

**MINUTES OF THE REGULAR MEETING  
OF AUGUST 7, 2007  
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 seventh day of August, 2007, 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 I</b>
<b>James Stark</b>	<b>Alderman, Ward 2</b>
<b>Jim 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, Mississippi. Aldermen Guy and Ollar were present by telecommunications. Also present were Mark Sorrell, City Attorney, Glenda Smallwood, City Clerk, Chris Wilson, City Administrator, Whitney Choat, City Planner, and Bradley Wallace, Director of Operations. Approximately fifteen (15) other people were present.

Mayor Davis called the meeting to order. Alderman Loftis opened the meeting with prayer. Following the Pledge of Allegiance, a motion was made by Alderman Cady to approve the minutes of the regular meeting of July 17, 2007 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Stark. Motion passed unanimously.

**RESOLUTON TO DIRECT THE SALE AND AWARD OF  
COMBINED WATER AND SEWER SYSTEM REVENUE BONDS,  
SERIES 2007 (\$5,400,000)**

Demery Grubbs reported that three bids were received for the purchase of the bonds:

<b>Morgan Keegan &amp; Company Inc.</b>	<b>\$2,890,800.00</b>	<b>4.463482</b>
<b>Wiley Brothers</b>	<b>\$2,915,037.50</b>	<b>4.491583</b>
<b>Ross Sinclaire &amp; Assoc.</b>	<b>\$2,928,431.25</b>	<b>4.512221</b>

He reported the lowest and best bid is Morgan Keegan & Company, Inc. at 4.463482 and this has been verified.

A motion was made by Alderman Stark to adopt **RESOLUTION TO DIRECT THE SALE AND AWARD OF COMBINED WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2007, OF THE CITY**

**OF SOUTHAVEN, MISSISSIPPI, IN THE AGGREGATE PRINCIPAL AMOUNT OF FIVE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$5,400,000), TO BE DATED AUGUST 1, 2007. Motion seconded by Alderman Loftis. 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 AUTHORIZING AND DIRECTING THE ISSUANCE OF NEGOTIABLE INTEREST –BEARING COMBINED WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2007 (THE BONDS), OF THE CITY OF SOUTHAVEN, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF FIVE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$5,400,000)**

**A motion was made by Alderman Stark to adopt A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE OF NEGOTIABLE INTEREST-BEARING COMBINED WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2007 (THE “BONDS”), OF THE CITY OF SOUTHAVEN, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF FIVE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$5,400,000) TO RAISE MONEY FOR THE PURPOSE OF IMPROVING, REPAIRING AND EXTENDING THE COMBINED WATER AND SEWER SYSTEM OF THE CITY OF SOUTHAVEN; PRESCRIBING THE FORM OF SAID BONDS; AND PROVIDING FOR THE COLLECTION AND DISTRIBUTION OF THE REVENUES TO BE DERIVED FROM THE OPERATION OF SAID SYSTEM IN AN AMOUNT SUFFICIENT TO PAY THE COST OF THE OOPERATION AND MAINTENANCE THEREOF AND TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; MAKING PROVISION FOR A SERIES 2007 DEBT SERVICE RESERVE ACCOUNT, A SERIES 2007 DEPRECIATION FUND AND A 2007 CONTINGENT FUND; MAKING PROVISION FOR MAINTAINING THE TAX-EXEMPT STATUS OF SAID BONDS; PAYING COSTS OF ISSUANCE AND FOR RELATED PURPOSES. Motion seconded by Alderman Loftis. 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 TO CLEAN PRIVATE PROPERTY**

**A motion was made by Alderman Loftis to adopt RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY. Addresses are as listed: 2132 SCENIC COVE, 8348 BOONEVILLE DRIVE, 8120 PINEBROOK DRIVE, 8323 DOTTLELY DRIVE. Motion seconded by Alderman Huling. 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.**

#### **BID**

**Mayor Davis reported that Neel-Schaffer, Inc. has reviewed and tabulated, on a line item basis, the bids received on June 11, 2007 for the Water and Sewer Materials Source supply for June 2007 to December 2007. A motion was made by Alderman Stark to accept the recommendation of Neel-Schaffer based on the tabulation of the bids and to award the bid to Meter Services & Supply, Mainline, HMM, Inc., and American Cast Iron Pipe for the products they were the lowest and best bid on, with the second being an alternate. Motion seconded by Alderman Loftis. Motion passed unanimously.**

## **DOJ GRANT**

Mayor Davis reported that the City of Southaven along with some others received a Department of Justice Grant. He reported we need a motion to allow our share of the \$12,000 plus to go toward the County Youth Court. A motion was made by Alderman Cady to pledge the Department of Justice Grant for the Youth Court. Motion seconded by Alderman Loftis. Motion was put to a roll call vote and passed unanimously.

## **PLANNING**

The Planning Agenda was presented by Whitney Choat, City Planner. Item #1- Application by MLB, LLC for subdivision approval of a two lot subdivision on the north side of Rasco Road, west of Greenbrook Road. A motion was made by Alderman Jobes to approve item #1 as presented and recommended by the Planning Commission. Motion seconded by Alderman Huling. Motion was put to a vote and passed unanimously.

Item #2- Application by Kreuen Development to revise Lakes of Nichols Section on the North side of Starlanding, west of Getwell Road. A motion was made by Alderman Huling to approve item #2 as presented and recommended by the Planning Commission. Motion seconded by Alderman Guy. Motion was put to a vote and passed unanimously.

Item #3-Request for a scrivener's error on the Highland Grove Section "B" plat to change the street name Sherwood Lane to Keebler Drive West. Ms. Choat reported it is a request for name change from Sherwood Lane to Keebler Drive West. A motion was made by Alderman Huling to approve item #3 as presented and recommended by the Planning Commission. Motion seconded by Alderman Stark. Motion passed unanimously.

## **MAYOR'S REPORT**

1. Mayor Davis reported we are working on Animal Control and the Vicious Dog Ordinance. He reported this will come before the Board with other Ordinances. He reported we do have an issue at hand. He reported it is a revision to exempt signs dealing with directional signs approved by MDOT. He reported we have pulled up directional signs because they are not in accordance with our Ordinance. This adds directional signs as approved by MDOT and the administrative approval of the Planning Director. A motion was made by Alderman Cady be it Ordained by the Southaven Board of Alderman that Section 13-6 (C) of the Southaven Code of Ordinances be amended by adding the following.

**Subsection 10 Mississippi Department of Transportation Signs as APPROVED BY MDOT AND ADMINISTRATIVE APPROVAL OF THE PLANNING AND ENGINEERING DEPARTMENTS. 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 Ordinance is hereby attached to and made a part of these minutes.**

**2. Mayor Davis reported our Fire Rating was lowered from 5 to 4 by the MS Fire Rating Bureau. In 1997 it was 6 which means that this Board has upgraded your Fire Department classification by 2 classes.**

**3. Mayor Davis reported the budget that he will present is complete and does not require a tax increase. It does include a general across the board pay raise of 3%. He reported we will have the first presentation on the first meeting in September.**

**4. Mayor Davis reported there are some recommended revisions to the garbage routes. He asked that each Alderman review the recommendations.**

**5. Mayor Davis reported he needs the authority to enter into an M.O.U. with the City of Hernando for the Hurricane Creek Project which is a sewer line that will serve the southern middle part of our city taking that sewer to DACURA. We reported we are in the process of negotiating how much Hernando will pay for their share. A motion was made by Alderman Stark to give Mayor Davis the authority to enter into a Memorandum of Understanding with Hernando for the Hurricane Creek Project. Motion seconded by Alderman Huling. Motion passed unanimously.**

**6. Mayor Davis reported his office has reorganized some departments. He reported he has created a new Municipal Code Enforcement Division which includes anything that falls under Municipal Ordinance such as tall grass, juke cars, anything that Code Enforcement was doing plus Animal Control. He reported Brett Wardlaw has been appointed as the Director of that division. He reported that the Planning and Engineering Departments will be combined. He reported that both of these moves are a tax payer cost saving issue. He reported the employees have agreed to do more work within the same time frame**

and consolidate some departments. He reported the net savings of merging those departments is approximately \$70,000 per year.

7. Mayor Davis reported he will undergo a tonsillectomy tomorrow morning and will be accessible by e-mail

8. Mayor Davis reported our City has won some awards that were voted on by readers of the DeSoto Appeal.

### **COMMITTEE REPORTS**

Alderman Stark reported there will be an Infrastructure Committee meeting Thursday morning at 9:00 and a Library Committee meeting Thursday morning at 10:00.

Alderman Cady commended Ray Tarrance, Public Works Director, on the street overlay. Mayor Davis reported that was approximately \$6,000 on street overlays. Mayor Davis reported we have also paid cash for the \$3M spent on roads this year.

### **CITY ATTORNEY LEGAL UPDATE**

Mark Sorrell, City Attorney reported on a claim from Gene Allen. He reported that on the 16<sup>th</sup> of July work was being done on power lines and the power was shut off and he had to replace his freezer, refrigerator, and food that was lost in each. Chris Hadaway, Utility Director recommended reimbursing Mr. Allen \$1,579.00. A motion was made by Alderman Loftis to reimburse Mr. Allen \$1,579.00 as recommended by Mr. Hadaway and the City Attorney. Motion seconded by Alderman Stark. Motion passed unanimously.

### **PROGRESS REPORTS**

Mayor Davis reported this is Election Day and the polls will close at 7:00 p.m. He reported that we will be addressing the issue of campaign signs. He stated that we do have a strict sign ordinance but it needs to be amended.

### **CLAIMS DOCKET**

A motion was made by Alderman Stark to approve the docket of claims on this date August 7, 2007 including demand checks, and payroll checks and excluding voucher #85895, 85928 thru 85933, 85956, 85973, 85997, 85994, 86055, 86181, 86274, 86302, 86327 thru 86348, 86382, 86445 thru 86452, 96454, 86493, 86537, 86538, 86544, 86558, 86612, 86630, 86631, 86632, 86670, 86692, 86818, 86990 thru 87000, 87003, 87004, and 87010. Motion seconded by Alderman Loftis. 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 Jobs</b>	<b>Yea</b>
<b>Alderman Huling</b>	<b>Yea</b>

**Next, there being no more business to come before the Mayor and Board of Aldermen, a motion was made by Alderman Loftis to adjourn. Motion seconded by Alderman Guy.**

**Motion passed unanimously. Time 6:30 on August 7, 2007.**

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**Charles G. Davis, Mayor**

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**Glenda Smallwood, City Clerk**