unable to attend the meeting that night. Sean is a certified fire fighter and Jason is a basic EMT and is scheduled to go to the State Fire Academy. The Board welcomed them to the City.**

**Chief Tom Long introduced his two new hires. Mark Cramer and Jonathon Rogers. They were approved for hire on the last personnel docket as well. The Board welcomed them to the City as well.**

**Alderman Payne made the motion to approve the personnel docket as presented to this Board. Motion was seconded by Alderman Hale. Motion was put to vote and passed unanimously.**

**COMMITTEE REPORTS:**

**Alderman Cady asked that the City needs to make all the parking spots on the south side of the building handicap. Alderman Brooks agreed to this. Alderman Guy, Mayor Pro-Tempore asked Mr. Bradley Wallace to look into getting this done.**

**CITY ATTORNEY'S LEGAL UPDATE**

**Mark Sorrell, City Attorney reported on the Arrow Disposal Service Incorporated (ADSI) contract for residential solid waste collection service. He stated that he met with Mr. Cal Franklin with ADSI and made some recommendations on changes in the contract and Mr. Franklin agreed to the changes. He stated that he has reviewed this contract and is of the option that this Board should approve the contract. He stated that he has furnished the Board with a copy of the contract for them to review. Some of the Alderman have expressed a concern on who will be the drivers under this contract. Mr. Franklin stated that it would be the same drivers used by Red River. He stated that Mr. Franklin is available to answer any questions they may have. Alderman Brooks made the motion to table this item due to the fact he did not receive it until late today, Tuesday January 17, 2012. Motion was seconded by Alderman Cady.**

**Roll call was as follows:**

<b>ALDERMAN</b>	<b>VOTED</b>
<b>Alderman Cady</b>	<b>YES</b>
<b>Alderman Hale</b>	<b>YES</b>
<b>Alderman Payne</b>	<b>YES</b>
<b>Alderman Brooks</b>	<b>YES</b>
<b>Alderman Jobs</b>	<b>NAS</b>
<b>Alderman Huling</b>	<b>NAS</b>

**Having received a 4-2, Vote Alderman Guy, Mayor Pro-Tempore declared that the motion carried and this item is tabled.**

**OLD BUSINESS:**

**First up on Old Business will be Myers Tire Supply Distribution, Inc. Alderman Cady made the motion to remove this item from the table. Motion was seconded by Alderman Hale. Motion was put to vote and passed unanimously.**

**Mr. Daniel Mancheck with Myers Tire Supply Distribution, Inc went before the Board. He stated that they are located at 8425 Airways Blvd. Alderman Jobs stated that he asked for them to come before this Board. He feels like if the Citizens of Southaven are giving the Company a tax break that they should come before this Board. He stated that Mr. Flanagan did answer his questions about Myers Tire Supply Distribution, Inc. Mr. Mancheck stated that they do not sell tires, but they do sell equipment and accessories. The Company has been around 80 years out of Ohio. He stated that he lobbied to**

**have them move to Southaven. They have 24 total employees, 3 in management and 21 hourly positions. Alderman Jobs stated that he thought that was great. He is happy to see a local company hire our local people because this gives back to the community.**

**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 MYERS TIRE SUPPLY DISTRIBUTION, INC. AS AUTHORIZED BY SECTION 27-31-101 ET SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED**

WHEREAS, MYERS TIRE SUPPLY DISTRIBUTION, INC., filed an Application in triplicate for exemption from ad valorem taxation, except ad valorem taxes levied for school district purposes (“school district taxes”), parks and library, and the “mandated levies” described in Section 27-39-329 of the Mississippi Code Annotated (1972) with this Board; and

WHEREAS, MYERS TIRE SUPPLY DISTRIBUTION, INC., has produced written verification and documentation to this Board as to the authenticity and correctness of its Application in regard to the true value of the prayed for exemption and the completion date of said enterprise; and

WHEREAS, this Board finds as a fact that the property described in the aforesaid Application constitutes an industrial enterprise of public utility as enumerated in Section 27-31-101 of the Mississippi Code Annotated (1972), which was completed on the 2nd day of May, 2011, and that said Company is entitled to the exemption sought for a period of ten (10) years beginning on May 2, 2011, subject to approval and certification by the Mississippi Department of Revenue.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Southaven, Mississippi, as follows, to-wit:

1. That the Application for ad valorem tax exemption for MYERS TIRE

SUPPLY DISTRIBUTION, INC., for a period of ten (10) years, beginning on May 2, 2011, on the tangible property (other than tagged motor vehicles and

finished products) used in, or necessary to, the operation of MYERS TIRE SUPPLY DISTRIBUTION, INC. as described in the Application filed by said Company for tax exemption, be and the same is hereby approved, subject to approval and certification by the Mississippi Department of Revenue.

2. That MYERS TIRE SUPPLY DISTRIBUTION, INC. is hereby granted exemption from ad valorem taxation, except school district taxes, parks and library taxes, and the “mandated levies”, on the eligible exempt tangible property as described in Exhibit “A” of the Application having a true value of \$560,670.00 for a period of ten (10) years beginning on May 2, 2011.

3. That the Clerk of this Board is hereby directed to spread a copy of this Resolution on the minutes of this Board; and that said Clerk shall forward the original and one (1) certified copy of the Application and a certified copy of the transcript of this Resolution approving said Application to the Mississippi Department of Revenue for its approval and certification; and said Clerk shall also forward one (1) certified copy to the Tax Assessor of DeSoto County, Mississippi, and obtain the Certificate of said Tax Assessor stating that the personal property as itemized in the Application has been placed on the appropriate tax roll as “Non-Taxable”, except for school district, parks and library taxes and the “mandated levies” for the duration of the exemption period only.

After a full discussion of this matter, ALDERMAN PAYNE moved that the foregoing Resolution be adopted. The motion was seconded by ALDERMAN HULING. Upon the question being put to a vote, Members of the Board of Aldermen voted as follows:

ALDERMEN	VOTED
ALDERMAN BROOKS	YES
ALDERMAN PAYNE	YES
ALDERMAN HULING	YES
ALDERMAN HALE	YES
ALDERMAN JOBES	YES
ALDERMAN CADY	YES

WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Mayor and Board of Alderman of the City of Southaven, Mississippi, on this, the 17<sup>th</sup> day of January, 2012.

**Alderman Payne made the motion to remove Myers Tire Supply Distribution Inc. off the table and open this issue for discussion. Motion was seconded by Alderman Cady. Motion was put to vote and passed unanimously.**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF  
CITY OF SOUTHAVEN, MISSISSIPPI  
GRANTING EXEMPTION FROM AD VALOREM TAXES**

The Board next took up for consideration the matter of granting to MYERS TIRE SUPPLY DISTRIBUTION, INC., hereinafter referred to as "APPLICANT", operator of a Free Port Warehouse within the City of Southaven, County of DeSoto, State of Mississippi, an exemption from all ad valorem taxes to the full extent permitted by statute on all personal property held in the APPLICANT'S finished good warehouse and in transit through the State of Mississippi and which either is moving in interstate commerce through or over the territory of the State of Mississippi or is consigned or transferred to the APPLICANT'S finished goods warehouse for storage in transit to a final destination outside the State of Mississippi, and the following Resolution, having first been reduced to writing was introduced:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE  
CITY OF SOUTHAVEN, MISSISSIPPI GRANTING EXEMPTION FROM  
AD VALOREM TAXES TO THE FULL EXTENT PERMITTED BY  
STATUTETO MYERS TIRE SUPPLY DISTRIBUTION, INC.,  
OPERATOR OF A FREE PORT WAREHOUSE, AS AUTHORIZED BY  
SECTION 27-31-53 OF THE MISSISSIPPI CODE (1972), AS AMENDED**

WHEREAS, the APPLICANT is a corporation organized under the laws of the State of Ohio with a finished goods warehouse located within the City of

Southaven, County of DeSoto, and State of Mississippi, which is regularly engaged in the handling and storage of personal property in structures or places adapted for such handling and storage and to which personal property is consigned or transferred for storage and handling in transit to a final destination outside the State of Mississippi; and

WHEREAS, the APPLICANT has negotiated in good faith with the Mayor and Board of Aldermen as to the ad valorem tax exemption authorized by Section 27-31-53 of the Mississippi Code (1972), as amended;

WHEREAS, the APPLICANT has applied for a license to operate the Free Port Warehouse to be issued by the DeSoto County Tax Assessor and has certified in the application for such license that APPLICANT ships personal property to a destination outside of the State of Mississippi each year and APPLICANT is qualified to apply for the free port warehouse ad valorem tax exemption;

WHEREAS, the APPLICANT currently provides employment in the City of Southaven, County of DeSoto County, State of Mississippi, for approximately 41 persons with an estimated annual payroll of \$431,000.00;

WHEREAS, the APPLICANT is qualified to make application for exemption from ad valorem taxes pursuant to Section 27-31-53 of the Mississippi Code (1972), as amended;

WHEREAS, this Mayor and Board of Aldermen of the City of Southaven, Mississippi, acknowledge the APPLICANT'S major contribution to the economic development of the City of Southaven and the County of DeSoto and State of Mississippi; and believe that it should exercise its discretionary authority to exempt from all ad valorem taxes to the full extent permitted by statute all personal property held in the APPLICANT'S finished goods warehouse and in transit through the State of Mississippi and which either is moving in interstate

commerce through or over the territory of the State of Mississippi or is consigned or transferred to the APPLICANT'S finished goods warehouse for storage in transit to a destination outside the State of Mississippi.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Southaven, Mississippi, as follows, to-wit:

1. That the APPLICANT, MYERS TIRE SUPPLY DISTRIBUTION, INC., operator of a free port warehouse is hereby granted exemptions to the full extent permitted by statute beginning on the 2nd day of May, 2011, from all ad valorem taxes on all personal property held in APPLICANT'S finished goods warehouse and in transit through the State of Mississippi and which either is moving in interstate commerce through or over the territory of the State of Mississippi or is consigned or transferred to APPLICANT'S finished goods warehouse for storage in transit to a final destination outside the State of Mississippi, as authorized by Section 27-31-53 of the Mississippi Code (1972), as amended.
2. That the Clerk of this Board be, and she is hereby directed to spread a copy of this Resolution on the minutes of this Board; and that said Clerk shall forward a certified copy of this Resolution to the DeSoto County Tax Assessor.

After a full discussion of this matter, ALDERMAN Payne moved that the foregoing Resolution be tabled until the Mayor and Board of Alderman meeting of January 17, 2012. The motion was seconded by ALDERMAN Brooks.

Motion was put to vote and passed unanimously.

<b>ALDERMEN</b>	<b>VOTED</b>
ALDERMAN BROOKS	YES
ALDERMAN PAYNE	YES
ALDERMAN HULING	YES
ALDERMAN HALE	YES
ALDERMAN JOBES	YES
ALDERMAN CADY	YES

WHEREUPON, the foregoing Resolution was declared tabled until the regular meeting of the Mayor and Board of Alderman of the City of Southaven, Mississippi, on this, the 17<sup>th</sup> day of January, 2012.

**Next, the Clearview Baptist Church sign variance was tabled at the last meeting. Alderman Cady made the motion to remove this item from the table and open it for discussion. Motion was seconded by Alderman Hale. Motion was put to vote and passed unanimously.**

**Mrs. Whitney Choat-Cook came before the Board and stated that she and Ron Smith, City Engineer went to the site to look at the proposed sign location and the location of the existing sign. She stated that the existing sign and the proposed sign are approximately 300' apart. She stated that they do agree that there are some visibility issues that would allow them to have two signs. The existing sign is up on a hill, blocked by two trees, and where they are proposing to put the new sign, is in the access point where it hits Goodman Road. She and Mr. Smith met with the leaders of the Church and they did come to an agreement. She stated the recommendation is that the City allow the variance and allow them to keep the older sign, but they are to do some improvements to it. Alderman Payne made the motion to allow the variance and allow Clearview Baptist to keep the older sign (and they must do the improvements to the sign), as recommended by Mrs. Choat-Cook and Mr. Ron Smith. Motion was seconded by Alderman Cady. Motion was put to vote and passed unanimously.**

**Next, MDOT Grant Funding was tabled from the last meeting so Alderman Brooks made the motion to bring it off the table and open this item for discussion. Motion was seconded by Alderman Huling. Motion was put to vote and passed unanimously.**

**Mrs. Whitney Choat-Cook reported that as of this morning that the City has not received an award letter from MDOT. She stated that she was trying to give it a week for the State to issue the letter. She stated that they told her that they were going to release the funds, and the people with the media have been told that from MDOT as well. This is the project for the walking trails from Central Park to Snowden Grove Park. Alderman Huling made the motion that this Board request the City Attorney to begin the process of legal remedies for if MDOT does not present the funds as promised. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.**

#### **PROGRESS REPORTS:**

**Alderman Cady asked that IT look into lowering the computer monitors because she can't see around it. Alderman Jobs stated that they are already looking into it. Chris Shelton, IT Director reported that he is working on it.**

**Next, Alderman Brooks made the motion to approve Alderman Hale and Alderman Payne to travel to Jackson MS for MML mid Winter Conference January 23-26, 2012. Motion was seconded by Alderman Jobs. Motion was put to vote and passed unanimously.**

**CLAIMS DOCKET:**

**A motion was made by Alderman Jobs to approve the Claims Docket of January 17, 2012, including demand checks and payroll in the amount of \$1, 562,356.97. Motion was seconded by Alderman Hale. Alderman Guy opened the floor for discussion. There was no discussion, the motion was put to vote and passed unanimously.**

**Excluding voucher numbers:**

**174811, 174859, 174865, 174903, 175141, 175425 – 175441, 175451, 175453, 175454, 175457, 175464.**

**Roll call was as follows:**

<b>ALDERMAN</b>	<b>VOTED</b>
<b>Alderman Cady</b>	<b>YES</b>
<b>Alderman Hale</b>	<b>YES</b>
<b>Alderman Payne</b>	<b>YES</b>
<b>Alderman Brooks</b>	<b>YES</b>
<b>Alderman Jobs</b>	<b>YES</b>
<b>Alderman Huling</b>	<b>YES</b>

**Having received a majority of affirmative votes, the Alderman Guy, Mayor Pro-Tempore declared that the motion was carried and approved for payment on this the 17<sup>th</sup> day of January, 2012.**

**PERSONNEL AND LITIGATION**

**Next, motion was made by Alderman Payne, 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 Payne made the motion to go into Executive Session for the purpose of discussing personnel city wide and potential litigation and economic development. Motion was seconded by Alderman Hale. Motion was put to a vote and passed unanimously.**

**There being no further business to come before the Mayor and Board of**

**Aldermen, a motion was made by Alderman Payne to adjourn. Motion was**

**second by Alderman Jobes. Motion was put to a vote and passed  
unanimously, January 17, 2012 at 8:40 p.m.**

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**Greg Guy  
Mayor Pro Tempore**

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**Sheila Heath, City Clerk**