

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

**August 15, 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, August 15, 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, Patricia 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. There were no removals and Alderman Bowering made the motion to approve the Consent Agenda as follows:

**CONSENT AGENDA**

- A. Accept Meeting Minutes and Notices:
  - 1. Minutes of First Regular Board Meeting – August 1, 2023
- B. Approve Claims Docket – **Exhibit A**
  - 1. Computer Checks  
Checks: 6436-6592
  - 2. Manual Checks/EFTs  
Checks: 6435
  - 3. Payroll Checks  
Checks: 1613-1622; EFTs: 26181-26401 – 08/11/2023  
Disbursement Checks: 1623-1626 – 08/11/2023
- 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 B**
  - 1. Accept resignation of Parks Department Laborer Jervarious Jackson effective August 7, 2023
  - 2. Accept resignation of Police Officer Jabral Sheriff effective August 2, 2023
  - 3. Accept resignation of Police Investigator Matthew Ezzell effective August 21, 2023
  - 4. Authorization to hire Krista Sciple as full-time Kennel Worker for Webster Animal Shelter effective August 16, 2023
  - 5. Accept Oath of Office for Police Officer John Wallace
  - 6. Accept resignation of Chris Buckner, Assistant Public Works Director effective August 24, 2023
  - 7. Authorization to hire Claire Bonvillain as Legal Administrative Assistant effective August 28, 2023
  - 8. Authorization to hire Megan Jameson as Legal Administrative Assistant effective August 28, 2023
- D. Accept the following Proofs of Publication (Madison County Journal): - **Exhibit C**
  - 1. Public Notice – Variance for Accessory Building, Terris Harris
  - 2. Notice of Zoning Hearing – Amendment of Section 16.02
  - 3. Notice of Zoning Hearing – Amendment of Section 24.02

- E. Approval of and authorization for Mayor to execute Airport Coronavirus Response Grant Program/CRRSA Grant Closeout Report and SF425 for Airport Project 3-28-0046-032-2022 – **Exhibit D**
- F. Approval of and authorization for Mayor to execute Application for Drug-Free Workplace Premium Credit Workers' Compensation with Travelers Insurance Company – **Exhibit E**
- G. Approval of and authorization for Assistant City Clerk to release the Letters of Credit from Origin Bank for Gary D. Beeland and JC Investment Properties in reference to investment/rental properties – **Exhibit F**
- H. Adopt Resolution Adjudicating Cost of Cleaning Certain Real Property for the following Properties: - **Exhibit G**
  - 1. Ash Tree Lane/North Azalea Drive – Lots 13, 14, 16, 39
  - 2. 138 Sunflower Drive
  - 3. Galleria Parkway Parcels
  - 4. Garden Park, Lots 13, 25, 26
  - 5. Indian Pines, Lot 7
  - 6. 412 Post Oak Cove
  - 7. 458 Sundial Road
- I. Authorization for Fire Department to remove from inventory equipment that is no longer serviceable and properly dispose of it as outlined in the attached memorandum – **Exhibit H**
- J. Approval of and authorization for Fire Department to execute MS Department of Transportation (MDOT) Traffic HD Live Video Streaming Service License Governmental End User agreement – **Exhibit I**
- K. Accept the following monthly departmental reports: - **Exhibit J**
  - 1. Administration and Finance – Financials through July 2023
  - 2. Fire Department – July 2023
- L. Approval Police Department Training & Travel calendar for July 2023-November 2023 – **Exhibit K**
- M. Approval of and authorization for Police Department to execute Memorandum of Understanding (MOU) between Madison Police Department, Ridgeland Police Department and Madison County Sheriff's Department for tactical and other law enforcement services – **Exhibit L**
- N. Authorization for Police Department to remove equipment and vehicles from inventory as outlined in the attached memoranda – **Exhibit M**
- O. Approval for City Clerk to renew employee life insurance policy with SunLife Assurance Company for the period of October 1, 2023 through September 30, 2024 - **Exhibit N**

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

**ACCEPT QUOTES AND AWARD TO M & M SERVICES, INC. AS THE LOWEST AND BEST QUOTE FOR DEMOLITION OF THE PREVIOUSLY CONDEMNED STRUCTURE AT 412 POST OAK COVE**

Based on the June 20, 2023 adoption of a Resolution to condemn the property located at 412 Post Oak Cove, quotes for demolition were presented for consideration by the Mayor and Board.

Mr. Steve Younger, Attorney for the current property owner Martin Real Estate & Rental, was present at the meeting to request that the Board reconsider their action to condemn and demolish the property stating that his client had recently purchased the property with plans to refurbish and sell it. He acknowledged that his client lived in California and when asked, said he was unaware if his Client had seen the property in person. Documentation presented by Mr. Younger reflecting this purchase is attached hereto as **Exhibit O**.

City Attorney Chelsea Brannon noted that the property purchase between the bank and Martin Real Estate & Rental was recorded in a Deed filed on July 5, after the Board voted for condemnation and demolition. The structure has been uninhabitable for the past two years following a house fire and was previously deemed a hazard to the community. Two adjacent residents of the subdivision, Ms. Beth Herzig at 404 Post Oak Cove and Ms. Sylvia Davis of 416 Post Oak Cove spoke in favor of demolition explaining their concerns

about the ongoing negative impact the condition of this property had has on their property values and other hazards they have dealt with including rodents in the area.

The motion was made by Alderman Jarvis to accept the quote from M&M Services, Inc. and proceed with the demolition of this property. Alderman Hudgins seconded the motion and the vote was unanimous in favor of approval. Copies of these quotes are attached hereto as **Exhibit P**.

### **PUBLIC HEARINGS FOR CLEANING OF PRIVATE PROPERTIES**

Mayor Hawkins Butler declared the Public Hearings opened for discussion regarding the cleaning of the following private properties: **Adopted Resolutions – Exhibit Q.**

#### **412 Post Oak Cove – Resolution Adopted**

Code Enforcement Officer Steve Greenough requested the adoption of a Cleaning Resolution to allow the City to mow and clean the property as needed because the landlord resides out-of-state. The motion was made by Alderman Tatum to adopt the Cleaning Resolution authorizing the City to have the property cleaned should the owner not do so themselves. The Public Hearing was closed and Alderman Jarvis seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

#### **253 Clark Farms Road – Resolution Adopted**

Mr. Greenough stated that this property is currently owned by a rental company and is currently vacant. Multiple citations have been issued because the yard is overgrown, but cleaning is usually done only after the posting for Public Hearing has occurred. There was no one present to speak to the matter and the Public Hearing was closed. A motion was made by Alderman Bowering to adopt a Cleaning Resolution authorizing the City to proceed with cleaning as needed, should the owner not do so. Alderman Strain seconded the motion and the vote was unanimously approved. Mayor Hawkins Butler declared the motion carried.

#### **226 Oak Bend**

Mr. Greenough explained that the City was contacted by a neighbor concerning a tree that had fallen on the property. Letters were mailed to the owner as required, but no cleaning took place at the site until after the sign was posted for Public Hearing. The property is owned by BSFR/Conrex who is currently in violation for non-compliance on 40 other properties. The house has been vacant since November/December 2022 and is to be scheduled for rental inspection. There was no one present to address the matter and the Public Hearing was closed. Alderman Jarvis made a motion to adopt the Cleaning Resolution authorizing the City to have the property cleaned should the owner no do so. Alderman Hudgins seconded the motion and after a unanimous vote of approval, Mayor Hawkins Butler declared the motion carried.

#### **403 Woodland Hills Court**

Mr. Greenough explained that the condition of the property in Annandale subdivision has been an ongoing issue since 2019. Matters such as irregular mowing and landscaping, repairs needed to the fence, and an unresolved drainage issue have not been properly addressed.

The property owner, Dr. Royce Brough and his associates, Rodney Kidd, Brandon McCaleb, and Danny McKay were present at the meeting. Mr. Kidd stated that he is a business associate of Dr. Brough and is trying to help him make repairs to the property so he can put it on the market for sale. He stated that the property is not currently a rental property and they hope to have it sold within approximately six months.

The Public Hearing was closed and Alderman Bowering made a motion to adopt a Cleaning Resolution authorizing the City to have the property cleaned and repaired should the owner not do so; and requested that an inspection be completed before sale. The motion was seconded by Alderman Jarvis and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

## **COMMUNITY DEVELOPMENT DEPARTMENT**

### **Variance for Accessory Building Height Increase – Approved**

Community Development Director Kianca Guyton recommended approval of a variance for an accessory building height increase from 10' to 14' for a proposed pergola and outdoor fireplace chimney on property owned by Terris Harris and located at 137 Calumet Drive. It was noted that the Planning and Zoning Commission also recommended approval. The motion was made by Alderman Jarvis, seconded by Alderman Hudgins and unanimous approved. Mayor Hawkins Butler declared the motion carried. Documentation relevant to this request is attached hereto as **Exhibit R**.

### **Site Plan – Whittington Neighborhood Pool & Pavilion – Approved**

Ms. Guyton presented the request of McCrory & Associates on behalf of Sanctuary Development, LLC for site plan approval of a neighborhood pool and pavilion in Whittington subdivision. The Planning and Zoning Commission recommended approval and adjacent property owners were notified and agreed with the site location. Alderman Tatum recommended approval of the site plan contingent upon conditions set forth in the Staff Notes. The motion was seconded by Alderman Bowering and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried. Documentation relevant to this plan is attached hereto as **Exhibit S**.

### **Zoning Ordinance Amendment – Section 24.02 – Approved**

After brief discussion, the motion was made by Alderman Jarvis to grant approval of an Ordinance Amending Section 24.02 of the Zoning Ordinance of the Retirement Village (S-1) Permitted Land Uses to Conditional Uses. Alderman Strain seconded the motion. After a unanimous vote of approval, Mayor Hawkins Butler declared the motion carried. This Ordinance is attached hereto as **Exhibit T**.

### **Zoning Ordinance Amendment – Sections 16.02, 16.03, 18.02, 18.03, 19.02, 19.03 – Approved**

The motion was made by Alderman Peeler to grant approval of an Ordinance amending sections 16.02, 16.03, 18.02, 18.03, 19.02, and 19.03 of the Zoning Ordinance to move a few Permitted Land Uses to Conditional Uses. After a second to the motion made by Alderman Jarvis, the vote was unanimous in favor of approval and Mayor Hawkins declared the motion carried. The Ordinance is attached hereto as **Exhibit U**.

## **EXECUTIVE SESSION**

### **EXECUTIVE SESSION – POSSIBLE LITIGATION**

At the recommendation of City Attorney Chelsea Brannon, Mayor Mary Hawkins Butler requested to enter into a Closed Session to determine if an Executive Session would be appropriate. 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 possible litigation. The public was invited to return to the room to hear the motion as follows: Alderman Bowering moved to go into Executive Session for the purpose of discussing a matter of possible 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.

After brief discussion, Mayor Hawkins Butler asked for a motion to end the Executive Session. Alderman Tatum made the motion, seconded by Alderman Peeler 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 meeting adjourned. Alderman Peeler 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  
Mary Hawkins Butler, Mayor

Attest:

Susan B. Crandall  
Susan B. Crandall, City Clerk