

**MEETING OF THE
MAYOR AND BOARD OF ALDERMAN OF THE
CITY OF RIDGELAND, MISSISSIPPI
February 3, 2015
6:00 PM**

The Mayor called the first regular February, 2015 meeting of the Mayor and Board of Aldermen to order. Present were Mayor Gene F. McGee, Alderman D. I. Smith, Alderman Ken Heard, Alderman Wesley Hamlin, Alderman Chuck Gautier, Alderman Kevin Holder, City Attorney Jerry Mills, and City Clerk Paula Tierce. Absent were Alderman Brian Ramsey and Alderman Scott Jones. The meeting was opened with an invocation by Mayor Gene McGee followed by the Pledge of Allegiance.

The Mayor and Board of Aldermen were provided the City Attorney's statement for services rendered through January 23, 2015.

Next came the matter of accepting the Minutes of the January 20, 2015 Mayor and Board of Aldermen Meeting. The Minutes were accepted with no corrections noted.

Next came the consideration of a Building Code Variance request by John and Christy Langcuster for the property located at 124 Bridgewater Crossing, Ridgeland, Madison County, Mississippi. Alderman Ken Heard moved to grant the Building Code Variance subject to the Hold Harmless Agreement being signed by John and Christy Langcuster. The Motion was seconded by Alderman D. I. Smith and a vote was taken thereon as follows:

Alderman D. I. Smith	Aye
Alderman Scott Jones	Absent
Alderman Wes Hamlin	Aye
Alderman Chuck Gautier	Aye
Alderman Kevin Holder	Nay
Alderman Brian Ramsey	Absent
Alderman Ken Heard	Aye

The Mayor then declared the Motion carried. A copy of the signed Indemnification and Hold Harmless Agreement is attached hereto as Exhibit "A".

Next came the consideration of a Resolution Supporting A Local Sales Tax Bill. Alderman Wes Hamlin moved to adopt the Resolution Supporting A Local Sales Tax Bill. The Motion was seconded by Alderman Kevin Holder and a vote was taken thereon as follows:

Alderman D. I. Smith	Aye
Alderman Scott Jones	Absent
Alderman Wes Hamlin	Aye
Alderman Chuck Gautier	Aye
Alderman Kevin Holder	Aye
Alderman Brian Ramsey	Absent
Alderman Ken Heard	Aye

The Mayor then declared the Motion carried. A copy of the Resolution Supporting A Local Sales Tax is attached hereto as Exhibit "B".

**PUBLIC HEARING – CONSIDERATION OF CLASS A NONCONFORMING
STATUS FOR JACKSON RESIDENTIAL ASSOCIATES ONE, LLC**

(VAN MARK APARTMENTS)

Next came for consideration the matter of conducting a public hearing regarding the consideration of the Class A Nonconforming Status for Jackson Residential Associates One, LLC (Van Mark Apartments). Mayor McGee opened the public hearing and the City Clerk adjudicated that proper and timely notice was advertised as required by state law. A copy of the notice is attached hereto as Exhibit “C”.

Michael Bentley, attorney for Jackson Residential Associates One, LLC (Van Mark Apartments) addressed the Mayor and Board of Aldermen and informed that Mr. James Favrot was present as well as other members of Jackson Residential Associates One, LLC management.

Michael Bentley then made a presentation to the Mayor and Board of Aldermen supporting the Petition for Class A Nonconforming Status for Jackson Residential Associates One, LLC (Van Mark Apartments) and introduced into the record the following exhibits:

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| Exhibit 1 | Van Mark Application for Class A Nonconformity Status (July 30, 2014) |
| Exhibit 2 | Van Mark Original Permit Application (June 19, 1984) |
| Exhibit 3 | Van Mark Certificate of Occupancy (May 9, 1985) |
| Exhibit 4 | Van Mark Resident Demographics (January 27, 2015) |
| Exhibit 5 | <i>America’s Rental Housing, Evolving Markets and Needs</i> , Report by the Joint Center for Housing Studies of Harvard University (December 9, 2013) |
| Exhibit 6 | <i>The State of the Nation’s Housing</i> , Report by the Joint Center for Housing Studies of Harvard University (2014) |
| Exhibit 7 | <i>The Demographic Shift from Single-Family to Multifamily Housing</i> , Article in the Economic Review, Federal Reserve Bank of Kansas City (2013) |
| Exhibit 8 | <i>How Housing Matters: Americans’ Attitudes Transformed by Housing Crisis & Changing Lifestyles</i> , Report of Survey Findings by the MacArthur Foundation (April 3, 2013) |
| Exhibit 9 | <i>Housing’s Economic and Social Impacts: A Report to the Iowa Finance Authority</i> , Heather MacDonald, Richard Funderburg, David Swenson, Anne Russett, Malynee Simeon (April 2007) |
| Exhibit 10 | 1984 Official Zoning Ordinance |
| Exhibit 11 | 1992 Official Zoning Ordinance |
| Exhibit 12 | September 7, 1995 Ordinance Amending Section 1003.03A of the Comprehensive Zoning Ordinance of 1992 |
| Exhibit 13 | 2001 City of Ridgeland Official Zoning Ordinance |
| Exhibit 14 | 2014 Official Zoning Ordinance of the City of Ridgeland |
| Exhibit 15 | 2008 Ridgeland Area Master Plan |
| Exhibit 16 | City of Ridgeland Comparative Apartment Analysis Summary (Sept 16, 2009) |
| Exhibit 17 | City of Ridgeland Zoning Map |
| Exhibit 18 | Report of Robert L. Johnson (January 30, 2015) |
| Exhibit 19 | Report of S. Donovan Scruggs, AICP (Feb 2, 2015) |
| Exhibit 20 | Report of Tracy K. Wofford, MAI (Jan 21, 2015) |
| Exhibit 21 | Court Reporter’s Transcript |

Michael Bentley concluded his presentation by informing the Mayor and Board of Aldermen that reducing the number of units per acre from 13.02 to 10 would cause a \$5 Million reduction in value and dialogue followed between Alderman Ken Heard and James Favrot regarding supporting documentation.

Michael Bentley then requested that the Class A Nonconforming Status for Jackson Residential Associates One, LLC (Van Mark Apartments) be approved.

Mayor Gene McGee then recessed the public hearing until March 3, 2015 for rebuttal purposes only.

Next came the consideration of architectural review of the Shadowood Entrance features. Alderman Kevin Holder moved to accept the landscaping and lighting portion of the architectural review and deny the white color. The Motion was seconded by Alderman Wes Hamlin and a vote was taken thereon as follows:

Alderman D. I. Smith	Aye
Alderman Scott Jones	Absent
Alderman Wes Hamlin	Aye
Alderman Chuck Gautier	Aye
Alderman Kevin Holder	Aye
Alderman Brian Ramsey	Absent
Alderman Ken Heard	Aye

The Mayor declared the Motion carried.

**PUBLIC HEARING – CONSIDERATION OF AMENDMENTS TO
VARIOUS SECTIONS OF THE OFFICAL ZONING ORDINANCE
AND SECTIONS 6-12 AND 106-4, AND ADDING SECTION
22-2 OF THE CODE OF ORDINANCES OF THE
CITY OF RIDGELAND, MISSISSIPPI**

Next came for consideration of amendment to various sections of the Official Zoning Ordinance and Sections 6-12 and 106-4, and adding Section 22-2 of the Code of Ordinances of the City of Ridgeland, Mississippi. Mayor McGee opened the public hearing and the City Clerk adjudicated that proper notice and timely notice was advertised as required by state law. A copy of the notice is attached hereto as Exhibit “D”.

Alan Hart, Director of Community Development, informed the Mayor and Board of Aldermen the changes/addition to the Code of Ordinances and the Official Zoning Ordinance.

The Mayor asked if there were individuals present who wanted to speak. Ms. Ellen Emich then address the Mayor and Board of Aldermen with comments and recommendations. Mayor McGee then asked if there were others who wanted to speak and there was no response. Mayor McGee then closed the public hearing.

Alderman Chuck Gautier moved to approve the recommended changes/additions to the Official Zoning Ordinance and the Code of Ordinances. The Motion was seconded by Alderman D. I. Smith and a vote was taken thereon as follows:

Alderman D. I. Smith	Aye
Alderman Scott Jones	Absent
Alderman Wes Hamlin	Aye
Alderman Chuck Gautier	Aye
Alderman Kevin Holder	Aye
Alderman Brian Ramsey	Absent
Alderman Ken Heard	Aye

The Mayor declared the Motion carried. A copy of the Ordinance Amending The Sections 21,40, 180, 200, 210, 330, and 430 of the Official Zoning Ordinance and Amending Sections 6-12 and 106-4, and Adding Section 22-2 of the Code of Ordinances of the City of Ridgeland, Mississippi is attached hereto as Exhibit “E”.

Next came the consideration of the Rotary Club 5K Special Event. This item was moved to the Consent Agenda.

Next came the matter of the items set out on the Consent Agenda. Kevin Holder moved to approve the Consent Agenda:

- a) Surplus Property (Police) – *Order Attached Hereto As Exhibit “F”*
- b) Special Event – Voice of Calvary Ministries – *Order Attached Hereto As Exhibit “G”*
- c) Special Event – Shuckers Annual Crawfish Boil – *Order Attached Hereto As Exhibit “H”*
- d) Special Event – Oral Cancer Awareness Run – *Order Attached Hereto As Exhibit “I”*
- e) Leads Online Contract – *Order Attached Hereto As Exhibit “J”*
- f) Entergy Mississippi, Inc. Easement for Midway Park – *Order Attached Hereto As Exhibit “K”*
- g) Surplus Property (Recreation & Parks) *Order Attached Hereto As Exhibit “L”*
- h) Special Event – Rotary Club of Madison/Ridgeland – *Order Attached Hereto As Exhibit “M”*

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

Alderman D. I. Smith	Aye
Alderman Scott Jones	Absent
Alderman Wes Hamlin	Aye
Alderman Chuck Gautier	Aye
Alderman Kevin Holder	Aye
Alderman Brian Ramsey	Absent
Alderman Ken Heard	Aye

The Mayor then declared the Motion carried.

Next came for consideration the City Attorney statement for services rendered through January 23, 2015, which was inadvertently left off the Claim Docket. Alderman Chuck Gautier moved to approve the payment of the City Attorney statement for services rendered through January 23, 2015. The Motion was seconded by Alderman Ken Heard and a vote was taken thereon as follows:

Alderman D. I. Smith	Aye
Alderman Scott Jones	Absent
Alderman Wes Hamlin	Aye
Alderman Chuck Gautier	Aye
Alderman Kevin Holder	Aye
Alderman Brian Ramsey	Absent
Alderman Ken Heard	Aye

The Mayor then declared the Motion carried.

PAYMENT OF CLAIMS

There next came for consideration the matter of payment of claims. Alderman D. I. Smith moved that claim numbers 120848 through 121077 and the January 23, 2015 Payroll be approved and paid. The Motion was seconded by Alderman Chuck Gautier and a vote was taken thereon as follows:

Alderman D. I. Smith	Aye
Alderman Scott Jones	Absent
Alderman Wes Hamlin	Aye
Alderman Chuck Gautier	Aye
Alderman Kevin Holder	Aye
Alderman Brian Ramsey	Absent
Alderman Ken Heard	Aye

The Mayor then declared the Motion carried.

The Mayor then informed the Board of Aldermen of the need to go into Closed Session to discuss the need to go into Executive Session to discuss pending litigation. Alderman Kevin Holder moved to go into Closed Session to discuss the need to go into Executive Session to discuss pending litigation. The Motion was seconded by Alderman Ken Heard and a vote was taken there as follows:

Alderman D. I. Smith	Aye
Alderman Scott Jones	Absent
Alderman Wes Hamlin	Aye
Alderman Chuck Gautier	Aye
Alderman Kevin Holder	Aye
Alderman Brian Ramsey	Absent
Alderman Ken Heard	Aye

The Mayor then declared the Motion carried.

CLOSED SESSION

Alderman Wes Hamlin moved to go into Executive Session to discuss litigation. The Motion was seconded by Alderman Chuck Gautier and a vote was taken thereon as follows:

Alderman D. I. Smith	Aye
Alderman Scott Jones	Absent
Alderman Wes Hamlin	Aye
Alderman Chuck Gautier	Aye
Alderman Kevin Holder	Aye
Alderman Brian Ramsey	Absent
Alderman Ken Heard	Aye

The Mayor then declared the Motion carried.

EXECUTIVE SESSION

Alderman Chuck Gautier moved to leave Executive Session. Alderman Kevin Holder seconded the Motion and a vote was taken thereon as follows:

Alderman D. I. Smith	Aye
Alderman Scott Jones	Absent
Alderman Wes Hamlin	Aye
Alderman Chuck Gautier	Aye
Alderman Kevin Holder	Aye
Alderman Brian Ramsey	Absent
Alderman Ken Heard	Aye

The Mayor then declared the Motion carried.

The Mayor reopened the meeting and announced that no action was taken by the Board of Aldermen during the Executive Session.

Alderman Chuck Gautier moved to approve a Resolution Authorizing the Condemnation of Right-of-Way for the Construction of Colony Park Boulevard. The Motion was seconded by Alderman Wes Hamlin and a vote was taken thereon as follows:

Alderman D. I. Smith	Aye
Alderman Scott Jones	Absent
Alderman Wes Hamlin	Aye
Alderman Chuck Gautier	Aye
Alderman Kevin Holder	Aye
Alderman Brian Ramsey	Absent
Alderman Ken Heard	Aye

The Mayor then declared the Motion carried. A copy of the Resolution Authorizing the Condemnation of Right-of-Way for the Construction of Colony Park Boulevard is attached hereto as Exhibit “N”.

There being no further business before the Mayor and Board of Aldermen, the Mayor declared the first regular February 2015 meeting adjourned at 7:23 p.m.

WITNESS MY SIGNATURE, this the _____ day of February, 2015.

GENE F. MCGEE, MAYOR

ATTEST:

PAULA TIERCE, CITY CLERK