

SPECIAL MEETING OF THE CITY COUNCIL

MONDAY, APRIL 13, 2015 4:00 P.M.

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BE IT REMEMBERED that a Special Meeting of the City Council of Jackson, Mississippi, was convened in the Council Chambers in City Hall at 4:00 p.m. on April 13, 2015, being the second Monday of said month, when and where the following things were had and done to wit:

Present: Council Members:; Melvin Priester, Jr., Vice-President, Ward 2; Ashby Foote, Ward 1 Charles Tillman, Ward 5; Tyrone Hendrix, Ward 6 and Margaret Barrett-Simon, Ward 7. Directors: Tony Yarber, Mayor; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Allice Lattimore, Deputy City Clerk and Kristen Blanchard, Deputy City Attorney.

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

The meeting was called to order by **Vice President Melvin Priester, Jr.**

ORDER APPROVING CLAIMS NUMBER 7469 TO 7690, APPEARING AT PAGES 1189 TO 1224 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$2,996,247.14 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 7469 to 7690, appearing at pages 1189 to 1224, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$2,996,247.14 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
2008 GO STREET CONSTRUCTION FD	78,375.00
2012 ED BYRNE MEMORIAL JUSTICE	199.95
CAPITAL CITY REVENUE FUND	36,649.77
EARLY CHILDHOOD (DAYCARE)	346.15
ECONOMIC DEVELOPMENT FUND	255.00
EMPLOYEES GROUP INSURANCE FUND	621.00
GENERAL FUND	1,161,840.62
HOUSING COMM DEV ACT (CDBG) FD	9,758.94
LANDFILL/SANITATION FUND	885,490.55
MADISON SEWAGE DISP OP & MAINT	26.96
NCSC SENIOR AIDES	359.34
PARKS & RECR FUND	60,341.04
REPAIR & REPLACEMENT FUND	788.93
SEIZURE & FORFEITED PROP-STATE	875.00
STATE TORT CLAIMS FUND	427.94
TECHNOLOGY FUND	192,893.92
TRANSPORTATION FUND	98,148.47
VEHICLE POOL FUND	12,462.28
WATER/SEWER OP & MAINT FUND	390,613.08
WATER/SEWER REVENUE FUND	65,773.20

TOTAL **\$2,996,247.14**

Council Member Barrett-Simon moved adoption; **Council Member Hendrix** seconded.

Vice President Priester recognized **Trivia Jones**, Director of Administration, who provided the Council with a brief overview of the Claims Docket at the request of **Vice President Priester**.

Thereafter, **Vice President Priester** called for a final vote on the Claims Docket:

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

Nays- Tillman.

Absent- Barrett-Simon and Stokes.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 7469 TO 7690 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 7469 to 7690 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$4,423.78 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		35,102.78
PARKS & RECR.		19,958.08
LANDFILL FUND		5,890.90
SENIOR AIDES		8,398.00
WATER/SEWER OPER. & MAINT		28,336.42
PAYROLL	4,423.78	
EARLY CHILDHOOD		2,232.01
TITLE III AGING PROGAMS		2,770.54

TOTAL **\$102,688.73**

Council Member Barrett-Simon moved adoption; **Council Member Tillman** seconded.

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

Nays- None.

Absent- Stamps and Stokes.

ORDER REVISING THE FISCAL YEAR 2014-2015 BUDGET.

WHEREAS, certain unanticipated needs and allocations in the amount of \$21,732,237 have arisen since the adoption of the Fiscal Year 2014-15 budget; and

WHEREAS, the Fiscal Year 2014-15 budget needs to be revised to provide funding for these unanticipated needs; and

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WHEREAS, the following funds are being revised:

Seizure & Forfeited Fund – 2	53,642
Parks & Recreation Fund – 5	362,061
Landfill/Sanitation Fund - 9	276,736
Water/Sewer Funds – 031 & 032	19,000,000
Grants Funds – 072, 140, 183 & 353	837,798
Transportation Fund – 187	1,200,000
Capital City Revenue Fund – 305	2,000

Total \$21,732,237

IT IS, THEREFORE, ORDERED that the Fiscal Year 2014-15 budget be revised in the amount of \$ 21,732,237 as follows:

<u>1</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	001	CAP OUT	001-451106846		950
	001	CAP OUT	001-451106865		133
	001	OTH SVS	001-451106419	1083	

EXPLANATION: To cover expenses for the Dixie National Parade

<u>2</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	001	CAP OUT	001-463106846		750
	001	CAP OUT	001-463106847		800
	001	OTH SVS	001-463106473	1550	

EXPLANATION: To cover travel for Director

<u>3</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	001	PER SVS	001-444406111		6,000
	001	OTHSVS	001-444406489	6,000	

EXPLANATION: To pay for Temporary contract workers due to staff shortage

<u>4</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	001	PER SVS	001-411206111		5,500
	001	OTHSVS	001-411206444	5,500	

EXPLANATION: To pay for advertisement for the Budget

<u>5</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	001	CAP OUT	001-411206847		2,000
	001	SUP&MTLS	001-411206240	2,000	

EXPLANATION: To correct object to purchase furniture under a \$1000/ea

<u>6</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	001	PER SVS	001-443106111		13,200
	001	OTHSVS	001-443106489	13,200	

EXPLANATION: To pay for Temporary contract workers due to staff shortage

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<u>7</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	001	CAP OUT	001-443106824		24,640
	001	OTH SVS	001-443106461	24,640	

EXPLANATION: To cover the miscoded charges for Building Maintenance.

<u>8</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	002	REVENUE	002-5475		53,642
	002	SUP&MTLS	002-907006224	16,142	
	002	SUP&MTLS	002-907006217	35,000	
	002	SUP&MTLS	002-907006214	2,500	

EXPLANATION: Forfeiture Funds

<u>9</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	002	SUP&MTLS	002-907006224		69,000
	002	CAP OUT	002-907006868	69,000	

EXPLANATION: Transfer funds to purchase a vehicle

<u>10</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	005	REVENUE	005-5899		11,000
	005	OTHSVS	005-501106461	11,000	

EXPLANATION: Repair of Water/Sewer line at Westside Community Center

<u>11</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	005	REVENUE	005-5899		50,000
	005	OTH SVS	005-504606419	50,000	

EXPLANATION: Repair of gas leak at Smith-Wills Stadium

<u>12</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	005	REVENUE	005-5899		2,050
	005	CAP OUT	005-501256812	2,050	

EXPLANATION: Replacement of Air Unit at Grove Park Community Center

<u>13</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	005	REVENUE	005-5899		225,848
	005	CAP OUT	005-504526876	225,848	

EXPLANATION: To purchase playground equipment

<u>14</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	005	PER SER	005-501256111		4,000
	005	OTH SVS	005-501256489	4,000	

EXPLANATION: Contract Temporary Staffing for Athletics

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<u>15</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	005	REVENUE	005-5899		49,163
	005	PER SVS	005-504106111	39,042	
	005	PER SVS	005-504106132	984	
	005	PER SVS	005-504106133	6,149	
	005	PER SVS	005-504106136	567	
	005	PER SVS	005-504106131	2,421	

EXPLANATION: To place the position of Ground Maintenance Superintendent back into the budget.

<u>16</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	005	OTH SVS	005-501256452		700
	005	CAP OUT	005-501256865	700	

EXPLANATION: To purchase a water fountain at Champion Community Center

<u>17</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	005	REVENUE	005-5899		24,000
	005	OTH SVS	005-504606461	24,000	

EXPLANATION: Roof replacement for Smith-Wills Stadium

<u>18</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	005	OTH SVS	005-501266431		1,144
	005	OTH SVS	005-501266443		71
	005	CAP OUT	005-501266812	1,215	

EXPLANATION: Purchase and Installation of Air Unit for Kurts Gym

<u>19</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	005	PER SVS	005-501266111		5,000
	005	OTH SVS	005-501266489	5,000	

EXPLANATION: Contract Temporary Staff for the Athletic Department

<u>20</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	072	OTH SVS	072-442996419		5,420
	072	OTH SVS	072-442996434		2,000
	072	CAP OUT	072-442996848	7,420	

EXPLANATION: Grant modification

<u>21</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	072	REVENUE	072-5473		18,674
	072	SUP&MTLS	072-442826224	1	
	072	SUP&MTLS	072-442826234	121	
	072	OTH SVS	072-442826422	62	
	072	OTH SVS	072-442826443	8,895	
	072	OTH SVS	072-442826473	5,955	
	072	CAP OUT	072-442826474	3,640	

EXPLANATION: Grant modification

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<u>22</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	072	REVENUE	072-5473		79,482
	072	CAP OUT	072-442826855	79,482	

EXPLANATION: Carry over charges from 2014

<u>23</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	123	CAP OUT	123-442676855		7,280
	123	SUP&MTLS	123-442676240	5,460	
	123	SUP&MTLS	123-442676224	1,820	

EXPLANATION: Correcting miscoding of supplies

<u>24</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	140	REVENUE	140-4567		97,371
	140	PER SVS	140-442696115	86,670	
	140	SUP&MTLS	140-442696224	4,705	
	140	OTH SVS	140-442696443	1,050	
	140	OTH SVS	140-442696473	4,946	

EXPLANATION: New Police Grant Highway Safety/Alcohol Impaired Driving Program

<u>25</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	140	REVENUE	140-4567		301,654
	140	CAP OUT	140-442686868	301,654	

EXPLANATION: 2011 Ed Byrne Jag Grant modification

<u>26</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	183	REVENUE	183-4438		74,302
	183	SUP&MTLS	183-442786231	56,905	
	183	OTH SVS	183-442786455	466	
	183	OTH SVS	183-442786760	11,861	
	183	CAP OUT	183-442786852	5,000	
	183	CAP OUT	183-442786855	70	

EXPLANATION: Grant was extended for 90 days from September 30, 2014

<u>27</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	187	REVENUE	187-5899		1,200,000
	187	OTH SVS	187- 6530A70019026485	1,200,000	

EXPLANATION: Reconciled retain earnings from 2014 to complete construction on the JATRAN Facility.

<u>28</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	223	SUP&MTLS	223-453106317		16,516
	223	SUP&MTLS	223-441206240	7,000	
	223	SUP&MTLS	223-441206240	1,000	
	223	CAP OUT	223-441206865	2,000	
	223	SUP&MTLS	223-441206226	194	
	223	CAP OUT	223-441206848	5,605	
	223	CAP OUT	223-441206847	717	

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EXPLANATION: To replace items at the Fire Station lost from the Hail Damage

<u>29</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	223	SUP&MTLS	223-453106317		43,652
	223	SUP&MTLS	223-598106221	42,652	
	223	OTH SVS	223-598106463	1,000	

EXPLANATION: To replace items at Jones Daycare Center lost from the Hail Damage

<u>30</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	353	REVENUE	353-4438		266,315
	353	OTH SVS	353-442756760	119,897	
	353	CAP OUT	353-442756848	15,000	
	353	CAP OUT	353-442756868	131,418	

EXPLANATION: New 2014 Jag Grant

<u>31</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	305	REVENUE	305-5511		2,000
	305	OTH SVS	305-442206719	2,000	

EXPLANATION: Target Helpers & Hero's Grant

<u>32</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	009	OTH SVS	009-506106422		200
	009	SUP&MTLS	009-506106319	200	

EXPLANATION: To cover equipment repairs

<u>33</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	009	REVENUE	009-5899		276,736
	009	CAP OUT	009-506106872	276,736	

EXPLANATION: To pay for Bulky Haulers purchased in 2014.

<u>34</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	031	CAP OUT	031-520106846		9,725
	031	CAP OUT	031-520106847		26,800
	031	OTH SVS	031-520106419	36,525	

EXPLANATION: To cover expenses for the new Water/Sewer Billing System (CCMB Support)

<u>35</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	031	SUP&MTLS	031-521206857		500
	031	SUP&MTLS	031-521206316	500	

EXPLANATION: To cover motor vehicle repair

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<u>36</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	031	CAP OUT	031-521406812		5,000
	031	CAP OUT	031-521406846		5,000
	031	CAP OUT	031-521406847		5,000
	031	CAP OUT	031-521406848		1,000
	031	SUP&MTLS	031-521406299	16,000	

EXPLANATION: To cover 1st Quarter's expenses

<u>37</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	031	CAP OUT	031-521406897		25,000
	031	OTH SVS	031-521406485	25,000	

EXPLANATION: To cover Contract Construction to repair water leaks

<u>38</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	031	CAP OUT	031-521306812		20,000
	031	OTH SVS	031-521306461	20,000	

EXPLANATION: To cover repairs at J H Fewell Water plant

<u>39</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	031	CAP OUT	031-521306846		1,400
	031	SUP&MTLS	031-521406240	1,400	

EXPLANATION: To correct object to purchase furniture under a \$1000/ea

<u>40</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	031	CAP OUT	031-521306852		10,000
	031	OTH SVS	031-521306419	10,000	

EXPLANATION: Additional Professional Services needed at JH Fewell Water Plant

<u>41</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	031	PER SVS	031-521306111		6,000
	031	OTH SVS	031-521306489	6,000	

EXPLANATION: To pay for Temporary contract workers due to staff shortage

<u>42</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	031	CAP OUT	031-521356812		175,000
	031	SUP&MTLS	031-521356315	175,000	

EXPLANATION: Electrical work needed at O B Curtis Water Plant

<u>43</u>	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	031	CAP OUT	031-521356846		1,155
	031	CAP OUT	031-521356876		15,000
	031	OTH SVS	031-521356419	16,155	

EXPLANATION: Additional Professional Services needed at O B Curtis Water Plant

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	031	SUP & MTL	031-522206311		3,000
	031	CAP OUT	031-522206464	3,000	

EXPLANATION: To cover building repairs

45	<u>Fund</u>	<u>Category</u>	<u>Account No.</u>	<u>DR</u>	<u>CR</u>
	031	REVENUE	031-5821		19,000,000
	031	OTH SVS	031-522806753	19,000,000	
	032	REVENUE	032-5912		19,000,000
	032	OTH SVS	032- 52290205057016413	1,842,095	
	032	OTH SVS	032- 52290205057016485	17,157,905	

EXPLANATION: New Sewer SRF Loan for West Bank Interceptor Rehab Phase 4 & 5

Council Member Barrett-Simon moved adoption; **Council Member Tillman** seconded.

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

Nays- None.

Absent- Stamps and Stokes.

ORDER ACKNOWLEDGING RECEIPT OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT/SINGLE AUDIT AND AUDIT OF THE STATE TORT CLAIMS FUND FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2014.

IT IS HEREBY ORDERED that receipt of the Comprehensive Annual Financial Report/Single Audit, and Audit of the State Tort Claims Fund for the fiscal year ended September 30, 2014, which was performed by Banks, Finley, White & Co. be acknowledged by the City Council.

Council Member Barrett-Simon moved adoption; **Council Member Hendrix** seconded.

Vice President Priester recognized **Trivia Jones**, Director of Administration, who provided Council with a brief overview of the Comprehensive Annual Financial Report. **Ms. Jones** stated that the City received an audit without missing material. However, the following findings were noted by the auditors:

- On page 151, timesheets not signed and approved. The auditor's recommend that the City should strengthen internal administrative controls to ensure that time cards are properly signed electronically by employees for time worked. **Ms. Jones** stated that the City has issued a timekeeping policy that indicates that employees must approve at the end of each pay period and the supervisor must approve before processing.

Vice President Priester recognized **Council Member Foote**, who requested that the auditors brief the Council on all the audit findings. **Trivia Jones**, Director of Administration introduced **David Ewing** and **Robert Sulton**, representatives of Bank, Finley, White & Co., who gave an overview of the audit findings. **Robert Sulton** stated the following findings:

- Repeat Finding- Grant Accountant needed for the Public Works Department in order to request reimbursements in a timely manner. The auditor's recommends that a specific grant accountant be assigned to the Public Works Department.

- Major Federal Awards Program Findings and Questioned Costs- Sub recipient monitoring- Edward Byrne Memorial Justice Assistance Grant Program within the Police Department. It was noted that the City performed a fiscal monitoring of the sub-recipient but did not perform and document a programmatic monitoring of the sub-recipient to ensure compliance.
- Reporting- Edward Byrne Memorial Justice Assistance Grant Program- The City did not submit 2 out of 5 Annual Performance Reports to the Department of Justice (DOJ) as required.
- Davis Bacon Act- Community Development Block Grant- The City did not ensure that the required employee interviews were conducted of the employees of the contractor and sub-contractors on federally financed construction projects.
- Suspension and Debarment Verification- Edward Byrne Memorial Justice Assistance Grant Program- the City entered into three (3) contracts for goods and/or services for an amount equal to or exceeding \$25,000 and one (1) sub-recipient contract (Hinds County Board of Supervisors) in which no documentation was maintained to support the fact that the contractor or sub-recipient had not been suspended or debarred or otherwise excluded from receiving the contract.

After a thorough discussion on said item, **Vice President Priester** called for a vote:

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

Nays- None.

Absent- Stamps and Stokes.

ORDER APPROVING A VARIANCE REQUEST FROM THE FLOODPLAIN ORDINANCE FOR JERRI J. HARVEY, APPLICANT AND OWNER OF 2222 EASTOVER DRIVE, TO CONSTRUCT AN ADDITION TO AN EXISTING RESIDENTIAL STRUCTURE AT THE EXISTING FLOOR ELEVATION 1.8 FEET BELOW THE BASE FLOOD ELEVATION IN ZONE AE WHERE ADDITIONS MUST BE ELEVATED 18 INCHES ABOVE BASE FLOOD ELEVATION, A MEMA MINIMUM STANDARD.

WHEREAS, on May 12, 2014, the City of Jackson adopted the Floodplain Ordinance, Sections 62-1, et seq., of the City of Jackson Code of Ordinances, as a requirement to continue to be a participating community in the National Flood Insurance Program; and

WHEREAS, Jerri J. Harvey, the applicant and owner of a residential structure at 2222 Eastover Drive in Zone AE on the current flood insurance rate map, submitted construction plans for review and permitting to construct an addition to said residential structure at the current first floor elevation, which is below the base flood elevation; and

WHEREAS, Section 62-42(1) requires that the lowest floor of any addition to a residential structure in Zone AE be elevated at least 18 inches above the base flood elevation, which is also a MEMA minimum standard; and

WHEREAS, the applicant submitted a letter requesting a variance from Section 62-42(1) to allow the addition to be built at the current floor elevation which is one foot below the base flood elevation; and

WHEREAS, Section 62-63 requires that in reviewing a variance application, all technical evaluations, relevant factors, and standards specified in other sections of this article shall be considered and the following items shall be considered:

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

; and

WHEREAS, the floodplain administrator has reviewed the variance request and recommends denial based on three criteria:

- (1) The characteristics of the property are not unique to the property and are shared by adjacent parcels. The characteristics pertain to the structure and its owner and inhabitant.
- (2) Construction of an addition below the minimum requirement could result in a loss of pre-FIRM status ("grandfathered") regarding flood insurance premiums, and could result in flood insurance premiums that could negatively affect any future real estate transactions.
- (3) The variance request is from a MEMA minimum requirement.

IT IS THEREFORE, ORDERED that Jerri J. Harvey is hereby approved for a variance from the Floodplain Ordinance to construct an addition to the residential structure at 2222 Eastover Drive at the current floor elevation where such addition is required to be elevated 18 inches above the base flood elevation.

IT IS FURTHER ORDERED that in accordance with Section 62-65, the floodplain administrator shall provide notification of the variance as required by ordinance and by MEMA minimum requirements:

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

- (1) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage; and
- (2) Such construction below the base flood level increases risks to life and property.

A copy of the notice shall be recorded by the floodplain administrator in the Office of the Hinds County Chancery Clerk, First Judicial District, and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

**SPECIAL MEETING OF THE CITY COUNCIL
MONDAY, APRIL 13, 2015 4:00 P.M.**

The floodplain administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in the community's biennial report submission to the Federal Emergency Management Agency.

Council Member Barrett-Simon moved adoption; **Council Member Hendrix** seconded.

Vice President Priester recognized **Mr. Harvey**, who spoke in favor of variance request to construct an addition to his residence located at 2222 Eastover Drive.

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

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

Nays- None.

Abstention- Priester.

Absent- Stamps and Stokes.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Meeting to be held at 6:00 p.m. on Tuesday, April 21, 2015 and at 5:30 p.m., the Council stood adjourned.

ATTEST:

APPROVED:

Keith Moore
CITY CLERK

[Signature] 5.11.15
MAYOR DATE
