

September 15, 2008

The called meeting of the Mayor and Council of the City of Madison was held Monday, September 15, 2008, at 5:30 PM at the Madison Fire Station, located at 160 North Main Street. Present were the following: Mayor DuPree; Council Members Perriman, Naples, and Booth; City Manager Nunn; City Clerk Thomas; and City Attorney Reitman. Council Members Blanton and Hunt were absent.

The meeting was called to order by Mayor DuPree.

Council Member Booth conducted the pledge of allegiance.

New Business

Madison Square – Mayor DuPree said no specific actions have come from previous meetings on this topic, but five items have been discussed as likely steps:

- 1) Lights;
- 2) Orchard Grove – keypad entry;
- 3) Neighborhood watch programs;
- 4) Cameras.

Mayor DuPree said that after the last meeting, it was apparent there was a deep concern from the residents of the complexes. He said he had asked City Manager Nunn and Attorney Reitman for their advice about potential actions under the existing ordinances. Mayor DuPree said he wanted to know the most aggressive action available, up to and including shutting something down. He said there is a potential endangerment to the health, safety, and welfare of these citizens and he wants to make certain that the Mayor and Council have acted adequately. He said he had asked Attorney Reitman to review the existing ordinances.

Attorney Reitman reported that he and Council Member Naples had reviewed the disorderly house concept, but he said he had continued to pursue some other avenues. He advised that management at these complexes may take some steps under the noise ordinance and the loitering ordinance. He said that much of this is dependent on management. He said he had researched some possible actions available to the City. He said the unfit structures and property ordinance may be a possible option. He reviewed the ordinance and the potential application of this ordinance (Sections 18-104, 18-105, 18-107, and 18-110). After discussion, City Manager Nunn discussed other options.

Council Member Booth expressed her objections to utilizing the unfit building ordinance that Attorney Reitman had reviewed. Booth said she does not see this as the right approach.

Council Member Naples agreed with Mayor DuPree that this issue should be handled aggressively and that action should be taken. Naples said the unfit building ordinance primarily addresses disrepair of the building and he is concerned about utilizing this ordinance.

After discussion, Attorney Reitman said it may be beneficial to look at case law. Council Member Perriman said the residents need to know that the City is working to alleviate their problem. Council Member Booth said on-site management is needed at the complexes. After further discussion, Council Member Naples said either an ordinance must be found that will work or an ordinance need to be created. Either way, staff needs the right tool.

Mayor DuPree said this was the reason for calling the meeting. He said if this ordinance doesn't put the City in a strong position, then perhaps a new ordinance is required. He said the residents need to know that they have been heard.

After discussion, Mayor DuPree said:

- 1) Ask Attorney Reitman to continue to review existing ordinances and to see if there is an ordinance that can be utilized;
- 2) If not, ask Reitman to create an ordinance that can be utilized that will protect the City and the City's employees and the citizens;
- 3) Ask City Clerk Thomas to research past conversations regarding twenty-four hour on-site management at Orchard Grove.

After further discussion and with no further business, Council Member Booth motion to adjourn. Naples second. Vote unanimous. The motion carries.

Approved: _____
Tom E. DuPree, Jr., Mayor

Attest: _____
Mellie A. Thomas, City Clerk

Date: _____