

Gluckstadt files incorporation papers; Canton looks to annex

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Now that Gluckstadt officials have filed incorporation papers, Canton has revealed interest in some of the proposed land.

The petition was filed on February 1.

Meanwhile, the Canton Board of Aldermen voted on the annexing some of the land. The vote was four to three.

Once an incorporation petition is filed, neighboring cities must be notified and have the option to oppose it.

Madison seems supportive of the incorporation, according to a past quote from Mayor Mary Hawkins Butler: "I think it's a good idea and good for the people in the area. I think we need to have a meeting about boundaries, but, other than that, it's time for it and it's a wonderful idea."

However, Gluckstadt officials have recently run into conflict with Canton.

"We understand there has been action by the Canton Board of Aldermen to file a second annexation that proposes multiple areas and includes portions in Gluckstadt boundaries," said John Scanlon with Pyle, Mills, Dye and Pittman attorneys. "The annexation runs southwest of the main city, down I-55, and takes in a primary intersection in the center of the Gluckstadt incorporation."

Scanlon is one of the lawyers managing the Gluckstadt incorporation petition. He also helps represent Ridgeland in legal matters.

According to Scanlon, Canton had an annexation some years ago that included an intersection projected to have major economic development that never came to fruition "for various economic reasons."

The intersection is located at Sowell Road and I-55 and does not currently connect to the main portion of Canton.

The current annexation includes multiple areas and portions of the proposed Gluckstadt boundaries.

"There is some overlap. It's possible the cases can be consolidated into one action by the judge. That has not been determined... We don't even have a return hearing date yet."

The judge can also choose to hear each case separately.

“Ultimately it’s up to the judge whether they want to consolidate the two cases,” said Scanlon. “Why (Canton is annexing) now, you need to ask the mayor. My guess is they’re anticipating future development, but I can’t speak for them.”

Canton Mayor Arnel Bolden was unavailable for comment at press time.

According to appointed Gluckstadt Mayor Walter Morrison, the petition had gained 73.64 percent of registered voters’ signatures in the area. The petition only needed 66 percent to be filed.

“We had 107 surplus signatures. That amounted to 1,250 signatures in total,” said Morrison.

Morrison said that once the petition is filed with the chancery court, the legal process for incorporating Gluckstadt begins.

“We have to first get a return hearing date from the judge. That depends on the judge’s availability and calendar,” said Scanlon. “It could be after April. It’s not restricted to a 30-day window... Once we have the return hearing date, we fill notice requirements. That means we serve summons to Madison and Canton, physically post the hearing date and publish in the newspaper when the hearing is.”

“Canton, Madison and Madison County are parties in the litigation,” said Morrison.

“If (Canton and Madison) did oppose, they could appear at the hearing and voice their objection,” said Scanlon.

“Individual residents will be given the opportunity to voice whatever objections they have as well,” said Morrison. “The courts then have a hearing, or a trial, which I’m told can last weeks or months.”

Then, the chancery court will either accept or deny the incorporation. The judge can even re-draw the geographical boundaries of the city.

- See more at: <http://northsidesun.com/front-page-slideshow-news/gluckstadt-files-incorporation-papers-canton-looks-annex#sthash.5chcreWX.dpuf>