

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

June 20, 2023

**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, June 20, 2023 at 6:00 p.m. in the Municipal Courtroom at the Madison Justice Complex. Those present in the Courtroom were Mayor Mary Hawkins Butler, Aldermen Sandra Strain, Tawanna Tatum, Pat Peeler, Janie Jarvis, Mike Hudgins and Guy Bowering, City Attorney Chelsea Brannon, City Clerk/Director of Finance and Administration Susan Crandall, and Chief Deputy City Clerk Lisa Winstead. Alderman Paul Tankersley was absent.

Mayor Hawkins Butler called the meeting to order and after a prayer led by Alderman Bowering and the Pledge of Allegiance led by Alderman Strain, the meeting proceeded as follows:

ADMINISTRATION – CONSENT AGENDA – APPROVED

Concerning the Consent Agenda, Mayor Hawkins Butler asked if there were any items which needed to be removed for discussion. Alderman Hudgins requested that the following two items be removed for discussion:

- L. Adopt Resolution Pertaining to the Cleaning of Private Property located at 1112 Benbrook Drive*
- M. Adopt Resolution Pertaining to the Cleaning of Private Property located at 256 Sheryl Drive*

With no additional removals or discussion, Alderman Tatum made the motion to approve the Consent Agenda as follows:

CONSENT AGENDA

- A. Accept Meeting Minutes and Notices: - Exhibit A**
 - 1. Minutes of First Regular Board Meeting – June 6 2023
 - 2. Notice of Special Called Board Meeting – June 13, 2023
 - 3. Minutes of Special Called Board Meeting – June 13, 2023
 - 4. Planning & Zoning Commission Minutes – April 10, 2023
 - 5. Planning & Zoning Commission Minutes – May 8, 2023
- B. Approve Claims Docket – Exhibit B**
 - 1. Computer Checks
Checks: 5778-5931
 - 2. Manual Checks/EFTs/VOIDs
Checks: 5767-5777
 - 3. Payroll Checks
Checks: 1552-1558; EFTs: 25259-25482 – 06/16/2023
Disbursement Checks: 1559-1562 – 06/16/2023
- C. Accept the following departmental changes/documents per terms of the Status/Payroll Change Report on file in the Office of the City Clerk: - Exhibit C**
 - 1. Accept resignation of Bruce Morris, Parks & Recreations Department Laborer effective June 7, 2023
 - 2. Declare Police Officer Horren Randall Tyler's position open due to vacancy effective June 1, 2023
 - 3. Accept retirement of Elizabeth (Betsey) Hendricks, Kennel Worker at Webster Animal Shelter effective June 30, 2023
 - 4. Accept resignation of Police Dispatcher Brandon Harris effective June 26, 2023
 - 5. Accept retirement of Police Lieutenant Joe Saxon effective June 30, 2023

6. Accept the following Oaths of Office:
 - Xavier D. Fleming, Police Officer
 - Nicholas C. Oster, Police Officer
- D. Declare Officer Horren Randall Tyler's service weapon as surplus property as outlined in attached memorandum – **Exhibit D**
- E. Accept the following monthly departmental reports: - **Exhibit E**
 1. Administration & Finance Department – Financials through May 2023
 2. Fire Department – May 2023
- F. Accept Audit Report for Fiscal Year 2022
- G. Adopt Resolution Adjudicating Cost of Cleaning Certain Real Property for the following Properties: - **Exhibit F**
 1. Ash Tree Lane/North Azalea Drive – Lots 13, 14, 16, 39
 2. 138 Sunflower Drive
 3. Wind Dance, Lots 24, 25
- H. Authorization for Cole Smith and Chris Neel to travel to Dallas, Texas on October 9-13, 2023 to attend the 2023 National Parks and Recreation Association annual conference – **Exhibit G**
- I. Authorization for Fire Department to use First Arriving company for integration of daily operations for all fire stations – **Exhibit H**
- J. Approval of POD storage placement for Lisa Griffin, 400 Spring Hill Drive for the period of February 16, 2023 through December 1, 2023 – **Exhibit I**
- K. Authorization for Police Department to renew an execute annual contract with Virtual Academy for a three-year period beginning October 1, 2023 – **Exhibit J**
(Items L and M removed for discussion)
- N. Accept quotes and award repair project to AAMCO Transmission as lowest and best quote for repairs to Fire Department's 2018 Dodge Ram 2500 pickup truck – **Exhibit K**
- O. Approve Change Order Number 006 for: Madison New City Hall Renovation and Rehabilitation project – **Exhibit L**

Alderman Hudgins 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

RPM Realty, Take 5 Oil Change – All Documents Incorporated as Exhibit M

Site Plan, Architectural Approval, Building Permit – Take 5 Oil Change - Approved

On behalf of RPM Realty, Community Development Director Kianca Guyton presented the request for Take 5 Oil Change to be located on Park Place Boulevard south of the existing USA Express Car Wash on Highway 463. After brief discussion, the following action was taken:

Alderman Strain made the motion to grant approval of the site plan as presented. The motion was seconded by Alderman Peeler and unanimously approved by all Aldermen. Mayor Hawkins Butler declared the motion carried. An additional motion was made by Alderman Strain to grant approval of the architectural design and issue a building permit for this site. Alderman Tatum seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

Special Exception for a quick car-care clinic in a C-3 at proposed Take 5 Oil Change – Approved

Alderman Bowering made a motion to grant approval of the special exception requested for a quick car-care clinic as requested by RPM Realty. The motion was seconded by Alderman Jarvis and unanimously approved. Mayor Hawkins Butler declared the motion carried.

Variance for front yard decrease for proposed Take 5 Oil Change – Approved

The motion was made by Alderman Hudgins, seconded by Alderman Strain, and unanimously approved to grant this variance from 40 feet to 25 feet as requested by the applicant, in order to stay out of the flood way. Mayor Hawkins Butler declared the motion carried.

Variance for parking spaces for proposed Take 5 Oil Change - Approved

The motion was made by Alderman Jarvis, seconded by Alderman Bowering, and unanimously approved to grant a decrease in parking spaces from 8 to 4 spaces as requested. Mayor Hawkins Butler declared the motion carried.

Variance for front yard landscape setback decrease for proposed Take 5 Oil Change – Approved

Community Development Director Kianca Guyton requested approval of this front yard landscape setback decrease from 20 to 5 feet, rather than to 0 feet as initially requested. After brief discussion, Alderman Strain made the motion to grant approval of the setback decrease from 20 feet to 5 feet as discussed. The motion was seconded by Alderman Jarvis and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

James and Andrea Gulley, Accessory Structure Height Variance, 102 Autumn Ridge Lane - Approved

Ms. Guyton presented the request of applicants James and Andrea Gulley, for an accessory structure height variance from 10' to 17' for the construction of a pavilion on their property located at 102 Autumn Ridge Lane. Alderman Strain made the motion to grant approval as requested, seconded by Alderman Bowering, and unanimously approved by all Aldermen. Mayor Hawkins Butler declared the motion carried. Documentation relevant to this request is attached hereto as **Exhibit N**.

Site Plan, Baptist Health System, Parking Lot Expansion – Approved

Ms. Guyton presented the request of Alan Grant, with Dean Architecture for approval of a parking lot expansion for Baptist Health Systems to be located east of the existing Primos Restaurant. She asked that this approval be contingent upon staff notes. Alderman Strain made the motion to grant approval of the parking lot expansion contingent upon all conditions and pending comments, as outlined in the staff notes, being reconciled. Alderman Peeler 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 as **Exhibit O**.

Final Plat Approval – Twelve Oaks – Approved

Ms. Guyton presented the request of David Callaway for final plat approval for approximately 17 acres located at 32 Twelve Oaks Drive. She noted that the preliminary plat had previously been approved and the final needed approval in order to be filed with the County as necessary. The motion as made by Alderman Bowering to grant approval of the final plat as requested. Alderman Jarvis seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

PUBLIC HEARINGS FOR CLEANING OF PRIVATE PROPERTIES

Mayor Hawkins Butler declared the Public Hearings opened for discussion regarding cleaning of several private properties. She addressed each property individually as follows:

Garden Park, Lot 13

Code Enforcement Officer Steve Greenough stated that this property had been properly noticed and that the owner currently lives in Brookhaven, Mississippi. He requested adoption of a Resolution to authorize the City to have the property cleaned should the owners not do so themselves. It was noted that no one from the public was present at the meeting to address the matter. Alderman Jarvis made the motion to adopt the Resolution Pertaining to the Cleaning of Private Property (**Exhibit P**). Alderman Strain seconded the motion. The vote was unanimous in favor of approval and the motion was declared carried by Mayor Hawkins Butler.

Garden Park, Lot 22

Code Enforcement Officer Steve Greenough stated that this property had been properly noticed and is owned by Northtowne Properties. He stated he has received no reply to his letter, but that the property had been mowed once. He requested adoption of a Resolution to authorize the City to have the property cleaned should the owners not

continue to do so. It was noted that no one from the public was present at the meeting to address the matter. Alderman Bowering made the motion to adopt the Resolution Pertaining to the Cleaning of Private Property (**Exhibit P**). Alderman Peeler seconded the motion. The vote was unanimous in favor of approval and the motion was declared carried by Mayor Hawkins Butler.

Garden Park, Lot 26

Code Enforcement Officer Steve Greenough stated that this property had been properly noticed and that it has been mowed once. He requested adoption of a Resolution to authorize the City to have the property cleaned should the owners not continue to do so. It was noted that no one from the public was present at the meeting to address the matter. Alderman Jarvis made the motion to adopt the Resolution Pertaining to the Cleaning of Private Property (**Exhibit P**). Alderman Hudgins seconded the motion. The vote was unanimous in favor of approval and the motion was declared carried by Mayor Hawkins Butler.

Indian Pines, Lot 7

Code Enforcement Officer Steve Greenough stated that this property had been properly noticed. It is a vacant lot located at the end of the subdivision and its owners currently reside in Oregon. He requested adoption of a Resolution to authorize the City to have the property cleaned. It was noted that no one from the public was present at the meeting to address the matter. Alderman Strain made the motion to adopt the Resolution Pertaining to the Cleaning of Private Property (**Exhibit P**). Alderman Bowering seconded the motion. The vote was unanimous in favor of approval and the motion was declared carried by Mayor Hawkins Butler.

412 Post Oak Cove

Code Enforcement Officer Steve Greenough explained that this property is currently in foreclosure and is owned by a bank who signed for the certified letter he mailed. No one from the bank or the public was present to address the matter. City Attorney Chelsea Brannon asked the Board for authorization to proceed with formal condemnation of the property since is uninhabitable and beyond repair. The motion was made by Alderman Tatum and seconded by Alderman Jarvis, to adopt a Resolution Pertaining to the Cleaning of Private Property and grant authorization within that Resolution to allow the City Attorney to proceed with formal condemnation of the property as necessary. The vote was unanimous in favor of approval and Mayor Hawkins Butler declared the motion carried. This Resolution is attached hereto and incorporated herein as **Exhibit Q**.

Wind Dance, Lot 35

Mr. John Smith, owner of this property was present at the meeting. He stated that he will remove trees from the lot and keep the property cleaned as required. Code Enforcement Officer Greenough asked for adoption of a Resolution to authorize the City to have the property cleaned should the need arise. Alderman Bowering made the motion to adopt a Resolution Pertaining to the Cleaning of Private Property (**Exhibit P**), seconded by Alderman Tatum. The vote was unanimous in favor of approval and the motion declared carried by Mayor Hawkins Butler.

1229 Woodberry Drive

Code Enforcement Officer Steve Greenough stated that this property had been properly noticed. It is a rental house and its owners currently reside in California. He requested adoption of a Resolution to authorize the City to have the property cleaned. Mr. Christian Boggan, realtor/agent with Century 21 in Flowood was present at the meeting and stated that the property had been cleaned and that he would be the contact person who would oversee the maintenance of the property. After brief discussion, Alderman Jarvis made the motion to adopt the Resolution Pertaining to the Cleaning of Private Property (**Exhibit P**). Alderman Strain seconded the motion. The vote was unanimous in favor of approval and the motion was declared carried by Mayor Hawkins Butler.

At this time, a motion was made by Alderman Bowering to close the Public Hearing for Cleaning of Private Properties. Alderman Strain seconded the motion. The vote was unanimous in favor of approval and the motion declared carried.

FILING OF FORMAL COMPLAINT AGAINST ENTERGY MISSISSIPPI, INC.

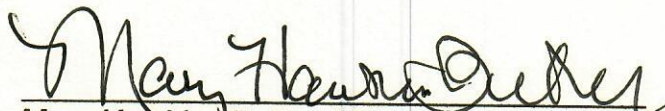
Discussion was held regarding the recent storms, subsequent loss of electricity and delay of restoration in the City of Madison. A motion was made by Alderman Tatum to authorize the City Attorney to file a formal complain against Entergy Mississippi, Inc., Entergy, Entergy Utility Holding Company, LLC, and any other Entergy corporation or subsidiary involved in the provision of electricity to the City of Madison, before any court, state agency or administrative agency having jurisdiction over the matter, to include the Mississippi Public Service Commission. Alderman Jarvis seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried. Documentation relevant to this complaint is attached hereto and incorporated herein as **Exhibit R.**

ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION

- L. *Adopt Resolution Pertaining to the Cleaning of Private Property located at 1112 Benbrook Drive***
- M. *Adopt Resolution Pertaining to the Cleaning of Private Property located at 256 Sheryl Drive***

Concerning the two items listed above, Alderman Hudgins stated that these two items were tabled from a previous Board meeting and that he would like the Board and family members of the property owners to be in accord regarding the situation. Ms. Barbara Wann was present at the meeting and stated that she currently has Power of Attorney for her two sisters who are the owners of these properties. She is in the process of having her name placed on the property deed so she will receive any future mailed notices regarding either of them. Also in attendance at the meeting was her daughter and son-in-law, Christy and Eric Palmer, and her nephew. They are all currently taking responsibility for cleaning the two properties. After brief discussion, the motion was made Alderman Jarvis and seconded by Alderman Tatum to adopt a Resolution Pertaining to the Cleaning of Private Property to authorize the City to have the properties cleaned should the need arise. The vote was unanimous in favor of approval and Mayor Hawkins Butler declared the motion carried. A copy of this Resolution is attached hereto as **Exhibit S.**

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


Mary Hawkins Butler, Mayor

Attest:


Susan B. Crandall, City Clerk