

**MINUTES OF THE SPECIAL MEETING  
OF JANUARY 19, 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 Special Session on the 19<sup>th</sup> day of January, 2012 at eleven thirty o'clock (11:30) a.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 Jobs</b>	<b>Alderman, Ward 5</b>
<b>Randall Huling, Jr.</b>	<b>Alderman, Ward 6</b>

**Alderman Guy chaired the meeting as Mayor Pro Tempore. Mayor Davis and Sheila Heath, City Clerk was absent. Also present was Candice Duncan, Deputy City Clerk, Chris Wilson, City Administrator, Mark Sorrell, City Attorney and Whitney Choat-Cook, City Planning Director. Approximately twenty five (25) other people were present.**

**Mayor Pro Tempore Guy called the meeting to order. Chris Shelton led in prayer, followed by the Pledge of Allegiance led by Alderman Payne.**

**CONTRAT FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES:**

**Alderman Brooks made the motion to remove the contract for residential solid waste collection services from the table. Motion was seconded by Alderman Cady. Motion was put to vote and passed unanimously.**

**Alderman Brooks made the motion to accept the contract as presented. Motion was seconded by Alderman Payne. Floor is now open for discussion. Mark Sorrell, City Attorney stated that everyone has had the contract for review and he wanted to point out a couple things in this contract. He stated that it is a residential solid waste collection for the residents in Southaven and it is for a term of five (5) years, beginning May 1, 2012 and ending April 30, 2017. There is a clause for Insurance that ADSI will have to maintain during the course of the contract. Also, in paragraph 10.02 subsection c, that ADSI will be an independent contractor and that ADSI will not be an employee of the City nor a part of the City. They also agreed to follow the same holiday schedule as Red River. He stated that the State of Mississippi Laws will govern and if suit is brought, it will be here in DeSoto County. They are posting a performance bond as per the RFP that will certainly cover any financial disputes that may arise. Alderman Brooks stated that in section 14.0 of the contract it states "which consent shall not be unreasonably held". He stated who decides what is "unreasonable"? He does not won't them to go and sell the contract to someone else. Mr. Sorrell stated that the City is the one to decide what is reasonable and the City**

controls the contract. Alderman Guy, Mayor Pro-Tempore asked on chapter 13 section 2 article a, “modification of rates”. Mr. Franklin came forward to explain this. He stated that this language was in the City’s RFP. He stated that the modification of rates is tied into the consumer price index. Mr. Sorrell and Mr. Franklin stated that this is the exact language in the Red River contract.

Alderman Brooks stated that they are going to hire Red River’s employees and asked Mr. Franklin if he knew what the rate of pay will be. Mr. Franklin stated that it would be little more than Red River pays. He could not get to deep into that. After a short discussion, Alderman Guy, Mayor Pro-Tempore called for a roll call.

**Roll Call:**

Alderman Jobs	YES
Alderman Brooks	YES
Alderman Hale	YES
Alderman Payne	YES
Alderman Cady	YES

Having received a majority of affirmative votes, Alderman Guy declared that the motion was carried and approved 19<sup>th</sup> day of January, 2012.

**SELECTION FOR CONGRESSIONAL BRIEFING TRIP (FORMERLY BLUE RIBBON).**

Alderman Guy, Mayor Pro-Tempore reported that this Board needs to elect the deligates to represent the City of Southaven on the Blue Ribbon trip to Washington, DC. Alderman Brooks made the motion to elect Alderman Guy and Alderman Hale as the representative for the Blue Ribbon trip. Motion was seconded by Alderman Cady. Motion was put to vote and passed unanimously.

Alderman Cady made the motion to elect Alderman Jobs as the alternate representative for the Blue Ribbon trip to Washington, DC. Motion was seconded by Alderman Brooks. Motion was put to vote and passed unanimously.

There being no further business to come before the Mayor and Board of Aldermen, a motion was made by Alderman Brook to adjourn. Motion was second by Alderman Cady. Motion was put to a vote and passed unanimously, January 19, 2012 at 11:45 a.m.

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**Greg Guy**  
**Mayor Pro Tempore**

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**Candice Duncan, Deputy City Clerk**