

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

**August 15, 2017**

**STATE OF MISSISSIPPI  
COUNTY OF MADISON**

**INTRODUCTION AND ATTENDANCE**

The second regular monthly meeting of the Mayor and Board of Aldermen of the City of Madison, Mississippi was held on Tuesday, August 15, 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 Mary Hawkins Butler called the meeting to order. In attendance at the meeting, in partial fulfillment of requirements to earn their Communications Badge, were representatives of Boy Scout Troop 716 of St. Francis of Assisi Catholic Church. After the invocation led by Boy Scout Jacob Burt and the Pledge of Allegiance led by Boy Scout David Richards, the meeting proceeded as follows:

**ADMINISTRATION – CONSENT AGENDA - *Approved***

Concerning the Consent Agenda, the Mayor asked if there were any items which needed to be removed for discussion. There were no removals and Alderman Hickok made the motion to approve the Consent Agenda as follows:

**CONSENT AGENDA**

- A. Accept Meeting Minutes:**
  - 1. First Regular Board Meeting – August 1, 2017
- B. Approve Claims Docket - **Exhibit A****
  - 1. Computer Checks  
115754-115920
  - 2. Manual Checks – *July 2017*  
314-320; 17503-17539
  - 3. Payroll Checks – *(07/21/2017)*  
26227-26452
- C. Acknowledge Close-Out Letter for the U. S. Department of Agriculture's Agricultural Marketing Services; Grant No. 14-FMPPX-MS-0099 (Farmers' Market) – **Exhibit B****
- 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 for City Clerk to hire Mae Hardy as temporary, part-time Administrative Clerk effective August 16, 2017 through December 31, 2017
  - 2. Accept resignation of Keith Williams, Police Officer effective August 4, 2017
  - 3. Authorization to hire Joseph A. Welch as Director of Public Works effective September 5, 2017
  - 4. Authorization to hire Jim Marler as Street Department Operations Manager effective September 5, 2017
  - 5. Accept termination of Beverly Smith, Public Works Department effective August 11, 2017
  - 6. Accept termination of Shelby Glen Ivey, Public Works Department effective August 7, 2017

7. Accept resignation of Robert Parker, Police Officer effective August 16, 2017
8. Accept termination of Earnest Earl Rideout, Street Department Laborer effective August 15, 2017
9. Accept termination of Grady Millsaps, Street Department Laborer effective August 15, 2017
- E. Accept Oath of Office for the following employees: - **Exhibit D**
  1. Andrea M. Haywood-Gray, Police Officer
  2. Chris A. Henderson, Police Officer
- F. Accept Irrevocable Letter of Credit No. 1112055 from Bank First for Mannsdale Park, Inc., Expiration Date: June 16, 2018 – **Exhibit E**
- G. Authorization to remove one (1) inoperable Hewlett Packard DJ9800 Printer, Serial No. MY62L1ZOP1, Inventory #CD-028 from the Community Development Department inventory
- H. Accept quotes and authorize Parks Department to award bid to Christmas Done Bright for the purchase of City Christmas Lighting – **Exhibit F**
- I. Authorize payment of Estimate Number 2 to Hemphill Construction Company, Inc. for the Welch Farms Road Extension & Liberty Park Drainage Improvements Project and Accept Certificate of Deposit in the amount of \$32,000.00 in lieu of retainage – **Exhibit G**
- J. Rescind acceptance of quotes for Fairfield Subdivision Pipe Removal and Replacement Project and award to Utility Constructors, Inc. as previously approved on August 1, 2017 – **Exhibit H**
- K. Approval of and authorization to execute the necessary documents for the purchase of a telephone system through the CP1 and state contract pricing process subject to review of City Attorney
- L. Adopt Resolution Authorizing the Use of Municipal Funds to Buy Advertising from Madison Central High School for advertisement in the 2018 Pawprint Yearbook – **Exhibit I**
- M. Approval of and authorization for Mayor to execute Revised Establishment of Just Compensation Offers for Hoy Road Project – **Exhibit J**
- N. Acknowledge receipt of proposed FY2017/2018 Budget for Reunion Public Improvement District – **Exhibit K**
- O. Accept Amendment of Letter of Credit #1820 from Citizens National Bank for Ashton Park, LLC extended to July 13, 2018 – **Exhibit L**
- P. Accept Military Orders 202-024 for Firefighter Blakeney M. Wyman effective August 7, 2017 – September 28, 2017 – **Exhibit M**
- Q. Approval for Director of Environment & Design to work with Charter Builders to develop a solution addressing modifications to the house currently being built on Lot 52 of the Eastwood subdivision
- R. Authorization to remove one (1) 42" Max Air Pro Industrial fan, Serial # R-PSC/139/45 4p3sp, Property # 9230 from Police Department inventory (*no longer serviceable*)- **Exhibit N**
- S. Approval of Police Department Training and Travel calendar dated August 14-2017 through November 14, 2017 – **Exhibit O**
- T. Accept quotes for traffic signal repairs at Hwy 463 @ Sunny Orchard and Old Canton Road @ Main Street and award to Lewis Electric, Inc. (low quote) for both locations – **Exhibit P**
- U. Adopt Resolution Authorizing the Use of Municipal Funds to Buy Advertising from Rosa Scott School PTO for sponsorship of the 2017-2018 Golf Ball Drop – **Exhibit Q**

Alderman Strain seconded the motion approving the Consent Agenda and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

**SCOTT BUILDERS AND DEVELOPMENT, LLC – 152 WIND DANCE DRIVE**

Concerning the home construction at 152 Wind Dance Drive, Director of Environment and Design Alan Hoops explained that he and Mr. Scott had met regarding the roof design of this home and that Mr. Scott had agreed to add a gable back to the roof to be more in compliance with the plans filed for construction of the home. He presented a rendering of this roof design which is attached hereto and incorporated herein as **Exhibit R**.

After brief discussion, the motion was made by Alderman Bowering to rescind the previously issued stop work order and approve the new roof design rendering as presented. Alderman Jacobs seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried and thanked Mr. Scott for his willingness to work with the City regarding this matter.

## **COMMUNITY DEVELOPMENT DEPARTMENT**

### **Site Plan, Lot 4B, Fountains of Madison - Approved**

Community Development Director Kianca Stringfellow presented the site plan request of Jason Kelly, Lansdale Properties, LLC for the construction of a 2,000 square foot, two-story office building to be located on Lot 4B in Fountains of Madison. She stated that the Planning and Zoning Commission had recommended approval of the plan. Alderman Tatum made the motion to approve the site plan as presented contingent upon staff notes. Alderman Hudgins seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried. Documentation relevant to this request is attached hereto and incorporated herein as **Exhibit S**.

### **Site Plan, Cress CSpire/Starbucks - Approved**

Community Development Director Kianca Stringfellow presented the request of The Cress Group for the construction of a building to house a CSpire store and Starbucks store to be located on the northwest corner of the Baptist Health Systems site on Highland Colony Parkway. She explained that the Planning and Zoning Commission had recommended approval of this site plan and that a request for special exception for the Starbucks' drive through window will be presented at a later date. Alderman Hudgins made a motion to approve the site plan request as presented. Alderman Bowering seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried. Documentation concerning this request is attached here to and incorporated herein as **Exhibit T**.

### **Preliminary Plat, Mannsdale Bluff (White Property, Hwy 463) - Approved**

Ms. Stringfellow presented the request of Mr. and Mrs. William S. (Bill) White, who were both present at the meeting, for the preliminary plat approval of Mannsdale Bluff. This is for the development of four lots located south of the south boundary of Wind Dance and Annandale and the request has been recommended for approval by the Planning and Zoning Commission. After brief discussion, Alderman Bowering made the motion to approval the preliminary plat for Mannsdale Bluff as presented. Alderman Tatum seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried. Documentation relevant to this request is attached hereto and incorporated herein as **Exhibit U**.

## **ENVIRONMENT AND DESIGN DEPARTMENT**

### **Architectural Design and Building Permit, St. Catherine's Village Skilled Nursing Facility Expansion - Approved**

Director of Environment and Design Alan Hoops presented the architectural rendering for the expansion of St. Catherine's Village Skilled Nursing Facility. He stated that the design matches the existing facility and recommended approval. Alderman Hudgins made a motion to grant approval of the architectural rendering as presented and permission to issue the building permit. Alderman Jacobs seconded the motion. After the unanimous vote in favor of approval, Mayor Hawkins Butler declared the motion carried. A copy of this rendering is attached hereto and incorporated herein as **Exhibit V**.

### **Architectural Design and Building Permit, Fairfield Subdivision Entrance - Approved**

Mr. Hoops also presented the architectural rendering for a new entrance feature at Fairfield Subdivision. After brief discussion, Alderman Hudgins made a motion to grant approval of the architectural rendering for the entrance design

and authorize permission to issue the building permit. Alderman Strain seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried. A copy of this rendering is attached hereto and incorporated herein as **Exhibit W**.

## **PUBLIC WORKS DEPARTMENT**

### **Fountains of Madison, Part 1B – Re-Subdivisions of Lots 4 & 5 - Approved**

Denson Robinson presented the request for re-subdivision of Lots 4 & 5 of Fountain of Madison, Part 1B. He requested this approval subject to staff review. After brief discussion, the motion to approve the re-subdivision as requested, was made by Alderman Strain, seconded by Alderman Tatum and unanimously approved. Mayor Hawkins Butler declared the motion carried.

## **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 pending litigation and personnel issues. 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 pending litigation and personnel issues. 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 pending 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.

Mr. Hedglin addressed the Mayor and Board concerning the pending litigation filed by the family of Mark Mayfield and the consideration of Dale Danks and the firm of Danks, Miller & Cory as attorney for the City and for the Mayor. He stated that the City, Mayor, Police Chief and two Police Department investigators had all been served in this lawsuit and that the Police Chief and investigators would be represented by Roy Smith of the Daniel Coker firm.

After extensive discussion of this matter, the motion was made by Alderman Strain to accept the resignation of Dale Danks as Municipal Court Judge effective August 29, 2017, to transfer City Attorney duties to his firm, Danks, Miller, & Cory (an Association of Professional Corporations), effective August 30, 2017, and to assign present City Attorney John Hedglin to provide transition assistance including, but not limited to, acting on behalf of the City when authorized and requested to by either the Mayor or Mr. Danks, from August 30, 2017 until his official retirement date of September 22, 2017. Alderman Bowering seconded the motion and the vote was unanimous in favor of approval. Copies of Mr. Danks and Mr. Hedglin's letters are attached hereto and incorporated herein as **Exhibit X**.

The motion was made by Alderman Hickok to designate Mr. Danks and the firm of Danks, Miller & Cory as the attorney for the Mayor and City in the Mayfield case effective August 30, 2017 and authorize him to file for an extension of time within which to respond to the Complaint and take any other action necessary in defense of the complaint against the Mayor and the City. Alderman Strain seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

A motion was made by Alderman Strain to appoint Rick Mitchell as the new Municipal Court Judge effective September 1, 2017. Alderman Tatum seconded the motion. After a unanimous vote in favor of approval, Mayor Hawkins Butler declared the motion carried.

Alderman Bowering made a motion to appoint John Reeves as City Prosecutor effective September 1, 2017, and to assign present City Prosecutor John Hedglin to provide transition assistance including, but not limited to, acting on behalf of the City when authorized and requested to by either the Mayor or Mr. Reeves, from September 1, 2017 until his official retirement date of September 22, 2017. The motion was seconded by Alderman Hudgins and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

An additional motion was made by Alderman Strain to authorize reassignment of any current or pending litigation in which Mr. Hedglin is involved, to Danks, Miller, Cory & Bridgers law firm or the City Prosecutor, as appropriate. Alderman Jacobs seconded this motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

After bringing the Board up-to-date on several personnel issues, Mayor Hawkins Butler asked for a motion to end the Executive Session and declare the Board meeting adjourned. Alderman Hickok made the motion, seconded by Alderman Strain and unanimously approved by all Board members. Mayor Hawkins Butler declared the motion carried and the meeting was adjourned.

  
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Mayor Mary Hawkins Butler

Attest:

  
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Susan B. Crandall, City Clerk