

**MINUTES OF THE REGULAR MEETING
OF APRIL 7, 2009
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 7th day of April, 2009, 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
James Loftis	Alderman, Ward 3
Paul Ollar	Alderman, Ward 4
Ricky Jobes	Alderman, Ward 5
Randall Huling	Alderman, Ward 6

Alderman Stark was absent at the beginning of the meeting. Also present were Chris Wilson, City Administrator, Glenda Smallwood, City Clerk, Whitney Choat, Planning Director, and Bradley Wallace, Director of Operations. Approximately twenty (20) other people were present.

Mayor Davis called the meeting to order. Alderman Loftis led in prayer. Following the Pledge of Allegiance led by Adam Hall with Boy Scout Troop 190, a motion was made by Alderman Cady to approve the minutes of March 17, 2009 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Loftis. Motion passed unanimously with Alderman Stark being absent.

RESOLUTIONS

A motion was made by Alderman Guy to adopt RESOLUTION RATIFYING, CONFIRMING, AUTHORIZING AND APPROVING AMENDMENTS TO A RESOLUTION OF THE CITY DATED MARCH 3, 2009. Motion seconded by Alderman Cady. Motion was put to a roll call vote and passed unanimously with Alderman Stark being absent.

Roll call was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Absent
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobes	Yea

Alderman Huling Yea

A copy of aforesaid Resolution is hereby attached to and made a part of these minutes.

RESOLUTIONS- AMERICAN RECOVERY AND REINVESTMENT ACT MOU/MDOT RESURFACE AIRWAYS BLVD AND INSTALLATION OF A TRAFFIC SIGNAL AT STATELINE ROAD AND TCHULAHOMA ROAD.

A motion was made by Alderman Guy to adopt these two Resolutions by acclamation. Motion seconded by Alderman Ollar. Motion was put to a vote and passed unanimously with Alderman Stark being absent

A copy of the two aforesaid Resolutions are hereby attached to and made a part of these minutes.

Mayor Davis reported we need to pass three Inter-local Agreements to allow us to be a part of receiving funds from Grant money.

A motion was made by Alderman Guy to accept by acclamation: INTERLOCAL AGREEMENT BETWEEN DESOTO COUNTY, MISSISSIPPI THE CITY OF SOUTHAVEN, THE CITY OF OLIVE BRANCH AND THE CITY OF HORN LAKE FOR 2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD;

INTERLOCAL AGREEMENT BETWEEN DESOTO COUNTY, MISSISSIPPI, THE CITY OF HERNANDO, MISSISSIPPI, CITY OF HORN LAKE, MISSISSIPPI, CITY OF OLIVE BRANCH, MISSISSIPPI, CITY OF SOUTHAVEN, MISSISSIPPI, AND THE TOWN OF WALLS, MISSISSIPPI FOR THE USE OF HAZARDOUS MITIGATION GRANT FUNDS FOR THE PURPOSE OF SIRENS; AND

INTERLOCAL AGREEMENT BETWEEN DESOTO COUNTY, MISSISSIPPI, DESOTO COUNTY REGIONAL UTILITY AUTHORITY, CITY OF HERNANDO, MISSISSIPPI, CITY OF HORN LAKE, MISSISSIPPI, CITY OF OLIVE BRANCH, MISSISSIPPI, AND CITY OF SOUTHAVEN, MISSISSIPPI FOR THE USE OF HAZARDOUS MITIGATION GRANT FUNDS FOR THE PURCHASE OF GENERATORS.

Motion seconded by Alderman Huling. Motion passed unanimously with Alderman Stark being absent.

MOTORSPORT, INC.

A motion was made by Alderman Guy to adopt RESOLUTION GRANTING EXEMPTION FROM AD VALOREM TAXES FOR A TEN YEAR PERIOD TO MOTOSPORT, INC. AS AUTHORIZED BY SECTION 27-31-101 ET SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED. Motion seconded by Alderman Loftis. Motion was put to a roll call vote and passed unanimously with Alderman Stark being absent.

Roll call was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Absent
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobes	Yea
Alderman Huling	Yea

A copy of aforesaid Resolution is hereby attached to and made a part of these minutes.

BIDS

Clearing, Grubbing Underground Utilities and Related Construction

Mayor Davis read a recommendation from Bradley Wallace, Director of Operations to award this bid to M & H Construction for all totals listed on the bid tabulation spreadsheet as they represent the majority of “best price” for the listed categories and are able to mobilize in an acceptable time frame. A motion was made by Alderman Cady to accept the recommendation of Bradley Wallace and award the bid to M & H Construction for one year with the option of extending the bid up to four years. Motion seconded by Alderman Huling. Motion passed unanimously with Alderman Stark being absent. A copy of the detailed spreadsheet will be attached and made a part of these minutes.

Turf Chemicals

Mayor Davis read a recommendation from Mike Mullins, Parks Director for Turf Chemicals for 2009. A motion was made by Alderman Huling to award the bid for Turf Chemicals to three companies; BWI, Pro Source, and Tri-County for various chemicals. Motion seconded by Alderman Guy. Motion was put to a vote and passed unanimously with Alderman Stark being absent. A copy of the listed chemicals and companies is hereby attached to and made a part of these minutes.

SURPLUS PROPERTY

FIRE DEPT.

Mayor Davis read a request from Michael Brackin, Fire Chief surplus vehicles. These vehicles were recently replaced and need to be removed from inventory. The request is to move these vehicles to the Training Center. A motion was made by Alderman Cady to accept the Fire Chief’s recommendation. Motion seconded by Alderman Guy. Motion was put to a vote and passed unanimously with Alderman Stark being absent.

IT DEPT.

Mayor Davis read a request from Jason Grant, IT Director, to surplus computers and donate to DeSoto Central Elementary. A motion was made by Alderman Huling to accept the recommendation from IT and

donate the surplus in accordance with State Law to DeSoto County Elementary. Motion seconded by Alderman Loftis. Motion passed unanimously with Alderman Stark being absent.

PLANNING AGENDA

Whitney Choat, Planning Director, presented Item #1 Application by Ben Smith to revise the Rayburn Subdivision on the east side of Elmore at Jennings Drive. A motion was made by Alderman Huling to approve item #1 as presented. Motion seconded by Alderman Cady. Motion passed unanimously with Alderman Stark being absent.

Item#2 Request for Appeal of Planning Commission decision by Ms. Shauna Bledsoe to allow a consignment thrift store on Hwy. 51. Ms. Bledsoe came before the Mayor and Board of Aldermen to answer questions about her business. Also coming before the Mayor and Board of Aldermen was Mr. May. Following their presentation a motion was made by Alderman Loftis to override the Planning Commission's decision and grant a one year condition use with the option to extend for four years. Motion seconded by Alderman Cady. Motion passed unanimously with Alderman Stark being absent. Mayor Davis reported the four year extension will be an administrative decision and she does not have to come back in front of the Board.

MAYOR'S REPORT

Mayor Davis reported that after researching the charges for tournaments at other ball parks and meeting with the Parks Director he recommends a charge of \$8.00 for a weekend pass for any individual over 60 years of age. A motion was made by Alderman Cady implement an \$8.00 weekend pass for senior adults over 60 years of age. Motion seconded by Alderman Huling. Motion was put to a vote and passed unanimously with Alderman Stark being absent.

Mayor Davis reported he needs the authority to sign the ATT Agreement for the purchase of our 911 software. He reported this is the Grant money we received. A motion was made by Alderman Guy to give Mayor Davis the authority to sign the ATT Agreement for the purchase of our 911 software. Motion seconded by alderman Ollar. Motion was put to a vote and passed unanimously with Alderman Stark being absent.

Mayor Davis reported that without hearing objection City Attorney's Legal Update will be moved to the end of the Agenda. Hearing no objection, so moved.

Progress Reports

Mayor Davis reported that if the weather is conducive there will be asphalt trucks on Church Road tomorrow.

CLAIMS DOCKET

A motion was made by Alderman Guy to approve the Claims Docket of April 7, 2009 including demand checks excluding voucher #117253-117254, 117256, 117259, 117263-117264, 117267-117268, 117270-117283, 117285, 117287, 117289, 117299-117319, 117430, 117467, 117495, 117572, 117609, 117623, 117676, 117721, 117727, 117747, 117768, 117801, 117826, 11738-117840, 117843, 117874-117888, 118005, 118008-118024, 118067, 118097, 118145, 118172, 118176, 118179, 118181, 118197, 118249, 118377, 118390, 118404, 118452, 118478-118479, 118502, 118521-118527. Motion seconded by Alderman Loftis. Motion was put to a roll call vote and passed unanimously.

Roll call was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Absent
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobes	Yea
Alderman Huling	Yea

Fire Chief, Michael Brackin introduced Neil Townsend to the Mayor and Board of Alderman. Mr. Townsend is a Certified Firefighter.

Police Chief, Tom Long introduced David Tessaro, Alex Fennell, and Orlando Garcia. These men will attend the Academy April 20th.

RECESS

A motion was made by Alderman Cady to recess the meeting. Motion seconded by Alderman Guy. Motion was put to a vote and passed unanimously with Alderman being absent.

Mayor Davis reported the meeting is recessed.

Mayor Davis called the meeting back to order in Regular Session. At this time Alderman Stark joined the meeting.

Next, was the City Attorney Legal Update. Mark Sorrell, City Attorney reported on an Ordinance Authorizing Slum Clearance. He reported this Ordinance is based on 43-35-104 and following of the MS Code Annotated of 1972. He reported this deals with areas that have fallen in disrepair where the owner or owners refuse to take responsibility in maintaining their property in proper order. He reported on the condemnation proceedings in Section II. He reported the Ordinance provides for the designation or appoint of public officers which will be designated and appointed by this Board. He reported there is a catch all provision whereby any other individual can be appointed. When the public officers determine that a building is injurious to public health or adverse to public health a complaint can be filed on the landowner. The Ordinance also provides that five residents of the municipality of Southaven can file a complaint. Notice will be given to the owner of the property and a hearing will be fixed at a designated location, possibly

here in the Board Room. There is a time of between ten and thirty days. After the hearing is concluded, if the landowner is aggrieved by the public officers decision they have a right to appeal the case to the DeSoto County Circuit Court. A motion was made by Alderman Cady that in order to protect the health and welfare of the citizens of the City of Southaven there **BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN,**

MISSISSIPPI, THAT THE FOLLOWING ORDINANCE AUTHORIZING SLUM CLEARANCE BE INACTED EFFECTIVE IMMEDIATELY. Motion seconded by Alderman Stark. Motion was put to a roll call vote and passed unanimously. Following discussion the Ordinance was put to a roll call vote and passed unanimously.

Roll call was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobes	Yea
Alderman Huling	Yea

A copy of aforesaid Ordinance is hereby attached to and made a part of these minutes.

There being no further business to come before the Mayor and Board of Aldermen, a motion was made by Alderman Cady to adjourn. Motion seconded by Alderman Guy. Motion was put to a vote and passed unanimously, April 7, 2009 at 7:00 p.m.

Charles G. Davis, Mayor

Glenda Smallwood, City Clerk

