

**BE IT REMEMBERED** that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 6:00 p.m. on April 18, 2017, being the third Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Tyrone Hendrix, President, Ward 6; Ashby Foote, Ward 1; Melvin Priester, Jr., Ward 2; De'Keither Stamps, Ward 4 and Charles Tillman, Ward 5. Directors: Jackie Anderson-Woods, Chief of Staff; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Alice Lattimore, Deputy City Clerk and James Anderson, Special Assistant to the City Attorney.

Absent: Margaret Barrett-Simon, Vice President, Ward 7 and Kenneth Stokes, Ward 3.

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The meeting was called to order by **President Tyrone Hendrix**.

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The invocation was offered by **Pastor Jeff Powell** of Ambrose CME Church.

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**President Hendrix** recognized **Jackie Anderson-Woods** who introduced the following individual during the meeting:

- **Ollie Harper**

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**President Hendrix** requested that Agenda Items No. 35, 36, 37, 39, 40, 34 and 38 be moved up on the Agenda. Hearing no objections, the following were presented:

**President Hendrix** recognized **Council Member Stamps** who **PRESENTED AWARDS CELEBRATING JOHN HOPKINS ELEMENTARY AND ITS FIRST ANNUAL YOUNG AUTHOR'S CONFERENCE**. Accepting the Awards with appropriate remarks was **Dr. Donald Black**.

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**President Hendrix** recognized **Jackie Anderson-Woods** who on behalf of **Mayor Yarber** presented a **PROCLAMATION PROCLAIMING APRIL 17-22, 2017 AS NATIONAL COMMUNITY DEVELOPMENT WEEK**. Accepting the Proclamation with appropriate remarks was **Vanessa Henderson**.

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**President Hendrix** recognized **Jackie Anderson-Woods** who on behalf of **Mayor Yarber** presented a **PROCLAMATION HONORING COREY "LIL C-NOTE" JACKSON FOR BEING AN AMBASSADOR AND ENTREPRENEUR**. Accepting the Proclamation with appropriate remarks was **Corey Jackson**.

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**President Hendrix** recognized **Council Member Tillman** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING THE OUTSTANDING LEADERSHIP OF KENDALL R. BUNCH, 2016-2017 JACKSON STATE UNIVERSITY STUDENT GOVERNMENT ASSOCIATION PRESIDENT**. Accepting the Resolution with appropriate remarks was **Kendall R. Bunch**.

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**President Hendrix** recognized **Council Member Tillman** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING THE REMARKABLE LEADERSHIP OF DESTINEY LAWRENCE, MISS JACKSON STATE UNIVERSITY 2016-2017.** Accepting the Resolution with appropriate remarks was **Destiney Lawrence.**

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**President Hendrix** recognized **Ethel Mangum** on behalf of **Council Member Stokes** who **PRESENTED THE WILLIAM E. MILLER AWARD TO DR. ROBERT WOODRUFF.** Accepting the Award with appropriate remarks was **Dr. Robert Woodruff.**

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**President Hendrix** recognized **Ethel Mangum** on behalf of **Council Member Stokes** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING MR. HOWARD BALLOU FOR PERSERVING EXCELLENT STEWARDSHIP IN NEWS JOURNALISM.** Accepting the Resolution with appropriate remarks was **Howard Ballou.**

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There came on for consideration Agenda Item No. 2: Public Hearing:

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI RENAMING GROVE PARK GOLF COURSE TO PETE BROWN GOLF COURSE.**

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There was no one to speak in favor or opposition to said item.

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**President Hendrix** recognized the following individuals provided public comments during the meeting:

- **Thomas Cheatham, Jr.** expressed concerns regarding infrastructure issues at the Grove Park facility.
- **Lynn Coleman** expressed concerns regarding the gating ordinance.
- **Swinney Sumrall** expressed concerns regarding the gating ordinance.
- **Lisa Nettles** expressed concerns regarding the gating ordinance.

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**ORDER ACCEPTING THE BIDS OF MERCHANTS FOODSERVICE FOR TWELVE MONTHS SUPPLY OF FOODS-CANNED AND/OR DRY, GROUP IIB, NO. 38702-120616.**

**WHEREAS,** on December 6, 2016, sealed bids were received and one (1) bid for Canned and/or Dry, Group IIB was received; and

**WHEREAS,** certain canned and/or dry foods are needed for children enrolled in the Early Childhood Development Program; and

**WHEREAS**, the Department of Human and Cultural Services has reviewed said bid and recommend the bids submitted by Merchants Foodservice received on December 6, 2016, be accepted as the lowest and best bids received for those certain items; and

**WHEREAS**, the cost of said Canned and/or Dry-Food Group IIB, is based on an estimated number of children to be served.

**IT IS HEREBY ORDERED** that the following bids received on December 6, 2016, from Merchants Foodservice, 870 Boling Street, Jackson, MS 39209 for a twelve-month supply, of Canned and/or Dry-Group IIB, (starting March 01, 2017 through February 28, 2018), be accepted as the lowest and best bid received for each of the specified items as listed below, it being determined that said bid met the City specifications.

<u>COMPANY NAME</u>	<u>ITEMS</u>
Merchant Foodservice 870 Boling Street Jackson, MS 39209	1, 3, 4-40, & 44

**IT IS FURTHER ORDERED** that payment for said Canned and/or Dry Group IIB, be made from various funds.

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

Yeas- Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING THE ACCEPTANCE OF MONETARY DONATIONS TO THE CITY OF JACKSON FIRE DEPARTMENT.**

**WHEREAS**, the City of Jackson Fire Department has received \$438.71 in monetary donations for various sources; and

**WHEREAS**, \$438.71 is for Fire Safety Education and Kids Academy.

**IT IS, HEREBY, ORDERED** that the monetary donation amount of \$438.71 be accepted.

**IT IS FURTHERED ORDERED** that funds be accepted for the use of the fire department needs.

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

Yeas- Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND LEE FISHER/DBA/FISHER INC, 1526 FIRST AVENUE, JACKSON, MS 39203 FOR THE BOARD UP AND SECURING OF STRUCTURE(S) AND/OR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2016-2045 - 1637 GIBRALTAR DRIVE- \$1,310.00.**

**WHEREAS**, on February 7, 2017 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on December 6, 2016 for the following case: Case #2016-2045 located in Ward 5; and

**WHEREAS**, the Jackson Police Department's Community Improvement Unit has a system in which vendors performing services related to the remedying of conditions on property adjudicated to be a menace to public health, safety, and welfare are rotated; and

**WHEREAS**, Lee Fisher/DbA/Fisher Inc., appeared next on the rotation list and has agreed to board up and securing of house and/or cutting grass and weeds, and remedy the conditions for Case #2016-2045 located at 1.) 1637 Gibraltar Drive; and

**WHEREAS**, Lee Fisher/DbA/Fisher Inc. has agreed to perform the services described for the sum of \$1,310.00.

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute a contract with Lee Fisher/DbA/Fisher Inc., providing the board up and securing of house, cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash, debris and clean curbside on the stated property.

**IT IS, THEREFORE, ORDERED** that a sum not to exceed \$1,310.00 to be paid upon completion of the work from the Community Improvement Unit's Budget.

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

Yeas- Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND LEE FISHER/DBA/FISHER INC., 1526 FIRST AVENUE, JACKSON, MS 39203 FOR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2016-2019 - 5537-41 ROBINSON ROAD/LOT S OF 5525 ROBINSON ROAD - \$1,377.00.**

**WHEREAS**, on February 7, 2017 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on November 29, 2016 for the following case: Case #2016-2019 located in Ward 4; and

**WHEREAS**, the Jackson Police Department's Community Improvement Unit has a system in which vendors performing services related to the remedying of conditions on property adjudicated to be a menace to public health, safety, and welfare are rotated; and



**WHEREAS**, Lee Fisher/DbA/Fisher Inc., appeared next on the rotation list and has agreed to cutting grass and weeds, and remedy the conditions for Case #2016-2019 located at 1.) 5537-41 Robinson Road/Lot S of 5525 Robinson Road; and

**WHEREAS**, Lee Fisher/DbA/Fisher Inc. has agreed to perform the services described for the sum of \$1,377.00.

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute a contract with Lee Fisher/DbA/Fisher Inc., providing the cutting of grass, weeds, shrubbery, bushes, saplings and removing of trash, debris, tree limbs and tree parts and clean curbside on the stated property.

**IT IS, THEREFORE, ORDERED** that a sum not to exceed \$1,377.00 to be paid upon completion of the work from the Community Improvement Unit's Budget.

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

Yeas- Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND LEE FISHER/DBA/FISHER INC., 1526 FIRST AVENUE, JACKSON, MS 39203 FOR THE BOARD UP AND SECURING OF STRUCTURE(S) AND/OR CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2016-1704 - 3222 BEATRICE DRIVE - \$1,425.00.**

**WHEREAS**, on December 13, 2016 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on July 26, 2016 for the following case: Case #2016-1704 located in Ward 6; and

**WHEREAS**, the Jackson Police Department's Community Improvement Unit has a system in which vendors performing services related to the remedying of conditions on property adjudicated to be a menace to public health, safety, and welfare are rotated; and

**WHEREAS**, Lee Fisher/DbA/Fisher Inc., appeared next on the rotation list and has agreed to board up and securing of house and/or cutting grass and weeds, and remedy the conditions for Case #2016-1704 located at 1.) 3222 Beatrice Drive; and

**WHEREAS**, Lee Fisher/DbA/Fisher Inc. has agreed to perform the services described for the sum of \$1,425.00.

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute a contract with Lee Fisher/DbA/Fisher Inc., providing the board up and securing of house, cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash, debris, tree limbs and tree parts and clean curbside on the stated property.

**IT IS, THEREFORE, ORDERED** that a sum not to exceed \$1,425.00 to be paid upon completion of the work from the Community Improvement Unit's Budget.

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

Yeas- Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND BARRY JORDAN/DBA/J&T GENERAL CONTRACTOR, 2701 TV ROAD, JACKSON, MS 39204 FOR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2015-1919 – 0 LAKEWOOD DRIVE/LOT S OF 3020 LAKEWOOD DRIVE - \$841.00.**

**WHEREAS**, on February 7, 2017 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on November 29, 2016 for the following case: Case #2015-1919 located in Ward 6; and

**WHEREAS**, the Jackson Police Department’s Community Improvement Unit has a system in which vendors performing services related to the remedying of conditions on property adjudicated to be a menace to public health, safety, and welfare are rotated; and

**WHEREAS**, Lee Fisher/DbA/Fisher Inc., appeared next on the rotation list and has agreed to board up and securing of house and/or cutting of grass and weeds, and remedy the conditions for Case #2015-1919 located at 1.) 0 Lakewood Drive/Lot S of 3020 Lakewood Drive; and

**WHEREAS**, Lee Fisher/DbA/Fisher Inc. has agreed to perform the services described for the sum of \$841.00.

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute a contract with Lee Fisher/DbA/Fisher Inc., providing the cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris on the stated property.

**IT IS, THEREFORE, ORDERED** that a sum not to exceed \$841.00 to be paid upon completion of the work from the Community Improvement Unit’s Budget.

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

Yeas- Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND BARRY JORDAN/DBA/J&T GENERAL CONTRACTOR, 2701 TV ROAD, JACKSON, MS 39204 FOR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2015-1499 – 2926 FAIRHILL DRIVE - \$1,021.00.**

WHEREAS, on December 13, 2016 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on July 26, 2016 for the following case: Case #2015-1499 located in Ward 6; and

WHEREAS, the Jackson Police Department's Community Improvement Unit has a system in which vendors performing services related to the remedying of conditions on property adjudicated to be a menace to public health, safety, and welfare are rotated; and

WHEREAS, Barry Jordan/DbA/J&T General Contractor, appeared next on the rotation list and has agreed to board up and securing of house and/or cutting grass and weeds, and remedy the conditions for Case #2015-1499 located at 1.) 2926 Fairhill Drive; and

WHEREAS, Barry Jordan/DbA/J&T General Contractor has agreed to perform the services described for the sum of \$1,021.00.

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute a contract with Barry Jordan/DbA/J&T General Contractor providing the cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash, debris and tree limbs on the stated property.

**IT IS, THEREFORE, ORDERED** that a sum not to exceed \$1,021.00 to be paid upon completion of the work from the Community Improvement Unit's Budget.

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

Yeas- Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND BARRY JORDAN/DBA/J&T GENERAL CONTRACTOR, 2701 TV ROAD, JACKSON, MS 39204 FOR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2016-1696 – 5072 LURLINE DRIVE - \$924.00.**

WHEREAS, on October 18, 2016 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on August 2, 2016 for the following case: Case #2016-1696 located in Ward 4; and

WHEREAS, the Jackson Police Department's Community Improvement Unit has a system in which vendors performing services related to the remedying of conditions on property adjudicated to be a menace to public health, safety, and welfare are rotated; and

**WHEREAS**, Barry Jordan/Db/J&T General Contractor appeared next on the rotation list and has agreed to board up and securing of house and/or cutting of grass and weeds, and remedy the conditions for Case #2016-1696 located at 1.) 5072 Lurline Drive; and

**WHEREAS**, Barry Jordan/Db/J&T General Contractor has agreed to perform the services described for the sum of \$924.00.

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute a contract with Barry Jordan/Db/J&T General Contractor providing the cutting of grass, weeds, shrubbery, fence line and removing of tree limbs, tree parts and clean curbside on the stated property.

**IT IS, THEREFORE, ORDERED** that a sum not to exceed \$924.00 to be paid upon completion of the work from the Community Improvement Unit's Budget.

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

Yeas- Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon and Stokes.

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There came on for Introduction Agenda Item No. 12:

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI RENAMING CARNES STREET (FROM PALMYRA STREET TO MARTIN LUTHER KING, JR., DR.) TO REVEREND ALVIN BURTON, SR. STREET.** Said item was referred to the Planning Committee.

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There came on for Introduction Agenda Item No. 13:

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI RENAMING COHEA STREET (FROM PALMYRA STREET TO LAMAR STREET) TO CORPORAL ALLEN HARPER, JR. STREET.** Said item was referred to the Planning Committee.

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There came on for Introduction Agenda Item No. 14:

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI RENAMING TODD STREET (FROM PALMYRA STREET TO MARTIN LUTHER KING, JR., DR.) TO ANDRE LAMONT JONES STREET.** Said item was referred to the Planning Committee.

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**ORDINANCE AMENDING SECTIONS OF CHAPTER 62 OF THE CODE OF ORDINANCES CITY OF JACKSON, MISSISSIPPI, GOVERNING FLOOD DAMAGE PREVENTION AND FOR RELATED PURPOSES.**

**WHEREAS**, Chapter 62 of the Code of Ordinances, City of Jackson, Mississippi, establishes areas of special flood hazard and regulations for the prevention of flood damage; and

**WHEREAS**, the Federal Emergency Management Agency ("FEMA") has reviewed the City's current floodplain ordinance as part of its regular review of the City's floodplain program and recommended technical changes to certain sections of the ordinance.



**THEREFORE, BE IT ORDAINED** as follows:

**SECTION 1.** The definition of *dry floodproofing* as stated in Section 62-7 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**Dry Floodproofing** means any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or eliminate flood damages to real estate or improved real estate property, water, and sanitary facilities, structures, and their contents. Structures shall be floodproofed with a minimum of **18** inches of freeboard (more is recommended) in relation to the base flood elevation. Dry floodproofing of a pre-FIRM residential structure that has not been substantially damaged or improved is allowed. Dry floodproofing of a post-FIRM residential building is not allowed. Non-residential structures may be dry floodproofed in all flood zones with the exception of the Coastal High Hazard Area or the Coastal AE Zone.

**SECTION 2.** Section 62-21 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-21. ENFORCEMENT, PENALTIES, AND VIOLATIONS.**

Any action or inaction which violates the provisions of this ordinance or permit shall be subject to the enforcement actions outlined in Division 3. Any such action or inaction that is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

Civil penalties. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than **\$500.00** or imprisoned for not more than **90** days, or both, and in addition, shall pay all costs and expenses involved in the case. Each act of violation and each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Floodplain Administrator from taking such other lawful actions as are necessary to prevent or remedy any violation.

**SECTION 3.** Section 62-31 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION. 62-31. - DESIGNATION OF FLOOD DAMAGE PREVENTION ORDINANCE ADMINISTRATOR.**

The mayor and city council of the city hereby appoints the Director of the Department of Planning and Development or his designee to administer and implement the provisions of this article and is herein referred to as the floodplain administrator and/or the administrator.

**SECTION 4.** Section 62-33 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-33. POWERS, DUTIES, AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.**

The Floodplain Administrator and his or her designated staff is hereby authorized and directed to enforce the provisions of this ordinance. The Administrator is further authorized to render interpretations of this ordinance, which are consistent with its spirit and purpose.



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Duties of the administrator shall include, but not be limited to:

- (1) Review all development permits to assure that the permit requirements of this ordinance have been satisfied.

Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972.

- (2) 33 U.S.C. 1334. Additionally, require the permittee to obtain and submit copies of any required federal or state permits and maintain them on file with the development permit.
- (3) Perform a minimum of three inspections to ensure that all applicable ordinance and floodplain development requirements have been satisfied. The first inspection upon the establishment of the Base Flood Elevation reference mark at the development site; the second upon the establishment of the structure's footprint prior to pouring the slab or the establishment of the lowest floor in an elevated foundation system; and the final inspection upon completion and submission of the required finished construction elevation certificate.
- (4) Verify any required setback distances.
- (5) Verify that all placement of fill or grading is according to certified plans. Assure that any fill being used as part of the structure's foundation system (not allowed in a CHHA) is both clean material and properly compacted and placed. A professional certification that any structure built on fill is reasonably safe from flooding can be requested of the builder/developer.
- (6) Verify adequate placement and size of any required flood vents in regard to the number of openings, their location, size, and height above ground level.
- (7) Ensure that a crawlspace has adequate vents or openings and that the interior grade is at or above the exterior grade.
- (8) Verify that the structure's utilities, duct work, and HVAC systems are at or above the base flood elevation.
- (9) Notify adjacent communities, the NFIP State Coordinator, and other federal and/or state agencies with statutory or regulatory authority prior to any alteration or relocation of a watercourse.
- (10) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.
- (11) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new construction and substantially improved buildings, in accordance with Section 62-32(2). Information must be recorded on the FEMA Elevation Certificate Form 81-31.
- (12) Verify and record the actual elevation (in relation to mean sea level) to which the new construction and substantially improved buildings have been floodproofed, in accordance with Section 62-32(2). Information must be recorded on the FEMA Elevation Certificate Form 81-31.
- (13) Review certified plans and specifications for compliance.

- (14) Make the necessary interpretation where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Article.
- (15) Obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source when base flood elevation data or floodway data have not been provided in accordance with Section 62-12, in order to administer the provisions of Division 5.
- (16) Provide information, testimony, or other evidence, as needed during variance request hearings.
- (17) Conduct the following actions when damage occurs to a building or buildings:
  - a.) Determine whether damaged structures are located within the Special Flood Hazard Area;
  - b.) Conduct damage assessments for those damaged structures located in the SFHA, and;
  - c.) Make a reasonable attempt to notify owner(s) of damaged structure(s) of the requirement to obtain a building permit / floodplain development permit prior to repair, rehabilitation, or reconstruction.
- (18) Perform such other inspections as may be required to insure compliance with the other provisions of this ordinance.

**SECTION 5.** Section 62-41 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-41. GENERAL STANDARDS FOR ALL ZONES.**

In all areas of special flood hazard the following provisions are required:

- (1) New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure.
- (2) Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. Dry stacked blocks (stacked without the use of mortar or cement to bond them together) are not to be used as an anchor/elevation method. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
- (3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (4) New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (5) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding, such facilities shall be located a minimum of **18 inches above** the Base Flood Elevation.
- (6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

- (7) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (9) Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this ordinance shall meet the requirements of "new construction" as contained in this ordinance.
- (10) Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity shall meet the requirements of "new construction" as contained in this ordinance.
- (11) All gas and liquid storage tanks (both above and below ground) shall be adequately anchored to prevent floatation, lateral movement resulting from hydrodynamic forces, and the effects of buoyancy.
- (12) When new construction and substantial improvements are located in multiple flood zones or in a flood zone with multiple base flood elevations, they shall meet the requirement for the more stringent flood zone and the highest base flood elevation.
- (13) New construction and substantial improvement of any building (both in and outside the SFHA) shall have the lowest floor (including basement) at least one foot above the centerline of the designated street, unless the topography of the property does not allow for strict adherence as determined by the Floodplain Administrator.
- (14) All new horizontal additions must have the lowest floor and all HVAC elevated to the regulatory base flood elevation.
- (15) New construction and substantial improvements of structures built on fill (only allowed outside of the CHHA and Coastal AE Zone) shall be constructed on properly designed and compacted fill that extends 10 feet to 15 feet beyond the building walls before dropping below the base flood elevation, and shall have appropriate protection from erosion and scour as follows:
  - a.) Fill sites, upon which structures will be constructed or placed, must be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test method or an acceptable equivalent method.
  - b.) Fill slopes shall be no steeper than one foot vertical to two feet horizontal.
  - c.) Adequate protection against erosion is must be provided for fill slopes. When expected velocities during the occurrence of the base flood are greater than five feet per second, armoring with stone or rock protection or material that will provide equivalent resistance will be provided. When expected velocities during the base flood are five feet per second or appropriate protection shall be provided by covering them with vegetative cover at a minimum.
  - d.) Fill shall be composed of clean granular or earthen material.
- (16) Storage or processing of materials that are hazardous, flammable, explosive, or in time of flooding could become buoyant and pose an obstruction to flow, are prohibited within the community special flood hazard areas, to include identified floodways. Storage of material or equipment not otherwise prohibited shall be firmly anchored to prevent floatation.

**SECTION 6.** Section 62-42(7) of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

- (7) Standards for Manufactured Homes and Recreational Vehicles.
- a.) All manufactured homes placed, or substantially improved, on individual lots or parcels, in existing manufactured home parks or subdivisions, in expansions to existing manufactured home parks or subdivisions, in new manufactured home parks or subdivisions or in substantially improved manufactured home parks or subdivisions, must meet all the requirements for new construction, including elevation and anchoring and the flood openings requirements of Section 62-42 (4).  
Manufactured homes must be:
- (i) Elevated on a permanent foundation to have its lowest floor elevated to no lower than **18 inches above** the base flood elevation, and;
  - (ii) Securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- b.) All manufactured homes placed or substantially improved, excepting manufactured homes that have incurred substantial damage as a result of a flood, in an existing manufactured home park or subdivision must be elevated so that:
- (i) The lowest floor of the manufactured home is elevated to no lower than **18 inches above** the base flood elevation and be securely anchored to an adequately anchored foundation support system to resist floatation, collapse, and lateral movement, or
  - (ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above the highest adjacent grade and adequately anchored foundation support system to resist floatation, collapse, and lateral movement.
- c.) All recreational vehicles placed on sites must either:
- (i) Be on site for fewer than 180 consecutive days and obtain a new permit before returning to the same site,
  - (ii) Be fully licensed and ready for highway use, or
  - (iii) Must meet all the requirements for new construction, including anchoring and elevation requirements of this Section 62-42 (7) (a) or Section 62-42 (7) (b) (i) above.

A recreational vehicle is ready for highway use if it is licensed and insured in accordance with the state of Mississippi motor vehicle regulations, is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

**SECTION 7.** Section 62-63 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-63. VARIANCE PROCEDURES.**

In passing upon such applications, the Floodplain Management Board shall consider all technical evaluations, relevant factors, and standards specified in other sections of this ordinance, and:



- (1) The evaluation must be based on the characteristics unique to that property and not be shared by adjacent parcels. The characteristics must pertain to the land itself, not to the structure, its inhabitants, or its owners;
- (2) Variances should never be granted for multiple lots, phases of subdivisions, or entire subdivisions;
- (3) The danger that materials may be swept onto other lands to the injury of others;
- (4) The danger of life and property due to flooding or erosion damage;
- (5) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner and the community;
- (6) The importance of the services provided by the proposed facility to the community;
- (7) The necessity of the facility to be at a waterfront location, where applicable;
- (8) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- (9) The compatibility of the proposed use with existing and anticipated development;
- (10) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- (11) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (12) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site, and;
- (13) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges and culverts.
- (14) Upon consideration of factors listed above, and the purpose of this ordinance, the Floodplain Management Board—may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (15) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

**SECTION 8.** Section 62-64 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-64. CONDITIONS FOR VARIANCES.**

- (1) Variances shall only be issued when there is:
  - a.) A showing of good and sufficient cause;
  - b.) A determination that failure to grant the variance would result in exceptional hardship, and;
  - c.) A determination that the granting of a variance will not result in increased flood heights, additional threats to public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.



- (2) The provisions of this ordinance are minimum standards for flood loss reduction; therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary deviation from the requirements of this ordinance, considering the flood hazard, to afford relief. In the instance of a Historic Structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building. (See Section 62-66.)
- (3) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest floor is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (4) The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and Mississippi Emergency Management Agency upon request. (See Section 62-65.)
- (5) Upon consideration of the factors listed above and the purposes of this ordinance, the Floodplain Management Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (6) Variances shall not be issued "after the fact."

**SECTION 9.** Section 62-67 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-67. SPECIAL CONDITIONS.**

Upon consideration of the factors listed in Division 6, and the purposes of this ordinance, the Floodplain Management Board may attach such conditions to the granting of variances, as it deems necessary to further the purposes of this ordinance.

**SECTION 10.** Should any sentence, paragraph, subdivision, clause, phrase, or section of this Article be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Article as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Code of Ordinances of the City of Jackson, Mississippi, as a whole.

**SECTION 11.** The preceding amendments and revisions to the Floodplain Ordinance of the City of Jackson, Section 62-1, *et seq.*, of the Code of Ordinances, City of Jackson, Mississippi, shall be published and effective May 1, 2017.

**Council Member Priester** moved adoption; **Council Member Tillman** seconded.

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**President Hendrix** recognized **Robert Lee**, Department of Public Works, who stated that an amendment was needed in Section 11 to change the effective date from May 1, 2017 to June 1, 2017.

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**Council Member Tillman** moved, seconded by **President Hendrix** to change the effective date in Section 11 from May 1, 2017 to June 1, 2017. The motion prevailed by the following vote:

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Stokes.

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Thereafter, **President Hendrix** called for a vote on said item as amended:

**ORDINANCE AMENDING SECTIONS OF CHAPTER 62 OF THE CODE OF ORDINANCES CITY OF JACKSON, MISSISSIPPI, GOVERNING FLOOD DAMAGE PREVENTION AND FOR RELATED PURPOSES.**

**WHEREAS**, Chapter 62 of the Code of Ordinances, City of Jackson, Mississippi, establishes areas of special flood hazard and regulations for the prevention of flood damage; and

**WHEREAS**, the Federal Emergency Management Agency (“FEMA”) has reviewed the City’s current floodplain ordinance as part of its regular review of the City’s floodplain program and recommended technical changes to certain sections of the ordinance.

**THEREFORE, BE IT ORDAINED** as follows:

**SECTION 1.** The definition of *dry floodproofing* as stated in Section 62-7 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**Dry Floodproofing** means any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or eliminate flood damages to real estate or improved real estate property, water, and sanitary facilities, structures, and their contents. Structures shall be floodproofed with a minimum of **18** inches of freeboard (more is recommended) in relation to the base flood elevation. Dry floodproofing of a pre-FIRM residential structure that has not been substantially damaged or improved is allowed. Dry floodproofing of a post-FIRM residential building is not allowed. Non-residential structures may be dry floodproofed in all flood zones with the exception of the Coastal High Hazard Area or the Coastal AE Zone.

**SECTION 2.** Section 62-21 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-21. ENFORCEMENT, PENALTIES, AND VIOLATIONS.**

Any action or inaction which violates the provisions of this ordinance or permit shall be subject to the enforcement actions outlined in Division 3. Any such action or inaction that is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

Civil penalties. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than **\$500.00** or imprisoned for not more than **90** days, or both, and in addition, shall pay all costs and expenses involved in the case. Each act of violation and each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Floodplain Administrator from taking such other lawful actions as are necessary to prevent or remedy any violation.

**SECTION 3.** Section 62-31 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION. 62-31. - DESIGNATION OF FLOOD DAMAGE PREVENTION ORDINANCE ADMINISTRATOR.**

The mayor and city council of the city hereby appoints the Director of the Department of Planning and Development or his designee to administer and implement the provisions of this article and is herein referred to as the floodplain administrator and/or the administrator.

**SECTION 4.** Section 62-33 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-33. POWERS, DUTIES, AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.**

The Floodplain Administrator and his or her designated staff is hereby authorized and directed to enforce the provisions of this ordinance. The Administrator is further authorized to render interpretations of this ordinance, which are consistent with its spirit and purpose.

Duties of the administrator shall include, but not be limited to:

- (1) Review all development permits to assure that the permit requirements of this ordinance have been satisfied.
- (2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. Additionally, require the permittee to obtain and submit copies of any required federal or state permits and maintain them on file with the development permit.
- (3) Perform a minimum of three inspections to ensure that all applicable ordinance and floodplain development requirements have been satisfied. The first inspection upon the establishment of the Base Flood Elevation reference mark at the development site; the second upon the establishment of the structure's footprint prior to pouring the slab or the establishment of the lowest floor in an elevated foundation system; and the final inspection upon completion and submission of the required finished construction elevation certificate.
- (4) Verify any required setback distances.
- (5) Verify that all placement of fill or grading is according to certified plans. Assure that any fill being used as part of the structure's foundation system (not allowed in a CHHA) is both clean material and properly compacted and placed. A professional certification that any structure built on fill is reasonably safe from flooding can be requested of the builder/developer.
- (6) Verify adequate placement and size of any required flood vents in regard to the number of openings, their location, size, and height above ground level.
- (7) Ensure that a crawlspace has adequate vents or openings and that the interior grade is at or above the exterior grade.
- (8) Verify that the structure's utilities, duct work, and HVAC systems are at or above the base flood elevation.
- (9) Notify adjacent communities, the NFIP State Coordinator, and other federal and/or state agencies with statutory or regulatory authority prior to any alteration or relocation of a watercourse.
- (10) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.
- (11) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new construction and substantially improved buildings, in accordance with Section 62-32(2). Information must be recorded on the FEMA Elevation Certificate Form 81-31.

- (12) Verify and record the actual elevation (in relation to mean sea level) to which the new construction and substantially improved buildings have been floodproofed, in accordance with Section 62-32(2). Information must be recorded on the FEMA Elevation Certificate Form 81-31.
- (13) Review certified plans and specifications for compliance.
- (14) Make the necessary interpretation where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Article.
- (15) Obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source when base flood elevation data or floodway data have not been provided in accordance with Section 62-12, in order to administer the provisions of Division 5.
- (16) Provide information, testimony, or other evidence, as needed during variance request hearings.
- (17) Conduct the following actions when damage occurs to a building or buildings:
  - a.) Determine whether damaged structures are located within the Special Flood Hazard Area;
  - b.) Conduct damage assessments for those damaged structures located in the SFHA, and;
  - c.) Make a reasonable attempt to notify owner(s) of damaged structure(s) of the requirement to obtain a building permit / floodplain development permit prior to repair, rehabilitation, or reconstruction.
  - d.) Perform such other inspections as may be required to insure compliance with the other provisions of this ordinance.

**SECTION 5.** Section 62-41 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-41. GENERAL STANDARDS FOR ALL ZONES.**

In all areas of special flood hazard the following provisions are required:

- (1) New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure.
- (2) Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. Dry stacked blocks (stacked without the use of mortar or cement to bond them together) are not to be used as an anchor/elevation method. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
- (3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (4) New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.



- (5) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding, such facilities shall be located a minimum of **18 inches above** the Base Flood Elevation.
- (6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (7) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (9) Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this ordinance shall meet the requirements of "new construction" as contained in this ordinance.
- (10) Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity shall meet the requirements of "new construction" as contained in this ordinance.
- (11) All gas and liquid storage tanks (both above and below ground) shall be adequately anchored to prevent floatation, lateral movement resulting from hydrodynamic forces, and the effects of buoyancy.
- (12) When new construction and substantial improvements are located in multiple flood zones or in a flood zone with multiple base flood elevations, they shall meet the requirement for the more stringent flood zone and the highest base flood elevation.
- (13) New construction and substantial improvement of any building (both in and outside the SFHA) shall have the lowest floor (including basement) at least one foot above the centerline of the designated street, unless the topography of the property does not allow for strict adherence as determined by the Floodplain Administrator.
- (14) All new horizontal additions must have the lowest floor and all HVAC elevated to the regulatory base flood elevation.
- (15) New construction and substantial improvements of structures built on fill (only allowed outside of the CHHA and Coastal AE Zone) shall be constructed on properly designed and compacted fill that extends 10 feet to 15 feet beyond the building walls before dropping below the base flood elevation, and shall have appropriate protection from erosion and scour as follows:
  - a.) Fill sites, upon which structures will be constructed or placed, must be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test method or an acceptable equivalent method.
  - b.) Fill slopes shall be no steeper than one foot vertical to two feet horizontal.
  - c.) Adequate protection against erosion is must be provided for fill slopes. When expected velocities during the occurrence of the base flood are greater than five feet per second, armoring with stone or rock protection or material that will provide equivalent resistance will be provided. When expected velocities during the base flood are five feet per second or appropriate protection shall be provided by covering them with vegetative cover at a minimum.
  - d.) Fill shall be composed of clean granular or earthen material.



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- (16) Storage or processing of materials that are hazardous, flammable, explosive, or in time of flooding could become buoyant and pose an obstruction to flow, are prohibited within the community special flood hazard areas, to include identified floodways. Storage of material or equipment not otherwise prohibited shall be firmly anchored to prevent flotation.

**SECTION 6.** Section 62-42(7) of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

- (7) Standards for Manufactured Homes and Recreational Vehicles.
- a.) All manufactured homes placed, or substantially improved, on individual lots or parcels, in existing manufactured home parks or subdivisions, in expansions to existing manufactured home parks or subdivisions, in new manufactured home parks or subdivisions or in substantially improved manufactured home parks or subdivisions, must meet all the requirements for new construction, including elevation and anchoring and the flood openings requirements of Section 62-42 (4).  
Manufactured homes must be:
- (i) Elevated on a permanent foundation to have its lowest floor elevated to no lower than **18 inches above** the base flood elevation, and;
  - (ii) Securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- b.) All manufactured homes placed or substantially improved, excepting manufactured homes that have incurred substantial damage as a result of a flood, in an existing manufactured home park or subdivision must be elevated so that:
- (i) The lowest floor of the manufactured home is elevated to no lower than **18 inches above** the base flood elevation and be securely anchored to an adequately anchored foundation support system to resist floatation, collapse, and lateral movement, or
  - (ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above the highest adjacent grade and adequately anchored foundation support system to resist floatation, collapse, and lateral movement.
- c.) All recreational vehicles placed on sites must either:
- (i.) Be on site for fewer than 180 consecutive days and obtain a new permit before returning to the same site,
  - (ii.) Be fully licensed and ready for highway use, or
  - (iii.) Must meet all the requirements for new construction, including anchoring and elevation requirements of this Section 62-42 (7) (a) or Section 62-42 (7) (b) (i) above.

A recreational vehicle is ready for highway use if it is licensed and insured in accordance with the state of Mississippi motor vehicle regulations, is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

**SECTION 7.** Section 62-63 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-63. VARIANCE PROCEDURES.**

In passing upon such applications, the Floodplain Management Board shall consider all technical evaluations, relevant factors, and standards specified in other sections of this ordinance, and:

- (1) The evaluation must be based on the characteristics unique to that property and not be shared by adjacent parcels. The characteristics must pertain to the land itself, not to the structure, its inhabitants, or its owners;
- (2) Variances should never be granted for multiple lots, phases of subdivisions, or entire subdivisions;
- (3) The danger that materials may be swept onto other lands to the injury of others;
- (4) The danger of life and property due to flooding or erosion damage;
- (5) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner and the community;
- (6) The importance of the services provided by the proposed facility to the community;
- (7) The necessity of the facility to be at a waterfront location, where applicable;
- (8) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- (9) The compatibility of the proposed use with existing and anticipated development;
- (10) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- (11) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (12) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site, and;
- (13) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges and culverts.
- (14) Upon consideration of factors listed above, and the purpose of this ordinance, the Floodplain Management Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (15) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

**SECTION 8.** Section 62-64 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-64. CONDITIONS FOR VARIANCES.**

- (1) Variances shall only be issued when there is:
  - a.) A showing of good and sufficient cause;
  - b.) A determination that failure to grant the variance would result in exceptional hardship, and;
  - c.) A determination that the granting of a variance will not result in increased flood heights, additional threats to public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

- (2) The provisions of this ordinance are minimum standards for flood loss reduction; therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary deviation from the requirements of this ordinance, considering the flood hazard, to afford relief. In the instance of a Historic Structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building. (See Section 62-66.)
- (3) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest floor is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (4) The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and Mississippi Emergency Management Agency upon request. (See Section 62-65.)
- (5) Upon consideration of the factors listed above and the purposes of this ordinance, the Floodplain Management Board—may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (6) Variances shall not be issued “after the fact.”

**SECTION 9.** Section 62-67 of the Code of Ordinances of the City of Jackson, Mississippi, is hereby amended to read as follows:

**SECTION 62-67. SPECIAL CONDITIONS.**

Upon consideration of the factors listed in Division 6, and the purposes of this ordinance, the Floodplain Management Board may attach such conditions to the granting of variances, as it deems necessary to further the purposes of this ordinance.

**SECTION 10.** Should any sentence, paragraph, subdivision, clause, phrase, or section of this Article be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Article as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Code of Ordinances of the City of Jackson, Mississippi, as a whole.

**SECTION 11.** The preceding amendments and revisions to the Floodplain Ordinance of the City of Jackson, Section 62-1, *et seq.*, of the Code of Ordinances, City of Jackson, Mississippi, shall be published and effective June 1, 2017.

Yeas- Foote, Hendrix, Priester and Tillman.

Nays- Stamps.

Absent- Barrett-Simon and Stokes.

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**Council Member Priester** left the meeting.

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**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI  
RENAMING GROVE PARK GOLF COURSE TO PETE BROWN GOLF  
COURSE.**

**WHEREAS**, it is befitting for the City of Jackson, Mississippi to recognize, honor, and celebrate Mr. Pete Brown, whose historic contributions to golf have had a positive impact in the City of Jackson; and

**WHEREAS**, Section 110-2 of the Jackson Municipal Code authorizes the Jackson City Council to rename City Owned facilities; and

**WHEREAS**, Mr. Pete Brown was a native of Port Gibson, Mississippi and grew up in Jackson, Mississippi, where he learned to play golf, after first working as a caddie; and

**WHEREAS**, Mr. Pete Brown overcame polio as a teen and became the first African American to win a Professional Golfer's Association (PGA) Tour event, with his win at Waco Turner Open in 1964; and

**WHEREAS**, at a time when professional golf was segregated, Brown won the United States Golf Association's Negro National Open Championship four times. He also won the 1970 Andy Williams-San Diego Open at Torrey Pines, and many other competitions; and

**WHEREAS**, after his victory at Torrey Pines in 1970, Brown told Newsweek magazine: "It's going to take a while to get Negroes into golf, and that's why I feel it's so important to make a good showing. I feel that pressure, because I feel that I'm playing for all black people first and Pete Brown second;" and

**WHEREAS**, Mr. Pete Brown passed away May 1, 2015, and the City Council of Jackson, Mississippi finds that the renaming of Grove Park Golf Course to Pete Brown Golf Course is an honorable way to commemorate his life.

**THEREFORE, BE IT ORDAINED** that the City Council of Jackson, Mississippi hereby renames Grove Park Golf Course to Pete Brown Golf Course.

**IT IS FURTHER ORDERED** that the Director of Parks and Recreation is hereby authorized to make appropriate revisions to the official map of the City of Jackson, Mississippi to reflect the renaming of said golf course and to take appropriate action as required to affect said golf course name change.

**IT IS FURTHER ORDERED** that the City Clerk of the City of Jackson, Mississippi is authorized and directed to transmit a certified copy of this Ordinance to the Director of the Mississippi Highway Department and to notify the Department of Transportation, Public Safety Communication Division; Hinds County Tax Assessor, the United States Postal Service, appropriate City Departments, and all other necessary parties of the renaming of said golf course.

**Council Member Stamps** moved adoption; **President Hendrix** seconded.

Yeas- Foote, Hendrix, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon, Priester and Stokes.

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**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI  
HONORARILY NAMING CAUSEY DRIVE TO PRAMUKH SWAMI MAHARAJ  
DRIVE.**

**WHEREAS**, Pramukh Swami Maharaj, was the fifth spiritual guru of the Bhagwan Swaminarayan Hindu sect and served as its leader for 45 years, expanding it internationally; and

**WHEREAS**, in 1950, when Pramukh Swami was only 28 years old, Shastriji Maharaj appointed him as the president of BAPS, whereupon, he affectionately became known as "Pramukh Swami"; and

**WHEREAS**, Pramukh Swami is responsible for the construction on hundreds of Hindu temples, mandirs, around the world, including the Hindu temple in Neasden, north-west London; and



**WHEREAS**, the striking humility, noble services, saintliness, and selfless work of Pramukh Swami Maharaj has been applauded by various spiritual luminaries, national leaders, and other dignitaries; and

**WHEREAS**, Pramukh Swami was born December 7, 1921 and died August 13 2016; and

**WHEREAS**, Causey Drive is home to the only Hindu temple within the City of Jackson, and the City Council of Jackson, Mississippi finds the honorary naming of Causey Drive as homage to Pramukh Swami appropriate.

**THEREFORE, BE IT ORDAINED**, that the City Council of Jackson, Mississippi honorarily names Causey Drive to Pramukh Swami Maharaj Drive.

**IT IS FURTHER ORDERED** that the city engineer is hereby authorized to make appropriate revisions to the official map of the City of Jackson, Mississippi to reflect the honorary naming of said Public Street and to take appropriate action as required to affect said street name change.

**Council Member Stamps** moved adoption; **President Hendrix** seconded.

Yeas- Foote, Hendrix, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon, Priester and Stokes.

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**Council Member Priester** returned to the meeting.

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**Council Member Tillman** left the meeting.

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**ORDER APPROVING CLAIMS NUMBER 6574 TO 7096 APPEARING AT PAGES 983 TO 1059 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$7,248,218.29 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.**

**IT IS HEREBY ORDERED** that claims numbered 6574 to 7096 appearing at pages 983 to 1059, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$7,248,218.29 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

**IT IS FURTHER ORDERED** that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

<b>FROM:</b>	<b>TO ACCOUNTS PAYABLE FUND</b>
1% INFRASTRUCTURE TAX	1,286,862.01
2008 GO STRET CONSTRUCTION FD	1,593.53
BUSINESS IMPROV FUND (LANDSCP)	176,564.93
CAPITAL CITY REVENUE FUND	36,864.81
CONVEN REFUNDING, SERIES 2013A	1,250.00
DISABILITY RELIEF FUND	560,324.65
DRAINAGE – REPAIR & REPL. FD	173,123.39
EARLY CHILDHOOD (DAYCARE)	11,782.06



**REGULAR MEETING OF THE CITY COUNCIL  
TUESDAY, APRIL 18, 2017 6:00 P.M.**

765

EMPLOYEES GROUP INSURANCE FUND	1,010.50
FIRE PROTECTION	4,276.17
GENERAL FUND	1,355,606.13
HOME PROGRAM FUND	25,003.95
HOUSING COMM DEV ACT (CDBG) FD	55,736.99
LANDFILL/SANITATION FUND	694,605.99
MADISON SEWAGE DISP OP & MAINT	12.74
NCSC SENIOR AIDES	122.48
P E G ACCESS- PROGRAMMING FUND	9,425.96
PARKS & RECR FUND	66,906.67
STATE TORT CLAIMS FUND	256.00
TECHNOLOGY FUND	54,603.22
TRAFFIC – REPAIR & REPL FD	5,449.56
TRANSPORTATION FUND	19,140.21
UNEMPLOYMENT COMPENSATION REVO	40,389.94
VEHICLE POOL FUND	12,462.28
WATER/SEWER CAPITAL IMPR FUND	958,063.00
WATER/SEWER CON FD 2013-\$89.9M	781,991.00
WATER/SEWER CONST FD 1999-\$35M	18,727.59
WATER/SEWER CONST FD 2004-\$78M	30,000.00
WATER/SEWER OP & MAINT FUND	772,645.95
WATER/SEWER REVENUE FUND	80,646.58
WIRELESS RADIO COMMUNCATN FUND	12,770.00
<b>TOTAL</b>	<b><u>\$7,248,218.29</u></b>

**President Hendrix** moved adoption; **Council Member Priester** seconded.

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**President Hendrix** recognized **Michelle Day**, Interim Director of Administration who provided a brief overview of the Claims Docket at the request of **President Hendrix**.

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Thereafter, **President Hendrix** called for a vote on Claims Docket:

- Yeas- Foote, Hendrix, Priester and Stamps.
- Nays- None.
- Absent- Barrett-Simon, Stokes and Tillman.

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**Council Member Tillman** returned to the meeting.

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**ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 6574 TO 7096 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.**

**IT IS HEREBY ORDERED** that payroll deduction claims numbered 6574 to 7096 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$143,673.65 plus payroll, are approved for payment and necessary amounts are appropriated from various municipal funds for transfer to the payroll fund for the immediate payment thereof.

**IT IS FINALLY ORDERED** that the following expenditures from the accounts payable fund be made in order to pay amounts transferred thereto from the payroll fund for payment of the payroll deduction claims authorized herein for payment:

FROM:	TO ACCOUNTSPAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		1,830,556.61
PARKS & RECR FUND		64,794.50
LANDFILL FUND		13,784.17
SENIOR AIDES		1,309.84
WATER/SEWER OPER & MAINT		204,203.39
PAYROLL FUND		963.00
PAYROLL	143,673.65	
EARLY CHILDHOOD		28,700.75
HOUSING COMM DEV		6,894.40
TITLE III AGING PROGRAMS		3,346.98
AMERICORP CAPITAL CITY REBUILD		10,048.32
TRANSPORTATION FUND		7,041.29
T-WARNER PA/GA FUND		4,535.27
SAMSHA		1,736.92
<b>TOTAL</b>		<b><u>\$2,177,915.44</u></b>

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

Yeas- Foote, Hendrix, Priester Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Stokes.

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There came on for consideration Agenda Item No. 20:

**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CONTRACT CALLERS, INC. (CCI) AND LINEBARGER GOGGAN BLAIR & SAMPSON, LLC TO SERVE AS COLLECTION AGENCIES FOR THE CITY OF JACKSON.** Said item was referred to the Finance Committee.

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**ORDER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE MISSISSIPPI STATE DEPARTMENT OF HEALTH (MSDH), THE CITY OF JACKSON AND MEDICAL RESPONSE SYSTEM (MMRS) RELATED TO THE PROPHYLACTIC MEDICATION FOR FIRST RESPONDERS, SAID FUNDS HAVING BEEN PROVIDED FROM A GRANT FROM THE MMRS FOR SAID PURPOSE.**

**WHEREAS**, the Fire Department of the City of Jackson (City) is the lead agency for the Metropolitan Medical Response System (MMRS). As such, the City is, in essence, the depository for the grant funds received from the MMRS. Further, the City is responsible and authorized to expend said grant funds in furtherance of the below described purposes of the MMRS; and

**WHEREAS**, the MMRS purpose is to integrate the local public health and medical resources into the local emergency management plan to enhance the community's ability to respond to and manage the health consequences of nuclear, biological, chemical terrorist, and/or like incidents during the 24 hours of such incident(s); and

**WHEREAS**, it is in the best interest of the City of Jackson, Mississippi State Department of Health (MSDH) and the MMRS that \$42, 050.00 of the afore-mentioned grant funds be expended by the City of Jackson to purchase antibiotic prophylactic medication (Ciprofloxacin, Doxycycline, and /or like medications). Further, that those medications be designated for the first responders in the counties of Hinds, Madison, Rankin, Copiah, Warren and Smith as provided by the grant from the MMRS; and

**WHEREAS**, in order to effectuate the above-described actions it is necessary that the parties execute a Memorandum of Understanding (MOU) between the City, MSDH, and MMRS, wherein the City agrees to make the purchase of the medications and MSDH agrees to store the medications in a regulated pharmacy warehouse located in the MMRS geographical area. Further, pursuant of the proposed MOU, MSDH will agree to (1) follow regulatory requirements for storage and distribution of the medications; (2) maintain records of purchase and inventory documentation on site and provide the City with documentation as requested; and (3) as funding permits, rotate the stock as necessary to maintain recommended levels of medications to use in the MMRS geographical area.

**IT IS, HEREBY, ORDERED** that the Mayor, and his designees, is authorized to execute an MOU with MSDH, MMRS, and such other parties as necessary, in furtherance of the above-described actions. Further, that purchase of \$42,050.00 worth of antibiotic prophylactic medication from is hereby authorized. In addition, the Mayor, or his designee, is authorized to execute any other documents necessary in furtherance of the purposes of the above-described MOU.

**Council Member Tillman** moved adoption; **President Hendrix** seconded.

Yeas- Foote, Hendrix, Priester, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE 48-MONTH RENTAL AGREEMENT WITH ADVANTAGE BUSINESS SYSTEMS (ABS) FOR A KONICA MINOLTA BIZHUB C458 AND C308 DIGITAL COLOR AND BIZHUB 368 B/W COPIER/PRINTER SYSTEM TO BE USED BY THE DEPARTMENT OF HUMAN AND CULTURAL SERVICES.**

**WHEREAS**, the Department of Human and Cultural Services desires to enter into a 48-month rental agreement of a copier machine; and

**WHEREAS**, the state contract provides for the rental of (2) Konica Minolta Bizhub C458 Digital Color (2) C308 and (3) 368 Copier/Printer System, with auxiliary equipment from Advantage Business Systems (ABS), at a cost of \$1217.00 per month, plus a copy charge of \$0.0086 per black and white page and \$0.06 per color page to include labor, parts, toner, staples, drums and travel.

**IT IS HEREBY ORDERED** that the Mayor be authorized to execute necessary documents with Advantage Business Systems (ABS), including a Commercial Sales Agreement, as well as any and all documents related thereto, for the 48-month rental of (2) Konica Minolta Bizhub C458, (2) C308 Digital Color and (3) BIZHUB 368 B/W Copier/Printer System with auxiliary equipment, at a cost of \$1217.00 per month, plus a copy charge of \$0.086 per black and white page and \$0.06 per color page to include labor, parts, toner, staples, drums and travel, with the exception of paper.

**IT IS FURTHER ORDERED** that payment for said rental be made from the general funds budgeted for use by the Department of Human and Cultural Services, upon submission of the appropriate invoices from Advantage Business Systems (ABS).

**Council Member Tillman** moved adoption; **Council Member Priester** seconded.

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.  
Nays- None.  
Absent- Barrett-Simon and Stokes.

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**ORDER REVISING THE FISCAL YEAR 2016-2017 BUDGET OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT.**

**WHEREAS**, a certain unanticipated need and allocation in the amount of \$2,000.00 for the repair of a vehicle utilized by Code Services has arisen since the adoption of Fiscal Year 2016-2017 budget; and

**WHEREAS**, the Fiscal Year 2016-2017 budget needs to be revised to provide funding for this unanticipated need; and

**WHEREAS**, the following funds would be revised as follows:

From 001.403.10.6419 (\$2,000.00)  
To 001.444.60.6316 \$2,000.00

**IT IS THEREFORE, ORDERED** that the Fiscal Year 2016-2017 budget for the Department of Planning and Development be revised in the amount of \$2,000.00 as follows:

<u>To/From</u>	<u>Fund/Account Number</u>	<u>Amount</u>
From	001.403.10.6419	(\$ 2,000.00)
To	001.444.60.6316	\$ 2,000.00

**Council Member Tillman** moved adoption; **Council Member Priester** seconded.

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.  
Nays- None.  
Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE PANTHERS SPORT CLUB, INC., FOR THE USE OF THE POLICE TRAINING ACADEMY BALL FIELDS, FROM JUNE 30, 2017 TO JUNE 30, 2018.**

**WHEREAS**, The Panthers Sport Club, Inc., has requested to become a partner with the City of Jackson to use the ball fields located at the Police Training Academy from June 30, 2017, to June 30, 2018; and

**WHEREAS**, The Panthers Sport Club, Inc., has provided the City of Jackson with proof of liability insurance in the amount of One Million Dollars (\$1,000,000.00), listing the City of Jackson as a co-insured; and

**WHEREAS**, The Panthers Sport Club, Inc., has abided by all mutual agreements with the City of Jackson; and

**WHEREAS**, The Panthers Sport Club, Inc., has operated their Peewee Football Program according to the rules and regulations of the Mississippi Youth Sports Association and the City of Jackson.



**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute an Agreement with The Panthers Sport Club, Inc., for use of ball fields at the Police Training Academy during the term period of June 30, 2017, to June 30, 2018.

**IT IS FURTHER ORDERED** that a copy of said Agreement be filed for record in the Office of City Clerk.

**Council Member Tillman** moved adoption; **President Hendrix** seconded.

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.  
Nays- None.  
Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS TO ESTABLISH JUST COMPENSATION FOR EASEMENT ACQUISITIONS FOR THE MUSEUM TO MARKET TRAIL PROJECT, FEDERAL AID PROJECT NUMBER STP-0250-00(039) LPA/106367-701000, CITY PROJECT NUMBER 10B4006.**

**WHEREAS**, the City of Jackson received a federal allocation for a multipurpose trail along the former GM&O railroad line between Spengler Street and Laurel Street; and

**WHEREAS**, to move forward with construction of this project, the city must acquire permanent easements from property owners within the project limits; and

**WHEREAS**, Mississippi and federal property acquisition policy statutes and regulations require the making of offers of just compensation to the owners of property being acquired by the City for this project; and

**WHEREAS**, the City of Jackson, by the Mayor's signature, must authorize compensation amounts before the offer is made.

**IT IS, THEREFORE, ORDERED** that the Mayor is authorized to execute documents to establish just compensation for easement acquisitions based on the recommended appraisal for the Museum to Market Trail Project, Federal Aid Project Number STP-0250-00(039) LPA/106367-701000, City Project Number 10B4006 project, which is inclusive of all compensable interests.

**Council Member Tillman** moved adoption; **Council Member Priester** seconded.

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.  
Nays- None.  
Absent- Barrett-Simon and Stokes.

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**ORDER ACCEPTING AN ENGINEERING SERVICES AGREEMENT WITH NEEL-SCHAFFER, INC., FOR THE 48" WATER TRANSMISSION MAIN (SILAS BROWN STREET TO I-20), CITY PROJECT NUMBER 17B0103.901.**

**WHEREAS**, the Department of Public Works desires to have design engineering services to extend the 48' waterline from Silas Brown Street to I-20 , Jackson, Mississippi, Hinds County, Mississippi; and

**WHEREAS**, Neel-Schaffer, Inc., a multi-disciplinary civil engineering firm located in Jackson, Mississippi submitted their firms Statement of Qualifications based on a solicitation for professional engineering services by the Department of Public Works; and

**WHEREAS**, Neel-Schaffer, Inc., has submitted a proposal based on its Statement of Qualifications to provide the City of Jackson design/construction engineering phase services at a cost not to exceed \$440,000.00; and

**WHEREAS**, the Department of Public Works recommends the City of Jackson enter into an Engineering Services Agreement with Neel-Schaffer, Inc., in the amount of \$440,000.00, for the 48" Water Transmission Main (Silas Brown Street to I-20), City Project Number 17B0103.901.

**IT IS, THEREFORE, ORDERED** that an engineering services agreement with Neel-Schaffer, Inc., in an amount not to exceed \$440,000.00, for the 48" Water Transmission Main (Silas Brown Street to, City Project Number 17B0103.901 is accepted.

**Council Member Tillman** moved adoption; **Council Member Priester** seconded.

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI AND THE HINDS COUNTY ELECTION COMMISSION FOR SERVICES RELATED TO THE 2017 MUNICIPAL ELECTIONS.**

**WHEREAS**, the City of Jackson, Mississippi ("City of Jackson"), must conduct municipal elections to elect the Mayor and Council Members for each respective Ward; and

**WHEREAS**, the City of Jackson's 2017 Municipal Elections will take place, as specified by statute, on the following dates: Primary Election – May 2, 2017; Run-off Election – May 16, 2017; and General Election – June 6, 2017; and

**WHEREAS**, the Hinds County Election Commission is the body that must enter the information into the Statewide Election Management System ("SEMS"); and

**WHEREAS**, it has been determined by the City Clerk and the Municipal Election Commissioners that the services of the Hinds County Election Commission are needed to ensure the proper placement and updating of all streets, address ranges and voters within the City of Jackson, as well as the placement of the same into SEMS to create the 2017 Municipal Election; and

**WHEREAS**, the Hinds County Election Commission, as requested by the city of Jackson, will create the election in SEMS for the Municipal Election, and any necessary Primary Run-off, including and incorporating all City voting precinct changes approved in 2017. Upon certifying the elections and entering all election information into SEMS, the Hinds County Election Commission will "Post History and Close Election" in SEMS; and

**WHEREAS**, Hinds County, by and through the Hinds County Election Commission, will make available to the city of Jackson 113 DS200 scanners with keys and all related and necessary election equipment/accessories, including, but not limited to ballot box bins and 85 Auto Marks with tables, as well as supply bags, media bags, voting partitions and privacy sleeves.; and

**WHEREAS**, upon completion of the above-referenced duties by the Hinds County Election Commission, the City of Jackson agrees to remit to the Hinds County Election Commission the amount not to exceed \_\_\_\_\_ for the Primary, Primary Run-off and General Municipal Elections. Payment shall be made to the Hinds County Chancery Clerk.

**IT IS, THEREFORE, ORDERED** that the Mayor is hereby authorized to execute an agreement with the Hinds County Election Commission for services related to the 2017 Municipal Elections, including all services related to the proper placement and updating of all streets, address ranges and voters within the City of Jackson, as well as the placement of the same into the Statewide Election Management System to create the 2017 Municipal Election, in an amount not to exceed \_\_\_\_\_.

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

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**President Hendrix** recognized **Kristi Moore**, City Clerk, who stated that an amendment was needed to insert \$500.00 in the blanks.

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**Council Member Stamps** moved, seconded by **Council Member Tillman** to amend said order to insert \$500.00 as the amount not to exceed. The motion prevailed by the following vote:

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Stokes.

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Thereafter, **President Hendrix** called for a vote on said item as amended:

**ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI AND THE HINDS COUNTY ELECTION COMMISSION FOR SERVICES RELATED TO THE 2017 MUNICIPAL ELECTIONS.**

**WHEREAS**, the City of Jackson, Mississippi ("City of Jackson"), must conduct municipal elections to elect the Mayor and Council Members for each respective Ward; and

**WHEREAS**, the City of Jackson's 2017 Municipal Elections will take place, as specified by statute, on the following dates: Primary Election – May 2, 2017; Run-off Election – May 16, 2017; and General Election – June 6, 2017; and

**WHEREAS**, the Hinds County Election Commission is the body that must enter the information into the Statewide Election Management System ("SEMS"); and

**WHEREAS**, it has been determined by the City Clerk and the Municipal Election Commissioners that the services of the Hinds County Election Commission are needed to ensure the proper placement and updating of all streets, address ranges and voters within the City of Jackson, as well as the placement of the same into SEMS to create the 2017 Municipal Election; and

**WHEREAS**, the Hinds County Election Commission, as requested by the city of Jackson, will create the election in SEMS for the Municipal Election, and any necessary Primary Run-off, including and incorporating all City voting precinct changes approved in 2017. Upon certifying the elections and entering all election information into SEMS, the Hinds County Election Commission will "Post History and Close Election" in SEMS; and

**WHEREAS**, Hinds County, by and through the Hinds County Election Commission, will make available to the city of Jackson 113 DS200 scanners with keys and all related and necessary election equipment/accessories, including, but not limited to ballot box bins and 85 Auto Marks with tables, as well as supply bags, media bags, voting partitions and privacy sleeves.; and

**WHEREAS**, upon completion of the above-referenced duties by the Hinds County Election Commission, the City of Jackson agrees to remit to the Hinds County Election Commission the amount not to exceed (\$500.00) for the Primary, Primary Run-off and General Municipal Elections. Payment shall be made to the Hinds County Chancery Clerk.

**IT IS, THEREFORE, ORDERED** that the Mayor is hereby authorized to execute an agreement with the Hinds County Election Commission for services related to the 2017 Municipal Elections, including all services related to the proper placement and updating of all streets, address ranges and voters within the City of Jackson, as well as the placement of the same into the Statewide Election Management System to create the 2017 Municipal Election, in an amount not to exceed (\$500.00).

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Stokes.

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**ORDER AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH ELECTION SYSTEMS & SOFTWARE (ES&S) TO PROVIDE THE CITY OF JACKSON WITH TECHNICAL SUPPORT AND RELATED SERVICES DURING THE 2017 MUNICIPAL ELECTION.**

**WHEREAS**, the City of Jackson, Mississippi (“City of Jackson”), must conduct municipal elections to elect the Mayor and Council Members for each respective Ward; and

**WHEREAS**, the City Clerk and Municipal Election Commissioners are preparing for said elections; and

**WHEREAS**, the dates of the 2017 Municipal Election are as follows: Primary Election – May 2, 2017; Run-off Election – May 16, 2017; and General Election – June 6, 2017; and

**WHEREAS**, it has been determined by the City Clerk and the Municipal Election Commissioners that use of the technical support and related services for the use of County voting machines are necessary to properly conduct said election; and

**WHEREAS**, Election Systems & Software (“ES&S”) has proposed to provide the following support services: delivery and pick up of DS200 voting machines and Auto Mark Voter Assist Terminal UADA Devise, and other related equipment to municipal precincts, election technical support for voting equipment, election definition coding and support, delivery and pick up of all equipment, and ballot printing and supplies, if applicable; for the 2017 Municipal Election as specified above; and

**WHEREAS**, ES&S will provide said services, excluding ballot printing and supplies, in an amount not to exceed One Hundred and Nineteen Thousand, Three Hundred Twenty One Dollars (\$119,321.00).

**IT IS, THEREFORE, ORDERED** that the Mayor is hereby authorized to execute an agreement with ES&S to provide technical support and related services to the City of Jackson, excluding ballot printing and supplies, at a cost not to exceed One Hundred and Nineteen Thousand, Three Hundred Twenty One Dollars (\$119,321.00).

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

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Stokes.

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**ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ADJUSTING GOLF COURSE RATES.**

WHEREAS, fee increases are often applicable to revenue shortages; however, they have become a burden to the golfing community; and

WHEREAS, on April 4<sup>th</sup>, 2017, the Department of Parks and Recreation presented their First Quarterly Report which included the proposal for new rates; and

WHEREAS, most courses offer several rates to increase rounds and based on market research, the Department of Parks and Recreation have opted to reduce the Green Fee from \$70.00 to \$50.00 a month; and

WHEREAS, the Department of Parks and Recreation is also recommending: decreasing the Monthly Pass from \$45.00 to \$35.00 a month and the establishment of Early Bird and Twilight rates at \$20.00 a month; and

WHEREAS, the proposed fees are in line with the services offered and enticing to the golfing community.

**IT IS THEREFORE ORDERED** the City Council of Jackson, Mississippi adjusts the rates necessary to attract and retain golfers at Grove Park Golf Course and Sunny Guy Golf Course, effective immediately.

**Council Member Stamps** moved adoption; **President Hendrix** seconded.

- Yeas- Foote, Hendrix and Stamps.
- Nays- Tillman.
- Abstention- Priester.
- Absent- Barrett-Simon and Stokes.

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There came on for consideration Agenda Item No. 30:

**ORDER AUTHORIZING THE MAYOR TO RETAIN THE SANDERS LAW FIRM IN NATCHEZ, MISSISSIPPI FOR LEGAL SERVICES TO THE CITY OF JACKSON, MISSISSIPPI RELATED TO THE ILLEGAL CLOSURE OF WALTER "DUTCH" WELCH DRIVE.** Said item would be discussed in Executive Session.

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**DISCUSSION: FLOODING, DRAINAGE AND 1% SALES TAX:** **President Hendrix** recognized **Council Member Priester** who requested that an update be provided regarding pending drainage and flooding projects under the 1% Sales program within the City. **President Hendrix** recognized **Tommy Avant** and **Rod Hill** of IMS Engineers, who provided an update regarding the 1% Sales projects approved by the 1% Sales Tax Commission.

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There came on for Discussion Agenda Item No. 32:

**DISCUSSION: GROVE PARK:** Said item would be held for a later date due to the absence of **Council Member Stokes**.

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There came on for Discussion Agenda Item No. 33:

**DISCUSSION: TAX ASSESSOR:** Said item would be held for a later date due to the absence of **Council Member Stokes**.

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**President Hendrix** moved, seconded by **Council Member Tillman** to consider going into Executive Session to discuss litigation. The motion prevailed by the following vote:

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.  
Nays- None.  
Absent- Barrett-Simon and Stokes.

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**Council Member Tillman** moved, seconded by **President Hendrix** to go into Executive Session to discuss litigation. The motion prevailed by the following vote:

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.  
Nays- None.  
Absent- Barrett-Simon and Stokes.

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**President Hendrix** announced to the public that the Council voted to go into Executive Session to discuss litigation.

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

Yeas- Foote, Hendrix, Priester, Stamps and Tillman.  
Nays- None.  
Absent- Barrett-Simon and Stokes.

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**President Hendrix** announced to the public that the Council voted to come out of Executive Session and no action was taken.

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The following reports/announcements were provided during the meeting:

- **Council Member Tillman** announced that State Lawmakers would host a Community Information Discussion Session on April 20, 2017 from 6:00 p.m. until 8:00 p.m. at Pearl Street AME Church to discuss the Capital Complex legislature.
- **President Hendrix** announced that a Ward 6 Town Hall meeting would be held on April 24, 2017 at 6:00 p.m. at 222 W. McDowell Road.

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REGULAR MEETING OF THE CITY COUNCIL  
TUESDAY, APRIL 18, 2017 6:00 P.M.

775

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Council Meeting at 10:00 a.m. on May 2, 2017; at 9:52 p.m., the Council stood adjourned.

ATTEST:

Kjisti Moore  
CITY CLERK

APPROVED:

[Signature] 5/18/17  
MAYOR DATE

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