
BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 10:00 a.m. on November 29, 2016, being the fifth Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Tyrone Hendrix, President, Ward 6; Margaret Barrett-Simon, Vice-President, Ward 7; Ashby Foote, Ward 1; Melvin Priester, Jr., Ward 2; De'Keither Stamps, Ward 4 and Charles Tillman, Ward 5. Directors: Tony Yarber, Mayor; Debra Jones, Assistant City Clerk; Angela Harris, Deputy City Clerk; Allice Lattimore, Deputy City Clerk; Monica Joiner, City Attorney.

Absent: Kenneth Stokes, Ward 3.

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

The invocation was offered by **Pastor Otis Moore** of Jackson First Assembly of God.

President Hendrix recognized **Jason Jenkins**, who provided a brief overview of his artwork on display.

President Hendrix recognized **Okolo Rashid**, a representative of the International Museum of Muslin Cultures, who provided a brief overview of the Sister Cities program and encouraged the City of Jackson to participate.

President Hendrix recognized the following individuals who provided public comments regarding an agenda related item during the meeting:

- **Sheila O'Flaherty** expressed concerns regarding the purchase of buses from Florida to be added to the Jatran fleet.
- **Rubye Mikel** expressed concerns regarding the proposed contract for parking meters within the City of Jackson.

Council Member Priester left the meeting at 10:29 a.m.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND ELTON SMITH/DBA/ACA DEMOLITION & PROJECT GROUP - 120 HILLCROFT PLACE, JACKSON, MS 39211, FOR THE DEMOLITION AND REMOVAL OF STRUCTURE(S), FOUNDATION, STEPS, DRIVEWAY, THE CUTTING OF GRASS AND WEEDS AND REMOVAL OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2015-3299 – 1541 W. CAPITOL STREET – \$8,100.00.

WHEREAS, on February 9, 2016 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on December 1, 2015 for the following case: Case #2015-3299 located in Ward 5; and

WHEREAS, on October 13, 2016, the Jackson Police Department, Community Improvement Unit, solicited quotes from the qualified contractors to provide the stated services; and

WHEREAS, on October 17, 2016, quotes were received by the Office of the City Clerk; and

WHEREAS, the Chief of Police determined that Elton Smith/DBA/ACA Demolition & Project Group, submitted the lowest and best quote to provide stated services for the property located at: 1.) 1541 W Capitol Street; and

WHEREAS, the quote submitted by Elton Smith/DBA/ACA Demolition & Project Group, for the demolishing and cleaning of the aforementioned parcel was \$8,100.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Elton Smith/DBA/ACA Demolition & Project Group, providing for the demolition and removal of structure and the cutting of grass and weeds on the stated property.

IT IS, THEREFORE, ORDERED that the payment for the said contract be made from the Community Improvement's General Funds.

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

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

Nays- None.

Absent- Priester and Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND DEJONNETTE KING/DBA/AEC INC, FOR THE DEMOLITION AND REMOVAL OF STRUCTURE(S), FOUNDATION, STEPS, DRIVEWAY, THE CUTTING OF GRASS AND WEEDS AND REMOVAL OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2015-3099 – 4087 PINE HILL DRIVE – \$5,200.00.

WHEREAS, on February 23, 2016 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on October 27, 2015 for the following case: Case #2015-3099 located in Ward 7; and

WHEREAS, on September 13, 2016, the Jackson Police Department, Community Improvement Unit, solicited quotes from the qualified contractors to provide the stated services; and

WHEREAS, on September 19, 2016, quotes were received by the Office of the City Clerk; and

WHEREAS, the Chief of Police determined that Dejonnette King/DbA/AEC Inc., submitted the lowest and best quote to provide stated services for the property located at: 1.) 4087 Pine Hill Drive; and

WHEREAS, the quote submitted by Dejonnette King/DbA/AEC Inc., for the demolishing and cleaning of the aforementioned parcel was \$5,200.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Dejonnette King/DbA/AEC Inc., providing for the demolition and removal of structure and the cutting of grass and weeds on the stated property.

IT IS, THEREFORE, ORDERED that the payment for the said contract be made from the Community Improvement's General Funds.

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

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

Nays- None.

Absent- Priester and Stokes.

* * * * *

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND KING, DEJONNETTE/DBA/AEC INC. - 775 NORTH PRESIDENT STREET, JACKSON, MS 39202, FOR THE DEMOLITION AND REMOVAL OF STRUCTURE(S), FOUNDATION, STEPS, DRIVEWAY, THE CUTTING OF GRASS AND WEEDS AND REMOVAL OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2015-1081 - 576 WOODWARD AVENUE - \$6,500.00.

WHEREAS, on August 11, 2015 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on June 16, 2015 for the following case: Case #2015-1081 located in Ward 2; and

WHEREAS, on September 13, 2016, the Jackson Police Department, Community Improvement Unit, solicited quotes from the qualified contractors to provide the stated services; and

WHEREAS, on September 19, 2016, quotes were received by the Office of the City Clerk; and

WHEREAS, the Chief of Police determined that King, Dejonnette/DbA/AEC Inc., submitted the lowest and best quote to provide stated services for the property located at: 1.) 576 Woodward Avenue; and

WHEREAS, the quote submitted by King, Dejonnette/DbA/AEC Inc., for the demolishing and cleaning of the aforementioned parcel was \$6,500.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with King, Dejonnette/DbA/AEC Inc., providing for the demolition and removal of structure and the cutting of grass and weeds on the stated property.

IT IS, THEREFORE, ORDERED that the payment for the said contract be made from the Community Improvement's General Funds.

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

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

Nays- None.

Absent- Priester and Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND GREEN, WILLIE/DBA/GREEN'S HOME IMPROVEMENT, LLC, 4225 OAKLAKE DRIVE, JACKSON, MS 39212 FOR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2014-3059 – 1324 JOHNSTON AVE – \$762.00.

WHEREAS, on July 14, 2015 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on March 31, 2015 for the following case: Case #2014-3059 located in Ward 3; and

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

WHEREAS, Willie Green/DbA/Green's Home Improvement, LLC, appeared next on the rotation list and has agreed to cutting grass and weeds, and remedy the conditions for Case #2014-3059 located at 1.) 1324 Johnston Ave; and

WHEREAS, Willie Green/DbA/Green's Home Improvement, LLC has agreed to perform the services described for the sum of \$762.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Willie Green/DbA/Green's Home Improvement, LLC, providing for the cutting of grass, weeds, fence line, bushes, saplings and removing of trash, debris, tree limbs, tree parts and clean curbside on the stated property.

IT IS, THEREFORE, ORDERED that a sum not to exceed \$762.00 to be paid upon completion of the work from the Community Improvement Unit's Budget.

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

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

Nays- None.

Absent- Priester and Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND WILLIE GREEN/DBA/GREEN'S HOME IMPROVEMENT, 4225 OAK LAKE DRIVE, JACKSON, MS 39212 FOR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2013-1575 – 3316 RIDGELAND DRIVE – \$683.00.

WHEREAS, on October 8, 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 Hearing held on August 20, 2013 for the following case: Case #2013-1575 located in Ward 6; and

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

WHEREAS, Willie Green/DbA/Green's Home Improvement appeared next on the rotation list and has agreed to cutting grass and weeds, and remedy the conditions for Case #2013-1575 located at 1.) 3316 Ridgeland Drive; and

WHEREAS, Willie Green/DbA/Green's Home Improvement has agreed to perform the services described for the sum of \$683.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Willie Green/DbA/Green's Home Improvement, providing for the cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash, debris, tree limbs & tree parts and furniture on the stated property.

IT IS, THEREFORE, ORDERED that a sum not to exceed \$683.00 to be paid upon completion of the work from the Community Improvement Unit's Budget.

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

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

Nays- None.

Absent- Priester and Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND JONES, DONALD JONES/DBA/JONES LANDSCAPE & CONTRACTOR SVCS, 148 IRIS AVENUE, JACKSON, MS 39206 FOR THE BOARD UP AND SECURING OF STRUCTURE(S) AND/OR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2015-1152 – 306 SOUTH PRENTISS STREET – \$615.00.

WHEREAS, on June 30, 2015 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on March 3, 2015 for the following case: Case #2015-1152 located in Ward 5; and

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

MINUTE BOOK 6K

WHEREAS, Donald Jones/Db/Jones Landscape & Contractor Svcs, appeared next on the rotation list and has agreed to board up and securing of house and/or cutting grass and weeds, and remedy the conditions for Case #2015-1152 located at 1.) 306 South Prentiss Street; and

WHEREAS, Donald Jones/Db/Jones Landscape & Contractor Svcs has agreed to perform the services described for the sum of \$615.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Donald Jones/Db/Jones Landscape & Contractor Svcs, providing the board up and securing of house, cutting of grass, weeds, fence line, bushes and removing of trash, debris, clean curbside on the stated property.

IT IS, THEREFORE, ORDERED that a sum not to exceed \$615.00 to be paid upon completion of the work from the Community Improvement Unit's Budget.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND WRIGHT, LUCIUS/DBA/TOTAL BUSINESS DEVELOPMENT 2811 UTAH STREET, JACKSON MS 39213 FOR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2015-2583 – 0 BAILEY AVENUE/LOT NORTH OF 3806 BAILEY AVENUE – \$840.00.

WHEREAS, on February 9, 2016 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on August 4, 2015 for the following case: Case #2015-2583 located in Ward 3; and

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

WHEREAS, Wright, Lucius/Db/Total Business Development appeared next on the rotation list and has agreed to the cutting of grass and weeds, and remedy the conditions for Case #2015-2583 located at 1.) 0 Bailey Avenue/Lot North of 3806 Bailey Avenue; and

WHEREAS, Wright, Lucius/Db/Total Business Development has agreed to perform the services described for the sum of \$840.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Wright, Lucius/Db/Total Business Development, providing the cutting of grass, weeds and removing of trash and debris on the stated property.

IT IS, THEREFORE, ORDERED that a sum not to exceed \$840.00 to be paid upon completion of the work from the Community Improvement Unit's Budget.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND TERRY & GREG HAYGOOD/DBA/GW GROUP LLC, 4617 VILLAGE DRIVE, JACKSON, MS 39206 FOR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11. CASE #2014-3390 – 4918 CEDARHURST DRIVE – \$835.00.

WHEREAS, on June 16, 2015 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on February 3, 2015 for the following case: Case #2014-3390 located in Ward 3; and

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

WHEREAS, Terry & Greg Haygood/DBA/GW Group LLC, appeared next on the rotation list and has agreed to cutting grass and weeds, and remedy the conditions for Case #2014-3390 located at 1.) 4918 Cedarhurst Drive; and

WHEREAS, Terry & Greg Haygood/DBA/GW Group LLC has agreed to perform the services described for the sum of \$835.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with Terry & Greg Haygood/DBA/GW Group LLC, providing the cutting of grass, weeds, shrubbery and fence line and removing of trash and debris and clean curbside on the stated property.

IT IS, THEREFORE, ORDERED that a sum not to exceed \$835.00 to be paid upon completion of the work from the Community Improvement Unit's Budget.

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

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

ORDER ACCEPTING PAYMENT OF \$859.68 FROM NATIONWIDE INSURANCE COMPANY ON BEHALF OF ITS INSURED (GREEN OAK GARDEN CENTER) 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 \$859.68 as a property damage settlement for damage sustained to a City of Jackson vehicle (PT-809) on December 21, 2015.

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

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

ORDER ACCEPTING PAYMENT OF \$115.45 FROM GALLAGHER BASSETT SERVICES, INC. ON BEHALF OF ITS INSURED WASTE MANAGEMENT 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 \$115.45 as a property damage settlement for damage sustained to the City of Jackson property on March 18, 2016.

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

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

ORDER ACCEPTING PAYMENT OF \$795.05 FROM MORRIS COMPANY MKC INC. ON BEHALF OF ITS INSURED C-SPIRE 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 \$795.05 as a property damage settlement for damage sustained to the City of Jackson property/service line on February 11, 2016.

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

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

There came on for Introduction Agenda Item No. 14:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ESTABLISHING THE RENAMING OF PEARL STREET (FROM DALTON STREET TO PRENTISS STREET) TO COACH PAUL COVINGTON DRIVE.
Said item was referred to the Planning Committee.

ORDINANCE AMENDING ARTICLE IX, SECTION 26-446 AND SECTION 26-447 OF THE JACKSON CODE OF ORDINANCES TO INCLUDE TREES.

WHEREAS, more than 135,000,000 people living in more than 3,400 towns and cities benefit from cleaner air, shade, lower energy costs, and storm water control through the vital urban forest management framework provided by Tree City USA community improvement program; and

WHEREAS, to qualify as a Tree City USA community, there are standards by the Arbor Day Foundation and the National Association of State Foresters the City of Jackson must meet; and

WHEREAS, the Landscape Ordinance meets most of those standards; however, the word "tree" has been added to Article IX, Section 26-446 and Section 26-447.

THEREFORE, IT HERBY ORDAINED that Article IX, Section 26-446 and Section 26-447 of the Jackson Code of Ordinances is amended as follows:

ARTICLE IX. - LANDSCAPING AND TREE STANDARDS

Sec. 26-446. - Title of article.

This article shall be known as the *landscape and tree ordinance* for the city.

(Ord. of 1-3-95, § 1)

Sec. 26-447. - Purpose of article.

The purpose of this article is to protect and to promote the public health, safety and general welfare of the citizens of the city; to provide *landscaping and tree* requirements to protect the public from the effects of erosion, flooding and obscuration of vehicular and pedestrian traffic; to aid in stabilizing the environment's ecological balance by contributing to the processes of energy and soil conservation, air purification, oxygen regeneration, wastewater neutralization, groundwater discharge, and storm water runoff retardation, while at the same time aiding in noise, glare and heat abatement; to ensure that the local stock of native trees and vegetation is replenished; to assist in providing adequate light and air and in preventing overcrowding of land; to provide visual buffering and to enhance the beautification of the city; to safeguard and to enhance property values and to protect public and private investment; to preserve and protect the unique identity and environment of the city; and to preserve the economic base attracted to the city by such factors.

(Ord. of 1-3-95, § 2)

Sec. 26-448. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessway means an area intended to provide entrance or exit for vehicular traffic from a public or private right-of-way to an off-street parking or loading area.

Berm means mounds or walls of earth that are molded into landforms in a *landscaped* area. When berms are used for screening, buffering or any other purpose, the berm shall be constructed such that soil erosion is prevented and sight triangles are unobstructed. The surface of the berms shall be completely covered with plant material or durable mulch so that the bare soil is not visible. Allowance for soil settlement shall be calculated at ten percent after the berms are compacted.

Buffering means the use of *landscaping*, berms, walls, fences or any combination thereof, that at least partially block, in a continuous manner, the view from one area to another.

Clearing means the removal or material damage of *landscape* materials by disturbing, excavating or removing the underlying soil.

Common development means a commercial development consisting of three or more businesses, which operates as a unit and shares common access and common parking areas; or a multifamily residential development consisting of three or more residences which operate as a unit and share common amenities.

Deciduous means or refers to a plant which tends to shed its leaves each year.

Development means the act, process or result of developing; a developed site.

Dripline means the periphery of the area underneath a tree which would be encompassed by perpendicular lines dropped from the farthest edges of the crown of the tree.

Encroachment means the act of advancing beyond the usual or proper limits, as in the encroachment of a motor vehicle beyond the limits of the parking area into the *landscaping*.

Encroachment barrier means the protective barriers which shall be provided, positioned, and secured to prevent any part of an automobile or other vehicle from extending into live *landscaping*, fences, or walls. Protection for all *landscaping* from vehicular encroachment shall be provided by curbing, wheel stops, *landscape* timbers, railroad ties or bumper rails.

Evergreen means of or referring to a plant which tends to retain its leaves all year round.

Fence means an enclosure or barrier intended to mark a boundary, screen a view, or prevent intrusion.

Front building line means a building wall fronting on the street. Such building wall line shall follow and include the irregular indentations of the building. Steps and unenclosed porches shall be excluded for the purpose of this article.

Grass means low growing plants which creep along the earth surface to form a solid mat or lawn. Only perennial grasses (those which live for more than one growing season) shall qualify to satisfy the requirements of this article.

Groundcover means low growing plants which grow in a spreading fashion to form a more or less solid mat of vegetation, and which are generally included in *landscaped* areas to prevent soil erosion by providing permeable cover for bare earth.

Hedge means shrubs planted in a continuous line which will block at least 80 percent of a view in a maximum of two growing seasons after installation.

Interior landscaped area means that area inside the perimeter of a site which is permeable and capable of being planted with live *landscape* materials.

Irrigation means an adequate supply of water which can be made available to *landscape* plant materials including, but not limited to, underground sprinkler systems or hose bibs.

Landscape material means plant materials including, but not limited to, live trees, shrubs, groundcovers, grass, flowers, and native *landscape* materials; also including, but not limited to, inorganic features such as planters, stone, brick, and aggregate forms, water, and other *landscape* elements when used to enhance live plant materials; provided, however, that the use of inorganic materials or grass in combination with inorganic materials shall not predominate over the use of live, organic plants. Artificial plants do not qualify as *landscape* material.

Landscape permit means a permit issued by the planning and development department, building permit division prior to the clearing and development of all land located within the city as outlined in section 26-449.

Landscaped area means that area within the boundaries of a given site which is devoted to and consists of *landscape* material.

Large tree means an evergreen or deciduous upright woody perennial plant having a single main stem or several main stems, which is a minimum of eight to ten feet overall height at the time of planting and which attains a minimum height of 15 feet and a maximum height of generally more than 30 feet with few or no branches on its lower part.

Owner means the person who has legal title to the property in question; or lessee, agent, employee or other person acting on behalf of the titleholder with written authorization to do so.

Perimeter landscape area means that area surrounding the vehicular use area which is devoted to and consists of *landscape* materials.

Refuse storage means any area used for the storage of trash or garbage. No refuse storage shall be permitted as part of the *landscaped* area, but refuse storage is otherwise permitted adjacent to vehicular use areas.

Remodeling means the act of reconstructing a building or site for the purpose of making improvements. Any change or modification in existing exterior construction.

Screening means *landscaping*, berms, fences, walls, or any combination thereof used to block or significantly obscure, in a continuous manner, the view from one area to another.

Shrub means woody or semiwoody perennial plants that are customarily included in *landscape* designs to provide for lower scale buffering and visual interest.

Sidewalk means a hard-surfaced, all-weather area of a minimum of four feet in width designed for the convenience of pedestrian access, which is normally located immediately within the public right-of-way.

Sight triangle means the area on either side of an accessway at its junction with a street forming a right triangle shape within which clear visibility of traffic and pedestrians shall be maintained.

Soil means the medium in which plants will grow.

Small tree means an evergreen or deciduous upright woody perennial plant having a single main stem or several main stems, which is a minimum of six to eight feet overall height at the time of planting and which attains a minimum height of 15 feet and a maximum height of 30 feet generally with few or no branches on its lower part.

Turf means low growing perennial grasses which creep along the earth's surface to form a solid mat or lawn.

Value means that determined as the true value as provided by the tax assessor for tax purposes, or the property owner may provide a current appraisal from a certified licensed appraiser.

Vehicular use area means that area of development subject to vehicular traffic, which is required to be a hard-surfaced, all-weather area, including accessways, loading and service areas, areas used for parking, storage or display of vehicles, boats or portable construction equipment, and all land which vehicles cross over as a function of primary use.

Vines means herbaceous or semiwoody plants requiring support upon which to grow and used to provide some screening or buffering effects.

Wall means an enclosing structure made of brick, stone, earth or other materials intended to mark a boundary, screen a view, or prevent intrusion.

Walkway means a hard-surfaced, all-weather area intended for pedestrian circulation within a development.

(Ord. of 1-3-95, § 3)

Cross reference— Definitions generally, § 1-2.

Sec. 26-449. - Applicability of article; exemptions from article.

- a) Except as otherwise provided in this section, this article shall apply to all land located in the city. This article shall remain and continue with any and all subsequent owners.
- b) As to new developments and vehicular use areas, a common development which includes more than one lot shall be treated as one lot for the purposes of satisfying this article. Split ownership, planning in phases, construction in stages, and/or multiple building permits for a project shall not prevent it from being a common development as referred to in this subsection. Each phase of a phased project shall comply with this article.

-
- c) Any development or vehicular use area in existence before the adoption of this article shall comply with the requirements set forth in this subsection under any of the following circumstances:
- 1) Any change requiring a 30 percent or more increase in the number of parking spaces.
 - 2) Reconstruction, renovation or remodeling which increases the square footage of a development by more than 50 percent, or the construction cost of which exceeds 50 percent of the value of the existing development.
 - 3) For purposes of subsections (c)(1) and (c)(2) of this section, a common development shall be considered as a whole rather than as individual properties.
 - 4) Any vehicular use area zoned C-4 central business district, in existence as of January 3, 1995, without a hard, all-weather surface, shall conform to the definition of a vehicular use area within a period of three years from the adoption of this section. The construction board of adjustment and appeals may grant a one time extension of up to two years, and such extension shall not be unreasonably withheld.
 - 5) Any vehicular use area zoned C-4 central business district, in existence as of January 3, 1995, which violates or does not conform to the provisions of this article, shall conform to the provisions within a period of five years from January 3, 1995.
 - 6) Any refuse area in existence on January 3, 1995, which violates or does not conform to the provisions of this article, shall conform to the provisions within a period of one year from January 3, 1995.
- d) *Exemptions.* This article shall not apply to the following:
- 1) Building permits for a conventional single-family detached dwelling. (delete "or property zoned R-1, R-1A, R-1E, R-2A")
 - 2) Building permits for buildings located on property zoned C-4 central business district. (delete "property located within a *landscape* district as designated and adopted by the city, or for property located within the following areas: Mississippi Street and Griffith Street are the northern boundaries, State Street the eastern boundary, Court Street the southern boundary and ICGRR the western boundary.")
 - 3) Building permits for buildings less than 100 square feet on an out-parcel within a shopping center.
 - 4) Clearing of trees for forestry or agricultural purposes.
 - 5) Building permits for the restoration of a building when restoration is required as a result of damage and/or destruction by fire or natural causes of less than 60 percent of its current market value and provided the permit is applied for within 12 months of the occurrence of fire or natural causes.
 - 6) Building permits for restoration of buildings identified as a landmark, or on a landmark site, or within a historic preservation district pursuant to section 70-1 et seq.
 - 7) Multistoried or covered parking structures shall be exempted from providing interior *landscaping*.
 - 8) Property located in an industrially zoned district is exempt from the requirements of sections 26-461 and 26-462.
 - 9) Vehicular use areas zoned C-4 central business district are exempt from the requirements of section 26-456, section 26-460, section 26-461, and section 26-463.

(Ord. of 1-3-95, § 4)

Sec. 26-450. - Minimum requirements.

The provisions of this article are for the promotion of the public health, safety, morals and general welfare for the city and are considered to be minimum requirements. Wherever the requirements of any other lawfully adopted rules, regulations, *ordinances*, and deed restrictions or covenants filed of record are not in conflict with the intent and purpose of this article, but impose more restrictive or higher standards, the more restrictive or higher standards shall govern.

(Ord. of 1-3-95, § 17)

Sec. 26-451. - Enforcement of article; penalty for violation of article.

- a) Violation by any person of the provisions of this article or failure to comply with any of its requirements, after written notification by the *landscape* architect of the city of the type, nature, and extent of the violation of this article shall, upon conviction, constitute a misdemeanor.
- b) Any person who violates the provisions of this article or fails to comply with any of its requirements within 90 days after having been duly notified in writing, by certified mail, return receipt requested, by the *landscape* architect of the city, shall, upon conviction, be fined not more than \$1,000.00. Each day such violation continues shall be considered a new and separate offense. Nothing contained in this section shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. of 1-3-95, § 18)

Sec. 26-452. - Tree credit.

- a) Preservation of existing live natural trees between the principal building and the public street right-of-way can be credited towards the tree planting requirements of this article according to the following ratio: The number of credited trees shall be determined by measuring, at a height 4½ feet above grade level, the circumference (in inches) of each preserved tree, and dividing the sum by six. To be included in the computation for credit for preserved trees, each preserved tree must be at least 12 inches in caliper; however, any existing tree less than 12 inches in caliper but meeting the minimum planting size requirements of this article, may be credited for one required tree. Credited trees shall be uniformly encircled by a protected ground area of sufficient size to ensure the health of the tree. During any construction on the site, the protected ground area shall be clearly marked in the field.
- b) No credit will be allowed for any tree proposed to be retained if there is any encroachment within the protected ground area defined by a circle which has as its center the trunk of the tree, or if the tree is unhealthy or dead. If any preserved tree being used for credit dies or fails to thrive, the owner shall plant new trees equal to the number of credited trees. Such replacement plantings shall meet the requirements of this article.
- c) In no case shall credits for preserved trees eliminate the requirement that the front setback shall contain at least one natural tree.

(Ord. of 1-3-95, § 5)

Sec. 26-453. - Plan approval; conditional occupancy.

- a) The clearing from any site included under section 26-449 of live natural trees eligible for credit under section 26-452 is prohibited unless a permit for such clearing has been issued. Prior to the issuance of any permit on any site covered by this article, an application fee of \$35.00 and three copies of a *landscape* plan shall be submitted to and approved by the building permit division of the city, after review and approval by the zoning administrator, or designee of the city. The zoning administrator, or designee, shall act upon the *landscape* plan within five working days of its submission, or the *landscape* plan shall be deemed approved. The *landscaping* plan shall contain the following information: The date, scale, north arrow, title and name of the property owners; the approximate location of existing boundary lines; setback lines; rights-of-way; dimensions of the building coverage, existing and proposed; and location of existing and proposed streets, parking spaces and driveways; the location and size of paved and *landscape* areas, in square feet; the location, number, size and botanical or common name of proposed *landscape* material; the centerline of adjacent streets; the zoning of the site and adjacent properties; location of available water for irrigation; existing and proposed utilities overhead and underground (gas, telephone, water, sewer, cable, etc.); any existing trees of 12 inches in caliper or larger, as measured 4½ feet above grade level; and whether they are to be removed. No permit shall be issued unless such *landscape* plan complies with the provisions of this section. A certificate of occupancy shall not be permitted until *landscaping* is complete, and it shall be unlawful to occupy or use the premises or a vehicular use area unless the *landscaping* is installed in accordance with the approved *landscape* plans and the requirements of this section.
- b) The building permit division may allow conditional occupancy valid for a period of 30 days with extensions not to exceed an accumulation of 180 days if all of the following conditions exist:
 - 1) Except for the completion of *landscaping* installation, occupancy would normally be allowed.
 - 2) Completion of the required *landscaping* before a permanent certificate of occupancy is issued would result in hardship to the applicant, as applied in this case.
 - 3) At the time the conditional occupancy is requested, the developer/owner shall make financial arrangements (by bonds, certificate of deposit, or letter of credit) satisfactory to the city in the amount of \$3.00 per square foot of required *landscaping* not yet in place to ensure that it shall be installed. Any owner/developer wishing to make such financial arrangements must also grant the city access to the land to install or complete the required *landscaping* in the event the *landscape* installation has not been completed at the end of the required extension period. Such financial arrangements shall be released when the required *landscaping* is completed.

(Ord. of 1-3-95, § 6; Ord. No. 1996-17(3), § 1, 2-27-96)

Sec. 26-454. - Installation and maintenance of *landscaping*.

All *landscaping* shall be of nursery stock quality and shall be installed in a sound workmanlike manner and according to accepted good planting procedures. All *landscaping* shall be adaptable to climate conditions of the area, and consideration shall be given to not planting large trees near utilities. All *landscaping* shall be maintained in good condition and in accordance with all provisions of this article as follows:

- 1) All *landscaping* shall present at all times a healthy, neat, clean, orderly, disease-free and pest-free appearance.
- 2) All *landscaping* soil and fill shall be free from weeds, refuse, and debris at all times.

- 3) *Landscaping* elements such as walls and fences shall be constructed in a sound workmanlike manner with adequate support or footings and shall be repaired or replaced as needed to preserve an attractive appearance and to function as intended.
- 4) Any dead plant material or material which fails to show healthy growth must be removed within 30 days.
- 5) Replacement of removed plant material must take place within 90 days of removal or notification by the city, whichever occurs first.
- 6) Any replacement plant material must meet the size and other characteristics of newly planted material as required in this article.
- 7) Maintenance of all *landscaping* is the responsibility of the owners, jointly and separately.
- 8) Trees and large shrubs shall be adequately supported as necessary, using stakes and guys. Such supports shall be designed so as to protect trees and shrubs from injury. Trees and shrubs shall be fastened to the supports with an acceptable commercial tree tie of plastic or hose covered wire.
- 9) Any *landscaped* area required by this article shall not be encroached upon by any type of vehicle. All *landscaped* areas must be protected by an encroachment barrier. A vehicle may overhang a *landscaped* area provided that a minimum width of three feet in *landscaped* area remains.
- 10) The maximum growth height of any *landscaping* within the sight triangle shall be three feet in height.

(Ord. of 1-3-95, § 7)

Sec. 26-455. - *Landscaping* and sidewalks within street rights-of-way.

Owners are encouraged to *landscape* and to maintain the area within the nonpaved street right-of-way abutting their land; provided, however, that:

- 1) Although the city shall adhere to a general policy of preservation of any such *landscaping*, the city shall not be responsible or liable in the event any *landscaping* is required to be removed.
- 2) Any *landscaping* in a street right-of-way shall not impede or obstruct visibility of any vehicles.
- 3) Any underground sprinkler systems, planters or other permanent structures placed in the right-of-way shall require a license agreement with the city.
- 4) No *landscaping* shall be placed in an area of right-of-way where a capital improvement project has been funded for such location, unless and until such project has been completed.

(Ord. of 1-3-95, § 8)

Sec. 26-456. - Vehicular use areas—Interior requirements.

The following requirements shall apply to the interior areas of vehicular use areas:

- 1) Such *landscaped* areas shall be located in such a manner as to divide and break up the expanse of paving. Each unused space resulting from the design or layout of parking spaces, which is over 24 square feet in area, shall be *landscaped*.

- 2) The planting of one tree shall be required for every 20 interior parking spaces. All newly planted trees shall be planted in a permeable area of at least nine square feet total permeable area for small trees and 36 square feet total permeable area for large trees, except additional permeable area may be required by the city if necessary to ensure adequate growth. See section 26-460.

(Ord. of 1-3-95, § 9)

Sec. 26-457. - Same—Perimeter requirements for land not zoned C-4 central business district.

A *landscaped* buffer of at least five feet in width consistent with the requirements of subsection 26-454(9) shall be installed around the perimeter of all vehicular use areas, except as provided in section 26-459. The planting of one large tree shall be required, in accordance with the provisions of this article, every 50 linear feet or fraction thereof, or one small tree every 35 linear feet or fraction thereof within the perimeter *landscaped* area. The remainder of the perimeter *landscaped* area shall include *landscape* materials.

(Ord. of 1-3-95, § 10.01)

Sec. 26-458. - Same—Requirements for land zoned C-4 central business district.

A *landscaped* buffer of at least four feet in width consistent with the requirements of section 26-454 (9) shall be installed along the street frontage (corner lots are treated as having two street frontages) of all vehicular use areas. In addition, the planting of one large tree shall be required, in accordance with the provisions of this article, every 40 linear feet or fraction thereof, or one small tree every 35 linear feet or fraction thereof along a vehicular use areas street frontage. As an alternative to the above an owner/developer may provide interior *landscaping* as follows:

- 1) Such *landscaped* areas shall be located in such a manner as to divide and break up the expanse of paving. Each unused space resulting from the design or layout of parking spaces, which is over 24 square feet in area, shall be *landscaped*.
- 2) The planting of one tree shall be required for every 20 interior parking spaces. All newly planted trees shall be planted in a permeable area of at least nine square feet total permeable area for small trees and 36 square feet total permeable area for large trees, except additional permeable area may be required by the city if necessary to ensure adequate growth.
- 3) Interior *landscaping* shall be concentrated in one location or dispersed throughout the site.

However, notwithstanding the provisions of this section, at a minimum, all *landscaping* for vehicular use areas shall comprise ten percent of the site, and shall be visible from the street.

(Ord. of 1-3-95, § 10.02)

Sec. 26-459. - Front setback requirements for land not zoned C-4 central business district.

All sites to which this article applies shall provide that the front setback (corner lots are treated as having two front setbacks) or a portion thereof be *landscaped* as follows:

A minimum *landscaped* area of ten times the length of the right-of-way in square feet is required. A minimum of five feet width and a maximum of 25 feet of the front setback, as required by the city zoning *ordinance*, shall be the required *landscaped* area under this section. Access ways are not calculated as part of the *landscaped* area. The *landscaped* area shall be immediately adjacent to the public right-of-way or the proposed public right-of-way if the site is designated for improvements as priority I or II in the city's 2010 arterial and collector street plan or designated in the city's capital improvements plan. The *landscaped* area shall contain a minimum of one large tree per 50 linear feet of road frontage or one small tree per 35 linear feet of road frontage. Not more than 15 percent of the total *landscaped* area shall be an impervious

surface, which shall be allowed only for *landscape* amenities such as paved walks, walls, fountains, signs, public art, etc. The *landscaped* area shall not be encroachable by vehicles except as specified in subsection 26-454(9).

(Ord. of 1-3-95, § 11)

Sec. 26-460. - Composite site requirements.

If all *landscape* requirements described in sections 26-446—26-459 are met, and the total square footage of the *landscaped* areas do not equal ten percent of the total site, additional *landscaped* areas shall be required so that a minimum of ten percent of the total site is *landscaped* area. Such additional *landscaped* area may be in the form of additional *landscaped* vehicular use areas, additional front setback *landscaped* area or foundation planting around building and structures. At a minimum, all additional *landscaped* areas shall be completely covered with live turf or grass.

(Ord. of 1-3-95, § 12)

Sec. 26-461. - Loading area and service *landscape* regulations.

Other than property located in an industrially zoned district, all loading and service areas not screened by an intervening building, established after the application of this section and all preexisting areas which are required by section 26-449 shall be screened from view from any public street right-of-way for their entire length except for necessary access. Screening for loading and service areas may be accomplished by either of the following:

- 1) A closed fence or wall which is at least six feet high and is made of the same or compatible materials, in terms of texture and quality, with the material and color of the principal building, along with additional natural evergreens, shrubs or trees so that no more than two-thirds of the surface area of the closed fence or wall is visible from the street within three years of erection of the structure; or
- 2) The screening may be accomplished with natural evergreen shrubs or trees which can be expected to reach six feet or a greater height within three years of planting.

Any natural evergreens, shrubs or trees used to fulfill these requirements shall be a minimum of three feet in height when planted, and spaced no more than four feet apart at the time of planting.

(Ord. of 1-3-95, § 13.01)

Sec. 26-462. - Refuse area regulations.

All refuse areas shall be completely screened from the street and from adjacent properties by a solid wood or masonry fence at least six feet high and by natural plants or trees of equal minimum height so planted as to provide maximum opacity. No refuse receptacle shall be located in the public right-of-way.

(Ord. of 1-3-95, § 13.02)

Sec. 26-463. - Transitional *landscaped* areas.

It is recognized that certain land uses, because of their character and intensity, may have an adverse impact on less intensive adjacent uses. The purpose of this section is to establish minimum *landscaping* requirements between certain uses that will help mitigate negative impacts that could constitute a nuisance due to noise and lights. Buffers shall be required in accordance with Table 1 when any use is being developed abutting an existing developed lot or vacant lot. Buffer requirements include a minimum distance separation from the property line and required planting of trees and shrubs within the buffer. Buffering between uses shall not be required within the C-4 Central Business District.

One hundred percent of the applicable buffer requirements shall be the responsibility of the developing land use, except when a residential or institutional use is developed abutting an existing more intensive use developed prior to the approval of this *ordinance* and for which no buffer is in place. In this case, the residential or institutional use shall be responsible for providing a minimum of 50 percent of the required buffer of the developing tract.

If an abutting parcel contains a required buffer or screen, it shall count towards the buffer requirements of the developing property, subject to the regulations in Table No. 1. If the land use relationships between two abutting lots change so that a lesser buffer would be required under these regulations, the width of the buffer may be reduced accordingly. The width of any required buffer of 15 feet or wider may be reduced by 25 percent if a wall, fence, or berm (with approval of site plan review committee) is provided that meets the following standards:

- 1) Any fence or wall shall be a minimum of six feet and constructed in a durable fashion of brick, stone, other masonry materials, or any combination thereof as approved by the zoning administrator. A chain link fence with plastic, metal or wooden slats may not be used to satisfy the requirements of this section when abutting residential uses and districts.
- 2) Berms shall be a minimum height of four feet with a maximum slope of 3:1. Berms in excess of six feet height shall have a maximum slope of 4:1 as measured from the exterior property line. Berms shall be stabilized to prevent erosion and *landscaped*.

**TABLE NO. 1
REQUIRED BUFFERING CATEGORY**

Existing Abutting Uses and Districts	Single Family Use or Zoning
Developing Use	
Multifamily—Attached and multifamily in one building with more than 12 units; Planned multifamily and attached developments and manufactured housing parks	C
Institutional— <i>Low Density</i> : Civic, service and fraternal organizations, cultural facilities, Residential day care centers; group homes with more than 6 residents and nursing homes, rest homes and assisted living homes.	A
<i>Medium Density</i> : Religious institutions, up to 750 seats.	B
<i>High Density</i> : Religious institutions over 750 seats	C

CLASS A BUFFER

WIDTH	10 feet
Deciduous Shade Trees+	0
Evergreen Tree	4
Shrubs+	Continuous
6' fence+	Yes

+ Per 100 linear feet	
-----------------------	--

CLASS B BUFFER

Width	15 feet
Deciduous Shade Trees+	1
Evergreen Trees+	4
Shrubs+	Continuous
6" fence+	Yes
+ Per 100 linear feet	

CLASS C BUFFERS

	½ acre to 2.5 acres	3.0 to 5.0 acres	5.5 to 7.5 acres	8.0 and above acres
WIDTH	10 feet	15 feet	20 feet	25 feet
Deciduous Shade Trees+	0	1	1	2
Evergreen Trees+	3	3	4	6
Shrubs+	4	4	4	6
6' fence+	Yes	Yes	Yes	Yes
+Per 100 Foot Linear Foot				

Evergreens shall be a minimum height of six feet at the time of installation. Deciduous trees shall be between six and eight feet in height. Proposed trees shall be grouped and staggered to present a natural appearance. Existing trees may count towards the deciduous shade trees per 100 linear feet requirement. In addition, a continuous evergreen hedge and solid wood or masonry fence of at least six feet high, shall be placed and maintained adjacent to the lot line. This buffer shall be installed in its entirety during construction of the residential units or the institutional use.

(Ord. of 1-3-95, § 14; Ord. No. 2005-9(3), § 1, 1-18-05)

Sec. 26-463.1. - Alternative buffer and screening requirements.

In the event that the unusual topography or elevation of a development site, the size of the parcel to be developed, the soil or other sub-surface condition on the site, or the presence of required buffer or screening on adjacent developed property would make strict adherence to the requirements of Section 14 serve no meaningful purpose or would make it physically impossible to install and maintain the required buffer or screen, the zoning administrator may alter the requirements as long as the existing features of the development site comply with the spirit and intent. Such an alteration may occur only at the request of the property owner, who shall submit a plan to the zoning administrator showing existing site features that would buffer or screen the

proposed use and any additional buffer materials the property owner will plant or construct to buffer or screen the proposed use. The zoning administrator shall not alter the requirements unless the developer demonstrates that existing site features and any additional buffer materials will screen the proposed use as effectively as the required buffer or screening. In deciding whether to approve such a plan, the zoning administrator shall consult with the director of planning and development and the staff *landscape* architect.

(Ord. No. 2005-9(3), § 2, 1-18-05)

Sec. 26-464. - Administrative interpretation of article.

In the event there is a question concerning the general intent or meaning of any provision of this article text, the zoning administrator, or designee, of the city shall have the right to make such administrative decisions or interpretations. Any aggrieved person may submit a written appeal of an administrative decision or interpretation to the construction board of adjustment and appeals. Said board shall affirm, reverse or modify the administrative interpretation rendered by the zoning administrator, or designee, of the city. An interpretation from which an appeal is made must be in writing, and must be in response to a written request for an administrative decision or interpretation. It is expressly intended that such administrative decision or interpretation shall in no manner be construed to permit or grant exceptions or variances to the provisions of this article. Every decision of said board shall be final, subject, however, to such remedy as any aggrieved party may have at law or in equity.

(Ord. of 1-3-95, § 15; Ord. No. 1996-17(3), § 15, 2-27-96)

Sec. 26-465. - Variances.

- a) *Required circumstances.* Where there are unusual circumstances peculiar to the site being developed and where a literal application of specific provisions of this article would unnecessarily restrict the development of a site and result in hardship to the owners or other interested persons, a variance from specific provisions of this article may be requested.
- b) *Application; contents; required demonstration.* The application requesting a variance from the requirements of this article shall include a description of the property, the exact nature of the proposed variance, and the grounds upon which it is requested. The applicant shall further demonstrate that the granting of such variance will not adversely affect the properties nor otherwise be detrimental to the public welfare.
- c) *Filing; recommendation of landscape architect to construction board of adjustment and appeals; consideration by board.* The application shall be filed with the zoning administrator, or designee, for the city. Upon receiving an application for a variance, where all required information is supplied, the zoning administrator, or designee, shall make a recommendation within ten working days and forward the application to the construction board of adjustment and appeals for their consideration. Within ten working days after the board's receipt of a recommendation by the zoning administrator, or designee, the board shall meet to consider the request.
- d) *Grant or denial.* Within ten working days after the board's meeting, the board shall grant or deny the variance in whole or in part. If the board fails to take action on the request for the variance within the specified time period, such inaction shall be deemed to grant the variance. Every decision of the board shall be final, subject, however, to such remedy as any aggrieved party may have at law or in equity.

(Ord. of 1-3-95, § 16; Ord. No. 1996-17(3), § 1, 2-27-96)

Sec. 26-466. - Enforcement.

Violation by any person of the provisions of this article or failure to comply with any of its requirements, after written notification by the zoning administrator, or designee, of the city of the type, nature, and extent of the violation of this article, shall upon conviction thereof, constitute a misdemeanor.

Any person who violates the provisions of this article or fails to comply with any of its requirements within days after having been duly notified in writing, by certified mail, return receipt requested, by the zoning administrator, or designee, of the city shall upon conviction thereof, be fined not more than \$1,000.00. Each day such violation continues shall be considered a new and separate offense. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. No. 1996-17(3), § 1, 2-27-96)

Editor's note— Ord. No. 1996-17(3), adopted Feb. 27, 1996, did not specifically amend this Code; hence, codification of § 18 of said ordinance as § 26-466 herein was at the editor's discretion.

Secs. 26-467—26-490. - Reserved.

ARTICLE X. - RESERVED

Secs. 26-418—26-445. - Reserved.

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

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

Nays- None.

Absent- Priester and Stokes.

President Hendrix requested that Agenda Item No. 55 be moved forward on the Agenda. Hearing no objections, the following was presented:

President Hendrix recognized **Ethel Mangum**, on behalf of **Council Member Stokes**, who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING MR. J.T. WATKINS AS AN OUTSTANDING CITIZEN, FIRST AFRICAN-AMERICAN GAME WARDEN FOR THE MISSISSIPPI WILDLIFE, FISHERIES AND PARKS AND LEGENDARY BLUES SINGER**. Accepting the Resolution with appropriate remarks was **Mr. J.T. Watkins**.

ORDINANCE AMENDING SECTION 110-593 THROUGH 110-600 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON.

WHEREAS, in 1999, the City of Jackson adopted an ordinance governing the installation of traffic calming devices such as speed humps inside the City of Jackson; and

WHEREAS, the ordinance included the establishment of a committee to review staff recommendations and provide additional policies and procedures for prioritizing applications; and

WHEREAS, Public Works and the administration has review the ordinance and determined that based on the current funding limitations, issues in finding volunteers for the committee and keeping a quorum, it is in the interest of the program to streamline the program by eliminating the traffic calming committee and transferring the committee's responsibilities to the Director of the Department of Public Works or his designee.

IT IS THEREFORE, ORDAINED by the City of Council of Jackson, Mississippi, that Section 193-593 through 193-600 is hereby amended to read as follows:

Sec. 118-593. - Definitions.

[The following words, terms and phrases, as used in this article, shall have the meanings respectively ascribed to them in this section, unless the context clearly indicates otherwise:]

Arterial street means any major street in the city that serves as an avenue for the circulation of traffic onto, out of or around the city and carries high volumes of traffic.

Collector street means any two- or four-lane street that links an arterial street with another collector street or a local street.

Dwelling unit means one or more rooms physically arranged to create an independent housekeeping establishment for occupancy by one family.

Local street means any two lane street with the primary purpose for providing access to abutting residential properties.

~~*Traffic calming committee* includes seven member committee appointed by the mayor from each of the City of Jackson's seven wards and confirmed by the city council. The committee shall have the duty to establish traffic calming priorities and select streets that will receive traffic calming devices.~~

Traffic calming device means an element of a traffic calming plan selected from among those devices authorized herein for use within the city.

Traffic calming study means an appraisal of traffic conditions in the development of a plan for installing one or more traffic calming devices in a residential neighborhood.

Traffic count means a manual or automatic count of the number of vehicles traversing a particular street in a given time period.

Sec. 110-594. - Responsibilities of the Director of the Department of Public Works ~~traffic calming committee.~~

(a) The Public Works Director or his designee ~~The traffic calming committee, after reviewing recommendations from city staff,~~ shall create a traffic calming application and establish any additional procedures and policies necessary for the selection, implementation, evaluation, and removal of traffic calming devices within the City of Jackson. ~~Staff for the traffic calming committee shall consist of representatives from the City of Jackson's Traffic Engineering Division, Office of City Planning, and Legal Department.~~

(b) The Public Works Director or his designee shall ~~traffic calming committee will~~ review all eligible traffic calming applications and, based on funding availability and on priorities and criteria established by the committee, select applications for further study, and based on the findings of the traffic calming study, select traffic calming devices to be installed by the city. Before installing any traffic calming device, the Public Works Director or his designee ~~traffic calming committee~~ shall also be responsible for holding a public hearing to measure public support and understanding for traffic calming within the community where traffic calming devices are proposed.

(c) The Public Works Director or his designee ~~traffic calming committee~~ shall develop and maintain a sample list of acceptable traffic calming devices for use within the City of Jackson. Such list shall be attached to the traffic calming application and amended from time to time as various devices are introduced and tested within the city.

Sec. 118-595. - Initiation of traffic calming study.

A traffic calming study shall be considered upon receipt by the Public Works Director or his designee ~~traffic calming committee~~ of an application signed by at least one member of 51 percent of the dwelling units having automobile access on the block of the street where a traffic calming device is requested. In the instance that a traffic calming device is proposed at the intersection of two streets, the signature requirement shall apply to all intersecting street blocks. In addition to the required signatures, the application shall identify the traffic problems to be remedied and goals to be achieved through traffic calming and the suggested traffic calming devices to be installed.

Sec. 118-596. - Data collection for traffic calming study.

To assist in the evaluation of traffic calming requests by the Public Works Director or his designee ~~traffic calming committee~~, the following data for all streets possibly affected by any proposed traffic calming device shall be collected by the City of Jackson Traffic Engineering Division:

- (1) Street classification;
- (2) Posted speed limits;
- (3) Physical data (number of lanes, width, grade and alignment);
- (4) Traffic counts;
- (5) Accident and police reports;
- (6) Community facilities and schools;
- (7) Alternative routes that traffic may take if traffic calming devices are installed; and
- (8) JATRAM routes.

Sec. 118-597. - Traffic calming priority and design criteria.

The Public Works Director or his designee ~~traffic calming committee~~ shall use, but are not limited to, the following criteria in evaluating traffic calming applications, traffic calming studies and selecting traffic calming devices to be installed in residential areas:

- (1) *Street type.* Limited to streets classified as collector or local.
- (2) *Speed limit.* Street's current speed limit must be posted as 25 miles per hour if it is a local street or 30 miles per hour if it is a collector street.
- (3) *Lanes of traffic.* Limited to streets having only one lane of moving traffic in each direction.
- (4) *Emergency routes.* Streets must not be primary route for fire and rescue equipment.
- (5) *Grade.* At the discretion of the city traffic engineer, certain traffic calming devices may not be used if street grades are too steep.
- (6) *Sight distances.* At the discretion of the city traffic engineer, certain traffic calming devices may not be used if curves or obstacles would create an unsafe condition for motorists driving at posted speeds under average driving conditions.
- (7) *Community facilities.* Priority shall be given to streets that do not provide direct access to schools or other community facilities.
- (8) *Bus routes.* Streets with mass transit shall be considered for traffic calming if such routes can be redirected to other streets.
- (9) *Truck routes.* The street may not be a thru-truck route, unless an acceptable alternate route is identified.
- (10) *Pedestrian/bicycle safety.* The installation of traffic calming devices shall enhance pedestrian and bicycle safety.
- (11) *Drainage.* The installation of traffic calming devices shall not adversely affect street drainage.
- (12) *Traffic diversion.* If it is anticipated that the installation of a traffic device results in the diversion of more than five percent of the traffic to another collector or local street, such streets shall also be considered for traffic calming.
- (13) *Consistency with transportation plans.* The installation of any traffic calming device shall not conflict with any adopted transportation plan or proposed street improvement.

Sec. 118-598. - Public hearing required.

The Public Works Director or his designee ~~traffic calming committee~~ shall hold a neighborhood public hearing prior to the installation of any traffic calming device. The Public Works Director or his designee ~~traffic calming committee~~ shall erect public notice signs at the location of each proposed traffic calming device at least 15 days prior to the public hearing. The signs shall describe the proposed traffic devices to be installed, set forth the time and place of the public hearing, and provide a phone number for additional information.

Sec. 118-599. - Installation of traffic calming devices.

(a) *Scheduling.* The installation of traffic calming devices shall be scheduled by the director of public works upon approval by the Public Works Director or his designee ~~traffic calming committee~~ and identification of funding sources.

(b) *Project completion.* Completion of the installation of a traffic calming devices shall be subject to work crew schedules, purchasing constraints, and appropriate weather conditions.

Sec. 118-600. - Evaluation, modification, removal.

(a) *Evaluation.* The ~~traffic~~ Engineering division shall evaluate traffic calming projects from a safety perspective within one year after installation. The evaluation will include, at a minimum, a review of traffic volumes, speeds, and accidents.

(b) *Modification or removal.* Upon a finding by the Public Works Director or his designee ~~city traffic engineer~~ of a hazardous situation or condition created by a traffic calming device, said situation shall be immediately corrected through modification or removal of traffic calming device or devices. Residents of an affected area may, upon submission of a petition to the City Engineer ~~traffic calming committee~~ signed by at least one member of 51 percent of the dwelling units having automobile access on the block of the street where a traffic calming device is located, request its removal. In the instance that a traffic calming device is located at the intersection of two streets, the signature requirement shall apply to all intersecting street blocks.

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

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

ORDER APPROVING CLAIMS NUMBER 2305 TO 2768 APPEARING AT PAGES 339 TO 407 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$2,180,206.07 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 2305 to 2768 appearing at pages 339 to 407, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$2,180,206.07 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	101,239.11
2007 TAX INR LO BONDS	1,500.00
2015 A/B G.O. REFUNDING	1,500.00
AMERICORP CAPITAL CITY REBUILD	793.46
CAPITAL CITY REVENUE FUND	807.64

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, NOVEMBER 29, 2016 10:00 A.M.**

287

EARLY CHILDHOOD (DAYCARE)	10,454.47
EMPLOYEES GROUP INSURANCE FUND	31,712.24
G O PUB IMP CONS BD 2003 (\$20M)	3,100.00
GENERAL FUND	714,636.50
HOME PROGRAM FUND	141.09
HOUSING COMM DEV ACT (CDBG) FD	36,596.55
JXN CONVENTION & VISITORS BUR	297,012.21
LANDFILL/SANITATION FUND	4,943.03
MADISON SEWAGE DISP OP & MAINT	57.60
P E G ACCESS- PROGRAMMING FUND	7,573.71
PARKS & RECR FUND	36,872.13
RESURFACING- REPAIR & REPL. FD	2,293.70
SAMSHA – 1 U79 SM061630-01	10,000.00
STATE TORT CLAIMS FUND	1,680.00
TECHNOLOGY FUND	10,537.82
TITLE III AGING PROGRAMS	44,096.15
TRANSPORTATION FUND	363.38
WATER/SEWER CAPITAL IMPR FUND	687,401.01
WATER/SEWER CON FD 2004-\$78M	9,620.00
WATER/SEWER OP & MAINT FUND	131,596.42
WATER/SEWER REVENUE FUND	33,677.85

TOTAL **\$2,180,206.07**

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

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

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

Yeas- Barrett-Simon, Foote and Hendrix.

Nays- Stamps and Tillman.

Absent- Priester and Stokes.

Council Member Priester returned to the meeting at 11:06 a.m.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 2305 TO 2768 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 2305 to 2768 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$171,382.73 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		2,017,389.75
PARKS & RECR FUND		69,175.87
LANDFILL FUND		15,535.74
SENIOR AIDES		2,575.87
WATER/SEWER OPER & MAINT		201,444.83
PAYROLL FUND		777.00
PAYROLL	171,382.73	
EARLY CHILDHOOD		28,046.81
HOUSING COMM DEV		6,896.08
TITLE III AGING PROGRAMS		4,181.48
AMERICORP CAPITAL CITY REBUILD		11,875.60
TRANSPORTATION FUND		6,696.28
T-WARNER PA/GA FUND		4,484.58
SAMSHA		1,067.04

TOTAL **\$2,370,146.93**

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

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

Nays- None.

Absent- Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AMENDMENTS TO AGREEMENTS WITH POWERTEL/MEMPHIS, INC., A DELAWARE CORPORATION, FOR THE INSTALLATION OF LTE TECHNOLOGY TO CERTAIN ANTENNA SITES.

WHEREAS, the City of Jackson has sixteen (16) antenna site license agreements with Powertel /Memphis; and

WHEREAS, Powertel/Memphis has indicated that it would like to add LTE technology to the following antenna sites:

1. Fire Station #3
2. Fire Station # 19
3. Magnolia
4. Forest Hill
5. Savannah Street
6. Police Training
7. Lerida Court

WHEREAS, installing the equipment at the above-referenced sites will result in an increase of Powertel/Memphis' monthly rental payments as follows:

- | | | |
|----|-------------------|----------|
| 1. | Fire Station #3 | \$352.00 |
| 2. | Fire Station # 19 | \$344.00 |
| 3. | Magnolia | \$540.00 |
| 4. | Forest Hill | \$531.00 |
| 5. | Savannah Street | \$300.00 |
| 6. | Police Training | \$450.00 |
| 7. | Lerida Court | \$313.00 |

WHEREAS, the LTE Technology is designed to improve bandwidth available for receiving and transmitting data services.

IT IS HEREBY ORDERED that the Mayor be authorized to execute amendments with Powertel/Memphis, Inc., a Delaware Corporation, for the installation of LTE Technology to the above-referenced sites.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE MISSISSIPPI DELTA NATIONAL HERITAGE AREA FOR THE EVENT "DELTA JEWELS: ORAL HISTORIES, WIT AND WISDOM FROM THE MISSISSIPPI DELTA" TO BE HELD AT SMITH ROBERTSON MUSEUM & CULTURAL CENTER.

WHEREAS, the Smith Robertson Museum & Cultural Center ("Museum") desires to partner with the Mississippi Delta National Heritage Area to implement an event, "Delta Jewels: Oral Histories, Wit and Wisdom from the Mississippi Delta," to be held at Smith Robertson Museum & Cultural Center on December 15th.

IT IS HEREBY ORDERED that the Mayor be authorized to execute an agreement with the Mississippi Delta National Heritage Area to secure "Delta Jewels: Oral Histories, Wit and Wisdom from the Mississippi Delta" for Smith Robertson Museum & Cultural Center, from budgeted line item 6419. Said agreement shall not exceed \$ 3,500.00 and shall come from budget line from 6419.

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

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

ORDER REVISING THE FISCAL YEAR 2016-2017 BUDGET OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT/TRANSIT SERVICES DIVISION.

WHEREAS, the Office of Transportation has undergone several Technical Assistance from the private contractors authorized and paid by the Federal Transit Authority since the adoption of Fiscal Year 2016-2017 budget; and

WHEREAS, the recommendation of these Technical Assistance was to properly staff Transit Services to be able to monitor contractors, grant management, and maintain control and compliance with funding agencies; and

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

WHEREAS, the following funds would be revised as follows:

From	187.565.30.1B700.4901.6485	(\$185,774.00)
To	187.565.20.6111	\$156,545.20
To	187.565.20.6131	\$7,305.95

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, NOVEMBER 29, 2016 10:00 A.M.**

To	187.565.20.6132	\$1,656.00
To	187.565.20.6133	\$18,558.33
To	187.565.30.6136	\$1,708.41

IT IS THEREFORE, ORDERED that the Fiscal Year 2016-2017 budget for the Department of Planning and Development be revised in the amount of \$185,774.00 as follows:

<u>To/From</u>	<u>Fund/Account Number</u>	<u>Amount</u>
From	187.565.30.1B700.4901.6485	(\$185,774.00)
To	187.565.20.6111	\$156,545.20
To	187.565.20.6131	\$7,305.95
To	187.565.20.6132	\$1,656.00
To	187.565.20.6133	\$18,558.33
To	187.565.30.6136	\$1,708.41

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

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

Nays- Stamps.

Absent- Stokes.

* * * * *

ORDER AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS BETWEEN THE CITY OF JACKSON AND VARIOUS CONTRACTORS FOR THE USE OF 2015 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 containing its 2015 One-year Action Plan to the U. S. Department of Housing and Urban Development; and

WHEREAS, on December 2, 2015, HUD notified the City of its approval of the 2015 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 2015 Program Year funds; and

WHEREAS, on September 4-10, 2014 and October 2-8, 2015, 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 September 19, 2014 and October 17, 2015, the Office of Housing and Community Development received Five (5) RFQ's; and

WHEREAS, five (5) contractors met all the qualification to be included in OHCD's list of approved contractors eligible to bid on rehabilitation contracts; and

WHEREAS, two (2) contractors were the lowest and best bidders for the rehabilitation of two (2) units on the list of homes scheduled to receive limited housing repair activities and will be required to enter into HUD approved contract agreements with the City of Jackson to perform Limited Housing Rehabilitation activities for low to moderate income households; and

WHEREAS, the City wants to award contracts to various contractors to perform emergency housing repair activities subject to completion and acceptance of the appropriate environmental evaluations.

IT, IS THEREFORE, ORDERED that the Mayor is authorized to execute contracts and any and all documents necessary with various contractors for the use of 2015 Program Year CDBG funds for the rehabilitation of two (2) units on the list of homes scheduled to receive limited housing repair activities. The contractors, bid amounts, and unit addresses are as follows:

Multi-Con, Inc.	620 Queen Melissa Rd	\$23,837.79
Anderson & Associates	921 Westway St.	\$24,500.00

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

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

Council Member Barrett-Simon left the meeting.

ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SHIP-A-CAR TO TRANSPORT TWELVE (12) TRANSIT BUSES FOR THE CITY'S PUBLIC TRANSIT SYSTEM (JATRAN) FROM SARASOTA COUNTY, FLORIDA TO THE CITY OF JACKSON, MS.

WHEREAS, the City of Jackson, Department of Planning and Development, Office of Transportation is purchasing twelve (12) buses from Sarasota County Area Transit; and

WHEREAS, the City of Jackson will have to fund this transaction at 100% from the general fund, as the purchase of these buses have exhausted their useful life with FTA's interest and are eligible for FTA funding support; and

WHEREAS, the City of Jackson received quotes from two vendors for the transportation of the buses from Florida to Mississippi; and

WHEREAS, the lowest quote to transport these buses was from Ship-A-Car for an amount not exceed the sum of \$29,000 which includes a deposit of \$2,000.

IT IS, THEREFORE, ORDERED that the Mayor shall be authorized to execute any and all purchase orders, contracts, or other documents required by Ship-A-Car which relates to the transport of the twelve (12) transit buses to the City of Jackson for an amount not to exceed \$29,000.

IT IS FURTHER ORDERED that should an agreement with Ship-A-Car not be executed, that the Mayor is authorized to execute an agreement and any all documents needed to transport the buses to Mississippi, with Coach Crafters, Inc. for an amount not to exceed \$51,516.00.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PRELIMINARY ENGINEERING SERVICES CONTRACT WITH STANTEC CONSULTING SERVICES, INC. FOR THE CITY OF JACKSON ADA PROJECT, FEDERAL AID PROJECT NUMBER TCSP-0250(00)046 LPA/103924, CITY PROJECT NUMBER 31500-905 SUBJECT TO THE CONCURRENCE OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION.

WHEREAS, in early 2016 the City of Jackson received a formal ADA complaint from the Federal Highway Administration due to non-ADA compliant sidewalk work constructed by a contractor; and

WHEREAS, the City of Jackson, working with Federal Highway Administration to find a resolution to the complaint, identified some unspent expiring earmark funds that can be used to fund the required work to resolve the ADA complaint; and

WHEREAS, the City of Jackson selected Stantec Consultant Services, Inc. from a short list of firms on MDOT's list of master contracts for roadway design based on the scope of work, and Stantec has provided an estimated fee of \$42,743.66 for preliminary engineering work; and

WHEREAS, the execution of the preliminary engineering agreement is subject to the concurrence of the Mississippi Department of Transportation.

IT IS THEREFORE ORDERED that the Mayor is authorized to execute an agreement the agreement for professional services with Stantec Consultant Services, Inc. in accordance with the provisions of the agreement.

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

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

Nays- None.

Absent- Barrett-Simon and Stokes.

Council Member Barrett-Simon returned to the meeting.

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND RELATED DOCUMENTS WITH KEEP JACKSON BEAUTIFUL, INC., TO DEVELOP AND PROMOTE LITTER PREVENTION PROGRAMS AND ACTIVITIES IN THE CITY OF JACKSON FOR CALENDAR YEAR 2016.

WHEREAS, in 1984, Keep Jackson Beautiful, Inc., the local sponsor for the Keep America Beautiful System, partnered with the City of Jackson to develop and promote litter prevention programs and activities; and

WHEREAS, on April 14, 2008, Governor Barbour approved House Bill 1545 which amended Chapter 966, Local and Private Laws of 1999, as amended in 2004, and authorized the City of Jackson to contract with Keep Jackson Beautiful, Inc., for litter prevention services and to expend an amount not to exceed \$40,000.00 through calendar year 2016 for said services; and

WHEREAS, the staff recommends that the City of Jackson enter into an agreement with Keep Jackson Beautiful, Inc., to develop and promote litter prevention and beautification programs for the City of Jackson for calendar year 2016.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an agreement and related documents with Keep Jackson Beautiful, Inc. to develop and promote litter prevention programs and activities in the City of Jackson, Mississippi for calendar year 2016.

IT IS FURTHER ORDERED that payments in the amounts of \$40,000.00 be made to Keep Jackson Beautiful, Inc., for said services.

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

President Hendrix recognized **Council Member Stamps** who moved to amend said order to from \$40,000 to \$50,000. **Council Member Tillman** seconded the motion.

President Hendrix recognized **Jerriot Smash**, Interim Director of Public Works, who statement that the proposed amendment was not presented within the Department of Public Works' Budget and said amendment could impact other areas within the department.

Council Members Stamps and **Tillman** withdrew their motion and second.

Thereafter, **President Hendrix** called for a vote on said Order:

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH MS TIRE RECYCLING LLC, FOR THE COLLECTION OF WASTE TIRES IN AN AMOUNT NOT TO EXCEED \$50,000.00.

WHEREAS, the City of Jackson, through the Solid Waste Division, has received grant funds from the Mississippi Department of Environmental Quality to operate the Waste Tire Recycling Program for the collection of waste tires; and

WHEREAS, the City's Waste Tire Recycling Program requires a professional waste company to properly dispose and or recycle waste tires; and

WHEREAS, the City received proposals for the collection, proper disposal/recycling of waste tires and the proposal of MS Tire Recycling, LLC was the only proposal received; and

WHEREAS, the annual cost of the agreement is contingent upon the volume of waste tires delivered to the contractor; and

WHEREAS, in the recent past, approximately \$50,000.00 was spent annually for the City's waste tire collection and disposal/recycling services.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an agreement for three (3) years with an option of two (2) one (1) year extensions at the option of the City with MS Tire Recycling, LLC for the collection and disposal/recycling of waste tires in an amount not to exceed \$50,000.00 annually. The Mayor is further authorized to execute any and all related necessary documents to implement the Agreement and any extensions.

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

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

There came on for consideration Agenda Item No. 27:

ORDER AUTHORIZING AN AGREEMENT WITH HUDSON AND ASSOCIATES, LLC FOR A PARKING METER SERVICES PROGRAM FOR A TERM OF 10 YEARS WITH OPTIONS TO TERMINATE THE CONTRACT AT THE CITY'S SOLE OPTION AFTER CONTRACT YEAR 4 AND CONTRACT YEAR 7. Said item would be held until the next Regular Council meeting to be held on December 13, 2016 at 6:00 p.m.

ORDER ESTABLISHING JUST COMPENSATION AND AUTHORIZING ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTY FOR THE CITY OF JACKSON WEST COUNTY LINE ROAD PROJECT, CITY PROJECT NO. 1500901 WITH PAYMENT TO BE MADE TO VARIOUS GRANTORS UPON ACCEPTANCE OF OFFERS OF JUST COMPENSATION.

WHEREAS, the City of Jackson requires certain interests in real property to complete the West County Line Road Project; and

WHEREAS, the City of Jackson obtained appraisals for the properties needed in accordance with Mississippi and Federal Law; and

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

WHEREAS, in order to make offers based on the appraisal, the governing authorities must establish the amount of the offers for just compensation.

IT IS, THEREFORE, ORDERED that just compensation for temporary and permanent easements to parcels necessary for the City of Jackson West County Line Road Project, City Project No. 1500901 is established as follows:

Parcel Number 707-92	\$6,400.00 (Owner - Tangie Coleman Kelly)
Parcel Number 707-107-2	\$1,200.00 (Owner – Margaret W. Jefferson)
Parcel Number 707-114	\$1,700.00 (Owner – Marion Holmes Scott)
Parcel Number 707-13-W	\$28,000.00 (Owner – Bennie Seaton & Bernice S. Smith)
Parcel Number 707-13-T	\$300.00 (Owner - Bennie Seaton & Bernice S. Smith)
Parcel Number 707-14	\$25,700.00 (Owner – Bernice S. Smith & Annie H. Smith)
Parcel Number 707-14-Q1	\$100.00 (Owner – Undray Mayfield)
Parcel Number 707-14-Q2	\$100.00 (Owner – Lucille Hughes)
Parcel Number 707-27	\$1,500.00 (Owner – Bennie Seaton)

Total Amount: \$ 65,000.00

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

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

Nays- None.

Absent- Stokes.

ORDER AUTHORIZING FINAL PAYMENT TO THE CONTRACT OF PARKMAN WOODWARD CONTRACTORS, INC, FOR THE TUDOR STREET DRAINAGE IMPROVEMENTS, CITY PROJECT NO. 16B5001.301.

WHEREAS, the City of Jackson accepted Parkman Woodward Contractors, Inc.'s quote of \$12,835.00 for the Tudor Street Drainage Improvements, City Project No. 16B5001.301; and

WHEREAS, the contract work involved installing a drainage culvert system on Tudor Street to assist with flooding issues; and

WHEREAS, a final field inspection was held by the Department of Public Works, and the Department recommends acceptance of the project; and

WHEREAS, the Department of Public Works recommends final payment in the amount of \$12,835.00 to Parkman Woodward Contractors, Inc.; and

WHEREAS, the bonding company FCCI Insurance Company, 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 the City make final payment in the amount of \$12,835.00 and release all securities held to Parkman Woodward Contractors, Inc. for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Tudor Street Drainage Improvements, City Project No. 16B5001.301.

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

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

Nays- None.

Absent- Stokes.

There came on for consideration Agenda Item No. 30:

ORDER AUTHORIZING A PROFESSIONAL SEERVICES AGREEMTN WITH ARCADIS U.S., INC. FOR PROGRAM MANAGEMENT SEERVICES FOR THEWASTWATER CONSENT DECREE. Said item would be tabled until a later date.

Council Member Tillman left the meeting.

ORDER AUTHORIZING PAYMENT OF FULL AND FINAL JUDGMENT OF ALL CLAIMS IN THE MATTER OF "WILLIE B. JORDAN VS. THE CITY OF JACKSON, MISSISSIPPI" Hinds Circuit Court Civil Action No.: 251-08-897.

WHEREAS, on November 6, 2008, the Plaintiff filed a Complaint in the matter styled Willie Jordan vs. City of Jackson, Mississippi", Hinds Circuit Court Cause No. 251-08-897; and

WHEREAS, Plaintiff claims he owns a parcel of property inside the corporate limits of Jackson, Mississippi. On or about September 15, 2006 and pursuant to the authority of §21-19-11 Miss. Code 1972 as amended, notice was sent by certified mail to the Plaintiff at his registered home address in Houston, Texas that the property was subject to condemnation, clearing, and demolition; and

WHEREAS, the property was condemned at a duly noticed hearing according to statute, and demolition was approved on November 7, 2006; and

WHEREAS, City's Motion to Dismiss and Motion for Summary Judgment was held on April 17, 2009. The trial court granted the Motion for Summary Judgment on the basis of immunity for discretionary acts and dismissed the action. Plaintiff filed a Motion to Reconsider arguably and the Court reversed itself and denied the City's motions; and

WHEREAS, this matter having come on for trial before the Court on February 9, 2015, and the Court having heard and considered the testimony and evidence presented by the parties and having entered its Final Judgment in this matter on March 6, 2015, finding against the City of Jackson, Mississippi. The City Appeal this matter to the Supreme Court and the Supreme Court issued is decision against the City; and

WHEREAS, it is in the best interest of the City of Jackson, Mississippi that the City of Jackson resolve this matter with the Plaintiff and her attorney in the amount of \$12,513.53 in return for a complete release of the City and Entry of a Satisfaction of Judgment.

IT IS, THEREFORE, ORDERED that the Judgment against the City in the case of Willie B. Jordan vs. the City of Jackson, Mississippi is hereby authorized for the total lump sum of \$12,513.53.

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

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

Nays- None.

Absent- Stokes and Tillman.

Council Member Tillman returned to the meeting.

ORDER AUTHORIZING FULL AND FINAL SETTLEMENT OF ALL CLAIMS IN THE MATTER OF "ANGELA TAYLOR VS. CITY OF JACKSON" IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI NORTHERN DIVISION; CAUSE NO. 3:16CV28-HTW-LRA.

WHEREAS, on January 20, 2016, the Plaintiff filed a Complaint in the matter styled "ANGELA TAYLOR vs. THE CITY OF JACKSON, MISSISSIPPI", United States District Court for the Southern District of Mississippi Northern Division, Cause No. 3:16cv28-HTW-LRA; and

WHEREAS, the Plaintiff Angela Taylor and the City having reached a proposed settlement; and

WHEREAS, the Office of the City Attorney is recommending that the City fully and finally resolve this matter with the Plaintiff Angela Taylor and her attorney, Richard Hitt, of Mississippi Center for Legal Services, in return for a complete release of the City and Entry of an Agreed Order of Dismissal; and

WHEREAS, such Settlement Agreement shall not constitute an admission of liability on the part of the City of Jackson, Mississippi; and

WHEREAS, based on the economic value to the City and without admitting any liability, it is in the best interest of the City of Jackson, Mississippi that the City of Jackson resolve this matter in an amount not to exceed \$5,000.00.

NOW, THEREFORE, IT IS HEREBY ORDERED by the City Council of the City of Jackson, Mississippi, that the City of Jackson, Mississippi pay a total sum not to exceed \$5,000.00 to Angela Taylor and her attorney, Richard Hitt of the Mississippi Center for Legal Services in return for a complete release of the City from any and all liability.

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

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

Nays- None.

Absent- Stokes.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI IN SUPPORT OF WEI/AJA, LLC AS PROGRAM MANAGEMENT FOR CLEAN WATER ACT COMPLIANCE, CONSENT DECREE IMPLEMENTATION AND TECHNICAL SUPPORT AS PART OF THE WASTEWATER INFRASTRUCTURE REDEVELOPMENT PROGRAM.

WHEREAS, as a result of violating the Clean Water Act, the City of Jackson agreed to make improvements to its sewer systems to eliminate unauthorized overflows of untreated raw sewage and unauthorized bypasses of treatment at the Savanna Street Wastewater Treatment Plant (WWTP), the city's largest wastewater treatment facility; and

WHEREAS, the City of Jackson entered into a contract with WEI/AJA, LLC to provide professional engineering and program management services in support of implementation of the Wastewater Infrastructure Redevelopment Program on June 15, 2004; and

WHEREAS, WEI/AJA, LLC have demonstrated their ability to administer and manage wastewater construction, leverage funding, and maintain relationships with regulatory and funding agencies; and

WHEREAS, the WEI/AJA, LLC desires to continue providing program management, engineering and technical services for the City of Jackson in connection with the Consent Decree; and

WHEREAS, the City Council of Jackson, Mississippi is asking the Mayor to reinstate WEI/AJA, LLC as Consent Decree Program Manager.

THEREFORE, BE IT RESOLVED the City Council of Jackson, Mississippi in support of WEI/AJA, LLC providing Consent Decree Program Management and technical support as part of the Wastewater Infrastructure Redevelopment Program.

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

President Hendrix recognized **Monica Joiner**, City Attorney, who stated proposed company had not submitted as a part of procurement through the City's RFP process.

Thereafter, **Council Member Priester** withdrew this second and said item was no longer on the floor. **President Hendrix** stated said item would be tabled for a later date.

RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVES THAT APPROPRIATE FUNDING FOR PROGRAMS ADMINSTRATED BY THE U.S. ARMY CORP OF ENGINEERS THAT PROVIDE GRANTS FOR ENVIRONMENTAL INFRASTRUCTURE IMPROVEMENTS IN THE STATE OF MISSISSIPPI.

WHEREAS, the City Council of the City of Jackson, Mississippi ("City of Jackson"), has met to consider support for certain proposed legislation during the 115th Congress of the United States; and

WHEREAS, the City Council resolved to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, The City of Jackson has several critical needs relating to the current water and wastewater system, as well as needs involving transportation and infrastructure; and

WHEREAS, The City has worked aggressively to address these requirements, and despite concerted efforts, the overall costs of these projects continues to outstrip budgetary resources; and

WHEREAS, routine maintenance programs are crippled by diminishing funds which then severely hampers the City's ability to adequately address infrastructure degradation issues; and

WHEREAS, Federal programs such as these will help the City address budgetary funding gaps, leverage City resources, and bring projects to completion in a timelier manner.

THEREFORE, BE IT RESOLVED that the City Council for the City of Jackson, Mississippi, supports proposed legislative initiatives to be considered during the 115th Congress of the United States that would appropriate additional funds for programs administered by the U.S. Army Corp of Engineers that provide grants for environmental infrastructure improvements in the State of Mississippi.

IT IS FURTHER RESOLVED, that the City Clerk is directed to provide a certified copy of this Resolution to each member of the Mississippi Congressional delegation.

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

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

Nays- None.

Absent- Stokes.

RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVE FOR THE AUTHORIZATION OF FUNDING TO BE USED TO ESTABLISH A MUNICIPAL CRIME PREVENTION FUND TO PROVIDE FINANCIAL RESOURCE ASSISTANCE TO CITIES AND COUNTIES IMPLEMENTING CRIME PREVENTION PROGRAMS WITHIN THEIR COMMUNITIES.

WHEREAS, the Municipal Legislative Committee ("Legislative committee") of the city of Jackson, Mississippi ("City of Jackson"), has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, the Legislative Committee has recommended that the City Council resolve to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, significant attention by the City and its governing authorities has been given to attempts to reduce the City's rising violent crime rates that is three times higher than the national average; and

WHEREAS, research supports that communities that implement data-drive crime prevention programs notice reductions in crime rates; and

WHEREAS, the governing authorities of the City of Jackson support a request for funding to establish a local and Municipal Crime Prevention Fund to provide financial resource assistance to cities and counties implementing crime prevention programs within their communities.

THEREFORE, BE IT RESOLVED that the City Council for the City of Jackson, Mississippi, accepts the recommendation of the Legislative committee and supports proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature for the authorization of funding to establish a municipal Crime Prevention Fund to provide financial resource assistance to cities and counties implementing crime prevention programs within their communities.

IT IS FURTHER RESOLVED that the City Clerk is directed to provide a certified copy of this Resolution to each committee of the Mississippi Legislature to which such proposed legislation has been assigned, as well as a copy to each member of the Hinds County delegation.

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

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

Nays- None.

Absent- Stokes.

RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVE FOR THE AUTHORIZATION OF FUNDING TO BE USED TO ESTABLISH A LOCAL AND MUNICIPAL FIRE AND EMERGENCY MANAGEMENT SAFETY FUND TO PROVIDE FINANCIAL RESOURCE ASSISTANCE TO CITIES AND COUNTIES IMPLEMENTING EMERGENCY RESPONSE AND FIRE SAFETY PROGRAMS WITHIN THEIR COMMUNITIES.

WHEREAS, the Municipal Legislative Committee ("Legislative committee") of the city of Jackson, Mississippi ("City of Jackson"), has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, the Legislative Committee has recommended that the City Council resolve to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, the recent frequency of natural disasters and the rising threat of man-made catastrophes have pressed our fire, police and emergency management personnel to stretch diminishing funds needed to ensure that the Capital City can prepare, respond and recover from calamities; and

WHEREAS, Jackson's readiness for manmade and natural threats is an essential factor in the integrity of security protocols statewide; and

WHEREAS, the governing authorities of the city of Jackson support a request for funding to establish a local and Municipal Fire and Emergency Management Safety Fund to provide financial resource assistance to cities and counties implementing emergency response and fire safety programs within their communities.

THEREFORE, BE IT RESOLVED that the City Council for the city of Jackson, Mississippi, accepts the recommendation of the Legislative committee and supports proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature for the authorization of funding to establish a local and Municipal Fire and Emergency Management Safety Fund to provide financial resource assistance to cities and counties implementing emergency response and fire safety programs within their communities.

IT IS FURTHER RESOLVED that the City Clerk is directed to provide a certified copy of this Resolution to each committee of the Mississippi Legislature to which such proposed legislation has been assigned, as well as a copy to each member of the Hinds County delegation.

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

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

RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVE THAT APPROPRIATES FUNDING FOR THE U.S. DEPARTMENT OF TRANSPORTATION'S TIGER GRANT PROGRAM, AND THE LIKE, THAT PROVIDE GRANT OPPORTUNITIES FOR INFRASTRUCTURE IMPROVEMENTS PROJECTS IN THE STATE OF MISSISSIPPI.

WHEREAS, the City Council of the City of Jackson, Mississippi ("City of Jackson"), has met to consider support for certain proposed legislation during the 115th Congress of the United States; and

WHEREAS, the City Council resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, The City of Jackson has several critical needs relating to the current water and wastewater system, as well as needs involving transportation and infrastructure; and

WHEREAS, The City has worked aggressively to address these requirements, and despite concerted efforts, the overall costs of these projects continues to outstrip budgetary resources; and

WHEREAS, routine maintenance programs are crippled by diminishing funds which then severely hampers the City's ability to adequately address infrastructure degradation issues; and

WHEREAS, Federal programs such as these will help the City address budgetary funding gaps, leverage City resources, and bring projects to completion in a timelier manner.

THEREFORE, BE IT RESOLVED that the City Council for the City of Jackson, Mississippi, supports proposed legislative initiatives to be considered during the 115th Congress of the United States that would appropriate funds for the U.S. Department of Transportation's TIGER Grant Program, and the like, for infrastructure improvements projects in the State of Mississippi.

IT IS FURTHER RESOLVED that the City Clerk is directed to provide a certified copy of this Resolution to each member of the Mississippi Congressional delegation.

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

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

RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVES THAT WOULD ESTABLISH AN ANNUAL APPROPRIATION FOR IMPROVEMENTS TO THE MISSISSIPPI STATE CAPITAL'S DEGRADING ROADS, BRIDGES, WATER AND SEWER INFRASTRUCTURE SYSTEMS.

WHEREAS, the City Council of the city of Jackson, Mississippi ("City of Jackson"), has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, The City Council resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, several State-owned properties in Central Mississippi's metropolitan area rest on top of crumbling bridges, water and sanitary sewer infrastructures with sections ranging in age from forty (40) to a hundred (100) years old; and

WHEREAS, annually, there is a need to service the more than seven hundred twenty (720) lane miles of paved road that encompass and/or connect the forty (40) or more State-owned properties within Central Mississippi's metropolitan area at a cost of roughly one hundred fifty thousand dollars (\$150,000.00) per lane mile; and

WHEREAS, annually, there is a need to service the more than two-hundred forty (240) lane miles of paved road that encompass and/or connect the forty (40) or more State-owned properties within Central Mississippi's metropolitan area at a cost of roughly five hundred dollars (\$500.00) per foot; and

WHEREAS, annually, there is a need to service about ten (10) arterial bridges that supply traffic flows to the roads that connect the forty (40) or more State-owned properties within Central Mississippi's metropolitan area which the Mississippi Department of Transportation estimate repair and/or construction cost around twenty-three million dollars (\$23,000,000.00); and

WHEREAS, annually, there is a need to upgrade and/or modify crosswalks, curbs and sidewalks along the roadways that encompass and/or connect the forty (40) or more State-owned properties within Central Mississippi's metropolitan area to ensure adequate access to civic life for all pedestrians especially those with disabilities; and

WHEREAS, routine maintenance programs are crippled by diminishing funds which then severely hampers the ability to adequately address infrastructure degradation issues associated with properties owned by the State of Mississippi; and

WHEREAS, the water/sewer infrastructure, streets and bridges within this metropolitan area support and serve as a crucial point for transit convergence in the State; and

WHEREAS, the City of Jackson is a unique municipality in that it is an area with a disproportionately high concentration of tax exempt, state-owned properties that do not contribute ad valorem taxes to fund maintenance and upkeep of its supporting infrastructure.

THEREFORE, BE IT RESOLVED that the City Council for the City of Jackson, Mississippi supports proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature that would establish an annual appropriation for improvements to Jackson's degrading roads, bridges, water and sewer infrastructure systems.

IT IS FURTHER RESOLVED that the City Clerk is directed to provide a certified copy of this Resolution to each committee of the Mississippi Legislature to which such proposed legislation has been assigned, as well as a copy to each member of the Hinds County delegation.

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

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

Nays- None.

Absent- Stokes.

RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATION INITIATIVE THAT WOULD PROVIDE FUNDING OPPORTUNITIES TO SUPPORT COMMUNITY REVITALIZATION, PROTECT AND IMPROVE PROPERTY VALUES AND ATTRACT NEW HOMEOWNERS TO RESURGENT NEIGHBORHOODS - TO INCLUDE GREATER ENFORCEMENT AUTHORITY IN DEALING WITH ABSENTEE LANDLORDS WHOSE NEGLIGENCE HAS LED TO HABITUAL INSTANCES OF BLIGHT.

WHEREAS, the Municipal Legislative Committee ("Legislative committee") of the city of Jackson, Mississippi ("City of Jackson"), has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, the Legislative Committee has recommended that the City Council resolve to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, Jackson has roughly 106 square miles of land with pockets of land, varying in sizes, dedicated to industrial, commercial, and residential use; and

WHEREAS, many of these pockets contain brownfields, superfunds, vacated or abandoned industrial facilities, and over 4,000 dilapidated, blighted properties; and

WHEREAS, the City of Jackson encompasses the majority of Hinds County's 3300 lands forfeited to the State for non-payment of ad valorem taxes totaling more than twenty-four million dollars (\$24,000,000.00); and

WHEREAS, the City of Jackson has the burdensome responsibility of ensuring that these lands remain safe and do not produce or pose health hazards to the citizens and visitors to Jackson, the State's Capital; and

WHEREAS, these troublesome areas have become targets for illegal dumping and breeding grounds for criminal activities; and

WHEREAS, the inability to adequately address these problems has led to some residents and businesses leaving these areas and even Jackson resulting in a loss to our tax base; and

WHEREAS, the Governing Authorities of the City of Jackson seek to improve the City's ability to foster more vibrant communities by cultivating new development opportunities, embracing other area attractions, and rehabilitating blighted areas; and

WHEREAS, the Governing Authorities have worked diligently with limited funds to foster better relationships with communities and their parks, maintain areas around parks, and continue to promote the use of all parks in the City of Jackson; and

WHEREAS, the Governing Authorities have worked to improve the quality of life through the promotion of measures designed to enhance the urban environment and strengthen community resources; and

WHEREAS, the Mississippi Secretary of State's Office, Public Lands Division has the constitutional and statutory authority over lands forfeited to the State for non-payment of ad valorem taxes, inventory of State agency lands and services to the public and governmental subdivisions relating to sales, acquisitions, leasing, and title of the State's real property assets; and

WHEREAS, the City of Jackson is in support of legislation that would authorize the Mississippi Secretary of State's Office, in its authority, to offer resource and funding assistance to the City of Jackson for furthering the successful management of the State Capital's tax-exempt blighted, abandoned and dilapidated properties.

THEREFORE, BE IT RESOLVED that the City Council for the City of Jackson, Mississippi, accepts the recommendation of the Legislative committee in support of proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature to support legislation that would provide funding opportunities for municipalities in support of community revitalization, protection and improve property values and attract new homeowners to resurgent neighborhoods to include greater enforcement authority in dealing with absentee landlords whose negligence has led to habitual instances of blight.

IT IS FURTHER RESOLVED that the City Clerk is directed to provide a certified copy of this Resolution to each committee of the Mississippi Legislature to which such proposed legislation has been assigned, as well as a copy to each member of the Hinds County delegation.

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

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

Nays- None.

Absent- Stokes.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVES FOR PAYMENTS IN LIEU OF TAXES.

WHEREAS, the City Council of Jackson, Mississippi, has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, the City Council of Jackson, Mississippi resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, although the City of Jackson, Mississippi continues to experience a declining tax base, we are still charged with providing the same level of programs and services that citizens, businesses, organizations and agencies have grown accustomed to; and

WHEREAS, the City of Jackson, Mississippi has a host of government agencies, churches, nonprofits, and educational institutions that benefit from city services; yet, they do not contribute to the costs of providing aforementioned services; and

WHEREAS, cities such as Baltimore, Boston, Philadelphia and Pittsburg have successfully implemented payments in lieu of taxes agreements; and

WHEREAS, to alleviate municipal revenue pressures, the City Council of Jackson, Mississippi is recommending annual payments from tax-exempted properties.

THEREFORE, BE IT RESOLVED that the City Council of Jackson, Mississippi support proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature that would result in payments in lieu of taxes from tax-exempted properties in the City of Jackson.

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

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

Nays- None.

Absent- Stokes.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVES TO MAINTAIN AND ENFORCE THE MAEP FORMULA FOR ALL MISSISSIPPI SCHOOL DISTRICTS.

WHEREAS, the City Council of Jackson, Mississippi has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, the City Council of Jackson, Mississippi resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, Mississippi Adequate Education Program (MAEP) was passed by the Mississippi Legislature in 1997; and

WHEREAS, MAEP is a law that provides a state formula used to establish adequate funding levels necessary for the programs of each school district to meet a successful level of student performance as established by the State Board of Education using current statistically relevant state assessment data; and

WHEREAS, the MAEP formula ensures every Mississippi Child regardless of where he/she lives is afforded an adequate educational opportunity, as defined by the State Accountability System; and

WHEREAS, the MAEP formula takes into consideration all components within the school districts that aid them in their day to day operation; and

WHEREAS, the state of Mississippi has not enforced this law since its passing in 1997 seeing how there are 47 school districts in the State of Mississippi that were underfunded by more than millions of dollars for the fiscal years 2009-2015 according to the Mississippi Association of Educators; and

WHEREAS, money has been traditionally spread unevenly to other school districts for years in Mississippi and has put our scholars at a huge disadvantage.

THEREFORE, BE IT RESOLVED that the City Council of Jackson, Mississippi support proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature that would result in the support, maintenance, and enforcement of the MAEP formula.

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

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

Nays- Foote.

Absent- Stokes.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVES FOR THE INVESTMENT IN THE ECONOMIC GROWTH OF DOWNTOWN JACKSON.

WHEREAS, the City Council of Jackson, Mississippi, has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, the City Council of Jackson, Mississippi resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, the City Council of Jackson, Mississippi finds that downtown areas are the heart of the city; and

WHEREAS, downtowns play a vital role in the overall success of its cities and local economies; as a result, a wide range of communities have adopted specialized plans and development strategies to improve and maintain downtown areas; and

WHEREAS, on December 15, 2015, the City Council of Jackson, Mississippi voted in favor of a resolution supporting Downtown Jackson Partners and their composition of a downtown comprehensive plan; and

WHEREAS, the City of Jackson, Mississippi is in need of investment for infrastructure improvements, infill development, and the composition and implementation of a strategy to improve and maintain downtown Jackson in a way that supports existing businesses, attract new businesses, and promote increased local use as well as tourism; and

WHEREAS, the current economic climate does not permit the City of Jackson to fund the necessary improvements, development and strategy.

THEREFORE, BE IT RESOLVED that the City Council of Jackson, Mississippi support proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature that would result in investments in the economic growth of downtown Jackson.

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

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

Nays- None.

Absent- Stokes.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVES FOR THE INVESTMENT IN THE GRAND GULF NUCLEAR STATION EVACUATION ROUTE.

WHEREAS, the City Council of Jackson, Mississippi, has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, the City Council of Jackson, Mississippi resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, the City of Jackson, Mississippi receives approximately \$1.6 million from the Grand Gulf Nuclear Station, annually; and

WHEREAS, on October 18, 2016, the City Council of Jackson, Mississippi voted to establish the Grand Gulf Disaster Assistance Trust Fund to adequately fund infrastructure improvements, emergency planning and development; and

WHEREAS, within city limits and located on Highway 18, there is a need for additional support not only to compose and implement in emergency plan in the event of an evacuation but to develop a complete streets design, traffic abatement, infrastructure improvements, the composition and implementation of an economic development strategy as well as associated maintenance; and

WHEREAS, the current economic climate does not permit the City of Jackson to fund the requested plans and improvements.

THEREFORE, BE IT RESOLVED that the City Council of Jackson, Mississippi support proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature that would result in investments in the Grand Gulf Nuclear Station Evacuation Route.

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

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

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVES FOR THE CONSTRUCTION OF A STADIUM FOR JACKSON STATE UNIVERSITY.

WHEREAS, the City Council of Jackson, Mississippi, has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, the City Council of Jackson, Mississippi resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, the mission of Jackson State University (JSU) is to produce technologically-advanced, diverse, ethical, global leaders who think critically, address societal problems and compete effectively; and

WHEREAS, JSU has reached a student population of nearly 10,000 students, is the fourth-largest Historical Black College and University in the nation, earned the designation of an "Apple Distinguished School," ranks among the top universities in the nation for producing African Americans with bachelor's degrees in education, biology, and physical science, and have students and alumnus who've competed in the 2012 and 2016 Olympics; and

WHEREAS, in spring 2013, JSU unveiled a proposal for a 50,000 seat, \$200 million domed stadium that would also hold 17,000 for basketball, 21,000 for concerts and special events as well as 75 sky boxes and the JSU Sports Hall of Fame; and

WHEREAS, every publicly-funded university in Mississippi has a stadium on campus, except JSU; and

WHEREAS, each school initially received funding from the state to construct its stadium; and

WHEREAS, JSU plays a vital role in the economic development of the City of Jackson and State of Mississippi.

THEREFORE, BE IT RESOLVED that the City Council of Jackson, Mississippi support proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature that would result in the necessary funding to construct a domed stadium for and on Jackson State University's campus.

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

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

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVES RESCINDING SENATE BILL 2162.

WHEREAS, the City Council of Jackson, Mississippi, has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, the City Council of Jackson, Mississippi resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, the Jackson-Evers International Airport serves as an economic engine and contributes to the attractiveness of not only Jackson but the entire State of Mississippi; and

WHEREAS, the City of Jackson, Mississippi has over fifty years of experience in appointing and confirming diverse and qualified commissioners to oversee matters concerning the airport; and

WHEREAS, the City Council of Jackson, Mississippi and its citizens deem Senate Bill (SB) 2162 as the hostile and illegal takeover of city-owned land and property as well as an abuse of power; and

WHEREAS, bills such as the SB 2162 illustrates that anything of economic viability owned by municipalities in the state of Mississippi can be stolen.

THEREFORE, BE IT RESOLVED that the City Council of Jackson, Mississippi support proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature that would rescind Senate Bill 2162.

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

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

Nays- None.

Absent- Stokes.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVES TO REDESIGN THE STATE FLAG.

WHEREAS, the City Council of Jackson, Mississippi, has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, the City Council of Jackson, Mississippi resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, state flags serve as an emblem of local influence, history, and principles; and

WHEREAS, the Mississippi state flag serves as a symbol of slavery, the confederacy, hate, oppression, terrorism and racial violence; and

WHEREAS, to illustrate solidarity, cities and educational institutions throughout Mississippi have removed the state flag; and

WHEREAS, the City Council of Jackson, Mississippi is requesting the removal of the confederate battle flag, all references regarding the confederacy as well as the designing of new flag that better represents us all.

THEREFORE, BE IT RESOLVED that the City Council of Jackson, Mississippi support proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature that would result in the removal of the confederate battle flag and redesign of the state flag.

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

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

Nays- None.

Absent- Stokes.

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI REVISING FISCAL YEAR 2016-2017 BUDGET TO FUND PARKS AND RECREATION.

WHEREAS, the City Council of Jackson, Mississippi considers the annual budget the single most important financial responsibility of the City of Jackson; and

WHEREAS, the City Council of Jackson, Mississippi must determine how we can best serve the interests of the citizens while maintaining fiscal accountability; and

WHEREAS, the City Council of Jackson has worked to maintain equilibrium to some extent by suggesting departments do more with less, protect services, programs and projects from termination, and become more fiscally efficient and effective; and

WHEREAS, there are certain programs and services that lack the necessary funding to function properly such as Parks and Recreation in the amount of \$80,000; and

WHEREAS, the City Council of Jackson, Mississippi is recommending necessary funding come from the Fund Balance in the amount of \$80,000.

IT IS THEREFORE ORDERED that the City Council of Jackson, Mississippi revise Fiscal Year 2016-2017 Budget, effective immediately.

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

Council Member Barrett-Simon withdrew her second and said item was no longer on the floor. **President Hendrix** referred said item to the Finance Committee.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI, IN SUPPORT OF PROPOSED LEGISLATIVE INITIATIVES THAT CLOSE THE ONLINE SALES TAX LOOPHOLE.

WHEREAS, the City Council of Jackson, Mississippi, has met to consider support for certain proposed legislation during the 2017 Mississippi Legislative Session; and

WHEREAS, the City Council of Jackson, Mississippi resolves to support certain legislation deemed worthy by the City of Jackson; and

WHEREAS, the City Council of Jackson, Mississippi deems it necessary to join other cities to call attention to issues of municipal concern; and

WHEREAS, closing the online sales tax loophole has been a priority of the City of Jackson; and

WHEREAS, the City Council of Jackson, Mississippi is urging for the enactment of legislation closing the online loophole and leveling the playing field for brick and mortar businesses in Mississippi; and

WHEREAS, it is estimated that millions is owed in sales taxes in Mississippi which deprives all levels of government revenue needed to provide services for its constituents.

THEREFORE, BE IT RESOLVED that the City Council of Jackson, Mississippi support proposed legislative initiatives to be considered during the 2017 Session of the Mississippi Legislature that would result in closing the online sales tax loophole.

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

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

Nays- None.

Absent- Stokes.

There came on for consideration Agenda Item No. 49:

RESOLUTION ADOPTING THE 2017 REGULAR COUNCIL MEETING SCHEDULE OF THE JACKSON CITY COUNCIL. Said item would be held until the next Regular Council meeting to be held on December 13, 2016 at 6:00 p.m.

President Hendrix recognized the following individuals who provided public comments on non-agenda related items during the meeting:

- **Amelie Hahn** expressed concerns regarding the pro choice consent decree.
- **John Holt** expressed concerns regarding the conditions of the streets, water main breaks and the renaming of Langley Ave.
- **Willa Womack** spoke in opposition to the renaming of Langley Avenue and urged the Council to rescind the renaming.
- **Rander Adams** spoke in opposition to the renaming of Langley Avenue.
- **Charlotte Reeves** spoke in opposition to the renaming of Langley Avenue and recommended a historic marker be placed instead of the street renaming.

There came on for Discussion Agenda Item No. 50:

DISCUSSION: STATE OWNED PROPERTIES: Said item would be held due to the absence of **Council Member Stokes**.

There came on for Discussion Agenda Item No. 51:

DISCUSSION: WALTER "DUTCH" WELCH DRIVE STREET CLOSING/CANADIAN NATIONAL RAILWAY COMPANY: Said item would be held due to the absence of **Council Member Stokes**.

DISCUSSION: CORROSION CONTROL STUDY FOR THE O.B. CURTIS WATER PLANT: **President Hendrix** recognized **Phillip Gibson**, a representative of Trilogy Engineering Services provided a brief update on the corrosion control at the O.B. Curtis Water and J.H. Fewell plants.

DISCUSSION: LITIGATION MATTERS: **President Hendrix** stated that said item would have to be discussed in Executive Session.

Council Member Stamps left the meeting at 1:03 p.m.

There came on for Presentation Agenda Item No. 54:

PRESENTATION: MAYOR'S YOUTH COUNCIL 2016 INDUCTEES: Said item was pulled by **Mayor Yarber**.

Council Member Priester moved and **Council Member Barrett-Simon** seconded to consider going into Executive Session to discuss litigation matters. The motion prevailed by the following vote:

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

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

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

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

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

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

***Note: Council Member Barrett-Simon** left during Executive Session.

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

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, NOVEMBER 29, 2016 10:00 A.M.

311

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Council Meeting at 10:30 a.m. on December 8, 2016; at 1:50 p.m., the Council stood adjourned.

ATTEST:

Quita Moore
CITY CLERK

APPROVED:

[Signature] 12.29.16
MAYOR DATE
