

# Minutes, City of Southaven, Southaven, Mississippi

**MINUTES OF THE REGULAR MEETING  
OF JULY 3, 2007  
OF THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF SOUTHAVEN, MISSISSIPPI**

12/06/07 1:28:44  
BK 574 PG 227  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

**BE IT REMEMBERED** that the Mayor and Board of Aldermen of the City of Southaven, Mississippi met in Regular Session on the third day of July, 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. 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 and Alderman Loftis opened the meeting with prayer. Following the Pledge of Allegiance led by Alderman Cady, a motion was made by Alderman Cady to approve the minutes of the regular meeting of June 19, 2007 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Stark. Motion passed unanimously.

## **RESOLUTION-PAYING AGENT \$6M**

A motion was made by Alderman Guy to adopt **RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI APPROVING A PAYING AGENT AGREEMENT BETWEEN THE CITY OF SOUTHAVEN, MISSISSIPPI, AND HANCOCK BANK, GULFPORT, MISSISSIPPI, ALL IN CONNECTION WITH THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2007, OF THE CITY OF SOUTHAVEN, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF SIX MILLION DOLLARS (\$6,000,000) TO RAISE MONEY FOR THE PURPOSE OF PURCHASING LAND FOR PARKS, CEMETERIES AND PUBLIC PLAYGROUNDS, AND IMPROVING, EQUIPPING**

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~~AND ADORNING THE SAME, AND OTHER RELATED~~  
**IMPROVEMENTS WITIN THE CITY.** Motion seconded by Alderman Huling. 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 Jobs	Yea
Alderman Huling	Yea

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

## RESOLUTION-CLEAN PRIVATE PROPERTY

A motion was made by Alderman Guy to adopt RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY. Addresses are: 3648 Swinnea Road, 1587 Golden Oaks Loop, 591 Tuscan Way, 5353 Kristy Lane, and 941 Neshoba Road. Motion seconded by Alderman Loftis. Alderman Ollar reported that he spoke to the owner of 941 Neshoba and she indicated this property will be cleaned. 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 Jobs	Yea
Alderman Huling	Yea

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

## BIDS

### COLLECTION OF RUBBISH

A motion was made by Alderman Cady to take the recommendation of Sheila Heath, Deputy City Clerk, and accept the bid of M & H Construction as the lowest and best bid for the collection of rubbish. Motion seconded by Alderman Stark. Motion passed unanimously.

### BUCKET LIFT TRUCK, USED

A motion was made by Alderman Huling, to take the recommendation of Sheila Heath, Deputy City Clerk, and accept Hale Electric in the amount of \$120,447.43 as the lowest and best bid for the bucket lift truck. Motion seconded by Alderman Ollar. Motion passed unanimously.

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## TRIFIRMA & TIM MOTES PLUMBING

~~Mayor Davis reported that we advertised these for 4 years but accepted~~  
for 12 months. Sheila Heath, Deputy City Clerk recommends extending these bids for another 36 months.

A motion was made by Alderman Cady to take the recommendation of Sheila Heath, Deputy City Clerk to extend Trifirma and Tim Motes Plumbing for 36 months. Motion seconded by Alderman Stark.

### PLANNING AGENDA

Whitney Choat, City Planner, presented item #1— Application by Newman-Tillman LLC for subdivision approval for 2.68 acres on the northwest corner of Church Road and Getwell Road. A motion was made by Alderman Jobs to approve item # 1 as presented. Motion seconded by Alderman Guy. Following discussion, the motion passed unanimously.

Item #2. Application by Newman-Tillman LLC for a conditional use permit for a reader board to be located on lot 1 of the NTP Commercial Subdivision on the northwest corner of Church Road and Getwell Road. A motion was made by Alderman Guy to approve item #2 as presented. Motion seconded by Alderman Cady. Motion passed unanimously.

Item #3 Application by KAJ, Inc. for subdivision approval for Magnolia Woods Section A, south of Stateline Road, between Rostin Road and Stanton Road. A motion was made by Alderman Stark to approve item#3 as presented. Motion seconded by Alderman Loftis. Motion passed unanimously with Alderman Guy abstaining from the vote.

Ms. Choat reported we have a Scrivener's Error that needs to be corrected. She reported on the 2<sup>nd</sup> revision to LeBonheur Ambulatory Subdivision Second Revision, Section 30, Township 1 South Range 8 West. We had an error in the amount of acreage in the lots. The correction is from 2.98 acres to 1.86 acres which is lot 2C and lot 3 combined, Sec. 30, Township 1-S, Range 8-W, Book 93, Page 33. A motion was made by Alderman Huling to correct the Scrivener's error in the 2<sup>nd</sup> revision to LeBonheur Ambulatory Subdivision. Motion seconded by Alderman Cady. Motion passed unanimously.

Item #4 Application by T & N Properties for a revision to the Lebonheur Ambulatory Subdivision, south of Rasco Road, on the east side of Airways Blvd. A motion was made by Alderman Cady to approve item#4 as presented. Motion seconded by Alderman Stark. Motion passed unanimously.

### MAYOR'S REPORT

1. Mayor Davis reported on an Emergency Purchase for the repair of sewer lines located on Overlook Drive, Woodsmoke Drive, and Rasco Road by Suncoast Infrastructure, Inc. He reported these repairs are needed to continue to offer adequate sewage disposal to our citizens by

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reducing the risk of sewer bypass into a customer's residence. A motion was made by Alderman Stark to enter the emergency purchase letter into the minutes. Motion seconded by Alderman Cady. Motion passed unanimously.

2. Mayor Davis reported on the budget revision. He reported the first part deals with the Utility System. We originally budgeted 3.1 Million in water sales. He reported that last year we brought in 3.3 and 1.1 is what was budgeted in sewer sales and 1.3 is what we brought in. We are using the audited numbers that we collected last year. We are moving that \$400,000 to System Improvements. He reported that outside the bonds, etc. we are doing 2.185 Million in System Improvements to our Utility System and \$100,000 of that was just approved in the emergency purchase. A motion was made by Alderman Cady to approve the budget revision. Motion seconded by Alderman Guy. Motion passed unanimously.

3. Mayor Davis reported that we had over \$700,000 in request from the Aldermen for street overlays. We have approximately \$200,000 left in that line item budget. That does not include some \$3M of road improvement that we paid cash for this year, such as Stateline, Rasco, or any of the improvements that the County made in Brookhollow and other areas in the City. The average amount that is being spent is approximately \$40,000 with the highest amount being spent in Ward I at \$57,000. He reported we will move forward with the road improvements.

4. Mayor Davis reported on the July 4<sup>th</sup> celebration to be held at Snowden Park tomorrow night beginning at 7:00 p.m.

## COMMITTEE REPORTS

Alderman Jobs reported he and the Ordinance Committee continue to work on the Vicious Dog Ordinance and Vending Machine Ordinance. Alderman Cady reported on the outstanding job that was done on the old Fire Station on Whitworth and on the striping on Rasco Road. Mayor Davis reported he wants to take a Saturday and tour the City with the Aldermen and review all of the improvements that has been made. He reported there will be some facelift improvements made to City Hall before October.

## CITY ATTORNEY'S LEGAL UPDATES

Mark Sorrell, City Attorney reported we have a Resolution for Ad-Valorem Tax Exemption for Future Electronic Distribution Center. A motion was made by Alderman Guy to adopt RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, GRANTING EXEMPTION FROM AD-VALOREM TAXES FOR A TEN YEAR PERIOD TO FUTURE ELECTRONICS DISTRIBUTION CENTER LP AS AUTHORIZED BY SECTION 21-31-105 OF THE MS CODE 1972 AS AMENDED. 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 Stark	Yea

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Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobes	Yea
Alderman Huling	Yea

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

## CLAIMS DOCKET

A motion was made by Alderman Stark to approve the docket of claims as presented on July 3, 2007 in the amount of \$2,703,804.19 including the demand checks and payroll checks and to exclude voucher #s 84437, 84441, 84442, 84492, 84519, 84713 thru 84734, 84874, 84895 thru 84942, 84944 thru 84974, 84976 thru 84995, 85003, 85039 thru 85043, 85065, 85066, and 85077. 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 Jobes	Yea
Alderman Huling	Yea

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

Motion passed unanimously. Time 6:20 on July 3, 2007.



Charles G. Davis, Mayor



Glenda Smallwood, City Clerk

**CERTIFICATE OF CITY CLERK**

**STATE OF MISSISSIPPI**

**COUNTY OF DESOTO**

**I, Glenda Smallwood, Clerk for the City of Southaven, Mississippi do hereby certify that this is a true and correct copy of Minutes of the Regular Meeting of the Mayor and Board of Aldermen of the City of Southaven, Mississippi on July 3, 2007 and duly appears of record in Minute Book 21 which is on file in the City Clerk's Office at 8710 Northwest Drive, Southaven, Mississippi.**

This the 5<sup>th</sup> day of September, 2007

Glenda Smallwood  
Glenda Smallwood, City Clerk

(SEAL)

