

**MINUTES OF THE REGULAR MEETING
OF October 21, 2014
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 21st day of October, 2014 at six o'clock (6:00) p.m. at City Hall.

Present were:

William Brooks	Alderman At Large
Kristian Kelly	Alderman, Ward 1
Shirley Beshears	Alderman, Ward 2
George Payne	Alderman, Ward 3
Joel Gallagher	Alderman, Ward 4
Scott Ferguson	Alderman, Ward 5
Raymond Flores	Alderman, Ward 6

Also present were Mayor Musselwhite, Sheila Heath, City Clerk, Andrea Mullen, Assistant City Clerk and Nick Manley, City Attorney. Approximately twenty-five (25) other people were present.

Mayor Musselwhite called the meeting to order. Alderman Gallagher led in prayer, followed by the Pledge of Allegiance led Alderman Ferguson. Next, a motion was made by Alderman Payne to approve the minutes of the regular meeting of October 7, 2014 with any corrections, deletions, or additions necessary. There being none the motion was seconded by Alderman Flores. Motion was put to a vote and passed unanimously.

BUDGET AMENDMENT

Chris Wilson, City Administrator, presented this item to the Board.

Mr. Wilson stated that this budget amendment will close out fiscal year 2014 and will reduce the general fund budget by \$784,000, the sanitation budget by \$450,000 and the utility fund budget by \$300,000. A motion was made by Alderman Flores to approve the budget amendment. Motion was seconded by Alderman Ferguson.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Beshears	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 21st day of October, 2014.

A copy of the budget amendment is attached to these minutes.

**REQUEST FOR DONATION OF ARENA BY THE COMMUNITY
FOUNDATION OF NORTHWEST MISSISSIPPI FOR CRYSTAL BALL
WITH REQUESTED VARIANCE**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF SOUTHAVEN, MISSISSIPPI FOR DONATION TO THE
COMMUNITY FOUNDATION NORTHWEST MISSISSIPPI**

WHEREAS, the City of Southaven (“City”) pursuant to the City of Southaven (“City”) pursuant to Mississippi Code Sections 17-3-3, 21-17-1(3)(b)(ii) and 21-19-65 desires to donate the Southaven Arena (“Arena”) to the Community Foundation of Northwest Mississippi (“Foundation”), and

WHEREAS, the City has control of the Arena and has the authority under the City’s Rental Policy to grant a variance to the City’s Rental Policy and donate use of the Arena to the Foundation based on the Foundation’s impact in the City and all across Desoto County and that by providing the donation, the Foundation will be able to assist worthy causes in the City and Desoto County; and

WHEREAS, the City desires to donate the use of the Arena during the week of January 12-19 to the Foundation so that the Foundation may host its annual gala and auction, which is held in the City to raise money for the Foundation to further the Foundation’s social and community programs; and

WHEREAS, the Foundation is a 501(c)(3) and its mission is to connect and assist donors as well as nonprofit organizations and charitable causes to make a difference with an emphasis on education, health and children in order to impact communities, including individuals and causes in the City, and

WHEREAS, the City finds that the Foundation’s mission and purpose is consistent with the mandates of Mississippi Code Section 21-19-65 and allows the Foundation to receive matching funds, via an in-kind donation, from the City, and

WHEREAS, the City finds that the Foundation’s mission and purpose for this event at the Arena is consistent with the mandates of Mississippi Code Section 21-17-1(3)(b)(ii) and allows the Foundation to utilize, via an in-kind donation, of the lease from the City; and

WHEREAS, the value of the donation by the City for the Arena will not be the sole source of the funds donated to the Foundation and the City’s donation will be matched and greatly exceeded by additional donations from other individuals and entities; and

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING
BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:**

SECTION 1. Pursuant to Mississippi Code 21-19-65, the Governing Body of the City hereby donates the Arena during the week of January 12-19 to the Foundation to assist the Foundation with its mission by hosting the annual gala.

SECTION 2. Pursuant to Mississippi Code 21-17-1(3)(b)(ii), the Governing Body of the City hereby donates the Arena to the Foundation.

SECTION 3. Pursuant to Mississippi Code 17-3-3, the City also desires to advertise its City Facilities, including the Arena, and desires to advance the moral interest of the City by allowing the Arena to be used by the Foundation for the event based on the purposes of the event.

SECTION 4. The City grants approval for alcohol variance with security to be provided by the Desoto County Sherriff's Office.

SECTION 5. On behalf of the City, the Mayor or his designee is directed to provide the Cards to the Foundation and is authorized to take all required actions for the same.

SECTION 6. The City Clerk shall remove the Cards from the asset list and revise the inventory of the City to reflect the same.

Following the reading of the foregoing resolution, Alderman Brooks made the motion to adopt the Resolution and Alderman Beshears seconded the motion for its adoption. The Mayor put the question to a roll call vote and the result was as follows:

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman Shirley Beshears	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Scott Ferguson	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 21st day of October, 2014.

A copy of the rental application and variance is attached to these minutes.

**REQUEST FOR RENTAL VARIANCE – OMEGA PSI PHI FRATERNITY
FOR SCHOLARSHIP FUNDRAISER/HOLIDAY BALL**

Nick Manley, City Attorney presented this item to the Board.

Mr. Manley stated that this request is from Omega Psi Phi Fraternity, Inc. for an alcohol variance for their December 27, 2014 event at the Southaven Tennis Complex. Mr. Manley noted that the Omega Psi Phi Fraternity would coordinate with Southaven Police regarding security pursuant to the Facility Policy.

Alderman Brooks made the motion to approve the rental variance. Motion was seconded by Alderman Flores. Motion was put to vote and passed unanimously.

A copy of the Park Facility Rental Application is attached to these minutes.

REQUEST TO ENTER INTO MOU WITH HORN LAKE CREEK WATERSHED DRAINAGE DISTRICT FOR PROJECT FOR CONSTRUCTION IMPROVEMENTS OF LATERAL D NEAR 3370 SWINNEA ROAD

Dan Cordell presented this item to the Board.

Mr. Cordell stated that this a request to allow the City to proceed with erosion repair near 3370 Swinnea Road and will give notice to the Horn Lake Creek Drainage District that the City agrees to the 50/50 split for the improvements. Mr. Cordell stated that the City's share will be approximately \$15,000.00. Alderman Flores made the motion to approve the request. Motion was seconded by Alderman Ferguson. Motion was put to vote and passed unanimously.

SWINNEA ROAD PROJECT

Nick Manley, City Attorney, presented this item to the Board.

Mr. Manley stated that the City and County entered into an agreement dated September 2013, in which they agreed to jointly undertake road construction and improvements to Swinnea Road. At that time, the County assumed the lead role for the Project and parties now desire for the City to assume the role of lead agency. Both parties agree that this will allow for the most economical and expeditious method of completing the project. Mr. Manley stated that the City will still have the \$1.2 million dollar split with the County, but will oversee the project. In addition, the City will be responsible for the costs over \$1.2 million. Alderman Flores made the motion to enter into the amended agreement and allow the Mayor to sign. Motion was seconded by Alderman Gallagher. Motion was put to vote and passed unanimously.

Mr. Manley stated that approval is needed to hire Neel Schaffer as the engineer for the bidding phase in adding an alternate design. A motion was made by Alderman Flores to approve the contract with Neel Schaffer for the added alternate design fee and the bidding phase with a total amount of \$26,360.00 to be split with the County, pursuant to the MOU. Motion was seconded by Alderman Kelly. Motion was put to vote and passed unanimously.

A copy of the Agreement with Neel Schaffer is attached to the minutes.

Next, Mr. Manley stated that land for the Swinnea Road Project has been acquired and both the City and County were ready to proceed and acquire bids. A motion was made by Alderman Flores to authorize advertising for bids. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

CONTRACT WITH DESOTO ELECTRIC FOR SIGNAL MAINTENANCE

Mr. Manley stated that this agreement is for signal maintenance on an as needed basis with the amount not to exceed \$24,960.00. A motion was made by Alderman Brooks to approve the contract. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

A copy of the agreement is attached to these minutes.

RESOLUTION FOR AWARD OF SNOWDEN AMPHITHEATER ENCLOSURE

**RESOLUTION OF CITY OF SOUTHAVEN BOARD OF ALDERMAN
AWARDING BID TO MURPHY AND SONS, INC.**

WHEREAS, the City of Southaven (“City”) previously passed a Resolution setting forth the projects to be funded by the “Penny for Parks” proceeds, which included the Snowden Grove State Enclosure (“Project”); and

WHEREAS, pursuant to Mississippi Code Section 31-7-13, the City previously advertised for bids for the Project; and

WHEREAS, the City’s Parks Department and consulting architect have reviewed the pricing and bids along with the qualifications, responsibility and other information which is responsive to the Request for Bids to determine which bid is the lowest and best; and

WHEREAS, the City, pursuant to Mississippi Code Section 31-7-13, acknowledges that Murphy and Sons, Inc. (“Murphy”) was the low and only bid with a bid in the amount of \$581,400.00 base price and \$159,300.00 for all alternates for a total bid of \$740,700.00; and

WHEREAS, the City notes that all entities had ample time to submit a bid for the Project and there is insufficient time to rebid the Project based on the construction schedule, which must be completed by April 1, 2015 based on the activities at Snowden Grove; and

WHEREAS, the City previously was notified that the State of Mississippi had allocated Two Hundred Fifty Thousand Dollars and 00/100 (\$250,000.00) to be used at Snowden Grove Park for upgrades and construction; and

WHEREAS, based on the foregoing, the City desires to accept the bid proposal from Murphy in the amount of \$740,700.00, as the lowest and best bid proposal for the Project and to utilize the \$250,000.00 from the State of Mississippi for the Project; and

NOW THEREFORE, be it resolved as follows:

1. Pursuant to Mississippi Code 31-7-13 and the bid specifications whereby the City advertised that it would award the contract to the lowest, best and responsible bid, and the recommendation of the City's Parks Department and consulting architect, the City hereby accepts the bid proposal from Murphy in the total amount of \$740,700.00 as the lowest and best bid proposal for the Project. In addition, the funding in the amount of \$250,000.00 from the State for Snowden Grove shall be used for this Project.

2. Furthermore, as the Mississippi Supreme Court and multiple Attorney General Opinions have noted when this discretion is exercised by a Board in regard to awarding bids, the courts will not interfere. *Parker Bros. v. Crawford*, 219 Miss. 199, 209, 68 So.2d 281 (1953).

3. The Mayor or his designee is authorized to execute all documents and purchase orders and other documentation required in order to effectuate the intent of this Resolution, including all documents pertaining to the funds from the State of Mississippi.

Following the reading of the foregoing Resolution, Alderman Brooks made the motion and Alderman Ferguson seconded the motion for its adoption. The Mayor put the question to a roll call vote, and the result was as follows:

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman Shirley Beshears	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Scott Ferguson	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 21st day of October, 2014.

RESOLUTION FOR INTERGOVERNMENTAL TRANSFER OF CITY PROPERTY

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI
DECLARING SURPLUS PROPERTY AND AUTHORIZING
THE SALE OF SAME TO DESOTO COUNTY, MISSISSIPPI**

WHEREAS, the City of Southaven ("City") is presently in possession of wooden pews ("property") which are being stored by the City at the City of Southaven Performing Arts Center ("PAC"); and

WHEREAS, the City Board of Aldermen is desirous of selling the above referenced property to Desoto County, Mississippi ("County") pursuant to Section 31-7-13(m)(vi) of the Mississippi Code (1972), and

WHEREAS, the City does not desire to pay the transportation and storage costs for the property as the property must be removed from the PAC due to the City's selling of the PAC; and

WHEREAS, the City Board desires to convey the property to the County in exchange for the County transporting and removing the property from the City PAC; thereby, saving the City money associated with the transporting and storing of the property; and

WHEREAS, the Mayor and Board of Aldermen hereby authorize the City Clerk to sell the property to the County as set forth above as the cost of transporting, maintaining and storing the property will create an unnecessary financial burden on the Citizens of the City of Southaven, Mississippi.

NOW, THEREFORE, BE IT ORDERED by the Mayor and Board of Aldermen of the City of Southaven, Mississippi as follows, to wit:

1. The property is to be conveyed to the County upon the County removing and transporting the property.
2. The Mayor and Board of Aldermen do hereby determine that the conveyance of the property, as set forth herein, is in the best interest of the taxpayers of Southaven, Mississippi.
3. The Mayor and City employees are authorized to take any and all action to effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Beshears made the motion and Alderman Flores seconded the motion for its adoption. The Mayor put the question to a roll call vote, and the result was as follows:

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman Shirley Beshears	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Scott Ferguson	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 21st day of October, 2013.

RESOLUTION FOR SURPLUS OF SOUTHAVEN POLICE

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF SOUTHAVEN, MISSISSIPPI
DECLARING SURPLUS PROPERTY**

WHEREAS, the City of Southaven ("City") Police Department is presently in possession of a vehicle, 2010 Ford Crown Victoria, white, VIN# 2FABP7BV2AX130716, Asset # 4554, Unit # 3066

("Vehicle"), which is inoperable and has been declared a total loss by the City's insurance company; and

WHEREAS, pursuant to Mississippi Code 17-25-25, it has been recommended to the Mayor and Board of Aldermen that the Vehicle be declared as surplus and sold and/or disposed of as appropriate and in accordance with Mississippi Code 17-25-25, and removed from the fixed assets inventory; and

WHEREAS, the Mayor and Board of Aldermen are desirous of disposing of such Vehicle, as based on its condition, the Vehicle is inoperable and has no value to the City, and amending, its fixed assets inventory pursuant to State guidelines; and

NOW, THEREFORE, BE IT ORDERED by the Mayor and Board of Aldermen of the City of Southaven, Mississippi as follows, to wit:

1. The Vehicle be hereby declared as surplus property.
2. The City Police Chief, or his designee, is hereby authorized and directed to follow Mississippi Code 17-25-25 for the disposition of the Vehicle, including allowing for the insurance company to possess the vehicle pursuant to the insurance policy.

Motion was made by Alderman Flores and seconded by Alderman Ferguson for the adoption of the above and foregoing Resolution, and the question being put to a roll call vote, the result was as follows:

Alderman William Brooks	voted: YES
Alderman Kristian Kelly	voted: YES
Alderman Shirley Beshears	voted: YES
Alderman George Payne	voted: YES
Alderman Joel Gallagher	voted: YES
Alderman Scott Ferguson	voted: YES
Alderman Raymond Flores	voted: YES

RESOLVED AND DONE, this 21st day of October, 2014.

RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY

RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY

WHEREAS, the governing authorities of the City of Southaven, Mississippi, have received numerous complaints regarding the parcel of land located at the following address, to-wit: **5371 Bradley Lane**, to the effect that the said parcel of land has been neglected whereby **the grass height is in violation and there exist other unsafe conditions** and that the parcel of land in the present condition is deemed to be a menace to the public health and safety of the community.

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code Annotated (1972), the governing authorities of the City of Southaven, Mississippi, provided the owners of the above described parcel of land with notice of the condition of their respective parcel of land and further provided them with notice of a hearing before the Mayor and Board of Aldermen on **Tuesday, October 21, 2014**, by United States mail and by posting said notice, to determine whether or not the said parcel of land were in such a state of uncleanliness as to be a menace to the public health and safety of the community.

WHEREAS, none of the owners of the above described parcel of land appeared at the meeting of the Mayor and Board of Aldermen on **Tuesday, October 21, 2014**, to voice objection or to offer a defense.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Board of Alderman of the City of Southaven, Mississippi, that the above

described parcel of land located at: **5371 Bradley Lane** is deemed in the existing condition to be a menace to the public health and safety of the community.

BE IT FURTHER RESOLVED that the City of Southaven shall, if the owners of the above described parcel of land do not do so themselves, immediately proceed to clean the respective parcel of land, by the use of municipal employees or by contract, by cutting weeds and grass and removing rubbish and other debris.

Following the reading of this Resolution, it was introduced by Alderman Brooks and seconded by Alderman Kelly. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

ALDERMAN	VOTED
Alderman William Brooks	YES
Alderman Kristian Kelly	YES
Alderman Shirley Beshears	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman Scott Ferguson	YES
Alderman Raymond Flores	YES

The Resolution, having received a majority vote of all Aldermen present, was declared adopted on this, the **21st day of October, 2014**.

PLANNING AGENDA

No Planning Agenda

MAYOR’S REPORT

Mayor Musselwhite stated that a formal overlay schedule has been given to Lehman Roberts and Stateline Road is at the top of that list. Total overlay will soon start on Stateline Road from Hwy 51 East to Northwest Drive.

Mayor Musselwhite stated that the Highway 51 and Stateline Road Beautification Project plans have been submitted to MDOT. The plan is to improve one of the islands and add a landscaping feature.

Mayor Musselwhite reported that a naming contest will be initiated for the Highway 51 and Stateline Road District and that Citizen involvement will be requested in the near future.

Next, Mayor Musselwhite reported that the City is selling the Performing Arts Center to Trinity Church.

Mayor Musselwhite stated that drainage issues that qualify for City assistance have been identified, prioritized and is in the process of being addressed.

CITIZEN’S AGENDA

Carla Paradine, Facility Manager, Ability Works, Inc.

Ms. Paradine stated that Ability Works, Inc. is part of the Mississippi Department of Rehabilitation Services and is a 501(c) non-profit corporation. Ms. Paradine stated that she is looking for opportunities to help train disabled individuals with job skills.

PERSONNEL DOCKET

Personnel
Docket
October 21,
2014

Payroll Additions	Position	Department	Start Date	Rate of Pay
Chase Joiner	Patrol Officer II	Police - 211	TBD	\$19.83
Tarah Siddix	Patrol Officer II	Police - 211	TBD	\$19.83
Phillip Croy	Patrol Officer II	Police - 211	TBD	\$19.83
Leighton Harrington	Patrol Officer II	Police - 211	TBD	\$19.83
Todd Baggett	Patrol Officer II	Police - 211	TBD	\$19.83
Dave Shingles, Jr.	Patrol Officer II	Police - 211	TBD	\$19.83
Jesse Ketchum	Patrol Officer II	Police - 211	TBD	\$19.83
Hal Vanderford	Patrol Officer II	Police - 211	TBD	\$19.83
Sandra Snow	Patrol Officer II	Police - 211	TBD	\$19.83

Payroll Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Cynthia Stewart	Animal Control Officer	Code Enforcement Officer	TBD	\$13.00
Fletcher Couch	Maintenance Superintendent	Deputy Parks Director	October 22, 2014	\$62,500.00

Employee Name	Department	Action Taken	Effective Date	With/Without Pay

Payroll Deletions	Position	Department	Termination Date	Rate of Pay
Christopher Webb	Patrol Officer II	Police - 211	July 20, 2014	\$19.25

Alderman Brooks made the motion to approve the Personnel Docket of October 21, 2014 as presented to this Board. Motion was seconded by Alderman Ferguson. The motion was put to vote and passed unanimously.

CITY ATTORNEY’S LEGAL UPDATE

Mr. Nick Manley, City Attorney presented the City Attorney’s Legal Update.

Nick Manley presented a contract with Comcast for internet to the Rutland Point Water Facility. After presenting the contract and review of the contract, a motion was made by Alderman Payne to allow Ray Humphrey to sign the Agreement. The motion was seconded by Alderman Gallagher. The vote of approval was unanimous.

A copy of the Business Service Order Agreement is attached to these minutes.

Nick Manley presented the matter of an assessment filed against Michael Scott of 8148 Barclay Cove. Based on review, there were notice issues to Mr. Scott as he was deployed in the National Guard during the notice period. Mr. Scott agreed to pay the costs of the City, but requested that the assessment be waived based on the notice. After discussion, a motion was made by Alderman Brooks to waive the assessment based on the circumstances as it relates to notice. The motion was seconded by Alderman Kelly. The vote of approval was unanimous.

OLD BUSINESS

No Old Business

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of October 21, 2014, for Fiscal Year 2014, including demand checks and payroll in the amount of \$809,155.32. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

228797,228811,228828,228829,228831,228835,228863,228867,228828,228829,
228831,228835,228847,228892,228929,228963,228968,228969,228892,228894,
228896,229008,229024,229027,229070,229079,229088,229089,229128,229131,
229135,229182,229245,229278,229283,229310,229311,229317,229350,229364,
229367,229386,229392,229394,229412,229439,229442,229461,229467,229469,
229470

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Beshears	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 21st day of October, 2014.

A motion was made by Alderman Payne to approve the Claims Docket of October 21, 2014, for Fiscal Year 2015, including demand checks and payroll in the amount of \$198,681.58. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Beshears	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	YES
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 21st day of October, 2014.

Alderman Ferguson recused himself and left the room.

A motion was made by Alderman Payne to approve the Special Claims Docket of October 21, 2014, for Fiscal Year 2014, in the amount of \$2,041.60. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Beshears	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	RECUSED
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 21st day of October, 2014.

A motion was made by Alderman Payne to approve the Special Claims Docket of October 21, 2014, for Fiscal Year 2015, in the amount of \$31.80. Motion was seconded by Alderman Brooks.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	YES
Alderman Beshears	YES
Alderman Payne	YES
Alderman Gallagher	YES
Alderman Ferguson	RECUSED
Alderman Flores	YES

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried and approved for payment on the 21st day of October, 2014.

Alderman Ferguson then returned to the room.

EXECUTIVE SESSION

A copy of the Executive Session minutes are maintained in the City Clerk's Office.

The Board then discussed the issue of entering the contract with Trinity Baptist Church into the minutes. At the previous meeting, the Board gave the authorization to the Mayor to enter into a contract with Trinity for the conveyance

of the Southaven Performing Arts Center. The Mayor entered into the contract and now is requesting to enter the contract into the minutes. A motion was made by Alderman Kelly to enter the contract with Trinity Church into the minutes. Motion was seconded by Alderman Beshears. Motion was put to vote and passed unanimously.

There being no further business to come before the Board of Aldermen, a motion was made by Alderman Gallagher to adjourn. Motion was seconded by Alderman Ferguson. Motion was put to a vote and passed unanimously, October 21, 2014 at 8:30 p.m.

Darren Musselwhite,
Mayor

Sheila Heath, City Clerk

(Seal)

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