

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, MAY 6, 2014 10:00 A.M.**

BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi was convened in the Council Chambers in City Hall at 10:00 a.m. on May 6, 2014, being the first Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Charles Tillman, President, Ward 5; Melvin Priester, Jr., Vice- President, Ward 2; Quentin Whitwell, Ward 1; LaRita Cooper-Stokes, Ward 3; De’Keither Stamps, Ward 4 and Margaret Barrett-Simon, Ward 7. Directors: Tony Yarber, Mayor; Brenda Pree, City Clerk; Angela Harris, Deputy City Clerk and Monica Joiner, Interim City Attorney.

Absent: None.

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

The invocation was offered by **Minister Betty Oliver** of Faith Christian Center.

President Tillman recognized **Council Member Priester** and **Mayor Tony Yarber** who introduced the following individuals during the meeting:

- Sam McGee
- David Curry

President Tillman recognized the following individuals who provided public comments:

- **Oliver O’Quinn** expressed concerns regarding excessive traffic in a rooming house and drainage problems within his neighborhood.
- **Blue King Robinson** expressed concerns regarding the flooding issues at the Rainbow Cooperatives and urged City officials to make an effort to repair the drain system.
- **Charlie Brenner** expressed concerns regarding the flooding issues at the Rainbow Cooperatives and urged City officials to make an effort to repair the drain system.

Note: President Tillman recognized **Gus McCoy**, Interim Chief Administrative Officer, who requested that **Charles Williams**, Interim Director of Public Works, provide information regarding a plan that the City has proposed that would rectify the drainage issues at the Rainbow Cooperatives Store.

Thereafter, **President Tillman** preceded with the public comments.

- **Luke Lundemo**, CEO of Rainbow Co-op Grocery, expressed concerns regarding the flooding issues at Rainbow Cooperatives for the past thirteen (13) years and requested that the City rectify the issue in a timely manner.
- **Charlotte Lundemo**, a member of the Board of Directors at Rainbow Co-op Grocery, expressed concerns regarding the flooding issues at Rainbow Cooperatives that is destroying their building.

- **David R. Curry, Jr.** expressed his appreciation to **Mayor Tony Yarber** for the opportunity to perform at the April 24, 2014 Swearing In Ceremony.
- **Eileen Gordy**, a citizen of Newton County, Mississippi, expressed concerns regarding the flooding issues at Rainbow Co-op Grocery that is affecting the service and products that many citizens throughout the State of Mississippi depend upon.
- **Annie L. Figures**, Tenant President of Golden Key Apartments, expressed concerns and requested assistance from the City Council regarding the living conditions within the apartment complex.
- **Mary Queen Jones** provided information regarding the 51st Medgar Evers Homecoming Parade that would be held on June 7, 2014 at 10:00 a.m. at Freedom Corner on Martin Luther King Dr.
- **Larry Nelson**, President of Victims of Violent Crimes, invited the citizens of Jackson to attend a Mother's Day Recognition that would be held on Friday, May 9, 2014 in the Community Room at the Jackson Medical Mall at 6:00 p.m.
- **Donald Jones** expressed concerns regarding the awarding of Community Improvement bids to contractors within the City of Jackson.
- **Ineva May Pittman** expressed concerns regarding pothole repairs and the cost of elections.
- **Pearl Wicks**, a representative of Hope Credit Union, spoke in support of improvements to the Rainbow Co-op Grocery's infrastructure.
- **Patrick Jerome** expressed concerns regarding the possible closure of the Rainbow Co-op Grocery if the flooding issues are not resolved.
- **Roslyn Harris** expressed concerns regarding problems with the Planning and Development Department in establishing new businesses.

ORDER ACCEPTING THE BIDS OF MERCHANTS FOODSERVICE AND SYSCO, LLC FOR SIX MONTHS SUPPLY OF FOODS- FROZEN AND/OR CHILLED GROUP 1A, (BID. NO. 38601-030414).

WHEREAS, on February 6th and 13th, 2014 sealed bids were received and two (2) bids for frozen and/or chilled were received; and

WHEREAS, certain frozen and/or chilled products are needed for children enrolled in the Early Childhood Development Program; and

WHEREAS, the Department of Human and Cultural Services has reviewed said bids and recommend the bids submitted by Merchants Foodservice and Sysco, LLC received on February 6th and 13th, 2014 be accepted at the best bid received for those certain items; and

WHEREAS, Merchant Foodservice submitted a bid for item #12, which is Whole Wheat Dinner Rolls for \$16.50 for 229 units per case @ \$1.75 oz. per unit or .04 per unit; and Sysco Jackson, LLC bid was \$12.90 for 72 units per case @ 2 oz. per unit or .09 per unit; and

WHEREAS, the bid of Merchant Foodservice for item #12, has been deemed to be the lowest and best bid received because the City will pay .04 per unit for the Merchant Foodservice product, instead of .09 per unit for the Sysco Jackson, LLC product; and

WHEREAS, Merchant Foodservice submitted a bid of \$21.98 for 90 units of Apple Muffins which equates to 0.135 ounce, per unit, and Sysco Jackson, LLC submitted a bid of \$23.25 for 96, 2 oz. units, for the same product, equating to 0.121 cents per ounce; and

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WHEREAS, Sysco Jackson, LLC has been deemed to be the best bid received because the City will pay less per ounce for more product; and

WHEREAS, the cost of said frozen and/or chilled, Group IA is based on an estimated number of children to be served.

IT IS HEREBY ORDERED that the following bids received February 6th and 13th, 2014 from Merchants Foodservice, 870 Boling Street, Jackson, MS 39209 and Sysco Jackson, LLC, 4400 Milwaukee Street, Jackson, MS 39209 for a six-month supply of frozen and/or chilled (starting May 1 – October 1, 2014) be accepted as the best bid received for each of the specified items as listed below, because it has been determined that the bids met the City specifications.

<u>Company Name</u>	<u>Items</u>
Merchants Foodservice 870 Boling Street Jackson, MS 39209	1, 3-9, 12
Sysco, Jackson LLC 4400 Milwaukee Street Jackson, MS 39209	2, 10-11, 13-14

IT IS FURTHER ORDERED that payment for said frozen and/or chilled products, Group IA, be made from various funds.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.
Nays- None.
Absent- None.

ORDER ACCEPTING THE BIDS OF MERCHANTS FOODSERVICE AND SYSCO JACKSON, LLC FOR SIX MONTHS SUPPLY OF FOODS- CANNED AND/OR DRY GROUP IIB, BID NO. 38702-030414.

WHEREAS, on February 6th and 13th, 2014 sealed bids were received and two (2) bids for Canned and/or Dry, Group IIB were received; and

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

WHEREAS, the Department of Human and Cultural Services has reviewed said bids and recommends the bid submitted by Merchants Foodservice and Sysco Jackson, LLC, received on February 6th and 13th, 2014, be accepted as the lowest and best bids received for those certain items; and

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

IT IS HEREBY ORDERED that the following bids received February 6th and 13th, 2014 from Merchants Foodservice, 870 Boling Street, Jackson, MS 39209 and Sysco Jackson, LLC, 4400 Milwaukee Street, Jackson, MS 39209 for a six-month supply of Canned and/or Dry-Group IIB, (starting May 1 through October 31, 2014) be accepted as the lowest and best bids received for each of the specified items as listed below, it being determined that said bids met the City specifications.

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<u>COMPANY NAME</u>	<u>ITEMS</u>
Merchants Foodservice 870 Boling Street Jackson, MS 39209	1, 3-16, 19, 21, 24-25, 29, 30, 32-40, 42
Sysco Jackson, LLC 4400 Milwaukee Street Jackson, Ms 39209	2, 17-18, 20, 22-23, 26-28, 31, 41

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

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER ACCEPTING THE BIDS OF MERCHANT FOODSERVICE AND SYSCO, JACKSON, LLC FOR SIX MONTHS SUPPLY OF FOODS-CONDIMENTS - GROUP III, (BID NO. 38801-030414).

WHEREAS, on February 6 and 13, 2014, sealed bids were received and two (2) bids for Condiments-Group III was received; and

WHEREAS, certain Condiments are needed for children enrolled in the Early Childhood Development Program; and

WHEREAS, the Department of Human and Cultural Services has reviewed said bids and recommend the bids submitted by Merchants Foodservice and Sysco Jackson, LLC, received on February 6 and 13, 2014, be accepted as the best bid received for those certain items; and

WHEREAS, the cost of said Condiments, Group III, is based on an estimated number of children to be served.

IT IS HEREBY ORDERED that the following bids received February 6 and 13, 2014 from Merchants Foodservice 870 Boling Street, Jackson, MS 39209 and Sysco Jackson, LLC, 4400 Milwaukee Street, Jackson, MS 39209 for a six month supply of condiments (starting May 1- October 31, 2014) be accepted as the best bid received for each of the specified items as listed below, it being determined that said bids met the City specifications.

<u>COMPANY NAME</u>	<u>ITEMS</u>
Merchants Food Service 870 Boling Street Jackson, Ms 39209	2-3, 5-6, 11, 14, 16, 25, 28, 31, 33, 37, 40, 42
Sysco Jackson, LLC P.O. Box 2900 Jackson, MS 39209	1, 4, 7-10,12-13,15,17-24, 26-27, 29-30, 32, 34-36, 38-39, 41

IT IS FURTHER ORDERED that payment for said frozen and/or chilled products, Group III be made from various funds.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.
Nays- None.
Absent- None.

ORDER ACCEPTING THE BIDS OF MERCHANTS FOOD SERVICE FOR SIX MONTHS SUPPLY OF FOODS - FRESH PRODUCE GROUP V, BID NO. 37888-030414.

WHEREAS, on February 6th and 13th, 2014 sealed bids were received and one (1) bid for fresh produce Group V were received; and

WHEREAS, certain fresh produce are needed for children enrolled in the Early Childhood Development Program; and

WHEREAS, the Department of Human and Cultural Services has reviewed said bid and recommends the bids submitted by Merchants Foodservice, received on February 06 & 13, 2014, be accepted as the best bid received for those certain items; and

WHEREAS, the cost of said fresh produce-food Group V, is based on an estimated number of children served.

IT IS HEREBY ORDERED that the following bid received February 06 & 13, 2014 from Merchants Foodservice, 870 Boling Street, Jackson, MS 39209 for a six-month supply, of fresh produce-Group V (starting May 1st - October 31st, 2014), be accepted as the best bid received for each of the specified items below, it being determined that said bids met the City specifications.

Company Name

Items

Merchants Foodservice 870 Boling Street Jackson, MS 39209	1-12
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IT IS FURTHER ORDERED that payment for said fresh produce Group V, be made from various funds.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.
Nays- None.
Absent- None.

ORDER ACCEPTING PAYMENT OF \$957.66 FROM ALLSTATE INSURANCE COMPANY ON BEHALF OF ITS INSURED (ANNIE RANSBURG) AS A PROPERTY DAMAGE SETTLEMENT.

IT IS HEREBY ORDERED by the City Council for the City of Jackson, Mississippi, that the City Attorney or designee, be authorized to execute all necessary documents and accept payment in the amount of \$957.66 as a property damage settlement for damage sustained to a City of Jackson vehicle (SUV-43) on September 12, 2013.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER ACCEPTING PAYMENT OF \$1,211.02 FROM ALFA INSURANCE CORPORATION ON BEHALF OF ITS INSURED (ALGERMON TRICE, JR.) AS A PROPERTY DAMAGE SETTLEMENT.

IT IS HEREBY ORDERED by the City Council for the City of Jackson, Mississippi, that the City Attorney or designee, be authorized to execute all necessary documents and accept payment in the amount of \$1,211.02 as a property damage settlement for damage sustained to a City of Jackson vehicle (TK-673) on October 6, 2013.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER ACCEPTING PAYMENT OF \$2,824.03 FROM ALLSTATE INSURANCE COMPANY ON BEHALF OF ITS INSURED (DOROTHY FIZER) AS A PROPERTY DAMAGE SETTLEMENT.

IT IS HEREBY ORDERED by the City Council for the City of Jackson, Mississippi, that the City Attorney or designee, be authorized to execute all necessary documents and accept payment in the amount of \$2,824.03 as a property damage settlement for damage sustained to a City of Jackson vehicle (TK-602) on June 19, 2013.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER ACCEPTING PAYMENT OF \$921.67 FROM ALLSTATE INSURANCE COMPANY ON BEHALF OF ITS INSURED (ANITA HAYNES) AS A PROPERTY DAMAGE SETTLEMENT.

IT IS HEREBY ORDERED by the City Council for the City of Jackson, Mississippi, that the City Attorney or designee, be authorized to execute all necessary documents and accept payment in the amount of \$921.67 as a property damage settlement for damage sustained to a City of Jackson vehicle (PT-772) on December 4, 2013.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER ACCEPTING PAYMENT OF \$633.00 FROM SOUTHERN FARM BUREAU CASUALTY CLAIM SERVICE ON BEHALF OF ITS INSURED (POLLY ROSENBLATT) AS A PROPERTY DAMAGE SETTLEMENT.

IT IS HEREBY ORDERED by the City Council for the City of Jackson, Mississippi, that the City Attorney or designee, be authorized to execute all necessary documents and accept payment in the amount of \$633.00 as a property damage settlement for damage sustained to a City of Jackson vehicle (PC-1655) on March 12, 2014.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

There came on for consideration Agenda Item No. 11:

ORDINANCE AMENDING CHAPTER 62 OF THE CODE OF ORDINANCES CITY OF JACKSON, MISSISSIPPI, GOVERNING FLOOD DAMAGE PREVENTION AND FOR RELATED PURPOSES. Said item was referred to the Planning Committee that would be held on Thursday, May 8, 2014 at 9:00 a.m.

Council Member Priester left the meeting at 11:31 a.m.

ORDER APPROVING CLAIMS NUMBERED 8975 TO 9299, APPEARING AT PAGES 1412 TO 1461 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$10,024,306.20 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 8975 to 9299, appearing at pages 1412 to 1461, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$10,024,306.20 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:

<u>FROM:</u>	<u>TO</u> <u>ACCOUNTS PAYABLE</u> <u>FUND</u>
2008 GO STREET CONSTRUCTION FD	6,603.16
2012 G.O. NOTE-CAPITAL PROJECT	1,400.00
AMERICORP CAPITAL CITY REBUILD	1,050.00
BUSINESS IMPROV FUND (LANDSCP)	10,801.99
CAPITAL CITY REVENUE FUND	68.23
CAPITOL STREET 2-WAY PROJECT	436,446.63
DISABILITY RELIEF FUND	188,513.65
DRAINAGE- REPAIR & REPL. FD	116,270.77
EARLY CHILDHOOD (DAYCARE)	5,624.12
EMPLOYEES GROUP INSURANCE FUND	146,930.31
GENERAL FUND	653,939.49
HOUSING COMM DEV ACT (CDBG) FD	1,913.77
LANDFILL/SANITATION FUND	94,403.05
MADISON SEWAGE DISP OP & MAINT	3,019.16
PARKS & RECR. FUND	24,102.76
STATE TORT CLAIMS FUND	9,045.00

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TECHNOLOGY FUND	54,848.84
THALIA MARA HALL RENOVATION	751,000.00
TITLE III AGING PROGRAMS	285.00
TRANSPORTATION FUND	125,203.51
WATER/SEWER CAPITAL IMPR FUND	322,412.26
WATER/SEWER CON FD 2013- \$89.9 M	5,225,574.00
WATER/SEWER CONST FD 2004-\$78M	3,682.78
WATER/SEWER OP & MAINT FUND	1,834,257.72
WATER/SEWER REVENUE FUND	6,910.00
	<u>\$10,024,306.20</u>

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

President Tillman recognized **Lee Unger**, the City's Director of Administration, who provided the Council with a brief overview of the Claims Docket at the request of **Council Member Whitwell**.

Thereafter, **President Tillman** called for a final vote on the claims docket:

Yeas-Barrett-Simon, Stamps, Tillman and Whitwell.
Nays-Cooper-Stokes.
Absent- Priester.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 8975 TO 9299 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 8975 to 9299, inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$122,982.68 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:

<u>FROM</u>	<u>TO ACCOUNTS PAYABLE FUND</u>	<u>TO PAYROLL FUND</u>
GENERAL FUND		1,955,856.13
PARKS & RECR.		75,214.28
LANDFILL FUND		24,846.85
SENIOR AIDES		2,578.72
WATER/SEWER OPER. & MAINT		202,744.03
PAYROLL FUND		1,372.50
EARLY CHILDHOOD		38,913.70
HOUSING COMM DEV		6,668.37
TITLE III AGING PROGRAMS		6,176.40
AMERICORP CAPITAL CITY REBUILD		9,161.84
TRANSPORTATION FUND		7,625.97
T-WARNER PA/GA FUND		6,891.25
COPS HIRING GRANT 2011		26,240.80
PAYROLL	122,982.68	
TOTAL		\$2,364,290.84

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

Yeas- Barrett-Simon, Cooper-Stokes, Stamps, Tillman, and Whitwell.
Nays- None.
Absent- Priester.

Council Member Priester returned to the meeting at 11:36 a.m.

ORDER AUTHORIZING PAYMENT OF \$4,452.20 TO JEFFRY LYONS AND TOYOTA MOTOR CREDIT CORPORATION AS A FULL AND COMPLETE SETTLEMENT OF A PROPERTY DAMAGE CLAIM.

IT IS HEREBY ORDERED that payment in the amount of \$4,452.20 be made to Jeffrey Lyons and Toyota Motor Credit Corporation as full and complete settlement for any and all claims resulting from a vehicular accident that occurred on January 31, 2014, with a City of Jackson vehicle.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.
Nays- None.
Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A 48-MONTH RENTAL AGREEMENT WITH THE ADVANTAGE BUSINESS SYSTEM FOR A KONICA MINOLTA BIZHUB 364e DIGITAL B/W COPIER TO BE USED BY THE SIGNS AND LICENSE DIVISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT.

WHEREAS, the Signs and License Division of the Planning and Development Department desires to enter into a 48-month rental agreement of a copier machine; and

WHEREAS, the Advantage Business Systems provides a Konica Minolta Bizhub 364e Digital B/W Copier through the State of Mississippi Contract 5-600-13963-13; and

WHEREAS, the Advantage Business Systems is located in the City of Jackson; and

WHEREAS, it is the recommendation of the Department of Planning and Development this contract be approved.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute the necessary documents with the Advantage Business Systems, providing for the 48-month rental of a Konica Minolta Bizhub 364e Digital B/W Copier, to meet the needs of the Signs and License Division as related to the functions of said division, at a cost of 149.00 per month, plus a copy charge of \$.0079 per copy to include service and maintenance, except paper or staples.

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

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.
Nays- None.
Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AND SUBMIT AN APPLICATION TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION (MDOT) FOR FISCAL YEAR 2015 (FY2015) MULTIMODAL FUNDS IN THE AMOUNT OF \$480,000.00 TO SUPPORT OPERATING EXPENSES OF THE CITY OF JACKSON'S TRANSIT SYSTEM (JATRAN) AND TO EXECUTE ANY AND ALL DOCUMENTS AND AGREEMENTS NECESSARY AND RELATED TO THE APPLICATION AND ACCEPTANCE OF SAID MULTIMODAL FUNDS.

WHEREAS, the Mississippi Transportation Commission is authorized to award funds through the Multi-Modal Transportation Improvement Fund; and

WHEREAS, said funds can be used to support operating expenses for JATRAN; and

WHEREAS, if FY2015 Multi-Modal funds are awarded and accepted by the City, no matching funds would be required of the City; and

WHEREAS, staff has reviewed the application requirements and recommends that the City apply for and accept said FY2015 Multi-Modal Funds in the amount of \$480,000.00 for use in the City's public transit system, JATRAN.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute and submit an application to the Mississippi Department of Transportation (MDOT) for FY2015 Multi-Modal Transportation Improvement Fund in the amount of \$480,000.00 to support operating expenses of JATRAN and to execute any and all documents and agreements necessary and related to the application and acceptance of said Multi-Modal funds.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.
Nays- None.
Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE 2012 CONTRACT BETWEEN THE CITY OF JACKSON AND MIDTOWN PARTNERS, INC. FOR THE COMPLETION OF THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) FUNDED RENTAL REHABILITATION PROJECT.

WHEREAS, on July 24, 2012, the City Council adopted an Order, recorded in Minute Book 6B, Page 344 authorizing the Mayor to execute contracts between the City of Jackson and various organizations for the use of remaining unallocated 2009 Program Year (PY) Home Investment Partnership (HOME) funds and 2010 PY HOME funds; and

WHEREAS, on September 4, 2012, the City Council adopted an Amended Order, recorded in Minute Book 6B, authorizing the Mayor to execute two contracts between the City of Jackson and Midtown Partners, Inc. for the use of Home Investment Partnership (HOME) Program, Community Housing Development Organization (CHDO) Funds for a rental rehabilitation project and a rental new construction project; and

WHEREAS, the City of Jackson and Midtown Partners, Inc. entered into an Agreements on September 26, 2012, as authorized by City Council by Order dated October 2, 2012, and recorded in Minute Book "6-C "at Pages 14-15; and

WHEREAS, the City of Jackson was notified via the Integrated Disbursement and Information System that remaining in 2006 CHDO reserve funds were expired and no longer available for funding and as a result, the City of Jackson notified Midtown Partners, Inc. on October 22, 2014 of these recaptured funds.

WHEREAS, there have been extenuating circumstances that hindered productivity in a timely fashion and the possibility of completing the new construction project before the contract expires is minimal.

WHEREAS, The Office of Housing and Community Improvement recommends that the City terminate the new construction contract with the possibility of entering a new contract in the future and supplement the existing rental rehabilitation agreement with Midtown Partners, Inc. with \$114,281.85 which would require the contract between the City of Jackson and Midtown Partners, Inc. to be amended to adjust the contract amount to reflect the correct funding amounts and Program Year of funding.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an amendment to the 2012 contract HOME Investment Partnership Program (HOME) Funded Rental Rehabilitation Project with Midtown Partners, Inc. to amend the contract award amounts by the addition of \$114, 281.85 and to terminate the existing new construction contract with Midtown Partners with the possibility of executing a new contract in the future.

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

Yeas- Barrett-Simon, Priester, Stamps, Tillman and Whitwell.

Nays- Cooper-Stokes,

Absent- None.

ORDER AUTHORIZING THE MAYOR ON BEHALF OF THE CITY OF JACKSON TO EXECUTE A CONTRACT WITH THE MISSISSIPPI STATE DEPARTMENT OF HEALTH (MSDH) TO IMPLEMENT THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM IN THE JACKSON METROPOLITAN STATISTICAL AREA (MSA) FOR THE USE OF THE BALANCE OF UNEXPENDED 2012 HOPWA FUNDS.

WHEREAS, on July 24, 2012, the City Council adopted an Order, recorded in Minute Book 6B page 357 authorizing the Mayor to submit the City of Jackson's 2012 Annual Action Plan of the Consolidated Plan, consisting of the City's CDBG, ESG, and HOPWA components to the Department of Housing and Urban Development (HUD); and

WHEREAS, on October 1, 2012, HUD notified the City of Jackson of its approval of the 2012 Annual Action Plan of the Consolidated Plan; and

WHEREAS, on October 30, 2012, the City Council adopted an Order authorizing the Mayor to execute Grant Agreements with HUD for the 2012 Annual Action Plan of the Consolidated Plan; and

WHEREAS, the HOPWA component of the 2012 Annual Action Plan of the Consolidated Plan designated the Mississippi State Department of Health (MSDH) to serve as the subrecipient to deliver HOPWA related services in the Jackson MSA; and

WHEREAS, on November 13, 2012, the City Council authorized the Mayor to execute a contract with MSDH for the use of 2012 HOPWA funds and said contract expired on December 31, 2013 with funds remaining unexpended; and

WHEREAS, the MSDH has requested of the City of Jackson to grant a contract renewal for the use of the balance of unexpended HOPWA funds until the new HOPWA Program's implementation.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with the Mississippi State Department of Health (MSDH) in the amount of \$1,010,587.34 to implement the HOPWA related services in the Jackson Metropolitan Statistical Area (MSA); and for the use of the balance of unexpended HOPWA funds.

Council Member Barrett-Simon moved adoption; Council Member Stamps seconded.

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps and Tillman.
Nays- Whitwell.
Absent- None.

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 PURSUANT TO ADMINISTRATIVE HEARINGS HELD MARCH 25, 2014 FOR THE FOLLOWING CASES:

2012-3833	2013-1752	2013-1820	2013-2152	2013-2372	2013-2707
2014-1064	2014-1191	2014-1206			

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 above captioned cases were held before a hearing officer appointed by the Mayor on March 25, 2014; 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 #2012-3833: Parcel #107-5** located at *1004 Lanier Court*: 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 3*

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

2) **Case #2013-1752: Parcel #163-79** located at *1416-18 Cox Street/Lot W of 1420*: 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 4*

Scope of Work: Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs and clean curbside.

3) **Case #2013-1820: Parcel #309-94** located at *336 Ford Avenue*: 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 4*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts, appliances and clean curbside.

4) **Case #2013-2152: Parcel #432-52** located at *4804 Windermere Terrace*: 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 5*

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

5) **Case #2013-2372: Parcel #61-11** located at *0 Livingston St. /Lot E of 327*: 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 \$1000.00. *Ward 7*

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

6) **Case #2013-2707: Parcel #425-472** located at *0 Bailey Avenue/Lot S of 3615*: 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: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts and tires.

7) **Case #2014-1064: Parcel #430-245** located at *387 Wilshire Avenue*: 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 3*

Scope of Work: Board-up and secure structure. Cut grass and weeds and remove trash, debris, wooden boards, building materials, furniture, tires and all trash from driveway and carport.

8) **Case #2014-1191: Parcel #401-75** located at *0 Holmes Avenue/3310 Holmes Avenue*: Major Singh appeared. Hearing officer recommends that the property be adjudicated as a menace to public health and safety; however, interested party shall be afforded fourteen (14) days to cure. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs. *Ward 3*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove tree limbs and parts.

9) **Case #2014-1206: Parcel #119-371** located at *104 Rosslyn Avenue*: 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 4*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash and debris.

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.

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 Docket Book A, located in the City Clerk's Office of the City of Jackson, Mississippi.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND BOBBY FORD/DBA/FORD LAWN SERVICE FOR THE BOARD-UP AND SECURING OF STRUCTURE(S) AND/OR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE.

WHEREAS, on February 5, 2013; March 19, 2013; May 14, 2013; June 25, 2013; the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearings held January 15, 2013; February 12, 2013; March 5, 2013; May 7, 2013; for the following cases: 2012-1140; 2012-3337; 2011-4609; 2011-5304; and

WHEREAS, on January 21 and 22, 2014, the Department of Planning and Development Community Improvement Division, solicited quotes from qualified contractors to provide the stated services; and

WHEREAS, on February 4, 2014, quotes were received by the Office of the City Clerk; and

WHEREAS, the Director of Planning and Development determined that Bobby Ford/dba/Ford Lawn Service, submitted the lowest and best quote to provide stated services for the property located at: (1) W. Capitol Street/Lot West of 1541 (2012-1140); (2) 2811-13 Bishop Street (2012-3337); (3) 142 Galvez Street (2011-4609); (4) 1721 Wood Glen Drive (2011-5304); and

WHEREAS, the quote submitted by Bobby Ford/dba/Ford Lawn Service for the board-up and cleaning of the aforementioned parcel totaled \$1825.00.

IT IS, THEREFORE, ORDERED, that the Mayor be authorized to execute a contract with Bobby Ford/dba/Ford Lawn Service providing the board-up and securing of structures and/or the cutting of grass and weeds and removal of trash and debris of the stated properties.

IT IS FURTHER ORDERED, that the payment for said contract be made from the Community Improvement Division's General Fund Account.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND REGINALD HIGH/ DBA/ HIGHBECO FOR THE BOARD-UP AND SECURING OF STRUCTURE(S) AND/OR THE CUTTING OF GRASS AND WEEDS AND REMOVING TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE.

WHEREAS, on April 2, 2013; July 30, 2013; August 13, 2013; and November 5, 2013, the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearings held February 26, 2013; June 4, 2013; March 26, 2013; June 25, 2013; and September 24, 2013; for the following cases: 2012-1434; 2011-5017; 2012-2488; 2012-2487; 2013-1541; 2013-1278; and

WHEREAS, on January 21 & 22, 2014, the Department of Planning and Development Community Improvement Division solicited quotes from qualified contractors to provide the stated services; and

WHEREAS, on February 4, 2014 quotes were received by the Office of the City Clerk; and

WHEREAS, the Director of Planning and Development determined that Reginald High/dba/HIGHBECO, submitted the lowest and best quote to provide stated services for the property located at: (1) 3720 Mosley Avenue (2012-1434); (2) 260 Sheppard Road/Lot West of 290 (Formerly 260) (2011-5017); (3) 0 Deer Park Street/Lot @ SW Corner Chicago Avenue (2012-2488); (4) 0 Deer Park Street/Lot @ SE Corner Chicago Avenue (2012-2487); (5) 240 /2 E. Fortification Street (2013-1541); (6) 1021 Rondo Street (2013-1278); and

WHEREAS, the quotes submitted by Reginald High/dba/HIGHBECO for the aforementioned parcels totaled \$1285.00.

IT IS, THEREFORE, ORDERED, that the Mayor be authorized to execute a contract with Reginald High/dba/HIGHBECO, providing the board-up and securing of structures and/or the cutting of grass and weeds and removal of trash and debris of the stated properties.

IT IS FURTHER ORDERED, that the payment for said contract be made from the Community Improvement Division's General Fund Account.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.
Nays- None.
Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND MARTHA KNIGHTEN/DBA/ALLSTARR INDUSTRIES, INC. FOR THE BOARD-UP AND SECURING OF STRUCTURE(S) AND/OR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE.

WHEREAS, on March 19, 2013; June 11, 2013; August 13, 2013; September 24, 2013; and October 22, 2013; the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearings held February 12, 2013; April 16, 2013; July 2, 2013; August 6, 2013; and August 27, 2013; for the following cases: 2012-3419; 2012-2579; 2013-1368; 2011-4210; 2012-3075; and

WHEREAS, on January 21st & 22nd, 2014, the Department of Planning and Development Community Improvement Division solicited quotes from qualified contractors to provide the stated services; and

WHEREAS, on February 4, 2014, quotes were received by the Office of the City Clerk; and

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WHEREAS, the Director of Planning and Development determined that Martha Knighten/ dba/ALLSTARR INDUSTRIES, INC., submitted the lowest and best quote to provide stated services for the properties located at: (1) 237 S. Prentiss Street (2012-3419); (2) 1615 N. Lamar Street (2012-2579); (3) 696 Cedar Springs (2013-1368); (4) 938 Raymond Road (2011-4210); (5) 542 Whitegate Drive (2012-3075); and

WHEREAS, the quotes submitted by Martha Knighten/dba/ALLSTARR INDUSTRIES, INC. totaled \$1,700.00.

IT IS, THEREFORE, ORDERED, that the Mayor be authorized to execute a contract with Martha Knighten/dba/ALLSTARR INDUSTRIES, INC. providing the board-up and securing of structures and/or the cutting of grass and weeds and removal of trash and debris of the stated properties.

IT IS FURTHER ORDERED, that the payment for said contract be made from the Community Improvement Division's General Fund Account.

Council Member Barrett-Simon moved adoption; Council Member Stamps seconded.

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.
Nays- None.
Absent- None.

ORDER AUTHORIZING PAYMENT TO THE GE WATER & PROCESS TECHNOLOGIES FOR PARTS TO REPAIR THE MEMBRANE ULTRAFILTRATION EQUIPMENT AT THE O.B. CURTIS WATER TREATMENT FACILITY.

WHEREAS, the Zeeweed 500D membrane ultra-filtration equipment is in need of repair at the City's water treatment plant, the O.B. Curtis Water Treatment Facility; and

WHEREAS, the ultra-filtration equipment is necessary to maintain safe, high-quality potable water for the City of Jackson; and

WHEREAS, GE Water & Process Technologies has offered to sell the parts necessary for the repairs to the ultra-filtration equipment at the O.B. Curtis Water Treatment Facility to the City of Jackson at a cost of \$8,627.84; and

WHEREAS, the Department of Public Works recommends that the governing authority accept this offer of GE Water & Process Technologies.

IT IS, THEREFORE, ORDERED that offer of GE Water & Process Technologies to sell the parts necessary for the repairs to the ultra-filtration equipment to the City of Jackson at a cost of \$8,627.84 for the O.B. Curtis Water Treatment Facility is accepted and payment in such amount is authorized.

Council Member Barrett-Simon moved adoption; Council Member Stamps seconded.

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.
Nays- None.
Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING AND OTHER DOCUMENTS NECESSARY TO ACTIVATE THE MUSEUM TO MARKET TRAIL CONNECTOR PROJECT FROM THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Moving Ahead for Progress in the 21st Century Act (MAP-21) provides funding to regional metropolitan planning organizations for projects designed to promote alternative forms of transportation such as cycling and walking; and

WHEREAS, the Jackson Metropolitan Planning Organization submitted applications for local projects to fund under the MAP-21 Transportation Alternatives Program with projects awarded on a competitive basis based on pre-determined criteria; and

WHEREAS, the Museum to Market Trail, which is a part of the regional long range bicycle transportation plan, is designed to provide a walking and cycling trail from Downtown to Smith Wills Stadium; and

WHEREAS, the City of Jackson made application to the Jackson Metropolitan Planning Organization for \$235,375.00 to connect the Museum to Market Trail, which is currently under design, from its currently designed end on Riverside Drive to Smith Wills Stadium along Highland Drive; and

WHEREAS, on February 12, 2014, the Jackson MPO Policy Committee approved the application and award of \$235,375.00 to the City of Jackson; and

WHEREAS, during the life of this project it will be necessary for the Mayor to execute documents related to the administration and construction of the project and to submit those documents to MDOT, which administers projects that utilize federal transportation funds.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a Memorandum of Understanding with the Mississippi Department of Transportation for the Museum to Market Trails.

IT IS FURTHER ORDERED that the Mayor is authorized to execute other documents necessary for the administration of Museum to Market Trail Connector Project, provided that any other documents executed shall not include the appropriation or expenditure of funds not previously authorized.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 1/FINAL TO THE CONTRACT OF SOCRATES GARRETT ENTERPRISES, INC., A DECREASE CHANGE ORDER, AND FURTHER AUTHORIZING PUBLICATION OF NOTICE OF COMPLETION FOR THE CITY OF JACKSON LIVINGSTON ROAD NRCS DRAINAGE PROJECT, CITY PROJECT NO. 14B5001.

WHEREAS, on November 12, 2013, the City of Jackson received the quote of Socrates Garret Enterprises, Inc. in the amount of \$136,400.35, to commence with work on the City of Jackson Livingston Road NRCS Drainage Project, City Project No. 14B5001; and

WHEREAS, on December 17, 2013, the City accepted the bid of Socrates Garrett Enterprises, Inc. in the amount of \$136,400.35 to commence work on the City of Jackson Livingston Road NRCS Drainage Project, City Project No. 14B5001; and

WHEREAS, a final inspection was held on March 21, 2014 and the Department of Public Works recommends acceptance of the project; and

WHEREAS, Change Order No. 1/Final is a 10% decrease to the contract amount due to the adjustment of quantities, and the removal or addition of items; and

WHEREAS, the decrease in the contract amount is \$14,010.07 and the new contract amount is \$122,390.28; and

WHEREAS, the Public Works Department recommends that the governing authorities approve Change Order No. 1/Final and authorize final payment to Socrates Garrett Enterprises, Inc.; and

WHEREAS, the bonding company Guarantee Company of North America USA, Attorney-in-fact, surety on performance of the said contract, has authorized release and payment of all money due under said contract.

IT IS, THEREFORE, ORDERED that Change Order No. 1/Final to the contract of Socrates Garrett Enterprises, Inc., decreasing the contract amount by \$14,010.07 to \$122,390.28 is accepted and the Mayor is authorized to sign Change Order No. 1/Final.

IT IS FURTHER ORDERED that final payment in the amount of \$6,119.51 is authorized and that all securities held shall be released to Socrates Garrett Enterprises, Inc.

IT IS FURTHER ORDERED that the City Clerk publish the Notice of Completion of the City of Jackson Livingston Road NRCS Drainage Project, City Project No. 14B5001.

Council Member Barrett-Simon moved adoption; Council Member Whitwell seconded.

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER RATIFYING THE EMERGENCY CONTRACT WITH GARRETT ENTERPRISES d/b/a SOCRATES GARRETT ENTERPRISES FOR BIO-SOLIDS HAULING FROM THE SAVANNA STREET WASTEWATER TREATMENT FACILITY AND THE TRAHON WASTEWATER TREATMENT FACILITY AND RATIFYING THE EXTENSION OF THE EMERGENCY CONTRACT.

WHEREAS, the contract for hauling bio-solids from the Savanna Street Wastewater Treatment Facility and the Trahon Wastewater Treatment Facility expired on September 30, 2013 without a new contract to replace it; and

WHEREAS, the Mayor declared an emergency on October 25, 2013 because there was still no replacement contract and the failure to haul the accumulating bio-solids threaten to halt operations at both City wastewater treatment facilities; and

WHEREAS, the Department of Public Works recommended that the City enter into an emergency contract with the contractor under the previous bio-solids hauling contract, Garrett Enterprises d/b/a Socrates Garrett Enterprises ("Garrett"); and

WHEREAS, Garrett agreed to the emergency contract under the same prices and terms as the previous, expired contract through January 17, 2014; and

WHEREAS, due to issues with the proposals received for a new bio-solids hauling contract, the City continued to need emergency contract bio-solids hauling services and will continue to need such emergency contract services until such time as a new bio-solids hauling contract is in place; and

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WHEREAS, Garrett has continued to haul bio-solids under the prices and terms of the Emergency Contract and is willing to haul bio-solids under those prices and terms until a new bio-solids hauling contract is in place.

IT IS, THEREFORE, ORDERED that the emergency contract for bio-solids hauling from the Savanna Street Wastewater Treatment Facility and the Trahon Wastewater Treatment Facility with Garrett Enterprises d/b/a Socrates Garrett Enterprises and its cost schedule as follows is ratified:

Bio-Solids Hauling Unit Cost Schedule

SITE	MATERIAL	ONE WAY DISTANCE (miles)	UNIT COST (dollars/ton)
Byram 1	Sludge Cake	9	\$ 7.75
Byram 2	Sludge Cake	9	\$ 7.75
Kainz	Sludge Cake	30	\$ 7.75
Varnado	Sludge Cake	25	\$ 7.75
Alford	Sludge Cake	20	\$ 7.75
Mason	Sludge Cake	35	\$ 7.75
Davis	Sludge Cake	30	\$ 7.75
Holmes 1	Sludge Cake	30	\$ 7.75
Holmes 2	Sludge Cake	30	\$ 7.75
Fisher 1	Sludge Cake	35	\$ 7.75
Fisher 2	Sludge Cake	35	\$ 7.75
Berry	Sludge Cake	35	\$ 7.75
Darden A	Sludge Cake	95	\$16.50
Darden B	Sludge Cake	95	\$16.50
Sullivans	Sludge Cake	15	\$ 7.75
Little Dixie Landfill	Sludge Cake	18.5	\$ 7.75
Trahon to Savanna	Sludge Cake	8.5	\$ 7.75
Miles per Gallon (MPG)	Sludge Cake		\$7.50

IT IS FURTHER ORDERED that the extension of the emergency agreement with Garrett Enterprises d/b/a Socrates Garrett Enterprises under the same terms and prices as the emergency agreement, until such time as a new Bio-Solids Hauling Agreement is in place, is ratified.

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

Yeas- Barrett-Simon, Stamps, Tillman and Whitwell.
Nays- Cooper-Stokes and Priester.
Absent- None.

* * * * *

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN EVENT LICENSE AGREEMENT WITH METROCENTER MALL, LLC FOR USE OF ITS FACILITY TO CONDUCT REGISTRATION AND SIGN-UP FOR THE CITY'S SUMMER ENHANCEMENT PROGRAM.

WHEREAS, the City of Jackson will sponsor the Summer Enhancement Program sign-up and registration on May 8, 2014; and

WHEREAS, the event is for youth residing in the City of Jackson interested in providing a carefully supervised and fun environment for children throughout the 2014 summer; and

WHEREAS, the Department of Parks and Recreation has determined that the Metrocenter Mall has suitable space for the Summer Enhancement Program registration process; and

WHEREAS, Metrocenter Mall, LLC, has agreed to allow the City of Jackson to utilize its Community Room with chairs and tables for the event; and

WHEREAS, Metrocenter Mall, LLC, will charge the City of Jackson no rent for the use of the space; and

WHEREAS, the best interest of the City of Jackson would be served by authorizing the Mayor to execute an Event License Agreement with Metrocenter Mall, LLC, for use of its *Community Room* to conduct registration and sign-up for the Summer Enhancement Program.

IT IS HEREBY ORDERED that the Mayor is authorized to execute an Event License Agreement with Metrocenter Mall, LLC, for registration and sign-up for the Summer Enhancement Program for the citizens of Jackson, which is scheduled to be held on May 8, 2014, as well as any and all other documents necessary for fulfill this limited purpose.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE CITY OF JACKSON, MISSISSIPPI, FOR THE PROVISION OF FUNDS TO SUPPORT IMPROVEMENTS TO PARHAM BRIDGES PARK.

WHEREAS, the Mississippi Department of Finance and Administration (“DFA”) has offered to the City of Jackson, Mississippi (the “City”), a Memorandum of Understanding for the purpose of establishing the agreed upon conditions and procedures under which DFA shall disperse funds to the City and the City shall account for the expenditure of such funds to pay costs associated with upgrades and improvements to Parham Bridges Park in Jackson, Mississippi, including, but not limited to, a new park entry and expansion of the walking trail (the “Project”), as authorized pursuant to Section 24 of Senate Bill 2913, 2013 Regular Session of the Mississippi State Legislature (the “Act”); and

WHEREAS, the Act establishes the “2013 Parham Bridges Park Improvements Fund” (the “Fund”) for the purpose of providing funds to the City to pay a portion of the costs of the Project; and

WHEREAS, pursuant to the Act, the State Bond Commission, on behalf of the State of Mississippi (the “State”), issued general obligation bonds of the State (the “Bonds”) to fund a portion of the Project and certain other projects and programs; and

WHEREAS, a portion of the proceeds of the Bonds has been deposited in the Fund in accordance with the Act; and

WHEREAS, the amount of monies available in the Fund to fund the Project is One Hundred Thousand Dollars (\$100,000.00), less a pro-rata share of all fees and costs incurred in the sale and issuance of the Bonds; and

WHEREAS, the Act authorizes DFA in its discretion to disburse monies in the Fund to the City to pay costs of the Project; and

WHEREAS, DFA and the City desire to set forth their mutual agreements and understandings with respect to the disbursement of funds in the Fund by DFA to the City and the documentation of the expenditure of such funds by the City for the Project; and

WHEREAS, the City desires to receive the Funds for said purpose.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a Memorandum of Understanding between the Mississippi Department of Finance and Administration and the City of Jackson, Mississippi, along with any and all related documents, to accept \$100,000.00 from the State of Mississippi to fund the installation and/or construction of a new entry and expansion of the walking trail at Parham Bridges Park.

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

There came on for consideration Agenda Item No. 29:

ORDER CONFIRMING THE MAYOR'S NOMINATION OF GUS McCOY AS CHIEF ADMINISTRATIVE OFFICER FOR THE CITY OF JACKSON, MISSISSIPPI. **President Tillman** held said item until the next Special Council Meeting that would be held on Thursday, May 8, 2014 at 10:00 a.m.

There came on for consideration Agenda Item No. 30:

ORDER CONFIRMING THE MAYOR'S APPOINTMENT OF MONICA DAVIS JOINER AS CITY ATTORNEY, CITY OF JACKSON, MISSISSIPPI. **President Tillman** held said item until the next Special Council Meeting that would be held on Thursday, May 8, 2014 at 10:00 a.m.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH NICK CLARK AUCTIONS TO PROVIDE AUCTIONEER SERVICES TO THE CITY OF JACKSON.

WHEREAS, the Jackson Police Department frequently recovers stolen, lost, misplaced, or abandoned property; and

WHEREAS, Section 21-39-21 of the Mississippi Code sets forth the procedures for disposing of lost, stolen, abandoned or misplace personal property recovered by police; and

WHEREAS, Section 21-39-21 of the Mississippi Code requires the selling of stolen, lost, misplaced or abandoned personal property at public auction if it remains unclaimed for a period of one hundred twenty days after the provision of the notice set forth in the statute; and

WHEREAS, the best interest of the City of Jackson would be served by contracting with a licensed professional auctioneer to conduct the auctions contemplated by Section 21-39-21; and

WHEREAS, Nick Clark Auctions is a licensed professional auctioneer qualified to conduct the auctions contemplated by Section 21-39-21; and

WHEREAS, Nick Clark Auctions has previously conducted auctions and provided services to the City which were satisfactory; and

WHEREAS, based on the City's prior experience with Nick Clark Auctions, it is recommended that a contract be executed with Nick Clark Auctions to provide the auction services contemplated by Section 21-39-21 of the Mississippi Code; and

WHEREAS, the proposed contract with Nick Clark Auctions would entitle the firm to receive a sum not exceeding 9.65 percent of the gross revenue derived from auctions as compensation; and

WHEREAS, the City of Jackson will be responsible for receipt, collection and handling of all monies tendered from each auction conducted under the Auctioneer Service Agreement.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Clark Auctions to provide auctioneering services for the City of Jackson containing terms providing for the payment of compensation in an amount not to exceed 9.65 percent of the gross revenue derived from the auction.

Council Member Barrett-Simon moved adoption; Council Member Whitwell seconded.

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON AND PILGRIM OPERATIONS, INC. AND A&E TELEVISION NETWORKS, LLC FOR THE PURPOSE OF PHOTOGRAPHING AND RECORDING CERTAIN SCENES AT CITY-OWNED GROVE PARK IN CONNECTION WITH THE TELEVISION SERIES "SHUT UP AND DANCE".

WHEREAS, Pilgrim Operations, Inc. ("Producer") and A&E Television Networks, LLC ("Network"), the production company and television network for the television series "Shut Up and Dance", contacted the City of Jackson and requested permission to photograph and record certain scenes at Grove Park, a City-owned park located at 4126 Parkway Avenue, Jackson, Mississippi; and

WHEREAS, the proposed date for filming at Grove Park is set for May 10, 2014.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an Agreement between the City of Jackson and Pilgrim Operations, Inc. and A&E Television Networks, LLC for the purpose of photographing and recording certain scenes at Grove Park on May10, 2014 in connection with the television series "Shut Up and Dance."

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

Yeas- Barrett-Simon, Cooper-Stokes, Priester, Stamps, Tillman and Whitwell.

Nays- None.

Absent- None.

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AUTHORIZING A REMEDIAL ASSESSMENT OF THE OPERATION OF THE OFFICE OF THE CITY CLERK.

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

WHEREAS, the City Council is authorized by state law to exercise supervisory responsibility of the office of the City Clerk; and

WHEREAS, the operation of the office of the City Clerk is important to the function of City government and a review of the operation is in order.

IT IS THEREFORE ORDERED, that the Jackson City Council hereby authorizes a remedial assessment of the operation of the office of the City Clerk.

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

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.
Nays- Barrett-Simon and Whitwell.
Absent- None.

There came on for consideration Agenda Item No. 34:

DISCUSSION: PURCHASE OF NATURAL GAS VEHICLES: **President Tillman** recognized **Council Member Barrett-Simon** who stated that said item had been discussed during the City Council Work Session on May 5, 2014.

DISCUSSION: DILLARD'S BUILDING: **President Tillman** recognized **Council Member Stamps** who invited **Scott Overby**, principal broker for the Overby Co., to discuss plans for the Dillard's Building as well as future development for the Metrocenter Mall.

DISCUSSION: ELRAINE BOULEVARD: **President Tillman** recognized **Council Member Cooper-Stokes** who expressed concerns regarding debris left as a result of tree cutting by City employees behind a residence located at 3384 Elaine Boulevard.

DISCUSSION: SUMMER PROGRAMS FOR YOUTH: **President Tillman** recognized **Council Member Cooper-Stokes** who requested that information be provided regarding the City's summer youth program.

There came on for consideration Agenda Item No. 38:

PRESENTATION: WARD THREE (3) MOTHER OF THE YEAR. **Council Member Cooper-Stokes** stated that the recipient was unable to attend the meeting.

There came on for consideration Agenda Item No. 39:

PROCLAMATION HONORING AND COMMENDING BETTY REED FOR RETIRING FROM JACKSON STATE UNIVERSITY AFTER 38 YEARS OF SERVICE. Said item was held by **Mayor Tony Yarber**.

There came on for consideration Agenda Item No. 40:

PROCLAMATION HONORING AND COMMENDING DR. PHYLLIS HAMMOND FOR RETIRING FROM JACKSON STATE UNIVERSITY AFTER 41 YEARS OF SERVICE. Said item was held by **Mayor Yarber**.

There came on for consideration Agenda Item No. 41:

President Tillman recognized **Council Member Cooper-Stokes** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING MR. D. L. GOVAN AND MRS. HELEN F. GOVAN AS OUTSTANDING CITIZENS OF THE CITY OF JACKSON.** Accepting the Resolution with appropriate remarks were **Mr. D. L. Govan** and **Mrs. Helen F. Govan.**

The following announcements/reports were provided during the meeting:

- **Mayor Tony Yarber** introduced the following individuals:
 - **Ronerick Simpson**, Interim Fire Chief
 - **Gail Lowery**, Special Assistant of Contract Compliance
 - **Synarus Green**, Director of Inter-Governmental Relations
 - **Marshand Crisler**, Deputy CAO
- **Council Member Priester** announced that Berwood/Azalea Annual Neighborhood Parade would be held on Saturday, May 10, 2014 at 10:30 a.m. on the corner of Berwood and Watkins Drive.
- **Council Member Cooper-Stokes** announced that “Journeys to I Do” book signing would be May 8, 2014 from 11:00 a.m. to 2:00 p.m. at the Charles W. Tisdale Library located at 807 E. Northside Dr.
- **Council Member Stamps** announced that Holy Temple Church would host a “JamBaloosa” on May 17, 2014 at 4:00 p.m.
- **Council Member Stamps** invited the citizens of Jackson to listen to the “Reviving Jackson” broadcast every Wednesday from 8:00 p.m. to 8:30 p.m. on WMPR radio station.
- **President Tillman** requested that the City Clerk provided the following Ward 6 election information:
 1. The special election would be held on June 17, 2014.
 2. Qualifying packets would be available in the City Clerk’s Office on May 7, 2014.
 3. The deadline to return all qualifying packets is May 28, 2014.
 4. Voter Registration for Ward 6 residents would be May 12th – May 17th, 2014.
 5. Publication dates for the election would be May 15th, 22nd, 29th, 2014.
 6. Absentee voting would begin on June 2, 2014.
 7. City Clerk’s Office would be open on Saturday, June 7th and June 14th for absentee voting.
 8. July 1, 2014 would be the run off date if applicable.

The meeting was closed in memory of the following individuals:

- **Tara Williams**
- **Bishop Eddie Thompson**

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, MAY 6, 2014 10:00 A.M.

- Richard Buckley
- Lucille Crisler
- Justin Griffin
- Zack Robinson


There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Meeting to be held at 9:00 a.m. on Thursday, May 8, 2014; at 12:46 p.m., the Council stood adjourned.

ATTEST:



CITY CLERK

APPROVED:



MAYOR

⁹⁷⁸
5.15.14, _____
DATE
