

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

April 2, 2019

**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, April 2, 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, 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. After a prayer led by Alderman Jacobs and the Pledge of Allegiance led by Alderman Tatum, 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 Strain made the motion to approve the Consent Agenda as follows:

CONSENT AGENDA

- A. Accept Meeting Minutes:
 - 1. Mayor and Board Second Regular Meeting – March 19, 2019
 - 2. Mayor and Board Special Called Meeting – March 26, 2019
- B. Approve Claims Docket – **Exhibit A**
 - 1. Computer Checks – 04/02/2019
122354-122479
 - 2. Payroll Checks
Checks 33530-33569; EFT 2527-2731
Disbursement Checks: 33570-33577
Manual Checks: 120012-120013 (February 2019)
122163-122169; 122344-122346; 122350-122353
- C. Accept the following proofs of publication: - **Exhibit B**
 - 1. Public Notice – Variance 140 Castle Circle, Frank & Allison Cox (*Journal*)
 - 2. Legal Notice – CE&I Services for Hoy Rd Improvements (*Herald*)
- D. Approval of and authorization for City Clerk to execute Certificates for State Use or Nonprofit Educational Organization use for gasoline and diesel as requested by Pine Belt Oil Company, Inc – **Exhibit C**
- E. Authorization for the following Fire Department travel:
 - 1. Nick Brooks to Emmitsburg, Maryland for the National Fire Academy Class on April 13-20, 2019
 - 2. Nick Brooks, Brad Letchworth, Kevin Miller, Ian O’Leary, John Sledge to Philadelphia, Mississippi for Task Force Refresher class on April 24, 2019
- F. 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 re-hire Jeremy Marshall to the position of Firefighter effective April 3, 2019
 - 2. Accept resignation of Police Officer Matthew Kaulfers effective March 26, 2019
 - 3. Accept Oath of Office for Police Officer Danielle Jaroszewski
 - 4. Authorize pay adjustment for Billy Dean, Building & Permits Department effective March 28, 2019 based on the re-evaluation of job duties

- G. Approval of and authorization for Mayor to execute Contract Agreement with Pyro Shows, Inc. for the annual fireworks display on July 4, 2019 – **Exhibit E**
- H. Accept the following monthly departmental reports: - **Exhibit F**
 - 1. Fire Department – February 2019
 - 2. Police Department – February 2019
- I. Adopt Resolution Authorizing the Use of Municipal Funds to Buy Sponsorship Advertising from Madison the City Chamber of Commerce for the Madison Magazine Winter & Summer Issue – **Exhibit G**
- J. Approval of and authorization for Mayor to execute the Grant Agreement With The Mississippi Urban Forest Council On An Urban Forestry Project effective March 22, 2019 – **Exhibit H**
- K. Approval of and authorization for City Clerk to execute the business account credit application with Battery Sales & Service, LLC
- L. Approval of the following Temporary Store Unit Permits (POD): - **Exhibit I**
 - 1. John L. Nicosin, 412 Autumn Oak Drive – extension until May 9, 2019
 - 2. Linda Gordon, 206 Oak Bend – April 1, 2019 – May 1, 2019
 - 3. Jim Rowles, 118 Chadwyck Place, March 29, 2019 - May 29, 2019
- M. Approval of authorization for Mayor to execute the Interlocal Cooperation Agreement Between Madison County, The City of Ridgeland, and The City of Madison to Provide Residential Household Hazardous Waste Disposal Opportunity – **Exhibit J**
- N. Approval of and Authorization for the Mayor to execute the Proposal for Professional Industrial Hygiene Services to provide a Biological Contamination Qualitative Assessment of a residential building located at 715 Highleadon Court, Madison, Mississippi – **Exhibit K**
- O. Adopt Resolution Authorizing the Execution of Amendment to Series 2011-A Contribution Agreement Between the City of Madison, Mississippi and the Madison Square Redevelopment Authority Providing for the Contribution of Funds by the City of Madison in Connection with an Urban Renewal Project Designated “Madison Square Redevelopment Project”, as Previously Amended; and Related Matters – **Exhibit L**
- P. Approval of height increase from 35’ to 50’ for construction of press box at Madison Ridgeland Academy and permission to issue a building permit contingent upon approval of lighting by Director of Environment and Design Alan Hoops – **Exhibit M**
- Q. Accept and approve the recommendation by the Consultant Selection Committee to select Neel-Schaffer, Inc. as the engineering firm to perform Construction Engineering, Inspection, and Testing (CE&I) services for the construction of the Hoy Road Improvements Project between Old Canton Road and West Bradford Place, Federal Aid Project No. STP-6940-00(001) LPA/105508-701000 & Multi-Use Path on Rice Road-Tisdale Road from Madison Avenue to Wellington Way, Federal Aid Project No. STP-0047-00(035) LPA/106869-701000.
- R. Approval of and authorization by the Mayor and Board of Aldermen to accept the April 2, 2019 Consultant Services Selection Committee Minutes regarding the Construction Engineering, Inspection, and Testing (CE&I) services Expressions of Interest Submittals for the construction of the Hoy Road Improvements Project, Federal Aid Project No. STP-6940-00(001) LPA/105508-701000 & Multi-Use Path on Rice Road-Tisdale Road, Federal Aid Project No. STP-0047-00(035) LPA/106869-701000 – **Exhibit N**
- S. Declare emergency repair for Service Pump 2 on Hoy Road Well
- T. Approve and authorize Mayor to execute Galleria Parkway and 14 Parcels Contract with Lawnscape Solutions, LLC – **Exhibit O**
- U. Approval of tenant build-out for Waxing the City to be located at 111 Colony Crossing Way, Suite 110
- V. Approval of tenant build-out for Retail Clothing Store to be located at 2082 Main Street

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

**COMMUNITY DEVELOPMENT DEPARTMENT – PRELIMINARY PLAT AMENDMENT
– CALUMET, LOT 13 – Approved**

Director of Community Development Kianca Stringfellow presented the request of Michael and Suzanne Osborne for preliminary plat amendment to Lot 13 Calumet. It was noted that the Planning and Zoning Commission recommended approval of this request and that the Federal Aviation Administration (FAA) also granted approval determining that the height of the residential structure would be of no hazard to air navigation if built to a maximum height of 36'. Alderman Strain made the motion to grant approval of the preliminary plat amendment based on this information. Alderman Tatum seconded the motion, unanimously approved by all Aldermen and declared carried by Mayor Hawkins Butler. A copy of the letter from the FAA is attached hereto and incorporated herein as **Exhibit P**.

COMMUNITY DEVELOPMENT DEPARTMENT – THE HAVEN

Property owners, Charles and Daphne McDonald and their attorney, Mr. Jim Martin attended the meeting to address the matter of construction of a small lake behind their home on N. Livingston Road.

Mr. Martin addressed the Mayor and Board stating that the lake was initially approved by the Planning and Zoning commission in 2017 for the private use of the McDonalds and a family friend, Kenneth Barnes contingent upon the conditions set forth in staff notes at that time. Again in February or March 2019, approved was recommended with contingencies including a bond, timeline, and a written agreement with the City. He indicated that he was not aware a bond or written agreement would be necessary for a request such as this and asked for clarification from the Planning and Zoning Commission but did not receive a response. At this time, he requested the Board's consideration of approval.

The Mayor recognized Ms. Daphne McDonald who stated that at the last Planning and Zoning Commission meeting she was told to contact City Attorney Dale Long. She did so, but received no returned calls from him, nor from other City personnel she attempted to contact. Upon advice from her attorney, she stopped trying to make contact. Ms. McDonald stated that her family has been working on staff notes since 2017 and had obtained approval for the lake from the MS Department of Environmental Quality (DEQ) as instructed. However, she pointed out that her research had resulted in learning that other lakes in the area did not require DEQ approval and that she feels her family has been treated unfairly.

Rev. Charles McDonald stated that this lake project began in 2016 as a joint endeavor with Beth Israel to provide a place of refuge for people to combat stress. Mr. Carl Norton was also present at the meeting and stated that the project is intended as a community outreach project and that he supports it.

Mayor Hawkins Butler addressed the matter stating that she has known and respected the McDonald and Barnes families for many years and that no one in the City is trying to be hurtful or disrespectful to these families. Calls from City personnel were not returned because typically when attorneys become involved in a matter, it becomes necessary to allow them to speak on behalf of their respective clients.

She continued by saying that the project was originally presented as a plan to construct a small pond, but has seemingly turned into quite a bit more with trees being removed and lots of dump trucks hauling gravel and dirt. She questioned whether the project is actually for the constructions a pond/lake or the established or a dirt and gravel pit. If it is the latter, then that information should be clearly divulged and addressed in the proper manner through City ordinance for consideration of a special exception. She recommended that the matter be taken under advisement pending the receipt of all information and the City Attorney concurred with her recommendation.

Alderman Strain made the motion to table the matter for further discussion at the next regularly scheduled Board meeting on Tuesday, April 16, 2019. Alderman Bowering seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried. In answer to Attorney Martin's question,

the Mayor advised that he should work with City Attorney Dale Danks to provide the requested information.

EXECUTIVE SESSION

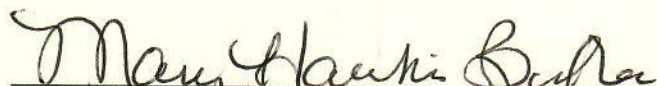
Mayor Mary Hawkins Butler requested to enter into a Closed Session to determine if an Executive Session would be appropriate regarding discussion of an economic development project. Alderman Bowering made the motion, seconded by Alderman Strain and unanimously approved by all Board members. The Mayor 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 an economic development project. 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 the matter of an economic development project. 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.

There was brief discussion regarding a proposal for the downtown development district and the upcoming meeting of the Madison Redevelopment Authority.


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 Tatum and unanimously approved by all Board members. Mayor Hawkins Butler declared the motion carried.

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



Mayor Mary Hawkins Butler

Attest:



Susan B. Crandall, City Clerk