

BE IT REMEMBERED that a Special Meeting of the City Council of Jackson, Mississippi, was convened in the Council Chambers in City Hall at 2:00 p.m. on April 17, 2018, being the third Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Charles Tillman, Council President, Ward 5; Melvin Priester, Jr., Vice-President, Ward 2; Ashby Foote, Ward 1; Kenneth Stokes, Ward 3; De'Keither Stamps, Ward 4; Aaron Banks, Ward 6 and Virgi Lindsay, Ward 7. Directors: Chokwe Antar Lumumba, Mayor; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Allice Lattimore, Deputy City Clerk and Sharon Gipson, City Attorney.

Absent: None.

The meeting was called to order by **President Charles Tillman**.

ORDER AUTHORIZING FULL AND FINAL SETTLEMENT OF ALL CLAIMS IN THE MATTER OF "RETRO METRO LLC VS. CITY OF JACKSON, MISSISSIPPI", CIRCUIT COURT; CAUSE NO. 25 CI 1:17-CV-00077WLK.

WHEREAS, on or about October 18, 2016, the Plaintiffs filed a Complaint in the matter styled "RETRO METRO VS. THE CITY OF JACKSON, MISSISSIPPI", Hinds Circuit Court Cause No. 25 CI 1:17- CV-000777WLK and Hinds County Chancery County Matter 2016-1563; and,

WHEREAS, the Plaintiff and the City having reached a proposed settlement; and

WHEREAS, the Office of the City Attorney is recommending that the City fully and finally resolve this matter with the Plaintiffs and their attorneys in The Law Office of Dockins, Turnage and Banks LLC in return for a complete release of the City and Entry of an Agreed Order of Dismissal; and

WHEREAS, such Settlement Agreement shall not constitute an admission of liability on the part of the City of Jackson, Mississippi; and

WHEREAS, based on the economic value to the City and without admitting any liability, it is in the best interest of the City of Jackson, Mississippi that the City of Jackson resolve this matter as follows: A complete settlement amount not to exceed \$500,000.00 with an initial lump sum payment in the amount of \$250,000.00; the remaining balance in the amount of \$250,000.00 in installment payments interest free in the amount of \$4,000.00 per month less any overpayments already made to Retro Metro/BankPlus pursuant to the Lease Amendment/Assignment related to the installation of wiring; no rent will be paid by the City of Jackson in the last six (6) months of the initial lease term, and at the end of the Initial Lease term, the City will take ownership of the 60,000 square foot area it now leases for the sum of \$1.00.

NOW, THEREFORE, IT IS HEREBY ORDERED by the City Council of the City of Jackson, Mississippi, that the City of Jackson, Mississippi pay a total sum not to exceed \$500,000.00 according to the payment terms set out above, and also this matter be settled to include the other terms as outlined above. The payments as outlined above shall be made to RETRO METRO and its attorneys in The Law Offices of Dockins, Turnage and Banks LLC in return for a Complete Release of the City from any and all liability and to include all the other terms described above.

Council Member Banks moved adoption; **Council Member Stamps** seconded.

President Tillman recognized **Sharon Gipson**, City Attorney who provided a brief overview of said order and requested that the Council enter into Closed Session to consider going into Executive Session.

Council Member Stokes moved, seconded by **Council Member Stamps** to go into Closed Session to discuss a litigation settlement.

President Tillman recognized **Council Member Stamps** who stated that the Council should move forward on said item without going into Executive Session.

Thereafter, **Council Member Stokes** withdrew his motion.

Vice President Priester moved, seconded by **Council Member Foote** to go into Closed Session to consider going into Executive Session to discuss a litigation settlement. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- Stokes.
Absent- None.

President Tillman announced to the public that the Council voted to go in a Closed Session to determine if going into Executive Session regarding a litigation settlement.

Vice President Priester moved and **Council Member Foote** seconded to re-open the meeting. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Priester, Stamps, Stokes and Tillman.
Nays- None.
Absent- None.

Council Member Foote moved, seconded by **Council Member Stamps** to go into Executive Session to discuss litigation regarding Retro Metro. The motion prevailed by the following vote:

Yeas- Bank, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- Stokes.
Absent- None.

President Tillman announced to the public that the Council voted to go into Executive Session to discuss litigation regarding Retro Metro.

Council Member Stokes moved and **Council Member Stamps** seconded to come out of Executive Session. The motion prevailed by the following vote:

Yeas- Bank, Foote, Lindsay, Priester, Stamps and Tillman.
Nays- Stokes.
Absent- None.

President Tillman announced to the public that the Council voted to come out of Executive Session and action had been taken. The Council voted on the order as follows:

Yeas- Banks, Priester, Stamps and Stokes.
Nays- Foote, Lindsay and Tillman.
Absent- None.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Council Meeting to be held at 6:00 p.m. on Tuesday, April 24, 2018 and at 2:57 p.m., the Council stood adjourned.

ATTEST:

Kristi Moore
CITY CLERK

APPROVED:

Charles G. Sumner ^{SKO} 5/2/18
MAYOR *KL* DATE
