

**MINUTES OF THE FIRST REGULAR MONTHLY MEETING OF THE
MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF MADISON, MISSISSIPPI**

October 3, 2017

**STATE OF MISSISSIPPI
COUNTY OF MADISON**

INTRODUCTION AND ATTENDANCE

The first regular monthly meeting of the Mayor and Board of Aldermen of the City of Madison, Mississippi was held on Tuesday, October 3, 2017 at 6:00 p.m. in the Municipal Courtroom at the Madison Justice Complex. Those present were Mayor Mary Hawkins Butler, Aldermen Tawanna Tatum, Patricia Peeler, Ken Jacobs, Steve Hickok, Mike Hudgins, Guy Bowering, and Warren Strain, City Attorney Dale Danks, City Clerk/Director of Finance and Administration Susan Crandall, and Chief Deputy City Clerk Lisa Winstead.

Mayor Hawkins Butler called the meeting to order and after a Prayer led by Alderman Jacobs and the Pledge of Allegiance led by Alderman Tatum, the meeting proceeded as follows:

Mayor Hawkins Butler welcomed Mr. Dale Danks and his law firm, Danks, Miller & Cory as the new City Attorney.

ADMINISTRATION – CONSENT AGENDA – APPROVED

Concerning the Consent Agenda, Mayor Hawkins Butler asked if there were any items which needed to be removed from the Consent Agenda for discussion. There were none and Alderman Hickok made the motion to approve the Consent Agenda as follows:

CONSENT AGENDA

- A.** Accept Meeting Minutes:
 - 1. Second Regular Board Meeting – September 19, 2017
- B.** Approve Claims Docket – **Exhibit A**
 - 1. Computer Checks – 10/03/2017
116281-116448
 - 2. Payroll Checks
27129-27360 – 09/29/2017
- C.** Accept the following proofs of publication: - **Exhibit B**
 - 1. Fiscal Year 2018 Budget (*Herald & Journal*)
 - 2. Public Notice – Special Exception, Madison Heights Church (*Journal*)
- D.** Accept the following departmental changes per terms of the Status/Payroll Change Report on file in the Office of the City Clerk: - **Exhibit C**
 - 1. Authorization to hire Valeria Cotton as Utility Clerk
 - 2. Authorization to appoint Selena Sutterfield as Assistant Public Works Director effective October 1, 2017
 - 3. Authorization to appoint Howard Webb as Division Manager, Support Services effective October 1, 2017
 - 4. Accept Oath of Office for Police Dispatcher/Deputy Court Clerk Daniel Rawson
 - 5. Rescind authorization to hire Sean Haddakin as Police Officer (declined offer)
 - 6. Authorization to promote Daniel Sims from Laborer to Crew Leader in Streets Department (Right-of-Way)
 - 7. Authorization to hire Javaris Berry, Deontaye Potts, and Austin Ransburg as Laborers in the Street Department effective October 4, 2017
 - 8. Authorization to hire Samantha A. Allison and Henleigh E. Johnson as part time/seasonal concessions employees for the Parks Department
 - 9. Accept resignation of Roderick Bridges, Jr., Building Inspector effective September 29, 2017
- E.** Approval of and authorization for City Clerk to execute credit application with Clark Beverage Group, Inc.

- F. Approval of and authorization for City Clerk to execute credit application with Dick's Sporting Goods
- G. Accept the following departmental reports: - **Exhibit D**
 - 1. Police Department – August 2017
- H. Approval of and authorization for Mayor to execute Application for Federal Assistance SF-424 for AIP grants for runway and taxiway lighting – **Exhibit E**
- I. Authorization to close-out Federal Aviation Administration Grant AIP 3-28-0046-021-2013 (Obstruction Removal) and authorize the Mayor to sign the close-out documents – **Exhibit F**
- J. Accept and authorize execution of Proposal from Mockbee Hall & Drake regarding Canton Municipal Utilities Issues – **Exhibit G**
- K. Approval of and authorization for City Clerk to execute Discrimination Testing Information Requirement for a Section 125 Cafeteria Plan with Southern Administrators and Benefit Consultants (SABC) – **Exhibit H**
- L. Authorize vacation carry over from Fiscal Year 2017 to Fiscal Year 2018 as outlined in the Personnel Policies – **Exhibit I**
- M. Authorize Petty Cash account for Fiscal Year 2018 for Finance & Administration Department and Police Department
- N. Adopt the following Resolutions Authorizing the Use of Municipal Funds to Buy Advertising/Sponsorship: - **Exhibit J**
 - 1. Madison County Economic Development Authority (MCEDA) in the amount of \$500.00 for sponsorship of 2017 VISION Celebration Luncheon
 - 2. St. Anthony Catholic School in the amount of \$500.00 for sponsorship of the Starry Night Gala - \$500.00
 - 3. City of Madison Chamber of Commerce in the amount of \$200.00 for sponsorship of the 2017 Festival of Trees
 - 4. City of Madison Chamber of Commerce (general operating expenses)
 - 5. City of Madison Chamber of Commerce (retirement attraction)
 - 6. General Promotional Efforts of City of Madison for Fiscal Year 2017
- O. Approval of Order Granting Authority to City Attorney to enter an appearance of record regarding Gluckstadt/Canton Incorporation/Annexation litigation on behalf of the City of Madison
- P. Authorization for City Attorney to send a denial letter to Nikolas Johnson denying his claim against the City of Madison
- Q. Accept quotes for a Topcon Hiper SR Network Rover Package and award the purchase to the lowest and best bidder, Earl Dudley, Inc. – **Exhibit K**
- R. Authorization to advertise for six-month supply bids for the Public Works Department

Alderman Tatum seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

SUNDIAL SUBDIVISION CHRISTMAS DISPLAY

Mayor Hawkins Butler opened the floor for discussion regarding the Richardson Family's annual Christmas display at 219 Sundial Road. Mr. and Mrs. Richardson were present at the meeting.

The Mayor recognized Celie and Eddy Edwards of 238 Sundial Road who asked to make a presentation to the Mayor and Board regarding their opposition to the display. Mayor Hawkins Butler allowed him 20 minutes to address the Board.

Mr. Edwards first stated that his attendance at the meeting was not as a representative of the homeowners association, but rather as an individual homeowner having resided at this location for over 31 years. Also in attendance at the meeting, in opposition of the display, were Ralph and Millie Didlake and Charles and Jeannie Williford. Mr. Edwards explained to the Mayor and Board that he and other homeowners feel this light display has become too large, is an annoyance and nuisance to the community and is prohibited by subdivision overlay, homeowners association, City and state ordinances.

At the conclusion of Mr. Edwards' presentation, Mayor Hawkins Butler asked if there were others present who would like to speak to the matter. Dr. Ralph Didlake commented that the pollution caused by exhaust fumes and the blockage of entrances

and exits due to excessive numbers of vehicles constitutes a public safety and health hazard to the community. There were no other person(s) who wished to speak to the matter.

Brief discussion was held during which time City Attorney Danks advised that the presentation was a position of public comment and no action should be taken regarding the matter until after the Board had sufficient time to give consideration to the matter. At this time, Alderman Strain made a motion to take the matter under advisement until the next regularly scheduled Board meeting. Alderman Tatum seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried. A copy of the Edwards' presentation is attached hereto and incorporated herein as **Exhibit L**. In addition, an outline of the Police Department's traffic plan provided by Lt. Stephen Patrick is attached as **Exhibit M**.

EXECUTIVE SESSION

At this time, Mayor Mary Hawkins Butler requested to enter into a Closed Session to determine if an Executive Session would be appropriate regarding a matter of potential litigation. Alderman Strain made the motion, seconded by Alderman Bowering and unanimously approved by all Board members. The Mayor declared the motion carried and requested that the public vacate the room.

After brief discussion, it was determined that an Executive Session would be appropriate for discussion of a matter of potential litigation. The public was invited to return to the room to hear the motion as follows: Alderman Strain moved to go into Executive Session for the purpose of discussing a matter of potential litigation and personnel issues. Alderman Jacobs seconded the motion. The vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried and once again asked that the room be vacated.

Mayor Hawkins Butler stated that Mr. and Mrs. Edwards are both attorneys and have insinuated that they will consider litigation and an injunction to stop the Christmas light display in Sundial. It was noted that the Sundial Homeowners Association has not taken a stand against the issue and only four (4) homeowners in opposition to the display were represented at the meeting.

After discussion with the Fire and Police Chiefs regarding emergency and traffic issues, and consideration of possible alternate locations for the display, City Attorney Danks recommended that the matter be tabled and no action taken at this time. Alderman Strain made the motion to table discussion regarding potential litigation. The motion was seconded by Alderman Jacobs and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

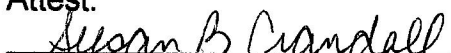
With discussion concluded, Mayor Hawkins Butler asked for a motion to end the Executive Session and invite the public to return to the meeting room to hear the action of the Board taken during Executive Session. Alderman Bowering made the motion, to end the Executive Session, seconded by Alderman Hickok and unanimously approved by all Board members. Mayor Hawkins Butler declared the motion carried and the public returned to the meeting room. The action of the Board was reiterated as follows:

Alderman Strain made the motion to table discussion regarding potential litigation. The motion was seconded by Alderman Jacobs and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

With no further business for discussion, the motion was duly made, seconded and unanimously carried to adjourn the meeting. Mayor Hawkins Butler declared the meeting adjourned.


Mayor Mary Hawkins Butler

Attest:


Susan B. Crandall, City Clerk