

**MINUTES OF THE FIRST REGULAR JULY 2010 MEETING OF THE
MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF RIDGELAND, MISSISSIPPI
JULY 6, 2010
6:00 P.M.**

The Mayor called the first regular July 2010 meeting of the Mayor and Board of Aldermen to order. Present were Mayor Gene F. McGee, Alderman Gerald Steen, Alderman Kevin Holder, Alderman Brian Ramsey, Alderman Scott Jones, Alderman Wesley Hamlin, City Clerk David Overby, and City Attorney Jerry Mills. Alderman Ken Heard and Alderman Chuck Gautier were absent.

The Mayor introduced Boy Scouts Josh Clegg and Andrew Hanebuth of Troop 304 sponsored by Christ United Methodist Church. Scout Josh Clegg offered an invocation and Scout Andrew Hanebuth led the Pledge of Allegiance.

The Mayor and Board of Aldermen were furnished minutes from the June 17, 2010 Zoning Board meeting, June 22, 2010 Architectural Review Board meeting, and financial statements for the period ending May 31, 2010.

The first order of business was the matter of accepting the minutes from the June 15, 2010 meeting of the Mayor and Board of Aldermen. The minutes were accepted with no corrections.

CODE ENFORCEMENT

There next came for consideration the matter of a scheduled Code Enforcement hearing for property located at 451 S. Wheatley Street. After the Mayor and Board reviewed photographs of the condition of said property, the Mayor asked if anyone wished to come forward and speak in regard to the matter. There being no response, Alderman Holder moved to accept the Code Enforcement Officer's recommendation and adjudicate the cost of cleaning pursuant to Section 212-19-11 of the Mississippi Code of 1972.

The Motion was seconded by Alderman Jones and a vote was taken thereon as follows:

| | |
|------------------|--------|
| Alderman Steen | Aye |
| Alderman Heard | Absent |
| Alderman Gautier | Absent |
| Alderman Holder | Aye |
| Alderman Ramsey | Aye |
| Alderman Jones | Aye |
| Alderman Hamlin | Aye |

The Mayor then declared the Motion carried.

**MITCHELL'S OUTDOOR POWER EQUIPMENT, LLC/PETITION AND
APPLICATION FOR CONDITIONAL USE PERMIT**

Next came for consideration the matter of a petition and application filed by Bobby Mitchell, Sr., Bobby Mitchell, Jr., and Billy Mitchell of Mitchell's Outdoor Power Equipment, LLC for a Conditional Use Permit for property located at 812 Lake Harbour Drive. The Petitioner requests a Conditional Use Permit to use the subject property as sales and service of outdoor power equipment.

After a brief discussion, Alderman Steen moved that the City grant the conditional use requested by the Petitioner to use the property as sales and service of

outdoor power equipment with the condition that all used power equipment or equipment under repair be housed behind the fencing on the property. A copy of the Ordinance approving and granting a Conditional Use Permit is located in Ordinance Book #8, page 201010 in the City Clerk's office located at City Hall and copies of other documents related to this issue are attached hereto as Exhibit "A".

The Motion was seconded by Alderman Ramsey and a vote was taken thereon as follows:

| | |
|------------------|--------|
| Alderman Steen | Aye |
| Alderman Heard | Absent |
| Alderman Gautier | Absent |
| Alderman Holder | Aye |
| Alderman Ramsey | Aye |
| Alderman Jones | Aye |
| Alderman Hamlin | Aye |

The Mayor then declared the Motion carried.

PRECISION CAR AUDIO/PETITION AND APPLICATION FOR CONDITIONAL USE PERMIT

Next came for consideration the matter of a petition and application filed by Chance Parks, Precision Car Audio, for a Conditional Use Permit for property located at 291 Highway 51. The Petitioner requests a Conditional Use Permit to use the subject property as an office and retail/warehouse location for security systems and audio installation.

After discussion, Alderman Holder moved that the City grant the conditional use requested by the Petitioner to use the property as an office and retail/warehouse location for security systems and audio installation. A copy of the Ordinance approving and granting a Conditional Use Permit is located in Ordinance Book #8, page 201011 in the City Clerk's office located at City Hall and copies of other documents related to this issue are attached hereto as Exhibit "B".

The Motion was seconded by Alderman Jones and a vote was taken thereon as follows:

| | |
|------------------|--------|
| Alderman Steen | Aye |
| Alderman Heard | Absent |
| Alderman Gautier | Absent |
| Alderman Holder | Aye |
| Alderman Ramsey | Aye |
| Alderman Jones | Aye |
| Alderman Hamlin | Aye |

The Mayor then declared the Motion carried.

CONSENT AGENDA

There next came for consideration the matter of the items set out on the Consent Agenda. Alderman Steen requested that item (o) Audubon Woods Neighborhood Association Resolution be removed. Alderman Jones moved to approve the following Consent Agenda.

- (a) Request Authorization to Advertise for Construction Engineering Services-Lake Harbour Drive Widening Project-Order attached hereto as Exhibit "C"

- (b) Proposal for Design and Construction Services-Culley Creek Flood Improvements-Order attached hereto as Exhibit “D”
- (c) Bulldog Construction Change Order #2-Lake Harbour Drive Widening Project-Order attached hereto as Exhibit “E”
- (d) Code Enforcement/Cancel Hearing Dates
 - i. 525 Wolcott Circle
 - ii. 7049 Old Canton Road
 - iii. Lake Harbour Drive Parcel #072H-28C-111/01.01
 - iv. E. Ford Street Parcel #072I-30D-326/00.00
 - v. 309 S. Pear Orchard Road
 Order attached hereto as Exhibit “F”
- (e) Code Enforcement/Set Hearing Dates-August 3, 2010
 - i. Ridgeland Plaza Lot Parcel #0172I-30C-035/00.00 (B. G. Newman, III)
 - ii. Lot 33 Carlton Parke (Jarret and Tammy Aiken)
 - iii. 300 Sagewood Drive (Joe and Laura Hodges)
 - iv. Lot 15 Carr Meadow (Seied Ghafarianpoor)
 - v. 303 Rue Chateau (KCB Developments)
 - vi. 222 Rue Beau Chene (Bruellen Builders)
 - vii. 226 Rue Beau Chene (Bruellen Builders)
 - viii. 227 Rue Beau Chene (Beau Chene Investments, LLC)
 - ix. 229 Rue Beau Chene (Beau Chene Investments, LLC)
 - x. E. Ford Street Parcel #072I-30D-326/00.00 (Dr. Faez V. Jones)
 - xi. 309 S. Pear Orchard Road (Katherine Berry)
 Order attached hereto as Exhibit “G”
- (f) Code Enforcement/Request to Extend Open Meeting Date-August 17, 2010-218 N. Wheatley Street-Order attached hereto as Exhibit “H”
- (g) Adopt Order Appointing City Attorney and Fixing His Compensation-Jerry L. Mills (Pyle, Mills, & Dye, P.A.)-Order attached hereto as Exhibit “I”
- (h) Request Approval of FY10 Audit Proposal-Fortenberry & Ballard, P.C.-Order attached hereto as Exhibit “J”
- (i) Requisition for CDBG Go Zone-Payment Request-Order attached hereto as Exhibit “K”
- (j) Request Authorization to Advertise for Term Bids-Order attached hereto as Exhibit “L”
- (k) Approval of Budget Amendment for Police Department/Insurance Claim (2 Checks)-Order attached hereto as Exhibit “M”
- (l) Request to Declare Property Surplus-Police Department-Order attached hereto as Exhibit “N”
- (m) Accept Donation from Wal-Mart/Budget Amendment-Fire Department-Order attached hereto as Exhibit “O”
- (n) Accept Donation of Sea Lion 2 Remote Underwater Camera System from Broward County Florida Sheriffs Office-Fire Department-Order attached hereto as Exhibit “P”

The Motion was seconded by Alderman Hamlin and a vote was taken thereon as follows:

| | |
|------------------|--------|
| Alderman Steen | Aye |
| Alderman Heard | Absent |
| Alderman Gautier | Absent |
| Alderman Holder | Aye |
| Alderman Ramsey | Aye |
| Alderman Jones | Aye |
| Alderman Hamlin | Aye |

The Mayor then declared the Motion carried.

PAYMENT OF CLAIMS

There next came for consideration the matter of payment of claims. Alderman Steen moved that claim numbers 85743-86273 with the exception of claim numbers 85965-85985 (Fuelman of MS) on claims docket dated July 2, 2010 be paid.

The Motion was seconded by Alderman Ramsey and a vote was taken thereon as follows:

| | |
|------------------|--------|
| Alderman Steen | Aye |
| Alderman Heard | Absent |
| Alderman Gautier | Absent |
| Alderman Holder | Aye |
| Alderman Ramsey | Aye |
| Alderman Jones | Aye |
| Alderman Hamlin | Aye |

The Mayor then declared the Motion carried.

Alderman Steen recused himself and left the boardroom to avoid any perception of impropriety.

Alderman Hamlin moved that claim numbers 85965-85985 (Fuelman of MS) on claims docket July 2, 2010 be paid.

The Motion was seconded by Alderman Jones and a vote was taken thereon as follows:

| | |
|------------------|--------|
| Alderman Steen | Absent |
| Alderman Heard | Absent |
| Alderman Gautier | Absent |
| Alderman Holder | Aye |
| Alderman Ramsey | Aye |
| Alderman Jones | Aye |
| Alderman Hamlin | Aye |

The Mayor then declared the Motion carried.

Alderman Steen returned to the meeting.

EXECUTIVE SESSION

Alderman Jones moved that the meeting be closed to determine the necessity for an executive session.

The Motion was seconded by Alderman Ramsey and a vote was taken thereon as follows:

| | |
|------------------|--------|
| Alderman Steen | Aye |
| Alderman Heard | Absent |
| Alderman Gautier | Absent |
| Alderman Holder | Aye |
| Alderman Ramsey | Aye |
| Alderman Jones | Aye |
| Alderman Hamlin | Aye |

The Mayor declared the Motion carried.

The meeting was closed and discussion followed regarding the necessity of going into executive session to discuss continuing and potential litigation.

Alderman Hamlin moved that the Mayor and Board of Aldermen go into executive session.

The Motion was seconded by Alderman Jones and a vote was taken thereon as follows:

| | |
|------------------|--------|
| Alderman Steen | Aye |
| Alderman Heard | Absent |
| Alderman Gautier | Absent |
| Alderman Holder | Aye |
| Alderman Ramsey | Aye |
| Alderman Jones | Aye |
| Alderman Hamlin | Aye |

The Mayor declared the Motion carried.

The Mayor reopened the meeting and announced that, by unanimous vote, the Mayor and Board of Aldermen were going into executive session to discuss continuing and potential litigation.

The meeting was then closed and the Board went into executive session.

After discussion, Alderman Hamlin moved that the Mayor and Board of Aldermen come out of executive session.

The Motion was seconded by Alderman Jones and a vote was taken thereon as follows:

| | |
|------------------|--------|
| Alderman Steen | Aye |
| Alderman Heard | Absent |
| Alderman Gautier | Absent |
| Alderman Holder | Aye |
| Alderman Ramsey | Aye |
| Alderman Jones | Aye |
| Alderman Hamlin | Aye |

The Mayor declared the Motion carried.

The meeting was reopened, whereupon, the Mayor informed the public that no action was taken during executive session.

MORATORIUM ON RESTRICTED USES

Alan Hart, Community Development Director, presented options for the location of certain businesses included in the temporary Moratorium adopted by the Board at their August 4, 2009 meeting. He further explained that his Department and City Attorney Jerry Mills are considering and mapping several solutions, but an extension is requested to allow for further discussion and mapping before a final recommendation is made.

Alderman Ramsey moved to extend the moratorium for ninety (90) days until such time clear regulations can be developed. A copy of the document related to the abovementioned matter is attached hereto as Exhibit "Q".

The Motion was seconded by Alderman Hamlin and a vote was taken thereon as follows:

| | |
|------------------|--------|
| Alderman Steen | Aye |
| Alderman Heard | Absent |
| Alderman Gautier | Absent |
| Alderman Holder | Aye |
| Alderman Ramsey | Aye |
| Alderman Jones | Aye |
| Alderman Hamlin | Aye |

The Mayor declared the Motion carried.

ADJOURNMENT

There being no further business before the Mayor and Board of Aldermen the Mayor declared the first regular July meeting adjourned.

WITNESS MY SIGNATURE, this the _____ day of _____ 2010.

Gene F. McGee, Mayor

ATTEST:

David Overby, City Clerk