

BE IT REMEMBERED that a Special Meeting of the City Council of Jackson, Mississippi, was convened in the Council Chambers in City Hall at 9:0 a.m. on February 16, 2017, being the third Thursday of said month, when and where the following things were had and done to wit:

Present: Council Members: Margaret Barrett-Simon, Vice-President, Ward 7; Ashby Foote, Ward 1; Melvin Priester, Jr., Ward 2 and Charles Tillman, Ward 5. Directors: Jackie Anderson-Woods, Chief Administrative Officer; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; and James Anderson, Special Assistant to the City Attorney.

Absent: Council Members: Kenneth Stokes, Ward 3; De'Keither Stamps, Ward 4 and Tyrone Hendrix, President, Ward 6.

The meeting was called to order by **Vice President Margaret Barrett-Simon**.

DISCUSSION: JACKSON PUBLIC SCHOOLS: Vice President Barrett-Simon recognized **Dr. Fredrick Murray**, Interim Superintendent of Jackson Public Schools, who provided Council with an update on the current status of the school system. **Dr. Murray** stated that an investigative audit is being conducted and the district is currently rated "F". **Dr. Murray** stated that his goal is to create a strong organizational structure, meet the requirements outlined in the investigative audit and to move out from a probationary status.

DISCUSSION: LITIGATION MATTERS: Vice President Barrett-Simon recognized **Chris Pomeroy**, President of AquaLaw, PLC, who provided Council with a litigation update of City's appeal to the West Rankin Utility Authority's State issued permit to construct a new wastewater facility on the opposite side of the Pearl River. That permit being the key element of any departure of the wholesale customer from the existing regional treatment facility and regional arrangement at the Savannah Wastewater Treatment facility. **Mr. Pomeroy** stated that the Environmental Quality Permit Board conducted a two (2) day formal hearing on September 1-2, 2015 and the board voted 6 to 1 to affirm its earlier vote of 7-0 to move forward with issuing the permit to the West Rankin Utilities Authority 20 million gallon per day facility to be built in Rankin County. **Mr. Pomeroy** stated that the next step would be to file a notice of appeal to the Supreme Court. **Mr. Pomeroy** stated that further litigation strategies and possible settlement would have to be conducted in Executive Session.

Council Member Priester moved, seconded by **Council Member Foote** to go into Executive Session to discuss litigation strategies and possible settlement. The motion prevailed by the following vote:

Yeas- Barrett-Simon, Foote, Priester and Tillman.

Nays- None.

Absent- Hendrix, Stamps and Stokes.

Vice President Barrett-Simon announced to the public that the Council voted to go into Executive Session to discuss litigation matters.

Council Member Priester moved, seconded by **Council Member Tillman** to come out of Executive Session. The motion prevailed by the following vote:

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

Vice President Barrett-Simon called the meeting back to order and stated that the Council voted to come out of Executive Session and no action was taken.

DISCUSSION: LITIGATION MATTERS: Vice President Barrett-Simon recognized **LaToya Merritt**, Partner at Phelps Dunbar LLP, who provided Council with an update on pending litigation in the matter of “**KIMBERLY BRACEY V. THE CITY OF JACKSON**”. **Ms. Merritt** stated that the matter was in discovery phase of litigation. In January 2017, a scheduling order by the court was received with a trial date of January 2018. **Ms. Merritt** stated that August 2, 2017 was the discovery deadline by which all information has to be exchanged by all parties. **Ms. Merritt** stated that a request for production of documents and interrogatories were submitted to **Ms. Bracey**. **Ms. Merritt** stated that Executive Session was needed to further discuss litigation.

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

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

Vice President Barrett-Simon announced to the public that the Council voted to go into Executive Session to discuss pending litigation.

Council Member Tillman moved, seconded by **Council Member Priester** to come out of Executive Session. The motion prevailed by the following vote:

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

Vice President Barrett-Simon announced to the public that the Council voted to come out of Executive Session and no action was taken.

Vice President Barrett-Simon moved, seconded by **Council Member Tillman** to go into Executive Session to discuss pending litigation provided by **Clarence Webster**, Attorney at Bradley Arant Cummings Boulton LLP. The motion prevailed by the following vote:

Yeas- Barrett-Simon, Foote, Priester and Tillman.

Nays- None.

Absent- Hendrix, Stamps and Stokes.

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

Yeas- Barrett-Simon, Foote, Priester and Tillman.

Nays- None.

Absent- Hendrix, Stamps and Stokes.

Note: The City Clerk and City Attorney were not present during the discussion and vote of said item. Votes were obtained by **Council Member Priester**.

Vice President Barrett-Simon announced to the public that the Council voted to come out of Executive Session and no action had been taken.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Council Meeting to be held at 6:00 p.m. on Tuesday, February 21, 2017 and at 12:53 p.m., the Council stood adjourned.

ATTEST:

Quita Mason
CITY CLERK

APPROVED:

[Signature] 2/27/17
MAYOR DATE
