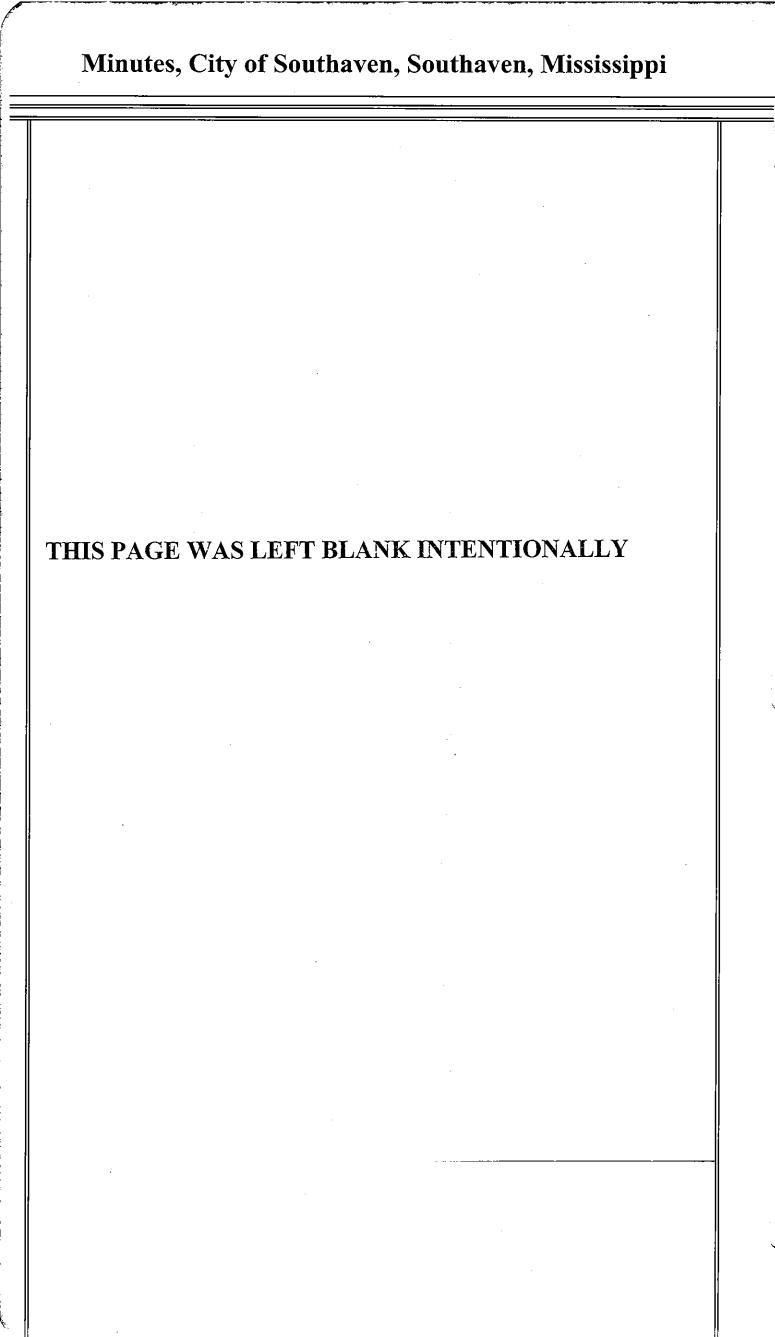


MEETING OF THE MAYOR AND BOARD OF ALDERMEN SOUTHAVEN, MISSISSIPPI CITY HALL

September 16, 2014 6:00 p.m. AGENDA

- 1. Call To Order
- 2. Invocation
- 3. Pledge Of Allegiance
- 4. Approval Of Minutes: September 2, 2014
- 5. Board Ratification of Emergency Declaration by Mayor
- 6. NRCS Project -Stateline Road and Horn Lake Creek with County
- 7. Entering of Emergency Purchase in Minutes
- 8. Procurement Cards
- 9. Acceptance Of Bids
- 10. Budget Amendment
- 11. Request Board Approval to Travel to Destin, FL for Dizzy Dean National Conference Nov.12-13, 2014
- 12. Approval of Lehman Roberts Contract
- 13. Change Order No. 1 Hurricane Creek Sewer Project Phase 2A
- 14. Surplus Property SPD & IT Department
- 15. Sanitation Garbage Route Changes
- Request for Donation of Snowden House by the Home Builders Association of North Mississippi alcohol approval
- 17. Request for Donation of Snowden Pavilion by New Hope MB Church
- 18. Resolution Granting Authority To Clean Private Property
- 19. Planning Agenda
- 20. Mayor's Report
- 21. Citizen's Agenda
- 22. Personnel Docket
- 23. City Attorney's Legal Update
- 24. Old Business
- 25. Claims Docket
- 26. Executive Session

 Any citizen wishing to comment on the above items may do so. Items may be added to or omitted from this agenda as needed.



MINUTES OF THE REGULAR MEETING OF September 16, 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 16th day of September, 2014 at six o'clock (6:00) p.m. at City Hall.

Present were:

William Brooks
Shirley Beshears
Alderman, Ward 2
George Payne
Alderman, Ward 3
Joel Gallagher
Alderman, Ward 4
Scott Ferguson (By Teleconference)
Raymond Flores
Alderman, Ward 5
Alderman, Ward 6

Absent were:

Kristian Kelly

Alderman, Ward 1

Also present were Mayor Musselwhite, Sheila Heath, City Clerk, Andrea Mullen, Assistant City Clerk and Nick Manley, City Attorney. Approximately thirty (30) other people were present.

Mayor Musselwhite called the meeting to order. Alderman Gallagher led in prayer, followed by the Pledge of Allegiance led Alderman Brooks. Next, a motion was made by Alderman Payne to approve the minutes of the regular meeting of September 2, 2014 with any corrections, deletions, or additions necessary. There being none the motion was seconded by Alderman Brooks. Motion was put to a vote and passed unanimously.

BOARD RATIFICATION OF EMERGENCY DECLARATION BY MAYOR

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY CITY OF SOUTHAVEN

WHEREAS, a local emergency as defined in Section 33-15-5 was proclaimed by the City of Southaven ("City") Mayor pursuant to Section 33-15-17(d), Mississippi Code of 1972, on September 11, 2014; and

WHEREAS, the City Board does hereby find that conditions of extreme peril to the safety of persons and property have arisen within said City caused by flooding commencing on or about 7:30 AM on the 11th day of September 2014; and

WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency in order to provide for the health and safety of the citizens and the protection of their property within the City; and

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that in accordance with Section 33-15-17(d), Mississippi Code of 1972, as amended, a local emergency now exists throughout the City; and shall be reviewed every thirty (30) days until such local emergency is no longer in effect and proclaimed terminated by the City Board.

IT IS FURTHER PROCLAIMED AND ORDERED that all City agencies and departments shall render all possible assistance and discharge their emergency responsibilities as set forth in the City Emergency Operations Plan.

Following the reading of the foregoing resolution, Alderman Brooks made the motion to adopt the Resolution and Alderman Gallagher 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: ABSENT
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 16th day of September, 2014.

NRCS PROJECT – STATELINE ROAD AND HORN LAKE CREEK WITH COUNTY

Mayor Musselwhite stated that there is an erosion problem with the Stateline Road Bridge at Horn Lake Creek and the County has asked the City to split the local match with them each paying \$14,725.00 to correct the problem. Mayor Musselwhite stated that the County is waiting on federal funding so a vote on this item is not needed until they are ready to move forward.

A copy of the request letter from the County is attached to these minutes.

ENTERING OF EMERGENCY PURCHASE IN MINUTES

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI FOR DECLARATION OF EMERGENCY EXPENDITURE

WHEREAS, the City of Southaven ("City") pursuant to Mississippi Code Section 31-7-1(f) and Mississippi Code 31-7-13(k) desires to maintain the immediate preservation of order and peace by the purchase of a generator for the City Police Department in order to maintain the public peace; and

WHEREAS, the generator is needed for the assurance of dispatch procedures and communications for the City Police Department in the event of an emergency loss of power; and

WHEREAS, the loss of power has previously occurred without warning and a generator is required to protect the City citizens; and

WHEREAS, delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority,

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 31-7-1(f) and Mississippi Code 31-7-13(k), the City Board ratifies the expenditure in the amount of Forty-One Thousand, Six Hundred Thirty Nine Dollars & 94/100 (\$41,639.94) for the purchase of the emergency generator.

SECTION 2. On behalf of the City, the Mayor or his designee is authorized to take all actions to effectuate the intent of this Resolution.

Following the reading of the foregoing resolution, Alderman Brooks made the motion to adopt the Resolution and Alderman Gallagher 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: ABSENT
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 16 day of September 2014.

PROCUREMENT CARDS

Mayor Musselwhite stated that some changes are being made to the purchase policy in regards to credit cards. Mayor Musselwhite stated that there will be one city credit card that will only be used for travel and two procurement cards that will be used to make purchases for City business. Mayor Musselwhite stated that the policy will be ready to vote on at the next board meeting.

ACCEPTANCE OF BIDS

Mayor Musselwhite stated that the City received bids from Lehman Roberts and APAC for the asphalt contract and Lehman Roberts submitted the lowest and best bid. Alderman Brooks made the motion to accept the bid and authorize entrance

into a contract with Lehman Roberts. Motion was seconded by Alderman Beshears.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	ABSENT
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 16th day of September, 2014.

A copy of the bid, specifications, and contract are attached to these minutes.

BUDGET AMENDMENT

Chris Wilson, City Administrator, presented this item to the Board. Mr. Wilson stated that this amendment reflects an additional \$350,000.00 in sales tax revenue. Mr. Wilson added that this not only maintains a sales tax surplus for the fiscal year but also reflects \$350,000.00 to be expensed to close out FY2014.

Code	Description		Current Budget		Revised	Amended Budget
0010 410 100	General Sales Tax	\$ (12	,000,000)	\$(12,350,000)	\$ (350,000)
125 600 100 211 600	Court Salaries	\$	447,000	\$	468,000	\$ 21,000 \$
100 311 600	Police Salaries Public Works	\$	6,945,500	\$	6,995,500	50,000 \$
100 411 600	Salaries	\$	384,900	\$	417,900	33,000 \$
100 315 626	Parks Salaries	\$	1,375,000	\$	1,420,000	45,000 \$
000 411 614	Traffic Utilities	\$	701,762	\$	775,000	73,238 \$
000 297 620	Parks Fuel Oil EMS Billing	\$	61,700	\$	88,000	26,300 \$
901 125 621	Service	\$	85,000	\$	86,462	1,462 \$
501	Court Fines	\$	1,085,000	\$	1,185,000	100,000
						\$ 350,000
						Ś

REQUEST BOARD APPROVAL TO TRAVEL TO DESTIN, FL FOR DIZZY DEAN NATIONAL CONFERENCE NOVEMBER 12-13, 2014

Mayor Musselwhite stated that Dizzy Dean is having their National Conference in Destin, Florida in November and they have requested representation from the City of Southaven to attend. Mayor Musselwhite stated that there is a segment of that group that wishes to move the Dizzy Dean World Series from Southaven to Georgia and he wants to do whatever is needed to keep Dizzy Dean in the City of Southaven. Alderman Gallagher made the motion to approve travel for Mayor Musselwhite. Motion was seconded by Alderman Payne. Motion was put to vote and passed unanimously.

APPROVAL OF LEHMAN ROBERTS CONTRACT

See the Acceptance of Bids section above.

<u>CHANGE ORDER NO. 1 – HURRICANE CREEK SEWER PROJECT – PHASE 2A</u>

Dan Cordell presented this item to the Board. Mr. Cordell stated that this is part of the SRF Loan Program for the Hurricane Creek Sewer Project and is the final summary change order with line item adjustments based on final quantities reflecting a decrease in the amount of \$3,791.55. Mr. Cordell stated that Board approval and authorization for the Mayor to sign is needed to finalize this part of the project. Alderman Gallagher made the motion to approve the change order and authorize Mayor to sign. Motion was seconded by Alderman Flores. Motion was put to vote and passed unanimously.

A copy of the Summary Letter and Change Order No. 1 is attached to these minutes.

SURPLUS PROPERTY - SPD AND IT DEPARTMENT

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, 2012 Dodge Charger White 2C3CDXAG9CH241047 Asset # 5023 ("Vehicle"), which is inoperable and has been totaled 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 Clerk, or her designee, is hereby authorized and directed to follow Mississippi Code 17-25-25 for the disposition of the Vehicle.

Motion was made by Alderman Brooks and seconded by Alderman Flores, 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: ABSENT

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 16th day of September, 2014.

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

WHEREAS, the City of Southaven Information Technology Department is presently in possession of a variety of property attached hereto as Exhibit A, which is outdated, not useful or cost effective due to the storage and maintenance costs; and

WHEREAS, pursuant to Mississippi Code 17-25-25, it has been recommended to the Mayor and Board of Aldermen that the property as set forth in Exhibit A 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 property 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 property listed in Exhibit A be hereby declared as surplus property due to the fact that the property is outdated, not useful or cost effective due to the storage and maintenance costs.
- 2. The City Clerk, or her designee, is hereby authorized and directed to follow Mississippi Code 17-25-25 for the disposition of the property in Exhibit A.

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

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

RESOLVED AND DONE this 16th day of September 2014.

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and

adopted as set forth above on this the 16th day of September, 2014.

CITY OF SOUTHAVEN, MISSISSIPPI

SANITATION GARBAGE ROUTE CHANGES

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI CHANGING SANITATION ROUTES

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the "City"), considered the matter of alter sanitation routes.

WHEREAS, pursuant to Miss. Code 21-19-1, the City must establish sanitation services for its residents; and

WHEREAS, the City has provided such services via contract with ADSI for garbage pickup and Waste Pro for rubbish collection; and

WHEREAS, the City's contract with ADSI and Waste Pro allow for altering of the days and routes for collection of garbage and rubbish; and

WHEREAS, the City contracts require City approval for any altering of pick-up days for rubbish and garbage and pursuant to the City Code of Ordinances, Title VII, Section 7-5, the City Board shall make regulations to aid with sanitation services; and

WHEREAS, pursuant the City, in conjunction with ADSI and Waste Pro, desire to change the collection dates for garbage and rubbish collection for those residences set forth in Exhibit A from Thursday to Tuesday and the residences set forth in Exhibit B from Thursday to Wednesday.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

- 1. The City's Public Works Director is authorized to change the collection dates for garbage and rubbish as set forth above. The effective date of the change shall be November 1, 2014.
- 2. The City, in conjunction with ADSI and Waste Pro, are authorized and directed to send notice and publish the notice so that all residences are aware of the change.

3. The Mayor, City Public Work's Director or their designee(s) are authorized to take any and all actions to effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Brooks made the motion 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: ABSENT
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 16th day of September, 2014.

A copy of the map reflecting route changes is attached to these minutes.

REQUEST FOR DONATION OF SNOWDEN HOUSE BY THE HOME BUILDERS ASSOCIATION OF NORTH MISSISSIPPI – ALCOHOL APPROVAL

Nick Manley, City Attorney, presented this item to the Board. Mr. Manley stated that this is a request for an alcohol variance for the Home Builders Association Fall company party on October 23, 2014 from 6:00 pm to – 9:00 pm. Alderman Payne made the motion to approve the variance. Motion was seconded by Alderman Beshears. Motion was put to vote and passed unanimously.

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

REQUEST FOR DONATION OF SNOWDEN PAVILLION BY NEW HOPE MB CHURCH

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI FOR LEASE DONATION OF SOUTHAVEN SNOWDEN PAVILION TO NEW HOPE MISSIONARY BAPTIST CHURCH FOR 5K RUN ON NOVEMBER 1, 2014

WHEREAS, the City of Southaven ("City") pursuant to Mississippi Code Sections 17- 3-3, 21-17-1(3)(b)(ii) and 21-19-65desires to donate use of the

Southaven Snowden Pavilion ("Pavilion") to New Hope Missionary Baptist Church ("New Hope"); and

WHEREAS, the City has control of the municipal property, the Arena, and has the authority under the City's Rental Policy and applicable law to donate use of the Pavilion to New Hope as it a non-profit entity located in the City and New Hope will use the Pavilion to host a 5k run which will benefit local student scholarships in the City; and

WHEREAS, the City finds that New Hope's purpose for this event at the Pavilion is consistent with the mandates of Mississippi Code Section 21-17-1(3)(b)(ii) and 21-19-65 and allows New Hope to utilize via an in-kind donation of the lease from the City; and

WHEREAS, the City finds that New Hope will raise funds or has funds on-hand at the that will match or exceed the in-kind donation of the Pavilion provided by the City pursuant to Mississippi Code Section 21-19-65; and

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

SECTION 3. Pursuant to Mississippi Code 21-17-1(3)(b)(ii) and 21-19-65, the Governing Body of the City hereby donates use of the Pavilion to New Hope on November 1, 2014 to assist with the 5k run, which f will raise funds which exceed the in-kind donation of the City, and to assist the efforts of the fundraiser to benefit local student scholarships in the City for the advancement of the moral interest of the City.

SECTION 4. Pursuant to Mississippi Code 17-3-3, the City also desires to advertise its City Facilities, including the Pavilion, and desires to advance the moral interest of the City by allowing the Pavilion to be used by New Hope for the fundraiser based on the purposes of the fundraiser.

SECTION 5. On behalf of the City, the Mayor or his designee is directed to take all actions to effectuate this Resolution.

Following the reading of the foregoing resolution, Alderman Brooks made the motion to adopt the Resolution and Alderman Payne 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:	ABSENT
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 16th day of September, 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: 5116 Garner Lane, 1155 Sir Doyle
Cove, 3400 Jacob Lane, 7275 Cedar Hill Cove, 1346 Ticonderoga Drive, 7401
Hunters Hollow Cove, 5805 Steffani Drive, 8314 Whitehead Drive, 2871
Stateline Road West, 2306 Natchez Cove, 8137 Longbranch Drive, 8295 Blue
Ridge Drive, 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, September
16, 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,

September 16, 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: 5116 Garner Lane, 1155 Sir Doyle Cove, 3400 Jacob Lane, 7275 Cedar Hill Cove, 1346 Ticonderoga Drive, 7401 Hunters Hollow Cove, 5805 Steffani Drive, 8314 Whitehead Drive, 2871 Stateline Road West, 2306 Natchez Cove, 8137 Longbranch Drive, 8295 Blue Ridge Drive, 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 Payne and seconded by Alderman Beshears. 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	ABSENT
Alderman Shirley Beshears	YES
Alderman George Payne	YES
Alderman Joe 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 16th day of September, 2014.

PLANNING AGENDA

No Planning Agenda

MAYOR'S REPORT

Mayor Musselwhite stated that September 22-26 is Storm Water Awareness Week.

Mayor Musselwhite stated that a state of disaster was declared for the City of Southaven with the recent flood event. The Governor and the County have an ongoing investigation at this time through the Mississippi Emergency Management Agency (MEMA). They are using the Board room to assist citizens with temporary housing if needed.

Mayor Musselwhite gave an update that FEMA and MEMA at this point are doing an assessment of the City. Mayor Musselwhite stated that when a state of emergency is declared, there is not a guarantee that there will be financial assistance, but it opens the doors for an investigation to see what qualifies. Mayor Musselwhite further stated that there are two types of plans through MEMA and FEMA. One is the Presidential Plan where financial aid is available for extremely large situations in which the City does not qualify. The other program is through the Small Business Administration and it guarantees the availability of loans for all of our citizens that have damage to their property. Mayor Musselwhite stated that there will be a two to three week period for the assessment process. Mayor Musselwhite asked if anyone has damage that has not been reported to contact the Desoto County Emergency Agency so that it will be included in the total assessment. In addition, Mayor Musselwhite stated that there is a relief fund set up by Community Bank if there is anyone that would like to make a donation to the Southaven Flood Victim Relief Fund.

Mayor Musselwhite stated that authorization is needed to advertise for the Getwell Road Resurfacing Project. Alderman Ferguson made the motion to authorize advertisement for the project. Motion was seconded by Alderman Flores.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	ABSENT
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 16th day of September, 2014.

CITIZEN'S AGENDA

Mayor Musselwhite stated that there were not any requests to be added to the Citizen's Agenda by the 12:00 pm deadline on the Friday prior to the Board Meeting, but stated that Mike Smith in the audience wished to express concerns about the recent flood event. Alderman Payne made the motion to allow Mr. Smith to speak. Motion was seconded by Alderman Brooks.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	ABSENT
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 16th day of September, 2014.

Mr. Smith stated that the creek behind his subdivision overflowed during the recent storm and flooded his home along with others. Mr. Smith explained that in twenty five years their subdivision did not have any flooding issues and believes that recent developments in the area have caused this problem and requested to know what will be done to prevent future flooding. Mayor Musselwhite stated that he would have someone reevaluate the ditches in that area.

PERSONNEL DOCKET

<u>Personnel</u>
<u>Docket</u>
September 16,
2014

Payroll Additions	Position	Department	Start Date	Rate of Pay
Nathan Ryan	Patrol Officer II	Police - 211	TBA	\$19.25
Jacob Able	Patrol Officer II	Police - 211	TBA	\$19.25
Larry Maddox	Crossing Guard	Police - 211	September 17, 2014	\$9.00

Payroll Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
	-		September 12,	
Jason Pounders	Firefighter II	Firefighter III	2014	\$14.68

	Employee			سوسی برین پرینی معاملات این و اور	# 1	With	/Without
5.1	Name	Denartment	Action	Taken	Effective Dat	e	Pav
	Heilic	Department	: , AGGIOTI		- Circuite Dat		

Payroll			Termination	
Deletions	Position	Department	Date	Rate of Pay
		Parks and Recreation	August 21,	
Tyler Scholl	Seasonal Laborer	- 411	2014	\$8.00
•			September 5,	
Johnny Cox	Captain	Police - 211	2014	\$27.33
·	•		September 7,	
Joshua Cooper	Patrol Officer II	Police - 211	2014	\$19.25

Alderman Brooks made the motion to approve the Personnel Docket of September 16, 2014 as presented to this Board. Motion was seconded by Alderman Gallagher. 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.

Mr. Manley stated that the Kiosk agreement with OPC will allow for payments of utility bills through kiosk at certain stores throughout the City and the contract will be ready for approval at the next meeting.

Mr. Manley presented to the Board issues regarding liens filed at 1839 Custer Drive for condemnation pursuant to the Mississippi Code. Mr. Manley explained that there were issues with the filing of the liens as it relates to the actual notice at the closing date for a title search to detect the liens. In addition, issues existed regarding the notice to the correct owner of the property and ownership of the home existed at the time that the liens were filed. Mr. Manley noted the issues as it related to the costs incurred by the City while mowing the lawns and recommended that the actual costs not be forgiven, so that the City is not out any money, but based on the facts, recommended that the penalties associated with the liens be excused based on the circumstances of this specific instance. A motion was made by Alderman Flores to allow for the collection of the costs of the liens but waive the penalties for the liens for the home at 1839 Custer Drive. The motion was seconded by Beshears. The vote was unanimous of all aldermen present.

OLD BUSINESS

No Old Business

CLAIMS DOCKET

A motion was made by Alderman Payne to approve the Claims Docket of September 16, 2014, including demand checks and payroll in the amount of \$1,328,038.38. Motion was seconded by Alderman Flores.

Excluding voucher numbers:

226839, 226876, 227042, 227044, 227061, 227062, 227312, 227390, 227543, 227562.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	ABSENT
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 16th day of September, 2014.

Alderman Ferguson recused himself and left the room.

A motion was made by Alderman Payne to approve the Special Claims Docket of September 16, 2014 in the amount of \$2,971.24. Motion was seconded by Alderman Brooks.

Roll call was as follows:

ALDERMAN	VOTED
Alderman Brooks	YES
Alderman Kelly	ABSENT
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 16th day of September, 2014.

Alderman Ferguson then returned to the meeting.

EXECUTIVE SESSION

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

There being no further business to come before the Board of Aldermen, a Motion was made by Alderman Flores to adjourn. Motion was seconded by Alderman Beshears. Motion was put to a vote and passed unanimously, September 16, 2014 at 7:35 p.m.

Darren Musselwhite, Mayor

Sheila Heath, City Clerk

(Seal)

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BY THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI
WHEREAS, the Mayor and Board of Aldermen of the City of Southaven, Mississippi, do hereby find that conditions of extreme peril to the safety of persons and property have arisen within the corporate limits of the City of Southaven as a result of and caused by
which conditions commenced on or about
WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the <i>Proclamation Of The Existence Of A Local Emergency</i> in order to provide for the health and safety of the citizens and the protection of their property within the City of Southaven, Mississippi.
NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Mayor and Board of Aldermen of the City of Southaven, Mississippi, that pursuant to Section 33-15-17(d) of the Mississippi Code Annotated (1972), a local emergency now exists throughout the City of Southaven, Mississippi; and shall be reviewed every thirty (30) days until such local emergency is proclaimed terminated by the Mayor and Board of Aldermen of the City of Southaven, Mississippi.
IT IS FURTHER PROCLAIMED AND ORDERED that all agencies and departments of the City of Southaven, Mississippi, shall render all possible assistance and discharge their emergency responsibilities as set forth in the City Emergency Operations Plan.
ORDERED on this, the 14th day of September 20 14.
CITY OF SOUTHAVEN, MISSISSIPPI
BY: Darren Musselwhite DARREN MUSSELWHITE, MAYOR by FIL
ATTEST:
SHETE A HEATH, CATY CLERK (S E L) 2 2

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY CITY OF SOUTHAVEN

WHEREAS, a local emergency as defined in Section 33-15-5 was proclaimed by the City of Southaven ("City") Mayor pursuant to Section 33-15-17(d), Mississippi Code of 1972, on September 11, 2014; and

WHEREAS, the City Board does hereby find that conditions of extreme peril to the safety of persons and property have arisen within said City caused by flooding commencing on or about 7:30 AM on the 11th day of September 2014; and

WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency in order to provide for the health and safety of the citizens and the protection of their property within the City; and

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that in accordance with Section 33-15-17(d), Mississippi Code of 1972, as amended, a local emergency now exists throughout the City; and shall be reviewed every thirty (30) days until such local emergency is no longer in effect and proclaimed terminated by the City Board.

IT IS FURTHER PROCLAIMED AND ORDERED that all City agencies and departments shall render all possible assistance and discharge their emergency responsibilities as set forth in the City Emergency Operations Plan.

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

NT

RESOLVED AND DONE, this 16th day of September, 2014.

DARREN MUSSELWHITE, MAYOR

ATTEST:

ZÍTY CLERK



August 29, 2014

City of Southaven c/o Mayor Darren Musselwhite 8710 Northwest Drive Southaven, MS 38672

RE: Natural Resources Conservation Service - Emergency Watershed Protection Stateline Road Bridge at Horn Lake Creek

Dear Mayor,

The DeSoto County Board of Supervisors (BOS) submitted an application for repair funding for the above referenced bridge based upon a rainfall event last November. The application was approved and the work will primarily consist of installing rip rap under the bride to repair and reduce future erosion of the bridge structure.

The funding amount is estimated at \$117,800 with the local sponsor being 25% of the figure. The BOS request the city to split the local match with County each paying \$14,725.

Enclosed is the project application as submitted. The project agreements have not yet been received because federal funding is not in place at this time. Should you need any additional information or have questions please call me.

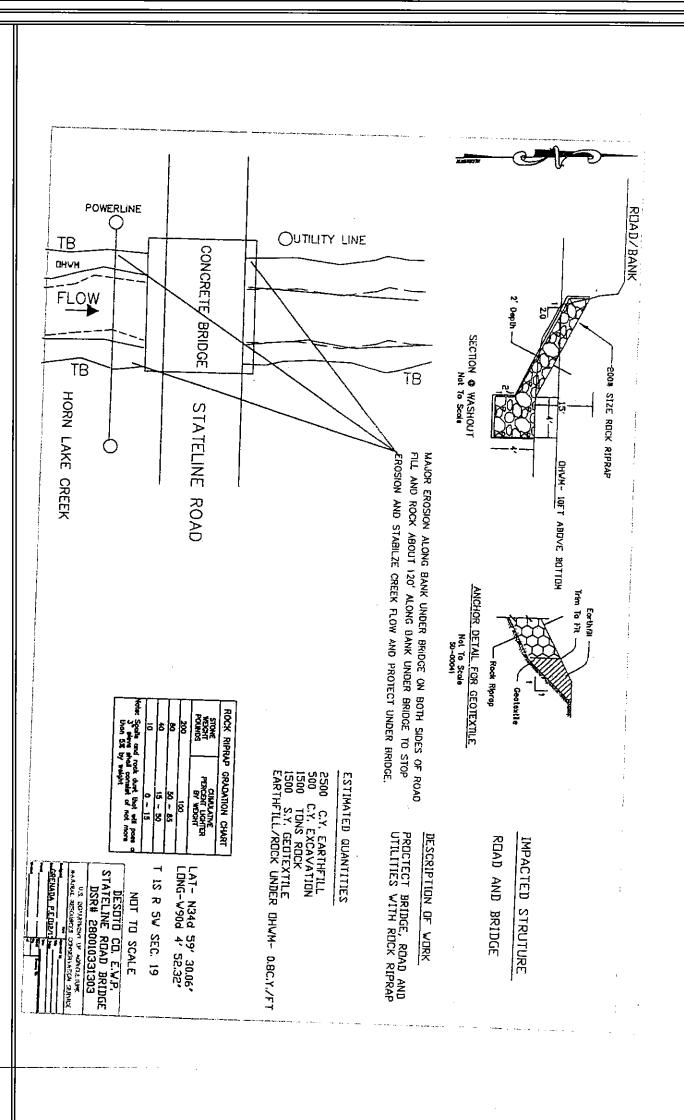
Sincerely,

Andy Swims

Enclosure

cc: Board of Supervisors

2373 Gwynn Road ≈ P. O. Box 389 ≈ Nesbit, MS 38651 Ph: (662) 469-8025 ≈ Fax: (662) 469-8749



RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI FOR DECLARATION OF EMERGENCY EXPENDITURE

WHEREAS, the City of Southaven ("City") pursuant to Mississippi Code Section 31-7-1(f) and Mississippi Code 31-7-13(k) desires to maintain the immediate preservation of order and peace by the purchase of a generator for the City Police Department in order to maintain the public peace; and

WHEREAS, the generator is needed for the assurance of dispatch procedures and communications for the City Police Department in the event of an emergency loss of power; and

WHEREAS, the loss of power has previously occurred without warning and a generator is required to protect the City citizens; and

WHEREAS, delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority,

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 31-7-1(f) and Mississippi Code 31-7-13(k), the City Board ratifies the expenditure in the amount of Forty-One Thousand, Six Hundred Thirty Nine Dollars & 94/100 (\$41,639.94) for the purchase of the emergency generator.

SECTION 2. On behalf of the City, the Mayor or his designee is authorized to take all actions to effectuate the intent of this Resolution.

Following the reading of the foregoing resolution, Alderman Brooks made the motion to adopt the Resolution and Alderman Gallagher 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: absent
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

REMAINDER OF PAGE LEFT BLANK

RESOLVED AND DONE, this 16 day of September 2014.

DARREN MUSSELWHITE, MAYOR

ATTEST:

CITY CLERK





Information Technology & Emergency Communications Department City of Southaven, MS

8710 Northwest Drive * Southaven, MS *38671* Office (662) 280-6557 * FAX (662) 280-6559

To:

Darren Musselwhite, Mayor

Chris Wilson, CAO

From:

Chris Shelton, Director of I.T.E.C & Tom Long, Chief of Police

Date:

09/12/14

RE:

Emergency Purchase of Generator for Southaven Police

Mayor Musselwhite and Mr. Wilson,

On 7/14 our city experienced a strong thunderstorm in the evening hours. During this storm there were several lightning strikes in the area. The PD/911 center experienced a power loss from Entergy. Both emergency generators attempted to start as designed. The CAT generator that is primary for the 911 portion of the building went into a failed to start mode. The next step in the redundancy plan for our generators executed automatically which through a secondary transfer switch the whole building was powered from the other generator. We then attempted a manual start on the 911 generator which failed. Thompson Power arrived on scene the next day and began to inspect the downed generator. They determined that the main rotor had seized up and was beyond repair.

The Cost for procurement and install of a replacement generator is \$41,639.94.

Additional Documentation is attached.

Respectfully,

Chris Shelton W. Tom Long

City of Southaven - The Top of Mississippi

SPECIFICATIONS, CONTRACT AND OTHER INFORMATION

FOR

LEHMAN ROBERTS COMPANY

MAYOR

Darren Musseiwhite

BOARD OF ALDERMEN

- William Brooks
- Kristian Kelly
- Shirley Beshears
- George Payne
- Joel Gallagher
- Scott Ferguson
- Raymond Flores

CITY CLERK SOUTHAVEN, MISSISSIPPI Sheila Heath

HOT ASPHALT OVERLAY PROJECT SOUTHAVEN, MISSISSIPPI

PROJECT CONSTRUCTION INFORMATION

As far as possible, all roads will be overlaid variable widths and from 1-1/2" to 2-1/2" thick asphalt. Numerous roads will receive extra thickness as needed for strength and/or leveling. The City Engineer reserves the right to lay asphalt on each road as work progresses to meet field conditions without any change in unit prices.

Lehman Roberts ("The contractor") will blade shoulders and perform any other work necessary to prepare for paving. There is a price in the proposal for the contractor to do all digging out and patching.

The contractor will be required to clean and tack the old asphalt before the overlay is started and this will be an absorbed item. In some areas, a leveling coarse may be needed ahead of the overlay and this asphalt will be paid for at the same unit price per ton as the overlay on the road. All asphalt used in patching will be a separate bid item.

MATERIAL AND CONSTRUCTION SPECIFICATIONS

The asphaltic concrete for the overlay, patching, and leveling shall conform to the specifications of the Mississippi Department of Transportation for Type SC-1 surface mix as set forth in their specification manuals of latest edition, or as changed by the City Engineer.

The material shall be brought to the mechanical screener, spreader, tamping, paving machine in trucks. At the machine, the temperature of the material shall be taken and if in the required range of temperature, the material may be dumped into the spreader box.

Those areas laid by hand where the spreader cannot operate shall conform to the same standards. As soon as the material is laid and the paving machine is sufficiently far in advance, the freshly laid asphalt shall be rolled and the surface sealed. The contractor must use a heavy enough roller to sufficiently roll the surface in the option of the Engineer. When the roller has completed its work, there shall be no roller marks, and all of the area shall drain to the ditches. The surface of the finished pavement shall not vary more than 1/4 inch. The paving machine must be capable of providing electronic slope and grade control.

The price paid for asphaltic concrete will be per ton in place and will include all labor, equipment, and material cost for furnishing, placing and finishing the asphaltic concrete for the complete project to the satisfaction of the Engineer and City Officials.

MILLING

Milling shall be performed on areas adjacent to curbs to allow for a flush joint with the curb after the new asphalt is in place. There is a detail in these documents detailing the mailing to be done. All materials removed from the roadway surface by the milling operation shall be hauled off and disposed of by the contractor. There is not a separate pay item for the hauling and disposal and any expense incurred will be considered compensated for in the unit price for this item. Payment will be made by the ton for material milled.

NON PAY ITEMS AND PAYMENTS

All work for which no pay items are provided in the proposal will not be paid for directly and compensation therefore will be considered included in the prices and payment for bed items. Any questions on any phase of the work should be clarified by the Engineer before the contract is bid.

Partial payment estimates will be paid for monthly on approximately 95 percent of the work done as determined by dollar value and in no way taken as acceptance of any part of the work involved.

EXTRA WORK AND FUNDS AVAILABLE

The City of Southaven only has certain funds available for this project and in the event the bid overruns the funds, the city reserves the right to decrease the project to get within the funds available.

The Engineer shall have the option of increasing or diminishing the work as it progresses, provided such increase or diminution does not exceed thirty five percent (35%) of the total amount of the whole contract. No allowance will be made in case of diminution of the work for real or supposed loss occasioned thereby in the way of anticipated profits.

FINAL PAYMENT

The final payment or the retained percentage shall not be paid until the contractor shall satisfy the city that all liens, labor, and material bills, equipment costs or rents have been paid in full. The final payment shall not in any way relieve the contractor from the responsibility of his guarantee against faulty or defective materials or workmanship for a period of six months.

CLEAN UP

As a road is finished, the entire premises of the road shall be cleaned up, with no evidence of materials, tools, or debris left on site. At the completion of the project, the roads shall be swept and the entire premises of the job left broom clean.

PUBLIC SAFETY

The contractor will be responsible for the safety of the traveling public and will so place flagmen, signs, and etc. during the contraction of this project. The roads will not be closed, but traffic can be detained for short periods during placing of asphalt.

Temporary traffic striping shall be applied to all roadways that previously had striping by contractor immediately after paving operations.

GUARANTEE

All work performed under this contract shall be guaranteed for a period of six (6) months from the date of final acceptance of the entire job and the release of the retained percentage of payment. All repairs necessary during this period shall be done at the expense of the contractor.

SATISFACTION OF THE ENGINEER & CITY FOR FINAL ACCEPTANCE

All work performed shall conform to the requirements of the specifications or as directed by the City Engineer, and shall be done in a workmanship manner such as to be acceptable and satisfactory to the Engineer and City Officials.

PRICE INFORMATION AND TERM

The contractor agrees to its price in the proposal for digging out, hauling off bad materials, and replacing with hot asphalt, the failed areas on various roads as determined by the Engineer. The bid per cu. Yd. will cover the cost of equipment, labor, digging out, and hauling off of the material. The price for asphalt will be included in the price bid for asphalt to overlay the road. The material hauled off can be placed on the shoulder of the road a short distance from each spot dug out. The contactor agrees to the bid prices as set forth in Exhibit A. This agreement shall have a one (1) year term from the date of approval of September 16, 2014. The city shall have the option to renew for 1 additional year upon the expiration of the contract.

CHANGES IN MATERIAL COSTS

Because of the uncertainty in estimatint the costs of petroleum that will be required during the life of a contract, adjustment in compensation for certain materials is provided as follows:

Bituminous Products: Each month the Engineer will acquire unit prices from producers or suppliers who supply the State highway construction industry with bituminous products. The average of all quotes for each product will serve as the base price for contracts let in the subsequent month.

Fuels: Selected cash price quotations for bulk gasoline and diesel fuel will be taken from Platt's Oilgram PAD 2 and PAD 3. The appropriate adjustment per gallon for gasoline and diesel fuel will be added to the quotations to allow for taxes and markups. The prices thus determined will serve as the base prices for contracts let in the subsequent months.

The established base prices for bituminous products and fuels will be included in the contract documents under a Notice to Bidders entitled "Petroleum Products Base Prices for Contracts Let in (Month and Year)."

Each month thereafter the Engineer will be furnished with the current monthly prices. Adjustments for change in cost will be determined from the difference in the contract base prices and the prices for the period that the work is performed and for the quantities completed proveded the price change in a product is more than five percent (5%). Adjustments may increase or decrease compensation depending on the difference between the base prices and prices for the estimate period.

The adjustments will be determined for the quantities of bituminous products and the average fuel requirements for processing a unit of work as set forth herein.

MISCELLANEOUS

The contractor agrees to indemnify and hold harmless the City, its elected officials, agents, employees, assigns and legal representatives from and against all damages, accidents and injuries to persons or properties caused by the contractor, its agents, employees or temporary employees or resulting from or in conjunction with contractor cleaning such properties for city. This provision of this Agreement shall be deemed to survive the expiration or earlier termination of this Agreement. This section of this Agreement pertaining to indemnification shall be deemed to survive the expiration or earlier termination of this Agreement.

The contractor shall provide Liability (personal injury and property damage) insurance in the minimum amount of \$1,000,000 with confirmation thereof to be delivered to the city prior to commencement of services. All equipment shall be insured and confirmation provided to the city.

This Agreement shall be governed by and construed in accordance with the laws of the State of Mississippi. The parties shall use good faith efforts to resolve any disputes hereunder. In the event of a dispute hereunder that cannot be resolved by mutual discussions between the city and the contractor, the disputing party shall provide written notice to the other party outlining in detail the basis for the dispute. Jurisdiction and venue for all disputes hereunder shall be proper in the federal and state courts having competent jurisdiction in Desoto County, Mississippi.

The contractor acknowledges it is an independent contractor and is neither an employee of the city nor entitled to the same or similar benefits provided to employees of city. This Agreement reflects an arms-length transaction. Nothing in this Agreement creates a fiduciary, partnership, joint venture or employment or other agency relationship among

Ex. A

BID SHEET

	Bid Item (Quantity (Tons)	Unit Price (\$)	Item Total (\$)
1.	Asphalt Overlay	4,000	50.08	320,080,00
2.	Patching	350	136.93	47,925,50
3.	Milling	1,200	33.75	40,500.00
-			Total Bid:	408,505,50
4. Asphalt F.O.B. at Plant		at Plant	\$56.75 per t	on @ Plant 5
			\$ 60.50 per	ton @ Plant 6

DATE 8-29-14 Lehman Roberts Company

RESPECTFULLY SUBMITTED: James J. Madison

ADDRESS: 1111 Wilson St. Memphis TN 38101

PHONE: 901-774-4000

MISS. LICENSE NO. 570 MC

PROPOSAL SHEET

HOT ASPHALT OVERLAY PROJECT CITY OF SOUTHAVEN

The undersigned as Bidder agrees to constructing work on the City of Southaven Hot Asphalt Overlay Project as laid out by the City Engineer and these instructions and specifications and in strict conformance thereto, for the following prices. These prices have been set forth for your acceptance as representing the prices which will constitute adequate and full compensation for all the items of work necessary to be done and paid for in order to complete the work to be done. These prices include all labor, equipment, materials, taxes, bonds, and etc.

The Bidder agrees that if he is awarded the Contract that he will within ten (10) days after presentation of same, sign the contract and execute any bonds necessary with his surety, and return and Contract for the signature of the City Officials, and that the Bidder will commence construction within ten (10) days after formal notice to begin the work is received from the Engineer. A five percent (5%) bid bond and a 100% payment bond will be required along with a 100% performance bond, if it is required as stated in the "Notice to Bidders".

The Bidder declares that he has fully informed himself as to the conditions affecting the work, and that he has examined each and every part of this proposal and consulted with the Engineer, or else waives any and all claims and future claims for not having so done.

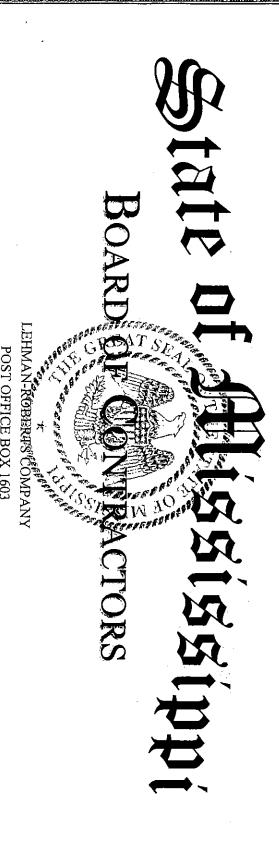
If awarded the contract for the work, the Bidder agrees to constantly and faithfully execute and complete the work within 20 working days and will commence within the ten (10) days as stated in this proposal.

The amount of liquidated damages shall be \$500.00 per day for each working day in excess of 20 working days.

I understand the City has the right to reject any and all bids.

The prices for doing the work are as follows:

LEHMAN ROBERTS COMPANY E031 XOU .O.9 TOTRE NT , ZIMPMEM Southaven City Hall 8710 Northwest Drive Southaven, MS 38671 Biblior: Hot Asphult overlaguork/milling" Biblio September Z, 2014 @ Main Certificate of Responsibility # 570-MC Expires Jan. 14, 2015



POST OFFICE BOX 1603 MEMPHIS, TN 38101

is duly registered and entitled to perform

1) GRADING 2) MUNICIPAL AND PUBLIC WORKS CONSTRUCTION 3) PAVING

CERTIFICATE OF RESPONSIBILITY No. 00570-MC

We have hereunto set our hand and caused the Geal of the Blississippi Board of Exntractors to be affixed this 8 day of Jan., 2014

Expires Jan. 14, 2015

CHAIRMAN OF THE BOARD

the parties. This Agreement is not entered into for the benefit of, nor are any rights granted to, any third party except as expressly provided herein. In this respect, Contractor further acknowledges it is solely responsible for certain obligations, including but not limited to any and all taxes, withholding and workers compensation.

Either party shall have the right to terminate this Agreement upon said party giving written notice thirty (30) days in advance. The Contractor agrees that this Agreement may be terminated immediately by the city, without notice, and without penalty or liability, in the event of default as it relates to any term of this Agreement by the contractor or substantial errors in billing by the contractor.

This Agreement shall not be assignable by either party without the prior written consent of the other party. In addition, this Agreement contains the entire understanding of the parties hereto with respect to the subject matter of the contract and supersedes and cancels any and all prior oral or written contracts or understandings between the parties with respect to the matters set forth above. This Agreement may be changed and modified only in writing signed by all parties hereto. The Exhibit attached hereto is specifically made a part of this Agreement. This Agreement shall inure to the benefit and be binding on the parties, heirs, legal representatives, assignees and successors of the

LÉHMAN ROBERTS

By its: VICE PRESIDENT

CITY OF SOUTHAVEN

MAYOR

STATE OF MISSISSIPPI COUNTY OF DESOTO

acknowledged that he is the Vie Hesidof Lehman Roberts Company, and that for and on behalf of Lehman Roberts Company, he executed the above and foregoing instrument after first having been duly authorized by Lehman Roberts Company so to do.

My Commission Expires:



NEEL-SCHAFFER

plannors
surveyors
snylronmental
scientists

September 11, 2014 N-S Project No. 6.5146.062 A landsoape architeofs

Mr. Dan Cordeil, PE, PS Civil-Link, LLC 5779 Getwell Road, Bldg. B Southaven, MS 38672

RE: Change Order No. 1 (Final Summary) - Summary Letter

Hurricane Creek Sewer Project
Pressure and Gravity Sewer – Phase 2A
Hurricane Creek to Jaybird Road
MDEQ SRF-C280910-01 (Contract #2)

Dear Mr. Cordell:

The above referenced project has been completed prior to the contract end date and under the original contract amount. The details summarizing the final contract change are reflected in the enclosed Change Order No. 1 (Final Summary) documents.

The cumulative value of all the parts of this final contract change request totals a decrease in the amount of (\$3,791.55), which decreases the original contract bid amount from \$1,194,548.00 to \$1,190,756.45.

If you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,

NEEL-SCHAFFER, INC.

Sean E. Hilsdon, P.E. Project Manager

/seh

Enclosures (Change Order No. 1 documents)

cc: Renee Havens, City of Southaven Eng. dept. (via email)
Ray Humphrey, City of Southaven Utility dept. (via email)

G:\Projects\\$000\\$146.062 Hurricone Creek Pump Sta\Force Main & Gravity Sewer\Correspondence\Argo Const\Change Order || i (final)\C.O. || i Summary itr to Dan_09-03-14.doc

5740 Getwell Road, Building 2, Southaven, MS 38672, 662.890.6404, Fax 662.890.G407

NPBLP22

CONTRACT CHANGE ORDER WNER: City of Southaven ONTRACTOR: Argo Construction Corporation ATB: 09/03/2014 LOAN NUMBER: SRF-C280_ 910-01 1 HANGE ORDER NUMBER: CONTRACT NUMBER: ROUDCT NAME Hurricane Creek Sewer Project-Phase 2A (Pressure & Gravity Sewer) BASON FOR CHANGE: "Final Summary Change Order" for project closeout HE CONTRACTOR IS HEREBY REQUESTED TO COMPLY WITH THE FOLLOWING CHANGES FROM THE ontract plans, specifications and contract documents (use additional sheets if required): TEM DESCRIPTION OF CHANGE(S) UNIT TOTAL TOTAL NO. (QUANTITIES, ETC.) COST CONTRACT ELIGIBLE COST SEE "DETAIL ATTACHMENT" TOTAL TOTAL BLIGIBLE ORIGINAL CONTRACT AMOUNT: \$1,194,548.00 \$1,194,548.00 CURRENT CONTRACT AMOUNT: \$1,194,548.00 \$1,194,548.00 TIUS CONTRACT CHANGE: (3,791.55) (3,791.55) REVISED CONTRACT AMOUNT: \$1,190,756.45 \$ 1,190,756.4<u>5</u> CURRENT CONTRACT COMPLETION DATE: 09/20/2014 09/20/2014 ME EXTENSION REQUIRED BY CHANGE: n/a n/a REVISED CONTRACT COMPLETION DATE: n/a THIS CONTRACT CHANGE ORDER SHALL BECOME AN AMENDMENT TO THE CONTRACT AND ALL provisions of the contract will apply. 9-11-14 date RECOMMENDED BY: BNGINBER (Signature) CEPTED BY APPROXBD/BY OWNER (Signature)

Change Order No.
Order N
6 1
(Final
1 (Final Summary)
ī
Detail
Attachmer

9,734,05	44				U	SUBTOTAL - INCREASED	SUBTO	
2,122,05	€9	11	45.15	co	7.0	47	Gravel Driveway Repair	15.0
Cost 7,612.00	49	()	Unit Cost 44.00	ۮ	Unit L.F.	(increased) 173	Description / Units 18" C905 PVC Force Main (open trench)	Pay Item 7.0
) (woled myc	she	sed (as :	Shall Be Increas	The Following Item Shall Be Increased (as shown below): Quantity	
(13,525,60)	4					SUBTOTAL - DECREASED	SUBTOT	
(1,072.50)	69	11	7.15	€9	<u>.</u> F	-150	Remove and Reset Fence	17.0
(2,257.50)	↔	ıı	45.15	€9	0.4.	-50	Additional Foundation Material	16.0
(9,800.00)	69	II	56,00	49	s.Y.	-175	Asphalt Driveway Repair	14.0
(99.60)	€9	U	60.00	69	Tons	-1.66	300# Rock Riprap (w/ Geotextile)	12.0
Cost (296.00)	€	11	Unit Cost 37.00	4.0	L.F.	(decreased) -8	Description / Units 18" SDR26 PVC Gravity Sewer (5'-10' depth)	Pay Item 7.0
			Court polonely			Quantity	Quantity	

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, 2012 Dodge Charger White 2C3CDXAG9CH241047 Asset # 5023 ("Vehicle"), which is inoperable and has been totaled 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 Clerk, or her designee, is hereby authorized and directed to follow Mississippi Code 17-25-25 for the disposition of the Vehicle.

REMAINDER OF PAGE LEFT BLANK

Motion was made by Alderman Brooks and seconded by Alderman Flores, 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 YES

Alderman Kristian Kelly ABSENT

Alderman Shirley Beshears YES

Alderman George Payne YES

Alderman Joel Gallagher YES

Alderman Scott Ferguson YES

Alderman Raymond Flores YES

RESOLVED AND DONE, this 16th day of September, 2014.

Darren Musselwhite, MAYOR

ATTEST:

Sheila Heath, City Clerk

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

WHEREAS, the City of Southaven Information Technology Department is presently in possession of a variety of property attached hereto as Exhibit A, which is outdated, not useful or cost effective due to the storage and maintenance costs; and

WHEREAS, pursuant to Mississippi Code 17-25-25, it has been recommended to the Mayor and Board of Aldermen that the property as set forth in Exhibit A 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 property 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:

- The property listed in Exhibit A be hereby declared as surplus property due to the fact that the property is outdated, not useful or cost effective due to the storage and maintenance costs.
- 2. The City Clerk, or her designee, is hereby authorized and directed to follow Mississippi Code 17-25-25 for the disposition of the property in Exhibit A.

REMAINDER OF PAGE LEFT BLANK

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

Alderman William Brooks YES

Alderman Kristian Kelly ABSENT

Alderman Shirley Beshears YES

Alderman George Payne YES

Alderman Joel Gallagher YES

Alderman Scott Ferguson YES

Alderman Raymond Flores YES

Healt

RESOLVED AND DONE this 16th day of September 2014.

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 16th day of September, 2014.

CITY OF SOUTHAVEN, MISSISSIPPI

DARREN MUSSELWHITE, MAYOR

ATTEST:



Information Technology & Emergency Communications Department City of Southaven, MS

3710 Northwest Drive * Southaven, MS *38671* Office (562) 280-6557 * FAX (662) 280-6559

To:

Mayor Musselwhite/Board of Aldermen

From:

Chris Shelton

Date:

09/03/14

RE:

Surplus Property

Mayor and Board,

Attached is a list of items that have reached end of life and are no longer of use.

I respectfully request permission to dispose of them as appropriate and in accordance with state law, and remove the items from fixed assets inventory.

Respectfully,

Chris Shelton

Director of Information Technology And Emergency Communications

City of Southaven – The Top of Mississippl

nt on of item	description (include model)-	serial number	asset #
torage	Speco DVR	DV841077	
torage	Speco DVR	DL9C0420	
torage	Infinova DVR	73812090	3878
corage	Server		1062
crage	Dell Powervault Tape Backup	B0017892	
crage	Dell Powervault Tape Backup	B0019383	
orage	Cyberpower CPS1500AVR Rack Mount UPS	BBA2Z1800003	
orage_	Ricoh Aficio 1035P Copier	H7216401428	
<u> </u>	McGraw-Edison Onan 55.0en-15R/25432D Generator	F820683039	
	MAGNOLIA WAVE EQUIPMENT AS FOLLOWS:		
	493 Tropos:Used for outdoor wireless mesh		
	topology networks		
	231 CP's: Internet service provider wireless		
	modems .		
<u> </u>	77 Alvarions: outdoor wireless access points		
	12 low loss cable 5D-QEFV: Coaxial cable		
	32 indoor-to-outdoor cable: cat5e dual		
	shielded RJ45		
<u> </u>	59 pepwave surf minis: wireless extenders		
<u> </u>			

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI CHANGING SANITATION ROUTES

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the "City"), considered the matter of alter sanitation routes.

WHEREAS, pursuant to Miss. Code 21-19-1, the City must establish sanitation services for its residents; and

WHEREAS, the City has provided such services via contract with ADSI for garbage pickup and Waste Pro for rubbish collection; and

WHEREAS, the City's contract with ADSI and Waste Pro allow for altering of the days and routes for collection of garbage and rubbish; and

WHEREAS, the City contracts require City approval for any altering of pick-up days for rubbish and garbage and pursuant to the City Code of Ordinances, Title VII, Section 7-5, the City Board shall make regulations to aid with sanitation services; and

WHEREAS, pursuant the City, in conjunction with ADSI and Waste Pro, desire to change the collection dates for garbage and rubbish collection for those residences set forth in Exhibit A from Thursday to Tuesday and the residences set forth in Exhibit B from Thursday to Wednesday.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

- The City's Public Works Director is authorized to change the collection dates for garbage and rubbish as set forth above. The effective date of the change shall be November 1, 2014.
- 2. The City, in conjunction with ADSI and Waste Pro, are authorized and directed to send notice and publish the notice so that all residences are aware of the change.
- 3. The Mayor, City Public Work's Director or their designee(s) are authorized to take any and all actions to effectuate the intent of this Resolution.

Following the reading of the foregoing Resolution, Alderman Brooks made the motion 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: absent

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

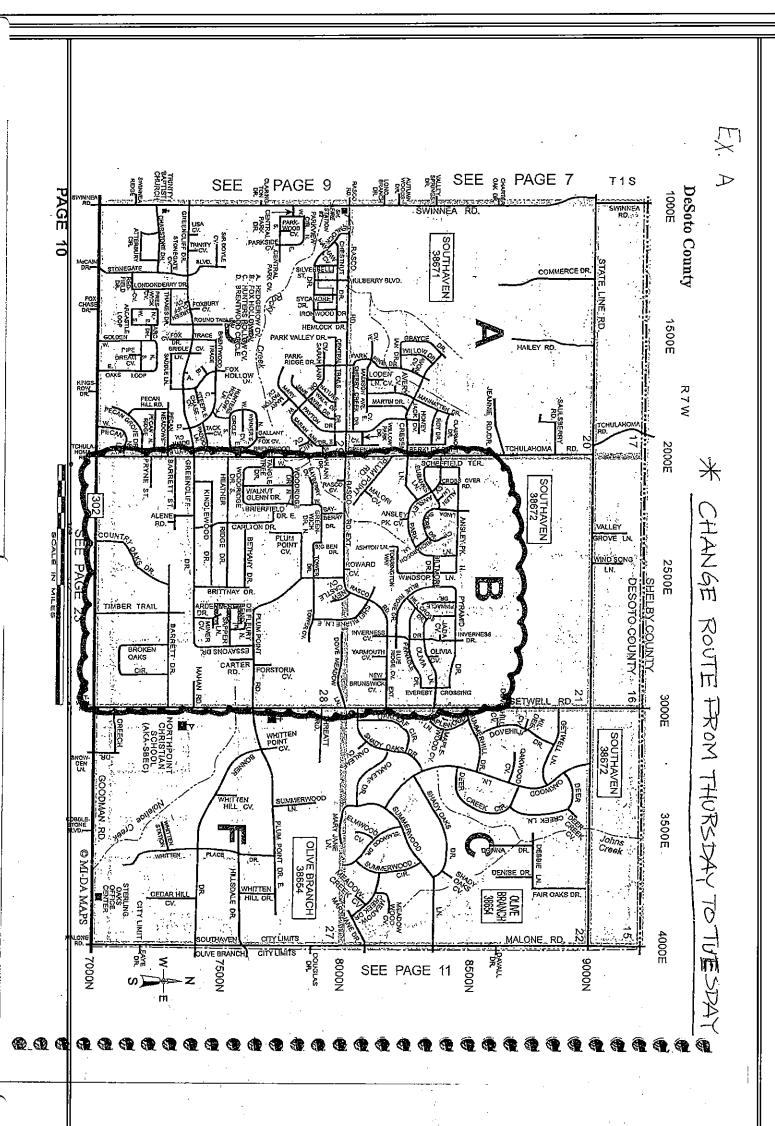
RESOLVED AND DONE, this 16th day of September, 2014.

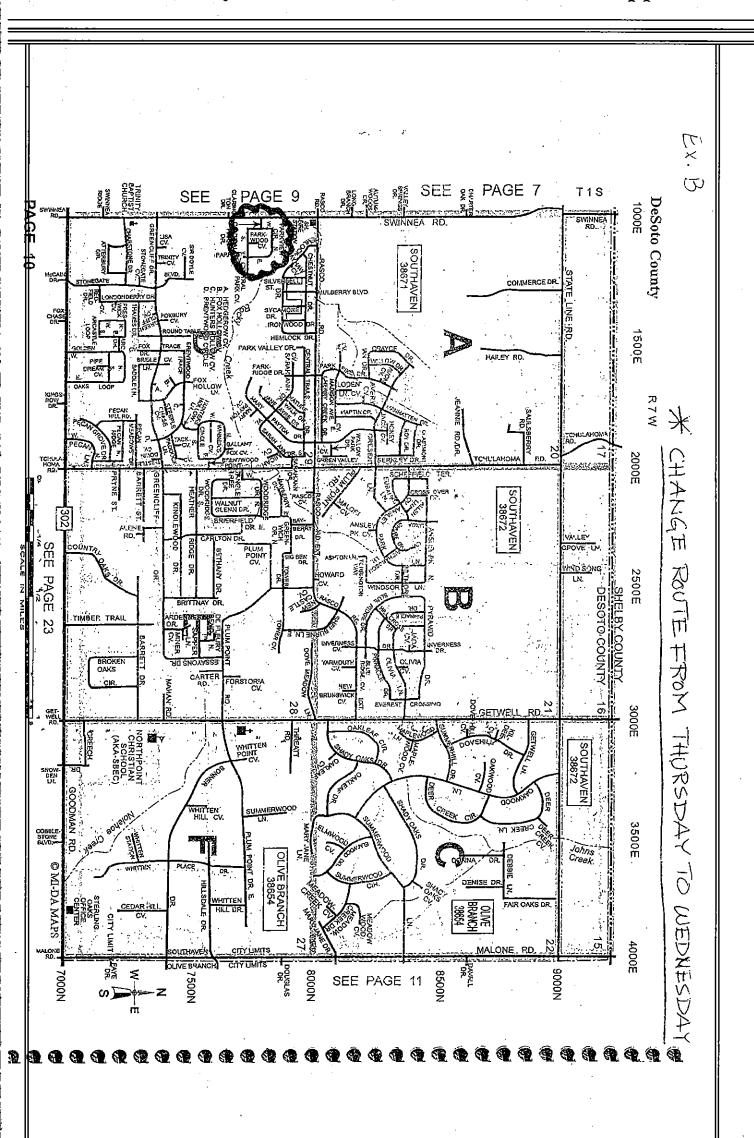
Darren Musselwhite, MAYOR

ATTEST:

Sheila Heath CITY CLERK

- TY 0





City of Southaven

At The Top of Mississippl



Park Facility Rental Application

Reservation Request
Facility Name: Snowden House
Date of Request: Thurs. Oct. 23, 2014
Time of Event: From $6:00$ am/6m to $9:00$ am/6m
Estimated Attendance: 100
Purpose of Event: Fall Company Party
Will alcohol be served: YES NO (If yes, please fill out Alcohol
Request Form). *Alcohol consumption must be approved the Board of Aldermen
Contact Information
Name of Person/Organization: Home Builders ASSOC. Of North MS.
Is your organization non profit? YES NO *For profit events must be
approved by the Board of Aldermen
Contact Name: Sibonie Jones Swatzyna
Address: 5627 Getwell Ro. 1310g. C Ste. 6
city: Southaven state: MS, zip: 38672
Primary Phone Number: 662-349-0181
Secondary Phone Number: 901-482-5104
Email Address: Sibonie @ hbanms. com

Acknowledgements and Signature

I agree to abide by the applicable policies and procedures for the facility that I intend to rent. I will accept responsibility for any damages or cleaning costs associated with my group. I understand that I will forfeit my deposit if I violate any of the rental policies or procedures that I have been given a copy of.

- *No alcohol is allowed on premises without prior Board of Aldermen approval. Violation of this will result in loss of deposit.
- *No smoking is allowed in any building. Violation of this will result in loss of deposit.
- * No use of candles in any building. Violation of this will result in loss of deposit.
- *No one under the age of 21 year can rent any facility.

I have read and agree to the terms of use. I have also been given a copy of the policy for use of City of Southaven owned buildings and agree to abide by and be bound by this policy.

Name: Sibonia Jones Swatzmapate: 8/27/14

FOR OFFICE USE ONLY

Rental Fee:	D	ate Paid:		
Rental Deposit:		Date P	aid:	
Key Number:	Date Received:		Date Returned:	
Today's Date:		_Employee:		

City of Southaven

At The Top of Mississippi



Alcohol Request Form

1. Facility Name: Snowden House
2. Name of Renter/Organization: Home Builder Assoc. of North
3. Date of Event: Thurs. Oct. 23, 2014 9ns.
4. Type of Event: Annual Fall Party For Company
5. Time of Event: From 6:00 am pm to 9:00 am pm
6. Types of Alcohol to be served: Beer + Wine Omly
7. Will security be present: YES NO_ χ _ If yes, who will
provide security:
FOR OFFICE USE ONLY
Board Approval: YESNODATE
Date Renter Notified:
Employee:

POLICY OF CITY OF SOUTHAVEN BOARD OF ALDERMAN FOR USE OF CITY OWNED FACILITIES

- 1. The City of Southaven Board of Alderman adopted this policy to govern the use of public facilities owned, leased, or otherwise occupied exclusively or managed by City, by individuals and groups, wishing to use such facilities. However, due to the restraints imposed upon City of Southaven for the orderly administration of its functions and due to the limited availability of City facilities for public use, such public use of City owned facilities will be limited to the reasonable time, place and use restrictions set forth herein.
- 2. The City of Southaven Mayor, City of Southaven Parks Department and City Administrator shall be responsible for implementing this policy.
- 3. This policy shall not be applicable to the following: the private offices and work space of City employees, City officials, and City officers which may be located within City facilities. So as to protect the integrity, convenience and administration of City activities, such areas of the City facilities are not to be permitted for private use at any time.
- 4. The restrictions, procedures and permitting required of this policy shall not be applicable to the following:
 - A. City agencies or departments, or committees formed by the City or by any of its officers, agents or employees for the purposes of carrying out the City's work;
 - B. Groups or individuals invited by the City to meet on City property for purposes associated with the governance of City of Southaven;
 - C. City of Southaven entities using City facilities for the purposes of public hearings, meetings with constituents and for the execution of government programs.
 - D. Charitable Entities or School Sponsored Activities or Events which receive Board approval.

5. Permission Required:

- A. Permission is required to be received from the City before City facilities may be used by any persons in accordance with this policy. The City of Southaven shall have the authority to grant or deny exceptions to this policy, which exceptions are permitted by the laws of the State of Mississippi and the United States of America, and to grant or deny permission for use of City facilities if this policy does not address the requested use.
- B. Application for permission for use of City facilities must be made to the City of Southaven City Clerk's Office, 8710 Northwest Drive, Southaven, MS, 38671 or the City of Southaven Parks Department. The City of Southaven City Clerk or City of Southaven Parks Department shall supply and provide to applicants the appropriate forms for making a request for the use of City facilities. At a minimum, all applications must state the name and address of the applicant; the date, the time and the site requested for usage; the expected length of the use; the set up and equipment required for the usage; the nature and purpose of the usage; and the number of people expected to attend the proposed

activity. The City of Southaven City Clerk or City of Southaven Parks Department may require such additional information which is deemed necessary and appropriate.

- C. All applicants shall agree to accept responsibility for any damages caused by the usage to the facilities and all costs of clean-up of the facilities after the usage is completed.
- D. All applications for use of City facilities must be made not less than two (2) weeks before the proposed use. Any application not expressly accepted or rejected by the City of Southaven within two (2) weeks of the date the application is submitted, or within forty-eight (48) hours of the time of the scheduled use, whichever is later, shall be deemed rejected and use of the facility shall not be permitted. Permission for use will be granted on a first come first serve basis.
- E. A fee and deposit shall be charged for the use of City facilities as set forth in Exhibit A. If any provision of this policy is violated, the user of the facility shall forfeit the deposit provided to the City as set forth in Exhibit A. The City shall have no obligation to provide an accounting to the user for any deposit forfeited due to the user's violation of the policy.

6. Limitation on Use:

- A. No group permitted by this policy to use City facilities will be granted permission to use City facilities more frequently than twelve (12) times in any one calendar year unless otherwise specifically approved by the City of Southaven Board of Alderman.
- B. City facilities may not be used for any commercial purposes or private fund raisers unless expressly approved in writing by the Board of Aldermen. No one granted permission to use City of Southaven facilities pursuant to this policy may charge any admission fees, conduct any public sales, take up any collections of money, or conduct any fund raising, unless expressly authorized in writing by the Board of Alderman. For the purposes of this section, charitable purposes shall include, but not be limited to, fund raising activities for public service entities such as, but not limited to: fire protection districts, volunteer fire departments and emergency medical service providers. Notwithstanding the foregoing, with approval of the Board of Alderman, persons using City of Southaven facilities may have vendors present provided all monies collected by the vendors are solely for the vendors and are not paid to the person making use of the City facilities.

7. Facilities Available:

A. Any permission for use of City facilities is limited to those rooms, buildings, lands or other locations specifically identified by the City of Southaven in response to an application submitted pursuant to this policy. Once permission is granted for use of a City of Southaven facility, such permission shall not be deemed to extend to any other group or individual other than the applicant, nor to any other room, buildings, lands or City facility, except as identified in the approval for use granted by the City of Southaven, and any restrooms, stairwells and entrance ways which must be traversed to gain access to the facility approved for usage.

- B. Notwithstanding the grant of permission for use of City facilities, no activities will infringe upon the ability of staff, officers and other City of Southaven entities and organizations to access the facility permitted for use.
- C. No signs will be permitted for posting on the City facility for use in advertising the authorized meeting absent written approval by the City of Southaven's Board of Alderman. If the use of advertising signage is approved, all signs will be limited to the design and size approved by the City and be limited to showing the name of the group approved for the use of the City facility. All signs that are placed on or within the City of Southaven facility must be in place no sooner than two (2) hours prior to the scheduled start of the meeting and must be removed immediately upon the conclusion of the meeting. No other signs, emblems, or symbols may be erected on the City facilities by any group or individual.
- D. The availability of the Snowden House shall be subject to the Agreement between the City and Green Machine.

8. Revocation of Use:

- A. Any permission granted for use of any City facility pursuant to this policy may be revoked up to twenty-four (24) hours prior to the scheduled start of the event when required to allow for the usage of City facility by any City of Southaven agencies, departments or committees for the purpose of carrying out the City's work.
- B. No use of any City facility will be permitted which inhibits the regular uninterrupted use of any City facility by the City or those identified under paragraph (4) entitled "Exemptions."
- C. The City of Southaven may deny the use of any City facility to any group, person or entity which has, at any time prior to any requested use, been responsible for, or caused any damages to City property through or because of any acts of vandalism, violence, rowdiness, failure to clean up facilities after prior usage, whether such damage had been caused by group, individual, any member(s) of the group or any invitees of the group.
- D. Any permission granted under this policy for the use of City facilities may be withdrawn by the City of Southaven in the event the City government is closed because of inclement weather or other declared emergency.

9. Liability:

Any group using any City facility pursuant to this policy shall release and indemnify the City from any and all liability for negligence for any damages caused to the user, or its property, during the time of the use. Further, such applicant using City facilities shall guarantee and hold the City harmless from any liability to third parties for injury caused by the group or any persons or groups invited to attend the meeting or session conducted by the group on or within City facilities. The applicant shall be liable to City of Scuthaven for any and all damages to City property or injuries to City employees, officers or agents which may be caused by the applicant or any of the applicant's officers, agents, employees, persons attending the applicant's event or applicant's invitees, whether or not such damage is the result of negligence, intentional acts or accident. Applicant agrees to sign all other documents which effectuate the purpose of this Paragraph 9.

10. Use Requirements and Restrictions:

- A. The person who has been granted permission to use City facilities is responsible for setting up the City facility as required for its intended usage, and for providing any required chairs, supplemental items such as easels, bulletin boards and other equipment. The user shall be responsible for returning any City of Southaven furniture or fixtures found on or within the City facility so used to its original configuration and condition after the conclusion of the meeting or other usage. The use of any electrical equipment of City of Southaven shall be subject to the approval of the City of Southaven.
- B. The authorized user shall be responsible for clean-up of the facility following the conclusion of the permitted usage of the City of Southaven facility. All trash must be removed from the premises at the user's expense. Any custodial service required as a result of the number of persons attending the user's event must be provided for and paid for by the user. Any actual costs incurred by City of Southaven to clean up the City facilities as result of the user's failure to do so, shall be charged to the user and the user accepts the responsibility to reimburse City of Southaven for all such costs and expenses.
- C. No alcoholic beverages shall be served upon, consumed upon or brought on to City facilities without the prior expressed written consent of the City of Southaven Board of Alderman. Further, smoking is prohibited in all City buildings at all times. All persons are forbidden from bringing onto City facilities any weapons, reproductions of weapons, and any item capable of being conceived as a weapon, except for those carried by official law enforcement officers while on duty. Any exceptions to this exclusion must be obtained from the City of Southaven Board of Alderman. Any violation of this paragraph shall result in automatic and immediate expulsion from the City's facilities and the user shall not be entitled to any refund for rent resulting from the loss of the time for use of the facility for violating this paragraph. In addition, user shall automatically forfeit its deposit for violation of this paragraph.
- D. The authorized user shall be responsible for providing any security which the City feels is required. If user does provide security or is required to provide security, user shall provide the names of the personnel providing security to the Chief of Police for approval by the City. The City of Southaven may provide or require any additional security which it deems is necessary and appropriate for its own purposes for protecting City facilities. If alcohol is approved by the City Board, security shall be required subject to the City's Police Chief's approval.
- E. No events, functions or activities occurring on City facilities may violate City, State or Federal laws, ordinances or regulations.
- F. Users shall refrain from any use of City facilities which is reasonably likely to be found offensive to the public or to owners or users of adjoining premises or which would be deemed to create nuisance or is likely to damage the City facilities.
- G. User shall vacate the leased premises by 11:59 p.m. of the day for the rental unless an exception is granted by the City Board.

11. Equal Access:

- A. This policy shall apply to all groups and individuals applying for use of City facilities for the purposes permitted herein. No group or individual shall be excluded from equal access to City facilities because of or as a result of race, sex, religious or political persuasions, the content of permissible speech intended on or within the City facility, or because of the political aims expressed by the user or any of the user's members.
- B. This policy shall not be implemented in such a way as to impose a restriction on expressive content of the speech permitted herein.
- C. Any authorization for use of City facilities permitted in accordance with this policy shall not be considered as an endorsement or approval by City of Southaven of the activity, user or any other organization or the purposes they represent.

12. Miscellaneous:

- A. If any provision of this policy is ruled illegal, unconstitutional or otherwise unenforceable by a Court of competent jurisdictions, the remaining provisions shall continue in full force and effect.
- B. Any other Orders or directives of the City of Southaven, Mississippi, which are conflicting or inconsistent with this policy are hereby repealed to the extent of any inconsistencies or conflicts.
- C. User may be required to execute a lease in addition to the acknowledgement of this policy.
- D. Application for Facilities must be made within 12 months of the date requested. There shall be no future year obligations.
- E. The Parks Department shall have the discretion to manage the set up and break down days or time period for each event.

REMAINDER OF PAGE LEFT BLANK

EXHIBIT A

	Deposit	Rent
Greenbrook Lake Pavilion	\$150.00	\$300.00 per day
Tennis Center	\$375.00	\$750.00 per day
Performing Arts Center*	\$375.00	\$750.00 per day
Southaven Arena	\$1,250.00	\$2,500.00 per day
Snowden House	\$625.00	\$1,250.00 per day
Snowden Pavilion	\$125.00	\$250.00 per day

^{*}The gymnasium located in the Performing Arts Center will not be available to lease.

^{**}Pursuant to Mississippi Code 21-17-1(3)(b)(ii) and Mississippi Code Section 21-19-65 and based on a Board Resolution, a Non-Profit Civic or Electrosynary Corporations existing under the laws of Mississippi and granted tax exempt status by the Internal Revenue Service may pay 50% of the rental rate as set forth in this Exhibit A and shall not be required to provide a deposit.

^{***}Pursuant to Mississippi Code 21-17-1(3)(b)(ii) and Mississippi Code Section 21-19-65 and based on a Board Resolution, a Non-Profit Civic or Eleemosynary Corporations existing under the laws of Mississippi, located in Southaven, Mississippi or such entity hosting an event for the benefit of Southaven charity and granted tax exempt status by the Internal Revenue Service may receive a donation of the rental facilities as set forth in this Exhibit A and shall not be required to provide a deposit.

^{****}Pursuant to Mississippi Code 21-19-44, City of Southaven development organizations and designated Main Street programs and based on Board Resolution may receive a donation of the rental facilities as set forth in this Exhibit A and shall not be required to provide a deposit.

^{*****}Nothing in this Policy shall prohibit the Board from granting variances via a Board vote and entry in the minutes.

I acknowledge and accept the terms of this agreement for use of City property. I accept responsibility for damage to City property and understand that I may be billed additionally for the cost to repair any damage that may occur during the event. The event for which I will use City property is as follows:
Date Time Place - Shurs. Oct. 23rd 6:00 P.M 9:00 P.M.
Building - Snowden House
Name & Address Describe Event Home Buiders Assoc. of Horth Ms. 5027 Setwey Ro. Blog. C Ste. 6 Southaven, Ms. 38672
Amnual Fall Company Party
Signature of Responsible Party/s
Sibonie Jones Swazema Print Name
Sibonie Jones Swatzyna
Address of Hetwell Rd. Blg. C Sto. & Southanan MS. 38672

901-482-3104 Cell

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI FOR LEASE DONATION OF SOUTHAVEN SNOWDEN PAVILION TO NEW HOPE MISSIONARY BAPTIST CHURCH FOR 5K RUN ON NOVEMBER 1, 2014

WHEREAS, the City of Southaven ("City") pursuant to Mississippi Code Sections 17-3-3, 21-17-1(3)(b)(ii) and 21-19-65desires to donate use of the Southaven Snowden Pavilion ("Pavilion") to New Hope Missionary Baptist Church ("New Hope"); and

WHEREAS, the City has control of the municipal property, the Arena, and has the authority under the City's Rental Policy and applicable law to donate use of the Pavilion to New Hope as it a non-profit entity located in the City and New Hope will use the Pavilion to host a 5k run which will benefit local student scholarships in the City; and

WHEREAS, the City finds that New Hope's purpose for this event at the Pavilion is consistent with the mandates of Mississippi Code Section 21-17-1(3)(b)(ii) and 21-19-65 and allows New Hope to utilize via an in-kind donation of the lease from the City; and

WHEREAS, the City finds that New Hope will raise funds or has funds on-hand at the that will match or exceed the in-kind donation of the Pavilion provided by the City pursuant to Mississippi Code Section 21-19-65; 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 21-17-1(3)(b)(ii) and 21-19-65, the Governing Body of the City hereby donates use of the Pavilion to New Hope on November 1, 2014 to assist with the 5k run, which f will raise funds which exceed the in-kind donation of the City, and to assist the efforts of the fundraiser to benefit local student scholarships in the City for the advancement of the moral interest of the City.

SECTION 2. Pursuant to Mississippi Code 17-3-3, the City also desires to advertise its City Facilities, including the Pavilion, and desires to advance the moral interest of the City by allowing the Pavilion to be used by New Hope for the fundraiser based on the purposes of the fundraiser.

SECTION 3. On behalf of the City, the Mayor or his designee is directed to take all actions to effectuate this Resolution.

REMAINDER OF PAGE LEFT BLANK

Following the reading of the foregoing resolution, Alderman Brooks made the motion to adopt the Resolution and Alderman Payne 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	YES
Alderman Kristian Kelly	ABSENT
Alderman Shirley Beshears	YES
Alderman George Payne	YES
Alderman Joel Gallagher	YES
Alderman Scott Ferguson	YES
Alderman Raymond Flores	YES

RESOLVED AND DONE, this 16th day of September, 2014.

DARREN MUSSELWHITE, MAYOR

ATTEST.

CITY CLERK

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: 5116 Garner Lane, 1155 Sir Doyle Cove, 3400 Jacob Lane, 7275 Cedar Hill Cove, 1346 Ticonderoga Drive, 7401 Hunters Hollow Cove, 5805 Steffani Drive, 8314 Whitehead Drive, 2871 Stateline Road West, 2306 Natchez Cove, 8137 Longbranch Drive, 8295 Blue Ridge Drive, 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, September 16, 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, September 16, 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: 5116 Garner Lane, 1155 Sir Doyle Cove, 3400 Jacob Lane, 7275

Cedar Hill Cove, 1346 Ticonderoga Drive, 7401 Hunters Hollow Cove, 5805 Steffani Drive, 8314 Whitehead Drive, 2871 Stateline Road West, 2306 Natchez Cove, 8137

Longbranch Drive, 8295 Blue Ridge Drive, 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 Payne and seconded by Alderman Beshears. 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	ABSENT
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 16th day of September, 2014.

CITY OF SOUTHAVEN, MISSISSIPPI

RVA

DARREN MUSSELWHITE

MAYOR

ATTEST:

SHEILA HEATH CITY CLERK

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\$350,00° (\$225.00 \$1110.83	\$30.48 \$120.06	\$80.00	\$27.73; \$176.67	\$1,188.75 \$219.74	\$238.44 \$774.34	\$439.80 \$312.88	\$7620 X 1 SEVES \$275.00	\$89,750.00 \ F \$81,22	Invoice Amnt \$282.54	Page 32 of 33	**************************************	\$43.06(\$7.55) \$38.46	\$38.46	\$240,175 \$55.00	\$85.00°	\$214.39 \$156.00	\$2,526.32 \$140.00	\$3641867 \$1,430.51	\$2,111.83 \ \$5.5 \ \$ 2.6 \$369.16	\$585.47	\$2,048,13 <i>‡</i> \$58.20	Invoice Amnt 5544.02

Total Invoices Pald on this Docket: \$1,328,038.38

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\$120.93 \$761.38	\$1;324.80 \$435.68	\$328,45	Invoice Amnt

Total Invoices Paid on this Docket: \$2,971.24

