

**MINUTES OF THE REGULAR MEETING  
OF OCTOBER 7, 2008  
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 16<sup>th</sup> day of September, 2008, at six o'clock (6:00) p.m. at City Hall.

**Present were:**

<b>Charles G. Davis</b>	<b>Mayor</b>
<b>Greg Guy</b>	<b>Alderman, at Large</b>
<b>Lorine Cady</b>	<b>Alderman, Ward 1</b>
<b>James Stark</b>	<b>Alderman, Ward 2</b>
<b>James Loftis</b>	<b>Alderman, Ward 3</b>
<b>Paul Ollar</b>	<b>Alderman, Ward 4</b>
<b>Ricky Jobes</b>	<b>Alderman, Ward 5</b>
<b>Randall Huling</b>	<b>Alderman, Ward 6</b>

Being all of the officials of the City of Southaven. Alderman Ollar was present by telecommunications. Also present were Chris Wilson, City Administrator, Mark Sorrell, City Attorney, Sheila Heath, Deputy City Clerk, and Whitney Choat, City Planner. Approximately fifteen (15) other people were present.

Mayor Davis called the meeting to order. Alderman Loftis led in prayer. Following the Pledge of Allegiance led by Brandon Boone and Jason Brasfield from Troop #375, a motion was made by Alderman Cady to approve the minutes of the Regular Meeting of September 16, 2008 and the Special Meeting of September 30, 2008 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Loftis. Motion was put to a vote and passed unanimously.

**CITIZEN'S AGENDA**

Mr. Larry Jarrett with DeSoto County Greenway Program came before the Mayor and Board of Aldermen. He reported on the accomplishments that have been made and reported on future goals. He expressed his desire to work closely with the City of Southaven. Mayor Davis thanked Mr. Jarrett for his report.

**RESOLUTION \$6,500,000**

**A motion was made by Alderman Guy to adopt RESOLUTION AUTHORIZING THE NEGOTIATION OR SOLICITATION OF PROPOSALS FOR THE SALE BY THE MISSISSIPPI DEVELOPMENT BANK (THE “BANK”) OF ITS SPECIAL OBLIGATION BONDS, SERIES 2008 (SOUTHAVEN, MISSISSIPPI, WATER & SEWER SYSTEM PROJECT), IN THE PRINCIPAL AMOUNT OF SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000) TO PROVIDE FUNDS FOR A LOAN (THE “LOAN”) BETWEEN THE CITY OF SOUTHAVEN, MISSISSIPPI (THE “CITY”) AND THE BANK PURSUANT TO A LOAN AGREEMENT BETWEEN THE CITY AND THE BANK SECURED BY A PROMISSORY NOTE (SOUTHAVEN, MISSISSIPPI, WATER & SEWER SYSTEM PROJECT) IN THE PRINCIPAL AMOUNT OF SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000) (THE “NOTE”); APPROVING THE FORM OF AND EXECUTION OF, AS APPLICABLE, THE LOAN AGREEMENT, THE NOTE, THE INDENTURE OF TRUST, THE PRELIMINARY OFFICIAL STATEMENT, THE OFFICIAL FORM OF PROPOSAL AND THE TAX INTERCEPT AGREEMENT. Motion seconded by Alderman Stark. Motion was put to a roll call vote and passed unanimously.**

**Roll call was as follows:**

<b>Alderman Guy</b>	<b>Yea</b>
<b>Alderman Cady</b>	<b>Yea</b>
<b>Alderman Stark</b>	<b>Yea</b>
<b>Alderman Loftis</b>	<b>Yea</b>
<b>Alderman Ollar</b>	<b>Yea</b>
<b>Alderman Jobes</b>	<b>Yea</b>
<b>Alderman Huling</b>	<b>Yea</b>

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

**RESOLUTION-CLEANING OF PRIVATE PROPERTY**

**A motion was made by Alderman Guy to table this Resolution to give Code Enforcement time to check on properties that have already been cleaned. Motion seconded by Alderman Loftis. Motion was put to a vote and passed unanimously.**

**BIDS**

**ELEVATED TANK**

**A motion was made by Alderman Stark to take the recommendation of Fisher & Arnold, Inc. and award the bid for the 750,000 gallon elevated storage tank to CB&I in the amount of \$1,853,000.00. Motion seconded by Alderman Cady. Motion was put to a vote and passed unanimously.**

**SOUTHEAST WATER IMPRIVEMENTS**

**A motion was made by Alderman Guy to take the recommendation of Fisher & Arnold, Inc. to award the bid for Southeast Water Improvements to Encor, LLC in the amount of \$594,016.01. Motion seconded by Alderman Cady. Motion was put to a vote and passed unanimously.**

**SURPLUS PROPERTY**

**A motion was made by Alderman Guy to take the recommendation of Jason Grant, IT Director and surplus computer hardware and to be taken off of the City's inventory. Palm Treo m515, Asset #1071, HP Pavilion N5435 Asset#0734, Compaq Evo 610, Asset#0530, Compaq Presarion 2500, Asset#2409. Motion seconded by Alderman Loftis. Motion was put to a vote and passed unanimously.**

**PLANNING-RESOLUTONS**

**Whitney Choat, Planning Director presented Resolution to be adopted.**

**A motion was made by Alderman Guy to adopt RESOLUTON TO AMEND SECTION 13-12 (m) CHART 4 COMMERCIAL ZONE DISTRICT USES, AND SEC 13-11 (b)(c) REPLACEMENT REQUIREMENTS OF THE CITY OF SOUTHAVEN DEVELOPMENT GUIDELINES MANUAL. Motion seconded by Alderman Huling. A motion was then made by Alderman Guy to make the Resolution effective immediately in order to protect the health, welfare, and security of the citizens of Southaven. Motion seconded by Alderman Cady. Mayor Davis reported the amended motion will have to passed unanimously for this to take effect immediately.**

**Roll call was as follows:**

<b>Alderman Guy</b>	<b>Yea</b>
<b>Alderman Cady</b>	<b>Yea</b>
<b>Alderman Stark</b>	<b>Yea</b>
<b>Alderman Loftis</b>	<b>Yea</b>
<b>Alderman Ollar</b>	<b>Yea</b>
<b>Alderman Jobs</b>	<b>Yea</b>
<b>Alderman Huling</b>	<b>Yea</b>

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

**A motion was made by Alderman Guy to adopt RESOLUTION FOR THE AMENDMENT TO CHAPTER 11. TREE REMOVAL REQUIREMENTS IN THE ZONING ORDINANCE and for it to take effect immediately to protect the health, welfare, and security of the citizens of Southaven. Motion seconded by Alderman Stark. Motion was put to a roll call vote and passed unanimously.**

## **PLANNING AGENDA**

**Item #1- Application by Boyle Development to amend the uses for Southcrest Planned Unit Development on the north side of Goodman Road, east of I-55. A motion was made by Alderman Loftis to approve item #1. Motion seconded by Alderman Cady. Motion was put to a vote and passed unanimously.**

**Item #2-Application by Ben Smith for subdivision approval for an out parcel located in the Rasco Hills Subdivision on the south side of Stateline Road, east of Horn Lake Road. A motion was made by Alderman Stark to approve item #2. Motion seconded by Alderman Loftis. Motion was put to a vote and passed unanimously.**

## **MAYOR'S REPORT**

- 1. Mayor Davis reported that an applicant agent for shelter reimbursement needs to be designated. He reported that his recommendation is Bradley Wallace. A motion was made by Alderman Cady to designate Bradley Wallace as the City of Southaven's designated agent for shelter reimbursement. Motion seconded by Alderman Huling. Motion was put to a vote and passed unanimously.**
- 2. Mayor Davis reported that on September 22, 2008 Eddie Gossett resigned from the Planning Commission due to a conflict of time. He reported he recommends Dennis Upchurch from Bellpoint serve in his place as the new at large commissioner. A motion was made by Alderman Guy to appoint Dennis Upchurch as the replacement for Eddie Gossett on the Planning Commission. Motion seconded by Alderman Cady. Motion was put to a vote and passed unanimously.**
- 3. Mayor Davis reported that Chief Long researched the cost for Police Officers working traffic at Civic Center events. Chief Long reported the cost is \$1,000 for no more than four hours, \$1,500 for no more than six hours, and \$2,000 for eight hours or over. Mayor Davis reported that we had previously handed this duty back over to the Sheriff's Department and the Civic Center asked that we contract with them. A motion was made by Alderman Cady to give Mayor Davis the authority to enter into a contract with the Civic Center. Motion seconded by Alderman Loftis. Motion was put to a vote and passed unanimously.**

## **CITY ATTORNEY'S LEGAL UPDATE**

**Mark Sorrell, City Attorney had no new update at this time.**

**CLAIMS DOCKET**

A motion was made by Alderman Stark to approve the Claims Docket for 2008 as presented with exception of voucher #108251, 108270-108282, 108396, 108414, 108435-108448, 108435-108448, 1089499, 108522, 108545-108562, 108566-108568, 108594-108596, 108603, 108607, 108611-108612, 108720, 108730, 108748, 108758, 108814, 108821, 108899, 108902, 108906-2108907, 108953, 108970-108986, 109006-109011, 109014-109016, 109036, 109082, 109107-109141, 109230, 109338, 109358, 109379, 109393, 109470, 109479, in the amount of \$3,090,062.80 to close out the 08 budget year. Motion seconded by Alderman Cady. Motion was put to a roll call vote and passed unanimously.

Roll call was as follows:

Alderman Guy	Yea
Alderman Cady	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobses	Yea
Alderman Huling	Yea

A motion was made by Alderman Stark to approve the 09 docket as presented on October 7, 2008 in the amount of \$320,805.00. 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	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobses	Yea
Alderman Huling	Yea

Next, Alderman Guy moved for a closed determination on the issue of whether or not to go into executive session. Hearing no objections, a motion was made by Alderman Guy to declare an executive session for the purpose of discussing personnel city wide and economic projects. Motion seconded by Alderman Loftis. 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 Guy to adjourn. Motion seconded by Alderman Loftis. Motion passed unanimously. Time 6:45 p. m. on October 7, 2008.

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Charles G. Davis, Mayor

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Glenda Smallwood, City Clerk

