

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

March 19, 2019

**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, March 19, 2019 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, and Warren Strain, City Attorney Dale Danks, City Clerk/Director of Finance and Administration Susan Crandall and Chief Deputy City Clerk Lisa Winstead. Alderman Guy Bowering was absent.

Mayor Hawkins Butler called the meeting to order and after the invocation led by Alderman Jacobs and the Pledge of Allegiance led by Alderman Strain, 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 items removed and Alderman Hickok made the motion to approve the Consent Agenda as follows:

CONSENT AGENDA

- A. Accept Meeting Minutes:
 - 1. Mayor and Board First Regular Meeting – March 5, 2019
 - 2. Planning & Zoning Commission Minutes – February 11, 2019 – **Exhibit A**
- B. Approve Claims Docket – **Exhibit B**
 - 1. Computer Checks – 03/15/2019
122170-122343
 - 2. Payroll Checks
Checks 33492-33525; EFT 2333-2526
Disbursement Checks: 33526-33529
- C. Accept the following proofs of publication: - **Exhibit C**
 - 1. Ordinance Amending Section 5.01 of Zoning Ordinance, Vacated/Abandoned Buildings (*Journal*)
 - 2. Legal Notice – Construction Engineering, Inspection, and Testing (CE&I) services for Hoy Road Improvements Project & Multi-Use Path on Rice Road/Tisdale Road (*Journal*)
- D. Authorization to remove/transfer the following items/vehicles from inventory as outlined in the attached memoranda: - **Exhibit D**
 - 1. One (1) 2009 Chevrolet Tahoe, Unit 912, VIN 6455 (*Police*)
 - 2. One (1) 2009 Chevrolet Tahoe, Unit 913, VIN 8283 (*Police*)
 - 3. One (1) 2013 Dodge charger, Unit 1313, VIN 8347 (*Police*)
 - 4. One (1) 2007 Ford F150, Unit 709, VIN 8559 (*insurance totaled*) (*Permits*)
 - 5. One (1) Motorola battery maintenance system, Serial #5585 (*Police*)
 - 6. One (1) Motorola charging base, Serial #466D (*Police*)
 - 7. One (1) Motorola 6 station radio charger, Serial #21BR (*Police*)
 - 8. One (1) Multi-unit charger, Serial #MK01 (*Police*)
 - 9. One (1) Epson Workforce 545 Printer, Serial #3131 (*Admin/Finance*)
 - 10. Transfer of 160 Lorell LLR 62529 folding chairs from Street Department to Parks Department
 - 11. Transfer of one (1) Lenovo computer, Serial #43K1 (W787) from Water Department to Parks Department
 - 12. Removal of blowers, edgers, hedge trimmer from Parks Department inventory as outlined in attachment

13. Transfer of two (2) Exmark mowers from Parks Department to Street Department inventory: Model LZ27KC604, Serial #471578 and #471611
 14. Transfer of two (2) Exmark mowers from Street Department to Parks Department inventory: Model LZ5801KA604, Serial #313655450 and #313661859
 15. Authorization for Street Department and Water Department to remove from inventory all items as outlined in the attached memoranda and auction, scrap or cannibalize those items as appropriate
- E. Authorization for the following department travel:
 1. Steve Deford and Josh Nelson, Public Works Shop Department to attend HVAC Diagnosis and Repair Solutions training sponsored by O-Reilly on April 25, 2019 in Flowood, MS
 - F. Accept the following departmental changes per terms of the Status/Payroll Change Report on file in the Office of the City Clerk: - **Exhibit E**
 1. Accept retirement of James Lyles, Street Department effective April 30, 2019
 2. Accept resignation of Benjamin R. Hawthorne, Firefighter effective March 8, 2019
 3. Accept resignation of Ryan Stacy, Firefighter effective March 28, 2019
 4. Accept resignation of Matthew Reed, Water & Sewer Department Director effective March 15, 2019
 5. Approval of military leave of absence for Police Officer Robert Reid effective March 24, 2019 – May 8, 2019
 - G. Approval of and authorization for Police Department to enter into and execute the appropriate Memorandum of Understanding (MOU) between the City of Madison and the Mississippi Department of Transportation (MDOT) for placement and maintenance of fixed Automatic License Plate Readers (ALPR) – **Exhibit F**
 - H. Accept the following monthly departmental reports:
 1. Administration/Finance – City Clerk, Financials through February 2019
 - I. Adopt Resolution for National Library Week in the City of Madison – **Exhibit G**
 - J. Acknowledge receipt of Quitclaim Deed for Lot 15, Natchez Trace Village, Part II - **Exhibit H**
 - K. Approval of and authorization by the Mayor and Board of Aldermen for a resolution in pursuit of a multi-use trail grant from the Federal Transportation Alternatives Program (TAP) and the Jackson Metropolitan Planning Organization (MPO). The proposed multi-use trail will run on St. Augustine Road from Sherbourne South Drive to Strawberry Patch Park, and follow Old Canton Road from Strawberry Patch Park to South Calumet Gardens Drive – **Exhibit I**
 - L. Approval of and authorization for Mayor to execute Update Application for Eligibility for Federal Property Donation Program with Mississippi Office of Surplus Property - **Exhibit J**
 - M. Approval of and authorization for City Clerk to execute Contractual Agreement with Deanco Auctioneers for equipment to be sold in Philadelphia, MS on March 27-28, 2019 – **Exhibit K**
 - N. Accept Contract Proposal from LawnScape Solutions for maintenance of Galleria Parkway properties – **Exhibit L**
 - O. Approval of the following Temporary Store Unit Permits (POD): - **Exhibit M**
 1. Mary Ann Moore, 514 Windy Ridge – March 12-April 14, 2019
 2. John L. Nicosin, 412 Autumn Oak Drive – March 11-April 1, 2019
 - P. Approval of First Baptist Church Spring Fling event to be held on City property at Madison Arts Center and old Tulane location on April 20, 2019 – **Exhibit N**
 - Q. Accept Amendment No. One to Irrevocable Standby Letter of Credit No.18-015-SP Originally dated March 7, 2019 from Trustmark National Bank for Sanctuary Development, LLC – **Exhibit O**
 - R. Discussion of the site plan for The Haven project to be deferred until April 2, 2019 pending acquisition of additional information
 - S. Authorization for Public Works Department to use Bulldog Construction under six-month bids for foam work projects less than 100 feet
 - T. Approval of and authorization for Mayor and Public Works Director to execute all documents for the Quail Run Subdivision Wastewater Project – **Exhibit P**

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

TAMMIE TERRY, BRANCH MANAGER – MADISON LIBRARY

Ms. Tammie Terry, Branch Manager of the Madison Library attended the Board meeting to brief the Mayor and Board on the upcoming ribbon cutting for the new Madison County Library System Bookmobile to be based out of the Madison Library. She extended the invitation for attendance at the April 8, 2019 ribbon cutting to be held that morning at 10:30 a.m. A Resolution declared the week of April 8-12, 2019 at National Library Week in the City of Madison is attached hereto and incorporated herein as **Exhibit G**.

COMMUNITY DEVELOPMENT DEPARTMENT – VARIANCE, WHITTINGTON SUDIVISION, SANCTUARY DEVELOPMENT – *Approved*

Community Development Director Kianca Stringfellow presented the request of Sanctuary Development. on behalf of White Oak Construction for a variance in the east front yard setback of 402 Whittington Circle, Lot 86 Whittington Subdivision from 25' to 15'. Both the Planning and Zoning Commission and Ms. Stringfellow recommended approval of this request contingent upon conditions outlined in the staff notes. Alderman Tatum made the motion to approval this variance as requested, seconded by Alderman Jacobs and unanimously approved. Mayor Hawkins Butler declared the motion carried.

An additional request was presented for 407 Whittington Circle, Lot 80 Whittington Subdivision for a variance in the west front yard setback from 25' to 12.5'. The Planning and Zoning Commission recommended approval as did Ms. Stringfellow contingent upon conditions outlined in the staff notes. Alderman Tatum made the motion to grant approval of this variance as presented. Alderman Strain seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

Documentation relevant to these variances is attached hereto and incorporated herein as **Exhibit Q**.

COMMUNITY DEVELOPMENT – VARIANCES, THE VILLAGE AT MADISON - *Approved*

Ms. Stringfellow presented the request of Main Street Investments on behalf of owner Mark Castleberry, for variances to decrease the north front yard setback from 30' to 6' and the north front yard landscape setback from 10' to 6' for The Village at Madison to be located east of the Madison Chamber of Commerce on a 4.8 acre tract. After brief discussion, the motion was made by Alderman Strain and seconded by Alderman Hickok to grant approval of both variance requests. The vote was unanimous in favor approval and Mayor Hawkins Butler declared the motion carried. Documentation relevant to The Village at Madison is attached hereto and incorporated herein as **Exhibit R**.

COMMUNITY DEVELOPMENT – SITE PLAN, THE VILLAGE AT MADISON - *Approved*

Main Street Investments, on behalf of Mark Castleberry, also requested site plan approval for the first phase of The Village of Madison. Ms. Stringfellow stated that the Planning and Zoning Commission recommended approval of the site plan and that she also recommended approval contingent upon conditions set forth in the staff notes. The motion was made by Alderman Jacobs to grant approval of the site plan, seconded by Alderman Strain and unanimously approved. Mayor Hawkins Butler declared the motion carried.

The announcement was made that this site would be home to The Half Shell Oyster House restaurant. Following that announcement, the motion was made by Alderman Hickok to approve the architectural design and issue the building permit for The Half Shell Oyster House restaurant contingent upon staff review. 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 site plan is attached hereto and incorporated herein as **Exhibit R**.

COMMUNITY DEVELOPMENT – SITE PLAN, LOT 15 WATERFORD SQUARE, GARDEN PARK - Approved

On behalf of Swift Development, LLC, Alex Ross requested site plan approval for Lot 15, Waterford Square in Garden Park Commercial Subdivision. Ms. Stringfellow stated that the Planning and Zoning Commission recommended approval and she also recommended approval contingent upon conditions set forth in the staff notes. Alderman Strain made the motion to grant site plan approval, seconded by Alderman Peeler and unanimously approved. Mayor Hawkins Butler declared the motion carried. Documentation relevant to this request is attached hereto and incorporated herein as **Exhibit S**.

COMMUNITY DEVELOPMENT – SITE PLAN, THE LANDING AT CALUMET, PHASE 1 - Approved

On behalf of Prosperity Holdings, LLC, Joseph Orr requested site plan approval for The Landing at Calumet, Phase 1 to be located at 100 Calumet Gardens. Ms. Stringfellow stated that the Planning and Zoning Commission recommended approval and she also recommended approval contingent upon conditions set forth in the staff notes. Alderman Jacobs made the motion to grant site plan approval, seconded by Alderman Strain and unanimously approved. Mayor Hawkins Butler declared the motion carried. Documentation relevant to this request is attached hereto and incorporated herein as **Exhibit T**.

PUBLIC WORKS DEPARTMENT – FINAL PLAT APPROVAL, MANNSDALE BLUFF – Approved

Ms. Stringfellow presented the final plat for Manssdale Bluff stating that Lot 1 had not changed. It was also noted by the Public Works Director that this is a private road and that the only utility service provided by the City is for sewer service. Alderman Hudgins made the motion to grant final plat approval of Manssdale Bluff, seconded by Alderman Peeler and unanimously approved. Mayor Hawkins Butler declared the motion carried.

EXECUTIVE SESSION

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

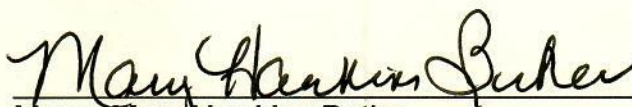
After brief discussion, it was determined that an Executive Session would be appropriate for discussion of a matter of possible litigation. The public was invited to return to the room to hear the motion as follows: Alderman Strain moved to go into Executive Session for the purpose of discussing a matter of possible litigation. Alderman Tatum 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.

After brief discussion, the motion was made by Alderman Tatum to authorize City Attorney Dale Danks to offer a settlement not to exceed \$7,000.00 in the case involving Nasar Jaber and Global Traders, LLC, dba JY Development vs The City of Madison. Alderman Hickok seconded the motion and the vote was unanimous in favor of approval.

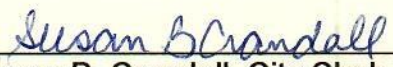
In the matter of the pending EEOC lawsuit involving former employee, John Sanders, a background and briefing was provided to the Mayor and Board by Captain Kevin Newman.

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

With no further business for discussion, Mayor Hawkins Butler asked for a motion to declare the Board meeting adjourned. Alderman Jacobs made the motion to adjourn, seconded by Alderman Hudgins and unanimously approved by all Aldermen. Mayor Hawkins Butler declared the motion carried and the meeting adjourned.


Mayor Mary Hawkins Butler

Attest:


Susan B. Crandall, City Clerk