

**CITY OF BYRAM**  
**MINUTES OF REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN**  
**THURSDAY, NOVEMBER 10, 2011**  
**MUNICIPAL CONFERENCE ROOM, 121 SOUTHPOINTE DRIVE**

**WELCOME AND CALL TO ORDER** Mayor Nick Tremonte

**ROLLCALL** Deputy City Clerk Linda White

Present: Nick Tremonte, Mayor  
Kent Alday, Alderman  
Amy Douglas, Alderman  
D. L. Ford, Alderman  
Theresa Marble, Alderman  
Richard White, Mayor Pro Tem  
Attorney Jerry Mills

**APPROVAL OF CONSENT AGENDA**

- a. Minutes of the Regular Meeting of the Mayor and Board of Aldermen Held on October 27, 2011
- b. Minutes of the Work Session of the Mayor and Board of Aldermen Held on November 3, 2011
- c. Minutes of the Special Meeting of the Mayor and Board of Aldermen Held on November 3, 2011
- d. \$130.00 to the Center for Governmental Training & Technology for City Clerk Angela Richburg to attend the 2011 Winter Educational Conference December 7<sup>th</sup> & 8<sup>th</sup> plus travel expenses 001-140-611
- e. \$200.00 to the Center for Governmental Training & Technology for Deputy City Clerk Linda White to attend the 2011 Winter Educational Conference December 7<sup>th</sup>, 8<sup>th</sup> & 9<sup>th</sup> plus travel expenses 001-140-611
- f. \$491.63 to Stewart, Sneed & Hewes for Special Event Liability Insurance for the December 3<sup>rd</sup> Byram Christmas Parade (001-195-625)
- g. \$17,654.58 to Pyle, Mills & Dye for October legal services (various)
- h. Acceptance of Willow Creek Lane
- i. Approval of USA Drugs/Byram Town Center Right of Way variance
- j. Approval to observe Christmas and New Year holidays as proclaimed by Governor Haley Barbour
- k. Approval of the Resolution Regarding a Financing Agreement for the Purpose of Procuring Equipment

**MOTION** made by Alderman Alday and **SECONDED** by Mayor Pro Tem White to approve the Consent Agenda with the removal of item H at the request of Bart Ballard. Items I at the request of Attorney Mills and item J at the request of Alderman Alday to be voted on individually. **MOTION CARRIED 4 – 1**  
**ALDERMAN ALDAY, ALDERMAN DOUGLAS, ALDERMAN MARBLE, MAYOR PRO TEM**  
**WHITE VOTING YES AND ALDERMAN FORD VOTING NO**

**APPROVAL OF USA DRUGS/BYRAM TOWN CENTER RIGHT OF WAY VARIANCE**

**MOTION** made by Mayor Pro Tem White and **SECONDED** Alderman Marble to approve as stated in the adopted Development Ordinance for the City of Byram, the Board of Aldermen have the authority to grant a variance of said ordinance and due to the utility easement that is located on the opposite side of the road and will serve a specific use for the location of the utilities, a variance of 2 ½ feet from the required 50 feet to 47 ½ feet Right of Way is granted. **MOTION UNANIMOUSLY APPROVED**

**HOLIDAY SCHEDULE FOR EMPLOYEES**

**MOTION** made by Alderman Alday and **SECONDED** by Alderman Douglas to address the employee Christmas and New Year's Holiday Schedule at the next Board Meeting with information of employee and facility/vehicle costs. **MOTION CARRIED 3 – 2 ALDERMAN ALDAY, ALDERMAN DOUGLAS, ALDERMAN FORD VOTING YES AND ALDERMAN MARBLE AND MAYOR PRO TEM WHITE VOTING NO**

**APPROVAL OF CLAIMS DOCKET**

**MOTION** made by Alderman Marble and **SECONDED** by Alderman Alday to approve the Claims for October 18 through November 2, 2011 in the amount of \$88,986.15. **MOTION CARRIED 4 – 1 ALDERMAN ALDAY, ALDERMAN DOUGLAS, ALDERMAN MARBLE, MAYOR PRO TEM WHITE VOTING YES AND ALDERMAN FORD VOTING NO**

**APPROVAL OF MICROSOFT EXCHANGE FOR E-MAIL LICENSES**

**MOTION** made by Alderman Marble and **SECONDED** Alderman Douglas to approve Microsoft Exchange online monthly licenses for 70 users in the amount of \$5.00 per user per month. **MOTION UNANIMOUSLY APPROVED**

**APPROVAL OF CITY OF BYRAM SMOKING ORDINANCE**

**MOTION** made by Alderman Alday and **SECONDED** by Alderman Marble to approve the City of Byram Smoking Ordinance with the change of the word "ten" to "twenty" in Sec. 109B. (attached) **MOTION UNANIMOUSLY APPROVED**

**APPROVAL OF CITY OF BYRAM NOISE ORDINANCE**

**MOTION** made by Alderman Marble and **SECONDED** Mayor Pro Tem White to approve the City of Byram Noise Ordinance. (attached) **MOTION CARRIED 3 – 2, ALDERMAN DOUGLAS, ALDERMAN MARBLE, MAYOR PRO TEM WHITE VOTING YES AND ALDERMAN ALDAY AND ALDERMAN FORD VOTING NO**

**DECLARATION OF DAVIS ROAD BRIDGE EMERGENCY REPAIRS**

After discussion of an estimated cost of \$120,000 for repair of the Davis Road Bridge, a **MOTION** made by Mayor Pro Tem White and **SECONDED** Alderman Douglas to approve a Resolution declaring repairs to the Davis Road Bridge an Emergency. **MOTION FAILED 4 – 1, ALDERMAN DOUGLAS, ALDERMAN FORD, ALDERMAN MARBLE, MAYOR PRO TEM WHITE VOTING YES AND ALDERMAN ALDAY VOTING NO**

**AUTHORIZATION TO ACCEPT HINDS COUNTY REPAIR OF DAVIS ROAD BRIDGE**

**MOTION** made by Alderman Alday to authorize Mayor Tremonte to send a letter accepting the Hinds County Board of Supervisors' offer to repair the damaged piles on the Davis Road Bridge. Hinds County would provide the labor and the City would provide the materials with an estimated cost of \$8,000.00. **MOTION FAILED FOR LACK OF A SECOND**

**DECLARATION OF DAVIS ROAD BRIDGE EMERGENCY REPAIRS**

After further discussion of an estimated cost of \$120,000 for repair of the Davis Road Bridge and a failed motion to accept Hinds County's repair of Davis Road Bridge, **MOTION** made by Mayor Pro Tem White and **SECONDED** Alderman Ford to vote again for the approval of declaring repairs to the Davis Road Bridge an Emergency. **MOTION FAILED 4 – 1, ALDERMAN DOUGLAS, ALDERMAN FORD, ALDERMAN MARBLE, MAYOR PRO TEM WHITE VOTING YES AND ALDERMAN ALDAY VOTING NO**

**APPROVAL OF REPAIRING DAVIS ROAD BRIDGE**

**MOTION** made by Alderman Marble and **SECONDED** Alderman Douglas to begin the normal procurement process for the repair to the Davis Road Bridge. **MOTION UNANIMOUSLY APPROVED**

**HOLIDAY BOARD MEETING SCHEDULE**

**MOTION** made by Alderman Ford and **SECONDED** by Alderman Alday to change the December 15 Work Session to a Regular Board Meeting and cancel the December 22, 2011 Regular Board Meeting. **MOTION FAILED 3 – 2, ALDERMAN DOUGLAS, ALDERMAN FORD VOTING YES AND ALDERMAN ALDAY, ALDERMAN MARBLE, MAYOR PRO TEM WHITE VOTING NO**

**PURCHASE OF 8 ACRES ON LAKE DOCKERY**

**MOTION** made by Alderman Douglas and **SECONDED** by Alderman Alday to consider purchasing 8 acres on Lake Dockery for \$150,000.00. **MOTION FAILED 5-0**

CLOSED SESSION

MOTION made by Alderman Douglas and SECONDED Alderman Alday to go into Closed Session.  
MOTION UNANIMOUSLY APPROVED

EXECUTIVE SESSION

MOTION made by Alderman Alday and SECONDED Alderman Marble to go into Executive Session to discuss a personnel matter. MOTION UNANIMOUSLY APPROVED

ADJOURN EXECUTIVE SESSION

MOTION made by Alderman Alday and SECONDED by Alderman Douglas to adjourn Executive Session.  
MOTION UNANIMOUSLY APPROVED

ADJOURN CLOSED SESSION

MOTION made by Alderman Douglas and SECONDED by Alderman Alday to adjourn Closed Session.  
MOTION UNANIMOUSLY APPROVED

ADJOURN 9:20 PM

MOTION made by Alderman Alday and SECONDED by Alderman Douglas to adjourn. MOTION UNANIMOUSLY APPROVED

APPROVED:  \_\_\_\_\_ Date 12/12/11  
Nick Tremonte, Mayor

ATTEST:  \_\_\_\_\_ Date 12/12/11  
Angela Richburg, City Clerk