

**MINUTES OF THE REGULAR MEETING
OF APRIL 20, 2010
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 20th day of April, 2010 at six o'clock (6:00) p.m. at City Hall.

Present were:

Charles G. Davis	Mayor
Greg Guy	Alderman, at Large
Loraine Cady	Alderman, Ward 1
Ronnie Hale	Alderman, Ward 2
George Payne	Alderman, Ward 3
William Brooks	Alderman, Ward 4
Ricky Jobes	Alderman, Ward 5

Alderman Huling was absent. Alderman Payne was present via-telecommunication. Also present were Chris Wilson, City Administrator, Sheila Heath, City Clerk, and Bradley Wallace, Director of Operations. Approximately ten (10) other people were present.

Mayor Davis called the meeting to order. Alderman Guy led in prayer, followed by the Pledge of Allegiance led by Alderman Cady. Next a motion was made by Alderman Cady to approve the minutes of the regular meeting of March 16, 2010 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Hale. Motion was put to a vote and passed unanimously.

CITIZEN'S AGENDA

No one for the Citizen's agenda

BUDGET AMENDMENT

This budget revision is for the DWI funds from the State Department for water improvements and the bond we approved at the last Board of Alderman meeting. This is showing where the money came in and went out. Alderman Guy made the motion to approve the budget revision as presented on this date. Motion was seconded by Alderman Cady. Motion was put to a vote and passed unanimously. A copy of this amendment will become part of these minutes.

ACCEPTANCE OF BIDS

1) Lease Purchase Proposal for 12 new police cars.

DFA is asking that we approve SunTrust as the lowest and best bid at 2.90%.

Alderman Guy made the motion to approve the following resolution:

[Escrow] Lease Number: 07676

Equipment Schedule: 01

RESOLUTION OF GOVERNING BODY

At a duly called meeting of the governing body of Lessee held in accordance with all applicable legal requirements, including open meeting laws, on the 20th day of April, 2010, the following resolution was introduced by Alderman Guy and seconded by Alderman Brooks, and adopted:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE NO. 01, AN ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the governing body of CITY OF SOUTHAVEN (“Lessee”) desires to obtain certain equipment (the “Equipment”) described in Equipment Schedule No. 01 to the Master Lease Agreement (collectively, the “Lease”) with SUNTRUST EQUIPMENT FINANCE & LEASING CORP., the form of which has been available for review by the governing body of Lessee prior to this meeting; and

WHEREAS, the Equipment is essential for the Lessee to perform its governmental functions; and

WHEREAS, the funds made available under the Lease will be deposited with SUNTRUST BANK (the “Escrow Agent”) pursuant to an Escrow Agreement between Lessee and the Escrow Agent (the “Escrow Agreement”) and will be applied to the acquisition of the Equipment in accordance with said Escrow Agreement; and

WHEREAS, Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, Lessee proposes to enter into the Lease with SUNTRUST EQUIPMENT FINANCE & LEASING CORP. and the Escrow Agreement with the Escrow Agent substantially in the forms presented to this meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LESSEE AS FOLLOWS:

Section 1. It is hereby found and determined that the terms of the Lease and the Escrow Agreement (collectively, the “Financing Documents”) in the forms presented to this meeting and incorporated in this resolution are in the best interests of Lessee for the acquisition of the Equipment.

Section 2. The Financing Documents and the acquisition and financing of the Equipment under the terms and conditions as described in the Financing Documents are hereby approved. The Mayor of Lessee and any other officer of Lessee who shall have power to execute contracts on behalf of Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Financing Documents with any changes, insertions and omissions therein as may be approved by the officers who execute the Financing Documents, such approval to be conclusively evidenced by such execution and delivery of the Financing Documents. The of the Lessee and any other officer of Lessee who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Lessee to the Financing Documents and attest the same.

Section 3. The proper officers of Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Financing Documents.

Section 4. Pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), Lessee hereby specifically designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code. 4/20/2010:BQ-ESC.DOC/rev.04/02.stl 20

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the Lease and Escrow Agreement executed on behalf of Lessee are the same as presented at such meeting of the governing body of Lessee, excepting only such changes, insertions and omissions as shall have been approved by the officers who executed the same.

Motion was seconded by Alderman Brooks. Motion was put to roll call vote and passed unanimously.

ALDERMAN	VOTED
Alderman Guy	Yea
Alderman Cady	Yea
Alderman Hale	Yea
Alderman Payne	Yea
Alderman Brooks	Yea
Alderman Jobs	Yea
Alderman Huling	ABSENT

Next Mayor reported on a bid for HVAC Preventative Maintenance & Services- Facility Group C Package. Bradley Wallace recommends Eldridge Services is the lowest and best bid. Alderman Cady made the motion to accept the recommendation of Bradley Wallace. Motion was seconded by Alderman Guy. Motion was put to vote and passed unanimously.

PLANNING AGENDA

No Planning Agenda

MAYOR'S REPORT

Mayor Davis reported that this coming weekend is Springfest. City employees can get in by showing their City ID.

Mayor Davis also reported that Fire Chief Mike Brackin has accepted a job and will be leaving the City on June 18, 2010. He has accepted a position as a Dean of a school in Wisconsin. He has done a great job with the City and we wish him the best. Mayor requested that the personnel committee set the guidelines for accepting applications and set the time frame for hiring a new Fire Chief.

COMMITTEE REPORTS:

No Committee Reports

CITY ATTORNEY'S LEGAL UPDATE

No Attorney's Report

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 April 20, 2010, including demand checks and payroll in the amount of \$5,191,432.57. Motion was seconded by Alderman Guy. **Excluding voucher numbers:**

Roll call was as follows:

ALDERMAN	VOTED
Alderman Guy	Yea
Alderman Cady	Yea
Alderman Hale	Yea
Alderman Payne	Yea
Alderman Brooks	Yea
Alderman Jobs	Yea
Alderman Huling	ABSENT

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 for the purpose of discussing economic development prospects. 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 Brooks. Motion was put to a vote and passed unanimously, April 20, 2010 at 6:30 p.m.

Charles G. Davis, Mayor

Sheila Heath, City Clerk