

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 August 20, 2019, being the third Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Virgi Lindsay, Council President, Ward 7; Ashby Foote, Ward 1; Melvin Priester, Jr., Ward 2; Kenneth Stokes, Ward 3; Charles Tillman, Ward 5 and Aaron Banks, Ward 6. Directors: Chokwe Antar Lumumba, Mayor; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk, Alices Lattimore, Deputy City Clerk and Monica Allen, Special Assistant to the City Attorney.

Absent: De'Keither Stamps, Vice President, Ward 4.

The meeting was called to order by **President Virgi Lindsay**.

The invocation was offered by **Elder Crystal Frazier** of New Life in Christ Church.

The Council recited the Pledge of Allegiance.

President Lindsay requested that Agenda Items No. 37, 38 and 39 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

President Lindsay recognized **Council Member Banks** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING MRS. BETTY LEWIS-HANDY FOR HER COMMITMENT AS AN EDUCATOR AND OUTSTANDING CITIZEN EVEN IN THE MIDST OF LOSS**. Accepting the Resolution with appropriate remarks was **Mrs. Betty Lewis-Handy**.

President Lindsay recognized **Council Member Stokes** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING MR. DOWELL TAYLOR, A WORLD-RENOWNED MUSICIAN, RECOGNIZED FOR SUPERIOR LEADERSHIP**. Accepting the Resolution with appropriate remarks was **Mr. Dowell Taylor**.

President Lindsay recognized **Council Member Stokes** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING THE MILLENNIUM TEMPTATIONS, AN INNOVATIVE GROUP, FOR ENRICHING COMMUNITY THROUGH MUSIC OF REFLECTION**. Accepting the Resolution with appropriate remarks were **Eric Bunton, Tyrus Adams and Julius Waddell**.

Council Members Stokes, Tillman and Banks left the meeting.

President Lindsay recessed the meeting for five (5) minutes due to loss of a quorum.

Council Members Banks, Tillman and Stokes returned to the meeting.

President Lindsay reconvened the meeting.

The following individuals provided public comments during the meeting:

- **Enoch Sanders** spoke in support of the order to cease from disconnecting water from the citizens of Jackson.
- **Terrance Burns** expressed concerns regarding potholes and the swimming pool within the Presidential Hills community.

RESOLUTION 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 AND BASED ON ADMINISTRATIVE HEARINGS HELD July 30, 2019 FOR THE FOLLOWING CASES:

2019-1231	2019-1232	2019-1261	2019-1262	2019-1263
2019-1264	2019-1265	2019-1266	2019-1267	2019-1268
2019-1270	2019-1271	2019-1282	2019-1283	

WHEREAS, Section 21-19-11 of the Mississippi Code as amended provides that a governing authority shall conduct a hearing to determine whether property or parcels of land located within a municipality is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community; and

WHEREAS, Section 21-19-11 of the Mississippi Code as amended sets forth the procedure for mailing and posting notice of the hearing; and

WHEREAS, hearings in the July 30, 2019; and

WHEREAS, the hearing officer determined that notice was provided in accordance with Section 21-19-11 prior to the hearings; and

WHEREAS, after hearing testimony and reviewing evidence, the hearing officer made findings and recommendations for adjudication concerning certain parcels as follows:

- 1) **Case #2019-1231: Parcel #127-59** located at 524 Marcus L. Butler Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 2) **Case #2019-1232: Parcel #101-108** located at 2960 Bishop Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 3) **Case #2019-1261: Parcel #72-73** located at 146 E. Cohea Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 4) **Case #2019-1262: Parcel #72-20** located at 126 Cohea Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 5) **Case #2019-1263: Parcel #72-74** located at 144 E. Cohea Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 6) **Case #2019-1264: Parcel #74-52** located at 135 E. Cohea Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 7) **Case #2019-1265: Parcel #72-77** located at 158 Cohea Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 8) **Case #2019-1266: Parcel #631-270** located at 1008 Blair Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards cut grass and weeds

- 9) **Case #2019-1267: Parcel #68-36** located at 339 McKee Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 10) **Case #2019-1268: Parcel #68-38** located at 333 (AB) McKee Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 11) **Case #2019-1270: Parcel #410-410** located at 3830 Skyline Drive: After appearance by owner Raymond Fawling, hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 12) **Case #2019-1271: Parcel #616-145** located at 2619 Teresa Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 13) **Case #2019-1282: Parcel #63-16** located at 1427-29 N. Lamar Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$1,000.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 14) **Case #2019-1283: Parcel #72-11** located at 187-95 E. Fortification Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

IT IS HEREBY ORDERED that the above parcels be adjudicated a menace to public health as recommended by the hearing officer.

IT IS HEREBY ORDERED that a copy of the notices mailed and posted to owners and interested parties of the above parcels shall be included in the minutes along with this resolution pursuant to Section 21-19-11 of the Mississippi Code as amended.

IT IS HEREBY ORDERED that the Administration shall be authorized to remedy conditions on the parcels posing a threat to public health and safety using municipal resources or contract labor if the owners fail to do so.

IT IS HEREBY ORDERED that the adjudication of penalties, if any, shall be reserved until such time that a resolution is approved assessing actual costs.

Council Member Stokes moved adoption; Council Member Priester seconded.

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

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices, located in the City Clerk's Office of the City of Jackson, Mississippi.

RESOLUTION 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 AND BASED ON ADMINISTRATIVE HEARINGS HELD August 6, 2019, FOR THE FOLLOWING CASES:

2019-1272	2019-1273	2019-1275	2019-1277	2019-1278
2019-1279	2019-1280	2019-1281	2019-1284	2019-1288
2019-1290	2019-1292	2019-1295	2019-1296	2019-1299
2019-1300	2019-1301	209-1302	2019-1304	

WHEREAS, Section 21-19-11 of the Mississippi Code as amended provides that a governing authority shall conduct a hearing to determine whether property or parcels of land located within a municipality is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community; and

WHEREAS, Section 21-19-11 of the Mississippi Code as amended sets forth the procedure for mailing and posting notice of the hearing; and

WHEREAS, hearings in the August 6, 2019; and

WHEREAS, the hearing officer determined that notice was provided in accordance with Section 21-19-11 prior to the hearings; and

WHEREAS, after hearing testimony and reviewing evidence, the hearing officer made findings and recommendations for adjudication concerning certain parcels as follows:

- 1) **Case #2019-1272: Parcel #616-144** located at 2611 Teresa Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety and a penalty of \$500.00. Ward 6

Scope of Work: Board-up and secure house, cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash, debris, fallen tree (parts & limbs), wooden boards/crates, appliances/old furniture, building materials/old bricks, tires; and clean curbside.

- 2) **Case #2019-1273: Parcel #709-246** located at 0 College Dr./Lot E. of 116 College Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety and a penalty of \$1,000.00. Ward 2

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash, debris, tree limbs & parts, tires; and clean curbside.

- 3) **Case #2019-1275: Parcel #70-25** located at Lot E of 235 E. Bell Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. Ward 7

Scope of Work: Cutting of grass, weeds, bushes, sapling, shrubbery, fence line, and removal of trash and debris; clean curbside.

- 4) **Case #2019-1277: Parcel #72-76** located at Lot E. of 146 E. Cohea Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. Ward 7

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires, clean curbside.

- 5) **Case #2019-1278: Parcel #72-75** located at 2nd Lot E of 146 Cohea Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$1,000.00. Ward 7

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires, clean curbside.

- 6) **Case #2019-1279: Parcel #72-19** located at Lot E. 126 E. Cohea Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. Ward 7

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

- 7) **Case #2019-1280: Parcel #74-53** located at Lot W. of 135 E. Cohea Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

- 8) **Case #2019-1281: Parcel #39-63** located at Corner Lot of President St. & Fortification S.t: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety and a penalty of \$500.00. Ward 7

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

- 9) **Case #2019-1284: Parcel #72-17** located at 1030 N. Farish Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety and a penalty of \$500.00. Ward 7

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

- 10) **Case #2019-1288: Parcel #431-27** located at 654 Belvedere Rd.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

- 11) **Case #2019-1290: Parcel #431-21** located at 617 Avalon Rd.: After appearance by owner Raymond Fawling, hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

- 12) **Case #2019-1292: Parcel #627-175** located at 3775 Meadowlane Rd.: After hearing testimony from owner Demetris Whitlock, hearing officer recommends that the property be adjudicated as a menace to public health and safety. However, interested parties shall be afforded thirty (30) days to cure expiring September 5, 2019. If there is a default and the City proceeds with cleaning, hearing officer recommends and assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash, debris, wooden boards/crates, appliances/old furniture, building materials/old bricks, tree limbs & parts, tires; and clean curbside.

- 13) **Case #2019-1295: Parcel #432-120** located at 4803 Sheridan Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. Ward 3

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

- 14) **Case #2019-1296: Parcel #431-203** located at 618 Launcelot Road: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

- 15) **Case #2019-1299: Parcel #433-136** located at 362 E. Northside Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

- 16) **Case #2019-1300: Parcel #433-161** located at 408 E. Northside Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. Ward 3

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

- 17) **Case #2019-1301: Parcel #432-62** located at 349 Broadmoor Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

- 18) **Case #2019-1302: Parcel #432-63** located at 357 Broadmoor Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. Ward 3

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

19) **Case #2019-1304: Parcel #738-9-15** located at 6308 Ridgewood Rd.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 1

Scope of Work: Cutting of grass, weeds, bushes, shrubbery, saplings, fence line, and removing of trash and debris, tires; clean curbside.

IT IS HEREBY ORDERED that the above parcels be adjudicated a menace to public health as recommended by the hearing officer.

IT IS HEREBY ORDERED that a copy of the notices mailed and posted to owners and interested parties of the above parcels shall be included in the minutes along with this resolution pursuant to Section 21-19-11 of the Mississippi Code as amended.

IT IS HEREBY ORDERED that the Administration shall be authorized to remedy conditions on the parcels posing a threat to public health and safety using municipal resources or contract labor if the owners fail to do so.

IT IS HEREBY ORDERED that the adjudication of penalties, if any, shall be reserved until such time that a resolution is approved assessing actual costs.

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

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- None.

Absent- Stamps.

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices, located in the City Clerk's Office of the City of Jackson, Mississippi.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND TABB LAWN & CLEANING SERVICE, LLC, TO CUT GRASS AND WEEDS, REMOVAL OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATION SECTION 21-19-11 FOR CASE #2017-1785 – 2114-A THOUSAND OAKS DRIVE- \$1,200.00.

WHEREAS, on April 24, 2018 the Jackson City Council approved a resolution 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 following an Administrative Hearing held on October 3, 2017 for Case #2017-1785 located in Ward 4 of the City of Jackson; and

WHEREAS, the Community Improvement Division of the Planning and Development Department 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, Tabb Lawn & Cleaning Service, LLC appeared next on the rotation list and through its Manager, Ambresha Tabb, has agreed to the cutting of grass, weeds, shrubbery, fence line, bushes, saplings, and removal of trash, debris, tree parts, limbs, clean curbside, and remedy conditions constituting a menace to public health and welfare for the parcel located at 2114-A Thousand Oaks Drive for the sum of \$1,200.00; and

WHEREAS, Tabb Lawn & Cleaning Service, LLC has a principal office address of 1608 Morson Road, Jackson, Mississippi 39209 according to information appearing on the Mississippi Secretary of State's website.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Tabb Lawn & Cleaning Service, LLC for the cutting of vegetation, and remedying of other conditions on the property located at 2114-A Thousand Oaks Drive deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$1,200.00 shall be paid to Tabb Lawn & Cleaning Service, LLC for the services provided from funds budgeted for the Division.

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

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND TABB LAWN & CLEANING SERVICE, LLC, TO BOARD UP AND SECURE OF STRUCTURE(S) AND/OR THE CUTTING OF GRASS AND WEEDS, REMOVAL OF TRASH AND DEBRIS AND REMEDY OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATION SECTION 21-19-11 FOR CASE #2018-1291 – 2249 PADEN STREET - \$816.00.

WHEREAS, on September 11, 2018 the Jackson City Council approved a resolution 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 following an Administrative Hearing held on July 17, 2018 for Case #2018-1291 located in Ward 6 of the City of Jackson; and

WHEREAS, the Community Improvement Division of the Planning and Development Department 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, Tabb Lawn & Cleaning Service, LLC appeared next on the rotation list and through its Manager, Ambresha Tabb, has agreed to the board up and secure of structure(s) and/or cut grass, weeds, shrubbery, fence line, bushes, saplings, and remove trash, debris, wooden boards, appliances, old furniture, building materials, old bricks, tree limbs, tree parts, tires, and clean curbside, and remedy conditions constituting a menace to public health and welfare for the parcel located at 2249 Paden Street for the sum of \$816.00; and

WHEREAS, Tabb Lawn & Cleaning Service, LLC has a principal office address of 1608 Morson Road, Jackson, Mississippi 39209 according to information appearing on the Mississippi Secretary of State's website.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Tabb Lawn & Cleaning Service, LLC for the cutting of vegetation, and remedy other conditions on the property located at 2249 Paden Street deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$816.00 shall be paid to Tabb Lawn & Cleaning Service, LLC for the services provided from funds budgeted for the Division.

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

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND TABB LAWN & CLEANING SERVICE, LLC, TO BOARD UP AND SECURE STRUCTURE(S) CUT GRASS AND WEEDS, REMOVAL OF TRASH AND DEBRIS AND REMEDY OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATION SECTION 21-19-11 FOR CASE #2018-1044 – 3031 OAK FOREST DRIVE- \$1,420.00.

WHEREAS, on April 30, 2019 the Jackson City Council approved a resolution 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 following an Administrative Hearing held on April 17, 2018 for Case #2018-1044 located in Ward 6 of the City of Jackson; and

WHEREAS, the Community Improvement Division of the Planning and Development Department 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, Tabb Lawn & Cleaning Service, LLC appeared next on the rotation list and through its Manager, Ambresha Tabb, has agreed board up and secure of structure(s) cut of grass, weeds, shrubbery, fence line, bushes, saplings, and remove trash, debris, tree parts, tires, clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 3031 Oak Forest Drive for the sum of \$1,420.00; and

WHEREAS, Tabb Lawn & Cleaning Service, LLC has a principal office address of 1608 Morson Road, Jackson, Mississippi 39209 according to information appearing on the Mississippi Secretary of State's website.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Tabb Lawn & Cleaning Service, LLC for the cutting of vegetation, and remedying of other conditions on the property located at 3031 Oak Forest Drive deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$1,420.00 shall be paid to Tabb Lawn & Cleaning Service, LLC for the services provided from funds budgeted for the Division.

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

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND TABB LAWN & CLEANING SERVICE, LLC, TO BOARD UP AND SECURE STRUCTURE(S) AND/OR CUT GRASS AND WEEDS, REMOVAL OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATION SECTION 21-19-11 FOR CASE #2018-2019 – 3166 MONTICELLO DRIVE - \$2,015.00.

WHEREAS, on May 14, 2019 the Jackson City Council approved a resolution 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 following an Administrative Hearing held on December 18, 2018 for Case #2018-2019 located in Ward 6 of the City of Jackson; and

WHEREAS, the Community Improvement Division of the Planning and Development Department 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, Tabb Lawn & Cleaning Service, LLC appeared next on the rotation list and through its Manager, Ambresha Tabb, has agreed to board up and secure of structure(s); cut grass, weeds, shrubbery, fence line, bushes, saplings, and remove trash, debris, tree parts, limbs, wooden boards, crates, appliances, old furniture, building materials, old bricks, tires, clean curbside, and remedy conditions constituting a menace to public health and welfare for the parcel located at 3166 Monticello Drive for the sum of \$2,015.00; and

WHEREAS, Tabb Lawn & Cleaning Service, LLC has a principal office address of 1608 Morson Road, Jackson, Mississippi 39209 according to information appearing on the Mississippi Secretary of State's website.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Tabb Lawn & Cleaning Service, LLC for the cutting of vegetation, and remedying of other conditions on the property located at 3166 Monticello Drive deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$2,015.00 shall be paid to Tabb Lawn & Cleaning Service, LLC for the services provided from funds budgeted for the Division.

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

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- None.

Absent- Stamps.

There came on for Introduction Agenda Item No. 9:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI RENAMING NORTH STREET (FROM HIGH STREET TO AMITE STREET) TO MYRLIE EVERS DRIVE. Said item would be tabled at the request of **Council Member Stokes**.

ORDINANCE AMENDING SECTION 122-40 OF THE JACKSON CODE OF ORDINANCES TO ALLOW FOR AN ADMINISTRATIVE HEARING ON DISPUTES REGARDING THE ACCURACY OR VALIDITY OF AN ACCOUNT HOLDER BILL COVERING WATER AND/OR SEWER SERVICES PROVIDED BY THE CITY.

WHEREAS, Section 122-40 of the Jackson Code of Ordinances presently provides that "...the City attorney, or the designated assistant City attorney..." shall act as the hearing officer for "...administrative hearing on the matter of cutoff notices..."; and

WHEREAS, the governing authorities find it in the best interest of the aggrieved Customers that the administrative hearing process be expanded to include billing disputes that occur prior to cut off notices; and

WHEREAS, the governing authorities find the water billing administrative appeal process should be amended to accommodate the appeals more expeditiously; and

WHEREAS, the governing authorities find it in the best interest of the City to make the Judge Pro Tempore of the City of Jackson the Hearing Officer for water billing appeals; and

WHEREAS, the governing authorities find that Section 122-40 of the Jackson Code of Ordinances should be amended as follows (deleted language denoted in strikethroughs, and added language denoted in underlined italics):

Sec. 122-40. - Administrative hearing of Water/Sewer Billing.

(a) This Ordinance supersedes any conflicting language contained in any and all prior Ordinances or Executive Orders pertaining to the dispute and appeal of a water bill by an Account Holder.

(b) The purpose of this Ordinance is to establish and prescribe procedures for the dispute and appeal of a water bill by an Account Holder

(c) Definitions

(1) Account Holder: "Account Holder" shall be synonymous with the term "Customer." It includes any person, individual, or entity listed on the account. It also includes any person or entity legally authorized to act on the behalf of the Customer listed on the account.

(2) Dispute: Any disagreement between the Account Holder and the City concerning the accuracy or validity of a bill covering water and/or sewer services provided by the City.

(3) Water Appeal: Any request for a hearing whether written or oral presented to the WSBA Manager in reference to any disagreement between the Account Holder and the City concerning the accuracy or validity of a bill covering water or sewer services provided by the City.

(4) Hearing Officer: Individual recommended by the Mayor and approved by the City Council for the limited purpose of hearing water bill disputes and appeals.

(5) WSBA Manager: The Water / Sewer Business Administration Manager or designee.

(d) *The Hearing Officer is hereby empowered to hold administrative hearings on water/sewer billing disputes.*

(e) *Request for hearing.*

(1) A Customer who disputes the accuracy or validity of a bill covering water or sewer services must submit a request for administrative hearing to the WSBA Manager. The request shall contain the following: 1) the name, address, and telephone number of the Account Holder/Customer; 2) the account number; 3) identification of the bill or bills in dispute; 4) the amount in dispute; 5) the reason for the Customer's dispute; and 6) confirmation that the Customer has attempted to resolve the dispute with the Water Sewer Billing Administration ("WSBA"). If the customer fails to provide any of the enumerated information, the request will not be processed. In the event that the only requirement not satisfied in the request is confirmation that the Customer has attempted to resolve the dispute with WSBA and the Customer has received a Final Notice (i.e., cut-off notice), then the WSBA Manager shall discontinue the cut off process and require the Customer to attempt to resolve the dispute immediately.

(2) This request for hearing must be received by the WSBA Manager no later than the due date on a Final Notice (i.e., cut-off notice) sent to the Customer. Immediately following the receipt of the request for hearing, the WSBA Manager shall discontinue the cut off process until the complaint is resolved in accordance with provisions herein. At the time of the request for hearing, the WSBA Manager shall schedule a hearing with a Hearing Officer. The WSBA Manager shall set said hearing to be heard no later than thirty (30) days after receipt of the Customer's request for hearing, if practicable.

(3) The WSBA Manager shall mail or deliver notice of the date and time of this hearing to the Customer prior to the hearing. Though not required, a Customer may be represented by counsel during this hearing. The Customer may also present witnesses or other evidence in support of his/her position. The conduct of the hearing will be in accordance with rules and procedures established by the Hearing Officer and shall be conducted informally. The WSBA Manager shall attend such hearing and present a response to the Customer's request for hearing. Any of the billing, collection, or meter reading personnel may be called by the Hearing Officer to respond to the request. All expenses incurred in the hearing, including witness fees, mileage, reproduction of documents, or other costs, shall be borne by the party who

incurred them. The Hearing Officer will receive and consider all evidence submitted during the hearing.

(4) At the conclusion of the hearing, the Hearing Officer shall advise of his/her findings and recommendation regarding the Customer's request for hearing. As soon as practicable thereafter, but no later than fourteen (14) days following the date of the hearing, the Hearing Officer shall issue to the Customer a written notice of findings and recommendation. A copy of the same shall be submitted to the WSBA Manager. The findings and recommendation of the Hearing Officer shall be made upon substantial and reliable evidence, and shall consist of findings of fact and the disposition of the dispute. If the Hearing Officer finds the Customer's dispute to be valid, the Hearing Officer shall be empowered to recommend an appropriate adjustment to the Customer's bill. The Hearing Officer shall also have the authority to recommend a credit be applied to the Customer's account or a refund be made to the Customer. Following the issuance of the findings and recommendation of the Hearing Officer, the WSBA Manager shall prepare a Resolution to be presented to the City Council at its next regular meeting. The Resolution shall present the findings and recommendation to the City Council. The City Council shall have the authority to accept the Resolution as presented or modify it, and shall adopt such Resolution as the final decision of the City.

(5) If the Hearing Officer finds that an amount is due from the Customer, the amount shall be immediately due and payable following the adoption of the Resolution by the City Council. The City shall have the right to discontinue or disconnect water service without further notice if this amount is not paid within ten (10) days following the adoption of the Resolution of the City Council pertaining to the request for hearing. Such service shall not be restored until all applicable charges and fees have been paid. Neither the submission of a request for hearing nor the pendency of a decision or determination in connection with such a request for hearing shall act to stay or limit the Customer's responsibilities and obligations with respect to other bills or other undisputed charges and fees that are not the subject of such a request for hearing.

(f) Customers subject to cutoff upon adoption of ordinance.

(1) All Customers who dispute the accuracy or validity of a bill for water or sewer services that was past due or delinquent prior to the effective date of this amended Ordinance and all Customers who requested a water appeal hearing before the City Attorney prior to the effective date of this amended Ordinance shall be entitled to participate in the dispute and appeal process and procedures provided herein.

(2) If a Customer has had a hearing before the City Attorney or his/her designee, he/she has fourteen (14) days from the effective date of the this Amended Ordinance or fourteen (14) days from the date of the written decision of the City Attorney or his/her designee, whichever is later to appeal to the City Council by contacting the City Clerk and filing out a "request to appeal water bill to City Council" form. The City Clerk shall set the appeal to be heard at the next regular Council meeting, if practicable, but no later than thirty (30) days after receiving the Customer's request. The City Clerk shall notify the Office of the City Attorney of same. The City Council shall then decide the appeal.

(g) Preclusion of appeal for a particular disputed amount.

If a Customer has his/her appeal of a particular disputed amount heard through the procedures provided herein, the Customer may not utilize any other appeals process afforded by the City, regarding the same disputed amount. If the Customer has already had his/her appeal regarding a particular disputed amount heard by the City Attorney or his/her designee, the Customer may not utilize the procedures provided in subsection (e) above regarding any portion of the same disputed amount. A Customer may not seek an appeal to the City Attorney regarding a particular disputed amount and seek to utilize the procedures herein regarding that same disputed amount, simultaneously.

(h) Administration Rules:

The WSBA Manager is authorized, but not required, to promulgate written rules and/or policies for the administration of this ordinance.

- (i) Nothing in this ordinance may be construed or interpreted as creating a cause of action against the City of Jackson, Mississippi.*

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, THAT Sections 122-40 is amended to read as follows:

Sec. 122-40. - Administrative hearing of Water/Sewer Billing.

(a) This Ordinance supersedes any conflicting language contained in any and all prior Ordinances or Executive Orders pertaining to the dispute and appeal of a water bill by an Account Holder.

(b) The purpose of this Ordinance is to establish and prescribe procedures for the dispute and appeal of a water bill by an Account Holder

(c) Definitions.

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(4) Hearing Officer: Administrative Law Judge contracted by the City of Jackson, Mississippi specifically to hear Water Appeals.

(5) WSBA Manager: The Water / Sewer Business Administration Manager or designee.

(d) The Hearing Officer is hereby empowered to hold administrative hearings on water/sewer billing disputes.

(e) Request for hearing.

(1) A Customer who disputes the accuracy or validity of a bill covering water or sewer services must submit a request for administrative hearing to the WSBA Manager. The request shall contain the following: 1) the name, address, and telephone number of the Account Holder/Customer; 2) the account number; 3) identification of the bill or bills in dispute; 4) the amount in dispute; 5) the reason for the Customer's dispute; and 6) confirmation that the Customer has attempted to resolve the dispute with the Water Sewer Billing Administration ("WSBA"). If the customer fails to provide any of the enumerated information, the request will not be processed. In the event that the only requirement not satisfied in the request is confirmation that the Customer has attempted to resolve the dispute with WSBA and the Customer has received a Final Notice (i.e., cut-off notice), then the WSBA Manager shall discontinue the cut off process and require the Customer to attempt to resolve the dispute immediately.

(2) This request for hearing must be received by the WSBA Manager no later than the due date on a Final Notice (i.e., cut-off notice) sent to the Customer. Immediately following the receipt of the request for hearing, the WSBA Manager shall discontinue the cut off process until the complaint is resolved in accordance with provisions herein. At the time of the request for hearing, the WSBA Manager shall schedule a hearing with a Hearing Officer. The WSBA Manager shall set said hearing to be heard no later than thirty (30) days after receipt of the Customer's request for hearing, if practicable.

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(h) Administration Rules.

The WSBA Manager is authorized, but not required, to promulgate written rules and/or policies for the administration of this ordinance.

(i) Nothing in this ordinance may be construed or interpreted as creating a cause of action against the City of Jackson, Mississippi.

(j) This Ordinance shall be effective 30 days following its adoption and publication.

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

President Lindsay recognized **Terry Williamson**, Office of the City Attorney, who stated that an amendment was needed in the 4th paragraph to remove "make the Judge Pro Tempore of the City of Jackson the" and add appoint a Hearing Officer for water billing appeals.

President Lindsay moved, seconded by **Council Member Banks** to amend said ordinance to reflect the changes stated by the Legal Department. The motion prevailed by the following vote:

Yeas- Banks, Foote, Lindsay, Priester and Tillman.

Nays- Stokes.

Absent- Stamps.

President Lindsay recognized **Council Member Banks** and **Council Member Stokes**, who posed additional questions to **Robert Miller**, Director of Public Works regarding the communication and process of the proposed hearing officer.

After a thorough discussion, **President Lindsay** called for a vote on said item as amended:

ORDINANCE AMENDING SECTION 122-40 OF THE JACKSON CODE OF ORDINANCES TO ALLOW FOR AN ADMINISTRATIVE HEARING ON DISPUTES REGARDING THE ACCURACY OR VALIDITY OF AN ACCOUNT HOLDER BILL COVERING WATER AND/OR SEWER SERVICES PROVIDED BY THE CITY.

WHEREAS, Section 122-40 of the Jackson Code of Ordinances presently provides that "...the City attorney, or the designated assistant City attorney..." shall act as the hearing officer for "...administrative hearing on the matter of cutoff notices..."; and

WHEREAS, the governing authorities find it in the best interest of the aggrieved Customers that the administrative hearing process be expanded to include billing disputes that occur prior to cut off notices; and

WHEREAS, the governing authorities find the water billing administrative appeal process should be amended to accommodate the appeals more expeditiously; and

WHEREAS, the governing authorities find it in the best interest of the City to appoint a Hearing Officer for water billing appeals; and

WHEREAS, the governing authorities find that Section 122-40 of the Jackson Code of Ordinances should be amended as follows (deleted language denoted in strikethroughs, and added language denoted in underlined italics):

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- (b) The purpose of this Ordinance is to establish and prescribe procedures for the dispute and appeal of a water bill by an Account Holder

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- (4) Hearing Officer: Individual recommended by the Mayor and approved by the City Council for the limited purpose of hearing water bill disputes and appeals.
- (5) WSBA Manager: The Water / Sewer Business Administration Manager or designee.

(d) *The Hearing Officer is hereby empowered to hold administrative hearings on water/sewer billing disputes.*

(e) *Request for hearing.*

- (1) *A Customer who disputes the accuracy or validity of a bill covering water or sewer services must submit a request for administrative hearing to the WSBA Manager. The request shall contain the following: 1) the name, address, and telephone number of the Account Holder/Customer; 2) the account number; 3) identification of the bill or bills in dispute; 4) the amount in dispute; 5) the reason for the Customer's dispute; and 6) confirmation that the Customer has attempted to resolve the dispute with the Water Sewer Billing Administration ("WSBA"). If the customer fails to provide any of the enumerated information, the request will not be processed. In the event that the only requirement not satisfied in the request is confirmation that the Customer has attempted to resolve the dispute with WSBA and*

the Customer has received a Final Notice (i.e., cut-off notice), then the WSBA Manager shall discontinue the cut off process and require the Customer to attempt to resolve the dispute immediately.

(2) This request for hearing must be received by the WSBA Manager no later than the due date on a Final Notice (i.e., cut-off notice) sent to the Customer. Immediately following the receipt of the request for hearing, the WSBA Manager shall discontinue the cut off process until the complaint is resolved in accordance with provisions herein. At the time of the request for hearing, the WSBA Manager shall schedule a hearing with a Hearing Officer. The WSBA Manager shall set said hearing to be heard no later than thirty (30) days after receipt of the Customer's request for hearing, if practicable.

(3) The WSBA Manager shall mail or deliver notice of the date and time of this hearing to the Customer prior to the hearing. Though not required, a Customer may be represented by counsel during this hearing. The Customer may also present witnesses or other evidence in support of his/her position. The conduct of the hearing will be in accordance with rules and procedures established by the Hearing Officer and shall be conducted informally. The WSBA Manager shall attend such hearing and present a response to the Customer's request for hearing. Any of the billing, collection, or meter reading personnel may be called by the Hearing Officer to respond to the request. All expenses incurred in the hearing, including witness fees, mileage, reproduction of documents, or other costs, shall be borne by the party who incurred them. The Hearing Officer will receive and consider all evidence submitted during the hearing.

(4) At the conclusion of the hearing, the Hearing Officer shall advise of his/her findings and recommendation regarding the Customer's request for hearing. As soon as practicable thereafter, but no later than fourteen (14) days following the date of the hearing, the Hearing Officer shall issue to the Customer a written notice of findings and recommendation. A copy of the same shall be submitted to the WSBA Manager. The findings and recommendation of the Hearing Officer shall be made upon substantial and reliable evidence, and shall consist of findings of fact and the disposition of the dispute. If the Hearing Officer finds the Customer's dispute to be valid, the Hearing Officer shall be empowered to recommend an appropriate adjustment to the Customer's bill. The Hearing Officer shall also have the authority to recommend a credit be applied to the Customer's account or a refund be made to the Customer. Following the issuance of the findings and recommendation of the Hearing Officer, the WSBA Manager shall prepare a Resolution to be presented to the City Council at its next regular meeting. The Resolution shall present the findings and recommendation to the City Council. The City Council shall have the authority to accept the Resolution as presented or modify it, and shall adopt such Resolution as the final decision of the City.

(5) If the Hearing Officer finds that an amount is due from the Customer, the amount shall be immediately due and payable following the adoption of the Resolution by the City Council. The City shall have the right to discontinue or disconnect water service without further notice if this amount is not paid within ten (10) days following the adoption of the Resolution of the City Council pertaining to the request for hearing. Such service shall not be restored until all applicable charges and fees have been paid. Neither the submission of a request for hearing nor the pendency of a decision or determination in connection with such a request for hearing shall act to stay or limit the Customer's responsibilities and obligations with respect to other bills or other undisputed charges and fees that are not the subject of such a request for hearing.

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(1) All Customers who dispute the accuracy or validity of a bill for water or sewer services that was past due or delinquent prior to the effective date of this amended Ordinance and all Customers who requested a water appeal hearing before the City Attorney prior to the effective date of this amended Ordinance shall be entitled to participate in the dispute and appeal process and procedures provided herein.

(2) *If a Customer has had a hearing before the City Attorney or his/her designee, he/she has fourteen (14) days from the effective date of the this Amended Ordinance or fourteen (14) days from the date of the written decision of the City Attorney or his/her designee, whichever is later to appeal to the City Council by contacting the City Clerk and filing out a "request to appeal water bill to City Council" form. The City Clerk shall set the appeal to be heard at the next regular Council meeting, if practicable, but no later than thirty (30) days after receiving the Customer's request. The City Clerk shall notify the Office of the City Attorney of same. The City Council shall then decide the appeal.*

(g) *Preclusion of appeal for a particular disputed amount.*

If a Customer has his/her appeal of a particular disputed amount heard through the procedures provided herein, the Customer may not utilize any other appeals process afforded by the City, regarding the same disputed amount. If the Customer has already had his/her appeal regarding a particular disputed amount heard by the City Attorney or his/her designee, the Customer may not utilize the procedures provided in subsection (e) above regarding any portion of the same disputed amount. A Customer may not seek an appeal to the City Attorney regarding a particular disputed amount and seek to utilize the procedures herein regarding that same disputed amount, simultaneously.

(h) *Administration Rules:*

The WSBA Manager is authorized, but not required, to promulgate written rules and/or policies for the administration of this ordinance.

(ii) *Nothing in this ordinance may be construed or interpreted as creating a cause of action against the City of Jackson, Mississippi.*

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, THAT Sections 122-40 is amended to read as follows:

Sec. 122-40. - Administrative hearing of Water/Sewer Billing.

(a) This Ordinance supersedes any conflicting language contained in any and all prior Ordinances or Executive Orders pertaining to the dispute and appeal of a water bill by an Account Holder.

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(4) Hearing Officer: Administrative Law Judge contracted by the City of Jackson, Mississippi specifically to hear Water Appeals.

(5) WSBA Manager: The Water / Sewer Business Administration Manager or designee.

(d) The Hearing Officer is hereby empowered to hold administrative hearings on water/sewer billing disputes.

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(h) Administration Rules.

The WSBA Manager is authorized, but not required, to promulgate written rules and/or policies for the administration of this ordinance.

(ii) Nothing in this ordinance may be construed or interpreted as creating a cause of action against the City of Jackson, Mississippi.

(j) This Ordinance shall be effective 30 days following its adoption and publication.

Yeas- Banks, Foote, Lindsay, Priestler and Tillman.
Nays- Stokes.
Absent- Stamps.

ORDER APPROVING CLAIMS NUMBER 9013 TO 9436 APPEARING AT PAGES 1390 TO 1453 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$5,379,424.07 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 9013 to 9436 appearing at pages 1390 to 1453, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$15,834,045.13 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:

FROM:	TO ACCOUNTS PAYABLE FUND
1% INFRASTRUCTURE TAX	1,501,942.88
2012 WATER/SEWER REFUNDING B&I	4,011,250.00
2016 WATER/SEWER REFUNDING B&I	2,272,100.00
BUSINESS IMPROV FUND (LANDSCP)	73,861.42
CAPITAL CITY REVENUE FUND	48.00
DISABILITY RELIEF FUND	82,881.32
DRAINAGE – REPAIR & REPL. FD	21,773.19
EARLY CHILDHOOD (DAYCARE)	7,303.15
EMERGENCY SHELTER GRANT (ESG)	9,416.66
EMPLOYEES GROUP INSURANCE FUND	162,379.61
FIRE PROTECTION	4,276.17
G O PUBLI IMP 2003 B & I (\$20M)	152,442.32
GENERAL FUND	1,768,072.91
H O P W A GRANT – DEPT. OF HUD	194,877.07
HAIL DAMAGE MARCH 2013	61,589.74
HOME PROGRAM FUND	122,748.62
HOUSING COMM DEV ACT (CDBG) FD	10,307.69
KELLOGG FOUNDATION PROJECT	23,700.00
LANDFILL/SANITATION FUND	158,664.18
LIBRARY FUND	35,094.42
MADISON SEWAGE DISP OP & MAINT	1,374.09
P E G ACCESS- PROGRAMMING FUND	6,917.28
PARKS & RECR FUND	124,904.87
POLICE PROP EVIDENCE CASH FUND	930.00
RESURFACING- REPAIR & REPL. FD	474,698.33
SEIZURE & FORFEITED PROP-STATE	495.00
STATE TORT CLAIMS FUND	8,500.83
TECHNOLOGY FUND	81,440.26
TITLE III AGING PROGRAMS	27,093.00
TRANSPORTATION FUND	9,710.96
WATER/SEWER CAPITAL IMPR FUND	13,342.25
WATER/SEWER OP & MAINT FUND	1,523,459.54
WATER/SEWER REVENUE FUND	661.62
WATR SEWR REFD B&I 2001 \$50,663	2,885,787.75
TOTAL	<u>\$15,834,045.13</u>

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

President Lindsay recognized **LaaWanda Horton**, Director of Administration, who provided a brief overview of the Claims Docket at the request of **President Lindsay**.

Thereafter, **President Lindsay** called for a vote on said item:

Yeas- Foote, Lindsay, Priester and Tillman.
Nays- Banks and Stokes.
Absent- Stamps.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 9013 TO 9436 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 9013 to 9436 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$136,693.53 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 ACCOUNTS PAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		1,833,765.81
PARKS & RECR FUND		70,247.71
LANDFILL FUND		16,857.19
SENIOR AIDES		2,502.66
WATER/SEWER OPER & MAINT		188,186.25
PAYROLL FUND		507.00
PAYROLL	136,693.53	
EARLY CHILDHOOD		23,342.67
HOUSING COMM DEV		8,843.12
TITLE III AGING PROGRAMS		4,182.99
TRANSPORTATION FUND		16,286.00
T-WARNER PA/GA FUND		4,755.42
TOTAL		<u>\$2,169,476.82</u>

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

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

ORDER AUTHORIZING THE MAYOR TO PURCHASE AN AGREEMENT WITH TDC GROUP, INC. FOR THE MAINTENANCE OF THE CITY OF JACKSON'S FREEANCE MOBILE FOR CITYWORKS SYSTEM 2019.

WHEREAS, the City of Jackson purchased Freeance Mobile for Cityworks software from TDC Group, Inc., in 2012; and

WHEREAS, the City of Jackson uses the Freeance software for its 311 work order system; and

WHEREAS, the maintenance agreement for the Freeance software expires on September 26, 2019 and will need to be renewed; and

WHEREAS, the cost of renewal is \$4,375.00; and

WHEREAS, TDC Group, Inc. is the sole provider of the Freeance maintenance support; and

WHEREAS, the maintenance needs for this system have been analyzed and the purchase of maintenance for this system is recommended.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a maintenance agreement with TDC Group, at a cost of \$4,375.00 for the period beginning on September 26, 2019 through September 26, 2020.

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

Yeas- Banks, Foote, Lindsay, Priester and Tillman.

Nays- None.

Abstention- Stokes.

Absent- Stamps.

There came on for consideration Agenda Item No. 14:

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND TICKETLAND, LLC TO PROVIDE TICKETING AND BOX OFFICE MANAGEMENT SERVICES AT THALIA MARA HALL. Said item would be tabled until the next Regular Council meeting to be held on September 3, 2019 at 10:00 a.m.

Council Member Priester left the meeting.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A SUB-GRANT SIGNATURE SHEET AND OTHER NECESSARY DOCUMENTS WITH THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES FOR FUNDS FOR THE CITY OF JACKSON EARLY CHILDHOOD DEVELOPMENT PROGRAM.

WHEREAS, the Mississippi department of Human Services, Division of Early Childhood Care and Development ("MHHS") and the City of Jackson, Mississippi ("City"), by way of a federal grant, are charged with providing child care slots to eligible, low-income working parents. MDHS and the City will mutually benefit from an agreement wherein the City shall receive a subgrant from MDHS in an amount not to exceed \$750,026.50; and

WHEREAS, the City, as a condition of receiving the sub-grant, will agree to provide matching funds in the amount of \$241,426.00 for the operation and maintenance of the program; and

WHEREAS, the City, as a condition of receiving the subgrant, will further agree to provide, perform and complete in a satisfactory manner as reasonable determined by MDHS, the aforementioned child care services to eligible persons; and

WHEREAS, upon the execution of the agreement and any other necessary documents, the City will undertake and complete the afore-mentioned services beginning, on or about, September 1, 2019, and ending, on or about, August 31, 2020; and

WHEREAS, as full and complete compensation for the services to be provided hereunder, total reimbursement by MDHS shall not exceed \$750,026.50 for the term of the subgrant; and

WHEREAS, it is the City's best interest that the City execute such agreements and other documents mandated by the MDHS for participating in the Child Care Slot Program of Services proposal process; and

IT IS FURTHER ORDERED that the afore-mentioned City matching funds in the amount of \$241,426.00 be properly included in the fiscal budget(s) for the term of the agreement (September 1, 2019 to August 31, 2020).

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

Yeas- Banks, Foote, Lindsay, Stokes and Tillman.

Nays- None.

Absent- Priester and Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE SUBGRANT AGREEMENT WITH SENIOR SERVICE AMERICA, INC. (SSAI) IN THE AMOUNT OF \$452,763.00 FOR THE CITY TO SPONSOR A SENIOR AIDES PROGRAM FOR TWELVE MONTHS FOR PERIOD JULY 1, 2019 THROUGH JUNE 30, 2020 FOR THE 2019-2020 FISCAL YEAR.

WHEREAS, the City of Jackson has implemented a Senior AIDES Program since 1972; and

WHEREAS, the Senior AIDES Program offers part-time employment training opportunities to low income individuals fifty-five (55) years of age or older; and

WHEREAS, the City has been awarded \$452,763.00 in grant funding to further the Senior AIDES Program for a twelve-month period beginning July 1, 2019 through June 30, 2020 for fiscal year 2019 - 2020; and

WHEREAS, a match of \$58,357 is required from the City of Jackson; and

WHEREAS, the program will enroll senior citizens in a four county service area: Hinds, Rankin, Scott, and Warren.

THEREFORE, BE IT ORDERED that the Mayor be authorized to execute a subgrant agreement with SSAI in the amount of \$ 452,763.00 for a twelve-month period beginning July 1, 2019 through June 30, 2020 to sponsor a Senior AIDES Program for the 2019-2020 fiscal year.

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

Yeas- Banks, Foote, Lindsay, Stokes and Tillman.

Nays- None.

Absent- Priester and Stamps.

ORDER ACCEPTING THE BID OF LESLIE'S POOLMART, INC., FOR A TWENTY-FOUR-MONTH SUPPLY OF SWIMMING POOL PURIFICATION CHEMICALS, FOR THE DEPARTMENT OF PARKS AND RECREATION, (BID NO. 88598-052119).

WHEREAS, sealed bids for Swimming Pool Purification Chemicals were opened on May 21, 2019, wherein one (1) bid received; and

WHEREAS, the Parks and Recreation Department will use said chemicals to maintain the City of Jackson's swimming pools and provide a safe environment for the citizens of Jackson; and

WHEREAS, the staff at Parks and Recreation has reviewed the bid and recommends the bid submitted by Leslie's Poolmart, Inc., for a twenty-four-month supply of Swimming Pool Purification Chemicals, received May 21, 2019, at the submitted price, be accepted as the only bid received for the respective items.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, AUGUST 20, 2019 6:00 P.M.**

560

IT IS HEREBY ORDERED that the bid of Leslie’s Poolmart, Inc., 2005 East Indian School Road, Phoenix, AZ 85016, received May 21, 2019, for a twenty-four-month supply of Swimming Pool Purification Chemicals, (starting from the date of City Council Approval through twenty-four months), be accepted as the only bid received for the respective items, it being determined that the said bid met the City’s specifications for each items as listed:

Unit Price per Pound

<u>Item</u>	<u>Description</u>	<u>Units Requested</u>
1.	Calcium Hypochlorite – 100 lb. plastic containers	\$159.95
2.	Chlorine Tablets - 35 lb. in plastic containers	84.95
3.	Algae Control – Quart Containers	15.95
4.	Clarifier – Quart Containers	6.95
5.	Soda Ash – 30 lb. containers	29.95
6.	Muriatic Acid – Gallon Containers	3.60

IT IS FURTHER ORDERED that payment for said chemicals be made from the General Fund.

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

Yeas- Banks, Foote, Lindsay, Stokes and Tillman.

Nays- None.

Absent- Priester and Stamps.

ORDER REPLACING THE ARDENLAND, LLC PROFESSIONAL SERVICES CONTRACT WITH BY GOD’S GRACE, LLC AND THE CITY OF JACKSON TO HOLD THE NEW GRASS REVIVAL FEST ON SEPTEMBER 7, 2019, AT SMITH PARK, AS PART OF THE 2019 JACKSON SOULFUL CONCERT SERIES.

WHEREAS, on April 30, 2019, a Council Order was approved authorizing the Mayor to execute a professional services contract with Ardenland, LLC and the City of Jackson to hold the New Grass Revival fest on July 13, 2019;

WHEREAS, By God’s Grace, LLC will replace the Ardenland, LLC professional services contract as the New Grass Concert date has changed from July 13, 2019 to September 7, 2019; and

WHEREAS, the series will provide family entertainment for citizens of all ages by featuring various musical artists, performers and other activities; and

WHEREAS, each event in the series is listed provided below; and

2019 JACKSON SOULFUL MUSIC CONCERT SERIES			
	Date	Event	Location
1.	April 26 thru October 31	Movies in the Park	Various Park Locations
2.	May 2	2019 Jackson Soulful Series Kick- Off	Thalia Mara Hall
3.	May 24	White Party	Jackson Convention Complex
4.	May 31 thru June 1	Mayor’s Cup Golf Tournament	Sonny Guy Municipal Golf Course
5.	June 15	Blues in the Park	Battlefield Park
6.	June 29	Annual Fireworks Extravaganza	Smith Wills Stadium
7.	July 20	Summer Jam R&B Fest	Thalia Mara Hall
8.	August 24	Mind, Body & Soul – Health & Wellness Expo	Jackson Convention Complex
9.	September 7	New Grass Revival Fest	Smith Park

WHEREAS, in furtherance to the event, the Department of Parks and Recreation will need to enter into an agreement with By God's Grace, LLC, representative for Vince Barranco d/b/a Barranco Music Company; and

WHEREAS, the amount of this event has been reduced, and will not exceed Ten Thousand Dollars (\$10,000.00); and

WHEREAS, the Department believes executing this agreement is in the best interest of the City of Jackson.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an agreement, and all other necessary documents, for a contract with By God's Grace, LLC to assist with coordination of talent buying and site production requirements for the New Grass Revival Fest at Smith Park, on September 7, 2019.

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

Yeas- Banks, Foote, Lindsay, Stokes and Tillman.

Nays- None.

Absent- Priester and Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PARTNERSHIP AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI, AND FITLOT OUTDOOR FITNESS PARKS, ACCEPTING DONATION OF A FITLOT FITNESS PARK SYSTEM TO INCLUDE: SITE PREPARATION, DESIGN AND INSTALLATION, AT THE PARHAM BRIDGES WALKING TRAIL, LOCATED AT 5055 OLD CANTON ROAD, AT NO COST TO THE CITY OF JACKSON.

WHEREAS, the City of Jackson has a public park and facility known as Parham Bridges Park; and

WHEREAS, Parham Bridges Park has a walking trail used by patrons of all ages, which may be improved; and

WHEREAS, FitLot Outdoor Fitness Parks works collaboratively with AARP, both non-profit entities, to choose a city that will benefit from indoor exercise training area that is free and accessible to the public; and

WHEREAS, FitLot Outdoor Fitness Parks believes that every individual can and should enjoy the health benefits of a more active lifestyle, and has selected Jackson, Mississippi to offer this opportunity; and

WHEREAS, ownership, control, and management of Parham Bridges Park and its walking trail will not be transferred to FitLot Outdoor Fitness Parks; and

WHEREAS, no monies will be paid to FitLot Outdoor Fitness Parks for their assistance and services; and

WHEREAS, it is in the best interest of the City of Jackson to enter into an FitLot Partnership Agreement concerning the installation of a FitLot Fitness Park System; and

WHEREAS, the Partnership Agreement will not obligate the City of Jackson to budget or allocate funding for improvements; and

WHEREAS, improvements constructed will be open for public use without restriction; and

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a FitLot Partnership Agreement between the City of Jackson, Mississippi and FitLot to benefit Parham Bridges Park walking trail in the City of Jackson, Mississippi.

Council Member Stokes moved adoption; Council Member Banks seconded.

Yeas- Banks, Foote, Lindsay, Stokes and Tillman.

Nays- None.

Absent- Priester and Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND DISCOUNT HEATING AND COOLING, LLC FOR THE USE OF 2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO IMPLEMENT LIMITED HOUSING REPAIR ACTIVITIES.

WHEREAS, on August 11, 2015, found at Minute Book 6-H Page 550, the Mayor was authorized to submit the City of Jackson's 2015 – 2019 Five Year Consolidated Plan to the U. S. Department of Housing and Urban Development; and

WHEREAS, on November 27, 2018, HUD notified the City of its approval of the 2018 One Year Action Plan and issued Grant Agreements; and

WHEREAS, the Housing Rehabilitation component of the Consolidated Plan described projects the City of Jackson would undertake with 2018 Program Year funds; and

WHEREAS, on October 29-November 30, 2018, the Department of Planning and Development through the Office of Housing and Community Development advertised to accept Request for Qualifications (RFQs) for the Neighborhood Enhancement Division (NED) to invest Community Development Block Grant (CDBG) funds for the rehabilitation of owner-occupied homes; and

WHEREAS, on November 30, 2018, the Office of Housing and Community Development received seven (7) RFQ's; and

WHEREAS, six (6) contractors met all the qualification to be included in OHCD's list of approved contractors eligible to bid on rehabilitation contracts; and

WHEREAS, one (1) contractor was the best and most reasonable bidder for the rehabilitation of one (1) unit on the list of homes scheduled to receive limited housing repair activities and will be required to enter into a HUD approved contract agreement with the City of Jackson to perform Limited Housing Rehabilitation activities for low to moderate income households; and

WHEREAS, the City wants to award a contract to Discount Heating and Cooling, LLC to perform limited housing repair activities subject to completion and acceptance of the appropriate environmental evaluations.

IT, IS THEREFORE, ORDERED that the Mayor is authorized to execute a contract and any and all documents necessary with Discount Heating and Cooling, LLC for the use of 2018 Program Year CDBG funds for the rehabilitation of one (1) unit on the list of homes scheduled to receive limited housing repair activities. The contractor, bid amount, and unit address is as follows:

Discount Heating and Cooling, LLC	820 Page Street	\$54,500.00
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IT, IS FURTHER, ORDERED that the Office of Housing and Community Development (OHCD) is authorized to review and approve change orders with Multi-Con, LLC and Wiggins Painting and Remodeling, LLC for the use of 2018 Program Year CDBG funds for the rehabilitation of one (1) unit on the list of homes scheduled to receive limited housing repair activities for an amount not to exceed a total of \$3,500 with the proper supporting documentation evidencing need. Any amounts that would exceed this authorized total must receive Council approval.

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

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

Council Member Priester returned to the meeting.

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NUMBER ONE (1) TO THE CONTRACT OF HEMPHILL CONSTRUCTION COMPANY, INC., DECREASING SAID CONTRACT, AND AUTHORIZING FINAL PAYMENT FOR THE FONDREN STREETSCAPE PROJECT, FEDERAL-AID PROJECT NUMBER STP-0250-00(038) LPA/106056-701000, AND AUTHORIZING PUBLICATION OF NOTICE OF COMPLETION.

WHEREAS, on August 29, 2017, the City Council authorized the Mayor to execute a contract in the amount \$2,595,893.90 with Hemphill Construction Company, Inc. for Fondren Streetscape Project, Federal-Aid Project Number STP-0250-00(038) LPA/106056-701000; and

WHEREAS, on November 20, 2018, the City Council authorized the Mayor to execute a Supplemental Agreement No. 1 in an amount not to exceed \$140,000.00 with Hemphill Construction Company, Inc. for Fondren Streetscape Project, Federal-Aid Project Number STP-0250-00(038) LPA/106056-701000; and

WHEREAS, the actual supplemental agreement and quantity adjustment totaled \$139,999.88, which increased the total contract amount to \$2,735,893.78; and

WHEREAS, proposed Change Order Number One (1) is decreasing the contract by \$2,960.50 for an adjustment and reduction in quantities, which results in a final contract amount of \$2,732,933.28; and

WHEREAS, the City of Jackson Engineering Division conducted a Final Inspection of the project on March 28, 2019; and

WHEREAS, the surety, Federal Insurance Company, Mary Anne Goodin, Attorney-In-Fact, has authorized release and payment of all money due under this contract; and

WHEREAS, the Department of the Department of Public Works recommends that the City accept this project and make Final Payment to Hemphill Construction Company, Inc.

IT IS, THEREFORE, ORDERED that Change Order Number One (1) to the contract of Hemphill Construction Company, Inc., decreasing said contract in the amount of \$2,960.50 for the Fondren Streetscape Project, Federal-Aid Project Number STP-0250-00(038) LPA/106056-701000, be approved, and the Mayor is authorized to execute Change Order Number One (1) to said contract with Hemphill Construction Company, Inc.

IT IS FURTHER ORDERED that the City make Final Payment of \$27,310.85 to Hemphill Construction Company, Inc., and that the City Clerk publish Notice of Completion of the Fondren Streetscape Project, Federal-Aid Project Number STP-0250-00(038) LPA/106056-701000.

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

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

ORDER AMENDING CONTRACT WITH FINANCIAL CRIMES INVESTIGATIVE, COMPLIANCE & SECURITY, LLC FOR INVESTIGATION OF THE WATER-SEWER UTILITY OF THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, the Director of the Department of Public Works received information that led him to believe that certain employees of the Water-Sewer Business Administration Division were engaging in activities that would be harmful to the interests of the City of Jackson and might possibly be criminal; and

WHEREAS, the Department of Public Works is not equipped to conduct investigations; and

WHEREAS, the City contracted with Financial Crimes Investigative, Compliance & Security, LLC (Financial Crimes Investigative) to provide professional services to investigate the alleged harmful activity; and

WHEREAS, the Director of the Department of Public Works has been satisfied with the progress of the investigation; and

WHEREAS, additional information has been uncovered in the course of the investigation relating to improper recording of time, the involvement of employees in other divisions of the Water-Sewer Utility, and the involvement of citizens conspiring with employees to steal water; and

WHEREAS, due to the breadth and depth of the investigation, additional funding is needed to complete the investigation; and

WHEREAS, Financial Crimes Investigative has estimated that an additional \$25,000.00 is needed to complete the scope of the initial investigation, investigate matters having to do with improper recording of time that became known during the course of the original investigation, and to investigation other leads in the Water-Sewer Utility that have come to light during the course of the original investigation; and

WHEREAS, the Department of Public Works recommends that the City accept the proposal of Financial Crimes Investigative to amend the existing contract to provide funding of an additional \$25,000.00, and to amend to allow for the conclusion of the original scope of investigation and for investigation of other matters that came to light during the course of the original investigation.

IT IS, THEREFORE, ORDERED that the Amendment to the Agreement with Financial Crimes Investigative, Compliance & Security, LLC to provide additional compensation of \$25,000.00 for a total contract amount of \$50,000.00 is accepted.

IT IS FURTHER ORDERED that the Amendment to the Agreement with Financial Crimes Investigative, Compliance & Security, LLC to allow for the conclusion of the original scope of investigation and to investigate other matters that came to light during the course of the original investigation is accept.

IT IS FURTHER ORDERED that the Mayor is authorized to execute the Amendment to the Agreement with Financial Investigative, Compliance & Security, LLC.

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

Yeas- Foote, Lindsay, Priester and Tillman.

Nays- Banks and Stokes.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE HINDS COUNTY BOARD OF SUPERVISORS FOR PUBLIC INFRASTRUCTURE PROJECT 2019-22.

WHEREAS, the Hinds County Board of Supervisors intends to make improvements to the following streets in the City of Jackson with in the project amounts indicated:

1. Belmede Place in an amount not to exceed \$25,000.00 (Ward 2)

2. Lakewood Cove in an amount not to exceed \$50,000.00 (Ward 2)
3. Romany Drive in an amount not to exceed \$25,000.00 (Ward 1)
4. Winchester Street in an amount not to exceed \$40,000.00 (Ward 1); and

WHEREAS, in accordance with the Interlocal Cooperation Act of 1974, Section 17-13-1, et seq. of the Mississippi Code of 1972, as amended, it is necessary for the City of Jackson to enter into an interlocal agreement with the Hinds County Board of Supervisors authorizing Hinds County to make the referenced street improvements; and

WHEREAS, the Department of Public Works has review the interlocal and concurs with work to be performed under this interlocal.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Interlocal Agreement with the Hinds County Board of Supervisors authorizing Hinds County to make improvements to the following streets in the City of Jackson within the project amounts indicated:

1. Belmede Place in an amount not to exceed \$25,000.00 (Ward 2)
2. Lakewood Cove in an amount not to exceed \$50,000.00 (Ward 2)
3. Romany Drive in an amount not to exceed \$25,000.00 (Ward 1)
4. Winchester Street in an amount not to exceed \$40,000.00 (Ward 1)

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

Yeas- Banks, Foote, Lindsay, Priester and Tillman.
Nays- Stokes.
Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE HINDS COUNTY BOARD OF SUPERVISORS FOR PUBLIC INFRASTRUCTURE PROJECT 2019-23.

WHEREAS, the Hinds County Board of Supervisors purchase and install park equipment for City's Jayne Avenue Park in an amount not to exceed \$25,000.00; and

WHEREAS, in accordance with the Interlocal Cooperation Act of 1974, Section 17-13-1, et seq. of the Mississippi Code of 1972, as amended, it is necessary for the City of Jackson to enter into an interlocal agreement with the Hinds County Board of Supervisors authorizing Hinds County to make the referenced street improvements; and

WHEREAS, the Department of Parks and Recreation has reviewed the interlocal and concurs with work to be performed under this interlocal.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Interlocal Agreement with the Hinds County Board of Supervisors authorizing Hinds County to purchase and install certain park equipment at the City of Jackson Jayne Avenue Park for an amount not to exceed \$25,000.00.

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

President Lindsay recognized **Terry Williamson**, Office of the City Attorney, who stated that an amendment was needed in the 2nd paragraph to remove the word "street".

Council Member Priester moved, seconded by **Council Member Banks** to amend said order as subscribed by the Legal Department. The motion prevailed by the following vote:

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE HINDS COUNTY BOARD OF SUPERVISORS FOR PUBLIC INFRASTRUCTURE PROJECT 2019-23.

WHEREAS, the Hinds County Board of Supervisors purchase and install park equipment for City's Jayne Avenue Park in an amount not to exceed \$25,000.00; and

WHEREAS, in accordance with the Interlocal Cooperation Act of 1974, Section 17-13-1, et seq. of the Mississippi Code of 1972, as amended, it is necessary for the City of Jackson to enter into an interlocal agreement with the Hinds County Board of Supervisors authorizing Hinds County to make the referenced improvements; and

WHEREAS, the Department of Parks and Recreation has reviewed the interlocal and concurs with work to be performed under this interlocal.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Interlocal Agreement with the Hinds County Board of Supervisors authorizing Hinds County to purchase and install certain park equipment at the City of Jackson Jayne Avenue Park for an amount not to exceed \$25,000.00.

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

There came on for consideration Agenda Item No. 25:

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI MANDATING NO DISCONNECT OF WATER TO JACKSON RESIDENTS PENDING OUTCOME OF THE SIEMENS LAWSUIT. President Lindsay stated that said item would be moved to the end of the agenda to be discussed in Executive Session.

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI TO PROVIDE FUNDING TO REMOVE AND REPLACE CARPET AT THE PRECINCT THREE BUILDING, IN THE AMOUNT NOT TO EXCEED FIFTY-FIVE THOUSAND DOLLARS.

WHEREAS, the public health, safety and welfare of the citizens and employees of the City of Jackson shall be considered by this Order; and

WHEREAS, the building which houses the Precinct Three administration, staff and operations provides appropriate space for the affairs of the precinct; and

WHEREAS, the advanced age of the flooring in the Precinct Three building necessitates replacement; and

WHEREAS, the Jackson City Council is in favor of a healthy environment for staff and constituents; and

WHEREAS, it is in the best interest of the staff and citizens who use the facility to be housed in a better quality environment in every way possible.

THEREFORE, BE IT HEREBY RESOLVED that the City Council of Jackson, Mississippi hereby supports providing funding for the removal and replacement of carpet at the Precinct Three Building, not to exceed fifty-five thousand dollars.

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

Yeas- Banks, Stokes and Tillman.
Nays- Foote, Lindsay and Priester.
Absent- Stamps.

Note: Said item failed for a lack of a majority vote.

There came on for consideration Agenda Item No. 27:

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AUTHORIZING THE BOND PROPOSAL OF FIFTY MILLION DOLLARS FOR INFRASTRUCTURE REPAIR AND PAVING STREETS. Said item would be tabled at the request of **Council Member Stokes**.

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI OFFERING A REWARD IN THE AMOUNT OF \$2,500.00 FOR INFORMATION LEADING TO ARREST AND CONVICTION OF PERSON(S) RESPONSIBLE IN THE DRIVE-BY SHOOTING DEATH OF JALEZIA EVERETT.

WHEREAS, the public health, safety and welfare of the citizens of the City of Jackson shall be considered by this Order; and

WHEREAS, it is in the best interest of the citizens of the City of Jackson that the City Council offer a reward to help provide information leading to the arrest and conviction of the person(s) responsible in the drive-by shooting into the home and subsequent murder of Jalesia Everett; and

WHEREAS, the reward amount of Two Thousand Five Hundred Dollars (\$2,500.00) shall be offered.

THEREFORE, BE IT HEREBY ORDERED that the City Council of Jackson Mississippi hereby offers a reward in the amount of \$2,500.00 for information leading to the arrest and conviction of the person(s) responsible for the drive-by shooting death of Jalesia Everett.

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

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

There came on for consideration Agenda Item No. 29:

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AUTHORIZING THE CITY LEGAL DEPARTMENT TO INSTITUTE LEGAL ACTION AGAINST THE STATE OF MISSISSIPPI FOR THE LACK OF EXPENDITURE OF FUNDS FOR THE UPKEEP AND PAVING OF HIGHWAY 49 IN THE CITY OF JACKSON. **President Lindsay** recognized **Council Member Stokes** who requested that said item be held to allow further research by the Legal Department.

There came on for consideration Agenda Item No. 30:

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI SOLICITING THE COMMISSION ESTABLISHED PURSUANT TO SECTION 27-65-241, MISSISSIPPI CODE OF 1972 ANNOTATED, TO CEASE AND DESIST FROM THE UNLAWFUL INTERFERENCE IN THE SELECTION OF CITY STREETS TO BE PAVED AND OTHER MATTERS IN THE LAWFUL OPERATION OF THE GOVERNING AUTHORITIES OF THE CITY OF JACKSON. Said item would be held for a later date at the request of **Council Member Stokes.**

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI SUPPORTING ENFORCEMENT OF THE ELDERLY ABUSE ORDINANCE.

WHEREAS, the public health, safety, and welfare of the citizens of the City of Jackson shall be considered by this Resolution; and

WHEREAS, the Jackson City Council has an Ordinance to deter and punish dangerous and malicious individual's activities that place our elderly population in harm's way; and

WHEREAS, the elderly citizens of our communities have come under attack by home break-ins, assaults, and other mayhem that leave them vulnerable and without redress; and

WHEREAS, the Jackson City Council must take every step possible to see that our elderly citizens are protected in their homes and that the persons who prey on the elderly are brought to justice.

THEREFORE, BE IT RESOLVED that the City Council of Jackson, Mississippi is hereby in support of the enforcement of the Elderly Abuse Ordinance.

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

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- None.

Absent- Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A SERVICES AGREEMENT WITH IDEMIA IDENTITY & SECURITY USA, LLC FOR IMPLEMENTATION OF TSA PRE-CHECK WITHIN THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, the City of Jackson, Mississippi ("City") desires to become a partner with TSA to provide pre-check services within the City of Jackson, Mississippi for not only citizens, but for any person desiring to utilize said service; and

WHEREAS, the Idemia Identity & Security USA, LLC ("Idemia") is the prime contractor under a contract with TSA to provide biometric identification services for one or more government agencies; and

WHEREAS, Idemia has received the approval from TSA to partner with the City to provide the desired services in order for the City to become a TSA PreCheck Center; and

WHEREAS, Idemia has requested the City to provide biometric identification services as Idemia's subcontractor, and the City agrees to provide such services; and

WHEREAS, the proposed agreement sets forth a fee schedule by which the City will receive fees for TWIC Enrollment, Activations, Card Replacement, HazPrint Enrollment, TSA PreCheck Enrollment, and various retail services; and

WHEREAS, the proposed agreement will commence on the effective date and remain in full force and effect until terminated by either party under terms of Agreement, or upon the expiration and/or termination of the Prime Contract or any party to the Prime Contract informs Idemia that City is no longer an approved subcontractor.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a Services Agreement with Idemia & Security USA, LLC for implementation and execution of TSA PreCheck within the City of Jackson, Mississippi.

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

Yeas- Banks, Foote, Lindsay, Priester, Stokes and Tillman.

Nays- None.

Absent- Stamps.

DISCUSSION: LIGHTS: President Lindsay recognized **Council Member Stokes**, who expressed concerns regarding lights being out in high crime areas and Pittman Park.

DISCUSSION: JACKSON ZOO: President Lindsay recognized **Council Member Stokes**, who expressed concerns regarding advertisement offering discount tickets for the Jackson Zoo in the SouthWest Rankin newspaper. **Council Member Stokes** suggested that similar advertisement be placed in local Jackson newspapers and partner with Jackson Public Schools in an effort to increase Zoo attendance.

DISCUSSION: SHOULDER REPAIRS (FOREST HILL ROAD): President Lindsay recognized **Council Member Banks** who expressed concerns regarding the need for shoulder repairs on Forest Hill Road in order to prevent accidents.

There came on for Discussion Agenda Item No. 36:

DISCUSSION: LITIGATION/POTENTIAL LITIGATION: President Lindsay recognized **Mayor Chokwe Antar Lumumba**, who stated that said discussion was no longer needed.

President Lindsay recognized **Council Member Priester** who requested a report regarding the monthly financial audits. **Kristi Moore**, City Clerk, stated that said reports would be sent via email to all Council Members.

President Lindsay stated that reports/announcements would be heard prior to going into Executive Session to discuss Agenda Item No. 25.

The following reports/announcements were provided during the meeting:

- **Council Member Tillman** announced the following:
 - Wednesday, August 21, 2019 is Senior Citizen Day.
 - A Senior Health Fair would be held on Friday, August 23, 2019 at the Jackson Convention Center.
- **Mayor Chokwe Antar Lumumba** announced the following:

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, AUGUST 20, 2019 6:00 P.M.

- Mind, Body and Soul Expo Health & Wellness Fair, Job Fair and Art Fair would be held on Friday, August 23, 2019 at the Jackson Convention Center from 9:00 a.m. until 2:00 p.m.
 - Mind, Body and Soul 5K Walk/Run would be held on Saturday, August 24, 2019 at 8:00 a.m. at the Jackson Convention Center.
 - Mind, Body and Soul Gospel Concert would be held on Saturday, August 24, 2019 at 3:00 p.m. at the Jackson Convention Center.
 - National Night Out would be held on Tuesday, October 1, 2019.
- **Council Member Stokes** announced the following:
 - A luncheon would be held on August 28, 2019 at Piccadilly Restaurant at the Jackson Medical Mall to honor the life of Emmett Till.
 - A Labor Day Celebration will take place in Battlefiled Park on September 1st and 2nd, 2019 from 1:00 p.m. until 6:00 p.m.

President Lindsay moved to go into Closed Session to discuss Agenda Item No. 25. **Council Member Stokes** stated that he would hold said item for a later date.

The meeting was closed in memory of the following individual:

- **Dr. Ohadiah Myles**
- **Ms. LouElla Murray**
- **Ms. Stephanie Etter**
- **Mr. Jonathan Jackson**

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 September 3, 2019; at 8:42 p.m. the Council stood adjourned.

ATTEST:

APPROVED:

Kurti Moore
CITY CLERK

Chris Stokes 9/4/2019
MAYOR DATE
