

**MINUTES OF THE FIRST REGULAR JUNE 2010 MEETING OF THE
MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF RIDGELAND, MISSISSIPPI
JUNE 1, 2010
6:00 P.M.**

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

The Mayor and Board were furnished minutes from the May 20, 2010 meeting of the Zoning Board.

The first order of business was the matter of accepting the minutes from the May 18, 2010 meeting of the Mayor and Board of Aldermen. The minutes were accepted with no corrections.

**PUBLIC HEARING/CONSIDER AMENDMENT TO
ZONING ORDINANCE**

The Mayor announces that the public hearing regarding considering an amendment to Section 37 of the City of Ridgeland Zoning Ordinance is now open. The City Clerk adjudicated that notice of the public hearing was published in the Madison County Journal on May 13, 2010. Copies of the notice are attached hereto as Exhibit "A".

At this time, City Attorney James Gabriel spoke and gave a synopsis of the proposed amendment.

The Mayor then invited those who had signed up to speak to come forward as he announced their name, at which time, a number of citizens including Sells Newman, Larry A. Miller, Ross Elliott, Bill Bates, Ann Cook, Jim Powell, and Jean McCarty asked questions and presented their positions in regard to the adoption of the proposed ordinance. Tammy McDaniel represented Carrie Higbie, a resident unable to attend the Public Hearing, and presented the Board with a letter stating her position. Sonja Rees was next called to come forward to speak and she stated that her concerns, as well as those of Gary Rees and Tom Welch, had been expressed by the previous speakers.

After the Mayor asked if anyone else wished to speak and there was no response, he declared the public hearing closed. Alderman Hamlin moved to deny said amendment to the Zoning Ordinance. The Motion was seconded by Alderman Ramsey. After discussion, a vote was taken thereon as follows:

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
Alderman Holder	Aye
Alderman Ramsey	Aye
Alderman Jones	Aye
Alderman Hamlin	Aye

The Mayor then declared the Motion carried.

OLD AGENCY/LIVINGSTON ROAD WATER PROJECT

There next came for consideration the matter of establishing just compensation for the Old Agency/Livingston Road Water Project. Alderman Jones moved to approve the schedule attached hereto as Exhibit "B".

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

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
Alderman Holder	Aye
Alderman Ramsey	Aye
Alderman Jones	Aye
Alderman Hamlin	Aye

The Mayor then declared the Motion carried.

RIDGEWOOD ROAD/CENTRE STREET TRAFFIC SIGNAL

There next came for consideration the matter of approving the Construction Engineering and Inspection agreement with Neel-Schaffer, Inc. regarding improvements to the Ridgewood Road and Centre Street intersection. Alderman Jones moved to approve the agreement attached hereto as Exhibit "C".

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

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
Alderman Holder	Aye
Alderman Ramsey	Aye
Alderman Jones	Aye
Alderman Hamlin	Aye

The Mayor then declared the Motion carried.

PROPERTY ADJUDICATIONS

There next came for consideration the matter of adjudicating the cost of cleaning 628 Ralde Circle and imposing statutory penalty by Resolution for the cleaning of said property. Alderman Steen moved to accept the recommendation of the Code Enforcement Officer and adjudicate the cost of cleaning pursuant to Section 212-19-11 of Mississippi Code of 1972 and imposing a penalty of \$250.00. A copy of said invoice and resolution are attached hereto as Exhibit "D".

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

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
Alderman Holder	Aye
Alderman Ramsey	Aye

Alderman Jones Aye
Alderman Hamlin Aye

The Mayor then declared the Motion carried.

Next came the matter of adjudicating the cost of cleaning 511 Christine Drive and imposing statutory penalty by Resolution for the cleaning of said property. Alderman Steen moved to accept the recommendation of the Code Enforcement Officer and adjudicate the cost of cleaning pursuant to Section 212-19-11 of Mississippi Code of 1972 and imposing a penalty of \$500.00. A copy of said invoice and resolution are attached hereto as Exhibit "E".

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

Alderman Steen Aye
Alderman Heard Aye
Alderman Gautier Aye
Alderman Holder Aye
Alderman Ramsey Aye
Alderman Jones Aye
Alderman Hamlin Aye

The Mayor then declared the Motion carried.

RELAY FOR LIFE

There next came for consideration the matter of an application filed by the American Cancer Society requesting a Special Event Permit to hold a Relay for Life fundraiser and that the required \$1000.00 bond be waived. Alderman Gautier moved to approve the permit with the permit fee of \$100.00, waive the filing of the bond, and to approve up to \$500.00 for in-kind overtime expenditures from the City of Ridgeland Police Department for traffic control if needed. Documents related to this matter are attached hereto as Exhibit "F".

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

Alderman Steen Aye
Alderman Heard Aye
Alderman Gautier Aye
Alderman Holder Aye
Alderman Ramsey Aye
Alderman Jones Aye
Alderman Hamlin Aye

The Mayor then declared the Motion carried.

JACKSON STREET DISTRICT HAMHOCK BBQ AND MUSIC FESTIVAL

There next came for consideration the matter of an application filed by Andy Cook, Parker House Restaurant, requesting a Special Event Permit to hold a Hamhock Barbeque and Music Festival to raise money for Adam's Project and that all fees be waived including any overtime expenditures by the Police Department for traffic control. Alderman Steen moved to approve the permit, waive the application fee, the filing of the bond, and to approve an in-kind sponsorship by donating overtime expenditures from the City of Ridgeland Police Department, because money raised would be used to build

playground equipment at Freedom Ridge Park. Documents related to this matter are attached hereto as Exhibit “G”.

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

Alderman Steen	Aye
Alderman Heard	Nay
Alderman Gautier	Aye
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 Hamlin moved to approve the following Consent Agenda.

- (a) Set Just Compensation
 - i. Highland Colony Land Company
 - ii. Sylvia McCandless
Order attached hereto as Exhibit “H”
- (b) Change Order Bulldog Construction-Lake Harbour Drive
Widening Project-Order attached hereto as Exhibit “I”
- (c) Zoning Matters
 - i. Petition and Application for Conditional Use Permit for
855 B Wilson Drive-Greg Sahler
 - ii. Petition and Application for Dimensional Variance-Mt.
Charity Baptist Church
Order attached hereto as Exhibit “J”
- (d) Site Plan-Mt. Charity Baptist Church-Family Life Center-Order attached hereto as
Exhibit “K”
- (e) DEQ White Oak Creek Sewer Project-Payment Request-Order attached hereto as
Exhibit “L”
- (f) Requisition for CDBG Go Zone-Payment Request-Order attached hereto as
Exhibit “M”
- (g) Code Enforcement/Cancel and Continue Hearing-Date July 6, 2010
- (h) Approval of Budget Amendment for Police Department-Insurance
Claim-Order attached hereto as Exhibit “N”
- (i) Police Department-FY ’10-11 DUI Grant-Authorize Application-Order attached
hereto as Exhibit “O”
- (j) Request to Declare Property Surplus-Police Department-Order attached hereto as
Exhibit “P”
- (k) Accept \$250.00 Donation from Trace Ridge Homeowner’s Association for Police
Department-Budget Amendment-Order attached hereto as Exhibit “Q”
- (l) Police Department-Addendum to TCS Ware Contract-Order attached hereto as
Exhibit “R”

- (m) Community Awareness Committee Appointments
 - i. Ken Heard-Reappoint Mike Smith
 - ii. Ridgeland Chamber-Reappoint Darlene Turner-Order attached
hereto as Exhibit “S”
- (n) Accept Donation of Lifepack Cardiac Monitor for Fire
Department-City of Jackson-Order attached hereto as Exhibit “T”

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

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
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 Jones moved that claim numbers 85008-85354 with the exception of claim numbers 85138-85150 (Fuelman of MS) on claims docket dated May 26, 2010 be paid.

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

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
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 Gautier moved that claim numbers 85138-85150 (Fuelman of MS) on claims docket May 26, 2010 be paid.

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

Alderman Steen	Absent
Alderman Heard	Aye
Alderman Gautier	Aye
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.

STREET PAVING PROJECT LIST CHANGE/BUDGET AMENDMENT

There next came for consideration the matter of approving changes to the street paving project list and amendment to budget of \$84,000 for account number 001-201-576 from 2004 6,000,000 bond fund.

Alderman Gautier moved to approve the changes and the aforementioned budget amendment. Documents related to this matter are attached hereto as Exhibit "U".

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

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
Alderman Holder	Aye
Alderman Ramsey	Aye
Alderman Jones	Aye
Alderman Hamlin	Aye

The Mayor declared the Motion carried.

EXECUTIVE SESSION

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

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

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
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 negotiation of real property and litigation.

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

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

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
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 negotiation of real property and litigation.

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

Woody Sample, the City's Acquisition Administrator, addressed the Mayor and Board regarding the City's offer in the amount of \$42,650 to Lake Harbour Drive Church of Christ for the right of way across their property. The Church will accept the offer if the City will install additional drainage.

Alderman Steen moved to install the buried culvert for the Lake Harbour Drainage which crosses the Church property up to a point past the planned parking lot. The project engineer has stated that the proposed improvements will cost approximately \$30,220.

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

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
Alderman Holder	Aye
Alderman Ramsey	Aye
Alderman Jones	Aye
Alderman Hamlin	Aye

The Mayor declared the Motion carried.

A copy of a memorandum to the Mayor and Board of Alderman from Woody Sample, the City's Acquisition Administrator, is attached hereto as Exhibit "V".

Discussion ensued regarding an increase in just compensation for rights-of way needed for the implementation of Lake Harbour Drive Project, and the following actions were taken:

Alderman Hamlin moved to increase just compensation an additional \$7,129.05 for Venture Car Wash sprinkler system and parking light, Parcel 3W and 5W, with the cost of boring the parking lot included in the property owner's compensation. The City will reset water meters once the boring is complete.

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

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
Alderman Holder	Aye
Alderman Ramsey	Aye
Alderman Jones	Aye
Alderman Hamlin	Aye

The Mayor declared the Motion carried.

A copy of a memorandum to the Mayor and Board of Alderman from Woody Sample, the City's Acquisition Administrator, related to the abovementioned parcels is attached hereto as Exhibit "W".

The Mayor and Board then discussed litigation.

Alderman Jones moved that the Board come out of executive session.

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

Alderman Steen	Aye
Alderman Heard	Aye
Alderman Gautier	Aye
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 of the action taken during executive session.

ADJOURNMENT

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

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

Gene F. McGee, Mayor

ATTEST:

David Overby, City Clerk