

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

January 5, 2016

**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, January 5, 2016 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. After the invocation led by Alderman Ken Jacobs and the Pledge of Allegiance led by Alderman Guy Bowering, 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 none and Alderman Hickok moved that the Consent Agenda be approved as follows:

- A. Accept Board Meeting Minutes:**
 - 1. Second Regular Board Meeting – December 15, 2015
 - 2. Work Session Notice – January 5, 2016 – **Exhibit A**
- B. Approve Claims Docket - Exhibit B**
 - 1. Computer Checks – 01/05/16
109132 - 109309
 - 2. Payroll Checks – 12/24//2015
16388 – 16626
- C. Accept the following proofs of publication: (*Herald & Journal*) – Exhibit C**
 - 1. Public Notice – Annandale Properties, LP – rezoning property from PUD RE-B and RE-A to A-1 with an overlay on property located at northeast corner of Robinson Springs Road and Old Robinson Springs Road
 - 2. Public Notice – Clinton and Diane Graham – variance in rear yard depth from 25' to 17' for the purpose of building a screened porch on property located at 112 Stacy Cove, Arbor Square Subdivision
 - 3. Public Notice – Jane Newkirk – rezoning property from R-1 to A-1 for the purpose of breeding, raising and feeding fowl on property located at 457 Cheyenne Lane in Natchez Trace Subdivision
 - 4. Public Notice – Kyle Wagner – variance in fence height from 6' to 8' on one side (east) and rear on property located at 133 Bennington Pointe, Bradford Place subdivision
 - 5. Advertisement for Bids – publishing of legal advertisements (*Journal*)
 - 6. Notice for Bids – Liberty Park Expansion Project – construction of baseball fields with lighting, one concession/restroom building, one restroom building, improvements to the parking area, drainage, hardscape, and landscaping (*Journal*)
- D. Authorization for City Clerk/Finance Director Susan Crandall to sign the Service Extension Contract for the Power System Model PS720 extension for \$779.99 – Exhibit D**

- E. Accept departmental personnel changes: - Exhibit E**
 - 1. Accept resignation of Firefighter/EMT Christoffer Cobb effective January 8, 2016
 - 2. Accept resignation of Utility Clerk Jennifer Millsaps effective January 1, 2016
 - 3. Accept retirement of Arts Center Director Pamela Waldrep effective December 31, 2015
 - 4. Accept resignation of Police Officer James "Pete" Luke effective December 30, 2015
 - 5. Accept resignation of Police Lieutenant Dean Scott effective January 7, 2016
 - 6. Accept resignation of Police Officer Emerson Tyler Sizemore effective January 5, 2016
 - 7. Authorization to hire Cody Ainsworth as full time Firefighter/EMT effective January 6, 2016
 - 8. Authorization to hire Andrew Brooks and Patrick Price as part-time field laborers in the Parks Department effective January 6, 2016
- F. Authorization for Police Department to sell seized and forfeited vehicles (see attached list) at auction – Exhibit F**
- G. Approve Police Department's revised training and travel requests for January 2016 – Exhibit G**
- H. Approve and authorize execution of 2016 City of Madison Phase II Stormwater Program Implementation with Allen Engineering – Exhibit H**
- I. Approve and authorize execution of Quarterly Progress Report for Natchez Trace Trail Connection, Project 28-RTP-0236 – Exhibit I**
- J. Approve and authorize execution of Quarterly Progress Report for Liberty Village Inclusive Park, Project 28-00628 – Exhibit J**
- K. Accept the following departmental monthly reports: - Exhibit K**
 - 1. Parks Department – September, October, November 2015
- L. Approve and authorize execution of C-Spire State of Mississippi Contract #3489 for wireless service – Exhibit L**
- M. Authorization for Public Works Department to remove from inventory and dispose of and/or sell items on the attached list – Exhibit M**
- N. Authorization for Fire Department to remove items from inventory as obsolete or unserviceable (see attached list) – Exhibit N**
- O. Accept and authorize execution of 2015 Madison Airport SWPPP Annual Report from Allen Engineering – Exhibit O**
- P. Authorize Public Works Director to advertise for bids for sanitary sewer reverse flow project (SRF-C80857-02, Phase 1) subject to MDEQ approval**
- Q. Authorize Public Works Director to obtain appraisals for construction and permanent easements for Wal-Mart/Lowes Grandview intersection traffic signal**
- R. Authorization to change time for regularly scheduled Work Sessions from 9:30 a.m. to 9:00 a.m. every first and third Tuesday of each month**
- S. Authorization to appoint Kianca Stringfellow as Director of Community Development**
- T. Approve and authorize Mayor to execute letter recognizing Meyer and Rosenbaum, Inc. as exclusive insurance Agent of Record for the City (as per attached letter) – Exhibit P**

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

COMMUNITY DEVELOPMENT DEPARTMENT – MEMORY CARE OF MADISON, SPECIAL EXCEPTION, PRELIMINARY PLAT, ARCHITECTURAL REVIEW, BUILDING PERMIT – Approved

Community Development Director Kianca Stringfellow presented the request of E. David Cox and M. Lynn Cox on behalf of Nathan Junius for the construction of a memory care facility for individuals who suffer from dementia and related health issues. This facility is proposed for development on the Northwest Corner of New Mannsdale Road and Mannsdale Park Drive on property that is currently zoned C-1. Mrs. Stringfellow stated that the Planning and Zoning Commission recommended approval of the request with the stipulation that a fence be erected around the facility.

Alderman Tatum moved that the special exception be granted and her motion was seconded by Alderman Bowering. The vote was unanimous in favor of approval and Mayor Hawkins Butler declared the motion carried.

In addition, Alderman Bowering moved that approval be granted for the site plan and architectural review and that the building permit be issued subject to review and approval by Alan Hoops, Director of Environment and Design. Alderman Jacobs seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried. Documentation pertinent to this request is attached hereto and incorporated herein as **Exhibit Q**.

PUBLIC WORKS DEPARTMENT – FINAL PLAT APPROVAL, FOUNTAINS OF MADISON, PART 1D – Approved

Public Works Director Whit Hawkins presented the final plat for Fountains of Madison, Part 1D. After very brief discussion, the motion to grant approval was made by Alderman Hudgins. Alderman Strain seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

EXECUTIVE SESSION – LITIGATION

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 litigation, Alderman Hickok made the motion, seconded by Alderman Strain 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 litigation, specifically Madison Grandview Forum, LLC v City of Madison. The public was invited to return to the room to hear the motion as follows: Alderman Hickok moved to go into Executive Session for the purpose of discussing a matter of litigation. Alderman Strain 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 briefed the Mayor and Board of Alderman concerning a possible settlement of the litigation involving CBL Properties, and the development of Grandview Forum, Phase 3. He presented a proposed settlement agreement and cover letter from the plaintiff's lawyer, a copy of the combined document is attached hereto as **Exhibit R**.

After brief discussion, Alderman Hickok moved to grant approval and authorize execution of the settlement agreement as presented by City Attorney John Hedglin, in duplicate original counterparts. Alderman Strain seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

In addition, Alderman Bowering moved that the approvals set forth in the minutes of August 18, 2015, remain intact with all contingencies regarding tenants removed, and that the action be effective upon execution of the settlement agreement and delivery of an executed counterpart by the plaintiff. Alderman Jacobs seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

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 Tatum 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.


Mayor Mary Hawkins Butler

Attest:


Susan B. Crandall, City Clerk