

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

**August 7, 2018**

**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, August 7, 2018 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 Bowering, the meeting proceeded as follows:

**ADMINISTRATION – CONSENT AGENDA – APPROVED**

Concerning the Consent Agenda, the Mayor asked if there were any items to be removed for discussion. Alderman Strain stated that he would like to recuse himself from voting on the Consent Agenda with regard to a possible conflict of interest concerning Items J and S involving his current employer. He left the meeting room at this time. There were no removals of items and Alderman Hickok moved to approve the Consent Agenda as follows:

**CONSENT AGENDA**

- A.** Accept Meeting Minutes:
  - 1. Second Regular Board Meeting – July 17, 2018
- B.** Approve Claims Docket - **Exhibit A**
  - 1. Computer Checks – 08/07/2018  
119633-119837
  - 2. Payroll Checks  
031957-032184 – 07/20/2018  
032185-032394 – 08/03/2018
- C.** Accept the following proofs of publication: - **Exhibit B**
  - 1. Public Notice – Variance, Douglas, 126 Castle Circle (*Herald & Journal*)
  - 2. Public Notice – Variance, Keesler FCU, east side yard (*Herald & Journal*)
  - 3. Public Notice – Variance, Keesler FCU, west side yard (*Herald & Journal*)
  - 4. Public Notice – Variance, Keesler FCU, front south side yard (*Herald & Journal*)
  - 5. Legal Notice – CE&I Services, Hoy Road Project – US 51 to West Bradford Place Project (*Clarion-Ledger*)
- D.** Authorization to pay Don McLemore PC for Invoice-Right of Way for the Hoy Road Project STP-0047-00(35) LPA FMS 105508/701000:
  - 1. Invoice 182679, Patrick J. Carrington, Jr. – File No. 015-00-00-T
- E.** Approval of and authorization by the Mayor and Board of Aldermen to grant the following offers for Hoy Road Improvement Project: - **Exhibit C**
  - 1. Approval and authorization for Revised Establishment of Just Compensation offer to Abe Nemati & Zohreh Sirous, (Parcel # 016-00-00-W,T - Hoy Road Improvement Project).
  - 2. Approval and authorization for Revised Establishment of Just Compensation offer to David M. Kehtel, Jr. & Susan R. Kehtel, (Parcel #018-00-00-T - Hoy Road Improvement Project).
  - 3. Approval and authorization for Revised Establishment of Just Compensation offer to John Arthur Couch & Kay P. Couch, (Parcel # 028-00-00-T - Hoy Road Improvement Project).



4. Approval and authorization for Revised Establishment of Just Compensation offer to Elizabeth Y. Taylor, (Parcel # 029-00-00-T - Hoy Road Improvement Project).
5. Approval and authorization for Revised Establishment of Just Compensation offer to William P. Johnson, Jr. & Stacy A. Johnson, (Parcel # 031-00-00-T - Hoy Road Improvement Project).
6. Approval and authorization for Establishment of Just Compensation offer to Victoria Park Homeowners Association, (Parcel #005-00-00-W,T - Hoy Road Improvement Project).
7. Approval and authorization for Establishment of Just Compensation offer to Victory Baptist Church of Madison, (Parcel #053-00-00-W,T - Hoy Road Improvement Project).
8. Approval and authorization for Establishment of Just Compensation offer to Brenda D. Wolverton, (Parcel #054-00-00-W,T,E - Hoy Road Improvement Project).
- F. Approval of and authorization for the City Clerk to execute the following credit applications:
  1. CNH Industrial Capital "Productivity Plus" Account (Case tractors)
  2. Miskelly Furniture Store (fire department mattresses)
- G. Approval of and authorization for Mayor to execute the Collins, Barr, & Hembree, Ltd. engagement letter for the Fiscal Year 2018 audit – **Exhibit D**
- H. Authorization to hire Keith Parsons, Jones Walker, for bond issue counsel relating to acquisition of Cypress Lake utilities
- I. 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. Authorization to hire Teresa I. Cohea as full-time Police Department Records Clerk effective August 13, 2018
  2. Authorization to hire Steven D. Linick as full-time Police Officer effective August 8, 2018
  3. Authorization to hire Jose R. Valle as full-time Police Officer effective August 20, 2018
  4. Accept resignation of Jimmy Lee Brown, Water Department effective July 27, 2018
  5. Accept resignation of Hunter Tyler, Police Officer effective August 13, 2018
  6. Approval to promote Joshua Nelson to Public Works Shop Foreman effective August 2, 2018
  7. Authorization to hire Derrick Sorrels as Street Department Laborer effective August 8, 2018
- J. Authorization for Police Department to accept and execute appropriate documents for Fiscal Year 2019 Funding Source and Title: 402 Police Traffic Services grant from Mississippi Office of Highway Safety effective July 30, 2018 – **Exhibit F**
- K. Authorization for Police Department to remove items (no longer serviceable) from inventory: - **Exhibit G**
  1. Lifepak 500 AED, Property #7769, Serial #31901498
  2. Lifepak 500 AED, Property #7952, Serial #31752499
  3. Motorola Radios (5), Property #7181- #7185
- L. Authorization for Alan Hoops to attend the 2018 Fall Conference of the MS/AL Chapter of the American Planning Association on October 10-12, 2018 in Oxford, Mississippi
- M. Approval of and authorization for Parks & Recreation Director to execute a rental service agreement with Cintas for Madison Square Center for the Arts – **Exhibit H**
- N. Authorization to remand The Haven project to the Planning and Zoning Commission for consideration
- O. Adopt Resolution Authorizing Article XV of the Zoning Ordinance of the City of Madison to Include a New Section 15.14 Which Allows for Amendments to Planned Unit Developments – **Exhibit I**
- P. Adopt the following Resolutions Authorizing the Use of Municipal Funds to Buy Advertising from: - **Exhibit J**



1. Madison Central High School, Big Blue Booster Club All-Sports Media Guide
  2. Madison Central High School PTO, Corporate Sponsorship
  3. Madison Central Yearbook Sponsorship Ad
- Q.** Authorization for Fire Department to accept receipt of \$45,000.00 from E911 budget of the Madison County Board of Supervisors to upgrade radios to be in compliance with MSWIN P25 requirements – **Exhibit K**
- R.** Authorization for Fire Department to remove from inventory, one (1) Community Education Safety Trailer, Serial #519TCV30FKD38070 and transfer it to Kearney Park Volunteer Fire Department for community education – **Exhibit L**
- S.** Approval of and authorization for Fire Department to apply for and execute appropriate documents for MS Homeland Security Grant 2018 – **Exhibit M**
- T.** Authorization for Fire Department Lieutenant Jereme King to attend the National Fire Academy Class in Emmitsburg, Maryland on October 7-20, 2018
- U.** Authorization to appoint Alderman Steve Hickok, Public Works Director Joe Welch, and Alderman Warren Strain as members of the Review Committee for the CE&I Engineering Contract for Hoy Road between U. S. Highway 51 and Rice Road, Project No. STP-6990-00(001) LPA
- V.** Approval of and authorization for Fire Department to execute documents for the renewal of a Semi-Annual Service Contract with Puckett Power Systems for generator maintenance – **Exhibit N**
- W.** Approval of and authorization to execute necessary documents for grant acceptance of FAA Grant Offer for Project No. 3-28-0046-025-2018 Runway and Taxiway Lighting – **Exhibit O**
- X.** Authorization for Project Activation of Old Canton Road and St. Augustine Drive Multi-Use Path – **Exhibit P**
- Y.** Authorization for placement of Temporary Storage Unit (POD) for Jackie Warren at 210 Meadowlane Drive for the period of August 9, 2018 through September 9, 2018 – **Exhibit Q**
- Z.** Accept monthly departmental reports: - **Exhibit R**
1. Building and Permits Department, June, July 2018
  2. Code Enforcement – July 2018
- AA.** Approval of and authorization to execute Tuition Assistance Agreement Between Cody Ainsworth and the City of Madison – **Exhibit S**
- BB.** Authorization to pay Venture Properties for the Welch Farms Road and Liberty Park drainage/sewer projects as per agreement – **Exhibit T**
- CC.** Authorization for Public Works to remove from inventory and sell at auction, or scrap, the vehicles and equipment as outlined in the attached list – **Exhibit U**
- DD.** Approval of and authorization for Police Department to execute postage meter renewal contact with Pitney Bowes – **Exhibit V**
- EE.** Accept Letter Amendment No. 1 from the U. S. Department of Transportation, Federal Aviation Administration for the Bruce Campbell Field Airport, AIP Project No. 3-28-0046-024-2016 – **Exhibit W**
- FF.** Due to governmental action with the taking of right-of-way on the property located at 10 Peppermill Drive, the owner of this nonconformity is allowed to rebuild in the event that the structure is damaged, by any means, more than fifty percent of replacement cost

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 and Alderman Strain returned to meeting room at this time.

## **DEPARTMENT OF COMMUNITY DEVELOPMENT**

### **RECONSIDERATION OF APPROVED FENCE VARIANCE, 320 SONOMA COVE (CASE) - Continued**

Mr. Michael Ulmer was present to speak regarding the approval of a fence variance for 320 Sonoma Cove in Trace Vineyard Subdivision. He stated that he was unaware that the homeowners association had sent a letter to the City in support of the Case's variance request. He was under the impression that the association was in opposition,



but when he realized it had been approved, a compromise was sought, but not reached. Mr. Ulmer stated that he and two other neighbors would like to see the fence pushed back on the front leaving the variance at 5 feet to move the fence closed to the back of the home so it doesn't take up so much of the side yard.

Ms. Jennifer Case stated that she spoke with the president of the homeowners association back in March regarding the variance request and was unaware of the opposition at that time.

During the course of conversation, Alderman Peeler stated that at the time of voting in favor of the variance, she was surprised to learn there was no apparent opposition. Mayor Hawkins Butler encouraged both homeowners to work together to resolved the conflict and reach a compromise. She recommended continuing the matter for discussion at the next Board meeting.

A motion was made by Alderman Strain to hold all permits for the variance pending resolution of the conflict and to consider the matter again at the next regular scheduled Board meeting on August 21, 2018. Alderman Peeler seconded the motion and the vote was unanimous in favor of approval.

#### **DEPARTMENT OF ENVIRONMENT AND DESIGN**

##### **SKILLED NURSING FACILITY GUARDHOUSE, ST. CATHERINE'S VILLAGE, ARCHITECTURAL APPROVAL AND PERMISSION TO ISSUE BUILDING PERMIT - Approved**

Director of Environment and Design Alan Hoops presented the architectural rendering for construction of a guardhouse at the construction road entrance of St. Catherine's Village new Skilled Nursing Facility. He stated that the construction would be in the same style as the existing guardhouse located on the other side of the property. Alderman Hudgins made the motion approve the architectural rendering and authorization the issuance of a building permit. Alderman Strain seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

##### **MAIN STREET BUILDINGS, ARCHITECTURAL APPROVAL AND PERMISSION TO ISSUE BUILDING PERMIT - Approved**

Director of Environment and Design Alan Hoops presented the architectural rendering for Bridgforth Rutledge's reconstruction of buildings on Main Street in the downtown historical area. After brief discussion, Alderman Tatum made the motion to approve the architectural rendering and to authorize the issuance of a building permit. Alderman Bowering seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

##### **CONTINUATION OF PUBLIC HEARING REGARDING THE CLEANING OF PRIVATE PROPERTIES - Continued**

Mayor Hawkins Butler opened the floor for discussion regarding cleaning of the following properties located on Galleria Parkway and owned by the Ambrosino Family: Parcel No. 072C-06A-003/10.00, Parcel No. 072C-06A-003/11.00, Parcel No. 072C-06A-003/04.00, Parcel No. 082I-31-002/01.00, Parcel No. 072C-06A-003/07.00, Parcel No. 072C-06A-003/08.00.

Code Enforcement Director Ken Wilbanks provided an update on the condition of the properties stating that a review of them indicated they had not been properly cleaned according to City standards and requirements. He recommended that Resolution be adopted to declare these properties a nuisance and menace to the community and to have them properly cleaned.

Attorney Greg Panter who represents the Ambrosino family, along with Danny Ambrosino, were present at the meeting. Mr. Panter asked for an explanation as to specifically why the properties are a menace to the community. Mr. Ambrosino stated that he was confused about the edging requirements and believes he has more than fulfilled what was asked of him in regard to cleaning of the land. Mayor Hawkins Butler



replied that residents in the area are not happy with the existing condition of the properties and that they are not appealing to potential developers.

After additional brief discussion, the motion was made by Alderman Strain to continue the hearing and discussion at the next Board meeting after Mr. Wilbanks, Mr. Ambrosino and their respective attorneys meet to work together to resolve the matter. Alderman Tatum seconded the motion and the vote was unanimous in favor of approval. Mayor Hawkins Butler declared the motion carried.

Alderman Hudgins asked Mr. Ambrosino to ensure that in the process of cleaning and blowing grass remnants, that none of them are blown in to the drains. Mr. Ambrosino said he understood and agreed.

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

  
Mayor Mary Hawkins Butler

Attest:

  
Susan B. Crandall, City Clerk