

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

August 1, 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, August 1, 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 John Hedglin, 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 Ken Jacobs and the Pledge of Allegiance led by Alderman Warren Strain the meeting proceeded as follows:

ADMINISTRATION – CONSENT AGENDA – APPROVED

Mayor Hawkins Butler pointed out that Item E. 11 should be corrected to reflect George Ellmore's departure in employment as a retirement rather than resignation. She 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 – July 18, 2017
- B. Approve Claims Docket – Exhibit A**
 - 1. Computer Checks
115605-115753
 - 2. Manual Checks – June 2017
307-313; 17472-17502
 - 3. Payroll Checks – (07/21/2017)
25990 - 26226
- C. Accept the following proofs of publication: - Exhibit B**
 - 1. Public Notice – Variance, Raising Cane's Restaurants, LLC (*Journal*)
 - 2. Public Notice – Variance, Gaye Stancel, fence height @ 322
Cobblestone Drive (*Journal*)
 - 3. Public Notice –Variance, Gaye Stancel, side yard setback @ 322
Cobblestone Drive (*Journal*)
- D. Accept the following departmental reports: - Exhibit C**
 - 1. Administration and Finance – Privilege Licenses, June 2017
 - 2. Police Department – June 2017
- E. Accept the following departmental changes per terms of the Status/Payroll Change Report on file in the Office of the City Clerk: - Exhibit D**
 - 1. Authorization to hire Chris A. Henderson, full-time Police Officer effective August 4, 2017
 - 2. Authorization to hire Sydney Byram, Building Permits Clerk effective August 10, 2017
 - 3. Approval of salary adjustment for Kirk Thompson effective June 22, 2017 due to change in responsibilities

4. Accept resignation of Justin Winters, Police Department Investigator effective August 1, 2017
5. Authorization to re-hire Kelvin Burns, Jr., Street Department Laborer effective August 3, 2017
6. Authorization to re-hire Fenton Jackson, Jr., Street Department Laborer effective August 3, 2017
7. Accept resignation from Johnny Washington, Jr., Street Department Laborer effective August 3, 2017
8. Accept resignation of Justin G. Elliott, Police Dispatcher/Deputy Court Clerk effective August 13, 2017
9. Authorization to hire Andrea Hayward-Gray, Police Department, full-time Police Officer, effective August 4, 2017
10. Authorization to hire Robert C. Reid, Police Department, full-time Police Officer effective August 21, 2017
11. Accept resignation of George Ellmore, Code Enforcement effective August 24, 2017
12. Accept resignation of Kelvin Mays, Public Works Department effective July 31, 2017
13. Authorization to designate Ken Wilbanks as Building Official effective August 3, 2017
14. Authorization to transfer Selena Sutterfield from Code Enforcement Officer to Water Department Projects Manager effective August 3, 2017
- F. Accept Oath of Office for the following employees: - **Exhibit E**
 1. Caleb E. Goodwin, Police Dispatcher/Deputy Court Clerk
 2. Keith M. Williams, Police Officer
- G. Accept Amendment of Letter of Credit #1810 from Citizens National Bank for Ashton Park, LLC extended to July 13, 2018 – **Exhibit F**
- H. Approval of and authorization for City Clerk/Finance Director to execute credit application with Coburn's Wholesale Distributors for Water Department
- I. Adopt Resolution Authorizing the Use of Municipal Funds to Buy Advertising from Traxx Productions, Inc for Madison Central High School Jag Football on SuperTalk Jackson 97.3 – **Exhibit G**
- J. Adopt Resolution Authorizing the Use of Municipal Funds to Buy Advertising from The Northside Sun for advertisement in the 2017 Our Town publication – **Exhibit H**
- K. Adopt Resolution Authorizing the Use of Municipal Funds to Buy Advertising from Madison Middle School PTO for corporate sponsorship for the 2017-2018 school year – **Exhibit I**
- L. Adopt Resolution Authorizing the Use of Municipal Funds to Buy Advertising from St. Joseph Catholic Church for sponsorship of the 31st Annual Gluckstadt GermanFest – **Exhibit J**
- M. Approval of and authorization for Mayor to execute Contract Change Order #1 for Welch Farms Road Extension & Liberty Park Drainage Improvements project, PFI Reference #25026.00 and make appropriate adjustments to Escrow Account – **Exhibit K**
- N. Authorization to extend contract with Graves Nelson, Consultant effective through June 30, 2021
- O. Approval of 2017 Scarecrow Festival and entertainment provided by Honeyboy and Boots on Thursday, October 12, 2017 – **Exhibit L**
- P. Authorization for Mayor to approve and execute Establishment of Just Compensation forms in connection with Hoy Road Improvement Project – **Exhibit M**
- Q. Authorization for City Attorney to execute Consent for Modification of AT&T Equipment on Hoy Road Tower, Subject to Engineering Approval, Specification of Work to be Performed and Non-Objection by Other Leaseholders – **Exhibit N**
- R. Authorization to enter into Development/Right-of-Way and Easement Agreement with St. Paul's A.M.E. Church, in form to be approved by staff and for total compensation not to exceed Forty-Five Thousand Dollars (including Value of In-Kind Services), and to take all action necessary to implement the terms of such Agreement – **Exhibit O**
- S. Approval of correction to Spotted Acres, Phase II final plat contingent upon staff approval and consent from bounding property owners

- T. Accept quotes for Airport Planting and Irrigation Project and award to Nature's Choice Lawn and Landscape Management, Inc. – **Exhibit P**
- U. Approval of and authorization for Mayor, or designee, to execute agreement to transfer MDOT Entergy account number 19417963 to the City of Madison for Public Highway and Parks Lighting Rate Schedule HL-20 account – including (47) 1000 watt HPS Lamps and (24) 175 watt MH lamps – **Exhibit Q**
- V. Accept quotes for Fairfield Subdivision Pipe Removal and Replacement Project and award to Utility Constructors, Inc. – **Exhibit R**
- W. Accept letter from Reunion Public Improvement District for acceptance of streets for maintenance by the City of Madison (*as outlined in attached letter*) and authorize release of associated Letters of Credit – **Exhibit S**

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

DEPARTMENT OF ENVIRONMENT AND DESIGN

Appeal Hearing of Scott Builders and Development, LLC – Denied

At this time, the Mayor opened the Public Hearing for the appeal of Scott Builders and Development, LLC concerning construction of a single-family home located at 152 Wind Dance. Mr. Matthew Scott, Jr. was recognized and given the opportunity to speak concerning the issue. He stated that he had submitted a letter to the City regarding changes made to the home with regard to the roof style. He stated that the changes fit into the neighborhood design, and were approved by the homeowner, the bank and the homeowners association. He also stated that all codes and covenants were met. However, he did indicate that he had made a mistake in not notifying the City of these changes before they occurred.

Mr. Scott stated that he has been in the construction business for over 35 years with 28 years of operating his own business. He asked the City for forgiveness in failing to notify them of the change in roof plans.

City Building Inspector Billy Dean also addressed the Mayor and Board stating that the change in roof plans deviates from the original set of plans filed and approved in the Permit Office. He also indicated that the window panes do not match the original house plan.

The Mayor and City Attorney asked Mr. Dean to make a complete list of deviations and stated that this list, along with the photos and letter presented by Mr. Scott would be incorporated hereto and attached herein as **Exhibit T**.

City Attorney John Hedglin explained that the building codes require construction of homes to be in alignment with the original set of plans approved and stated that a copy of the plans is provided to both the builder and the City. A copy of this particular house plan is by reference incorporated hereto and on file in the City of Madison Building Permit Department as **Exhibit U**.

Environment and Design Director Alan Hoops stated that he had reviewed the original plans and that usually roof plans are all gables or either all hip roofs. He also stated that he did not have an opportunity to review or consider the changes before they were complete.

Mr. Scott maintained that other houses in the neighborhood have both roof styles. Mayor Hawkins Butler maintained that the purpose of issuing plans is to build accordingly based upon the approved submittal. It was also noted that the Homeowners Association did not approve the changes until after they were completed.

There were no other persons addressing this issue and the Mayor declared the hearing closed. Alderman Hudgins made the motion to deny Mr. Scott's appeal, seconded by Alderman Hickok. The vote was unanimous in favor of denial and Mayor Hawkins Butler declared the motion carried.

Whittington Residential Development, Conceptual Entrance Design - Approved

Director of Environment and Design Alan Hoops presented the rendering of the conceptual entrance design for the Whittington residential development on Welch Farms Road. After very brief discussion, Alderman Tatum made the motion to approve the design. Alderman Strain seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried. A copy of the entrance design is attached hereto and incorporated herein as **Exhibit V**.

EXECUTIVE SESSION

At the recommendation of City Attorney John Hedglin, Mayor Mary Hawkins Butler requested to enter into a Closed Session to determine if an Executive Session would be appropriate regarding a matter of prospective litigation and personnel matters. Alderman Strain made the motion, seconded by Alderman Tatum 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 possible litigation. The public was invited to return to the room to hear the motion as follows: Alderman Bowering moved to go into Executive Session for the purpose of discussing a matter of prospective litigation and personnel matters. Alderman Hudgins 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 initiated discussion with regard to the untimely closing of Tulane University. She stated that in light of the fact that the City did not receive proper notice of the college's closing, and in consideration of the City's extensive investment of time money, and reputation, she felt it necessary to authorize the City Attorney to send a demand letter to Tulane for reimbursement. After brief discussion, the motion was made by Alderman Strain to authorize the City Attorney to draft and send a demand letter to Tulane University for reimbursement costs in the amount of \$10 million. Alderman Tatum seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.


With regard to personnel issues, general discussion was held regarding the transfer of Ken Wilbanks from the Community Development Department to the Building Permits Department and the transfer of Selena Sutterfield from Code Enforcement to the Public Works (Water) Department. Brief discussion was also held with regard to the appointment of a new City Attorney, City Prosecutor, Judge and Judge Pro Tempore.

With no further business for discussion, Mayor Hawkins Butler asked for a motion to end the Executive Session and declare the Board meeting adjourned. Alderman Jacobs made the motion, seconded by Alderman Hickok and unanimously approved by all Board members. Mayor Hawkins Butler declared the motion carried and the meeting was adjourned.



Mayor Mary Hawkins Butler

Attest:



Susan B. Crandall, City Clerk